

IN THE MATTER OF The Treaty of Waitangi Act
1975

AND

Claims by HUHURERE
TUKUKINO and OTHERS
known as the HAURAKI
CLAIMS.

**STATEMENT OF EVIDENCE OF JOSEPHINE ANDERSON ON BEHALF OF
THE HAURAKI MAORI TRUST BOARD AND ALL OTHER CLAIMANTS**

1. My name is Josephine Marama Anderson. My hapu is Ngahue of Ngati Hako, and my marae is Te Kotahitanga.
2. I have given evidence earlier before this Tribunal including an account of my personal and professional involvement with this claim and with the people of Hauraki.
3. Today, I address you as a claimant who has participated in the political affairs of Hauraki for the past 15 years. I am a claimant not unlike any other whose desire is to forge a way ahead, with the collective, beyond grievance and beyond the horizon of hope.
4. This hearing marks the conclusion of the most comprehensive of Hauraki claims that

has been fraught with obstacles; one that my people set out on a century and half ago, simply to secure our survival down through the millennia. And it marks a giant stride forward in the fulfilment of an obligation to the rangatira, Huhurere Tukukino. That in itself is important to me because I was one among the Board's team to accept from him the responsibility to research and prosecute the claim that became WAI 100. In fact the timing of my departure from the Board was postponed purely because of that obligation I had to him and to Toko Renata Te Taniwha.

5. The purpose of my evidence is to simply and briefly reiterate the points that were made in my original brief. These are:-
 - a. That comprehensive treaty breaches have been committed by the Crown against Hauraki Maori;
 - b. That over the past 150 years we have endured a highly calculated plan of asset stripping and cultural genocide;
 - c. That this has had a devastating social and economic impact on the status of Hauraki Maori;
 - d. That inspite of the obstacles placed in our way and the setbacks we have and continue to encounter, we are fashioning solutions for ourselves, with survival on our terms being the motivating principle;
 - e. That settlement with Hauraki Maori must occur soon because every year that it is delayed is a year of lost opportunities for us;
 - f. That settlement should be durable and therefore focus on the quality of relationships, between ourselves and with the Treaty partner; and
 - g. That we have to set our hopes and dreams of self-determination within a tangible framework of action and responsibility, monitoring performance and outcome, so that we lead the way, in the best way - the Hauraki way.

6. Legal counsel has outlined the main strands of the comprehensive treaty breaches committed by the Crown against the Hauraki tribes, and tangatawhenua and technical witnesses have confirmed over the eleven months of this inquiry the particular methods that the Crown used to erode Hauraki control of our resources. Those

witnesses have told the Tribunal that the Crown waged a calculated war against tribal autonomy, chiefly authority and Maori custom and tradition, that it focused cold-bloodedly on the acquisition of our lands for the gold and timber; that it used war to justify the illegal confiscation of large tracts of Hauraki land; that it set up an economic blockade across Tikapa Moana to abort our trading and fishing activities; that its agents took the whenua in payment for contrived debts, that it destroyed our waahi tapu, urupa, traditional food traps and fisheries, and it enacted land-grabbing legislation that shook the traditional structures to their foundations.

7. These Crown breaches of the Treaty Pact had far-reaching consequences for Hauraki Maori. By 1885 only 28% of the land remained in Maori hands. By 1997 2.7% remained. The large-scale loss of land, along with the loss of control and authority over the timber, rivers, foreshores and minerals was to have devastating impacts on Maori health and wellbeing. Abject poverty, major outbreaks of influenza and tuberculosis, our tupuna being prevented by policy from receiving life-saving treatment, language loss, dislocation from traditional kainga, structures and tikanga are some of the ways in which Maori were plunged into the pit of deprivation.

8. Professor Oliver starkly outlines the situation for Hauraki Maori:

•"Maori [of Hauraki] born in the 1840s would have been - if lucky enough - still alive in the early 20th century. A single lifetime would have encompassed a series of major transformations - a brief time of prosperous commerce with the colonial capital, a time of war and blockade, the falling of the great forests, the gold rushes and the establishment of the gold industry, the decline of the Maori and the increase of the settler population, a series of major local outbreaks of diseases accentuating a situation of persistent ill health, the loss of all but a small proportion of the land, and a general condition of economic decline and social dislocation. It is important that the pace and the extent of change are kept in mind; together they constitute a complete revolution, political, social and economic, affecting the whole of life. (Vol.10, p2)."

9. These transformations moved Maori toward economic insignificance and social and political disadvantage. It is by no accident then that studies 100 years on should reveal that Hauraki Maori are poor, our mokopuna are more likely to come from

single-income families who are welfare beneficiaries and live in rental accommodation, our smaller girls are at greatest risk of being abused in the home, their parents will have no educational qualifications, and unemployment, poverty and anger will be characteristic of their whanau lifestyle. For as long as these constraints persist, the well-being of Maori in Hauraki, and of our mokopuna, will remain at risk. The likely impact of this risk is that the full potential of the whanui to participate and contribute to the social, economic, political and cultural development of Hauraki into the 21st century and beyond will be severely arrested.

10. But we haven't given up hope. And that is the theme of this final hearing. Despite the critical injuries sustained by Hauraki Maori throughout the decades since European contact we have retained the capacity to survive. We have recovered our Hauraki identity, and we have gone further to revive our richly diverse kinship identities. We have earned the respect of the nation's tribes, through hard work, sincerity and persistence in whatever field of endeavour and common concern has brought us together. Again we worked extremely hard to ensure that the sixth Maori seat would have the Hauraki name on it and as closely as possible, resembling that area of whenua known to us as Hauraki rohe. We pioneered the development of Marine fanning in our region and there may well be exciting opportunities ahead as the medical fraternity research further the curative properties of the green-lip mussel to treat cancer, a disease that continues to strike at our people in unprecedented proportions. These are examples of our self-determination, our self-reliance, and our survival.

11. And there are more examples. We can honestly be proud of our achievements here at home. Despite the resource limitations which beleaguer Maori, the whanui has committed itself to kaupapa Maori-driven initiatives, whether by way of the establishment and management of Kohanga Reo, Kura Kaupapa Maori and Te Reo Maori classes, Runanga and Iwi Authorities, or social service, training and health providers, iwi radio stations and commercial enterprise. These are contemporary expressions of our traditional endeavours. Tangata whenua will highlight some of

these initiatives in the days to follow. We will also share our experiences of growing up, living and working in Hauraki, highlighting the hardships and achievements, for ourselves, our whanau, hapu and iwi, and for the whanui. And evidence will conclude with a look at how we as a distinct iwi grouping see ourselves moving forward, together. And so it will be a week of reflection and remembrance, and also of looking for the way ahead.

12. A smooth journey would be ideal. That will require of the whanau, hapu and iwi of Hauraki, some quality leadership and relationship-building, endurance, a respect for our diversities, trust and a genuine willingness to cooperate with each other. Our desire to survive on our own terms means we have to get those baseline things right first. I believe we have the ingredients and I still believe that there exists a sincere commitment within the whanui to move forward in this way because our desire for unity is as important to us, as our desire to be autonomous.
13. On the matter of the remedies process between the Treaty partners, it is my opinion that the focus of any treaty settlement should be on the development of quality relationships between Hauraki Maori and the Crown. They must be durable and robust to withstand any conflict that could arise in the future and over time. This is the only way to ensure Maori survival. I have heard the Crown call for full and final settlements but my view is that the Treaty of Waitangi sets our parameters for an ongoing relationship between two partners. The Crown's obligations to Maori will not have been met or its relationship with Maori concluded by the payment of a bit of money and/or the return of a few acres of land.
14. We need not look at our claim as being an end in itself. The resolution of the Hauraki claims is but another step in the process of cultural renewal and survival. The focus should be on discussion, dialogue, negotiations and cooperation. I acknowledge that there may well be fiscal limitations in the settlement of treaty claims and yet still the Crown insists on a full and final settlement.

15. Hauraki has waited for over a century and a half for the resolution of grievances. I believe we want immediate and substantial reparations to restore the mana, well-being and economic base of our people, for our children and those who have yet to come.
- 16.1 am a proponent of treaty assets such as land, forests, fisheries and other physical resources being held within the kinship structure. My reasons for this are basic. These resources have always been held within the kinship structure despite Crown attempts to annihilate it. I do not believe that these structures have been so destroyed by the Crown that any settlements that come from Crown breaches against them should be transferred elsewhere. In Hauraki our kinship base is being reconstructed and settlements may well be used to recapture and refocus on the significance of whanau, hapu and Iwi to its members.
17. The way ahead in today's terms has much to do with ensuring that the Crown and Maori produce processes which are responsive to the many and not the few; structures which are accountable to the people regardless of where they live; and which produce outcomes which are applicable and appropriate to our peoples' everyday lives. This is a challenge for our leadership.
18. So there is much more to do and I maintain hope for a settlement that is not plagued with vicious argument, suspicion and mistrust among the iwi, or with plain ignorance and misunderstanding of our principles on the part of the Treaty partner. But we have to make a start somewhere to transform our dreams of a Hauraki nation restored, into a tangible reality.
19. The return of resources through this claims process will have a significant impact on the expansion of the Maori economic base and this will accelerate our development as a people. It will be crucial then for us to consider and, in fact, create the new entity for the future. The initiative and drive for this task must come from the will of the people concerned. This entity must be visionary, wholly responsive to the activities,

development and aspirations of the Hauraki people, and robust enough to carry us beyond grievance, and beyond the concept of hope, to tangible realities.

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