

IN THE WAITANGI TRIBUNAL  
OF NEW ZEALAND

WAI 423

IN THE MATTER OF The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF The Hauraki Regional Inquiry WAI 686

AND

IN THE MATTER OF the claims of TE WARENA TAUA and  
EMILY KARAKA on behalf of NGAI  
TAI KI TAMAKI

**BRIEF OF EVIDENCE OF PITA TUREI**

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McCAW LEWIS CHAPMAN  
SOLICITORS  
HAMILTON

SR Clark PO Box  
19-221 DX GP  
20020 PH: (07)  
838-2079 FAX (07)  
839-4652

1. My name is Pita Turei. My adopted name is Peter Gordon Rowell.
2. I am the descendant of Te Hana Taua Turei. Te Hana Taua Turei was a successor to lands from six of the original title holders in the Kawakawa, Taupo and Mataitai blocks. All of these blocks are referred to in the Wai 423 claim.
3. I am a Trustee of the Ngai Tai Ki Tamaki Tribal Trust ("the Trust"). I represent the interests of the Turei whanau on the Trust. The Turei whanau claim descent from Ngai Tai, Ngati Pou and Ngati Paoa.
4. I present this evidence to the Tribunal today as a Trustee of the Trust and as a member of the Ngai Tai iwi.
5. I have represented the interests of Ngai Tai for the past three years before the following entities:-
  - (a) The Auckland City Council Tangata Whenua Committee
  - (b) The Auckland City Arts Policy Working Group
  - (c) The North Shore City Council
  - (d) The Manukau City Council
  - (e) The Papakura City Council
  - (f) The Auckland Regional Council
  - (g) The Hauraki Forum as alternate member and technical officer
  - (h) The Department of Conservation
  - (i) Department of Corrections

- (j) The Auckland Remand Prison Tangata Whenua Committee
- (k) The Ports of Auckland
- (l) Ministry of Agriculture & Fisheries
- (m) Owairoa Kaitiaki Monitoring Project
- (n) Te Roopu Awhina Owairo Marae
- (o) Te Maungarei Marae Management Committee
- (p) Motu Tapu Restoration Trust

### **Representation**

6. The first point I would like to make is that our Wai 423 claim is separate and distinct from the Hauraki Maori Trust Board Claim (Wai 100). I say this for the following reasons:-
  - (a) The Hauraki Maori Trust Board does not, in my opinion, represent fully the interests of Ngai Tai.
  - (b) The Wai 100 claimants have not fully researched and outlined the injuries that Ngai Tai have suffered due to the breaches of the Treaty of Waitangi by the Crown.
  - (c) In my opinion, the Hauraki Maori Trust Board has not fulfilled their role as kaitiaki on behalf of Ngai Tai.
7. My own whanau, made up of some 200 Ngai Tai beneficiaries, supports this claim filed by Emily Karaka and Te Warena Taua.

8. My evidence today adds to the historical evidence given by Gael Ferguson and Te Warena Taua.

**Impact**

9. I have read the Ferguson report and evidence of Te Warena Taua. Although some of our traditions and associations remain, I note with sadness the following:-

- (a) Much of our rohe was alienated within a very short time frame during the 19<sup>th</sup> century.
- (b) Today Ngai Tai have very little left by way of land holdings and other resources.
- (c) The majority of Ngai Tai descendants live at a distance from our ancestral lands.
- (d) Many Ngai Tai descendants know little of their whakapapa, our origins, traditions and language.
- (e) We are constantly struggling to maintain our identity.

10. The impact of land alienation due to Crown breaches of the Treaty has had the following effect on me:-

- (i) I have never lived on ancestral Ngai Tai land within the Hauraki Inquiry region.
- (ii) I have never owned or had an interest in Ngai Tai land within the Hauraki region;
- (iii) Until recently, I did not know Ngai Tai traditions and practices;

- (iv) I had no sense of my Ngai Tai identity for a major part of my life. It is only since my involvement with the Trust that I have increased my knowledge and understanding of my Ngai Tai heritage.
11. The impact on myself was exacerbated by the fact that I was adopted at birth and brought up within a non-Maori and non-Ngai Tai whanau.
  12. I was separated from my mother at the age of one, against her will and forced to live with people of a different race and culture. I was adopted without my mother's consent at the age of eight.
  13. Adoption alienated me from birth not only from my whanau, (that is my nuclear and extended whanau) but also my ancestral whenua.
  14. I was brought up as a "welfare child" without identity or status in the Maori world. I had no appreciation or knowledge of tikanga Maori and more importantly, had no Turangawaewae.
  15. I grew up unaware of who I was and what my relationship with Ngai Tai ancestral land was. I was unable to ensure that any Ngai Tai land that I may have had an interest in was not alienated. Essentially I was prohibited from acting on my own behalf.
  16. It is my view that further research needs to be undertaken as to the effects of the Adoption Act on Maori. The point is that there is a general myth that Whangai equates with adoption. This is not my understanding. My understanding of the concept is that in no way does a Whangai relationship sever the child from their birth parents and their ancestral land.
  17. In my experience adoption is nothing like this. I say that the Adoption Act enacted by the Crown is a breach of the Treaty. The Act is one of the reasons I have been disassociated with my whenua and alienated from my people.

### **Burial Places**

18. We have no ability to bury our iwi members where they should be buried.
19. An example of this is at Mataitai church and urupa, where as a consequence of the actions of the Maori Land Court in excluding my whanau from the land, we are unable to bury our whanau next to our tupuna.
20. Even after years of trying to find my Ngai Tai heritage and now beginning to understand our tikanga, I am faced with the prospect of being unable to bury my whanau and myself where we should be buried. This in my opinion is a direct result of the Crown action in alienating Ngai Tai land and failing to protect our taonga.

### **Settlement Aspirations**

21. I understand that the Tribunal process is the first part of a long process in order that Ngai Tai settles its grievances with the Crown.
22. I personally understand that the ultimate goal for Ngai Tai and for myself is to ensure that settlement is effected quickly and effected to ensure that all grievances are dealt with.
23. As part of the settlement, I would like recognition of my inheritance and the right to preserve and practice those things which form part of my cultural heritage. I want to be able to enjoy, along with my whanau, all of the rights and privileges guaranteed to me as a Maori under the Treaty.
24. I would like to see recognition by the Crown that their actions were wrong. I would also like Ngai Tai to be given appropriate compensation to enable my Iwi to participate fully in todays society. I would also like land that is available to be returned to Ngai Tai.

25. In a practical sense, I would like to see recognition that Ngai Tai's interests are represented and that Ngai Tai have a voice in all essential service and natural resource utilities within our rohe including but not limited to water care, waste management, electricity distribution, port and marina facilities, airport, public transport facilities, telecommunications and broadcasting frequencies. Joint management of the Department of Conservation estate within our rohe is also critical to us re-establishing ourselves as kaitiaki.

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