

IN THE MATTER OF The Treaty of Waitangi Act
1975

AND

IN THE MATTER OF 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**

Tena koutou te Whare Ariki, nga mema o te Taraipiunara, kua tau mai nei i runga i te powhiri a Hauraki. Ki a koutou hoki nga Iwi o Hauraki whanui, ki aku kaumatua, aku kuia, aku tupuna e iri mai na i nga pakitara, tena koutou, tena koutou, tena ra tatou katoa.

1. My name is Josephine Marama Anderson, and I stand today authorised to give evidence on behalf of the Hauraki Maori Trust Board.
2. My hapu is Ngahue of the Iwi, Ngati Hako, and my marae is Te Kotahitanga at Tirohia. My tupuna and my mother are on the pakitara to your side.
3. I am the Chief Executive Officer of the Hauraki Maori Trust Board and have held this position since 1992. As the Chief Executive, I am responsible for carrying out policy

directives of the Board and for its day-to-day business. In terms of the claims before you, I have an overall responsibility to ensure their prosecution.

4. I have worked among the Hauraki people since 1984 and I have been involved with the Trust Board since its inception as a Runanganui, conceived at the initiative of the Hauraki District Maori Council in 1986.
5. In that same year, and as a much younger person, I was privileged to sit with a team of Hauraki tribespeople at Horotiu and at other subsequent places, who were assisting in the compilation of an affidavit for the rangatira, Huhurere Tukukino. Some members of the team are in this wharenuui today. Some have since passed on. The affidavit was subsequently filed with the Waitangi Tribunal and today is known as the Wai 100 claim.
6. I have therefore been associated with this claim for about 12 years, which is nearly all of my working life, here in Hauraki. A dozen years is really only a small moment in time when I compare it to sustained protest from our people over a period stretching back 130 years or more. Legal counsel in his opening synopsis appropriately noted the Wai 100 as a claim unprecedented in both time and scope.
7. Since each of the Iwi and hapu have now spoken, I make this brief submission to conclude the Hauraki profile. John McEnteer has provided evidence about the establishment of the Trust Board, its membership, and the historical research undertaken to fulfil its obligations to our rangatira, Huhurere Tukukino. He has identified the key issues relating to the claim and made acknowledgement of the people who in our lifetime, have contributed to this, our first hearing before the Tribunal. It is not my intention to reiterate these points. Rather I would prefer to make some concluding statements about the whenua, the people and Hauraki, and to take a glimpse at our future.

8. Over the past few days we have heard tribal representatives confirm in evidence one or other aspect of the processes used by the Crown to erode Hauraki control of our resources. I do not believe there is one among us who has not during this hearing experienced feelings of real grief at the stories of loss, dislocation and deprivation that have been retold by witnesses, as a consequence of the actions of the Crown.
9. The Tribunal should now possess a rare appreciation of the rich diversity amongst the ensemble of Hauraki tribes. The various waves of occupation of Hauraki whenua, and associated political alliances, wars, deprivations and triumphs have produced this diversity, and out of this landscape have emerged autonomous entities, every one of them unique in terms of their world view, yet inextricably bound to the other by the land and by whakapapa. Ko tenei te kupenga nui o Hauraki, this is the great net of Hauraki.
10. The Iwi and hapu profiles have been provided to you simply to identify that they, together, are the peoples of this land. We believe that it is necessary for you, the Tribunal, to know us, the claimants, in order that you can more readily comprehend the grievances, and the hara that have been borne across the generations here in Hauraki. You have gazed upon the faces of our tupuna, and you have heard their descendants speak.
11. Those descendants have told you that the Crown single-mindedly sought after their lands for the gold and timber, that it used the wars as justification to confiscate large tracts of Hauraki land, that its agents took our whenua in payment for debts, and that it enacted land-grabbing legislation that shook our traditional structures to their foundations. Renata Te Taniwha summarises well the situation for Hauraki Maori when he says that we have been *"mined, raupatu'ed, shot at, bought and sold, starved, plagued, divided, and conquered by the Crown"*. Ngamane adds that *"our rivers and estuaries became polluted and we lost our kaimoana grounds and accessways. Our waahi tapu were desecrated and we were displaced from our main settlements"*.

12. The coming of the Pakeha then was to forever change the face of the Hauraki people. By 1885 the Crown had effected a calculated revolution that had stripped the Hauraki tribes of our mana, our taonga, our essence as a nation. The stage was set for the next century. Abject destitution, decimation of the Maori population (with the rapid increase of settler populations), major outbreaks of influenza and tuberculosis, apartheid policies which prevented our tupuna from gaining access to health care, the loss of our language, further dislocation from our traditional structures and tikanga and mass movements to urban centres as the land-base and tribal structures continued to crumble.

13. It is by no accident then that a demographic study of Hauraki 100 years on from this revolution should reveal that our people are over-represented in the deprivation stakes. The social-economic indices reflect that Maori in Hauraki are poor. In particular our mokopuna are more likely to come from single parent families who are welfare beneficiaries and live in rental accommodation. Additionally it is more likely that their parents will have no educational qualifications and that unemployment and poverty will be characteristic of their whanau lifestyle.

14. For the Hauraki Maori Trust Board, as long as these current social and economic constraints exist, the well-being of Maori in Hauraki and 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 and cultural development of Hauraki into the 21st century will be severely arrested.

15. While we have heard witnesses testify about the altered state of Maoridom as a direct consequence of Crown actions, at the same time we have heard them relate the great deeds of tupuna long since gone. Witnesses have recited whakapapa, acknowledged their marae, hapu, waka, rangatira and their mana through the relationships they share with each other. They have not only shared their loss with you; they have

shared the exploits of their chiefs, and their dreams of a Hauraki nation, with all that was lost, restored.

16. I would say to you all today that this is only the second time I have heard all of the tribes speak about who they are, in this way, and to hear their stories. The korero has been most honorable . The first time was in the old whare on this very marae, and though some of the talk at that time was not pleasant, it was an important discussion nonetheless because that hui set the foundation for the emergence of an Iwi Authority now known as Hauraki Maori Trust Board.
17. In all of our political affairs over the last decade and a half the Hauraki whanui has consciously acted in concert, together, because that has been the kaupapa set down and embarked upon by us, as a people. In all of the Board's activities, therefore, it has taken a collective and inclusive stance on matters because the kaupapa is Te Kotahitanga, one of unity.
18. The Board has got on to do the job and the job has been wide-ranging and challenging, to say the least. Over the last ten or so years, I would like to think that the Board has contributed, if not been a key participant, in the political affairs of our people on the basis that we are a unified collective, capable of acknowledging the differences between us. At many hui on our marae, I have heard the call for unity from our people and I was fortunate to have personally heard that call reinforced by Huhurere Tukukino and his sister, Mairehau. And to this end the Board has rallied to do many things at the behest of the whanui.
19. The Board's defense of our territorial boundaries has been consistent and necessary. We have successfully protected our claims to the Maramarua Forest on our inland boundary and we have embarked this year on the claims process concerning the Athenree Forest, on our southern boundary. We have protected Hauraki's interests in the offshore islands by responding to Ngati Wai's exclusive claim to Aotea and at the

same time have defended claims by Waikato, Maniapoto and Raukawa, to coastline in our tribal rohe.

20. The Board stood alongside Ngati Paoa in the Maori Land Court s30 case on the basis of principle, on the basis of Hauraki whakapapa. Ngati Paoa will always be the descendants of the union of Tuketuku and Paoa. Whakapapa cannot change. That is what keeps us sovereign. This case emphasised the need to preserve the knowledge we have about who we are.

21. Tikapa Moana is at the forefront of our minds, it's in our blood. It is a revered taonga, eternally significant. As stated in evidence by Renata Te Taniwha in the Ports of Auckland case taken by the Board in 1991, in opposition to the dumping of dredge tailings into Tikapa, he said:

"Ko matou ano nga kaitiaki o tikapa Moana, mai rano. Ki te kore matou e whakatutuki i to matou kaitiakitanga, ka kiia he Iwi koretake matou.

"We are the stewards of Tikapa Moana, from time immemorial. If we do not properly fulfil our role as stewards .it will undoubtedly be said that we are an Iwi without value ".

22. The Tribunal is informed that a claim has been lodged by the Board in respect of the proposal to introduce special legislation to turn Tikapa Moana into a national marine park. This claim is known as WAI728. We are continuing negotiations in respect of this proposal and reserve the right to have this matter brought back on this table if those negotiations do not produce a Treaty-consistent result for Hauraki.

23. The Board has dealt with numerous and significant resource management issues. We have lobbied against the establishment of marine reserves by the Department of Conservation (as was the case on Aotea and remains the case on Waiheke). We have objected to those developments which alienate us further from our taonga. Similarly

the Board has opposed a proliferation of proposals for marinas and we have endeavoured to protect shell-fish and fishing grounds from destruction by land-based activities and expansive marine farm developments. There have been times when these efforts have been met with vehement opposition, in some instances from our own people.

24. The Board has held many, many hui over the years to seek direction from the whanui and provide progress reports on key fisheries issues, such as the allocation of fisheries assets, the nature and extent of the Hauraki fishing right; representation; political affiliations, and our most important customary fishery.
25. The Board has been guided on the customary fishery issue by the unanimous decision of the Iwi whanui in 1994, that the customary fishery be given priority over the commercial and recreational activity of fishing. The Board gained the responsibility for giving effect to this decision. We maintain a permitting system for customary take, primarily to educate outsiders that they require the approval of the Hauraki tribes to gain access to our fishery, and matters of sustainability remain major concerns for us. Recently we stepped up to the mark, to have our kaimoana beds between Te Puru and Wilsons Bay closed because of the pillage and rape that has occurred. We have stepped up to the mark to have limits placed on the amateur take across our tribal coastline, mai Matakana ki Matakana.
26. We are heartened by the achievements of Te Korowai Hauora O Hauraki which was established by the Board to provide quality health services, by Maori for Maori. The organisation has set quality standards, not only for Maori, but for mainstream organisations operating within our tribal rohe. Its success stems from its ability to deliver services which are effective, affordable, accessible and culturally appropriate.
27. The Board also delivers Iwi social services through Tu Awhina. It is a programme of social empowerment of the whanau and its essential components.

28. The Board is caretaker of two Maori radio licenses, operated with dedication by Te Reo Irirangi O Pare Hauraki. The licenses are used to promote te reo maori and Hauraki tikanga. A recent report released by Te Mangai Paho identifies that our station is rated among the top four Maori radio stations in the country that delivers quality service with a high level of language content.
29. I am not standing here to sell the Hauraki Maori Trust Board to the Tribunal. Indeed the Board sits at the feet of the Hauraki tribes. My point is that the Board has been used as a vehicle for the collective to address those matters of common concern to us all. The Board has been used to confront the contemporary issues which are the symptoms of past grievances. Even the comprehensive research which the Board has compiled for the purposes of this Tribunal case, will be of use to all Hauraki claimants. This is the collective approach I'm referring to which has been used by the Board. The Board has endeavoured to ensure that good processes have been set in place to meet today's challenges. We have worked through contentious issues, with the Iwi, at hui whanui, to ensure transparency. There have been so many hui and our debates have been heated. But, we have worked the issues through. In my view the people have, and continue to support the Hauraki Maori Trust Board as it one of the few organisations that represents the assembly of Hauraki tribes.
30. The beneficiary rolls of the Board have grown steadily since 1988. Our approach has been somewhat passive over the years and we know that there is a need to step up activity in this area. At this point in time 3,600 Hauraki Maori are registered on the Board roll. The 1996 census identifies 6,995 people affiliated to the Hauraki tribes. There is an increase in numbers since the 1991 census when 4,500 people identified with Hauraki. Perhaps this reflects the growing resurgence of Hauraki's identity. Certainly, now that the Tribunal is in Hauraki, our rolls will climb.
31. Our legal counsel has identified that we want immediate and substantial reparations to restore the mana, well-being and economic base of our people in particular for our children and for those of us who have yet to come.

32. 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 political vehicle for the future. The initiative and drive for this task must come from the will of the people concerned.
33. From the outset the Board has recognised the limitations of its legislation and is committed to assisting the whanui to construct an entity which is visionary, wholly responsive to the activities, development and aspirations of the Hauraki Iwi, and is robust enough to carry Iwi into the 21st century. The Board has already identified at several tribal hui that it will not be the recipient of Treaty assets, or if it is, then this would only be on an interim and transitional basis.
34. The Hauraki whanui appears before the Tribunal this week as a collective group. Even our tupuna sit here today in council. We are united in grievance.
35. One of my closest friends passed away last week, on the eve of this hearing. He too was closely associated with this claim. He was Maaka Wiremu Heemi and in his final days, unity became his wero (challenge) to us all. I believe that there does exist a sincere and genuine willingness within the whanui to move forward in this way. There is so much more to do. It will require leadership, relationship-building, a respect for our diversity and differences, trust and a willingness to co-operate. Certainly we have the odd detractor among us. It perhaps would not be as challenging without them. But essentially the desire for unity is as real as our desire to be autonomous and diverse. To the whanui, let our unity before the Tribunal give us the strength to remain unified in our development so that we can easily confront the challenges which are ahead.
36. And lastly, to the Tribunal we are the people of this land. The people of this land are the whanau, hapu and Iwi of:-

Ngai Tai
Ngati Hako
Ngati Hei
Ngati Maru
Ngati Paoa
Ngati Porou ki Harataunga ki Mataora
Ngati Pukenga ki Waiiau
Ngati Rahiri Tumutumu
Ngati Tamatera
Ngati Tara Tokanui
Ngati Whanaunga
Patukirikiri
also Ngati Koi, Huarere, Nga Marama, Uri o Pou.

37. Our whenua stretches from Matakana in the north to Matakana in the south. The prow and the stern are Moehau and Te Aroha. Our sea is Tikapa Moana.

38. The Crown breached its obligations to us. We are entitled to immediate and substantial reparations to restore the mana of the Hauraki people.

No reira, ka mutu aku korero mo tenei wa. Tena koutou, tena koutou, tena tatou katoa.