

IN THE MATTER

of the Treaty of Waitangi Act 1975

AND IN THE MATTER

of Remehio TE MAUNGA
MANGAKAHIA, of
Whangapoua and on behalf of
descendants and whanau members
of HAMIORA MANGAKAHIA

Brief of Evidence of Judy Te Aorere Nicholls

Introduction

My name is Judy Nicholls. My husband Kevin is the eldest son of Moncrieff Motutere Nicholls, and he is the second eldest grandson of Pareake Bright. In reference to the Bright Whanau I am privileged to have married into a very close united loving family. A family with special values instilled by those who were here before them. A family that I now consider myself to be one of. I'm confident our daughter Janielle and son Jarrad in years to come will remember March 2000 as a time that they were introduced to the concept of whanaungatanga in its entirety. Significant that with the new dawning of the millennium our tamariki have been introduced to this highly regarded principle from within Maoridom.

Te Whanau o Hamiora Mangakahia Claims Committee

I have been involved with Te Whanau O Hamiora Mangakahia Claims Committee for six years. In this time I have been privileged to have met many of my husband's extended whanau. Privileged to have worked alongside fellow committee members who each gave what they could, when they could. Within our committee each member was valued for their input reflecting the recognition that we as individuals are unique. And that perhaps it's this uniqueness that can make a diverse group of people work together cohesively as an integral component for showing strength and solidarity. I am privileged to have been part of an executive that were like minded, had high standards, high expectations, where professionalism was paramount, where accountability was favoured, who gave 150 percent expecting that this be reciprocated. We all had the same focus. And that focus was to be the driving force for the Claims Committee, to honour the mandate that was bestowed upon us by the Whanau to take their claim to Hearing. We intended to create a culture and environment that would take us to Hearing with expediency whilst maintaining integrity. Well here we are. Years of hard work, many meetings, many Hui. There were stressful times, challenging times and yes, there have been fun times.

For me the years of hard work have been in recognition and acknowledgement of Uncle Ruka. For all the times that doors were closed in his face. Where

time and time again he met barriers that were put before him for whatever reason. I've been told he was a humble man. A proud man who always showed humility. A man who desperately loved his whenua. For me I believe he should be remembered, as the initiator who started us on this hikoi.

The Whanau "Census"

As we prepared for the claim, we became aware of a problem. As evidence presented to the Tribunal this week has shown, whanau members are now living in various places around Hauraki, in Auckland, Hokianga, and Otago. Therefore, the possibility existed that either national statistics or local records would not adequately describe the collective social and economic experience of whanau members. We wanted to be able to present information to the Tribunal which would show the effects of land loss. We needed a strategic plan of some sort. We finally decided that the best way to do this was to ask the whanau themselves. In doing this, we would need the support of those members; after all, we would be enquiring into their lives and asking for very personal information. And yet, we needed to get a high percentage of participation to make the exercise worthwhile.

Being the type of person that I am, I saw this as a personal challenge. That if we were going to go down this track then near enough wouldn't be good enough. I took to this with a passion. Accepted it full on and consequently lived and breathed the claim.

The Committee produced a survey form, which required answers to 45 questions. The purpose of the survey was to find out information regarding where members of the whanau were born, whether they lived in Whangapoua, their current residence, why they left Whangapoua, the names of parents and grandparents, relationships to Hamiora Mangakahia, their marital status and whether they had children, information about educational, social and economic circumstances, professions, whakapapa, fluency in Te Reo Maori, questions on the Mangakahia whenua and cultural and spiritual matters.

A Privacy Act notice was placed on the last page and we have still not allowed the material to be used for anything other than as a basis for information in this claim.

Overview of Response

We sent out 200 forms and we received back 133 responses. For the purposes of the Claims Committee, this was a very good result. We had included a Whanau Register and the response shows that there are over 400 persons who can directly whakapapa to Hamiora Mangakahia. The information received from the census proved to be a compilation of amazing data, an incredible resource. At this point, I want to personally, and on behalf of the Claims Committee, thank the whanau for the support they showed for the claim, in the way they answered the census questions. I acknowledge that the questions were very personal and the census was quite long, so again, thank you. In this way, all of the whanau has directly contributed to their claim before the Waitangi Tribunal. The census and its results will continue to be used. I hope that one day our grandchildren may read of their tupuna and learn of how they

grew up and survived in a hard world - to learn of a time that didn't show equality of people.

I must take this opportunity to say I now really appreciate my early years. I give gratitude to my parents for my upbringing, for the life they tried to give me - of times I took for granted and knowing what I know now I can perhaps truly appreciate the hard times faced by the Mangakahia whanau. Hard in the way my husband's whanau were treated in Whangapoua, would not be unique to just Whangapoua but would have been a way that Maori were treated anywhere in New Zealand where they were forced to deny their language. There are not many fluent speakers of the reo within the whanau. Choices were made for them. The government made choices at a legislative level that influenced the schooling of our people, which meant that some families have had generations of no language through schooling. I have also learnt from the responses to the census of how hard it has been on the whanau to know that land which once was theirs, is owned by others and yet they had, during their lives, been so poor. It has been hard for whanau members that during their lifetime they have had to make difficult decisions about their last pieces of land - and that they subsequently had to leave an area which they always have and still see as their turangawaewae.

There were periods while inputting the data that it took longer than usual because I would have to stop to take a moment. Sometimes that didn't work and I would just have a little cry. Tears of sadness that I felt from the bottom of my heart. To read of the experiences some of the whanau endured was saddening. I reflect, and think how could a few words enable one to experience sadness, anger, and humility all in the same instant. And yet, in reading the words that were written, and the responses that they gave, these are the feelings which I felt, and these would be felt by anyone reading the past experiences of this whanau, especially the older members.

Concluding Remarks

The Claims Committee asked me to undertake this work in order to better understand the circumstances of Te Whanau o Mangakahia. The collation of results which has been completed to date has been used by our historian, Tony Walzl and has been presented in his report. I attach six pages of graphs which were used by him as the basis of his analysis. In concluding I would like to say that the information that was gleaned from this process and the development of the claim as a whole has reminded me of the importance of Whanau - of caring for them and educating them.

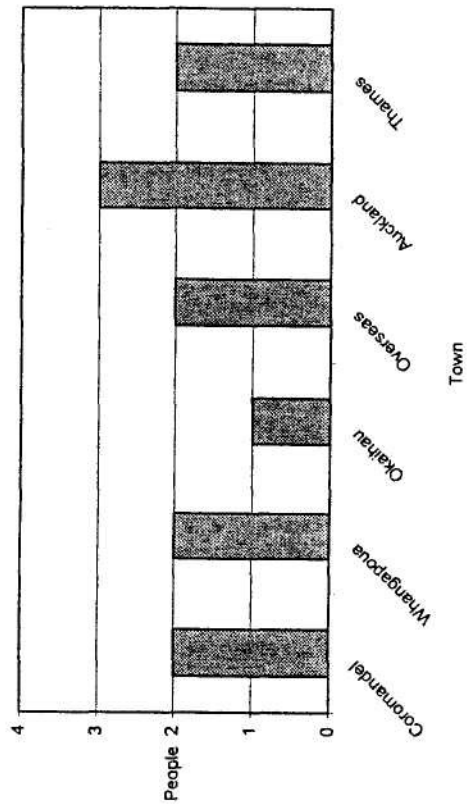
And the information from the past makes me consider the future. We should be bringing our young people up to believe in themselves. And to regard education as an important factor for their futures. Look ahead, set goals. Implement strategies to put in place those goals. Experience a sense of achievement in all that they do. We want them to grow up free from the burden of the past and able to soar into a truly bi-cultural future.

If New Zealand is to make real progress in bicultural terms, we must make a genuine bicultural commitment, and that bicultural commitment will have to recognise that it's not enough to have theoretical settlements. We have to ensure that resource bases are genuinely restored to all Maori, and in this case

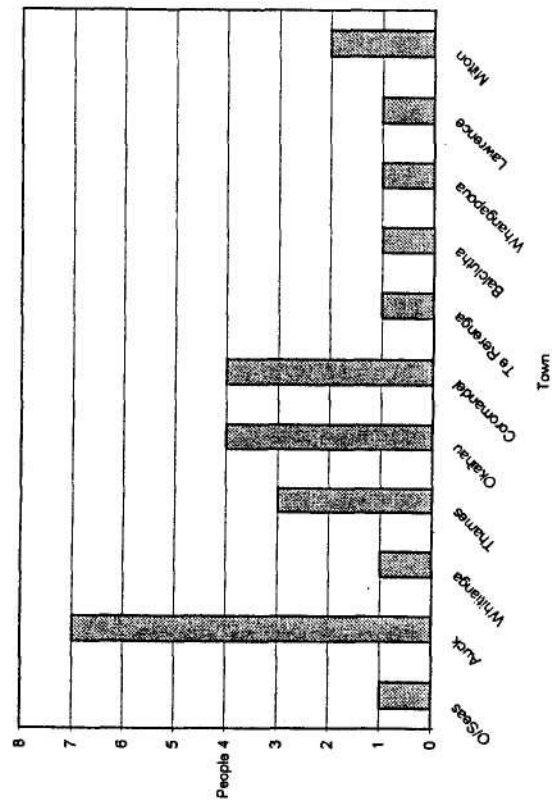
the Whanau o Mangakahia and that opportunities for Maori are equal to those that exist for others, that we are embraced as a people in our own right and our needs are accommodated on Maori terms. Claims are based on grievances. And with grievances come grief, and part of the grief process is being given the opportunity to articulate and work through the historical pain and suffering, and articulate it in such a way that it can then be left behind.

Areas That Whanau Have Settled (1922-1979)

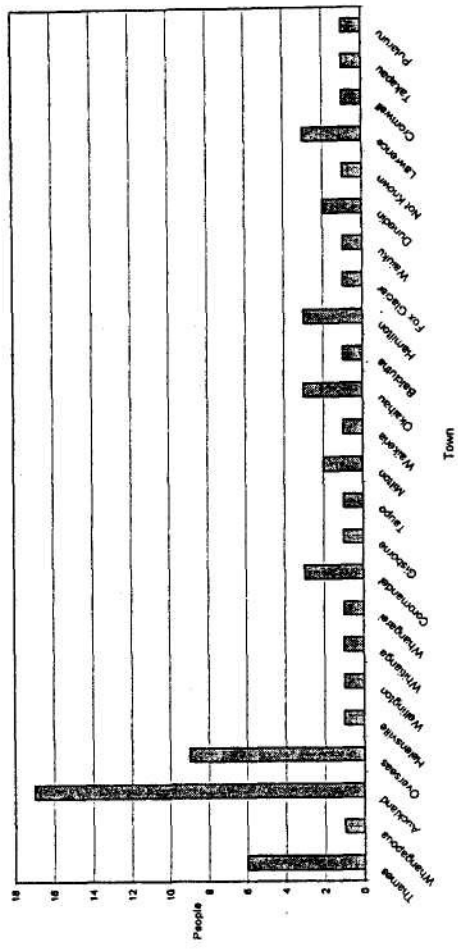
Area of Residence (1922-1939)



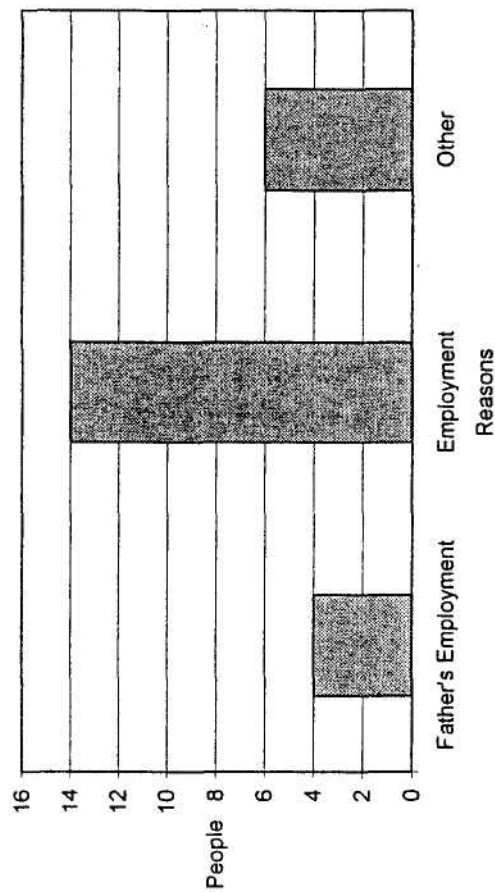
Area of Residence (1940-1959)



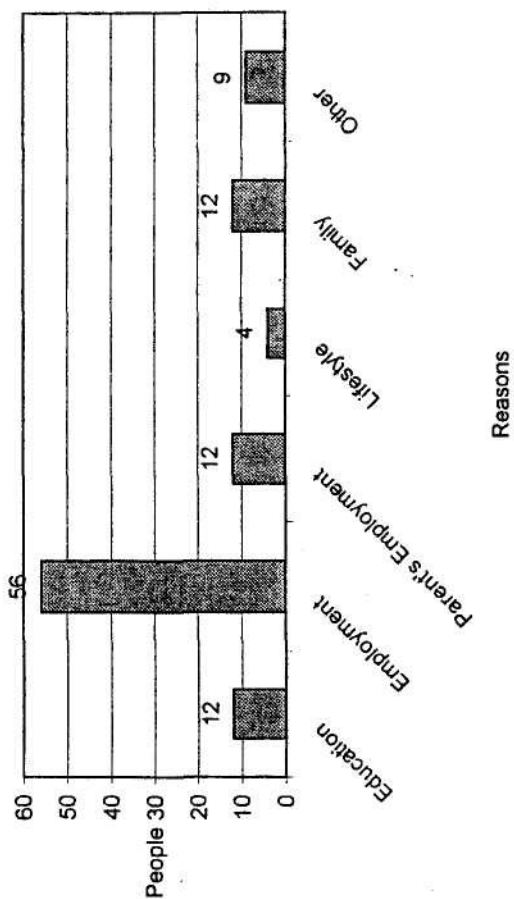
Area of Residence (1960-1979)



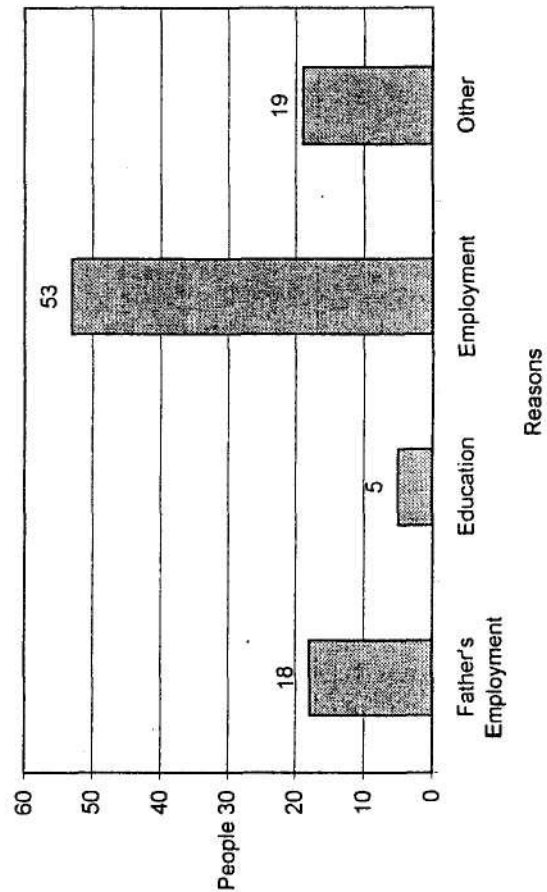
Reasons for Moving (1922-1939)



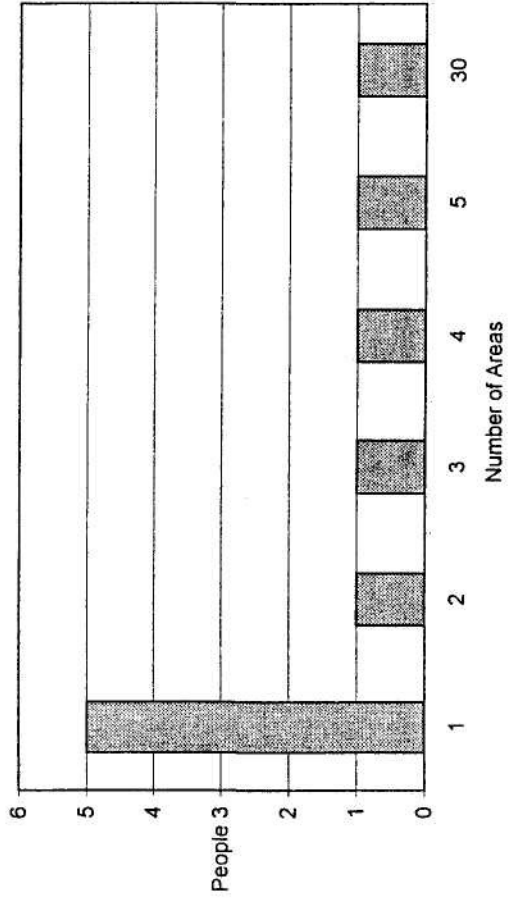
Reasons for Moving (1960-1979)



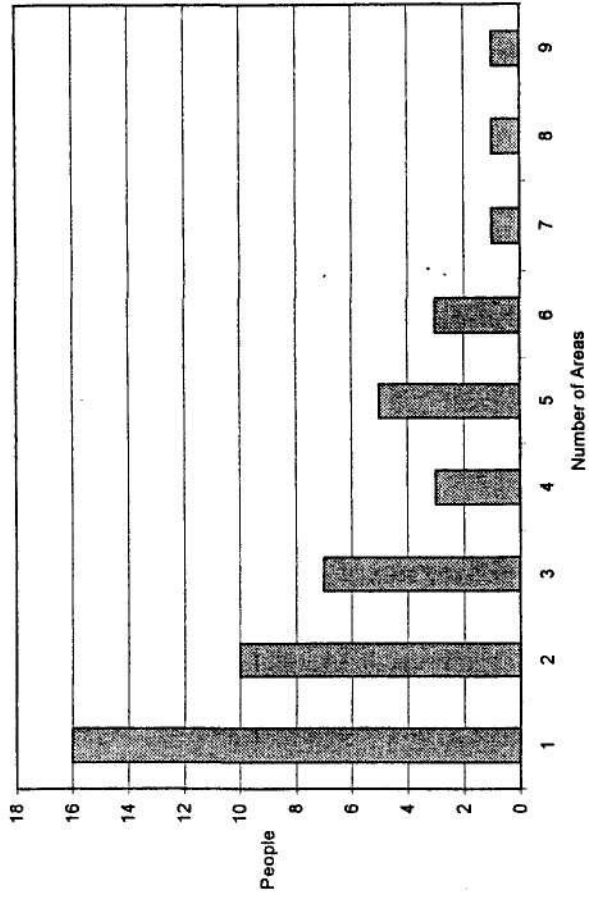
Reasons for Moving (1940-1959)



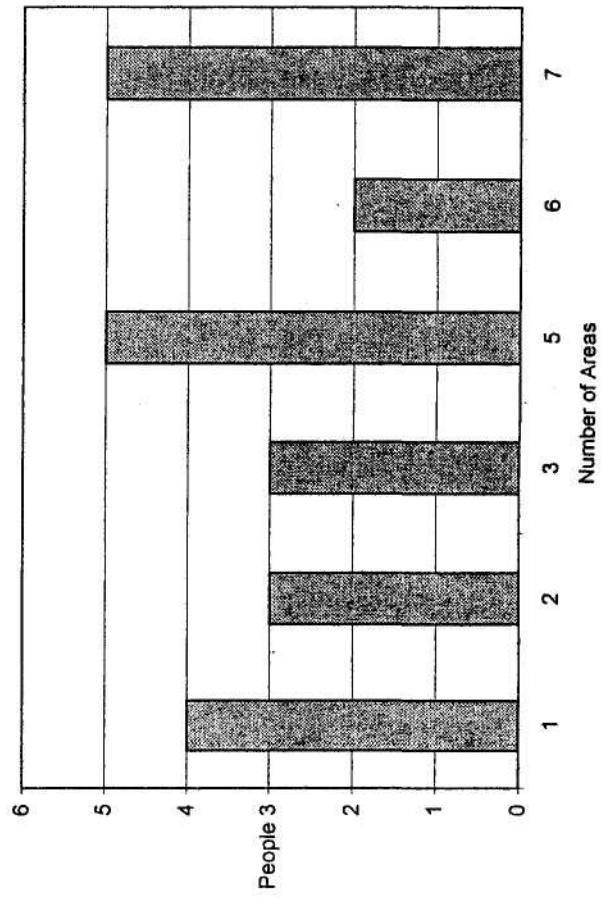
Number of Areas Moved To (1922-1959)



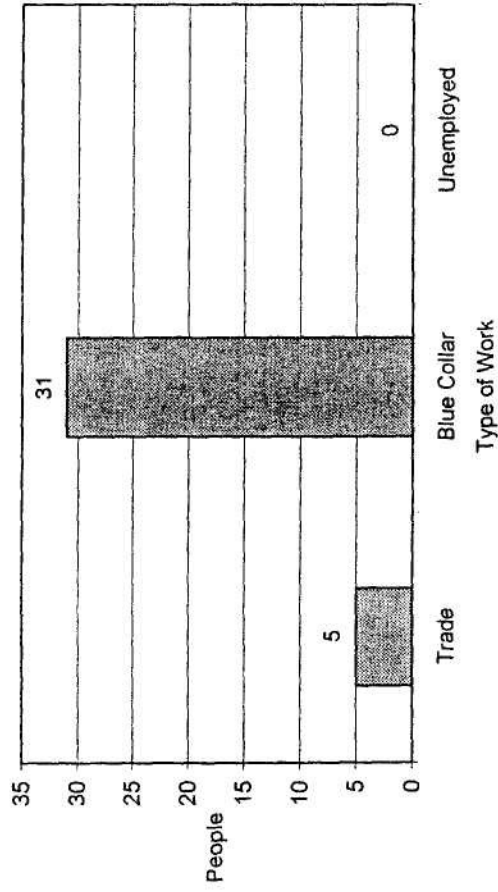
Number of Areas Moved To (1960-1979)



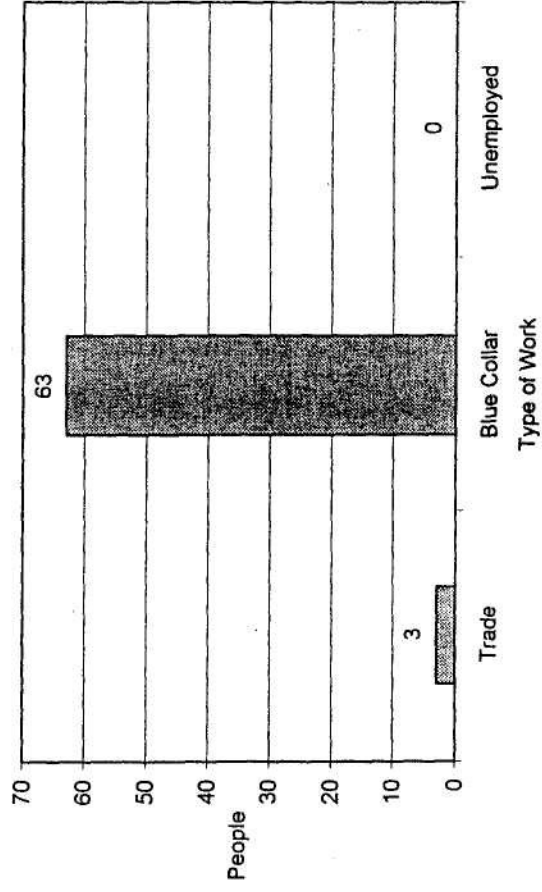
Number of Areas Moved To (1940-1959)



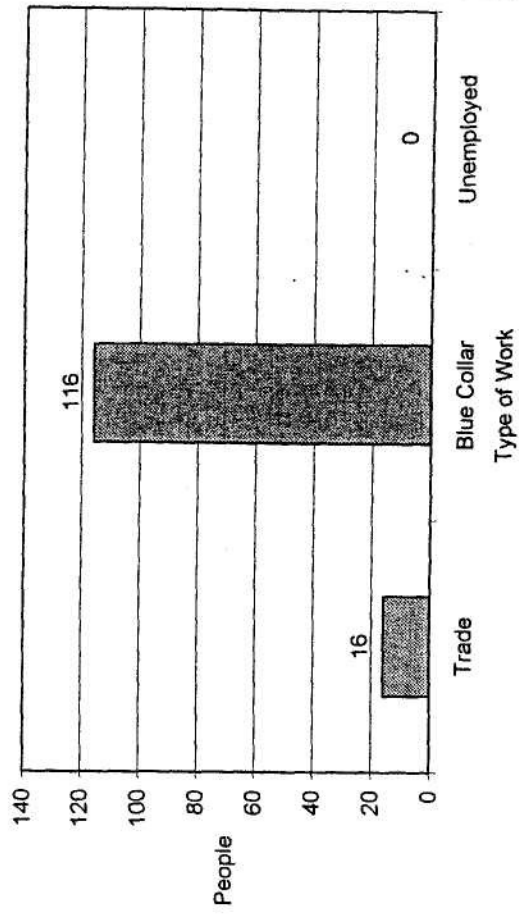
Type of Work (1922-1939)



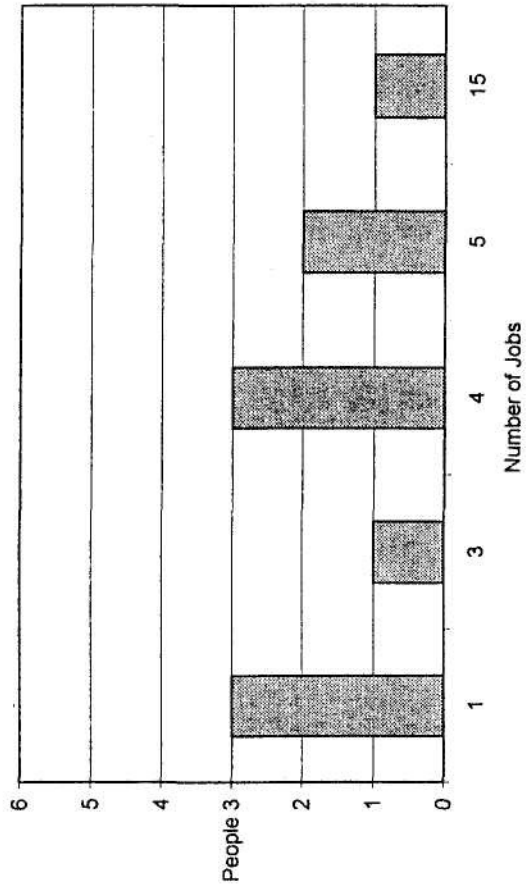
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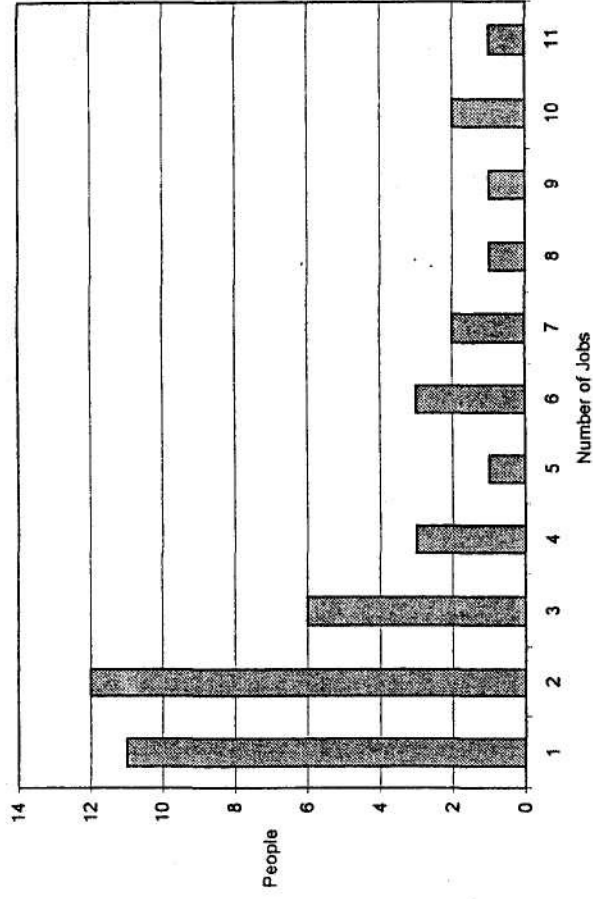
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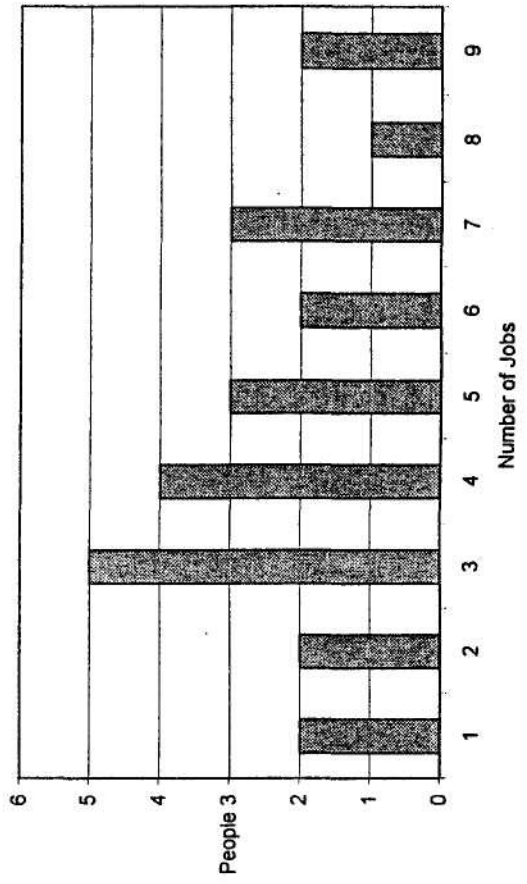
Number of Jobs Held (1922-1939)



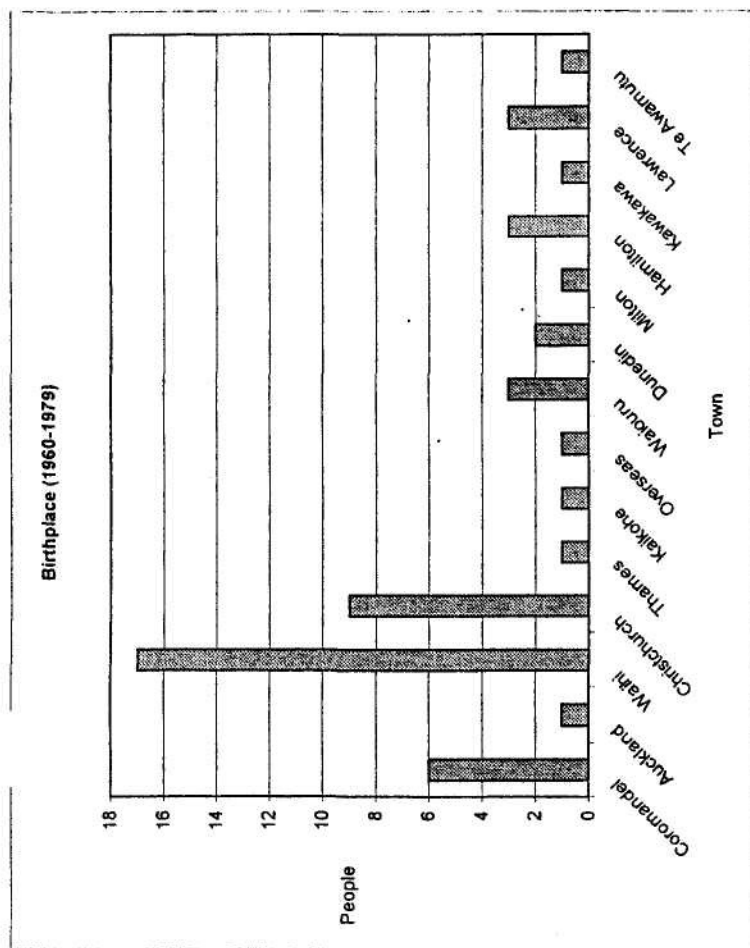
Number of Jobs Held (1960-1979)



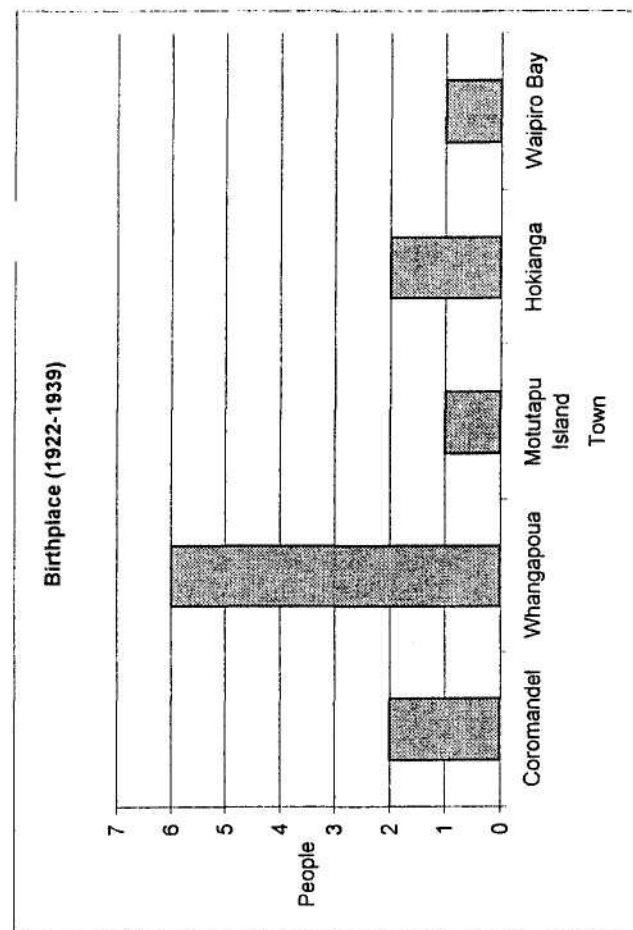
Number of Jobs Held (1940-1959)



The Whanau Birthplace (1922-1979)



The Whanau Birthplace (1922-1979)



Birthplace (1940-1959)

