

Response ID ANON-RGD5-PFZB-4

Submitted to Public Consultation for Ngā hapū o Ngāti Porou: Application for Customary Marine Title
Submitted on 2026-03-12 09:16:11

Your feedback

1 What are your thoughts on Ngā Hapū o Ngāti Porou's application to have customary marine title recognised over the coastal area from Pōtikirua to Koutunui Head (extending three to twelve nautical miles offshore)? Please share whether you support or oppose the application and explain why.

Please type your answer in the text box:

Reinforces seperatism.

Later on, payments will be involved for other partys to gain access.

Open to corruption.

Unfair to new citizens to this country

Will drive more taxpayers to move to Australia etc

Grossly unfair, one country, one people

2 Is there anything else you would like the Minister to consider when making a decision on this application?

Please type your answer in the text box:

3 Do you have any information about third-party use of the area (e.g. commercial activity, community events) that may be relevant?

Please type your answer in the text box:

Ngā Hapū o Ngāti Porou Public Consultation Notice 2026

OBECTION TO THE NGĀ HAPŪ O NGĀTI POROU APPLICATION FOR CUSTOMARY MARINE TITLE

“Ngāti Porou nuku-rau, he inwi moke, he whanoke.” –

(Ngāti Porou, deceivers, lonely, but daredevils)¹



¹ Ryan, P.M. *Dictionary of Modern Māori* – proverb at page 175.

INTRODUCTION

[REDACTED]

1. If you're wondering why my pepeha has no waka, it is because my elders told me we do not come from a boat. As a matter of significance, how can you, whakapapa to the land, if you come from a boat?
2. My name is Jason Koia, I am a natural hereditary(inherent) sovereignty (uri whenua), my whakapapa and title to my soil is indisputable, obtained unbroken, birth by birth from our supreme mana whenua ancestress, Ruawaipu.
3. On the 12 January 2026, I received a letter as 'an interested party' by email on the Ngā Hapū o Ngāti Porou Application for Customary Marine Title, from Matthew Andrews, Director Takutai Moana.
4. Below outlines the reasons why I object to the Ngati Porou CMT application.
5. **THE CROWN'S**
6. New Zealand's constitutional arrangements are an affront to disguising the settler government's tyranny in an attempt to legitimise its history. Bluntly, the Crown UK is an extreme and radical doctrine by white feudal overlords, founded upon religious fanaticism, based on self-anointed belief of Christian superiority of the English race.
7. The Crown NZ is a legal fiction, by way of impersonation, illegal adoption of foreign law, constitutional fraud, and tyranny. Kown today as King Charles III,

Sovereign in Right of New Zealand, Defender of the Faith, by the Grace of God.²

8. **TE TIRITI O WAITANGI**

9. It is important to set the context of the Treaty of Waitangi (English text) and te Tiriti o Waitangi (Māori text). These treaties were at that time drafted on the ethics and principles of the *jus gentium* (Law of Nations 1758).

In McHugh's view, Vattel's work 'became the handbook of the Foreign Office', making Britain's imperial practice explicable on no basis 'other than something approaching Vattel's theory of independent and equal state sovereignty'.³

10. The Treaty of Waitangi (English) a treaty of Māori cession, can have no valid application over East Coast Māori. This version was not signed or solicited on the East Coast.

The text of the East Coast sheet is in Māori – the **English text was not used** in this district. A word-for-word comparison of the text **shows it to be identical to the Māori version of the Treaty signed at Waitangi** on 6 February 1840.⁴ [*Emphasis added*].

11. The East Coast treaty (te Tiriti o Waitangi ki te Tairāwhiti), signed by my ancestors and East Coast rangatira did not cede sovereignty. As exemplified by the Wai 1040 Tribunal.

² Wai 3300, #B14(o). STATEMENT OF POSITION OF JASON KOIA. Dated 20 February 2026. Appendix 1, age 28.

³ Wai 1040 - He Whakaputanga me te Tiriti The Declaration and the Treaty, The Report on Stage 1 of the Te Paparahi o Te Raki Inquiry 14 October 2014, p45.

⁴ WAI 900 -A11 'Undisturbed Possession'- Te Tiriti o Waitangi and East Coast Māori 1840-1865, Scoping Report Mark Derby July 2007, at p33.

We have concluded that in February 1840 the rangatira who signed te Tiriti **did not cede their sovereignty**. That is, they did not cede their authority to make and enforce law over their people or their territories.⁵ [*Emphasis added*].

12. Hobson specifically described all signatures obtained after the initial 6 February 1840 meeting as "testimonials of adherence" to the original Waitangi document. He viewed the first document signed at Waitangi by 45 (or 52, by his count) chiefs as the definitive treaty *de facto*⁶ (in fact). William Hobson, in a letter to Bunbury on 25 April wrote.

"The treaty which forms the base of all my proceedings was signed at Waitangi on the 6 February 1840, by 52 chiefs, 26 of whom were of the federation, and formed a majority of those who signed the Declaration of Independence. This instrument I consider **to be de facto** [in fact] the treaty, and all signatures that are subsequently obtained are merely testimonials of adherence to the terms of that original document".⁷ [*My emphasis and insert*].

13. If the East Coast version is the same as the Waitangi version, and considering this Māori version was read out, explained, understood, debated and then signed, by Hobson and Māori, then there can be no debate, this treaty was a legitimate treaty of relationships, recognised under the *jus gentium*. Likewise, on the East Coast, only the Māori version was read out, explained and signed.
14. There was no logical reason for a treaty of cession to induce East Coast Māori, undisturbed and in a time of peace since 1837,⁸ into making a compact with a foreign ruler 11,600 miles away, when demographically numbers were estimated at 20,000 Tairāwhiti Māori with no more than 100 of other races scattered along the coast⁹ (from Hicks Bay to Mahia). At Rangitukia, for example where my

⁵ Wai 1040 - He Whakaputanga me te Tiriti The Declaration and the Treaty, The Report on Stage 1 of the Te Paparahi o Te Raki Inquiry 14 October 2014, pxxii.

⁶ Orange C, Treaty of Waitangi, 1987, Chapter 4, p60.

⁷ Wai 1040, 2014, p 376.

⁸ Soutar, Monty, 'Ngati Porou Leadership: Rapata Wahawaha and the Politics of Conflict', PhD Thesis, Massey University, 2000. page 112.

⁹ Wai 900, #A11 Mark Derby, p21.- [also see O'Malley Begging with a Bludgeon, p3].

ancestors signed on 1 June 1840 (after Hobson's proclamations), there were no settlers, we were several thousand strong.

15. Where there is ambiguity, the English common law rule of *contra proferentum* applies. In this case, the Māori treaty text is the prevailing treaty.

§ 267. We ought to attend rather to the words of the person promising, than to those of the party stipulating. But it is here asked, which of the contracting parties ought to have his expressions considered as the more decisive, with respect to the true meaning of the contract, — whether we should lay a greater stress on the words of him who makes the promise, than on those of the party who stipulates for its performance. As the force and obligation of every contract arise from a perfect promise, — and the person who makes the promise is no further engaged than his will is sufficiently declared.....¹⁰

16. So, what is so important about the indigenous East Coast treaty you may ask? The East Coast treaty is a treaty of relationships recognised under the *jus gentium* (Laws of Nations). It is a sacred document that recognises inviolable rights.

§ 220. The faith of treaties is sacred.

The faith of treaties, — that firm and sincere resolution, — that invariable constancy in fulfilling our engagements, — of which we make profession in a treaty, **is therefore to be held sacred and inviolable between the nations of the earth**, whose safety and repose it secures: and, if mankind be not wilfully deficient in their duty to themselves, infamy must ever be the portion of him who violates his faith.¹¹ [*Emphasis added*].

17. However, the Crown NZ sole existence of legitimacy stems from the English treaty text (which Māori ceded full sovereignty in exchange for full undisturbed possession of their lands, forests and fisheries and all their properties). This version is not only deceitful and fraudulent but null and void.

¹⁰ VATTEL, 1758 - BOOK 2, CHAPTER 17, Of the Interpretation of Treaties, s267.

¹¹ Vattel 1758 BOOK 2, CHAPTER 15, s220.

§ 161. Nullity of treaties made for an unjust or dishonest purpose. For the same reason — the want of sufficient powers — **a treaty concluded for an unjust or dishonest purpose is absolutely null and void**, — nobody having a right to engage to do things contrary to the law of nature. Thus, an offensive alliance, made for the purpose of plundering a nation from whom no injury has been received, may or rather ought to be broken.¹² [*Emphasis added*].

18. A treaty also cannot be re-interpreted to suit one's fancy.

§ 265. **general maxim: neither of the contracting parties has a right to interpret the treaty according to his own fancy.** The third general maxim or principle on the subject of interpretation is, that Neither the one nor the other of the parties interested in the contract has a right to interpret **the deed or treaty** according to his own fancy.¹³ [*Emphasis added*].

19. What is interesting is there is no expiry date in te Tiriti o Waitangi.

§ 198. **Expiration of alliances made for a limited time.** An alliance is dissolved at the expiration of the term for which it had been concluded. This term is sometimes fixed, as, when an alliance is made for a certain number of years.¹⁴

20. This can be endorsed by Martinez in 1999.

272. The legal reasoning supporting the above conclusion is very simple and the Special Rapporteur is not breaking any new ground in this respect. **Treaties without an expiration date are to be considered as continuing in effect until all the parties to them decide to terminate them, unless otherwise established in the text of the instrument itself, or unless they are duly declared to be null and void.** This is a notion that has been deeply ingrained in the conceptual development, positive normativity and consistent

¹² VATTEL, 1758 BOOK 2, CHAPTER 12 Of Treaties of Alliance, and Other Public Treaties, s161.

¹³ Vattel 1758 -BOOK 2, CHAPTER 17, s265.

¹⁴ The Law of Nations or the Principles of Natural Law (1758) Emmerich de Vattel BOOK 2, CHAPTER 13 Of the Dissolution and Renewal of Treaties, s198.

jurisprudence of both municipal and international law since Roman Law was at its zenith more than five centuries ago, when modern European colonization began.¹⁵ [*Emphasis added*].

21. Furthermore, there is no limitation clauses under both treaty versions, meaning Article 2 is not subject to any limitations of Article 1 and 3.
22. If you stand back and look beyond your nose, the Māori treaty text is not a treaty of cession, but in fact a treaty of relations, compliant with the *jus gentium*, that gives equal rights to Māori and Pākehā. It is actually an honourable and well-intended treaty.
23. Article 1 guaranteed protection from evil to both Māori and Pākehā. Article 2 guaranteed equal Māori rights to both Māori and Pākehā,¹⁶ and Article 3, guaranteed equal Pākehā rights to both Māori and Pākehā. While it was the Crown's duty of sacred faith to ensure equal rights prevailed for the two autonomous races. There is no prejudice to either Māori or Pākehā. That is the true spirit of te Te Tiriti is, *par in parem non habet imperium*.¹⁷
24. This understanding the Queen's authority was limited to Pākehā can be reflected on the understanding of East Coast Māori prior to the East Coast Wars 1865.

“On my arrival there in that year, I found that the Natives denied the right of the Government to send a Magistrate amongst them, on the ground that, as they had not sold their land to the Queen, the Government had no authority over them...In fact, they regarded the Queen as the head of a people occupying isolated portions of territory in the Island; with whom they had

¹⁵ UN Economic and Social Council - HUMAN RIGHTS OF INDIGENOUS PEOPLES Study on treaties, agreements and other constructive arrangements between States and indigenous populations Final report by Miguel Alfonso Martínez, Special Rapporteur E/CN.4/Sub.2/1999/20: 22 June 1999, page 43, section 272.

¹⁶ Article 2 contains New Zealand's first “typo” by including the right of tino rangatiratanga to “all New Zealanders.” This Article was intended to only guarantee the right of tino rangatiratanga exclusively to Māori as reflected in Article 3. However, under the *jus gentium*, treaties can not be altered or interpreted to one's fancy, the words are to be clear, precise, and have no other meaning.

¹⁷ This Latin maxim means “equals have no sovereignty over each other”. It is used to suggest that if indigenous nations are truly sovereign, they should not be subject to the jurisdiction of the state. According to Oxford Public International Law, the maxim reflects the idea that all states are equal in status, and therefore no state can claim supremacy or judicial authority over another without consent.

occasional intercourse: but as possessing - as of right - no authority over them.”¹⁸

25. So, what my point? My point is the Crown NZ is a legal fiction, (amongst other radical and extreme doctrines), based on an invalid treaty upon which it relies upon for its authority and legal legitimacy. Ngati Porou, is a bi-product of this legal fiction. Neither party hold an *inherent* supreme title, as this title stems from the Māori treaty text and signatories.

26. **HOBSON’S PROCLAMATIONS**

27. In an attempt to make the Crown UK *de jure* sovereign, as a result of the treaty (English text) Lieutenant-Governor William Hobson’ proclaimed sovereignty on 21 May 1840 over the North Island by cession, and over the South Island by ‘discovery.’ Both the courts and Crown rely upon Hobson’s proclamations to legitimise British rule.

28. The proclamations (based on the English treaty text) erroneously claimed discovery over the South Island. The doctrine of discovery (*papal bulls* 1493) was redundant at that time of the Law of Nations 1758 (*jus gentium*). New requirements of discovery and occupation (*terra nullius*)¹⁹ were required. South Island Māori at that time, had met the sovereignty requirements under the *jus gentium*.²⁰

29. Two proclamations were issued 21 May 1840. The North Island by cession of a treaty bearing the date 5th of February 1840 (wrong date), stating all “powers of sovereignty over the Northern Island were ceded to Her Majesty the Queen of

¹⁸ Magistrate Wardell to Native Secretary, 20 September 1861, *AJHR*, 1862, E-7, p.31. Cited by O'Malley “Begging with a Bludgeon” – The East Coast Confiscations, February 1996, p5.

¹⁹ A Vacant land had to have no settled people or cultivations, Europeans had to establish effective occupation. Modern international law no longer accepts the doctrine of discovery, and the concept of terra nullius—land belonging to no one—is considered a legal fiction

²⁰ Vattel, Law of Nations 1758 - Book 1, Chapter 7, s81, The cultivation of the soil a natural obligation. See also, Book I, Chapter XVIII: “Of the Establishment of a Nation in a Country” Section (§ 208): “A question on this subject” (also often referenced along with § 207 and § 209)

Great Britain and Ireland.” There were no coordinates of latitude or longitude given.

30. Regarding the second proclamation of the South Island, coordinates were given of latitude and longitude in which were 3000 kilometres of the East Coast of Japan. These two erroneous proclamations were later published in the London Gazette (2 October 1840).

On 2 October 1840 the Colonial Office officially published Hobson’s May proclamations in the London Gazette. On 15 October 1840 Hobson sent to London a “certified” copy of the Maori and English texts of the Treaty of Waitangi itself (the Maori on the left, the English on the right). This was subsequently printed by order of the House of Commons in 1841 with the Maori text labelled “Treaty.” and the English text labelled (Translation.)”²¹

31. Woolmore regarding the 5 June attempt viewed “such a declaration was doubtless made to keep alive the claim of discovery.”²²
32. Chamerovsow, versed in the *jus gentium*, viewed.

“[A]nd herein lies the mischief, for we find that when Captain Cook took possession of New Zealand, he did so, “in the name and for the use of His Majesty King George the Third,” and it seems to have been the usage of all European nations to observe a similar course of favour of their respective Sovereigns, and always regards to the prior claims of the Aborigines, whom they affected to consider unworthy to enjoy, and incapable of exercising, the ordinary rights and privileges of independent people.”²³

²¹ The Treaty of Waitangi in New Zealand’s Law and Constitution in 2015 Dr Matthew S R Palmer QC Public Lecture at the National Library, Wellington, New Zealand 3 February 2015.

²² Chamerovsow “THE NEW ZEALAND QUESTION AND THE RIGHTS OF ABORIGINES for the Aborigines Protection Society 1848 Appendix SHIRLEY F. WOOLMORE, p 31.

²³ Chamerovsow “THE NEW ZEALAND QUESTION AND THE RIGHTS OF ABORIGINES for the Aborigines Protection Society 1848, CHAPTER II, pp54-55.

33. Chamerovzow, regarding discovery also viewed it “could in no manner apply to the New Zealanders, who are an agricultural people, and fulfilling, in their natural condition, the duties which the *jus gentium*²⁴ imposes as imperative upon all nations.”²⁵
34. In short, if Hobson’s proclamations relied upon by the Crown are invalid, upon which every action and reaction of New Zealand’s constitutional legitimacy relies upon the treaty (English text) based on the assumption that Māori, ceded “without reservation all the rights and powers of Sovereignty,”²⁶ is now open to a legitimate legal challenge.
35. So, what does the *jus gentium* say?

§ 266. 4th general maxim: what is sufficiently declared, is to be taken for true. On every occasion when a person could and ought to have made known his intention, we assume for true against him what he has sufficiently declared. This is an incontestable principle, applied to treaties: for, if they are not a vain play of words, the contracting parties ought to express themselves in them with truth, and according to their real intentions. If the intention which is sufficiently declared were not to be taken of course as the true intention of him who speaks and enters into engagements, it would be perfectly useless to form contracts or treaties.²⁷ [*My underlining*].

36. Hobson did not explain sovereignty and the Crown’s true intentions. There is no way Maori understood that Hobson was trying to take their mana as it was not explained properly.

²⁴ Meaning "Law of Nations" in Latin, refers to the set of legal principles and rules that govern the interactions between different nations or states. It is essentially what is known today as international law, but also encompasses a broader concept of universal moral standards necessary for the peaceful coexistence of civilized societies.

²⁵ Chamerovzow “THE NEW ZEALAND QUESTION AND THE RIGHTS OF ABORIGINES for the Aborigines Protection Society 1848, CHAPTER II, pp40-41.

²⁶ Article 1 of the Treaty of Waitangi 1840 (English text)

²⁷ Vattel 1758 -BOOK 2, CHAPTER 17, s266.

Though Britain intended to obtain the sole right to make and enforce law over Māori as well as Pākehā, Hobson did not explain this.²⁸

37. The heart of Māori grievance is the English treaty text. Fraud becomes a crime when it is a “knowing misrepresentation of the truth or concealment of a material fact to induce another to act to his or her detriment” (Black's Law Dictionary). There is no refuting Māori did not give their ‘free and intelligent consent,’ of which Hobson was instructed to obtain.²⁹ As of consequence, the treaty (English text), does not comply with the Law of Nations (*jus gentium*).
38. All Maori know they would not have ceded their tino rangatiratanga or mana. The Waitangi Tribunal also recognises this stance.³⁰ The Crown has already conceded that the rangatira did not cede their ‘mana’.³¹ As Hobson did not make his intentions clear, the English treaty is a fraud, and null and void.
39. **INHERENT SOVEREIGN V SUI GENERIS**
40. To help explain these erroneous legal assumptions, I have attached and marked as “Appendix 1” a chart on the prerogatives of the treaties (Appendix 2 is supplementary).
41. On the matter of *whakapapa*, *tikanga*³² and *tino rangatiratanga*, these are *inherent* sovereign rights, that sit outside of the Crown’s purview of New Zealand common law. In other words, an inalienable right in which the Crown’s has no

²⁸ Wai 1040 - He Whakaputanga me te Tiriti The Declaration and the Treaty, The Report on Stage 1 of the Te Paparahi o Te Raki Inquiry 14 October 2014, p483.

²⁹ Normanby’s Instructions to Consul Hobson, August 1839.

³⁰ Wai 9 Report of The Waitangi Tribunal on The Orakei Report, November 1987, p186. “The Maori word for ‘authority’ is ‘mana’. ‘Rangatiratanga’ and ‘mana’ we have said are “inextricably related words” (Te Atiawa Report, 1983: 10.2).] In the Manukau Report (1985:8.3) we related that ‘mana’ had been used in the earlier Declaration of the Independence of New Zealand to describe “all sovereign power and authority” but Williams was careful to avoid using ‘mana’ for ‘sovereignty’ in the Treaty, for due to its spiritual and highly personal connotations, no person of mana could cede it.

³¹ Wai 1040 - He Whakaputanga me te Tiriti The Declaration and the Treaty, The Report on Stage 1 of the Te Paparahi o Te Raki Inquiry 14 October 2014, p483.

³² An example inherent sovereignty is tikanga Maori. Tikanga Māori is considered inherent, operating alongside, and sometimes informing, the common law. For example, when a monarch is on a marae reservation, the monarch is subject to and must follow Māori law (tikanga Maori).

legal power to extinguish, without the free and intelligent consent of the indigenous peoples.

42. On the East Cape, under whakapapa and tikanga Māori, we have a supreme law and title known as te papatipu o Ruawaipu. Only the descendants of Ruawaipu can hold authority over her lands and waters

We can say, that when Porourangi and his brother Tahu-potiki were living at Whangara and commencing to lay foundations of various tribes, which trace descent from them, Ruawaipu and Huritakeke [Uepohatu] were at the head of the Toi tribes, which occupied the territory from Tuparoa northwards³³.

“But Sir Apirana Ngata stated what must be remembered is, that no point of time can be taken and described as the date when the reign of Toi ceased and that of Porourangi began” (p53(a)).³⁴

We are of Porourangi, of Toi and of Ruawaipu” say the whakapapa of Ngati Porou, but the northerners turn to Ruawaipu to establish their rights to the territory they occupy. Tuwhakairiora established his mana over the people while Ruawaipu retained her mana over the land.³⁵

[253] He denied that Tahanian had any interest in the land or that Tahanian was given any land on his marriage. Tahanian was a descendant of Porourangi and came from Whangara when Tamakoro and Uetaha returned to avenge the death of Tamatearahia and reclaim the land of Tamateupoko and Ngati Ruawaipu. He denied that Ngaoho ever conquered Wharekahika: they took the land between Pukeamaru and Awatere river. The rivers of Ruawaipu were the Karakatuwhero, Waikaka, Awatere, Wharekahika and Whangaporoa.³⁶

³³ *Rauru Nui A Toi*, 1972, Lecture 6, page 3.

³⁴ Drummond R.J.H. “The Origins and Early History of Ngati Porou, A Maori Tribe of the East Coast” MA thesis for Victoria University, 1937.

³⁵ McConnell, B. ‘*Te Araroa - an East Coast Community History*,’ 1990, Chapter 1, page 7.

³⁶ TE PAPATIPU O RUAWAIPU. Young, Grant; Belgrave, Michael, - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp, Wai 900 A30, East Coast inquiry, paragraph 253.

43. To me, our constitutional rights do not derive from te Tiriti, although this document recognises it, through ‘tino rangatiratanga,’ our constitutional rights derive from our whakapapa. This is our *inherent* sovereign right. When we are born, under tikanga Māori we become constitutionally bound to our laws, customs and usages both tangible and intangible. It is this power prerogative of *inherent* sovereignty that makes uri-whenua a natural hereditary sovereign.
44. Inherent rights do not need to be recognised by colonial governments as these rights existed before they did.
45. There are two types of Māori rights under the treaties of Waitangi (both texts). The first, *inherent* sovereign (autonomous equal to *imperium*).³⁷ These rights are rights held under the te Tiriti (Māori text). *Inherent* sovereign rights are, by definition, inherited from indigenous legal systems and prior occupation of the land, existing independent of any "I say so" or "bend over" from settler governments.³⁸
46. The second right is *sui generis* (unique one-of-a-kind property rights). These rights are recognised under the English treaty text, in the form of aboriginal or native title rights. Aboriginal title is considered a *sui generis* right because it is a unique, indigenous communal title typically "burdened" by the Crown's sovereignty, meaning it is often subject to state regulation and can generally only be surrendered to the state. In summary, *sui generis* rights are often interpreted within the framework of state law, but their unique nature ensures they retain, at least partly, independent, inherent character.
47. The "Crown's feudal system" in New Zealand refers to the foundational doctrine of tenure and radical title imported from English common law, where the Crown (the State) is technically the ultimate owner of all land. In this system,

³⁷ Settler states are often willing to negotiate *dominium* (property rights, land use) but frequently resist acknowledging Indigenous *imperium* (exclusive territorial, legal, and political, authority), reducing Indigenous claims to mere rights within the state's legal framework.

³⁸ Cited and quoted from Wai 3300, #B14(o), Jason Koia, 20 February 2026, Appendix 1, page 5.

individuals and organisations do not truly own land outright; rather, they hold a "freehold estate" (free and common socage) of the Crown.

48. Māori land tenure was created *sui generis* under the Native Lands Act 1865, and the Native Rights Act 1865. These tandem legislations illegally changed the constitutional status of Māori from *inherent* sovereign to *sui generis*. Section 2 effectively made Maori and Māori property, Pakeha (natural born citizens of Great Britain), in tandem with the land Act to alienate all remaining non-confiscated Māori land under English law.

II. Every person of the Maori race within the Colony of New Zealand whether **born before or since** New Zealand became dependency of **Great Britain** shall be taken and deemed to be a natural born subject of Her Majesty to **all intents and purposes whatsoever**.³⁹ [*Emphasis added*].

49. Not only were these laws illegal and *ultra vires* of the Crown's legitimate right of kawanatanga power, but it effectively brought Māori under the sovereignty of the Queen as her subjects ('subject to').
50. In other words, *sui generis* titles by the Crown, including treaty settlement frameworks are a scam where Māori think they are receiving something 'special,' but in fact, are coerced and conned into a not so special a '*sui generis*' title.' The injury is an extensive loss of fundamental *inherent* sovereign rights, under a *sui generis* machinery founded on fraud and legal fiction.

... indigenous sovereignty as '*inherent* sovereign,' is not delegated or granted by a settler government, constitution, or foreign Crown; it is passed down through birthright, connection to land, and spiritual, cultural, and legal traditions. It is "inherent" because it stems from the people themselves and their relationship to their creator and land. Despite the Eurocentric view that indigenous rights are insubordinate to Crown sovereignty. Such racist practices by settler colonies, are in itself, a manifestation of colonialism, universally no longer accepted in any form what soever by resolution 1514

³⁹ Native Rights Act 1865 (29 Victoriae 1865 No 11) Section 2.

(XV) 1960. This resolution was intended for territories to go back to the *inherent* sovereign, not the coloniser.⁴⁰

51. However, getting back to legal legitimacy, it is a different story under the Māori treaty text, where *sui generis* title is non-applicable, and inferior to the *inherent* sovereign title. No *sui generis* title could override the mana whenua ‘tuku iho’ of the rangatira and hapu.

52. **TE PAPATIPU O RUAWAIPU**

53. The rohe of Ruawaipu begins from the Whangaparaoa river in the north, to the Reporua stream in the south⁴¹, inland to the Raukumara ranges, and seawards to the 200-mile zone.

54. When the Wai 900 mana whenua report, ‘Te Papatipu o Ruawaipu’ was completed in 2009, although finding that a Ngati Porou monolithic entity did not exist in 1840,⁴² there were two unresolved issues by the authors Dr Young and Prof Belgrave.

55. The first issue, “independent and autonomous hapu who claim through a common tipuna were not acting as a unified tribe (Ruawaipu).”⁴³ East Coast traditions of alliance were fluid, between hapu, there is no evidence of the entire East Coast acting as a unified tribe, however, in regards to Ngai Tuere, my research after 2009 shows Ngai Tuere (at Whangara) had very little Porourangi

⁴⁰ Wai 3300, #B14(o) Jason Koia, 20 February 2026. Appendix 1, p6.

⁴¹ Tame Te Maro told me around the summer of 2005 that the Reporua stream was the Pokai boundary, and that Uepohatu was on the southern side of the stream. Peter Kaua has a map of the Ruawaipu rohe extending to the Reporua stream cited in TE PAPATIPU O RUAWAIPU page 6.

You can see a map of the Uepohatu boundary in UEPOHATU MANA WHENUA REPORT, Tony Walzl: Wai 900 #A31, 4 Dec 2009 p16.

Also, the affidavit of Tame Te Maro, [at 35] The boundary of Uepohatu is from the sea at Whareponga to Te Ahikouka, up the Mangaoparo stream to the Ruakumara ranges to Te Ranganui a Toi. Te Ranganui a Toi is one of the high Mountains which makes up part of the Ruakumara ranges, and makes the western boundary of Uepohatu. WAI 900 #A58 / WAI 272 #A34 (see appendix “A”) 3 March 2001.

⁴² Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 643.

⁴³ Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 6.

elements, were predominately of the Toi tangata whenua branch, and it hapu name was not named after a Porourangi Tuere.

56. Furthermore, it was impossible for Tuere (the grandson of Porourangi) to marry Muriwhakaputa of Ruawaipu as the time line was mismatched. In addition, Uekaiahu⁴⁴ (a descendant of Porourangi designated by Ngata) was in fact predominately Ruawaipu bloodstock. Very little Porourangi blood existed in Uekaiahu based on the premise that the Tuere (of Porourangi) married Muriwhakaputa which is generationally impossible.

57.

[REDACTED]

[REDACTED]

58. I do agree, hapu traditionally act as autonomous social units, but in matters of land, it was a branch of the descendants of Ruawaipu (Ngai Tuere) acting in concert, that came back from Whangara to claim back the mana whenua of their Ruawaipu lands.
59. The second issue from the authors Belgrave and Young is, there is little or clear evidence to suggest that the rohe of Ruawaipu extended across the Waiapu river though some of her descendants (such as Hinepare and Karuai) were certainly recognised. This can be explained by the court only going back to Te Aokairau.

⁴⁴ Chart taken from Wai 3276, #A1 (a) Appendix, J Koia, 29 February 2023 p48.

60. On 6 April 2010, Counsel for the Wai 272 Te Runanga o Ngati Porou (TRONP) claim filed 29 affidavits (“the Wai 272 affidavits”)⁴⁵ in the Wai 900 record of inquiry, for consideration by the Crown and other claimants when assessing the oral and traditional history of Ngati Porou. Those affidavits have been admitted to the record as documents A32 to A61. Two of the TRONP affidavits (one being a Ngati Porou scholar) acknowledged the papatipu of Te Aokairau came from Ruawaipu.⁴⁶

Te Aokairau inherited the mana over the lands from her tipuna Ruawaipu, who in turn was a descendant of Toikairakau, one of the corner stone ancestors of the Eastern tribes.⁴⁷

61. This aligns with oral traditions given to me, and furthermore, Rakairoa (the sister of Te Aokairau) also inherited her papatipu lands from Ruawaipu. That is to say, all the hapu on the southern bank of the Waiapu river (Ngati Pokai) obtain their mana whenua from Ruawaipu.
62. Papatipu is the highest law in the land. For Māori, papatipu is our link to papatuanuku, which explains the reason Māori bury the newborn *pito* (umbilical chord).⁴⁸ When we are born into te ao Māori, we are constitutionally bound by tikanga to our customs and institutions. The most paramount source of Māori title being our whakapapa. Hence the reason, holding papatipu o Ruawaipu, for her direct descendants today, as uri-whenua, is the highest of honour in recognising our mana ‘to land, seas, forests, lakes, rivers and mountains.’ It is

⁴⁵ Wai 900, # 3.1.307

⁴⁶ Wai 900, # A36 (Wai 272, #A12) affidavit of (Koro) Te Kapunga Matemoana Dewes dated 14 December 2000, (received 6 April 2010) at para 82.
Also see Wai 900, # A46, (Wai 272, #A22) affidavit of Atareta McMillan dated 12 February 2001; (Received 6 April 2010), para 5.

⁴⁷ Wai 900, # A36, affidavit of (Koro) Te Kapunga Matemoana Dewes dated 14 December 2000, para 82.

⁴⁸ Māori bury the “pito” (umbilical cord) as a symbolic gesture of returning it to the earth, the source of life. This practice reinforces the connection between the newborn and the land, where the child was born. It also acknowledges the belief that human beings were created from the earth by Papatūānuku (the earth mother). The afterbirth and pito of the first human, created from earth, were ritually buried in the earth, establishing the proverb “He taonga nō te whenua, me hoki anō ki te whenua” (What is given by the land should return to the land).

common knowledge only those who descend from Ruawaipu have the right to claim her lands and waters.

[164] according to Henare, therefore, Mataura was a descendant of Porourangi (rather than Ruawaipu) who had no interests in land on the other side of the Waipū river.⁴⁹

[255] However, the mana remained with her descendants and not Tuwhakairiora. Only Hukarere and Makahuri, Ruataupare's descendants, retained the papatipu to Wharekahika....the papatipu came from Ruawaipu and descended to Tuiti and Te Aotaki.⁵⁰

63. What is interesting is that English common law, recognises whakapapa and its continual right to inherit.

That nothing in the said charter contained shall affect or be construed to affect the rights of any aboriginal natives of the said colony to the actual - occupation or enjoyment in their own persons, **or in the persons of their descendants**, of any lands in the said colony then actually occupied or enjoyed by such natives.⁵¹ [*Emphasis added*].

64. In New Zealand common law, an explanation of inherent rights can be exemplified by Fenton.

“The doctrines of Feudalism can have no application to the lands of New Zealand, and that neither English Law nor Civil Law can be allowed to influence the rights of Maoris to the lands of which, in the words of the statute, they own according to their customs and usages. That the treaty took none of their territorial rights away from the Maoris but expressly guaranteed

⁴⁹ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 164.

⁵⁰ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 155.

⁵¹ Queens Instructions by Lord J Russell to Governor Hobson, 9 December 1840, Section 37.

the preservation of them as they were in 1840.” [Kauwaeranga Judgement, Fenton 1870].

65. The right to inherit is recognised under Article 5 of the CERD 1965. The CERD is recognised by the settler government of New Zealand.⁵²
66. Te Ture Whenua Māori Land Act 1993 recognises Māori customary land as held under tikanga Māori. Māori customary land is not Crown land.
67. It is also important to note, tikanga Māori (Māori law) is the first law of New Zealand.⁵³ Tikanga Māori is recognised in New Zealand common law.⁵⁴ Only Māori law can be exercised on Māori soil when regulating its customs, usages and resources.
68. In this case, the Ngati Porou CMT application has no hereditary title or papatipu evidence, that it has held its mana whenua under tikanga since 1840.

Gudgeon says that he does not know when or how POROUMATA [descendant of Porourangi] and other Hawaiki-ans established their “mana”. But Sir Apirana Ngata stated what must be remembered is, that no point of time can be taken and described as the date when the reign of Toi ceased and that of Porourangi began.⁵⁵ [*My insert*]

69. Case in point.

⁵² New Zealand ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) on November 22, 1972, having signed it in 1966. The ratification obliges the government to eliminate racial discrimination, promote interracial understanding, and submit regular reports to the UN CERD committee.

⁵³ Ellis v R (Continuance) [2022] NZSC 114, [2022] 1 NZLR 239 at [172].

⁵⁴ “*Māori custom according to tikanga is therefore part of the values of the New Zealand common law*”. - Takamore v Clarke [2012] NZSC 116.

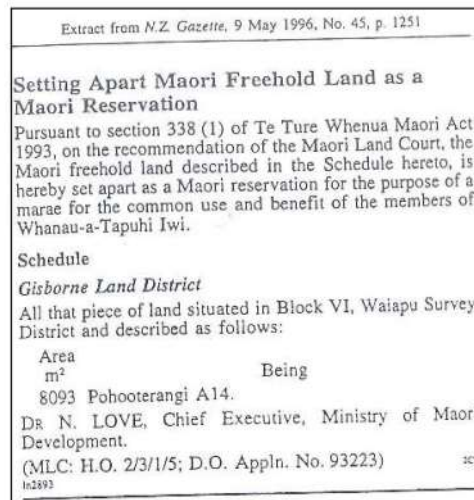
⁵⁵ Wai 900, 3.1.342(e) 25 June 2010, page 7, cited from R.J.H Drummond, MA thesis for Victoria University, Origins and Early History of Ngati Porou, 1937, (p53(a)).

70. **TE WHANAU A TAPUHI**

71. [REDACTED], I am known by the Crown NZ as a ‘rebel.’ The historical context of rebel means Māori do not recognise the Queens authority over Māori land.

Wiremu Keiha was held up as someone the government should be supporting, as he had fought against the Pai Marire in 1865, whereas Hirini Kahe and his ally Pineaha Koia were cast as “rebels.”⁵⁶

72. Pineaha Koia was the only surviving heir to carry the line of Te Matenga Koiauruterangi. Pineaha Koia is the founding ancestor of the Koia whanau, and the tipuna for Te Ao Hou marae. Te Matenga was the recognised chief of Te Whanau a Tapuhi. In 1996, Te Ao Hou marae became a Māori reservation for the use and benefit of Whanau a Tapuhi iwi.



73. In 2002, I became a mandated representative of Te Ao Hou marae (a reservation for the beneficiaries of the Tapuhi iwi), with full jurisdiction to represent the marae in any matter pertaining to fisheries.

⁵⁶ Stirling B, East Coast Nineteenth Century Overview -A Report Commissioned by the Crown Forestry Rental Trust, September 2010, p487.

74. **MACA 2011 - CONFISCATION BY LEGISLATION**
75. I have objected to, and do not recognise the legitimacy of both the Foreshore and Seabed Act 2004 and any process under the Coastal Marine Area Act 2011 (MACA). Giving this 2011 Act a flash Māori name (Takutai Moana), does not mean Māori gave informed consent to it. My stance on the Potaka hatchery in 2004 is evidence of objection against settler government maritime legislation.
76. The reason I and others, who affiliate to and know their whakapapa refuse to participate under the MACA, is because it fails to recognise the mana and tino rangatiratanga of our ancestor who signed the East Coast treaty. The MACA fails to recognise tino rangatiratanga, indirectly protects the sovereignty of the Crown (under international law)⁵⁷ over the 200 nautical mile zone and it's unproven allodial title over valuable oils and minerals.⁵⁸ Furthermore, the Crown NZ (colonial hegemony) uses the Treaty (English text)⁵⁹ to diffuse Maori treaty rights under the authentic (Maori treaty text) and assert its political narrative of colonialism. This narrative being, that Māori rights are subject to the recognition of the white European coloniser.
77. I also find it amusing Maori are limited to the 12 nautical territorial sea zone,⁶⁰ when in fact our history of trading (pre1840) is known in the pacific,⁶¹ and to start with, Toi commissioned to bring the kumara back from Tahiti 2500 miles away.
78. This brings to the fore the issue of forced assimilation and the unjust abrogation of *inherent* sovereign title, and the Crown NZ implementation by legislative

⁵⁷ Section 8 Rights and obligations under international law not affected.

⁵⁸ Section 16 Continued Crown ownership of minerals.

⁵⁹ Section 7 Treaty of Waitangi (te Tiriti o Waitangi).

⁶⁰ Pacific Rim and Beyond: Evidence shows Māori-produced goods, including food and timber, were exported throughout the Pacific and as far as North and South America by the 1820s.

⁶¹ Economic Scale: By 1839, the value of Māori exports to Sydney and Van Diemen's Land (Tasmania) reached approximately £83,000. Māori established their own shipyards, such as the one at Horeke in the 1820s, to construct vessels for international trade.

force⁶² of its confiscating marine legislation to assimilate and usurp the cultural identity to Ruawaipu.

79. **ETHNIC SUPPRESSION, AND FORCED CULTURAL ASSIMILATION OF THE EAST-COAST SOVEREIGN PEOPLES**

80. The UN Declaration on the Rights of Indigenous Peoples 2007, in particular Article 8, states quite clearly.

Article 8 (2)

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for:
 - a. Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;
 - b. Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
 - c. Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
 - d. Any form of forced assimilation or integration;
 - e. Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

81. There are several names that can be applied to Ruawaipu, such as the Toi and Maui peoples (A Ngata and T Te Maro), Moriori (Drummond), tangata whenua tuturu (A Mahuika). I prefer uri-whenua as my people were already on the land at the time of Maui.

82. Therefore, to help understand the context of my whakapapa (cultural identity) claimed by Ngati Porou (improper), and to help understand the authentic and

⁶² In modern times, settler colonies often use legislative and legal force—sometimes referred to as "lawfare"—to maintain sovereignty and control over Indigenous peoples. Scholars note that in these societies, "invasion is a structure, not an event," meaning the legal systems are continuously used to manage and sometimes suppress Indigenous rights and claims. contemporary legislation is still viewed by some as a tool to maintain Pākehā (white) sovereignty.

true mana whenua whakapapa, I attach a copy of the following Ruawaipu Wai 3276 claim.

- Wai 3276 Ruawaipu Modern Day Ethnic Suppression Claim (2023).
- Wai 3276, #A1 Brief of Evidence (outlining mana whenua whakapapa)
- Wai 3276, #A1(a) Appendix (supporting evidence for the Wai 3276 claim).

83. To be blunt, the Ngati Porou (improper) is an internal cultural hegemony, a creation and creature of the settler government, founded upon colonial war crimes of 1865 and the ethnic persecution of sovereign tribes around New Zealand.

....The civil war that took place was to be the catalyst for reshaping the iwi profile at the expense of hapu autonomy. As a direct result of the war, a Ngati Porou whanui identity was fostered and more or less accepted.⁶³

84. This Ngati Porou political entity has no evidence of *inherent* sovereign title or mana whenua (or Ngati Porou hapu title it lays claim to) from Potikirua ki te Toka a Taiau since 1840. This explains why the East Coast Waitangi Tribunal Inquiry (Wai 900) was closed down in 2010, without a majority of claimant consent, and contrary to the recommendations from the UN.⁶⁴

85. The confusion lies in the origins of constitutional fraud, illegal adoption of foreign law, treacherous deceit, economic and war crimes, treaty violations and various breaches of the *jus gentium*. Starting with Hobon's illegitimate and fraudulent proclamations on 21 May 1840. At no point in time has the English monarch renounced these proclamations and its gazette in London in October

⁶³ Soutar, Monty, 'Ngati Porou Leadership: Rapata Wahawaha and the Politics of Conflict', PhD Thesis, Massey University, 2000., Introduction, p33 -My emphasis added.

⁶⁴ James Anaya , Report of the Special Rapporteur on the rights of indigenous peoples – "The Government should take special measures to address the concerns of the Ruawaipu, Ngāti Uepohatu and Te Aitanga-a-Hauiti iwi, in relation to the East Coast District settlement case." 2011 at 73.

1840. To do so would admit the Crown UK never acquired sovereignty over New Zealand.

86. My point is, Crown law, in 2025 still uses erroneous case law (recognising the Hobson's fraudulent proclamations), such as the land's case [1987],⁶⁵ to assert Crown sovereignty on the basis the proclamations were legitimate.⁶⁶ These assumptions are baseless and in breach of the *jus gentium*.
87. There are two treaties, two Ngati Porou, and two Crowns. One version is fake, the other is authentic. In the case of the Ngati Porou CMT application, we are simply dealing with the wrong Crown, the wrong treaty, and the wrong iwi.
88. As a hereditary descendant of two signatories to te Tiriti (Māori authentic Treaty of Waitangi text) which was the only version solicited on the East Coast, my ancestors signed this treaty at Rangitukia on 1 June 1840 (after Hobson's proclamations). This treaty was with the Queen representative (Hobson) on behalf of the Queen of England. Both my ancestors were authentic descendants of Ngati Porou tuturu clan of the Waiapu valley, who associate with Porourangi and Pokai, but obtained their land and sea rights by the custom of papatipu o Ruawaipu.
89. Only the descendants of Tamataua and Te Aokairau, are Ngati Porou tuturu.⁶⁷ The Koia whanau are the Ariki whanau of Ngati Porou tuturu.
90. The other Ngati Porou stands for Nga tini uri o Porourangi (the descendants of Porourangi), with a history of holding no mana whenua, a roaming landless

⁶⁵ Settler colonial courts are subjugated to recognise parliamentary sovereignty by its self-proclaimed full power to make laws (s15 of the Constitution Act 1986). Courts are also unable to strike down bad law that affect treaty rights and are forced to recognise Crown law (s4 Bill of Rights 1990). This assumption of parliamentary supremacy is open to challenge and has not been inquired into by a court worthy of its name free from subjugation or prejudice.

⁶⁶ Wai 3465 #3.1.2 MEMORANDUM OF COUNSEL FOR THE CROWN IN RESPONSE TO APPLICATION FOR URGENT INQUIRY 21 May 2025. *New Zealand Maori Council v Attorney-General* [1987] 1 NZLR 641, 690 per Somers J and Richardson J at 671. The Crown argues "In the *Lands* case, the Court of Appeal found that the Crown's sovereignty over New Zealand was beyond dispute, once Captain Hobson's proclamations were gazetted." At 7 p5.

⁶⁷ Wai 3276, #A1 See whakapapa at p32.

people (te iwi haere), commonly associated with canoe and migrant ancestors ‘the canoe people’.

91. In post treaty time of the 1865 East Coast wars, Ngati Porou has become a name synonymous with loyalty to the Queen, and Church of England. Rapata Wahawaha who despised his own people and loved Pākehā, would become the Crown’s prime candidate to unleash unjust war and do its bidding.

Wahawaha was on the verge of manhood and with his kinsmen ready to take advantage of opportunities Christianity provided.....The first twenty years of his life is characterised by experiences of militancy and Christianity. This ambiguous co-existence would characterise both Ngati Porou leadership during the 1860s and Wahawaha himself, so that he would lead his men in the name of Christianity, while reverting to traditional practices in conducting warfare. Wahawaha, like others, saw no incompatibility between the old and the new, and applied the new to his changing world. Killing was not a contradiction as he was waging war in the name of Christianity.⁶⁸ [My underlining].

.....greetings to you Major [Wahawaha], the man who gave us the authority of the Queen as an umbrella for Ngati Porou⁶⁹.... [My insert]

92. Another example, in 1896, at a “Ngati Porou” hui regarding funding for parishes from Tuparoa to Gisborne.

Ngati Porou again professed their allegiance to the Queen and to the New Zealand Government; empowering their komiti, it was assured, would not undermine the laws of the colony or the county council. By way of further explanation Ngata elaborated; For a long time our committees have been operating de facto. Enough, we demand that these committees be given

⁶⁸ Soutar, Monty, ‘Ngati Porou Leadership: Rapata Wahawaha and the Politics of Conflict’, PhD Thesis, Massey University, 2000, page 132. – Chapter 4. page 132. – Chapter 4.

⁶⁹ *E Taku Hoa Aroha*, Volume 3, Mataahu meeting of Ngati Porou 1872, page 171.

status by the law....What we ask is that an amount is left to us to carry out our road works...⁷⁰ [*My emphasis*]

93. In short, Ngati Porou hold no mana whenua, neither did their ancestor Porourangi. In fact, the leaders of Ngati Porou, such as Wahawaha held no mana whenua either.

[544] Ranginui Walker describes Ropata as ‘not a first class chief’ and his nephew Paratene Ngata as a second tier chief. Their ‘status in the tribe was based on achievement in the modern world ushered in by the advent of European settlement; Their role was based less on whakapapa and more on their relationship with Pakeha.⁷¹

94. Likewise, the sovereignty of the Crown NZ, although illegitimate, will always be indebted to Ngati Porou loyalists, as it was this Ngati Porou Church of England faction that helped established British sovereignty.

Gudgeon actually takes his emphasis on the importance of Ngati Porou actions further, explaining that if McLean had not supplied Mokena and Ropata immediately, they would have been destroyed or forced to join the Hauhau, and the government would consequently have faced 2000 fighting men and a half-million pound bill to suppress them. For comparison of the impact this would have had, Gudgeon points out that General Cameron never had to face more than one-third of that number in the Waikato and General Chute never met one-fifth⁷²...

The outcome of the conflict brought a sea-change to the coast, which was not lost on Donald McLean, the government’s agent provocateur on the scene: “The several successful engagement’s...will I feel assured be the means of enabling the Govt **in conjunction with our Native allies to**

⁷⁰ Luiten, Jane, ‘Local Government on the East Coast’, research report commissioned by HistoryWorks for the Crown Forestry Rental Trust, 2009, 491pp Wai 900 A69, East Coast inquiry, p151.

⁷¹ Wai 900 A30 – Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp East Coast inquiry, paragraph 544.

⁷² Bryan Gillings, - I Raised The Flag over Them for Their Protection, April 2005 (Gudgeon, Reminiscences, 82); page 216.

establish British authority along the whole line of coast from Hicks Bay on the East to Uawa or Tolaga Bay on the South.⁷³ [*Emphasis added*].

All questions between the British colonists of New Zealand and the Maoris are now merged in a war of sovereignty -probably of extermination. This report in *The Times* of 16 December 1864 was a belated recognition of a state of affairs that had existed from at least 1861. That question of sovereignty was the critical point of difference between the races had been widely acknowledged in New Zealand. As Frederick Weld, Native Minister in the Stafford Ministry, put it, **the government was determined to assert British sovereignty**....The 'inevitable hour of conflict must come,' warned C.W Richmond; **'it was one of the necessities of colonization.'**⁷⁴ [*Emphasis added*]

....The conflict was officially described as a suppression of Māori who were in rebellion against the Crown, but **some politicians admitted that it was a war to assert British supremacy.**⁷⁵ [*Emphasis added*].

The result of the East Coast Wars **was widely seen as a victory for the Government.** Whether accurate or not, this perception led many settlers to believe that the district was now ripe for colonisation.⁷⁶ [*Emphasis added*].

95. On the issue of sovereignty and the lands wars engineered by the settler government to take Māori wealth and power, I agree with Windsor.

The writing of Vattel is authoritative. Maori hapu and iwi met the required level of social and political organisation in 1840, so Maori had sovereignty. This has been confirmed by the approach taken by the International Court of Justice in the Western Sahara case. Once it is established that Maori had sovereignty over New Zealand prior to 1840, it is not possible for New Zealand to have been acquired by occupation. New Zealand was not acquired

⁷³ Luiten J – page 52 “*Local Government on the East Coast*” Wai 900, A69 – 2007 (see Subasic E, p 116)

⁷⁴ Cited in Orange C. *The Treaty of Waitangi* 1987, p159.

⁷⁵ <https://teara.govt.nz/en/te-tiriti-o-waitangi-the-treaty-of-waitangi/print>

⁷⁶ O'Malley, “*Begging with a Bludgeon*,” 1996, page 8.

by cession either. The application of the relevant rules of treaty interpretation to the Treaty of Waitangi shows that the sovereignty assumed by the United Kingdom exceeded the authority conceded by Maori.⁷⁷

The Land Wars do not constitute a conquest so New Zealand was not acquired by that mode. New Zealand has not been acquired by prescription either, as Maori have never acquiesced to Britain's seizure of sovereignty. One is forced to conclude that the United Kingdom's assumption of sovereignty over New Zealand was illegal. As the legality of the current constitution is traced back to the United Kingdom's annexation, the current constitution is illegal.⁷⁸

96. To avoid any doubt that the Crown NZ today is not a legitimate sovereign, it is universally accepted, that sovereignty cannot be acquired by tyranny.⁷⁹ In modern times, this tyrannical form of territorial conquest is also condemned by the UN [Article 2(4) Charter 1945].

97. **NGATI POROU MONOLITHIC IDENTITY OPEN TO CHALLENGE**

98. Piritupuna is not a custom used by Ruawaipu. It is interesting to note it was used by those of Ngati Ira. In this case a claim that Ngati Porou did not occupy lands south of Tokomaru Bay. On 21 March 1881 Resident Magistrate G.A. Preece sent in a report on an inquiry made relative to the manner in which certain payments were made on account of the purchase of Tauwhareparaec block

I may here state that although the 49460 acres was awarded to Ngatira there were other tribes having ancestral rights viz Ngatihau and Ngatiporou who were admitted by the Native land Court as co owners with Ngatira in the said

⁷⁷ STEPHEN WINDSOR – “*An Exploration and Critique of the Sovereignty Assumed by the United Kingdom over New Zealand.*” Auckland U. L. Rev. 171 (2007) p198.

⁷⁸ STEPHEN WINDSOR – “*An Exploration and Critique of the Sovereignty Assumed by the United Kingdom over New Zealand.*” Auckland U. L. Rev. 171 (2007) p198.

⁷⁹ The concept that sovereignty cannot be acquired by tyranny is a fundamental tenet of classical, social contract, and modern liberal political philosophy, which distinguishes between legitimate authority (sovereignty) and unjustified force (tyranny). This rule can also be recognised under section 2.4 of the UN Charter 1945.

block, the Ngatira and the chiefs were jealous of these "Piritipunas" or ancestral claimants and devised a scheme whereby they could reduce the amount of individual share of these "Piritipunas" with the idea of ultimately dividing the spoil after the Ngatiporou and Ngatihau backs were turned.....the Ngatiporou and Ngatihau having only ancestral claims had never occupied the lands were glad to get anything....⁸⁰

99. There are other comments that show Ngati Porou as a much smaller identity, in particular within the Waiapu (see Soutar, Leadership, pp27-29).
100. In 1890, Stirling covers the land jobbing (mostly by officials and loyal Maori) in an attempt to take out Waiapu North which , “Porter claimed was divided amongst four tribes,”⁸¹ Te Whanau a Rua, Ngati Porou, Tuwhakairiora, and the East Cape (Ngati Ruawaipu). My point is there is ample evidence Ngati Porou was not a monolithic entity as of 1840 over the area it lays claim too. This then raises the question of its CMT application, where under the MACA it has the burden of proof to prove its claims well founded.
101. In 1895 Gudgeon, a Native Land Court judge who held title investigation hearings on the East Coast, wrote.

The name of Ngati-Porou does not by any means convey a correct idea of assemblage of the tribes now known under that designation. Porourangi, was indeed one of the progenitors of the tribe; but not the only one, nor, indeed, the chief one..... **Ngati Porou are unable to say how, or what manner, they first became possessed of their present land.**⁸² [*Emphasis added*].

....Whanau a Tuwhakairiora, which so rapidly grew in power and numbers as to become the leading *Hapu* of Ngati Porou, are a very mixed race, and have little of Porou-rangi in their composition. They are a mixture of Ngati-

⁸⁰ Berghan, Paula, 'East Coast Block Research Narratives 1865-2000', research report commissioned by the Crown Forestry Rental Trust, 2008, 1596pp Wai 900 A23, East Coast inquiry, p1124. [Also see Stirling B 19th Century at p495].

⁸¹ ⁸¹ Stirling B, East Coast Nineteenth Century Overview -A Report Commissioned by the Crown Forestry Rental Trust, September 2010, p371.

⁸² Gudgeon. W.E. Journal of Polynesian Society - The Māori Tribes of the East Coast of N.Z, Vol III – Part II page 19.

Tuere, Ngati Ruawaipu, Nga-Oho, and probably of many other tribes whose very names have been lost.⁸³

Tuwhakairiora, is very properly claimed as a descendant of Porourangi, but, until lately, the name of Ngati Porou did not properly apply to the tribes living to the north of the East Cape. They were known as the Whanau-a-Tuwhakairiora.⁸⁴ [*My underlining*]

...In the third class we have two tribes who were anciently of great importance, viz, the Whanau-o-Ruawaipu and the Ngati Uepohatu. Of the first-named tribe, who once owned all the country lying between the Waiapu River and Whare-kahika, there are now the following hapus extant: -

- (1) Whanau-a-Tuwhakairiora
- (2) Ngati- Rakai-matapu
- (3) Whanau-a-Kahu
- (4) Ngai-Tane

When the Ngai-Oho had been finally driven out of the country, the Kawakawa and Wharekahika lands were divided between the Ngai-Tuiti, Ngai Tuere, and other sections led by Tamakoro and Uetaha; and these people intermarried with the independent hapus of Ruawaipu descent, who held the bush country inland of Horoera, namely the Ngati-Manu, Ngati-Rangi-topuni, and others, so that at present day, it is scarcely possible to find one person of the Whanau-o-Tuwhakairiora who are not descendents of Ruawaipu. As I have already shown, the chief Tu-whakairiora himself intermarried with these people, and owed his power to that union.⁸⁵

102. On Ruawaipu, R Kohere also views the following,

It is true that Ngati Ruawaipu can claim that they are their own autonomous tribe rather than being a sub-tribe or hapu of Ngati Porou. Certainly Ngati

⁸³ Gudgeon. *The Maori Tribes of the East Coast of N.Z.*, continued from page 219, Vol III – Part II page 32.

⁸⁴ Gudgeon. W.E. *Journal of Polynesian Society* - The Māori Tribes of the East Coast of N.Z Part II page 29.

⁸⁵ Gudgeon. W.E. *Journal of Polynesian Society* - The Māori Tribes of the East Coast of N.Z. Part III, page 180.

Ruawaipu have had a history as an organising force of their own when ring-fencing their own territory, Marangairoa No I, as the East Cape Reserve,....⁸⁶

103. The point is, the claims by McConnell, Gudgeon, Kohere, are contrary to Ngata.
104. Belgrave and Young (two independent and reputable historians) also provide archival evidence that a monolithic entity called Ngati Porou did not exist as of 1840. The authors noted a significant issue (in relation to papatipu), being a ‘silence’ on Porourangi.⁸⁷
105. You will see below, ancestors such as, Tuwhakairiora, Te Aotaki, Kauwhakatuakina (Kahu), Te Aotaihi, and Pokai, for example are claimed by Ngati Porou under schedule 2, Part 1 and Part 2 of its rohe moana Act 2019.

[229] Uetaha looked to Te Whanau Apanui to avenge the death of his sons and according to Te Hati, Te Whanau a Tuwhakairiora and Ngati Porou united to attacked [[attack]] Te Whanau a Apanui.⁸⁸ [*My insert*].

[240] They were connected by marriage as Tuiti’s son Te Aotaki married Hinemaurea who was the Tahania’s older brother’s granddaughter (Raramatai)..... Through intermarriage, the people became known as Te Whanau a Tuwhakairiora but the land remained with the descendants of Tahania. That is Tuwhakairiora’s mana was over the people and not the land.⁸⁹

[252] Waiheke Turea’s claim was through Tuiti and his line of descent was from Ruawaipu through Tuiti and Tuterangiwhiu.....The land descended

⁸⁶ Kohere, R – Tawakewake : An Historical Case Study and Situational Analysis of Ngati Ruawaipu Leadership; a thesis presented for the degree of Doctor of Philosophy in Māori Studies at Massey University, Albany, Aotearoa-New Zealand - 2005 p 116.

⁸⁷ “What is perhaps most surprising about the claims is the profound silence regarding Porourangi.” TE PAPATIPU O RUAWAIPU, paragraph 85 page 65.

⁸⁸ Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 229.

⁸⁹ Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 240.

from Ruawaipu through Tamakihi and Tuiti, Te Aotaki and Uenukutewhana.⁹⁰

[269] Kauwhakatuakina and Tamateakui obtained their interest through the papatipu from Ruawaipu and conquest by Uetaha and others. Tamateakui was Uetaha's daughter, and Kauwhakatuakina was Tamateakui's son.⁹¹

[283] Marauangaanga's wife was Ruahoru, a child of Hauiti.... She insisted that the papatipu of Tamateapoko was not extinguished because the land was returned by her children.⁹²

[315] The descendants of Pakira who lived there did through intermarriage with the descendants of Te Aotaihi. Te Aotaihi was one of the wives of Tuterangiwhiu....The mana from this time was held by Te Aotaihi.⁹³

[316] Pakira's ancestral interest was derived from Ruawaipu.⁹⁴

[385] The two children of Pokai and Pohatu, Rongomaiwharemanuka and Uretokai, were the ancestors for the Tangihanga portion. Kereama explained the source of the papatipu: 'Ruawaipu, Uepohatu and Pokai all got their papatipu right from Toi. He later added:

The part towards Mangawhero stream outside my boundary is part of the papatipu of Ruawaipu. I have heard it is part of Whakaangi block. Hakaraira told me this outside just now. I did not hear it from the elders. All they told me was it belonged to the papatipu of Ruawaipu.⁹⁵

⁹⁰ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 252.

⁹¹ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 269.

⁹² Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 283.

⁹³ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 315.

⁹⁴ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 316.

⁹⁵ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 385.

[643] Despite his view of tribal identity, Soutar has to acknowledge at times, in the face of overwhelming evidence, that a monolithic entity called ‘Ngati Porou’ did not exist.⁹⁶

[649] When **kinship groups are divided**, as they were in the East Coast in 1865, **then no one has the mandate to speak on behalf of everyone**. Ropata was a creation of this conflict, as Soutar shows, rising in status as he demonstrated his military abilities which, as they became increasingly evident, were recognised by the Crown. His ultimate success was based on the ability to suppress those who had chosen alternative responses to colonisation and Christian missionaries. Soutar characterises Ropata as a heroic Ngati Porou leader through his ability to use Crown resources to impose his vision for the different kinship groups of the East Coast. This is a very different form of leadership to that idealised view of East Coast leaders in the 1830’s.⁹⁷ [*Emphasis added*].

[690] “...The alternative traditions can be identified in the Native Land Court proceedings though they are not usually the focus of issues disputed there and the Ruawaipu tradition is argued so strongly and clearly to the almost **complete exclusion of the Porourangi tradition**⁹⁸....” [*Emphasis added*].

106. **WHO ARE NGATI POROU?**

107. The purpose of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou 2019 Act is to contribute to the legal expression, protection, and recognition of the continued exercise of mana of Ngati Porou hapu. In other words, to protect its hegemony. Like the Crown NZ, both entities have no evidence of sovereignty as of 1840.

⁹⁶ Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 643.

⁹⁷ Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 649.

⁹⁸ Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 690.

108. The 2019 Act specifies that it does not affect any "accommodated matter," which generally refers to existing lawful activities and rights already recognised under other enactments. If it doesn't affect any Pākehā law, then why enter into a formal act of cession, why not just go for a normal CMT like everybody else?
109. According to the 2012 Ngati Porou Settlement Act, the meaning of Ngati Porou means at 11(1) means nga uri o nga whanau hapu o Ngati Porou mai i Potikirua ki te toka a Taiau. At 11(2) means nga hapu o Ngati Porou means the hapu listed in Part 1 of Schedule 1.
110. Section 11(3) means I am Ngati Porou because I (a) descend from Porourangi, and (b) may descend from a series of ancestors along the entire coastline. If you're wondering why Ruawaipu is included in sub clause (b), it's because that was the only way the Crown NZ and Ngati Porou could assimilate the Ruawaipu tangata whenua tuturu people.
111. Getting back to the 2019 Act, this Ngati Porou indoctrination is continued. None of the hapu listed in the schedule 2 Part 1, and Part 2 (around 30 hapu) obtain their mana whenua from Porourangi. In fact, all the hapu obtain their mana whenua from full blooded Ruawaipu ancestors, written out of the Crown's historical account with Ngati Porou under its 2012 forced treaty claims settlement.
112. These mana whenua ancestors I go into detail about each hapu in my Wai 3276 #A1, BOE, to keep it brief, Ngati Porou 'claimed hapu' obtain their mana whenua from full blooded Ruawaipu descendants. As we know Ruawaipu was not a descendant of Porourangi.
113. **RUAWAIPU STOCK ANCESTORS**
114. The following ancestors are not included in the Crown's legal definition of Ngati Porou under its 2012 treaty claims settlement (at 11(3)), or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou 2019 Act (at Schedule 2).

- Tahingaroahau (Ruawaipu chief and eponymous ancestor of the East Cape region).⁹⁹
- Kaiawa (a descendant of Tamaikakea and has rights to Whanga o Kena)
- Hinengarangara (west of Awatere region).¹⁰⁰
- Rakaimatapu (ancestor in the Tapatu region).¹⁰¹
- Te Hopuhopu (eponymous ancestor of Ngati Mahanga at Maraehara).¹⁰²
- Tamatearahia (Ruawaipu chief of the Te Araroa region).¹⁰³
- Kauwhakaheia (son of Tahingaroahau, ancestor of the Tikapa region)
- Tuiti Matua (from Tamakihi of the Hicks Bay/Potaka region).
- Hinemahuru (ancestor of the Whangaparua region).

115. Bob McConnell's assessment of Ruawaipu holding mana whenua, and Tuwhakairiora holding mana tangata, over the East Cape region¹⁰⁴ (contrary to the Ngati Porou narrative) was absolutely correct. My point is, those promoting Ngati Porou propaganda, are merely molesters of whakapapa.

116. Getting back to hapu listed under Schedule 2, Part 2 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou 2019 Act, which lists hapu on both banks of the Waiapu river (Ngati Porou tuturu sub-tribes on the northern bank, and Ngati Pokai sub-tribes on the southern bank).

[REDACTED]

⁹⁹ Wai 3276, #A1 BOE, J Koia, 29 February 2023 p48. See Tahingaroahau whakapapa.

¹⁰⁰ Wai 3276, #A1 BOE, J Koia, 29 February 2023 p46. See Hinengarangara whakapapa.

¹⁰¹ Wai 3276, #A1 BOE, J Koia, 29 February 2023 p12. See Rakaimatpu whakapapa.

¹⁰² Wai 3276, #A1 BOE, J Koia, 29 February 2023 p28. See Te Hopuhopu whakapapa.

¹⁰³ Wai 3276, #A1 BOE, J Koia, 29 February 2023 p24. See Tamatearahia whakapapa.

¹⁰⁴ McConnell, B. *'Te Araroa - an East Coast Community History,'* 1990, Chapter 1, page 7.

¹⁰⁵ Wai 3276, #A1 BOE, see Ngai Tane, Ngati Nua whakapapa at p28.

118.

[REDACTED]
[REDACTED]
[REDACTED]

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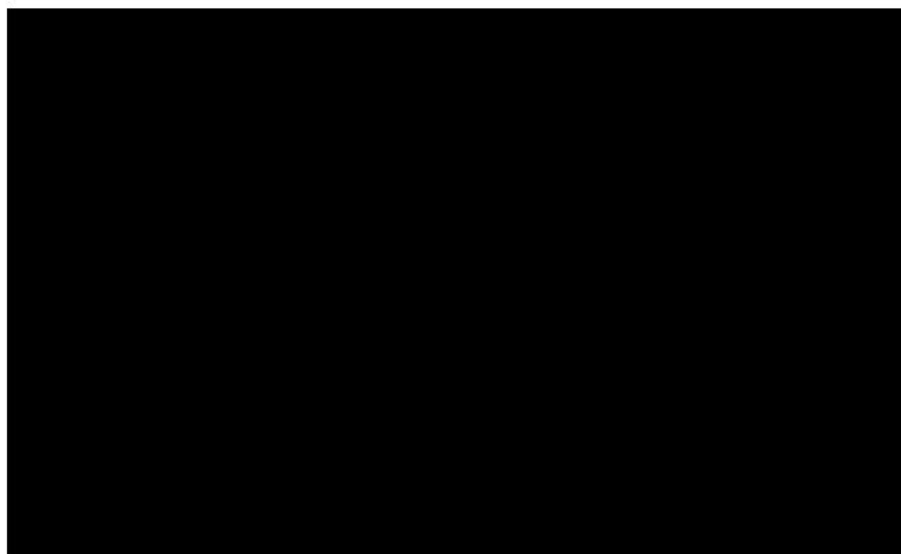
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¹⁰⁶ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 151.

121. This is why Ngata, in his Rauru lectures, distinguishes a difference between the Toi – Tuere peoples of Whangara and the Pakia peoples¹⁰⁷. He also acknowledges a possible Toi settlement at Whangara before the birth of Porourangi.¹⁰⁸ Then goes on to say “Tuere gave his name to a sub-tribe, Ngai Tuere which was probably of Toi origin.”¹⁰⁹
122. In regard to Tuere the grandson of Porourangi, Ngata proceeds to state, “there may have been an earlier Tuere,” from which Tuere (of Porourangi) derived his name. Then there is my assessment, Muriwhakaputa did not marry the ‘Tuere’, of Porourangi. If this is the case, claims by Ngati Porou to East Cape hapu are further weakened in conjunction with all the Tamaikakea whakapapa lines strengthening the Toi element of the Ruawaipu people. Below is an example of my Ngati Manu whakapapa¹¹⁰ noted by Gudgeon earlier. As we know Tuterangiwhiu was the first-born son of Tuwhakairiora.



123. For my full whakapapa from Hinengarangara and her child Tutapui see Wai3276, #A1, p46.

¹⁰⁷ Rauru, Lecture 2 p16.

¹⁰⁸ Rauru, Lecture 6, pp3-4.

¹⁰⁹ Rauru, Lecture 6, p4.

¹¹⁰ Wai 3276, #A1 BOE, J Koia, 29 February 2023. See Hinengarangara whakapapa p46.

124. Ngata in his lectures describes Tamateapoko giving an injunction to her sons (Tamakoro and Uetaha) not to touch their cousin. “When you reach Awatere turn your backs to your sister.”¹¹¹ This is the evidence that not all Ruawaipu migrated to Whangara as alluded to by Ngata, as Hinengarangara was still occupying her papatipu lands.

[300] Te Hati’s claim through Tuwhakairiora was denied by other claimants at the hearing who identified Ruawaipu as their tipuna and her descendant **Hinengarangara as the tipuna to whom the papatipu descended**. For example, Paora Haenga told the Court that he claimed part of the block called Tamarua through Ruawaipu who passed the land to Tutapuhi, a child of Hinengarangara, and on to Te Aotaihi. The land was given to Te Aotikirakau, one of the descendants of Te Aotaihi. Another claimant, Hori Mahue, claimed the entire block through Tamakautuku and Pakira. During his evidence, Hori agreed that Ngati Parahoka, Ngati Rangotupuni, Ngati Atarau and Ngati Manu were the kinship groups who occupied land on the eastern side of the Awatere River.¹¹² [*My emphasis*]

[305]...Tamakoro settled inland while Uetaha lived on the coastal part west of the Awatere river. They respected their mother’s request not to assault Hinengarangara who, like their mother and themselves, were descendants of Ruawaipu.....Te Aopare [Uetaha’s daughter] gave Hinerupe [Te Aopare sister] one side of the Karakatuwhero river and retained the other side for herself. The descendants of **Hinengarangara**, led by Te Aotawhiwhi [grandchild of Tutapui],¹¹³ lived on the other side of the Awatere river. Hinerupe’s unborn daughter was named by **Tutapui** at the time of Te Aotawhiwhi’s death and when she was born she was named Te Aotaihi in memory of their great chief.¹¹⁴ [*My inserts and emphasis*].

¹¹¹ Rauru, Lecture 6, p16.

¹¹² Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 300.

¹¹³ See Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 311.

¹¹⁴ Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 305.

125. Whanau a Te Aotaihi and Te Whanau a Hinerupe are still at Awatere marae to this present day. The wharenuī is called Te Aotaihi.
126. Tutua marae, located in Te Araroa principal hapū are Te Whanau a Te Aopare and Ngai Tamakoro. The wharenuī is called Te Poho o Tamakoro, the wharekai is Tamateaupoko.
127. While Te Whanau a Te Aopare, Ngai Tamakoro and Hinerupe are fraudulently claimed by Ngati Porou as Ngati Porou hapu under Schedule 1, Part 1 of its 2012 Settlement Act, Te Whanau a Te Aotaihi I have not heard from since the year 2000. This may be part of their broader term for Te Whanau a Hinerupe (Te Aotaihi and Te Atahaia were both daughters of Hinerupe and great Ruawaipu ancestresses who married Tuterangiwhiu (son of Tuwhakairiora and his first wife Ruataupare).¹¹⁵
128. Hinemahuru (eponymous ancestor of Kauaetangohia at Whangaparaoa is associated with the Te Whanau a Apanui sovereign tribe).¹¹⁶

[130]Whangaparaoa was said to be the principal boundary of Ruawaipu on the north side. In later days the boundary was fixed at Potikirua. That was northern boundary of land that Tuiti got from Ruawaipu.¹¹⁷

129. **TAMAIKAKEA**

130. Also another important ancestor of Ruawaipu (not associated with Porourangi or the canoe peoples), is Tamaikakea (as shown on page 36).
131. When studying the selective whakapapa Apirana Ngata gives in his lectures, you become aware how selective he was, and how important ancestors in the makeup of the East Cape, such as Tamaikakea really were. In fact, one of the

¹¹⁵ Wai 3276, #A1 BOE, J Koia, 29 February 2023. See Hinerupe whakapapa p25.

¹¹⁶ Wai 3276, #A1 BOE, J Koia, 29 February 2023 p15. See Kauaetangohia whakapapa.

¹¹⁷ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 130. Waiapu Native Land Court Minute Book 43, 24 February 1909, fol. 276.

greatest ancestors claimed by Ngata in the stud book of 'Ngati Porou',¹¹⁸ is an ancestress by the name of Uhengaparaoa (Whangaparaoa).¹¹⁹ Uhengaparaoa was not a descendant of Porourangi but was in fact a descendant of Tamaikakea.

132. Tamaikakea (also written out of the history books by the Crown) is an important ancestor and known in both oral and written sources as the brother to Ruawaipu.¹²⁰

[393] He gave a whakapapa to show the descendant of Pohatu, husband of Pokai, from Tamaikakea, Ruawaipu's brother. The whakapapa shows that she was Tamaikakea's sister but did not list any of the descendants.¹²¹

133. You can see the Tamaikakea whakapapa (down to Kaiawa) in Rauru Lecture 2, page 15.
134. Tamaikakea is the ancestor of Kaiawa (son in law to Ruawaipu chief Tahingaroahau), but also Tamaikakea was the ancestor of Tamateanihomakuru who became the wife of Tahingroahau.¹²²
135. Regarding Ngata, and his indoctrinating Rauru lectures, there are key Ngati Porourangi lines, claimed as being from Porourangi, such as Uekaiahu, where he has deliberately withheld information, that they were in fact predominately, by a large proportion, Ruawaipu stock.

¹¹⁸ Raurunui a Toi, Lecture 5, p6.

¹¹⁹ Whangaparaoa is the name of the northern river past Potikirua in the Ruawaipu rohe) was actually a descendant of Tamaikakea, like wise was Tuwhakairiora. SEE WHANGAPARAOA WHAKAPAPA P44 Wai 3276 #A1, BOE.

¹²⁰ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraphs, 44, 45, 58, 59, 60, 61, 70, 124, 151 and 153.

¹²¹ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 393.

¹²² Wai 3276, #A1 BOE page 27.

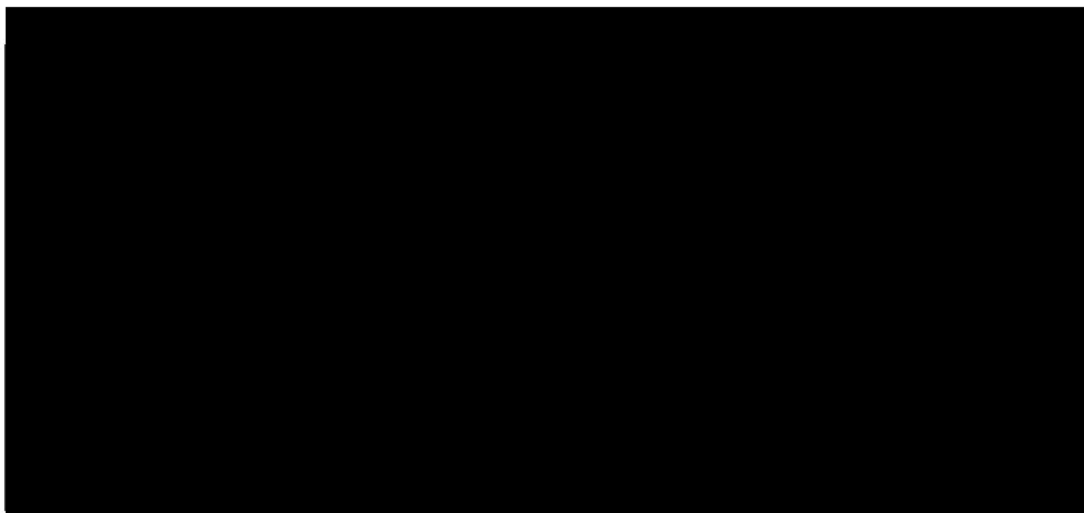
[186] What is most surprising is the extent to which the Rauru lectures diverge from the traditions given in the Court.¹²³

136. It is clear something is just not right when Ngati Porou keep avoiding the courts, while at the same time, use the courts to block any claims to their legitimacy. Any lay person would also simply ask, why are there huge gaps in the map? Shown as per schedule 3 of its 2019 Act (see below). How can a ‘Crown’ iwi have missing boundaries, and no evidence of its traditional land ownership recorded in the Native Land Court?
137. **WHANGA O KENA**
138. Whanga o Kena belonged to the Ruawaipu chief Tahingaroahau , who gifted along with his daughter Whatumouri, the island to Kaiawa (a full-blooded descendant of Tamaikakea who was a brother to Ruawaipu). The Island is also known as te motu o Kaiawa (Kaiawa’s island). You can see the full line from Ruawaipu to Tahingaroahau, and Tamaikakea to Kaiawa at p27 of the Wai 3276 #A1 BOE.
139. Te Ihiko was the second wife of Tuwhakairiora, she held the papatipu o Ruawaipu over Whanga o Kena. Her warrior sons Tuhorouta and Tinatoka guarded the island. Tamaiueterangi (Tamaiwhaterangi) was the last traditional guardian over Whanga o Kena.
140. Te Rangimatemoana was one of the last traditional paramount chiefs of the East Cape. He handed down Pakihi (the lands opposite the island to his son Rawiri Rangikatia.
141. In 1901 the Native Land Court met at Port Awanui to decide who were the true owners of the island at the time of its annexation.¹²⁴

¹²³Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, t, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph186.

¹²⁴ Bob McConnell, Te Araroa, p222.

142. The island was held under papatipu and tikanga when it was confiscated by the Crown under section 88 of the Public Works Act 1894 for a lighthouse in 1897.¹²⁵



143. The 1901 judgment was made in favour of the following persons, “Wikiriwhi Matauru, Pineaha Koia, Ripeka Tahuru, and Hapi Haerewa.” The judgement notes the importance of Whangaokena as a mahinga kai of great importance particularly of Tuhorouta and Tinatoka peoples now commonly known as “Te Whanau-a-Takimoana.”¹²⁶ Low compensation of £40 was awarded with no right to appeal.
144. Section 7(1) of the Native Purposes Act 1943 provided the Crown at law to return Whanga o Kena to its rightful owners.¹²⁷

¹²⁵ Whangaokena was named “East Island” by Captain James Cook on 31 October 1769 as his ship, *HMS Endeavour* rounded the East Cape. Subsequently numerous ships succumbed to the rough seas and coast around the island, including the whaling ship “Mary” in 1810, and at least 10 further vessels during the 19th century. This dismal record prompted the then Marine Department to establish a lighthouse to safeguard ship passage in the area. - Andrew Harrison, Ecological Restoration of Whangaokena (East Island): A Discussion Paper, Department of Conservation, October 2000, p2.

¹²⁶Tukaki-Millanta, p17. Cited from H Koia, “WHAKAHOKI MAI TE MOTU O WHANGAOKENA” - Taking Back East Island, A Report to the Takimoana Governing Council April 2009, p31.

¹²⁷Tukaki-Millanta, p18. Cited from H Koia, “WHAKAHOKI MAI TE MOTU O WHANGAOKENA” - Taking Back East Island, A Report to the Takimoana Governing Council April 2009, p32.

145. In 2012, by formal settlement without the consent of Ruawaipu claimants, the Crown vested Whanga o Kena to Ngati Porou, the landless descendants of Porourangi from Potikirua ki te Toka a Taiau.
146. To be blunt, the Ngati Rohe Moana o Nga Hapu o Ngati Porou foreshore and seedbed settlement, like its 2012 treaty claims settlement is a simple scam, mischievously achieved by the settler colonial government (as the fake Crown NZ), under the Treaty (fake English text), by Ngati Porou (a fake iwi entity originating from the Church of England and colonial war efforts of 1865).

Map Schedule 3

Ngā Rohe Moana o Ngā Hapū
o Ngāti Porou Act 2019.

Version as of 25 October 2024



147. Not only does the composition of Ngati Porou have missing gaps on its foreshore and seabed map, but also missing mana whenua ancestors in its Act.

148. **THE NGATI POROU BOUNDARY**

149. My uncles and aunties handed down the oral traditions of Ruawaipu. It was through 14 years with my pakeke, and unrelentless research over the last 25 years that I have been able to put the puzzle together, showing clearly, the colonial government is the puppet master behind this insidious plan of divide and rule our people, by pitting Māori against Māori.
150. I have no doubt at all, the Ngati Porou hegemony is a construct of colonisation. Evidence shows, Ngati Porou loyalist (Rapata Wahawaha) and Native Land Court influenced boundaries from 1868 at the Waitakeo¹²⁸ (Southern boundary of Waipiro Bay) and Potikirua in the North in 1879.¹²⁹ This post treaty boundary would expand to te Toka a Taiau under the Te Runanga o Ngati Porou Act 1987 (despite opposition).
151. This Act was based on an unfounded theory by Apirana Ngata (protégée of Wahawaha), that the descendants of Porourangi (contrary to tikanga Māori) intermarried with the tangata whenua such as Ruawaipu, to become Ngati Porou over the entire East Coast and beyond.
152. Ngati Porou would later by dubious legislation from its ally the Crown NZ, become recognised as an iwi under its controversial treaty claims settlement in 2012. This political unit, or ‘de facto iwi’ is currently attempting to manipulate and assimilate the sovereign hapu into its colonial Ngati Porou narrative. The 2019 Act, and CMT application is the *sui generis* legal machinery to achieve its agenda.
153. I provide adequate evidence in my Wai 3276 statement of claim to substantiate and endorse all my comments. Again, it is no coincidence that the Wai 900 Inquiry was closed down, as a critical report on the East Coast Wars was to be commissioned, while at the same time, out of the 5 cluster-claimant groups, only Ngati Porou were unable to complete a mana whenua report. In reality, the

¹²⁸ Berghan P. ‘East Coast Block Research Narratives 1865-2000’ August 2008, p182.

¹²⁹ Berghan P. ‘East Coast Block Research Narratives 1865-2000’ August 2008, pp 617-618.

Ngati Porou Potikirua ki te Toka a Taiau boundary has never been proven well founded.

154. Again, if anyone wants to argue, then simply show me in the 1500-page Paula Bergan Report,¹³⁰ where there is any customary claim by Ngati Porou south of Tokomaru Bay.

155. **THE WATERS OF RUAWAIPU**

156. It is a fact, even noted by Apirana Mahuika, that Ruawaipu was the first person on the East Coast to hold mana whenua.

Ruawaipu gained by birth her mana and tapu from the Toi line. In addition, through her own personal ability and as her father's daughter, she succeeded to his mana whenua and mana tangata.¹³¹

157. The waters of Ruawaipu are sacred, a right by whakapapa. There is by custom no such thing as Ngati Porou mana whenua, or mana moana represented by the 'canoe people' or descendants of Porourangi. Ngata provides no evidence on any waters of Ngati Porou or Porourangi, he does however, refer to Ruawaipu while reciting the tradition of Tamateaupoko lamenting for the fish of the streams of Ruawaipu.¹³²

Tamateaupoko lived at Whangara. When her sons went out far at sea to fish she watched the canoes sailing out and disappearing over the horizon, and she wept, bewailing the risks and hardships they faced to obtain food from the ocean. And she cried, "**There yonder are the foods of the streams of Ruawaipu gnawing at the shore.**" Her children asked what she meant and she explained, that the streams she named abounded in the kahawai fish, which at times literally biting at it. It was then that the sons of Uekaiahu and Tamateaupoko, namely Raramatai, Tahanai, Uetaha and Tamakoro

¹³⁰ Berghan, Paula, 'East Coast Block Research Narratives 1865-2000', research report commissioned by the Crown Forestry Rental Trust, 2008, 1596pp Wai 900 A23, East Coast inquiry

¹³¹ Mahuika, A.T. (Apirana Tuahae), *Nga Wahine Kai-Hautu o Ngati Porou* Page 136.

¹³² Apirana Ngata *Rauru Nui a Toi*, Lecture 6, page 13.

determined to avenge the death of their ancestor Tamatearahia.¹³³ [*Emphasis added*].

158. The tradition of Tamateupoko and her children with the Ngati Tuere branch is recognised in the Crown's historical account.¹³⁴ It is a deceitful and manipulative account, but it does recognise the Ruawaipu mana whenua being restored.
159. The waters of Ruawaipu are jealously guarded.

[61] Kaiaua [Kaiawa]replied it was the celebrity of the waters of Ruawaipu that had brought him that way. Waipua Waikaka Waipapa Orutu[a] Awatere Karakatuwhero Wharekahika Whangaparaoa.¹³⁵ [*Emphasis and insert added*].

[122] Crucially, Waiheke denied that Ngaoho ever conquered Wharekahika; they took the land between Pukeamaru and the Awatere river. The Rivers of Ruawaipu were the Karakatuwhero, Waikaka, Awatere, Wharekahika and Whangaparaoa. Ngaoho did not take all her land in consequence. While Ngaoho lived at Karakatuwhero, Te Whanaua Tuiti, who were descendants of Ruawaipu, lived at Wharekahika.¹³⁶

[175] Ruawaipu's land is not enclosed by that of [A]Okairau's. Ruawaipu owned the streams Waipua, Awatere, Karakatuwhero and Wharekahika. He [sic] pleased himself when laying down his boundaries.¹³⁷

[231] Under cross-examination by Wiremu Fox, he referred to several occasions to Ruawaipu and Tamateupoko;"..... The waters of Ruawaipu

¹³³ Rauru, Lecture 6, page 13.

¹³⁴ DEED OF SETTLEMENT OF HISTORICAL CLAIMS, 23 December 2010, p8.

¹³⁵ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 61.

¹³⁶ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 122.

¹³⁷ Young, Grant; Belgrave, Michael, 'TE PAPATIPU O RUAWAIPU - Traditional History Report', research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 175.

referred to by Tamateapoko were Waiapu, Awatere, Karakatuwhero, Wharekahika and Whangaporoa...¹³⁸

“Tahingaroahau chief of Ruawaipu people of East Cape pre-migration in our oral history is recalled as saying to his son in law Kaiawa, “The fish of the rivers of Ruawaipu (Waiapu, Awatere, Karakatuwhero, Wharekahika) are only seasonal, (the Kahawai) while my rock [Whanga-o-Kena] out there abounds with fish at all times. [*My insert, letter by Maru Koia*, 1996].¹³⁹

160. **THE NGATI POROU FORESHORE FIASCO**

161. Again, like 1865, since 1987, we will see a systemic pattern of Crown intervention, and its alliance with the Ngati Porou taha kawana by providing finance and resources to support TRONP in a political alliance that will effectually usurp the tino rangatiratanga and *inherent* sovereign claims that threaten the very existence and legitimacy of both the Crown and Ngati Porou.

162. Terms of Negotiations were implemented by TRONP and the Crown in November 2004¹⁴⁰ (exclusively resourced by TPK, the Crown,¹⁴¹ and with access to the fisheries settlement monies¹⁴²). The document was kept confidential from public scrutiny. Unadvertised site visits were convened in March 2005.

163. This led to public protests¹⁴³ and an urgent hearing application by Ruawaipu and Te Aitanga-a-Hauiti claimants before the Waitangi Tribunal in June 2005. Unfortunately, the application was turned down by Judge Wainwright on 13 July

¹³⁸ Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 231.

Also see paragraph 253 (Waiapu NLC Minute Book, 1908). “The rivers of Ruawaipu were the Karakatuwhero, Waikaka, Awatere, Wharekahika and Whangaporoa.”

¹³⁹ [REDACTED] letter to the Department of Conservation outlining the significance of Whanga-o-Kena Island, 1996.

¹⁴⁰ Wai 3276, #A1(a) APPENDIX 1, p37. Terms of Negotiations between the Crown and Te Runanga o Ngati Porou, 1 November 2004. Signed by Parekura Horomia, Margaret Wilson, Michael Cullen and Api Mahuika. It had also been signed by TRONP trustees, and supporters, in total about 24 signatures.

¹⁴¹ Clause 17 of the Terms of Negotiations provides that the Crown will provide \$200,000 to pay for negotiation costs.

¹⁴² In 2003, \$10 million in net profits had been made by TRONP fisheries quota leases before TOKM vested the assets.

¹⁴³ *Gisborne Herald*, - “OFFICIALS FLY INTO FORESHORE FURORE,” 21 April 2005.

2005 as her Honour considered the application premature. Her Honour viewed that there were alternative remedies. The Crown had submitted and acknowledged that the extent to which TRONP can speak for the various East Coast groups, including some that may not identify as Ngati Porou would need to be resolved “before any final agreement is reached and before an application is made in the High Court” (pursuant to section 96 of the FSA).¹⁴⁴

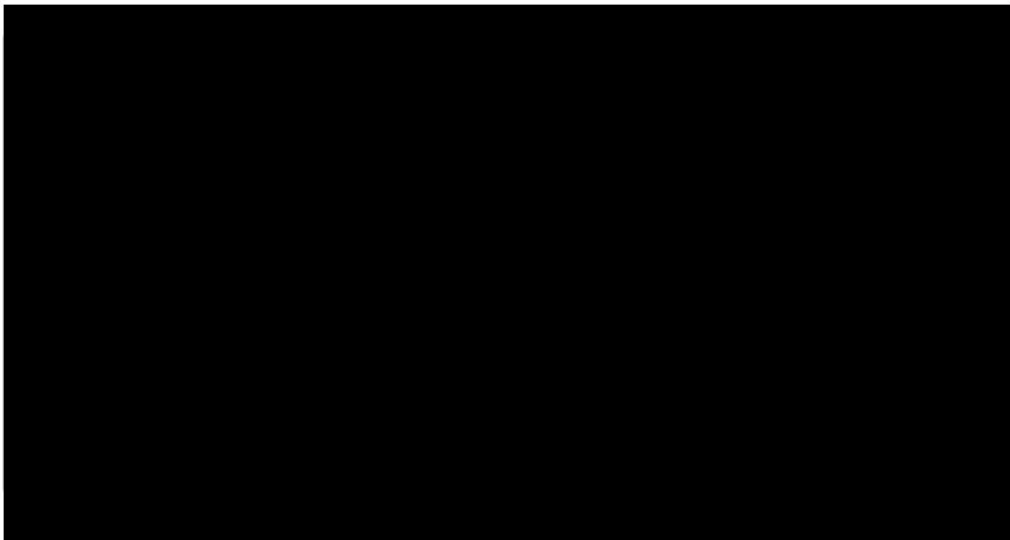
164. The terms of negotiations festered into the Heads of Agreement in February 2008. Thus, a further urgent application was filed by Kaumatua, Lou Tangaere, on behalf of Ruawaipu in February 2008, and likewise declined¹⁴⁵.
165. On 7 August 2008, the Crown and TRONP (on behalf of certain hapu of Ngati Porou) initialled the Deed of Agreement. Another urgent application was filed by Tamaki Legal on 6 August 2008. In opposition, the Crown argued that the various Ruawaipu and Hauiti claimants had an alternative remedy through the High Court. This urgent application was declined.
166. On the 26 September 2008, another application for an urgent hearing was declined by the Tribunal which took the view that given the ratification process was incomplete and ‘somewhat premature’ to say that the ratification process has not worked or that the claimant’s hapu will be involuntarily included in the Agreement.¹⁴⁶
167. On 29 September 2008 the Nga Rohe Moana o Nga Hapu o Ngati Porou Bill (subject to the Heads of Agreement), just three days after the Tribunal's decision, and despite the Heads of Agreement having no evidence of individual

¹⁴⁴ Wai 3276, #A1(a) APPENDIX 1, J Koia, 29 February 2023, p38.

¹⁴⁵ Wai 63, #2.15, Memorandum-Directions of Presiding Officer 8 May 2008. The application was declined on the grounds that there were alternative remedies through the High Court. But, it seems the Tribunal failed to comprehend the fundamental issue that Ruawaipu could not claim inherent sovereign title before the courts under the FSA 2004. The Terms of Negotiations and Deed of Agreement further blocked Ruawaipu by intending to remove the jurisdiction of the Waitangi Tribunal from inquiring into Ruawaipu claims against the FSA 2004 (FSA claims to be settled under the Deed of Agreement).

¹⁴⁶ Wai 1493, #2.5.6 Memorandum-Directions, Judge Milroy, dated 26 September 2008, see para14.

hapu mandate, was rushed into parliament. The Tribunal no longer had any jurisdiction to inquire.

168. Regarding the mana of hapu mandate, there was none. And therefore, the ploy lacks authentic mandate. Instead, it was an “iwi democracy” mandate (a TRONP beneficiary mandate which I also call a ‘cream puff’ mandate, being a mandate designed by coercion of the ill-informed with promises of cream puffs, fancy meals, and a bused trip and all expenses paid trip to Wellington. Those who signed should be ashamed of themselves not only for not knowing better, but jeopardising the mana of their future generations. Te Whanau a Tapuhi (see whakapapa below)¹⁴⁷ which would apparently, later sign the TRONP foreshore and seabed Deed is an example of breaching tikanga. How can any tom, dick and hARRY’ sign for Te Whanau a Tapuhi, when my ancestor was the chief of this hapu upon signing te Tiriti o Waitangi at Rangitukia. The Koia whanau are the Ariki whanau by tikanga and whakapapa, and the largest whanau of Te Whanau a Tapuhi. In particular, no [REDACTED] gave the mandate. Therefore, it is obvious, whoever TRONPnui beneficiary gave the mandate, did not have the mana, and did so out of arrogance, and ignorance by not be able to fully understand the treason to our sacred Tiriti that was committed. Frankly, this is an insult to the mana of the [REDACTED] whanau, and mana of Tapuhi.
- 

¹⁴⁷ Wai 3276, #A1 Brief of Evidence J Koia, Ruawaipu Modern Day Ethnic Suppression Claim, 29 February 2023 p6.

169. The 2008 Bill continued would sit in the House, a delay caused as a result of the Marine and Coastal Area Act 2011 ('the MACA') replacing the FSA.
170. In September 2012 an application was being sought by TRONP for a determination of a customary marine title under the now MACA 2011 Act. At the same time I was contacted by the Crown-Office of Treaty Settlements (OTS) to provide traditional evidence over the area claimed by TRONP. Despite the OTS assuring me that the treaty settlement natural groupings policy could not be used under the MACA, I have evidence under the Official Information Act 1982 the Crown intended to recognise the same Ngati Porou Treaty settlement group for foreshore settlement as it was expedient.
171. Furthermore, TRONP must meet the evidence criteria under 58 of the MACA,
172. Although the East Coast tribes were promised by the Crown during several urgency applications between 2005-2008 they could challenge Ngati Porou in the High Court, as a remedy before the Waitangi Tribunal, the Crown decided now in 2012 to do an alternative agreement under section 95 of the Marine and Coastal Area Act 2011 (MACA), the Hon Christopher Finlayson (Minister at that time). The Minister also had a very personal relationship with the Chairman of TRONP. A lot of Crown finance was spent on this deal. Both the Crown and TRONP could not afford to allow *inherent* sovereign claims to challenge its legitimacy.
173. For me, the political objective of Ngati Porou (knowing that it holds no evidence of whakapapa or mana whenua), would be to use the whakapapa of the hapu under the umbrella of Ngati Porou. This aligns with its Nga Rohe Moana o Nga hapu o Ngati Porou Bill. The problem is the applicant group if applying as Ngati Porou, and must prove with evidence as of 1840 a Ngati Porou title was recognised and accepted under tikanga. This is a big problem if evidence shows the first Ngati Porou (improper) boundaries were recognised in 1868, and 1879. While a government boundary was recognised from Potikirua to Tokomaru Bay in 1875 (3 years after the gifting of the Queens sword celebrations to Rapata Wahawaha at Waipiro Bay).

174. In February 2013, I received correspondence from Andrew McConnell, the Deputy Director of the OTS. Noting that the OTS since 2011, TRONP had already received \$577,175.00¹⁴⁸ in funding outside of its treaty and fisheries monies) in regard to the Queen's chain, I argued this area was still under papatipu o Ruawaipu (sovereign title) and therefore, how was it possible to place a Ngati Porou title over such rights without abrogating Ruawaipu rights. Andrew replied,

...the legal reality regarding right to access along this strip is different. New Zealand law has not established that the public has rights of access to land alongside all rivers, lakes and the coastline.....There has never been a strategy or agency with oversight of implementation of these mechanisms. As a consequence of the above the right of access is often interrupted along the edge of a waterway or the coast. Native title will have been extinguished at law where land falls into one of the categories of public land from above.¹⁴⁹ [citing marginal and reserves Pākehā law].

175. In March 2013, I received confirmation from the OTS that High Court was no longer required. They would however bring in an independent assessor, which would later be agreed upon by TRONP.¹⁵⁰

In exercising his statutory decision making powers under the 2011 Act, the Minister for Treaty of Waitangi Negotiations wishes to receive advice from an independent assessor. The advice will concern the application of the tests for customary marine title (CMT) to the East Coast. The independent assessor will be an important component in the process for making objective and legally defensible decisions about the existence of rights under the 2011 Act.

¹⁴⁸ Andrew McConnell OTS Letter 12 February 2013, p3.

¹⁴⁹ Andrew McConnell OTS Letter 12 February 2013, pp5-6..

¹⁵⁰ Mr Mahuika states; "we agreed to have a retired High Court Judge as assessor, when our views were sought by Hon Mr Finlayson, and we already met with Dame Judith Potter. We continue to met regularly with Office of Treaty Claims and Crown historians.." - *Gisborne Herald* dated 17 October 2013 by Api Mahuika Chairman of TRONP referring to the Ngati Porou Foreshore Seabed Bill.

The independent assessor will provide an independent, non-binding assessment to the group applying for customary rights on whether the evidence they have presented provides a legal basis that could satisfy the Crown that the requirements for customary marine title are met. He/she will also make a recommendation to the Minister whether to grant customary rights.

You have asked whether third parties will be able to appear before the Court in relation to TRONP's foreshore Deed. Under the Foreshore and Seabed Act 2004, High Court confirmation of any customary rights areas agreed between Crown and iwi was required. The 2011 Act does not have this requirement. It provides two routes for applicants to have their customary rights investigated – through a recognition agreement with the Crown or via a recognition order from the High Court. The Minister's use of an independent assessor is intended to provide clear impartiality now that High Court confirmation is no longer required.¹⁵¹

176. On 18 March 2013 I received further information from the OTS.

Section 95 of the Act states that an applicant for CMT through recognition agreement with the Crown has to satisfy the Crown that the requirements in section 58 are met. The requirements being that an applicant must prove they hold a specific area in accordance with tikanga and have exclusively used and occupied it since 1840. Section 106 stipulates the same principle for applicants for CMT through recognition orders in the High Court.

Ngāti Porou have to fulfil the legal requirements for recognition of their customary rights under the Act. As a group in direct engagement with the Crown their CMT determination process will include the Crown conducting a process of third party engagement, with third parties such as yourself, and the presentation of relevant information to the Independent Assessor.....¹⁵²

177. In July 2013 I submitted the following evidence to the OTS.

¹⁵¹ Correspondence from Stephen Ihaka OTS Principal Advisor, 5 March 2013.

¹⁵² Correspondence from Stephen Ihaka OTS Principal Advisor, 18 March 2013.

- Main submission: Ruawaipu the People of the Land: An Information Document on an East Coast Tribe of New Zealand - Prepared for the Office of Treaty Settlements Regarding the Third Party Engagement Process for Ngati Porou Foreshore and Seabed Deed Discussions with the Crown - July 2013.
- Minutes of the Hinepare marae hui 2003. (endorsing the establishment of the Ruawaipu Tribal Authority).
- Document “A,” the Origins of Ngati Porou Tuturu by J Koia - July 2013
- Document “B,” Assessment by J Koia of the E Taku Hoa Aroha volumes, dated 12 February 2010.
- Document “C,” the Wai 1318 memorandum on the OTS review of traditional history reports, dated 25 August 2010.
- Document “D1,” Te Papatipu o Ruawaipu – Traditional History Report by Dr Grant Young & Professor Michael Belgrave (Wai 900, # A30) September 2009
- Document “E,” Discussion Paper, Evaluating the Ruawaipu Traditional History Report , by J Koia, March 2010; (Wai 900, # 3.1.342(d))
- Document “F,” Commentary on East Coast Block Research Narratives’ by J Koia, 8 June 2010, (Wai 900, and #3.1.342 (a)).
- Document “G,” Appendix table on the East Coast Block Research Narratives, showing East Coast Tribal and Papatipu claims in the Native Land Court, (Wai 900, #3.1.342(b)).
- Document “H,” Commentary on the Origins and Early History of Ngati Porou, (the Drummond thesis) by J Koia -9 May 2010; (Wai 900, # 3.1.342 (e)).
- Document “I,” Assessment on the Wai 272 affidavits by J Koia - 30 April 2010; (Wai 900, #3.1.342(c)).¹⁵³

178. Noting above, the Berghan Report shows no Ngati Porou claims south of Tokomaru Bay since the existence of the Native Land Court on the East Coast, while the Drummond thesis shows a modern day Ngati Porou in the early 20th century between Potikirua and Tokomaru Bay.

¹⁵³ Submission form: Ngati Porou customary marine title enquiry. Marine and Coastal Area Team Office of Treaty Settlements Ministry of Justice DX SX10111 Wellington, 11 July 2013.

179. On 22 January 2014 I submitted to the Mae Newey of the OTS further correspondence.

In my view, it is a forgone conclusion that ‘traditional whanau’ (sub-tribes) along the East Coast can prove exclusive use and occupation. The question is; who are these subtribes and from what right or evidence did they come to occupy their lands as of 1840 to substantiate their legitimacy?¹⁵⁴

Regarding the Ngati Porou application represented by Te Runanganui o Ngati Porou(“TRONP”) for the recognition of a customary marine title, it is the applicant group (not certain hapu) that the Crown must be satisfied of section 58 being met.¹⁵⁵

In this case, the specific applicant group is Ngati Porou (Ngati Porou iwi that claims various hapu as constituents over an expansive coastal area on the East Coast). A Foreshore and Seabed Deed of Settlement between the Crown and Ngati Porou (outside of the Act) exemplifies the clear intentions between these two parties to recognise this group with foreshore and seabed rights, and in turn deny the native aboriginal rights of Ruawaipu that extend above and beyond the Act and the Treaty.¹⁵⁶

180. I went on further to say:

As outlined in my submission, the Royal Proclamations of December 1840¹⁵⁷ stipulates that occupational rights belonging to aboriginal natives and their descendants are not affected. Thus, if the natives are still in occupation of there customary lands, then such rights cannot be alienated. The words “and their descendants” sets a common law precedence that the recognition of aboriginal rights are hereditary. Such hereditary rights are protected under domestic law, in particular section 28 of the Bill of Rights Act 1990, and

¹⁵⁴ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p1.

¹⁵⁵ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p1.

¹⁵⁶ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p2.

¹⁵⁷ S37, Royal Instructions

section 145 of the Maori Land Act 1993 (including the pre-amble which recognises Maori land as *taonga tuku iho*).¹⁵⁸

It is indisputable that the evidence in the Paula Berghan Report shows clearly Ngati Porou hapu claims south of Tokomaru Bay were non-existent, and yet the applicant group (Ngati Porou) is laying claim to this coastal marine area and residing hapu.¹⁵⁹

If there is anything to be learnt from the past on the East Coast during Native Land Court claims over mainland blocks is that Ngati Porou political leaders either commissioned by the Crown as Native Land Court Assessors or instructed with encouragement by Crown Officials for the purpose of land alienation, were vigorous in bringing claims before the Court, only to fail at the evidence stage, especially when papatipu claims were investigated.¹⁶⁰

Although the Minister subject to section 95 of the Act has decided to enter into a recognition agreement with Ngati Porou and bypass the High Court process (which involves an applicant group having to prove its claim before the Court (s106)), ultimately section 95(4) of the Act still requires section 58 to be met.¹⁶¹

At present there is no OTS settlement policy which enables the OTS to override the legal requirements under section 58 of the Act. Unlike the Treaty settlement process where the OTS can settle claims with large natural groupings directly (outside of the jurisdiction of the Treaty of Waitangi 1975), the process under the Takutai Moana Act 2011 is based on evidential criteria.

¹⁵⁸ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p2.

¹⁵⁹ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p2.

¹⁶⁰ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p2.

¹⁶¹ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p2.

This criterion is not discretionary. To abuse this process would only create a benchmark for bad law and dubious customary titles.¹⁶²

This is not correct. My submission shows evidence that on the northern East Coast region, tikanga exercised pertaining to land rights and occupation are exemplified in the customary practice known as papatipu o Ruawaipu. This is a hereditary right exercised by the tangata whenua known as Ruawaipu (consisting of traditional whanau-hapu), where land rights are handed down only to the descendants of Ruawaipu. The descendants of Ruawaipu still occupy their traditional lands today.¹⁶³

181. I continued.

When focusing on true tribal identity and the origin of land rights, any evidence that challenges a Ngati Porou monolithic entity is not palatable to the Crown, especially considering Porourangi the eponymous ancestor of Ngati Porou held no mana whenua. Thus, the aboriginal rights of Ruawaipu and alternative traditions upset the economical and political relationship between the Crown and Ngati Porou.¹⁶⁴

The Crown assumption that Ngati Porou is the only iwi on the East Coast stems from political actions of the Crown and the Ngati Porou 'kawanatanga' (loyalists) during the 1865 suppression rebellion campaign (East Coast Wars). Te Whanau a Tapuhi were murdered by the Crown and the Ngati Porou kawanatanga because they would not yield to the sovereignty of the Queen and authority of the Church of England. The senior descendants of Tapuhi still refuse to yield to this present day.¹⁶⁵

¹⁶² Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p2.

¹⁶³ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, pp2-3.

¹⁶⁴ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p5.

¹⁶⁵ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p5.

Whakapapa tells another story that cannot be amended or omitted, in particular when it comes to land and territorial rights. It is by these whakapapa (Nga tini uri o Toi) that the superior status of Porourangi becomes insignificant. In fact there is very little Porourangi stock in the overall genealogies, especially when it comes to tangata whenua origins.¹⁶⁶

This is not to say Porourangi is not an important ancestor, indeed he is, but there are far more important ancestors than him relating to the Northern East Coast area, in particular our Toi ancestors Ruawaipu and Tamaikakea and their descendants.¹⁶⁷

“Napoleon said that history books were written by the winners but I don’t think we really appreciate what that means. If I am rich and powerful and my folks murder you and wipe out your family and all of your friends and all of your witnesses, I am going to have much more to say about your history when it is written than you are...” –END.¹⁶⁸

182. On 30 January 2014, I wrote to Finlayson, the Minister for Treaty Negotiations.

It is clear at para 43 of the Cabinet Committee on Treaty of Waitangi Negotiations paper dated 12 February 2012, that your Office intends to settle foreshore and seabed interests with Ngati Porou as a large natural grouping in line with its previous Treaty claims settlement with TRONP. The problem is Treaty settlement policy does not apply to the Takutai Moana Act.¹⁶⁹

At present, I cannot see explicitly where the Act forces an applicant group to enter into a full settlement upon obtaining legal recognition of their customary rights. So the question is why would any hapu want to settle their

¹⁶⁶ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p6.

¹⁶⁷ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p6.

¹⁶⁸ Letter by email, J Koia 22 January 2014, to Mae Newey Senior Analyst Marine and Coastal Area Office of Treaty Settlements Wellington, p17.

¹⁶⁹ J Koia Letter by email 30 January 2014 Hon Christopher Finlayson Minister for Treaty of Waitangi Negotiations Wellington p3.

rights in full when they can get the same entitlements independently (outside the Ngati Porou proposal) without settling?¹⁷⁰

I regret to say, at present you are inducing hapu into a formal act of cession without their free, prior and informed consent. This is a serious concern.¹⁷¹

183. In March 2017, TRONP on behalf of ‘nga hapu o Ngati Porou’ (including a ‘cream puff’ mandate from Te Whanau a Tapuhi), filed an application in the Wellington High Court under the MACA for recognition orders. The application alleges Ngati Porou held mana prior to 1840 over the claimant area (despite Dr Young and Prof Belgrave finding such a monolithic Ngati Porou entity never existed).¹⁷² The application also relies upon its “iwi democracy mandate,”¹⁷³ and an affidavit by Api Mahuika (which I have not had access too).¹⁷⁴
184. In August 2017, a Deed to amend the Deed of Agreement was signed (2017 Deed). The 2017 Deed recorded that in order to contribute to the legal expression, protection and recognition of the rights and mana of Nga Hapu o Ngati Porou, the Crown would enact the Ngati Porou Act.¹⁷⁵
185. I could not find or sight duly mandated hapu representatives in this document for Te Whanau a Tapuhi.
186. In September 2017 I corresponded with Tom White, Principal Advisor of the OTS.

Thank you for your correspondence by email 28 August 2017. You write the OTS does not consider Te Runanganui o Ngati Porou to be seeking a

¹⁷⁰ J Koia Letter by email 30 January 2014 Hon Christopher Finlayson Minister for Treaty of Waitangi Negotiations Wellington p3.

¹⁷¹ J Koia Letter by email 30 January 2014 Hon Christopher Finlayson Minister for Treaty of Waitangi Negotiations Wellington p5.

¹⁷² Young, Grant; Belgrave, Michael, ‘TE PAPATIPU O RUAWAIPU - Traditional History Report’, research report commissioned by the Crown Forestry Rental Trust, 2009, 327pp Wai 900 A30, East Coast inquiry, paragraph 643.

¹⁷³ CIV 2017 485 284 - 31 March 2017, section 8

¹⁷⁴ CIV 2017 485 284 - 31 March 2017, section 10(e) and 14.

¹⁷⁵ Submissions for Nga Hapu o Ngati Porou, 4 October 2024, at 19 p4.

determination of CMT on behalf of "Ngati Porou" or "nga hapu o Ngati Porou" as a single group.

In the appendices you can see the Ngati Porou rohe claimed by TRONP and the Ngati Porou hapu also claimed by TRONP. Please note that TRONP on behalf of Nga Hapu o Ngati Porou in the application purport to hold mana whenua since 1840 to this present day, while also claiming to meet the legal requirements under sec 58 of the MACA 2011.

This is in fact a Ngati Porou 'single group' which has never been tested in the courts. You may not be aware but Ruawaipu and others were promised by the Crown in 2008 with the right to challenge the Ngati Porou application in the High Court (then under the FSA 2004).... If the OTS is having trouble trying to understand where the various hapu claimed by Ngati Porou derives its mana whenua from, please feel free to contact me.¹⁷⁶

187. In 2018, the 2008 Bill was amended under the Marine and Coastal Area Act 2011 (MACA) and reintroduced as Bill No 2 into the House of Parliament. I suppose being a law unto yourself, you can do anything you want. [REDACTED] who spoke to me about this had the same view I did, it was already a done deal with the Ngati Porou and Crown NZ treaty settlement in 2012.

The "negotiated agreement as between ngā hapū o Ngāti Porou and the Crown was enabled by section 96 of the Foreshore and Seabed Act 2004 ("the FSA"), which has been repealed. MACA does not have a provision analogous to section 96(1) of FSA."¹⁷⁷

188. There was no reason to cede 200 miles of minerals rights, territorial waters, sovereignty, monetary compensation for resource use since 1840 and the right to pursue further claims before the Waitangi Tribunal, in exchange for a customary title that other applicants could get without a formal act of cession, unless the political motive was to protect each other's legitimacy (as in 1865)

¹⁷⁶ J Koia Letter by email to Tom White, Principal Advisor Office of Treaty Settlements, 8 September 2017.

¹⁷⁷ SUBMISSIONS OF NGĀ HAPŪ O TOKOMARU AKAU REGARDING NGĀ ROHE MOANA O NGĀ HAPŪ O NGĀTI POROU BILL (No. 2) 22 June 2018, p7.

and eliminate all threats to their political power base. Such a settlement would secure the Crown's sovereignty over the territorial sea and protect Ngati Porou's legitimacy, at the expense of the sovereign tribes of the East Coast. For example, removing the right of Ruawaipu to *inherent* sovereign title claims over the same area claimed by Ngati Porou was a win for Ngati Porou. Afterall, the same conniving parties had done the exact same thing with their Ngati Porou Treaty (English text) settlement. Like that settlement, the Bill (no.2) also had an 'ouster clause,' removing the rights to justice for the East Coast

Clause 126 of the Bill removes the jurisdiction of any court, tribunal or judicial body to inquire, or further inquire or make recommendations or findings in respect of the deed, the Bill (Act) or a document issued in accordance with either.¹⁷⁸

189. In February 2018 I wrote to the Hon Andrew Little, Minister responsible for the (MACA), with concerns including the lack of progress with the independent assessor (Dame Judith Potter) section 58 review of the TRONP customary evidence. I had also provided the Minister with a copy of the letter to Tom White dated 8 September 2017, and a brief 7 page Appendix 1 as background information, as Finlayson was now at the time out of Office when Labour one the election.

These highly sensitive issues go back over 150 years. For clarification, I have attached and marked as "Appendix 1" background information on the identity of Ngati Porou. This will help clarify why the Ngati Porou most think they know of today as an "iwi" is actually not a natural grouping or a tribe that holds land rights in accordance with Maori custom.¹⁷⁹

On 25 November 2017, an update was given at the TRONP AGM. To my knowledge south of Waipiro Bay (Tokomaru Bay to Gisborne) will not endorse the Ngati Porou MACA application. This now raises the question of

¹⁷⁸ SUBMISSIONS OF NGĀ HAPŪ O TOKOMARU AKAU REGARDING NGĀ ROHE MOANA O NGĀ HAPŪ O NGĀTI POROU BILL (No. 2) 22 June 2018, p7.

¹⁷⁹ Letter by email from J Koia to Hon Andrew Little, Minister responsible for the Marine and Coastal Area Act 2011, p1.

how TRONP was able to settle all East Coast claims with the OTS as a large natural grouping.

I have been made aware that the TRONP application is only intended as a “stop-gap” until the implementation Bill is enacted, and that the intention is that, once the legislation is in force, TRONP will maintain a watching brief or may withdraw the MACA application altogether. The first question that comes to my mind is how can TRONP meet s58 criteria if it withdraws its application when its Bill becomes law?

To be honest, I smell a rat, I am very concerned TRONP with the support of the Crown will bypass due process, pervert the course of justice and yet again, continue to suppress the indigenous, human rights and rights to justice of the Ruawaipu people. I hope you can clarify the above including Potter’s delay. I look forward to your reply.¹⁸⁰

190. On 10 May 2018, the Hon Andrew Little, moved the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Bill (No 2) be now read a first time. There were no questions from the Māori Committee, in regard to which treaty version the Bill was recognising. Nor were there any politically astute questions regarding the Bills intention to remove the jurisdiction of the judicial, and if any human rights would be inconsistent with the NZBORA 1990. A question Finlayson should have been well aware of concerning the East Coast.
191. Instead, Marama Davidson “very proudly as Ngati Porou,” (and deputy chair of the Māori Affairs Committee) was happy her hapu Te Whanau a Hinerupe and Te Whanau a Tapuhi were included (in defence, various Committee members had gloated of their ties with and whakapapa to Ngati Porou, but none were experts in East Coast whakapapa and papatipu traditions).¹⁸¹
192. On 26 May 2018 I wrote to the then Prime Minister, Jacinda Ardern, with a copy of the letter I had sent to Andrew Little dated 7 February 2018, and the 7 page Appendix 1, on historical information and two media releases in the

¹⁸⁰ Letter by email from J Koia to Hon Andrew Little, Minister responsible for the Marine and Coastal Area Act 2011, p2.

¹⁸¹ Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Bill (No 2) — Second Reading, Handsard, 10 May 2018.

Gisborne Herald. I had informed the Prime Minister, Mr Little had not replied. I went further to say.

The bottom line is this Bill will cause ethnic suppression and great prejudice against my people if it should be passed into law by your Government. The question at hand is, why would a new Labour government hastily recognise unproven Ngati Porou customary rights under a settlement Act before Ngati Porou has proven its customary rights under the MACA?

Recently, our legal representative, Darrell Naden, attended the UN Permanent Forum on Indigenous Issues in New York. At that Forum, Mr Naden received advice from the UN Commissioner for Human Rights that strategic litigation has been undertaken by the Commissioner against certain member States of the UN to compel compliance by them with the UN Declaration on the Rights of Indigenous Peoples. The Commissioner's office agreed to assist Mr Naden with prosecuting similar litigation against the New Zealand government in the event that it is considered that the New Zealand government is failing to comply with UNDRIP on any given matter.¹⁸²

193. In June 2018 I heard Ngā Hapū o Tokomaru Akau (“NHOTA”) through their lawyer Darrell Naden has filed a submission. I was and still am working 6-7 days a week running a forestry-silviculture contract and had not had any legal representation since the Crown-TRONP closed the Wai 900 Inquiry down in 2010. My mother was from Waima (Tokomaru), so I was interested in their submission. [REDACTED]

[REDACTED] I spent my school holidays in Waima, and knew the NHOTA claimants. Their submission reflects the traditions told in the 19th and early 20th century, even my mother who grew up in Waima in the 40's, 50's and 60' said she had never heard of Ngati Porou, only when 'Ngati Porou' came to Te Ariuru marae at Waima from the Waiapu.

194. The statement by NHOTA did not surprise me.

¹⁸² Letter from J Koia to Jacina Ardern, 26 May 2008. Copy sent A Little, D Naden.

NHOTA oppose the Bill as it currently stands. The basis of their opposition relates chiefly to the definition as to what constitutes the rohe moana of ngā hapū o Ngāti Porou for the purposes of the Bill.¹⁸³

....NHOTA seek clarification nevertheless as to who the kaumātua mentioned above were. It is highly unlikely that their kaumātua would have provided evidence that disavows Te Ao and Ruataupare’s ancient customary interests and mana whenua/mana moana in the northern area.¹⁸⁴

Since the Bill represents legislative confirmation of the mana whenua/mana moana of ngā hapū o Ngāti Porou, inclusion of the northern area in the Bill tells the public that it is ngā hapū o Ngāti Porou that have mana there. This is offensive to the hapū of NHOTA and is essentially a public trampling of their mana.¹⁸⁵

The hapū who exercise mana whenua/mana moana in the northern area are those that constitute NHOTA and neither of those hapū ratified the deed.¹⁸⁶

195. To avoid any doubt, Gudgeon wraps it up quite nicely.

In April 1880, Gudgeon reported that Tokomaru Maori were very dissatisfied at their lands being investigated at a Waiomatatini sitting, “as there is nothing for them to live on while attending sittings” there. Indeed, the press observed that, “to take a Tokomaru Native to Waiapu is taking away from him his own people.”¹⁸⁷

¹⁸³ SUBMISSIONS OF NGĀ HAPŪ O TOKOMARU AKAU REGARDING NGĀ ROHE MOANA O NGĀ HAPŪ O NGĀTI POROU BILL (No. 2) 22 June 2018, p1.

¹⁸⁴ SUBMISSIONS OF NGĀ HAPŪ O TOKOMARU AKAU REGARDING NGĀ ROHE MOANA O NGĀ HAPŪ O NGĀTI POROU BILL (No. 2) 22 June 2018, p5.

¹⁸⁵ SUBMISSIONS OF NGĀ HAPŪ O TOKOMARU AKAU REGARDING NGĀ ROHE MOANA O NGĀ HAPŪ O NGĀTI POROU BILL (No. 2) 22 June 2018, p5.

¹⁸⁶ SUBMISSIONS OF NGĀ HAPŪ O TOKOMARU AKAU REGARDING NGĀ ROHE MOANA O NGĀ HAPŪ O NGĀTI POROU BILL (No. 2) 22 June 2018, p6.

¹⁸⁷ Stirling B, East Coast Nineteenth Century Overview -A Report Commissioned by the Crown Forestry Rental Trust, September 2010, p472.

196. Case in point.
197. On 16 July 2018 the Hon Andrew Little, wrote to me. I assume this was his reply to my February letter regarding the Bill (no2). Oddly enough, his letter was entitled the Nga Rohe Moana o Nga Hapu o Ngati Porou Settlement Act (which had not become law and still pending its third reading before parliament.

Nga Hapu o Ngat Porou signed an agreement with the Crown in 2008, and the Bill at issue gives effect to that agreement. This Bill represents the Crown's commitment to honouring agreements entered into with Māori, which is consistent with our obligations under the Treaty of Waitangi and under international human rights norms.

Te Bill does not force assimilation, abrogate aboriginal title, recognise unproven Ngati Porou customary rights, or strip anyone of their right to justice.....under the Act, before customary rights are recognised, nga hapu o Ngati Porou must first make an application for recognition of customary rights. As you are aware, recognition of customary rights is subject to a determination process based on historical evidence and the application of legal tests set out in the Act.¹⁸⁸

198. On 6 December 2018, the Hon Andrew Little (Minister for Treaty of Waitangi Negotiations) moved, that the “Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Bill (No 2) be now read a second time.”¹⁸⁹
199. Christopher Finaylson (National) and former Minister for Treaty Negotiations, notes he was on the ‘Māori Affairs Committee,’ and ‘were a number of submissions which were heard.’ I did not know about this committee holding hearings.

¹⁸⁸ Andrew Little, Minister for Treaty Negotiations, to J Koia 16 July 2018.

¹⁸⁹ Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Bill (No 2) — Second Reading, Handsard, 6 Dec 2018.

200. While acknowledging his close relationship with [REDACTED] [REDACTED] Finlayson as well as Little had nothing to say about settlement concerns with Ruawaipu, Uepohatu, and Te Aitanga a Hauiti.

201. Rino Tirikatene acknowledged there were “57 hapū of Ngāti Porou, and 47 of them have ratified this deed. That doesn't mean the other 10 are not part or are excluded.” Tirikatene went on further to say.

“..as is the case with all Treaty settlements, you know, there are some parties that may feel aggrieved or are unhappy with certain arrangements. “Some submitters were quite confronting, but that's just the nature of us being Māori with our cousins that may be over the way. We faced some confronting kōrero, but all and all those issues actually can be taken care of.”¹⁹⁰

202. Willie Jackson went on to say.

“...but I mihi to my whanaunga Selwyn Parata and others who have made a choice to get on with it, and they get on with it despite all the allegations of selling out the different hapū. They get those allegations. As part of being a Treaty or a tribal leader, you get called a seller, you get called everything else, but you get on with the business. The reality is that if you get into this game, you've got to take the hits that go along with it, and that's the reality. So people are not going to be happy with the deal, but I think we've got a good deal here.”¹⁹¹

203. Apart from the aforesaid, there was nothing much said from the other members of parliament. This reinforces my view that politicians are not experts on te Tiriti, and in most cases, do more damage than good in protecting *inherent* sovereign rights. It also shows the gullibility of the Waitangi Tribunal believing our *inherent* sovereign title rights would be protected in a court of justice.

204. On 23 May 2019, the third reading of the Bill (no.2) continued with delusions of grandeur by settler parliament, and the validation of the invalid Hawaikin

¹⁹⁰ Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Bill (No 2) — Second Reading, Handsard, 6 Dec 2018.

¹⁹¹ Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Bill (No 2) — Second Reading, Handsard, 6 Dec 2018.

migrant cultural identity between an internal cultural hegemony and a colonial hegemony, while the real sovereign ‘natives’ were starved of resources and rights to justice to protect and defend their inalienable rights.

205. Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act came into force in May 2019.
206. The legislation removes the history and cultural identity of Ruawaipu. Nor was the intent for the betterment of Ngāti Porou. It was pre-meditated between the Crown NZ and its loyal ally the Ngāti Porou, to serve only its best interests, and not the interests best for justice. Example, the 7 fictitious boundaries now recognised as Ngāti Porou have to mana whenua source or tipuna



kei te tika



kei te he



kei te he

Ngāti Ruawaipu ¹⁹²	Potikirua to Whangaokena	Potikirua to Whangaokena
Ngāti Porou tuturu ¹⁹³	Whangaokena to Waiapu	Whangaokena to Onepoto
Ngāti Pokai ¹⁹⁴	Pohautea to Onepoto	Onepoto to Rahuimanuka
Ngāti Uepohatu ¹⁹⁵	Onepoto to Rahuimanuka	Rahuimanuka to Mataahu
Te Aitanga a Mate ¹⁹⁶	Rahuimanuka to Mataahu	Mataahu to Kotonui point
Ngāti Ira ¹⁹⁷	Mataahu to Kokoronui	Mawhai to Marau point
Te Aitanga a Hauiti ¹⁹⁸	Kokoronui to Taiau ¹⁹⁹	Pouawa to Taiau. ²⁰⁰

¹⁹² Mana whenua Ruawaipu, mana tangata Tuwhakairiora

¹⁹³ Mana whenua Ruawaipu, mana tangata Porourangi

¹⁹⁴ Mana whenua Ruawaipu, mana tangata Pokai

¹⁹⁵ Mana whenua Uepohatu, mana tangata Umuariki

¹⁹⁶ Mana whenua Ngāti ira, mana tangata Materoa

¹⁹⁷ Mana whenua Ngāti Ira, mana tangata Tuwhakairiora

¹⁹⁸ Mana whenua Hauiti, mana tangata Hauiti

¹⁹⁹ TRONP under its principal Act 1987 had originally 4 rohe kainga. This changed when TRONPui was constituted to receive treaty settlement assets and hold onto fisheries assets under 7 new rohe.

²⁰⁰ Seven ‘Ngāti Porou rohe moana boundaries’ under the Nga Rohe Moana o Nga Hapu o Ngāti Pooru 2019 Act.

207. What the 2019 legislation does is it gives a deceptive insinuation that title to the Ngā Rohe Moana o Ngā hapū o Ngāti Porou has never been ceded to the Crown, when in fact such a title as of 1840 never existed.
208. The independent report commissioned by the OTS from Dame Judith Potter to advise the Minister if the MACA s58 requirements can be met by TRONP is still outstanding today. It was never done. If it was done, it was never released by the Crown.
209. In July 2021, by way of a public notice, an application by TRONPnui for customary title was published, I filed two applications for a notice of appearance to challenge the Ngati Porou customary title application.²⁰¹ Since 2021 I have contacted the MACA team for updates, there has been silence.
210. On 21 August 2025, at the time of writing this document I received from Matthew Lang, the Judicial Support Advisor Marine and Coastal Area (Takutai Moana) Act 2011 Wellington High Court, minute of Churchman J summarising results from this year's annual case management conferences.
211. On 22 August I emailed Matthew.

On 27 July 2021 I filed two notices of appearance for CIV 2021-485-302 and CIV 2021-485-303 including a 64 page document as an appendix showing all mana whenua sources to prove there is no such aboriginal title under Ngati Porou.

I note at 181 of your document (Minute of Churchman J 2025) the above applications have completed a stage 1 hearing and are under "Ngati Porou" engagement and require no further directions.

I am bemused to learn this, have I been mislead by the Crown again after waiting so many years for justice, or is this a preliminary hearing set to begin the next stage where I can finally challenge with whakapapa the Ngati Porou applications in the High Court?²⁰²

²⁰¹ No: CIV:2021-485-302 , No: CIV:2021-485-302 Notice of Appearance Jason Koia, 27 July 2021

²⁰² Correspondence by email from J Koia to Mathew Lange 22 August 2025.

212. On 28 August 2025 Mathew Lange replied.

Regarding the High Court applications, please see attached a memorandum from these applicants dated 18 May 2023. In this memorandum, they set out that they continue with direct engagement with the Crown towards recognition of customary marine title and therefore do not wish to proceed with the High Court applications at this time. This position has been confirmed in 2024 and 2025. Accordingly, there are no expected opportunities to oppose the High Court applications.²⁰³

213. On 29 August I replied to Mathew Lange.

Thankyou Matthew,
Disappointing actions by the Crown as usual, broken promises' I warned the Minister in charge of OTS and MACA in 2018 not to pass the Ngati Porou legislation before they had met the tests of s58 of the MACA 2011. I also paid for the 2 CIV applications to appear in the High Court, and I was not represented by legal counsel at that time. You can keep the money, its not about money, its about the principle of honour, or in the Crown's case, lack of. Do you have the appropriate contact for the MACA administration? as I wish to file the 2018 letters alongside the now defunct CIV application evidence. This evidence at least will hold for the next generation.²⁰⁴

214. If you're wondering why Ruawaipu has no applications under the MACA for their own customary marine title, why would Ruawaipu cede their tino rangatiratanga under an Act that does not recognise tino rangatira, but instead protects Crown sovereignty out to the 200-mile zone? I advised all Ruawaipu claimants after the Wai 900 Inquiry was closed down, to avoid ceding your mana and keep clear of both the FSA 2004 and MACA 2011. I maintain that stance today, it is a trap, designed to legitimise Crown sovereignty.

²⁰³ Matthew Lange, Judicial Support Advisor, Marine and Coastal Area (Takutai Moana) Act 2011 Wellington High Court, Re: MACA 2025 Post-CMC Minute, Correspondence by email, 28 August 2025.

²⁰⁴ J Koia , Reply by email to Matthew Lange, Judicial Support Advisor, Marine and Coastal Area (Takutai Moana) Act 2011, Wellington High Court, Re: MACA 2025 Post-CMC Minute, 29 August 2025.

215. **THE PRINCIPLE OF INFORMED CONSENT**

216. Free, Prior, and Informed Consent (FPIC) became an international principle primarily through Indigenous peoples' right to self-determination, evolving from human rights covenants (like ICCPR/ICESCR) and formalized in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007, obligating states to gain community consent for projects affecting their lands and resources, moving from soft-law recommendations to emerging customary law via international bodies and national jurisprudence. Key Drivers & Milestones include.

- Self-Determination: FPIC stems from the fundamental right to self-determination (Common Article 1 of UN Covenants), recognising indigenous peoples' right to control their development and resources.
- Human Rights Covenants: Treaty bodies linked FPIC to cultural rights (ICCPR Art. 27, ICESCR Art. 15) and non-discrimination.
- UNDRIP (2007): Articles 19 & 32 (Legislation/Development): Requires states to consult in good faith to obtain consent before adopting administrative measures or approving projects affecting resources, specifically regarding the development of mineral or water resources.
- International Bodies & Standards: The Committee on the Elimination of Racial Discrimination (CERD) called for FPIC, and UN agencies promoted it, framing it as essential for social equity in development.
- Emergence as Customary Law: Through consistent application in various instruments and national courts (e.g., Colombia, Costa Rica), FPIC is increasingly seen as an emerging rule of customary international law.

217. How it Works.

- Free: Consent given without coercion or manipulation.
- Prior: Obtained before any project begins, at the earliest stage.

- Informed: Based on comprehensive, culturally appropriate information about potential impacts.
- Consent: The right to give or withhold approval, not just be consulted.

218. FPIC acts as a safeguard, ensuring indigenous communities have a voice in decisions affecting their territories, balancing development with rights, and fostering better outcomes by reducing conflict and promoting shared benefits.

219. However, New Zealand is different for the sole reason informed consent must be duly obtained when dealing with any abrogation of Māori rights. Even Normanby's instructions to Consul Hobson on 14 August 1839, stipulates two key principles of Māori informed consent. A third example in case law 1847.

(1) Māori must not enter into any contract that becomes injurious to themselves.²⁰⁵

(2) Free and intelligent consent must be obtained by Māori in accordance with their customs when inducing them into a formal act of cession.²⁰⁶

(3) Native customary rights continue unless and until they are extinguished explicitly by statute and the natives freely consent to such extinguishment.²⁰⁷

220. Regarding (1) the Crown has a fiduciary duty to ensure all Māori, do not enter into any formal contract or act of cession that become injurious to themselves. This is the fiduciary duty of the Crown UK to ensure Māori understand any document they are signing.

²⁰⁵ Nor is that all: they [Māori] must not be permitted to enter into any contracts in which they might be ignorant and unintentional authors of injuries to themselves. [Normanby 1839].

²⁰⁶ Her Majesty's predecessor, disclaims for herself and Her subjects every pretension to seize on the Islands of New Zealand, or to govern them as a part of the Dominions of Great Britain unless the free intelligent consent of the natives, expressed according to their established usages. [Normanby 1839].

²⁰⁷ R v Symonds 1847.

221. The fiduciary duty to protect Māori extends above and beyond the powers of Parliament [Cooke] is already established in case law, while Allan Ward goes one step further and highlights there are limitations on mischievous politicians.

The Crown's honour and its Treaty obligations to Maori are presumably above mere electoral popularity, otherwise any action in breach of Treaty principles could be excused simply on the basis of having been driven by current electoral pressures or approved by a vote of the parliamentary majority of the day.²⁰⁸

222. As te Tiriti has no expiry date in accordance with the *jus gentium*, and in accordance with domestic statute (s28 of the Bill of Rights 1990)²⁰⁹ my current te Tiriti rights are still active.

223. Furthermore, the evidence of those that supported TRONP initiated treaty and foreshore settlements did not give their intelligent consent lies within the deeds and subsequent legislations itself.

224. Can we really believe that this buffoonery was freely done with the FPIC of duly mandated representatives who were politically astute, well informed of their te Tiriti, indigenous rights and human rights under international law?

225. While the 2017 amendment deed refers to Ngati Porou mana, the 2019 Act does not have mana or tino rangatiratanga in its interpretation. Similar to the 2011 MACA. Both the 2011 and 2019 legislation interprets the Crown as sovereign, like wise the 2012 settlement. There is no interpretation or recognition of tino rangatiratanga in any of the 2011, 2012, and 2019 legislation.

²⁰⁸ NATIONAL OVERVIEW volume i Professor Alan Ward WAITANGI TRIBUNAL 1997 Rangahaua Whanui Series, page 3.

²⁰⁹ 28 Other rights and freedoms not affected

An existing right or freedom shall not be held to be abrogated or restricted by reason only that the right or freedom is not included in this Bill of Rights or is included only in part.

226. To put this in perspective in conjunction with Article 19 of the UNDRIP,²¹⁰ not one so-called mandated hapu representative, responsible as kaitiaki, under tikanga or a ‘purported’ rangatira, did the right thing and protect the mana of their ancestors under te Tiriti o Waitangi, or, had the strength or intuition to ask the following.

- (1) Shouldn’t we have a declaratory judgement, on which is the prevailing treaty, the East Coast, or base our position of the Wai 1040 Report 2014?
- (2) Which Crown are we settling with?
- (3) Is tino rangatiratanga and our te Tiriti rights recognised in these deeds or laws?
- (4) Is there any more information I need to be aware of that could be injurious?

227. It is clear, beyond any doubt, TRONP supporters who gave and usurped the hapu mandate (which did not belong to Ngati Porou in the first place) had no intelligible understanding of the legal complexities they were getting into, especially considering in 2014, the Wai 1040 Tribunal found northland Māori did not cede sovereignty when they signed te Tiriti, and the UNDRIP (with limitations) was endorsed by the sitting government at that time. Let’s face it, settling any treaty issue before clarifying East Coast treaty rights, is either the highest act of treason, or stupidity. Shame on all those that signed away there mana or intentionally tried to usurp Ruawaipu papatipu, for a ‘cream puff.’

228. On the issue of informed consent, I agree with Martinez. I have not relinquished and placed clearly on a record of evidence, my rights recognised under international law, such rights that are recognised in domestic statute under s28 of the Bill of Rights 1990.

194. However, to legitimize beyond any doubt the ways and means used to take issues that originally belonged to the realm of international law away from it and to justify making them subject solely to domestic legislation

²¹⁰ Article 19. –“states shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.”

unilaterally passed by the States and adjudicated by domestic non-indigenous courts, States should **produce unassailable proof that the indigenous peoples in question have expressly and of their own free will renounced their sovereign attributes.**²¹¹ [*Emphasis added*].

229. I would argue East Coast ancestors unassailable rejected the Queens authority. The evidence being killed, murdered, burnt alive, blindfolded and executed, and exiled to the Chatham Islands is evidence East Coast Māori did not cede sovereignty. Let's face it, it was the Ngati Porou perpetrators with Crown support that committed murder, rape, pillage and plunder to establish Crown sovereignty unlawfully in breach of te Tiriti. And today we have the same perpetrators committing legislative warfare on the indigenous peoples.
230. Where there is division, no one can claim a mandate for all.
231. Therefore, how can the Ngati Porou CMT application or its 2019 principal Act be legitimate?
232. For every 'cream puff' mandate given, in order to have acquired a legitimate FPIC mandate, every mandate must at a minimum included the following.

Ngati Porou Declaration in support of Deed of Agreement²¹²

- (i) I acknowledge the East Coast treaty text did not cede sovereignty.
- (ii) I acknowledge this Deed of Agreement is between Ngati Porou and the Crown New Zealand, and that the Crown is the sovereign.
- (iii) I acknowledge this Deed of Agreement does not affect the sovereignty of the Crown out to te 200 nautical mile zone

²¹¹ UN Economic and Social Council - HUMAN RIGHTS OF INDIGENOUS PEOPLES Study on treaties, agreements and other constructive arrangements between States and indigenous populations Final report by Miguel Alfonso Martínez, Special Rapporteur E/CN.4/Sub.2/1999/20: 22 June 1999, page 30, section 194.

²¹² This is a mock declaration for demonstrative purpose only of inquiring free, prior, and informed consent.

(iv) I acknowledge this Deed of Agreement does not override the Crown Minerals Act 1991, Resource Management Act 1991, or any other Pākehā legislation.

(v) I acknowledge that under this Deed of Agreement, or any Ngati Porou Takutai Moana Agreement, no one owns the common marine coastal area.

233. This way, those loyalists have duly given their FPIC and put their mana where their mouth is. Unfortunately for both the Crown NZ and Ngati Porou, no one would be brave or dumb enough to fully approve of such a declaration, as it compels the signatory to become responsible and exposes the signatory to future subjugation from his or her future generations, and ultimately to go down in history as a ‘kupapa.’²¹³

234. Furthermore, if the mandate obtained by the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Deed of Agreement was not duly obtained under the principle of FPIC, how then can the 2019 Act be legitimate, if the Act was based on that mandate?

235. Case in point.

236. Further complications arise, as I have raised the issue of the Ngati Porou rohe moana being legally recognised under its 2019 statute, but this legal recognition was done before its territorial claim to its rohe was proven with evidence of mana whenua under s58 of the MACA 2011. Smells like skulduggery.

237. For instance, 58(1(a) Ngati Porou “hapu” must prove they held their area of claim under tikanga. How is this possible if the tikanga on the East Cape is papatipu o Ruawaipu? Meaning only the descendants of Ruawaipu have claim to her land and territorial waters by the right of custom and law.

238. Case in point.

²¹³ Means Māori traitor.

239. **BURDEN OF PROOF**

240. By the Crown's own admission, the CMT is an evidence-based process. Ngati Porou must meet the requirement of s58 of the MACA 2011. For three reasons

(1) It is the current settler government law to ensure 'legitimate rights' are recognised at law.

(2) The Crown has a fiduciary duty to protect the tino rangatiratanga of all Māori groups, not some, or loyal groups.

(3) Inherent sovereign title can only be determined in accordance with Māori customs and usages [s71 of the 1852 Constitution²¹⁴/Fenton 1870²¹⁵], not political alliance with colonial regimes.

241. On the issue of loyalty, the Wai 143 Tribunal found.

The Treaty provides the same protections and guarantees to all Māori individuals and groups. Even if a special relationship between the Crown and a particular Māori group could be demonstrated to have existed, such a relationship should have no bearing on the Crown's treaty responsibilities to that group. Nor should the Crown be considered to have greater responsibilities towards Māori groups classified by the Crown as "loyal" than towards those classified as "rebels", or towards those who sold land to the Crown as opposed to those who exercised their Treaty-guaranteed rights not to sell land. Article 3 of the Treaty extended the rights and privileges of British subjects to all Māori.²¹⁶

²¹⁴ 71. And whereas it may be expedient that the laws, customs, and usages of the aboriginal or Native [Maori] inhabitants of New Zealand, so far as they are not repugnant to the general principles of humanity, should for the present be maintained for the government of themselves in all relations to and dealings with each other, and that particular districts should be set apart within which such laws, customs, or usages should be so observed:

²¹⁵ "The doctrines of Feudalism can have no application to the lands of New Zealand, and that neither English Law nor Civil Law can be allowed to influence the rights of Maoris to the lands of which, in the words of the statute, they own according to their customs and usages. That the treaty took none of their territorial rights away from the Maoris but expressly guaranteed the preservation of them as they were in 1840." [Kauwaeranga Judgement, Fenton 1870].

²¹⁶ (WAI 674) WAITANGI TRIBUNAL KAIPARA REPORT 2006, at 159. Cited in D V Williams constitutional traditions - NEW ZEALAND JOURNAL OF PUBLIC AND INTERNATIONAL LAW, Vol. 12, No. 1, September 2014, p259.

242. Where the Ngati Porou CMT application is fraught with calamity is the blundering error that Ngati Porou relied upon political security of its historical partner the settler government. Both parties engaged in the political interference and perversion of justice to meet its political goals to secure neo-colonialism self-interests by the pilfering parties,²¹⁷ in breach of the *jus gentium* and international norms.

243. **THE RIGHT TO JUSTICE DENIED**

244. I Agree with Justice Glazebrook, “regimes that do not respect and protect fundamental freedoms should not be granted the legitimacy associated with ‘complying with the rule of law’ by merely formal compliance.”²¹⁸

A state which savagely represses or persecutes sections of its people cannot in my view be regarded as observing the rule of law, even if ... [the ‘laws’ it uses to achieve its ends are] duly enacted and scrupulously observed.²¹⁹

245. The Crown continues by creating *sui generis* legal fictions that are a continual form of colonisation against the *inherent* sovereign indigenous peoples. The Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 is a recent example of contemporary ‘law crimes,’ in the continued ethnic persecution of the East Coast traditional tribes. The delay in justice is an injustice,²²⁰ causing generational grievances.

246. On the issue of justice, Vattel writes.

²¹⁷ Keeping in mind, Ngati Porou by stealth, settled all Ruawaipu coastal area treaty claims without claimant informed consent or express mandate. TRONP had already premeditated a treaty settlement and separate foreshore and seabed settlement as a bilateral trade off with the Crown NZ.

²¹⁸ Justice Susan Glazebrook -The Rule of Law: Guiding Principle or Catchphrase? 2021, p14.

²¹⁹ Justice Susan Glazebrook -The Rule of Law: Guiding Principle or Catchphrase? 2021, p14. (citing Lord Bingham)

²²⁰ A delay in justice means that when someone is wronged, the legal system takes so long to provide a remedy or resolution that it becomes equivalent to receiving no justice at all, undermining fairness, eroding public trust, and causing significant harm (mental, financial, physical) to victims, as captured by the maxim "Justice delayed is justice denied." For the Ruawaipu sovereign people, our grievances have now become generational.

§ 64. Obligation of all nations to cultivate and observe justice.

All nations are therefore under a strict obligation to cultivate justice towards each other, to observe it scrupulously, and carefully to abstain from every thing that may violate it. Each ought to render to the others what belongs to them, to respect their rights, and to leave them in the peaceable enjoyment of them.²²¹

247. However, section 3(2) of the Senior Courts Act 2016 provides that “nothing in this Act affects New Zealand’s continuing commitment to the rule of law and the sovereignty of Parliament.” While section 4 of the Bill of Rights Act 1990 compels the courts of New Zealand, in relation to any enactment to uphold any provision (Crown law) as valid whether or not it is inconsistent with any provision of this Bill of Rights, or illegal.

248. Furthermore, the TIA found the following issues.

24.New Zealand does not have set down in legislation a general protection of property from expropriation rights from expropriation.²²²

28.New Zealand does not have set down in legislation a description of “liberties” or a statutory recognition of liberties in this form.²²³

33.New Zealand currently has no equivalent formal statutory recognition for observing the right to equality before the law.²²⁴

249. It is clear the Crown, has designed its own non-indigenous rule of law, subjugated its courts to uphold the tyranny of its ‘illegitimate legitimacy,’ designed non-indigenous human rights law and ensured by omission the lack of any remedy or protection for indigenous rights.

²²¹ VATTEL, 1758, BOOK 2, CHAPTER 5: - Of the Observance of Justice Between Nations, s64.

²²² Preliminary Treaty Impact Analysis for the proposed Regulatory Standards Bill November 2024, at 24.

²²³ Preliminary Treaty Impact Analysis for the proposed Regulatory Standards Bill November 2024, at 28.

²²⁴ Preliminary Treaty Impact Analysis for the proposed Regulatory Standards Bill November 2024, at 33.

250. Frankly, Ruawaipu is dealing with a Crown ‘colonial hegemony,’ who controls the judge. How can a thief be a judge? ‘*Nemo iudex in causa sua*’.
251. **LEGAL PREJUDICES OF THE NGATI POROU CMT APPLICATION.**
252. There is no credible documentation or proof of evidence that the free, prior and informed consent (FPIC) with given by those who mandated the Ngati Porou CMT application. There are other legal issues that remain unresolved.
253. The Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 including its CMT application is not compliant with the following.
- Article 2 of te Tiriti o Waitangi 1840.
 - Article 4, 5, 8, 9, 11, 13, 17, 18, 19, 20, 26, 27, 28, 33, 37, and 45 of the UNDRIP 2007.
 - Article 17 of the UDHR 1948.
 - Article 27 of the Bill of Rights Act 1990.²²⁵
 - Article 27 of the ICCPR (1966/1976)
 - Article 15 of the ICESCR 1966.
254. Regarding section 27 of the Bill of Rights, there are specific Article 3 treaty rights guaranteed to the Ruawaipu people and all Māori, which include rights under the *magna carta*. In New Zealand law today, only one substantive provision of the *magna carta* remains formally in force. This is Clause 29 of the 1297 version,²²⁶ preserved by the Imperial Laws Application Act 1988. The CMT application subject to clause 126 of the Ngati Porou 2019 Act, denies *magna carta* rights afforded to the Ruawaipu people and fails to comply with the following *magna carta* principles.
- **Protection of property and liberty:** No person shall be "disseised" (dispossessed) of their freehold, liberties, or free customs without legal process.

²²⁵ Section 126 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 Act is in breach Article 27, ‘the right to justice.’

²²⁶ 1297 version which corresponds to clauses 39 and 40 of the original 1215 charter.

- **Right to timely and impartial justice:** The state pledges: "*We will sell to no man, we will not deny or defer to any man, either justice or right*"

255. Keeping in mind, the East Coast treaty 1840 is a valid treaty of relationships recognised under international law (*jus gentium*). This treaty is 'binding' (*pacta sunt servanda*).²²⁷ on the Queen of England (now King Charles III). These rights are non-negotiable and must be kept in 'good faith' *bona fides*.²²⁸
256. Ruawaipu hold these international rights as inherent members of the international communities. These "treaty" rights are also recognised under section 28 of the New Zealand Bill of Rights Act 1990 (NZBORA), and are not subject to the Section 4 and Section 5 limitations of that 1990 Act.
257. Therefore, under second 28 the treaty (Māori text), and the *magna carta* these "rights," are unrestrained and exist today. 'Where there is a right, there must be a remedy,' *ubi jus ibi remedium*.²²⁹ The right to remedy (utu) is also recognised under tikanga Māori law, and international law (UDHR 1948 (Article 8) and ICCPR 1976 (Article 2(3))).
258. The Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 including its CMT application is also non-compliant with the universal right and general provisions of self-determination, Article 1(2) UN Charter 1945,²³⁰ Article 2 of the DGICCP

²²⁷ Pacta sunt servanda is a foundational legal principle meaning "agreements must be kept," dictating that treaties and contracts are binding upon the parties involved and must be performed in good faith. It is a cornerstone of international law, often enshrined in treaty law such as the Vienna Convention, ensuring states honor their obligations

²²⁸ Bona fides is a Latin legal maxim meaning "in good faith," denoting honesty, sincerity, and an absence of intent to defraud or deceive in transactions. It is a foundational principle requiring parties to deal fairly and loyally, often distinguishing legitimate actions from sham or fraudulent ones.

²²⁹ Common Law Foundation: Inherited from English common law, the principle holds that if a legal right is breached, the law must provide a corresponding remedy. Supreme Court Endorsement: New Zealand's appellate courts, including the Supreme Court, have frequently cited the maxim. For example, in *Taunua v Attorney-General*, the Court affirmed that its task, when faced with a breach of the Bill of Rights, is to provide an effective remedy

²³⁰ A blanket affirmation to self determination.

1960,²³¹ Article 1 of the ICCPR 1966,²³² Article 1 of the ICESCR 1966²³³, and Article 1 (2) DRD 1986²³⁴

259. The Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 is also a manifestation of colonisation, securing settler state interests and benefits, and a breach of Resolution 1514 (XV) Declaration on the Granting of Independence to Colonial Countries and Peoples, 1960, “recognizing that the peoples of the world ardently desire the end of colonialism in all its manifestations.” The 2019 Act, like the Ngati Porou 2012 settlement Act, are fraudulent designed to fit the colonial narrative, in breach of Article 2 of te Tiriti o Waitangi.

260. The MACA also undermines the sphere and legal premise of tikanga by interpreting tikanga to mean in its limited application of Māori customary values and practices. While the Ngati Porou CMT application, becomes *sui generis* under the ‘sovereignty,’ of the Crown, contrary to te papatipu o Ruawaipu.

261. CONCLUSION

262. The CMT application as a ‘Ngati Porou’ application is a classic example of a calamitous attempt to pervert the course of natural justice. There is no explicit evidence that the Ruawaipu *inherent* sovereign title has been extinguished by deed, or statute. There are further bias and perfidies with the CMT application. The lack of informed consent is one legal issue. The burden of proof under section 58 if the MACA 2011 is another.

263. Furthermore, Ngati Porou at this present day, are still unable to define how and when it obtained its territorial land it lays claim to today. By fact, Porourangi held no mana whenua. There is also no evidence that a monolithic entity called Ngati Porou held and exercised mana whenua unbroken over Potikirua ki te

²³¹ Declaration on the Granting of Independence to Colonial Countries and Peoples, 4 December 1960 General Assembly resolution 1514 (XV) [Resolution 1514].

²³² International Covenant on Civil and Political Rights 1966 (1976)

²³³ International Covenant on Economic, Social and Cultural Rights 1966

²³⁴ United Nations Declaration on the Right to Development 1986

Toka a Taiau as of 1840, to this present day. This explains why Ngati Porou with the support of its ally the Crown NZ (or vice versa) diverts from judicial processes of the courts. It's been more than 20 years, since the Crown promised Ruawaipu, and other tribes Uepohatu and Hauiti, that we could challenge 'Ngati Porou mana whenua' it the courts to protect our rights.

264. In modern times, settler colonies often use legislative and legal force sometimes referred to as "lawfare," to maintain sovereignty and control over indigenous peoples. Scholars note that in these societies, "invasion is a structure, not an event," meaning the legal systems are continuously used to manage and sometimes suppress indigenous rights and claims. Settler colonialism is considered an enduring structure rather than a past event.
265. The 2012, and 2019 legislations (*ultra vires*) , along with the controversial Ngati Porou CMT application is a continuation of the ethnic suppression of the Ruawaipu people, by the very same two parties that historically committed acts of 'suppression' by 'warfare,' in 1865, against East Coast Maori, on Māori land, unjustly deemed 'rebel' against the Queen. This was for the sole purpose (in breach of both te Tiriti and the *jus gentium*) of illegally establishing British sovereignty over Māori to alienate Māori land. This violence is now represented in 'legislative violence' today, and is a continuation of the self-legitimisation of settler government 'sovereignty by tyranny,' and Ngati Porou loyalty.
266. What should have caused alarm bells for the Crown NZ, in this case, the OTSTM, is the significant and continual objection to Ngati Porou. As painful as a good old-fashioned poke in the eye, or kick in the balls, were the initial problems with the TRONP Bill 1986, that remain unresolved. The closing down of the Wai 900 Inquiry (unresolved), and the continual objection and protests against the Crown NZ and Ngati Porou were obvious. To enact the 2019 Act before the process of s58 was completed under the MACA 2011, was not only the 'cart before the horse,' but a backdoor premeditated deal. *Recti si possimus; si non, quocunque modo*, (legally, if possible; if not, by whatever means).²³⁵

²³⁵ Wai 143, 1996, p112.

267. The Ngati Porou (canoe people) CMT application is an injurious contract, a legal fiction, and breach of tikanga Māori that tramps on the mana of our sacred ancestors. From a point of law, it is “illegally legal.”²³⁶ I refuse to recognise any authority of the 2011 Act, and the Crown’s Ngati Porou shenanigans.

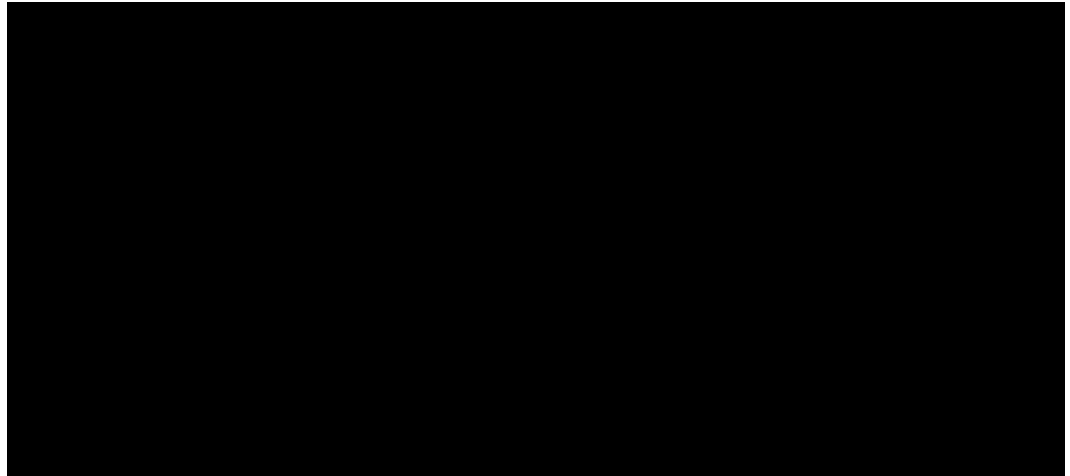
268. For the above reasons, I object to the Ngati Porou CMT application.

269. Although I am ‘firing’ at the Ngati Porou, I am aiming at the Crown. As long as the Crown controls our rights, there will always be wrongs.

270. **RECOMMENDATIONS**

271. I ask to appear before the colonial officials, to answer any questions of the evidence I have provided.

272. Dated at Gisborne this 3rd day of April 2026.



²³⁶ E-TANGATA, *Claire Charters*, “The myth of sovereignty,” 30 October 2022.

IN THE WAITANGI TRIBUNAL

IN THE MATTER OF

the Treaty of Waitangi Act
1975

AND

IN THE MATTER OF

a claim by Jason Mathew Koia
for himself, and on behalf of his
tupuna David (Rawiri)
Rangikatia and Koiauruterangi,
signatories to the indigenous
text of te Tiriti o Waitangi
1840, and on behalf of the
whanau and hapu of Ruawaipu,
and on behalf of the past,
present, and future descendants
of Ruawaipu.

CONCERNING

the modern day ethnic
suppression of Ruawaipu, by
acts done or omitted, by or on
behalf of the Crown.

RUAWAIPU MODERN DAY ETHNIC SUPPRESSION

STATEMENT OF CLAIM

Dated this 28th Day February 2023

Filed by:

Jason Koia

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[1] BY WAY OF BACKGROUND

1. Around 2003 a series of Ruawaipu claims were filed in the Waitangi Tribunal (“the Tribunal”).
2. In October 2005, the Ruawaipu ethnic suppression claim was registered as the WAI 1301 claim. This claim was written by Henry Koia and represented by his son Simon Koia. This claim focused on two key periods in time that alleged prejudice towards the Ruawaipu people, namely the 1865 East Coast Wars when the Crown (settler government) wielded Ngati Porou loyalists into a political unit to complete the settler’s rebellion suppression campaign against East Coast Maori for the purpose of establishing by force, British rule and sovereignty over the East Coast. The Crowns main agenda was to take Maori land, power and resources from those that would not yield to their Queen. The second period was the constituting of the Te Runanga o Ngati Porou Act (“TRONP”) in 1987.
3. In 2007 TRONP opposed the 1865 East Coast Wars scoping report (WAI 900 #A28) which recommended a full report for the WAI 900 East Coast inquiry. They also had opposed the recognition of the Ruawaipu claimant cluster within the WAI 900 inquiry which would enable a Ruawaipu Traditional History Mana Whenua Report¹ to be completed to assist Ruawaipu claims.
4. Also, in 2007 TRONP did not engage to complete a mana whenua report to prove their Treaty claims well founded. Instead TRONP sought a Ngati Porou mandate to settle Ngati Porou claims by direct negotiations with the Crown. This would bypass the Waitangi Tribunal inquiry process.
5. There was no evidence that the express mandate to settle Ruawaipu claims was obtained by TRONP. Also, no informed consent was obtained to settle any Ruawaipu claim. This is because when TRONP sought its mandate from its TRONP beneficiary database, there was no information on the type and

¹ WAI 900 #A30 Te Papatipu o Ruawaipu Traditional History Report by Doctor Grant Young and Prof Michael Belgrave, a report commissioned by the Crown Forestry Rental Trust, September 2009

scope of Ruawaipu claims. Instead, TRONP beneficiaries were led to believe all the claims in the East Coast inquiry were Ngati Porou.

6. With Crown support of the TRONP mandate to negotiate Treaty claims and a controversial WAI 2190 inquiry by Judge Coxhead into the mandate process (recommending the negotiations proceed)², by 2010 the WAI 900 inquiry was closed down. The 1865 East Coast Wars report was never completed.
7. In 2012, the WAI 1301 Ruawaipu Ethnic Suppression claim was settled by the Crown and TRONP as a historical Ngati Porou claim. Various Ruawaipu claims also met the same fate.
8. The settlement removes the right of any Ruawaipu descendant, or other person to inquire into the settlement and seek justice before any court or tribunal of New Zealand.

[2] THE CLAIMANT

1. This claim is filed by Jason Mathew Koia ('the claimant') for himself, and on behalf of his tupuna David (Rawiri) Rangikatia and Koiauruterangi, and on behalf of the whanau and hapu of Ruawaipu, and on behalf of the past, present, and future descendants of Ruawaipu.
2. The claimant states that this claim meets the criteria of section 6(1) of the Treaty of Waitangi Act 1975.
3. The claimant is Maori.
4. The claimant alleges that the Crown (settler government) has breached te Tiriti o Waitangi (not the Treaty of Waitangi) by using various laws, practises, regulation, policy and certain actions and omissions.

² Recommendations were found to be *ultra vires*, see RESERVED JUDGEMENT OF DOBSON - HENRY KOIA V WAITANGI TRIBUNAL, 22 February 2010

5. The claimant alleges the Crown has breached their principles of the Treaty of Waitangi causing prejudice towards the claimant and Ruawaipu people, and that the law, or the action, omission, practice or policy used by the Crown is inconsistent with the principles of the Treaty of Waitangi, pursuant to section 6(1) of the Treaty of Waitangi Act 1975.

[3] THE CLAIMANT ROHE

1. The rohe of Ruawaipu may be defined as the Whangaparaoa River mouth in the north to the Reporua Stream in the south, seawards to the Pacific Rim, past the Crown's assumed 200 nautical mile limit. Inland to the Raukumara ranges.
2. The hapu of Ruawaipu still reside in the Ruawaipu rohe. It is acknowledged that the hapu south of the Maraehara River (Waiapu valley) have interests with Pokai and Porourangi, but the mana whenua of these hapu derives from their ancestor Ruawaipu.
3. It is also acknowledged the hapu at Whangaparaoa have interests with Te Whanau-A-Apanui, but again the mana whenua derives from Ruawaipu.
4. The taonga (treasures) held within the Ruawaipu rohe include (but not limited to).
 - Coastal seas adjoining international boundaries
 - The foreshore and seabed
 - Rivers and river beds and banks
 - Fisheries freshwater and saltwater
 - Forests
 - Flora and fauna
 - Wildlife
 - Aquatic species
 - Minerals including gold, silver and bronze
 - Petroleum's and oils
 - Air space
 - Natural organisms
 - Development and exploration space
 - Dry land and wet land (mana whenua)
 - All natural resources above and below ground (dry land and wet land)

5. The Marae in the Ruawaipu rohe are (but not limited to)

- Kauaetangohia (Apanui and Ruawaipu);
- Potaka;
- Hinemaurea;
- Tutua;
- Pikitanga;
- Hinerupe;
- Awatere;
- Matahi o te Tau;
- Hurae;
- Kaiwaka;
- Putaanga;
- Rahui;
- Taumata o Tapuhi;
- Te Ao Hou;
- Hinepare;
- Ohinewaiapu;
- Karuai;
- Tinatoka;
- Kakariki;
- Tikapa;
- Te Horo; and
- Waioamatatini.

6. The hapu of Ruawaipu are as follows (but not limited to);

- T Whanau a Kauaetangohia (associated with the Apanui tribe)
- Te Whanau a Tapaeururangi; (Ngati Ruawaipu)
- Te Whanau a Te Aotaki; (Ngati Ruawaipu)
- Te Whanau a Tuwhakairiora; (Ngati Ruawaipu)
- Te Whanau a Kahu; (Ngati Ruawaipu)
- Te Whanau a Tamakoro; (Ngati Ruawaipu)
- Ngai Tuere; (Ngati Ruawaipu)
- Te Whanau a Rerekohu; (Ngati Ruawaipu)
- Te Whanau a Hinehou (Ngati Ruawaipu)
- Te Whanau a Hinerupe; (Ngati Ruawaipu)
- Te Whanau a Te Aopare (Ngati Ruawaipu)
- Te Whanau a Hunaara; (Ngati Ruawaipu)

- Te Whanau a Rerewa (Ngati Ruawaipu)
- Ngati Hokopu; (Ngati Ruawaipu)
- Ngai Tane; (Ngati Ruawaipu)
- Ngati Nua; (Ngati Ruawaipu)
- Te Whanau a Whaita (Ngati Ruawaipu)
- Te Whanau a Hinepare; (Ngati Ruawaipu)
- Te Whanau a Takimoana; (Ngati Ruawaipu)
- Tinatoka; (Ngati Ruawaipu)
- Te Whanau a Tapuhi; (Ngati Porou tuturu)
- Ngati Putaanga; (Ngati Porou tuturu)
- Te Whanau a Porou; (Ngati Porou tuturu)
- Te Whanau a Rakaimataura (Ngati Porou tuturu)
- Te Whanau a Karuai; (Ngati Porou tuturu)
- Te Whanau a Hinerupe ki Waiapu (Ngati Porou tuturu)
- Te Whanau a Uruhonea; (Ngati Porou tuturu)
- Te Whanau a Te Uruahi; (Ngati Pokai)
- Te Whanau a Hineauta; (Ngati Pokai)
- Te Whanau a Rakaihoea (Ngati Pokai)
- Te Whanau a Pokai (Ngati Pokai)
- Ngati Horowai (Ngati Pokai)
- Ngati Puai (Ngati Pokai)

7. The rivers of Ruawaipu are as follows (but not limited to);

- **Whangaparaoa** (to the sea) *Apanui boundary*
- **Wharekahika** (to the sea)
- Oheta
- Mohau
- Oweka
- Waikura
- Maungamaha
- Te Rewehatau
- Mangawhatu
- Mangatutu
- Kopuapounamu
- **Karakatuwhero** (to the sea)
- Mango o Wira
- Turangakautuku
- **Awatere** (to the sea)
- Mangaoparo

- Poroporo
- Waiorongomai
- Matumoko (Matumako)
- Maraehara
- **Orutua** (to the sea)
- **Waipapa** (to the sea)
- **Waiapu** (to the sea)
- Raparapaririki
- Tapuaeroa
- Te Wairoa
- **Reporua** (to the sea) *Ngati Rangi boundary*

[4] ABOUT THIS CLAIM

1. The claimant alleges since 21 September 1992 the Crown has continued from the past to use policy, laws, and certain practices (actions and omissions) to assimilate Ruawaipu into a large unnatural grouping and by doing so, strip Ruawaipu of their cultural identity, natural resources, and their economic, social and political rights.
2. By doing so, the Crown is breaching te Tiriti o Waitangi, international and domestic human rights, the Universal Declaration on the Rights of Indigenous Peoples (UDRIP), and the New Zealand Bill of Rights (“the BOR”).
3. It is important to note that the BOR pursuant to section 27 guarantees the claimant a right to justice, while more importantly section 28 affirms the claimant’s Te Tiriti o Waitangi rights are still active today.
4. This is a profoundly serious claim, even Judge Clark of the Maori Land Court in 2010 acknowledged the representation of Ruawaipu and other tribal groups on the East Coast were serious issues for determination.³
5. Whilst the UN Human Rights Council Report of the Special Rapporteur in 2011 recommended the government should take special measures to address the concerns of Ruawaipu and other tribal groups in relation to the East Coast

³ Chief Judge’s MB 41”, 14 December 2010, para 89

settlement case,⁴ the Crown was not bound to the Maori Land Court or United Nations.

6. This claim hinges on the evidence of fact. The core issue that causes a catalyst of prejudices is the Crown (without tested evidence before a competent court or judicial) at present continues to rely upon a notion that Ngati Porou by intermarriage is the only iwi or group of Maori on the East Coast since 1840 to this present day. And that upon the signing of Te Tiriti o Waitangi, that all traditional-aboriginal tribes on the East Coast were assimilated into a monolithic entity called Ngati Porou because of intermarriage.
7. But there is no evidence in accordance with East Coast Maori custom of intermarriage to substantiate the Crown's assumption.
8. On the other hand, there is enough evidence placed on the WAI 900 record of inquiry between 2006 and 2010 by independent and qualified historians to prove the Crown's assumption that the Ruawaipu people were absorbed by intermarriage into the iwi called Ngati Porou as of 1840 is blatantly wrong.
9. This is a contemporary claim. However, the claimant notes that the Tribunal in its memorandum 1 April 2015 will allow kaupapa grievances to include both historical and contemporary issues.⁵
10. Therefore, to assist the Tribunal in understanding the historical context to the claimant's modern-day grievance, attached, and marked as '**Appendix 1**' and entitled 'Claimant Supplementary Evidence' are various research notes.
11. Although there are references to settlement legislation in these notes, in which the claimant acknowledges the Tribunal has no jurisdiction to inquire into, context is everything, and the claimant feels it is important to fully comprehend the magnitude of the prejudices caused by the Crown in its

⁴ UN, General Assembly; Human Rights Council, Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya, 17 February 2011 at paragraph 73

⁵ Memorandum of Chairperson concerning the Kaupapa Inquiry Programme, 1 April 2015, paragraph 9

attempt of assimilation and its practice of suppressing the cultural identity of the Ruawaipu people.

12. Ultimately, as Dr Phillipson explained during the promulgation of the WAI 900 casebook research programme, that a traditional history report can assist the Tribunal in answering the question of who were prejudiced by Crown acts and omissions and considering the fact Ngati Porou were unable to complete a mana whenua report, it is clearly obvious something is wrong when a Maori group (empowered by the Crown) is unable to explain its origins of aboriginal title over their purported lands, waters and resources that they lay claim to today.

[5] STATEMENT OF CLAIM

1. The claimant asserts that Article 2 of Te Tiriti o Waitangi, and section 28 of the BOR protects the claimant with the following rights.
 - the right of the claimant to maintain and have his aboriginal title (whakapapa) protected free from assimilation and discrimination.
 - the right of the claimant to have and maintain his cultural identity and autonomy over his land, villages and resources (taonga) free from assimilation and discrimination.
2. The claimant alleges the Crown continues to strip the claimant of his mana whenua, tino rangatiratanga and cultural identity by assimilating the claimant into an unnatural group of Maori known as the descendants of Porourangi (Ngati Porou) from Potikirua ki te Toka a Taiau.
3. This Ngati Porou group (the canoe people) is not a traditional tribe or able to prove aboriginal title before a competent judicial. Porourangi, the eponymous ancestor of this Ngati Porou held no mana whenua.
4. There is no evidence this group existed over the area its claims today as being theirs as of 1840. The origin of Ngati Porou was the Church of England, which derives post-treaty by direct Crown intervention.

5. The claimant alleges the Crown (politically motivated) suppresses the ethnicity, cultural identity and aboriginal title of the Ruawaipu aboriginal people by relying upon an unfounded intermarriage theory.
6. This theory of intermarriage being that Ruawaipu descendants merged with the descendants of Porourangi to become Ngati Porou does not comply with Ruawaipu tikanga (Maori custom).
7. The idea of intermarriage was created by the loyalist, Apirana Ngata. Apirana Ngata was the protégé of the Crown loyalist Major Rapata Wahawaha. Ngata's Rauru lectures were designed to promote Porourangi, and intermarriage from the landless descendants of Porourangi with the tangata whenua groups such as Ruawaipu.
8. By creating a right of "in laws" from intermarriage, Ngata was able to justify a Ngati Porou "whanui" concept from Te Kaha to Toka a Taiau, and further.
9. On 29 September 2009, Api Mahuika the Chairman of TRONP and WAI 272 TRONP claimant wrote to the Minister of Treaty of Waitangi Negotiations.

Porourangi, like others of our ancestors, is a descendant of Toi and of Paikea. Through intermarriage the Uepohatu and Ruawaipu bloodlines have merged with those of Porourangi.....

10. In 2010 the Crown acknowledged its assumptions of Ruawaipu merging with Porourangi from intermarriage.

Ruawaipu is understood to be an important ancestor (not hapu). It is understood that descent lines from Ruawaipu merge with Porourangi.⁶

11. Dr Young and Professor Belgrave are two independent and qualified historians commissioned by the Crown Forestry Rental Trust to complete the Ruawaipu Traditional History Report. This report was received by the

⁶ Wai 900, # 3.5.61(a), Crown Law, Brief of Evidence, Paul James, 17 June 2009

Waitangi Tribunal on 17 November 2009 and entitled *Te Papatipu o Ruawaipu*.

12. Despite common traditions in the Maori Land Court archives acknowledging that if you came from Porourangi you had no land rights in the Ruawaipu rohe, the authors pointed out, no one can claim the mandate for everyone when there is division and the powerful write out the powerless. They also viewed the following.

[186] What is most surprising is the extent to which the Rauru lectures diverge from the traditions given in the Court.

[643] Despite his view of tribal identity, Soutar has to acknowledge at times, in the face of overwhelming evidence, that a monolithic entity called 'Ngati Porou' did not exist.

[719] ...but this report has demonstrated that the descendants of Ruawaipu and the descendants of Porourangi did not merge through intermarriage to become Ngati Porou. The evidence presented in the Native Land Court adequately demonstrates the distinctions between the two whakapapa lines in relationship to the land.⁷

13. In short, the Crown's assimilation practices towards the Ruawaipu people denies the claimant his right of existence, and as a result, the right to protection including justice over Ruawaipu lands, waters, resources and taonga such as the claimant's whakapapa (aboriginal title).

14. Furthermore, there are other important ancestors of full blooded Ruawaipu descent such as Tamatearahia, Te Hopuhopu, Tahingarohau, Hinengarangara, and Rakaimatapu that had maintained and are also responsible for the aboriginal land holding patterns today of all the whanau-hapu over the entire northern region of the East Coast.

15. In 2010, according to the Crown recognised Ngati Porou historical account, you will not find these original Ruawaipu mana whenua tipuna. This is because Ngati Porou has no origin of mana whenua, or aboriginal title.

⁷ *Te Papatipu o Ruawaipu* paragraphs 186, 643, 654 and 719

16. In 2012, despite protest from the Ruawaipu people, the Crown created settlement legislation, to force the claimant by law to be Ngati Porou.
17. According to the Crown, based on the unfounded intermarriage theory (which does not comply with tikanga), I am a descendant of Porourangi, and my iwi is Ngati Porou.
18. The Crown has also breached its fiduciary duty, and the claimants Article 3 Tiriti right by using a process in its settlement legislation to remove the claimants right to justice before any Court or Tribunal in New Zealand.

[6] THE BREACHES

1. The claimant alleges the Crown has and continues to act in bad faith and breached its Treaty principle of active protection towards the claimant and Ruawaipu people.
2. The claimant alleges the Crown with no remorse, by way of numerous failings of its fiduciary duty to actively protect all Maori groups on the East Coast has caused the ethnic suppression of the Ruawaipu people, and in doing so, has deliberately denied the claimant's inherent rights and fundamental freedoms enshrined under Te Tiriti o Waitangi, including the claimant's domestic and international human and indigenous rights to justice.

[7] THE PREJUDICE

1. The claimant alleges since 21 September 1992 the Crown has caused prejudices towards the claimant by using policy, laws, and certain practices (actions and omissions) to suppress the whakapapa, mana, mauri, tino rangatiratanga, aboriginal title rights, including the social, economic, political and cultural identity and rights to justice of the Ruawaipu people.
2. These Crown actions and omissions that have caused prejudice include but are not limited to the following.

- (a) Failing to recognise the right of tino rangatiratanga of the Ruawaipu people as recognised under Article 2 of te Tiriti o Waitangi 1840, and s28 of the New Zealand Bill of Rights Act 1990.
- (b) Failing to protect the claimant's freedom from any kind of discrimination and to exercise his rights based on his origin and cultural identity.
- (c) Failing to protect the Ruawaipu people of their economic, social, and cultural development.
- (d) Failing to protect the rights of the Ruawaipu people in exercising their right to autonomy or self-government relating to their internal and local affairs.
- (e) Failing to ensure the Ruawaipu people had ways and means for financing their autonomous functions.
- (f) Failing to protect cultural institutions, intellectual properties, history and educational systems of the Ruawaipu people.
- (g) Failing to protect the right of Ruawaipu as an autonomous and aboriginal people and the right to be part of an indigenous nation.
- (h) Failing to protect the right of Ruawaipu not to be subjected to forced assimilation or destruction of their culture and customs.
- (i) Failing to consult and cooperate in good faith with the Ruawaipu people through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative and administrative measures that affect them.
- (j) Failing to establish in conjunction with Ruawaipu, a fair, independent, impartial, open and transparent process giving recognition to Ruawaipu customs, traditions, land tenure systems, and recognise and adjudicate the rights of Ruawaipu pertaining to their lands, waters, territories and resources, including resources traditionally owned or held under custom.
- (k) Failing to protect the right of Ruawaipu to justice, redress including restitution, or, when not possible, just, fair, and equitable compensation.

- (l) Failing to protect the right of Ruawaipu to determine their own identity and membership in accordance with their own customs.
- (m) Failing to protect the right of Ruawaipu to the recognition, observance and enforcement of their rights secured under te Tiriti o Waitangi.
- (n) Depriving the Ruawaipu people of their integrity as a distinct people, their cultural values and ethnic identity.
- (o) Dispossessing the Ruawaipu people of their lands, waters, islands, forests and resources they have traditionally owned, occupied or otherwise used or acquired.
- (p) Arbitrarily depriving Ruawaipu of property without a right to compensation or redress.
- (q) Extinguishing the tino rangatiratanga of the Ruawaipu people, and their te Tiriti o Waitangi rights without their free, prior, and informed consent.
- (r) Depriving the Ruawaipu people of their means of subsistence and development without just and fair redress.
- (s) Depriving the right of Ruawaipu to prompt decision making and fair procedures for resolution of conflicts and disputes with the Crown and other parties, as well as effective remedies for all infringements to the individual and collective rights of the Ruawaipu people.
- (t) Failing to respect and protect Ruawaipu inherent rights as aboriginal peoples with whakapapa and native title rights to their traditional lands, resources and taonga.
- (u) Using legislation in the past, present and future to defeat the tino rangatiratanga of Ruawaipu.
- (v) Using other indigenous groups or factions to defeat the tino rangatiratanga of the Ruawaipu people, and by doing so creating winners and losers,
- (w) Obtaining unjust enrichment as a result of economic and human rights crimes towards the Ruawaipu people.

[8] FINDINGS SOUGHT

1. That the Tribunal finds that the claim is well founded.

2. That the Crown has breached its principles of the Treaty of Waitangi.

[9] RECOMMENDATIONS SOUGHT

1. That the Tribunal recommend to the Crown that all prejudices towards the claimant and Ruawaipu people are removed without delay.
2. That lands, waters, and resources belonging to the Ruawaipu people are returned to the Ruawaipu people and protected under law.
3. Apologies for breaches of te Tiriti o Waitangi towards the Ruawaipu people are formally acknowledged by the Crown UK and its Monarch.
4. To restore and guarantee the protection of Ruawaipu tino rangatiratanga that has been diminished, suppressed and denied by the Crown.
5. To provide legal aid should the claimant decide to take litigation direct against the Crown UK before an international judicial if the Crown NZ should not commit to the aforesaid recommendations, or the redress negotiations breakdown.
6. That the Tribunal make any other recommendation as it sees fit.

[10] PARTICULARS

1. The claimant wishes the Tribunal to commission a researcher to report on the claim.
2. On this matter the claimant believes a report on the 1865 East Coast wars would assist the Tribunal in understanding the context of this contemporary claim. This report is critical in proving this contemporary claim well founded.
3. The claimant also notes, that in accordance with paragraph 33 of the Chief Judges memorandum dated 1 April 2015, that the Tribunal may take into

account a claim is better suited to a non-kaupapa inquiry including a claim that has a local focus that disconnects them from a national scope.

4. Therefore, the claimant requests that this claim be heard separately on the East Coast, Gisborne.
5. The claimant believes all affected parties of the East Coast Inquiry District should be notified of the claim.

[11] LEAVE TO AMEND

1. The claimant seeks leave to amend this statement of claim if necessary.

[12] ADDRESS FOR SERVICE

1. The address for service of any documents or notices with this application is.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dated this day 28th of February 2023

[REDACTED]

JASON MATHEW KOIA (CLAIMANT)

To: The Registrar of the Waitangi Tribunal
To: Crown Law Wellington.

IN THE WAITANGI TRIBUNAL

IN THE MATTER OF

the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

a claim by Jason Mathew Koia for himself, and on behalf of his tupuna David (Rawiri) Rangikatia and Koiauruterangi, signatories to the indigenous text of te Tiriti o Waitangi 1840, and on behalf of the whanau and hapu of Ruawaipu, and on behalf of the past, present, and future descendants of Ruawaipu.

CONCERNING

the modern day ethnic suppression of Ruawaipu, by acts done or omitted, by or on behalf of the Crown.

RUAWAIPU MODERN DAY ETHNIC SUPPRESSION

BRIEF OF EVIDENCE OF JASON KOIA

Dated this 28th Day of February 2023

Ngati Porou nuka-rau, he iwi moke, he whanoke (Ngati Porou, deceivers, lonely but daredevils) – *Ryan, P.M. Dictionary of Modern Maori – proverb at page 175.*

Jason Koia

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Ko Pohooterangi to maunga
Ko Matumako te awa
Ko Te Whanau a Tapuhi te hapu
Ko Te Ao Hou te marae
Ko Pineaha Koia te Rangatira

INTRODUCTION

1. My name is Jason Mathew Koia
2. [REDACTED]
3. I am an original trustee of the Ruawaipu Tribal Authority which was founded in 2003.
4. I am also a mandated Ruawaipu iwi representative for the express purpose of settling Ruawaipu te Tiriti claims.¹
5. I am the mandated representative for the descendants of Pineaha Koia (the Koia whanau) for matters of Whanga-o-Kena and fisheries.
6. I am a co-trustee of the Ngai Ruawaipu Education Trust founded by my elder brother Henry Koia in 2021.

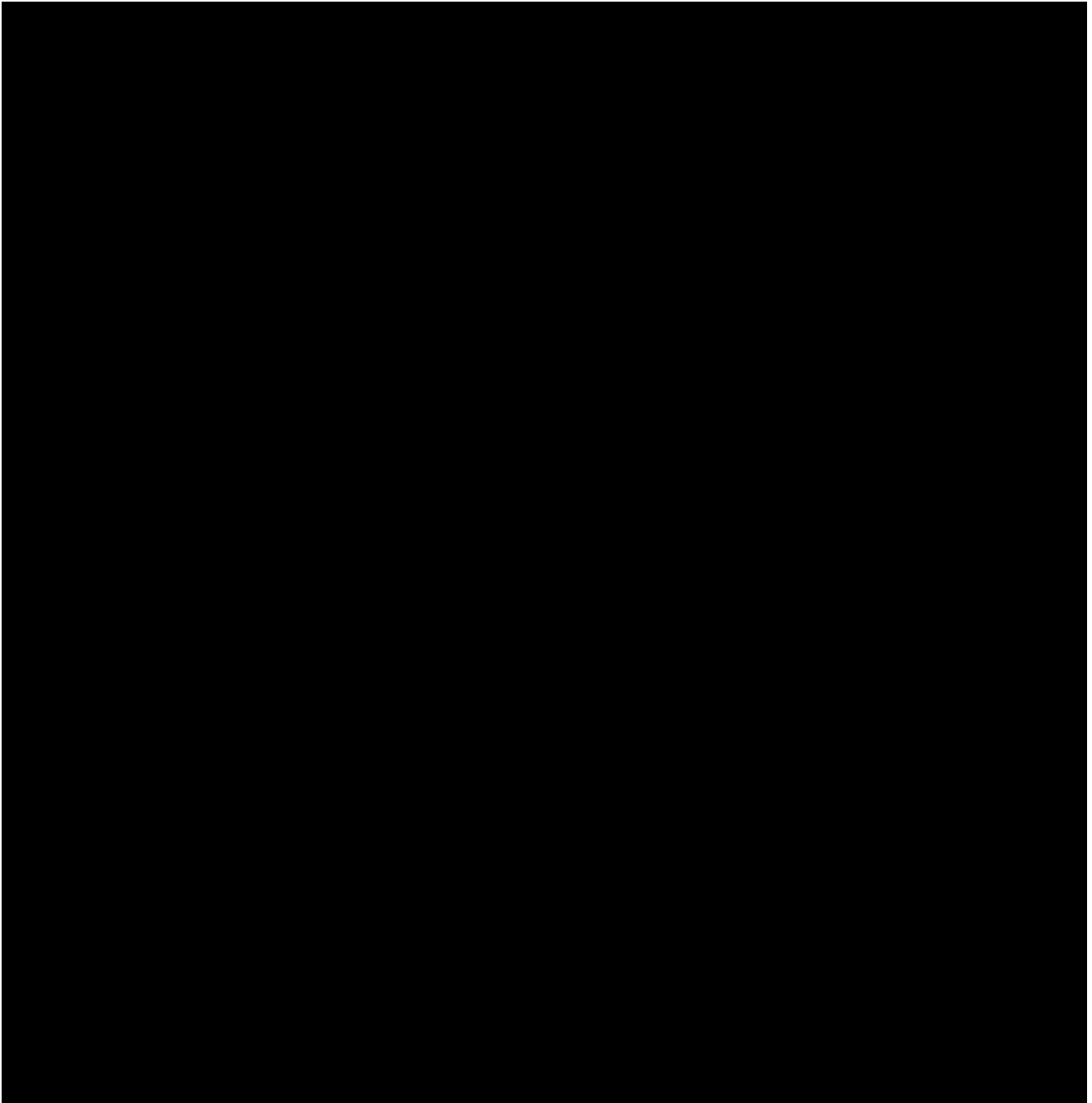
KO POHO-O-TE-RANGI TE MAUNGA (MY ABORIGINAL TITLE)

7. Poho-o-te-rangi is my mountain. Part of Pohooterangi is my whenua at Rangitukia handed down to me by my father.
8. Pohooterangi is a series of ranges that extends to the Raukumara. During the Pohooterangi block investigation in 1925 (the old Koia whanau block) my

¹ On 10 April 2010, at a public notified Ruawaipu iwi meeting, I and others were mandated onto the Ruawaipu Iwi Te Tiriti Claims Settlement Authority. This authority is mandated to deal with all aspects in the just settlement of Ruawaipu whanau, hapu and iwi historical treaty claims. I rely upon the following document as evidence, filed in the Tribunal as Wai 900, # 3.1.308(e), and entitled; "Ruawaipu Iwi Declaration as to Mandate"

ancestor Pineaha Koia had passed away. The claim was continued by his wife, Arihia Koia. Pohooterangi was one of the last papatipu blocks to be investigated.

9. The first Court's decision in 1924 was appealed and the Native Appellate Court awarded most of the block under Uenukahutia who obtained the land from Te Aokairau by gift. Both Pineaha and Arihia Koia were direct descendants of Uenukahutia (also see Rongomaianiwaniwa whakapapa).



10. The Appellate Court referred the block back to the Native Land Court for rehearing. It was awarded to the descendants of Tapuhi.

[69] Watene Korau subsequently told the Court that Te Whanau a Tapuhi were living at Paopaoku and cultivating on Pohooterangi at the time of the hearing. His other witness, Ripeka Tauhore (or Korau) added that those of Te Whanau a Tapuhi living at Paopaoku were all descendants of **Kahika** through intermarriage so their interest in the block was derived from Putaanga.⁵ [*Emphasis added*]

[404] We claim that the land is a portion of the land that belonged to Te Ao Kairau. He had four children and he divided his land amongst his four children. An award has been made to Hinepare, to Huanga, to Rakaimataura. This block is the balance of Aokairau land and we assert it belonged to Putaanga his fourth child. The latter divided his portion of Aokairau land amongst his children. **Tamakaraka** we claim was allotted

² Materoa = Tamaterongo, begat Kuraunuhia, begat Paka, begat Tamaurua, begat Tangihaere (2)

³ Line given from Rakapa Koia; Poroueono was a child of Rangimakaua (1) a brother of Ikawhakatarā. Kohere notes Poroueono as a tohunga from Ngati Nua, see *Ngati Ruawaipu Leadership*-p160

⁴ Te Ihikumea composed a Waiata Whaiaipo for Mauriatea who was a Pokai chief

⁵ *Te Papatipu o Ruawaipu*

Pohooterangi. Whakarongomaiwaho is a descendant of **Tamakaraka** and we admit the right of his descendants who have occupied, not under conquest, there was no conquest, but under descent from Tamakaraka.⁶ [*Emphasis added*]

11. As you can see looking at the above Ngati Putaanga whakapapa, Pineaha Koia is a direct descendant of both Tamakaraka and Te Kahika. Regardless of which version is true, Uenukahutia by gift or the children of Putaanga by papatipu, the fact is my land rights are a pre-common law right and title, that can be traced back to the original title holder, our ancestress, Ruawaipu.
12. This is my aboriginal title.

KO MATUMAKO TE AWA

13. The Matumako is my river. Matumako (Matumoko) is the awa of the Koia whanau, and also the name of the stream which comes from the ranges of Pohooterangi.
14. This stream crosses a base of Pohooterangi in Rangitukia. It comes to the old homestead of my grandfather, Henare Koia. Koroneho Koia says, this stream is the boundary where Ngati Porou (tuturu) begins, laid down in ancient times.

It was the early descendants of Maui that set down the early boundary of Ngati Porou, from Matumako stream, near Rangitukia township, to Paoaruku south of Tikitiki. As a result of this early Ngati Porou boundary we around Tikitiki/Rangitukia are regarded by other hapu as the Waiapu people or Ngati Porou. For example, when we would see the old people around Hiruharama like Arnold Reedy, they would say “Haramai Ngati Porou” –“(welcome Ngati Porou). “However, these people would regard themselves as Hikurangi, and would address themselves as such. The people in the Tolaga Bay region, Te Aitanga a Hauiti are called Uawa, after the river there” (para 9).⁷

⁶ *Te Papatipu o Ruawaipu*

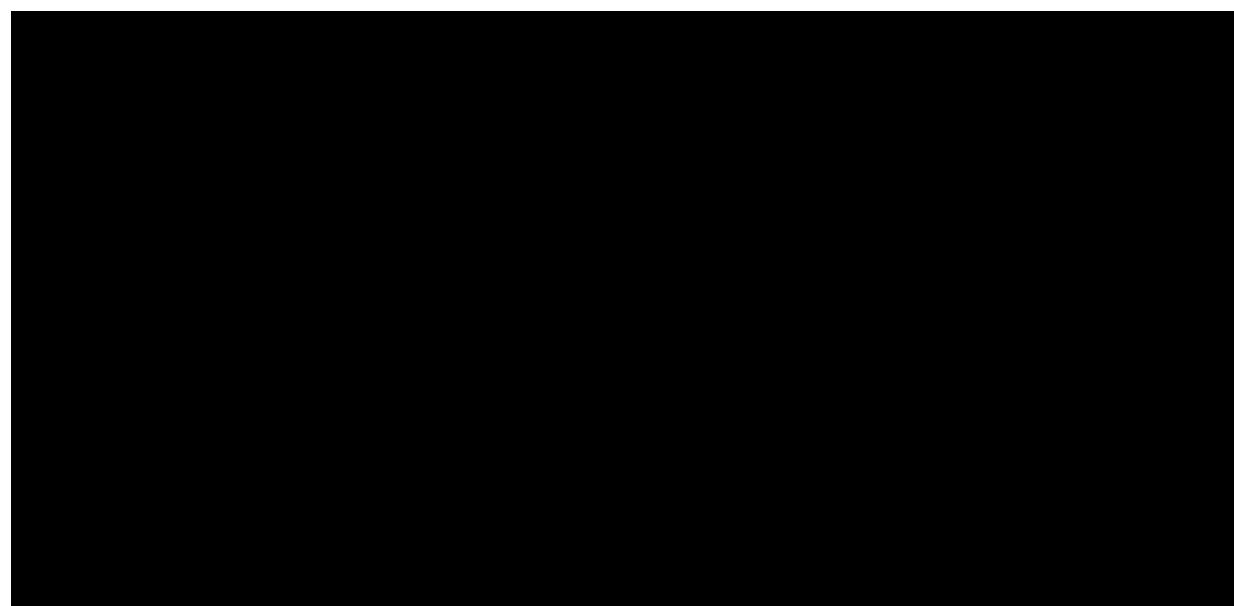
⁷ Wai 272 - Wai 900, # A61, joint affidavit of Huturangi Paora and Koroneho Koia dated 12 January 2000

KO TE WHANAU A TAPUHI TE HAPU

15. Te whanau a Tapuhi is my hapu. Te Whanau a Tapuhi is a senior hapu of Ngati Porou tuturu. Te Matenga Koia(uruterangi) was the recognised chief of Te Whanau a Tapuhi.

“In its decision following the rehearing, the Court found that Arihia Koia’s claim should more properly be described Matenga Koia’s claim as it included the interests of Matenga, Pineaha, Tuhiwai and Wiremu Keiha. Matenga Koia ‘was recognised as the chief of the Whanau a Tapuhi hapu.⁸

16. Both Te Matenga Koiauruterangi and his wife Pirihera Te Materoa held aristocratic lines to Tapuhi. This was further strengthened when their child Pineaha Koia married Arihia Kowae Te Kaurere.



17. Te Matenga’s son Pineaha Koia was deemed a rebel because he was associated with Te Whanau a Tapuhi who were regarded by the government as rebel. Likewise, I am deemed a rebel today simply because I will not accept the sovereignty of the Crown and the legitimacy of its loyal ally the Ngati Porou.
18. I would like to make it clear, the Koia whanau is the largest whanau of Te Whanau a Tapuhi and the senior whanau. Without the free, prior and informed

⁸ see *Te Papatipu o Ruawaipu*, footnote page 201

⁹ There are two carved amo (pre-metal) currently held in the Auckland and Berlin museums. Ruawaipu at Auckland and Takorotaoroa in Berlin. This is probably the ancient pa of Hinepare, or Whanau a Porou

consent of the Koia whanau, no mandate of Tapuhi given to the Crown can ever be deemed to be valid.

KO TE AO HOU TE MARAE, KO PINEAHA KOIA TE RANGATIRA

19. Te Ao Hou is my marae. Pineaha Koia is our Rangatira. Te Ao Hou was made a reservation for the iwi (not hapu) of Tapuhi in 1996. The original wharenui was washed away by the Poroporo river.
20. The new marae site is currently under construction and moved inland to the main road in Rangitukia near Koia road at Pohooterangi.
21. At present the whare kai (dining hall) has been completed but not the kitchen and cooking facility. The next phase it is hoped to complete the kitchen and ablution block, then the wharenui and grounds. I was Chairman for Trustees of Te Ao Marae from 2011-2020. I have decided to step down as Chairman although I continue as a trustee.

MY ABORIGINAL TITLE

22. My whakapapa is my aboriginal title. I have 20 years' experience with the support of my pakeke in learning my whakapapa as tangata whenua tuturu (uri-whenua) . My land was handed down to me as taonga tuku iho from my father, and his farther and so on to the time my tipuna affixed their marks to Te Tiriti o Waitangi ki te Tairawhiti on 1 June 1840, at Rangitukia (Waiapu).
23. The treaty reaffirmed my right, and protection of absolute chieftainship (tino rangatiratanga) over my land, villages, and treasures. Such treasures include my cultural identity.
24. I am not a New Zealand citizen. My aboriginal right bestowed in my whakapapa pre-dates common law, and my people where here long before the name New Zealand was invented.

25. I am not a Maori migrant from the great waka migrations 1250AD. I have no waka in my pepeha.
26. I am tangata whenua tuturu (pre-migration) or uri-whenua which I consider aboriginal and a descendant of the land.

THE SUPREME IMPORTANCE OF MANA WHENUA

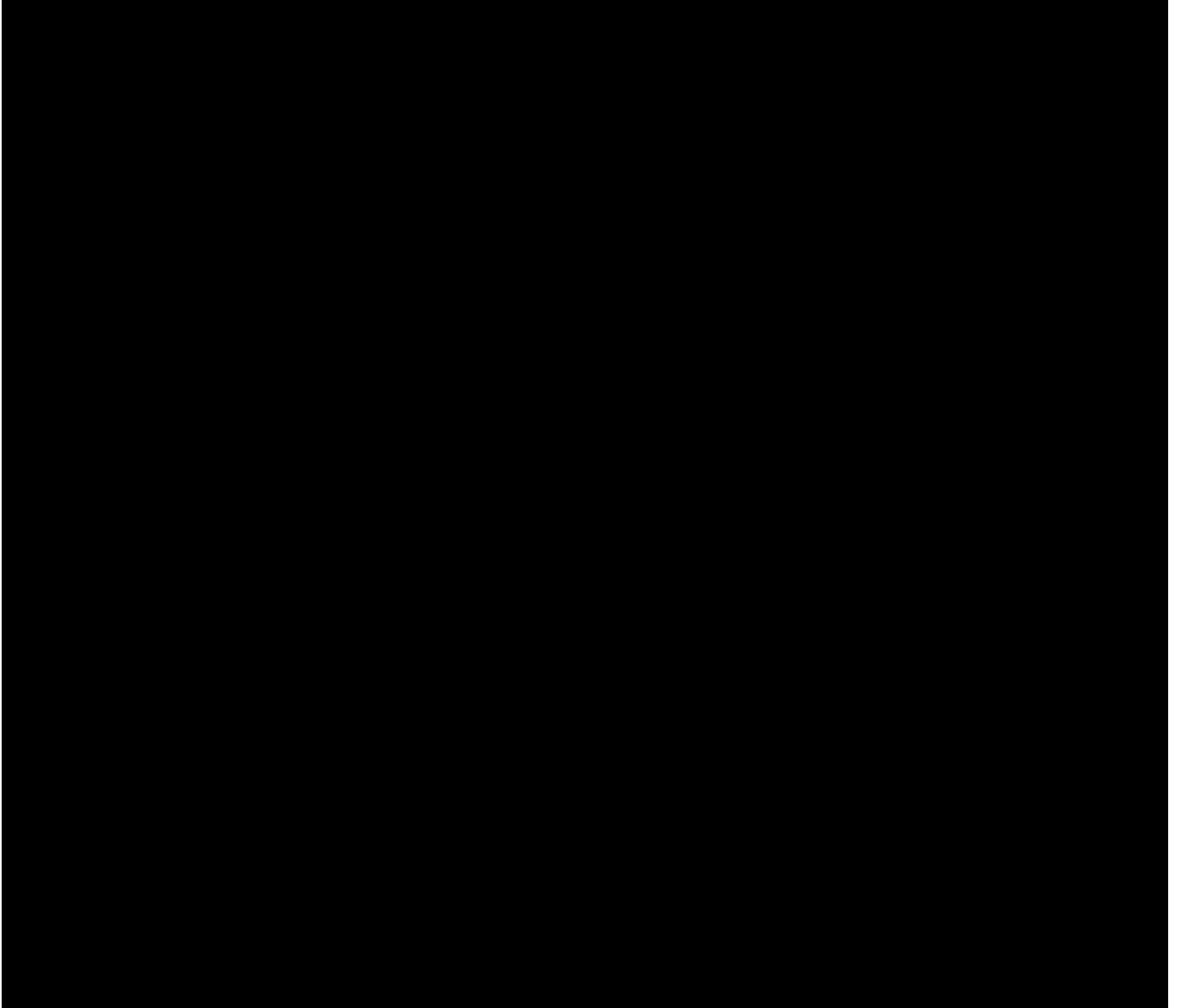
27. As Bob McConnell wrote, Ruawaipu was of supreme importance as the carrier of the mana whenua. To be tangata whenua tuturu you must have a whakapapa to the land. This makes you a natural hereditary sovereign. The Crown is not a natural hereditary sovereign. The Crown based on religious fanaticism is a constitutional sovereign only, made up of constitutional fraud, illegal adoption of foreign law and tyranny to become a what we know of today as a legal fiction.
28. The Crown (settler government posing as Queen Elizabeth II as the self-proclaimed sovereign in right of New Zealand) wants all to believe I am a descendant of the landless ancestor Porourangi who came from the Polynesian migrant Paikea.
29. But my sovereignty is founded upon my indisputable whakapapa to my land. The legitimacy of both the Crown and Ngati Porou in proving their sovereignty is open to challenge, this is because both entities cannot prove inherent rights or title to the land.
30. With one hand, the Crown compels me on a theory of intermarriage that does not comply with tikanga, and to be assimilated into a fictitious Maori group with no aboriginal title to the land. This group, or de-facto iwi is known as Ngati Porou (the descendants of Porourangi from Potikirua ki te Toka a Taiau).
31. With the other hand, the Crown by its law and statutory creations refuse to acknowledge my whakapapa and prohibits any judicial process to have my aboriginal title determined and recognised before an impartial and competent judicial.

32. Ngati Porou could not produce a mana whenua report because Ngati Porou has no mana whenua. To this day, Ngati Porou have never been able to explain how and when they first became possessed of their tribal lands they claim today.
33. It would be unjust of me to make these Ngati Porou allegations without proving the mana whenua of Ruawaipu and her tribal domain (rohe).
34. Therefore, for the purpose of this brief of evidence I will give the mana whenua whakapapa of the Ruawaipu rohe. These whakapapa also include key ancestors connected to Ruawaipu such as Tamaikakea and Kaiawa, who, like Ruawaipu, were also not a descendant of Porourangi.
35. It is also important to note, the Crown in recognising the historical account of Ngati Porou, not only assimilated Ruawaipu into Ngati Porou but removed Tamaikakea and Kaiawa, and many important full-blooded ancestors of Ruawaipu, such as Rakaimatapu, Hinengarangara, Te Hopuhopu and Tahingaroahau of which I am a direct descendant.
36. I believe, as a direct result of Crown actions and omissions, our Ruawaipu history has been re-written under the history of Porourangi. A migrant history that has corrupted and usurped the authentic aboriginal tribes of the East Coast.

MAUI AND TOI

37. As tangata whenua tuturu, we don't care about waka that are manmade. There is one waka however that has significant importance to Uepohatu of which I am also a direct descendant of. This is the waka of Maui.
38. The Nukutaimemeha is a celestial waka of Maui when he arrived from Hawaiki. This waka rests on top of Hikurangi. When Maui in oral traditions fished up (discovered) the North Island, the tangata whenua were already on the ika (island).
39. Toi Kairakau is a descendant of Maui and was tangata whenua. Toi was named after eating bitter fern root, hence the name kai rakau (wood eater). To me, Toi was tangata whenua because he had never tasted the sweetness of kumara kao.

Toi's first taste of kumara kao was from two strangers washed up and stranded on the island . Thus, Toi built a waka made of Totara to bring to kumara back to the land.

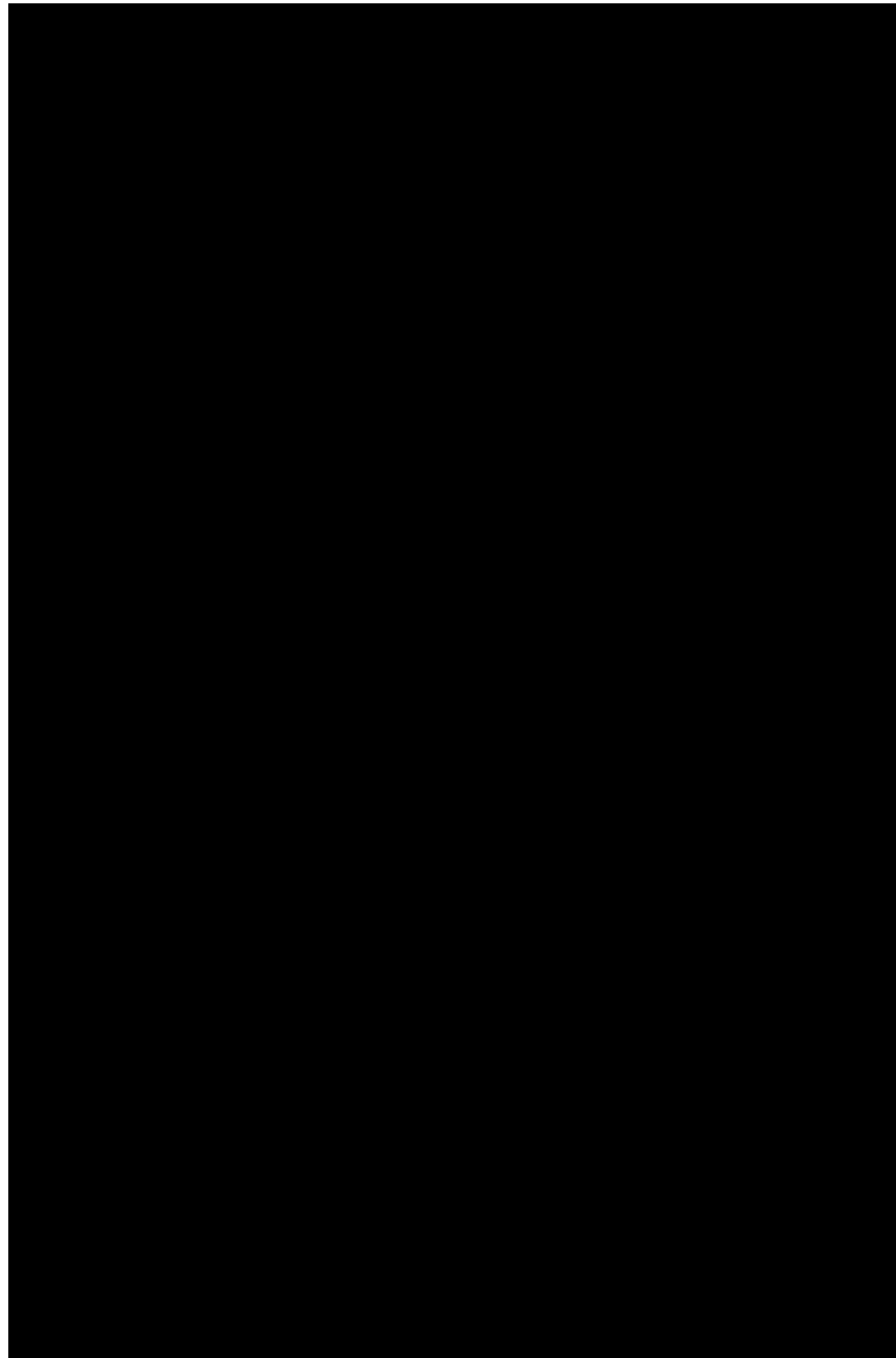


40. Tamahurumanu is a very important ancestor in the makeup of the Ruawaipu people, as he was a tangata whenua descendant of Rauru (Tahatiti branch) from his father Tamakitera, and a descendant of Oho through his mother Pautarariki.

¹⁰ This line is truncated, there is another Toikairakau 3 generations after who begat Oho-matakamokamo

MANA WHENUA SOURCES AND ANCESTORS OF RUAWAIPU HAPU

41. A map was used in the Rauru lectures, showing the East Coast with three names, Ruawaipu, Uepohatu and Ngati Ira. These are the three original sources of mana whenua, to which 7 traditional coastal tribes on the East Coast can claim aboriginal title today. These tribes starting in the North from the Whangaparaoa river are, Ngati Ruawaipu, Ngati Porou proper and Ngati Pokai of the Waiapu valley, Ngati Uepohatu, Te Aitanga a Mate, Ngati Ira (at Tokomaru now under the mana of Hauiti), and Te Aitanga a Hauiti that extends to the Turanganui a Kiwa river in the South at Gisborne.
42. The Ngati Ruawaipu rohe starts from the Whangaparaoa river, along the Raukumara (including Tapatu and Whakaangi) along the southern side of the Maraehara river to the mouth of the Waiapu river, back along the coastline to the Whangaparaoa. The mana whenua sources for the hapu at Wharekahika are Tuiti Matua. Tamatearahia and Hinengarangara for the Kawakawa and Awatere rohe. Tahingaroahau established his mana whenua for the East Cape (Pakihi). Tahingaroahau married Nihomakuru from Tamaikakea (a brother of Ruawaipu). Tahingaroahau's daughter Whatumouri married Kaiawa (also from Tamaikakea). Rakaimatapu and Te Hopuhopu (Parawhenuamea branch) also have mana whenua origins at Kautuku. Te Hopuhopu's descendant Te Rehua married Kurauwia from Nua (1) and Tanetangiia. Nua was the daughter of Muriwhakaputa, and Tanetangiia was the son of Tahingaroahau.
43. These East Cape interests extend to the Waiapu on the southern side of the Maraehara river, and at the mouth of the Waiapu river (northern bank) is Ngati Porou tuturu (Rangitukia, Tikitiki and Poroporo areas).
44. On the southern bank of the Waiapu river to the Reporua stream (Pohautea, Tikapa, Waiomatatini and Kakariki) is Ngati Pokai. Pokai hapu descend from Kauwhakaheia (a sibling to Kurauwia and also a child of Nua 1 and Tanetangiia). Kauwhakaheia begat Nua (2), who begat Kainuku, who begat Pohatu who married Pokai (see Ngati Nua, Nai Tane and Ngati Mahanga whakapapa).



45. All hapu of Ngati Ruawaipu, Ngati Porou tuturu, and Ngati Pokai can trace their mana whenua to Ruawaipu. None of the above Ruawaipu ancestors are acknowledged in Ngati Porou history, except Muriwhakaputa and Tamateaupoko

on claims of intermarriage to Tuere and Uekaiahu (descendants of Porourangi). These claims are however open to challenge.

NGATI RUAWAIPU

46. Ruawaipu is not a descendant of Porourangi. Ruawaipu was born at least 3 or 4 generations before Porourangi. Unlike Porourangi who held no mana whenua or mana tangata, Ruawaipu acquired both attributes. She was the first ever ancestor on the East Coast to be recognised as holding any authority over the land and waters. The customary rights to the land of Ruawaipu are only accepted by birth. This is known as te papatipu o Ruawaipu. Meaning you must be a descendant of her to lay claim to any right of her land, waters and resources. Her descendants have occupied the northern region of the East Coast unbroken to this present day.

47. June Fox told me in the time of Ruawaipu, it was a time of piece.

The original people of Aotea-roa were a fine race. They never made war. The peoples who migrated hither from Hawaiki caused the evil of later times. Should the people of Hawaiki, now living on this island, speak of their superiority, then I will tell of the original people of Aotearoa. The people who came from Hawaiki are like the people who came from England, the *Pakeha*, the white men (both intrusive aliens and both objectionable). The tribes to whom this island belonged were quite distinct people. They were Toi and his clans.¹¹

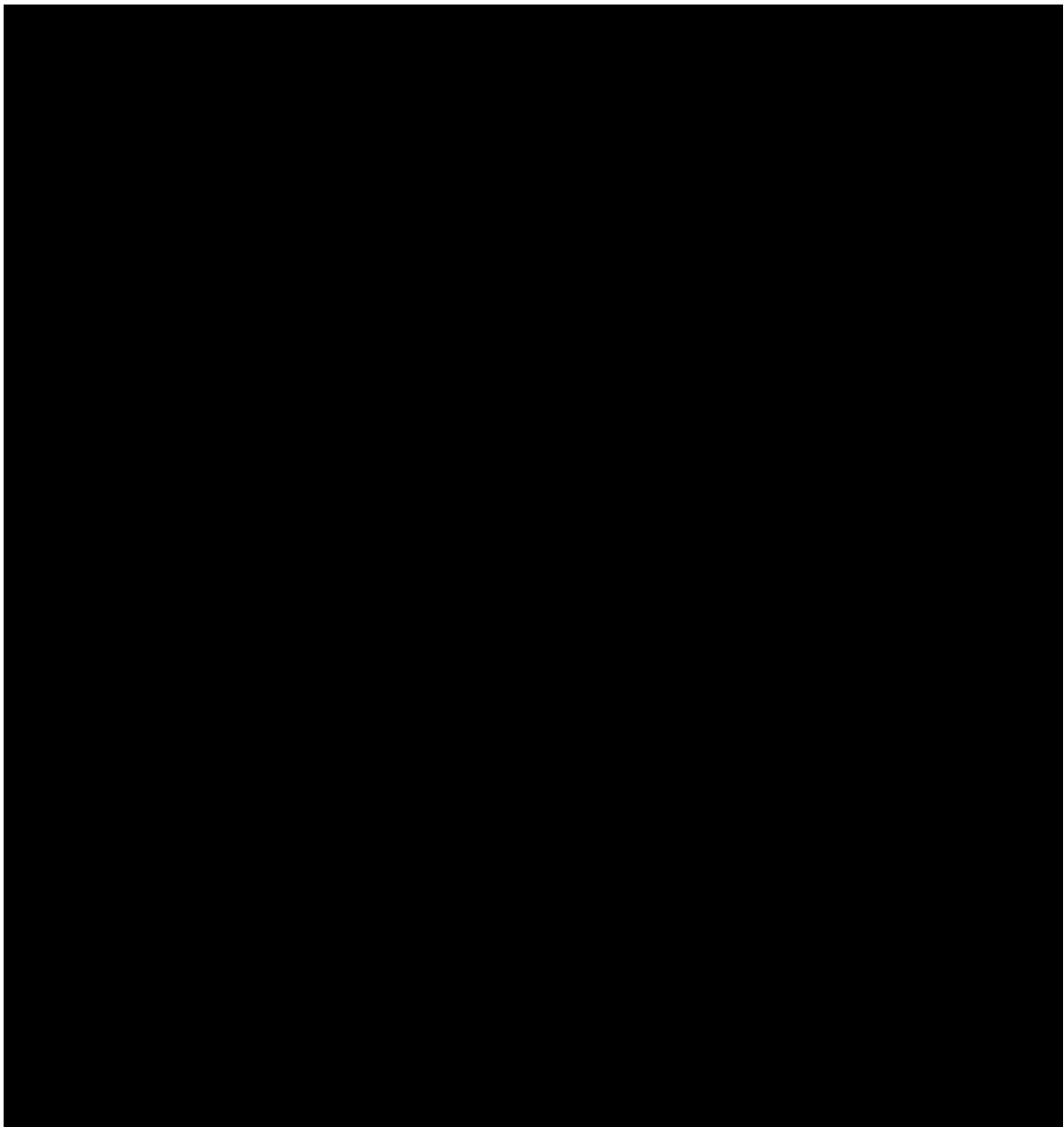
48. All hapu from the Whangaparaoa river to the southern side of the Maraehara river are Ruawaipu hapu. For example;

- Te Whanau a Kauaetangohia (associated with the Apanui tribe)
- Te Whanau a Tapaeururangi; (Ngati Ruawaipu)
- Te Whanau a Te Aotaki; (Ngati Ruawaipu)
- Te Whanau a Tuwhakairiora; (Ngati Ruawaipu)
- Te Whanau a Kahu; (Ngati Ruawaipu)
- Te Whanau a Tamakoro; (Ngati Ruawaipu)
- Ngai Tuere; (Ngati Ruawaipu)
- Te Whanau a Rerekohu; (Ngati Ruawaipu)
- Te Whanau a Hinehou (Ngati Ruawaipu)
- Te Whanau a Hinerupe; (Ngati Ruawaipu)
- Te Whanau a Te Aopare (Ngati Ruawaipu)

¹¹ Simmons D.R. *The Great New Zealand Myth*; page 150.

- Te Whanau a Hunaara; (Ngati Ruawaipu)
- Te Whanau a Rerewa (Ngati Ruawaipu)
- Ngati Hokopu; (Ngati Ruawaipu)
- Ngai Tane; (Ngati Ruawaipu)
- Ngati Nua; (Ngati Ruawaipu)
- Te Whanau a Whaita (Ngati Ruawaipu)
- Te Whanau a Hinepare; (Ngati Ruawaipu)
- Te Whanau a Takimoana; (Ngati Ruawaipu)
- Tinatoka; (Ngati Ruawaipu)

Te Whanau A Apanui



¹² See Gudgeon Part II, p23

49. It is important to make mention of Te Whanau a Apanui and its association with Ruawaipu. Rongomai-te-huatahi was a descendant of Porourangi. This can be traced from Taua, the son of Iranui who married Hingangaroa a descendant of Porourangi.
50. As you can see from the above Tamahurumanu whakapapa, Rongomai-te-huatahi is also a direct descendant of Ruawaipu and Tamaikakea through his mother Hinemahuru. Rongomai-te-huatahi marries Turirangi from Rongotope.

Te Whanau A Kauaetangohia

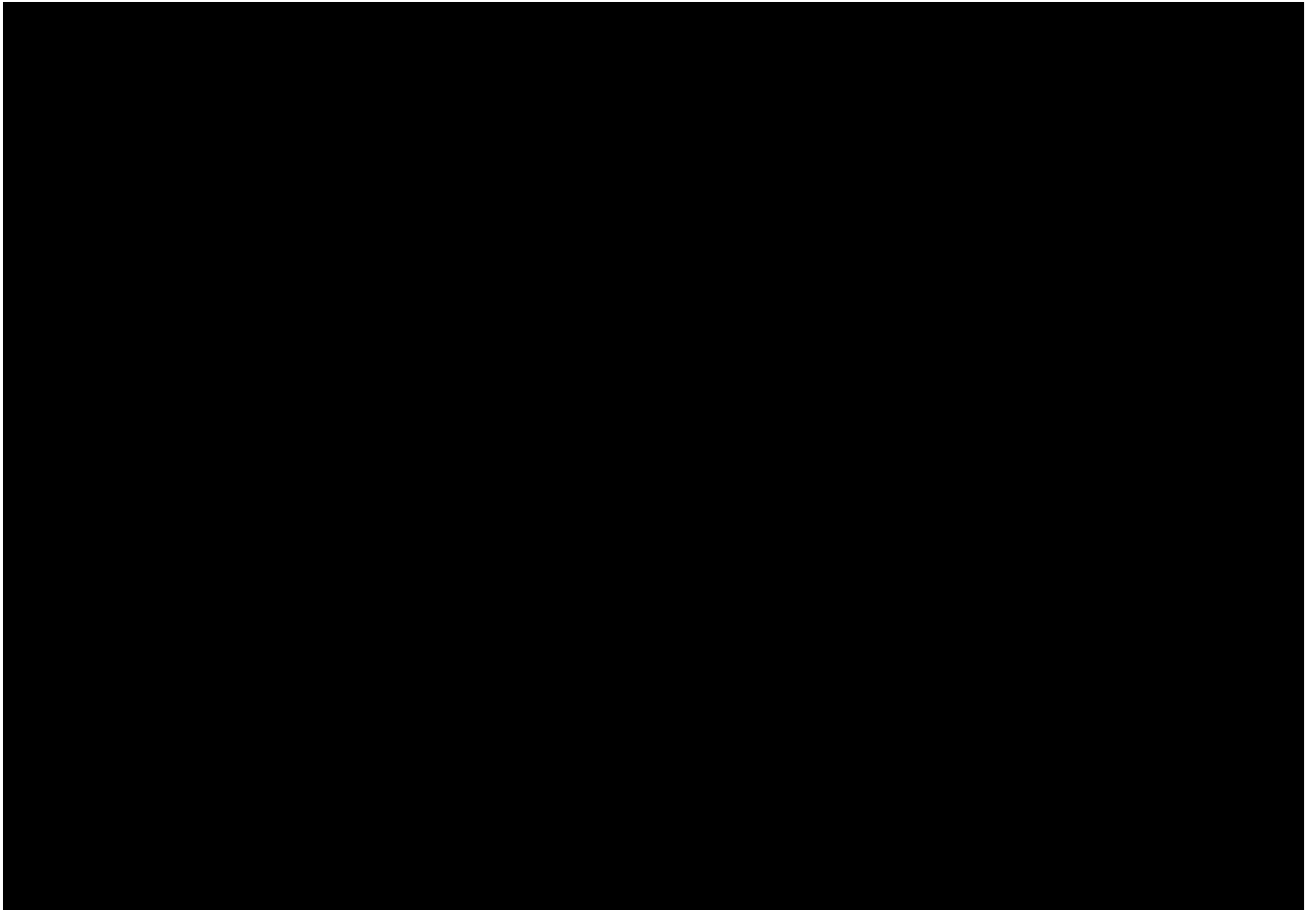
51. The mana whenua for Te Whanau a Kauaetangohia can trace its source from Hinemahuru as a descendant of Ruawaipu. This hapu takes its tribal affiliation with Te Whanau A Apanui. Its marae is called Kauaetangohia, at Whangaparaoa (Cape Runaway). The whare are called Kauaetangohia and Te Putahou. The whare kai is Te Whatianga.

¹³ Hinetera was the daughter of Taikorekore (1), who married her uncle Pararaki. There is a tradition of a Pararaki coming from Whangara with Tuiti. His son (Tautuhiorongo) married Te Aotaki's daughter Anahikoata, see para 260 *Te Papatipu o Ruawaipu*

¹⁴ Daughter of Te Aotaki from Tuiti Matua branch

¹⁵ Te Routokura was the first wife

52. Traditions claimed during early land court title investigations for the Whangaparaoa block include claims through Te Whanau a Pararaki, and Hinerupe who stayed at Whangaparaoa with Hukarere (the brother to Tuwhakairiora).
53. There were also claims through Tuiti Matua and traditions of Rongomaitaurau and Rutunga. Rutunga was the mother of Hinemahuru, and Rongomaitaurau was the grandmother of Hukarere and Tuwhakairiora.



54. Te Whanau a Tapaeururangi reside at Potaka today. Tapaeururangi was a descendant of Hinemahuru, a mana whenua source for Te Whanau a Apanui. The mana whenua for Te Whanau a Tapaeururangi comes from her husband Te Rangihekeiho from Tuiti Matua (the eponymous ancestor of Ngai Tuiti).

¹⁶ Traditions say Ngai Tapaeururangi led by Parao avenged the death of Te Rangihekeiho (1) when he was killed. Parao is recorded as being the younger brother of Rangihekeiho (2). Traditions also say Kino and Tuterangiwhiu (a relative) also avenged the death of Rangihekeiho. The descendants of Tapaeururangi remain today. You can see traditions of Tapaeururangi recorded in Chapter FII of *Te Papatipu o Ruawaiipu* (Wai 900, # A30), September 2009.

Ngai Tuiti

55. Tuiti Matua was born on her papatipu o Ruawaipu lands at Wharekahika. Some say she went to Whangara where the Toi peoples stayed before the birth of Porourangi. Some say she never went to Whangara.
56. Tuiti married Ruatapu-kauae-nui (of Ngati Ira). At the time of Tamakoro and Uetaha's journey to defeat the Nga Oho and reclaim their mothers land (Pukeamaru and Awatere) Ngai Tuiti went with them back on their homelands and intermarried with their Ruawaipu kin at Wharekahika.

¹⁷ There is debate that Pihatewaiora was a man [*Rauru*, Lec 6, p10]. Looking at the table by Ngata, if the Tuere line is right, Uekaiahu would have to be young to ensure Pihatewaiora was not past child bearing age.

¹⁸ Raramatai's wife was from the Whatiupunga line.

¹⁹ Paratene Ngata claimed Hinemaurea (wife of Te Aotaki) as a descendant of Tahanua (brother of Raramatai). Hinemaurea is also claimed as the grandchild of Raramatai. See para's 239-240 *Te Papatipu o Ruawaipu*. Raramatai was also a son of Uekaiahu, (elder brother of Tahanua, Tamakoro and Uetaha).

57. Te Aotaki was a Ruawaipu chief who obtained his mana whenua through the Tuiti Matua branch. The pa of Te Aotaki was Tokamapuhia at Hicks Bay (Wharekahika) where Tuwhakairiora married Te Aotaki's daughter Ruataupare.

Te Whanau A Tuwhakairiora

58. Tuwhakairiora was the most famous warrior on the East Coast. His mana tangata stretched from Hicks Bay to as far as Waipiro Bay. What is also of great significance that he never claimed mana whenua.
59. On Tuwhakairiora Gudgeon writes;

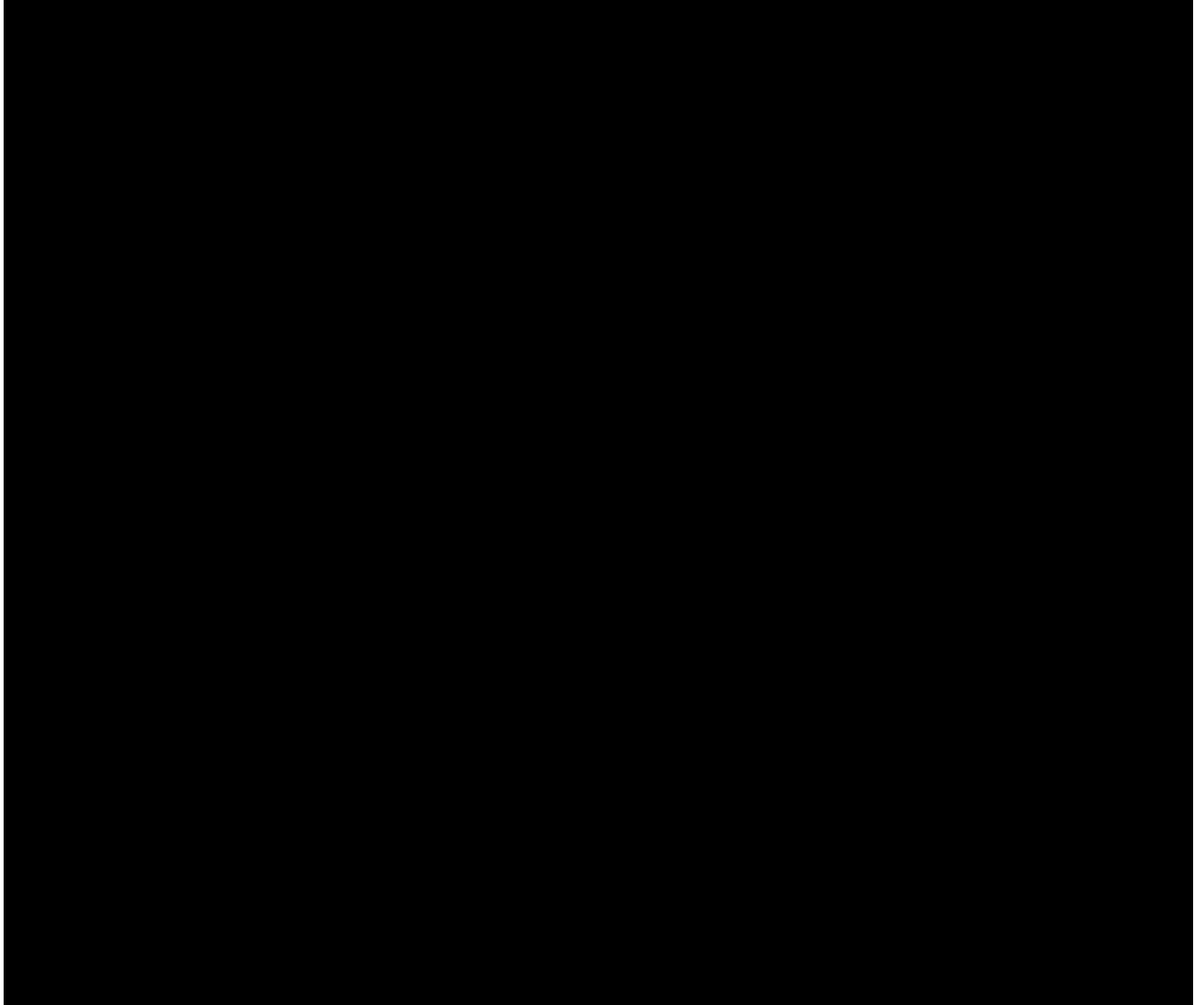
“Tuwhakairiora, is very properly claimed as a descendant of Porourangi, but, until lately, the name of Ngati Porou did not properly apply to the tribes living to the north of the East Cape. They were known as the Whanau-a-Tuwhakairiora. The descendants of this man occupy the sea coast from the East Cape to Cape Runaway and inland to the watershed dividing the Bay of Plenty from the East Coast – that is, all the ancient territory of Ruawaipu, Ngai-Tu-moana and other tribes, the descendants of Toi”... “Indeed, they were descendants of Tuere and Ruawaipu, by whose aid Tuwhakairiora won all his battles, viz., the *Hapus* known as Ngati-manu, Ngati-Rongo-topunui and Ngati-Parahiko, men who still own the land they were then in possession of and who claim it by descent from their great ancestor Rua-waipu”. ... [Gudgeon W.E. - *JPS* Part II pages 29-31]

...“In the third class we have two tribes who were anciently of great importance, viz, the Whanau-o-Ruawaipu and the Ngati Uepohatu. Of the first-named tribe, who once owned all the country lying between the Waiapu River and Whare-kahika, there are now the following hapus extant [living]: -

- (1) Whanau-a-Tuwhakairiora
- (2) Ngati- Rakai-matapu
- (3) Whanau-a-Kahu
- (4) Ngai-Tane

When the Ngai-Oho had been finally driven out of the country, the Kawakawa and Wharekahika lands were divided between the Ngai-Tuiti, Ngai Tuere, and other sections led by Tamakoro and Uetaha; and these people intermarried with the independent hapus of Ruawaipu descent, who held the bush country inland of Horoera, namely the Ngati-Manu, Ngati-Rangi-topuni, and others, so that at present day, it is scarcely possible to find one person of the Whanau-o-Tuwhakairiora who are not descendants of Ruawaipu” [Gudgeon. W.E. *JPS*: - *The Maori Tribes of the East Coast of N.Z.*, Part III, page 180.]

60. Claimed by Ngati Porou as a descendant of Porourangi, in which of course he was, but Porourangi wasn't his only ancestor. Tuwhakairiora also descended from Ruawaipu and Tamaikakea. Tamaikakea is not acknowledged by Ngati Porou.



61. Tuwhakairiora's marriage to Ruataupare was strategic, as his mother was Te Ataakura who with her sister Materoa were daughters of Poroumata from Porourangi. The father of Tuwhakairiora was Ngati Hau of Ruawaipu stock. Tuwhakairiora would use the Ruawaipu people to destroy the Ngati Ruanuku at Whareponga and avenge the death of Poroumata.

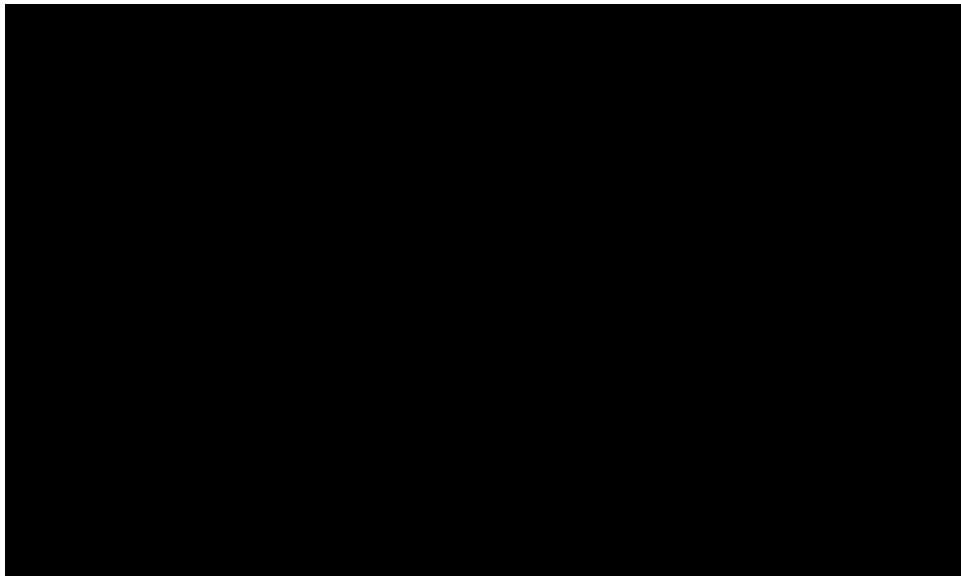
²⁰ Te Whanau a Rakairoa and Te Whanau a Te Haemata reside at Waipiro Bay. It is said that Te Ihiko the second wife of Tuwhakairiora gifted land to her younger sister Rakairoa (2). You can see on page 51 in *Soutar's* thesis how Rapata Wahawaha and Apirana Ngati descend from these ancestors.

²¹ Tinatoka married Te Rangikapitiao, a descendant of Rua-ariki and Toroa (captain of the Mataatua Waka). See *Horouta*, p260

62. Some say that Mokai a Porou was a founding ancestor of Ngati Porou. Mokai a Porou and his brother Rakaipikirarunga were warrior sons of Tamahinengaro. The brothers both married Uhengaparaoa (recorded Whangaparaoa in our traditions). A high-born lass, and granddaughter of Uekahikatea from Opotiki.
63. From Rakaipikirarunga and Whangaparaoa, a daughter Rutanga was born (an ancestor of the Whanau-A-Apanui tribe). When Rakaipikirarunga was killed in battle Mokaia Porou took Whangaparaoa as wife (by custom). From this union, a daughter Rongomaitauarau was born. Ngata recalls Rongomaitauarau as an ancestor who shares the highest place in the studbook of Ngati Porou alongside other descendants of Porourangi, such a Hinkehu and Whaene.

²² Uhengaparaoa (Whangaparaoa) from Uekahikatea [See *Tuwhakairiora whakapapa*], Halbert records Tumoanakotere of Ngati Rongomai, *Horouta*, pg 129. Tumoanakotere was living at Whangara until just prior to his exile to Opotiki [see Gudgeon JPS, Part II, p30]

64. There were three sons of Rongomaianiwaniwa 2 (not Rongomaianiwaniwa 1 the daughter of Porourangi). Uenukukahutia, Tamataua and Tumoanakotere was the youngest son. Tumoana married both daughters Rutanga and Rongomaitaurau.²³
65. As noted, Tuwhakairiora was a descendant of Mokaia-Porou from Rongomaitaurau's son Ngati Hau (Tuwhakairiora's father). Both of Rongomaitaurau's parents Mokaiaporou and Whangaparaoa (Uhengaparaoa) were also direct descendants of Tamaikakea.

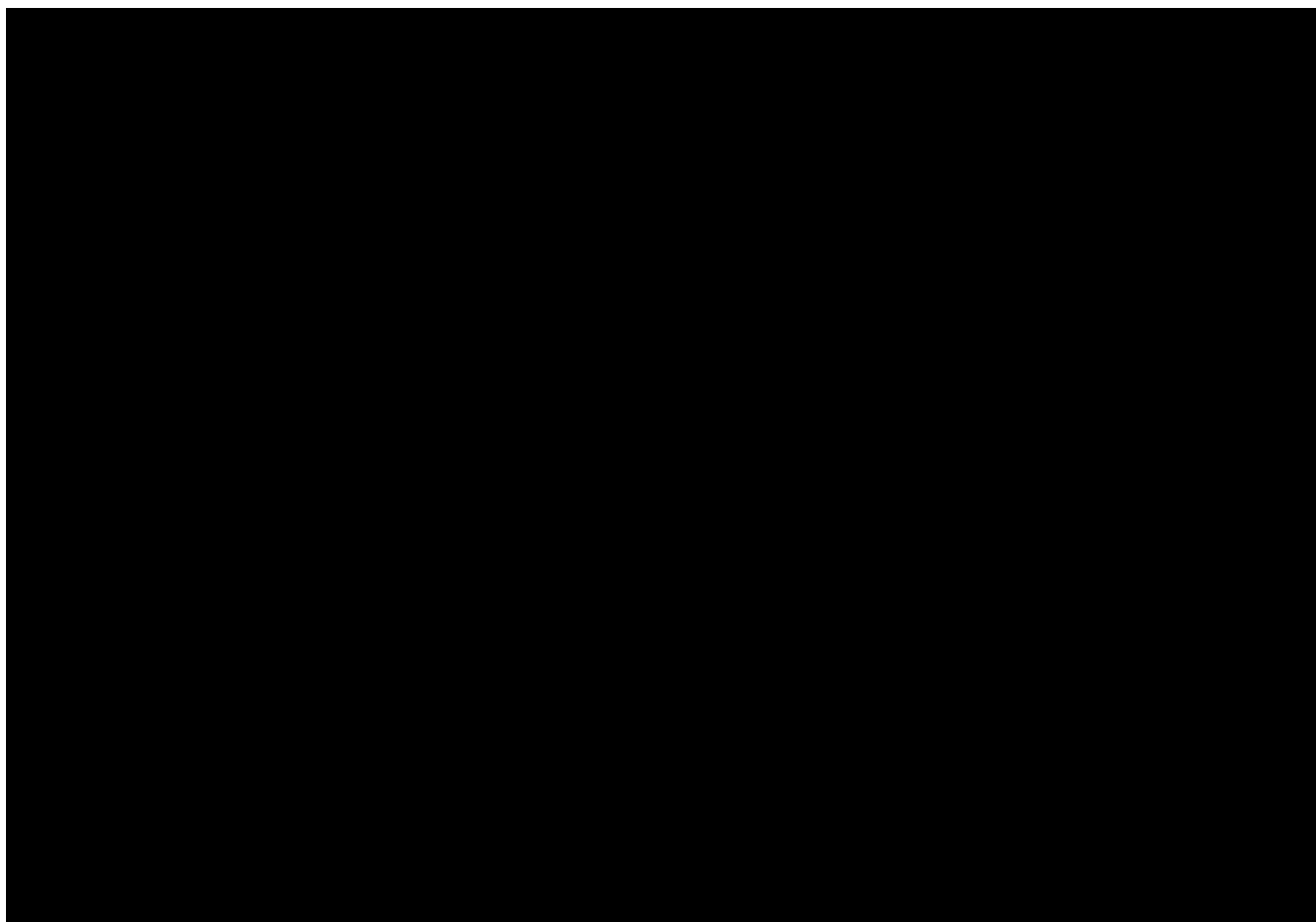


²³ Lecture 5, p8

²⁴ The Goldsmith-Collier Book records Tamaikakea as a brother to Ruawaipu and Ariaterangi as a child of Urumaraki (sister to Aiorangi). Ngata claims Ariaterangi [Lec 2, p15] as a lesser wife of Taiau. This is impossible because Porourangi with Aiorangi & Ariaterangi were born at the same time period. This is why the Ngata table in Rauru Lecture 5, p8 shows the generations do not match up, because Ngata placed the descendants of Ariaterangi / Aiorangi under Taiau (from Porourangi). The Rauru tables record Ariaterangi and Taiau who begat Tahitokurumaranga, who begat Nihomakuru, who begat Tanetangiia. Halbert records Nihomakuru and Wharawharaterangi as two daughters of Aiorangi [Horouta, p226]. Noho Koia has Ariaterangi as a sister to Rerepuatai, this makes sense of a time period for Ariaterangi to marry Taiau. But Halbert records only two daughters of Kaiawa and Whatumouri, who were Rerepuatai and Hinegaehe born at Pouretua and taken to Kaiti by Kaiawa when their mother died [Horouta, p184]. Halbert shows Hinegaehe and Taiau as ancestors of Ueha [Horouta, p321. The Papatipu Minute for Pakihi 1 & 2 at pp85ff also record "Rerepuatai and Hinegaehe." What we can confirm is that Ariaterangi was a descendant of Tamaikakea. It is possible that Ariaterangi was the mother/ancestor of Nihomakuru (who then married Tahingarohau). The Rauru Lectures record Kaiawa from Aiorangi. Also note, the Aiorangi above is not the Aiorangi from Rongowhakaata.

Ngai Tuere

66. Ngai Tuere, at present day is a Ruawaipu section and comprises of the Tamateaupoko branches. It is said by Ngata there were two Tuere, a Tuere of the Toi branch who fought the Paikea peoples at Whangara, and Tuere from Porourangi who married Muriwhakaputa a descendant of Ruawaipu.

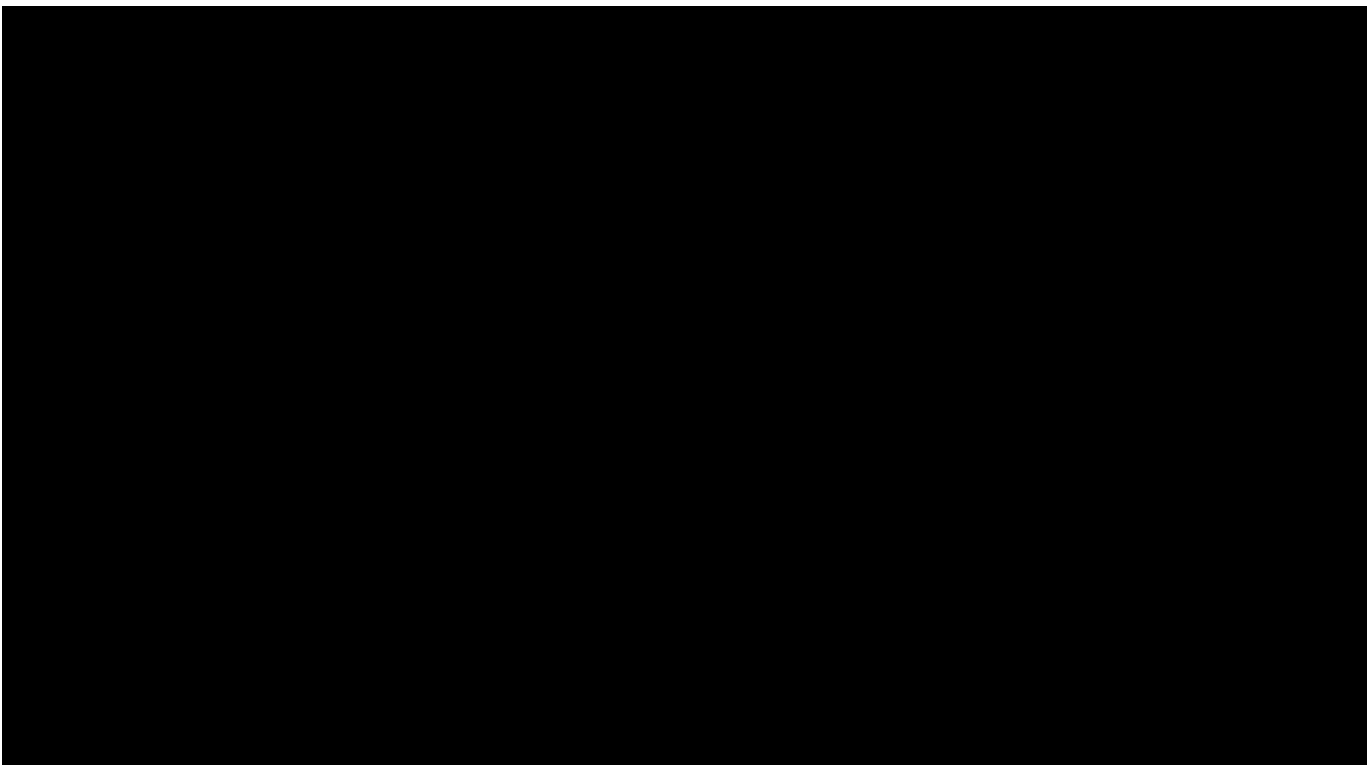


67. In the above whakapapa the generations match from Rakairoa and Rerepuhitai to Ruawaipu. Rakairoa married Te Aohore and Rerepuhitai married Taiau from Porourangi. This would place Muriwhakaputa and Tahingaroahau at the same time period as Porourangi. It would also place Tamatearahia at the same time as Porourangi meaning his daughter Tameateupoko would marry Uekaiahu the great great grandson of Porourangi. We should use caution on Ngati Porou claims that Tuere of Porourangi married Muriwhakaputa because there is discrepancy in the time period. Tuere being a male and Muriwhakaputa being a female creates more discrepancy, as Muriwhakaputa being a female has a limited time in conceiving children.

68. It also brings to question the time period of Tamateaupoko and Uekaiahu. The genealogy given at page 48 of my supplementary evidence shows Uekaiahu was very remotely connected to Porourangi, except for the claim that Muriwhakaputa married Uekaiahu.
69. Nevertheless, when the Ngai Tuiti and Ngai Tuere branches resettled on their Ruawaipu lands after the defeat of the Nga Oho, they married back into the descendants of Ruawaipu.
70. The Ngai Tuere are a cluster of whanau as follows, Whanau a Tamakoro, Whanau a Hinerupe, Whanau a Kahu, Whanau a Te Aopare, of the Awatere - Karakatuwhero region (Te Araroa-Kawakawa).

Te Whanau a Kahu

71. The mana whenua origins are through Tamateaupoko (a full-blooded descendant of Ruawaipu). Her father was Tamatearahia a Ruawaipu chief at that time of the Nga Oho incident. Tamatearahia was a descendant of Ruawhaitiri (a child of Ruawaipu). It is said Ruawhaitiri obtained the land from Ruawaipu starting from the Waipapa stream (at Horoera) to the Whangaparaoa river. Tirahaparae of the Parawhenuamea branch married Tamatearahia.
72. The union of Uetaha (a son of Tamateaupoko) and Rongomaitapui had produced three daughters who, became widely known as the bell birds of Rongomaitapui. Te Aopare inherited lands between the two rivers, the Awatere and the Karakatuwhero. Tamateakui was given the land between the Karakatuwhero and Te Koau while Hinerupe the youngest of the three daughters occupied the Whangaparaoa with her husband Hukarere.
73. Kauwhakatuakina was a son of Tamateakui and a great warrior who fought with Tuwhakairiora. Kauwhakatuakina is the founding ancestor of Te Whanau a Kahu. Te Whanau a Kahu (Ngai Kahu) are a coastal hapu at Tokata (northern end of Te Araroa).



Te Whanau A Te Aopare

74. Te Whanau a Te Aopare are a hapu inland of Tapatu at present day where Ngai-Tamateaupoko and some descendants of Rakaimatapu lived.

Te Whanau a Hinerupe

75. Te Whanau a Hinerupe are a coastal hapu. Hinerupe and Hukarere established their home at Rangihuanoa, which is the flat-topped hill above Whaeroero swamp, and Waikoriri Stream. The marae is at the southern end of Te Araroa (Whetumatarau). The wharenui is Hinerupe, and the whare kai is Rongomaitapui.
76. Hinerupe was a Ruawaipu chieftainess, a woman of great leadership. Awatere marae is also another marae of Hinerupe, represented by Te Whanau a Hinerupe. The wharenui there is named Te Aotaihi (a daughter of Hinerupe). You will also find Te Whanau a Hinerupe at the Waiapu established by her descendants Makahuri and Kaurai.

77. After a quarrel with Tuwhakairiora, Hinerupe left Whangaparaoa and went to her sister Te Aopare, where Te Aopare would give Hinerupe land between the Karakatuwhero and the Awatere, the fishing grounds of Kawakawa and the vast forest lands south of Whetumatarau.
78. Tuterangiwhiu was the first-born son of Tuwhakairiora who married Te Atahaia and Te Aotaihi (daughters of Hinerupe). Hukarere 2 was a son from Te Aotaihi and the father of Rerekohu. Makahuri and Karuai were sons from Te Atahaia. They would carry the mana of Hinerupe and establish their own land rights in the Waiapu.

Te Whanau a Tamakoro

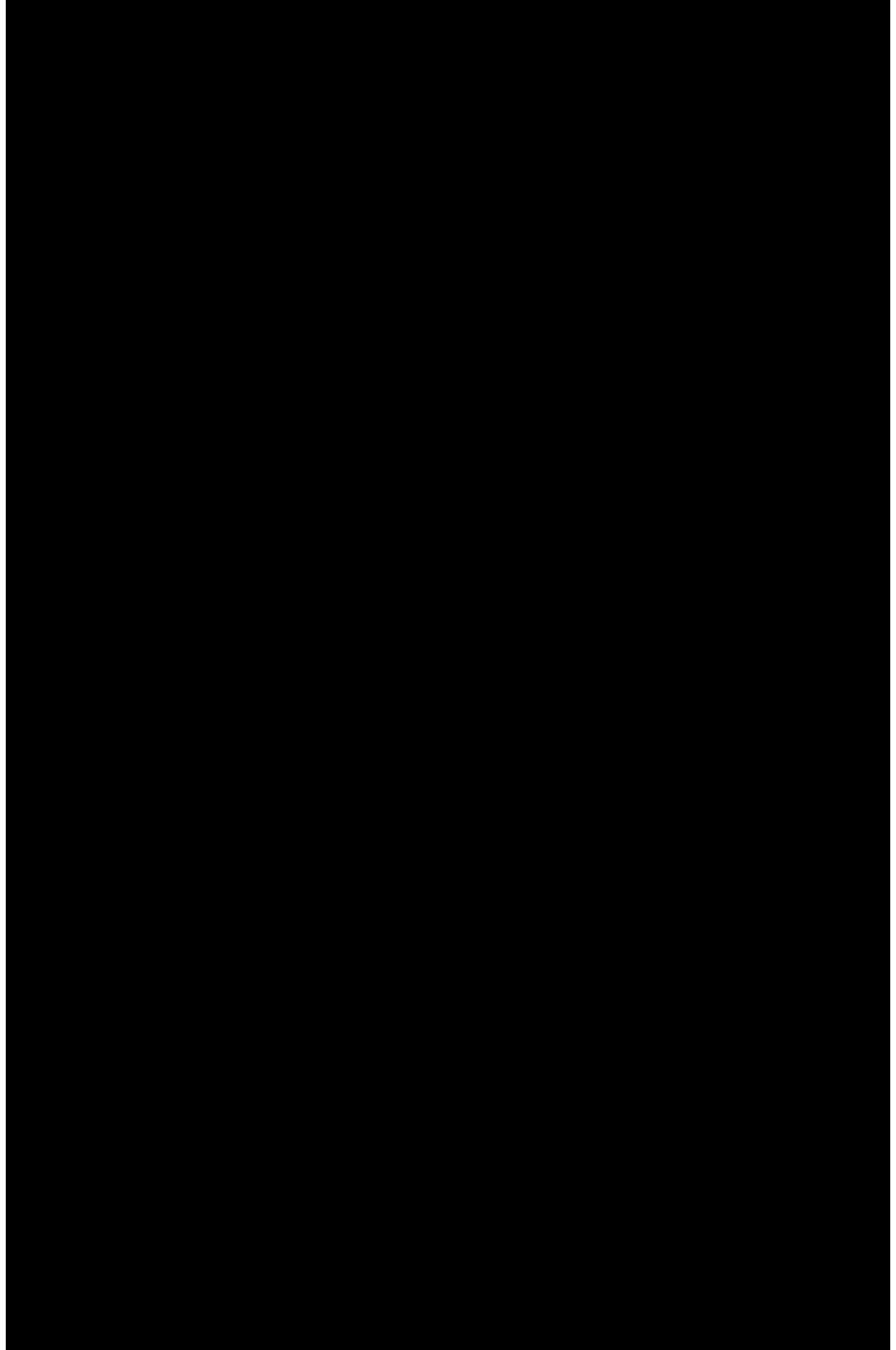
79. Tamakoro was another son of Tamateaupoko and great warrior who with his brothers Uetaha, Tahanua and Raramatai avenged the death of their grandfather Tamatearahia by the Nga Oho and reclaimed their mothers land belonging to Tamateaupoko.
80. Te Whanau a Tamakoro are a present day hapu who reside at Te Araroa. Again like Whanau a Kahu, Te Whanau a Tamakoro (Ngai Tamakoro) has a strong Ruawaipu whakapapa. Tutua Marae is the marae for this hapu where the descendants still reside.

²⁵ Tamakaitaua is from Umutapi (child of Rakaitemania-Iwirakau) and Hineteao.

²⁶ There is a Kaihau who marries Iwitaia (2). Iwitaia (2) is the child of Tuterangiwhiu (1)

Te Whanau a Rerekohu

81. Te Whanau a Rerekohu are a present day hapu of Te Araroa-East Cape. Rerekohu was a great grandson of Tuwhakairiora and Ruataupare, and Hinerupe and Hukarere.



²⁷ The Te Araora descendants of Uruahi come from Te Uhunuioterangi, the Waiapu descendants of Uruahi come from Rerekohu

82. Te Whanau a Takimoana marae is Ohinewaiapu at Kautuku while Te Matahi o te Tau at Horoera is the marae for Te Whanau a Hunaara. As you can see above, the whakapapa is intertwined.

²⁸ Halbert also has Tamatauirā (1) as a child of Tahingarohau [*Horouta*, pg 322].

²⁹ Wharawharaterangi marries Ueangore who was a descendant of PAWA and KIWA, see table on p44, Walker .V. *Te Kani a Takirau* , a thesis for MA Degree, Massey University, 1997

³⁰ Tawakeoneone parents were Rongomaikairae and Whatiuawhatiwhatikuamo. Whatiuawhatiwhatikuamo was a full blooded descendant of Ruawaipu through the Whatiu-a-Punga branch.

³¹ Hiakaitaria a Wahine-iti chief associated with Porourangi

³² Whakaohonga is the sister to Takimoana (1). Whakaohonga expelled Takimoana (1) when he broke her rahui over Whangaokena Island.

Ngati Nua, Ngai Tane, Ngati Mahanga and Te Whanau A Hinepare

83. Ngai Tane, Ngati Nua and Ngati Mahanga. These are ancient Ruawaipu hapu with mana whenua sources from Tahingaroahau and Hopuhopu. Hopuhopu, like Tahingaroahau is another pure Ruawaipu line.

[235] According to Henare Rukuata, Ngai Tane were the descendants of the marriage of Tanetangohia and Nuia. Their children were Kauwhakahea and Kurauia. Kurauia ‘grew up and married Rehua of the papatupu’.... His father, Enoke Rukuata, who lived at Waioratane, identified himself at the same hearing as Ngati Nua and Aitanga a Tane. His smaller names were Whanau a Takimoana and Ngati Hokopu. According to Rahera Raira, Ngati Nua described the descendants of Tamatea Mahanga (he identified Nua and Nuia as the same person). Henare whakapapa shows that Tamatea Mahanga was the grandchild of Rarawa who married Pohatu son Te Haka o Te Tau.³⁹

³³ Te Hopuhopu is also a mana whenua source.

³⁴ Niua 1 and 2 are also spelt Nua, or Niwa.

³⁵ Rakapa Koia says Tamatea-Mahanga and Porou-ka-heke-i-te-rangi were brothers. They may also have been step brothers. *Te Papatipu o Ruawaipu* para 405 records Rarawa and Tawara as siblings to Porou

³⁶ Rakapa Koia has Mahara as a brother to Porou-e-ono. Halbert has Mahara as a child, *Horouta*, p345

³⁷ Aongarehunui was a child of Rarawa (2) and Kirianu (a child of Tuwhakairiora and Te Ihiko)

³⁸ Tuwhararakau a son of Takimoana (1), some say Takimoana (2)

³⁹ *Te Papatipu o Ruawaipu*, para 235

“Concerning Ngai-Tane, there is little to be said. They are sometimes spoken of as Ngati-Mahanga, and occasionally as Ngati-Niwa; but their general name is Ngai-Tane, in recognition of the fact that they are descended from Kura-uwia, a son of Tane-tangia, who married Rehua. This tribe occupies both banks of the Maraehara River between Waiapu and the East Cape.” - [Gudgeon, Part III, p 180]

“Ngati Hine-pare are also closely connected with the Ngati-Mahanga, descendants of Ruawaipu, and now form one tribe.”⁴⁰

Hirau, the eldest daughter of Tuiti Matua and her family actually preceded Ngai Tuere and settled in the region extending from Ipuarongo-Kaheke (near the Maraehara river) north to Porahu (Horoera). In the time of Mataura⁴¹, her son, the land was divided up with Ikawhakatara, Rangimakaua and the Ngati Nua, taking the seaward or outer boundaries. When Mataura married Hinepare, they lived first at Tamataurei Pa (East Cape) one of the chief pa of the Ngati Ruawaipu. Later they shifted to Pukekiore Pa on the southern boundary of his lands where he and his descendants continued an unbroken occupation for some 300 years..... Mataura’s two grandsons, Rarawa and Porou, were both great warriors.⁴²

84. Two important ancestors of these tribes are two brothers Kauwhakaheia and Kurauwia (sons of Tanetangiia and Nua). Kurauwia married Te Rehua (a descendant of Te Hopuhopu) who obtained Ruawaipu lands as papatipu. Ngai Tane and Ngati Mahanga have land interests in both banks of the Maraehara river and extends to the Waiapu where you will find Te Whanau a Hinepare at Rangitukia.
85. Kauwhakaheia married Rongohaere (1) the granddaughter of Rakaimatapu to which Ngati Nua and Pohatu (the wife of Pokai) descend. Kauwhakaheia land interests extend to the southern bank of the Waiapu (Ngati Pokai).

Hinepare

86. Te Whanau a Hinepare reside between the Waiapu and Maraehara rivers, and although Hinepare is a progenitor of Ngati Porou tuturu being a daughter of Tamataua and Te Ao Kairau, she is also associated with Ruawaipu. Other connections include Ngati Nua, Nai Tane, Ngati Mahanga, Te Whanau a Rerewa and Ngati Hokopu.

⁴⁰ Gudgeon, W.E. – JPS: “*The Maori Tribes of the East Coast of New Zealand*,” 1895 - Part II, p29

⁴¹ See paragraph 153, Matauru was claimed by Ketu as a descendant of Ruawaipu, at paragraphs 163-164 Matauru was classed as a descendant of Porourangi-Hauiti. It was determined that he had no papatipu rights in the land. *ibid.*,

⁴² Kohere, R - HE WHAKAMARUMARU MO TE IWI ME TE WHENUA, pages 98-99

87. Hinepare married Hirau a grandson of Tuiti-Matua their descendants were Rarawa and Porou (kaheke-iho-te-rangi) to form Te Whanau a Rarawa and Te Whanau a Porou. See Ngati Porou tuturu for Hinepare whakapapa.

RONGOMAIANIWANIWA AND NGATI RONGOMAI

88. Before going into Ngati Porou tuturu and Ngati Pokai and their mana whenua sources, it is important to explain the origin of Rongomaianiwaniwa. Rongomaianiwaniwa is an ancestor connected to both Ngati Porou tuturu and Ngati Pokai. Descendants of Rongomaianiwaniwa (2) have immaculate genealogy to the Hawaiki ancestors.

89. Rongomaiwharemanuka was a son of Pokai. Rongomaiwharemanuka begat Te Aokairau who married Tamataua. It is said Tamataua was the son of Rongomaianiwaniwa (a daughter of Porourangi). Again this is not possible.

[432] According to Noho Kopuka, Ngati Rongomai were the descendants of Uenukahutia and others. It was Ngati Rongomai (rather than Uenukahutia specifically) who were driven from Opotiki to the Awatere valley and then from there to Pakihi where they were brought by Te Aokairau to Pohooterangi....Noho [Kopuka] subsequently added that Rongomaianiwaniwa and Rongomaiwharemanuka were 'sub hapus' of Ngati Rongomai and Te Aokairau belonged to Rongomaiwharemanuka.⁴³

90. As both Ngata and Gudgeon have pointed out, it is not possible for Tamataua to be the son of Rongomaianiwaniwa (1) as the generations do not match.
91. I believe Tamataua was a son from the second Rongomaianiwaniwa (see Ngati Porou proper whakapapa). Rongomaianiwaniwa (2) married Tawhakika who was a descendant of Tamanuitera and a nephew of Kaiawa from Tamaikakea.
92. This also makes the Pokai line truncated. It also means the Pokai that married Pohatu was a contemporary and not the Pokai from Whironui.

⁴³ *Te Papatipu o Ruawaipu*, 432

NGATI POROU TUTURU

93. I also affiliate to the traditional tribes of the Waiapu known as Ngati Porou tuturu and Ngati Pokai who both have a right as autonomous tribes, but I have taken my claim under Ruawaipu because her mana whenua extends to both these tribes.
94. There is a big difference between Ngati Porou (the descendants of Porourangi), and Ngati Porou tuturu (the tangata whenua of the Waiapu valley). I have covered Ngati Porou tuturu in my supplementary evidence. It is common tradition that Te Aokairau distributed her papatipu o Ruawaipu lands to her four children, Hinepare, Putaanga, Huanga and Rakaimataura.
95. Soutar gives the Ngati Porou boundary from Kopuakanae, at the mouth of the Waiapu river, to Paoa-o-Ruku Stream (twenty kilometres inland).

⁴⁴ Ngata in the *Rauru* lecture 4, p6 has Rongomaituaho, Te Aomarama, and Tataiarorangi coming from Paikea. It extends to Hinehuhuritai and Manutangirua. This is not a Porourangi line.

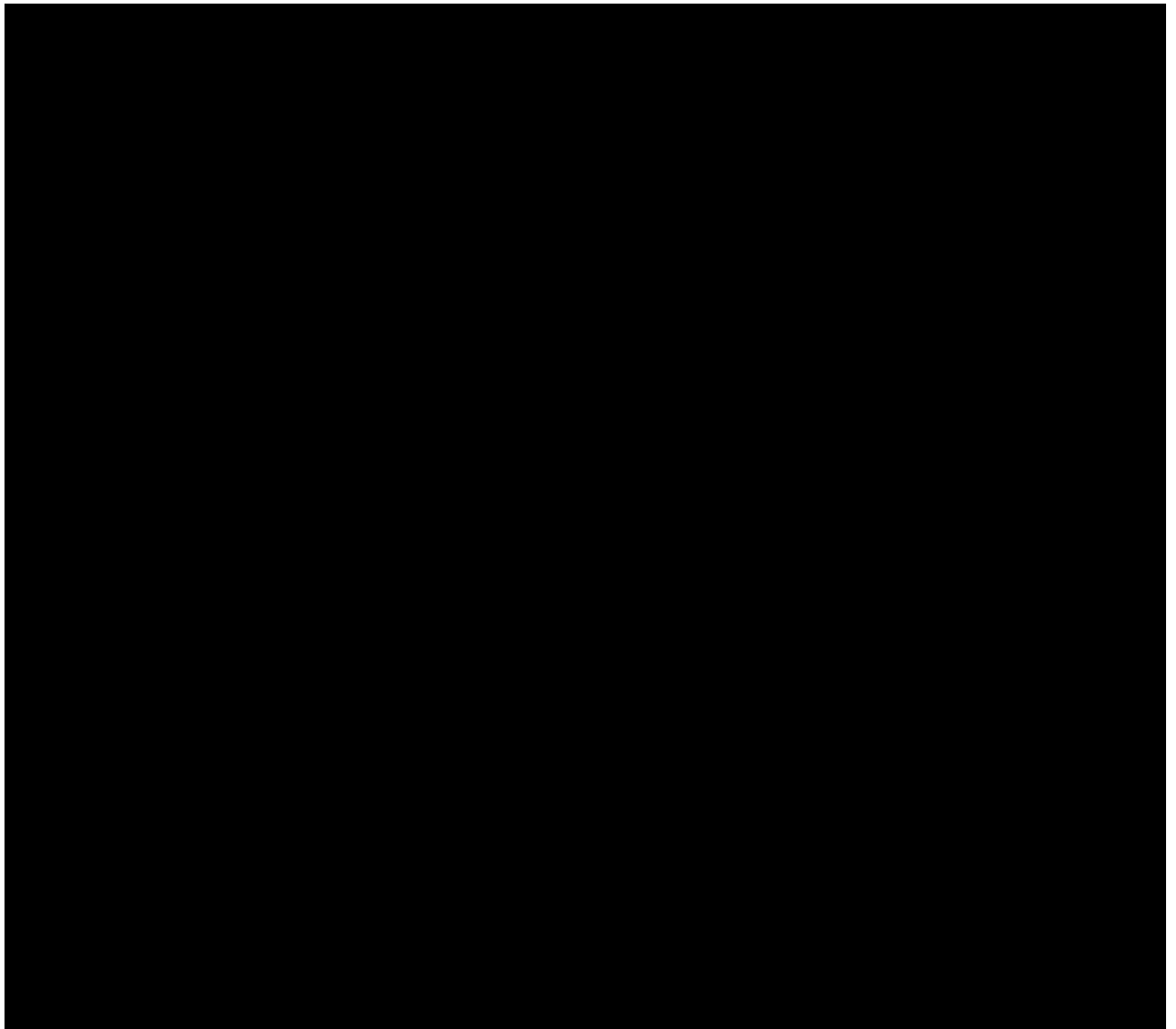
⁴⁵ You can view this Uetekoroheke line in *Rauru*, Lec2,p11, Ngata has this ancestor as (1), but the correct generational time period show it should be Uetekoroheke (2).

⁴⁶ You can see this Awapuru 2 version in *Rongowhakaata Traditional History Report* p8

⁴⁷ You can see this Tawhakika and Rongomaianiwaniwa line in *Horouta*, pg 272 and pg 326. Halbert also has Rongomaianiwaniwa (2), Tangiheakotea and Tangihaereroa as children of Awapuru (2)

96. The hapu today associated today in the Ngati Porou tuturu rohe are as follows;

- Te Whanau a Tapuhi; (Ngati Porou tuturu)
- Ngati Putaanga; (Ngati Porou tuturu)
- Te Whanau a Rakaimataura (Ngati Porou tuturu)
- Te Whanau a Hinepare (Ngati Porou tuturu)
- Te Whanau a Porou; (Ngati Ruawaipu/Ngati Porou tuturu)
- Te Whanau a Rerewa (Ngati Ruawaipu/Ngati Porou tuturu)
- Te Whanau a Karuai; (Ngati Ruawaipu)
- Te Whanau a Hinerupe ki Waiapu (Ngati Ruawaipu)



⁴⁸ There are also traditions that Tamataua and Te Aokairau had a fifth child called Tamatohukore. The history of this ancestor is vague, some traditions do not tell of land going to this child, while some say Tamatohukore was to share in a Putaanga allocation.

⁴⁹ The descendants of Huanga have been absorbed by Tapuhi

⁵⁰ Te Rangikapitia was a direct descendant of Huanga who married Pona. (see para 70 *Te Papatipu o Ruawaipu*) This line is abbreviated because a full genealogy is not complete at present.

97. To be a descendant of Ngati Porou tuturu you must descend from Te Aokairau and Tamataua. The mana whenua of Ngati Porou tuturu derives from Ruawaipu to Te Aokairau who obtained her lands as papatipu. The marae in the area today is as follows;
- Hinepare marae at Rangitukia, Te Whanau a Hinepare
 - Te Ao Hou marae at Rangitukia, Koia whanau and main hapu Te Whanau a Tapuhi
 - Taumata o Tapuhi marae, at Rangitukia, Te Whanau a Tapuhi (wharenui is Te Aokairau, and Wharekai is Hinemanuhiri, the first wife of Tuterangiwhiu)
 - Putaanga marae (at Tikitiki) main hapu Ngati Putaanga
 - Rahui marae, (at Tikitiki) the whare tipuna is Rongomaianiwaniwa main hapu is Rakaimataura and Te Whanau a Hinerupe.
 - Kaiwaka Marae, Ngati Putaanga and Hinerupe.
98. Although Hinepare is a progenitor of Ngati Porou tuturu, she is intimately connected to Ngati Ruawaipu, and sits on the border between Ngati Ruawaipu, and Ngati Porou tuturu (see Ngati Nua and Ngai Tane whakapapa).
99. I have given my whakapapa for Te Whanau a Tapuhi, Ngati Putaanga and Hinepare previously. It is my understanding the descendants of Huanga intermarried with the descendants of Tapuhi. To my knowledge no one is representing Te Whanau a Huanga today.

Te Whanau a Rakaimataura

100. Te Whanau a Rakaimataura is another Ngati Porou tuturu hapu. Descendants of Rakaimataura are now living at Waipiro Bay in the form of Te Whanau a Rakairoa and Te Whanau a Te Haemata. Lands were gifted by Tuwhakairiora to Rakairoa (2), a sister to his second wife Te Ihiko o Te Rangi. Rakairoa (2) married two grandsons of Rakaimataura.
101. Descendants of Rakaimataura through Rakaihoea also reside in the Ngati Pokai rohe at Waioamatatini. Kakariki Marae and Rakaihoea meeting house, is the meeting place of Te Whanau a Rakaihoea.

102. You can see above also the Rakaihoea and Te Whanau a Mahaki connections. These hapu now reside in the Ngati Pokai rohe.

⁵¹ Rongomataianiwaniwa and Hau are siblings. There is also a Tamataura (2) two generations from Tamataura (1) and therefore most likely that Mutiwhakaputa was from this ancestor. If so, this would align the generations between Hau and Rongomataianiwaniwa to a more realistic time period. There is also a Tiere (a grand child of Uepohatu) who would have been alive at the same time Mutiwhakaputa was born.

⁵² The mana whenua source for Whanau a Mahaki and Rakaihoea ki Waiapu derives from Te Aokairau through Ruawapu and the Nua line.

⁵³ Name of marae at Tikitihi. There is a tradition that this Rahu (Rahu-o-kehu) married Te Ruahua. Te Ruahua married Hika-o-oho (Hikapoooho) and begat Hakiu who had Whakahana . Some say the marae is named after this Rahu, some say Makahuu who named the land by placing a rahu over it when he tipped.

⁵⁴ Te Karawa (1) was the ancestor for Te Whanau a Hikatoa, see *Te Papatipu o Ruawapu*, para 339, there is a Hikatoa recorded as a son of Karawa (2) from Hinepare, not Rakaimataura – see Gudgeon Part II, p29

⁵⁵ Rakairoa (2) married two sons of Roro, and her third marriage was to Roro. Te Haemata had Te Hukui (not to be confused with Hakiu), and Tuhorouta (2) who married Rongohare (3). Rakairoa (2) is the sister of Te Ihiko, and descended from Rakairoa (1) who married Te Aohore the son of Hiakaitia (Wahine-i-chiel). Te Whanau a Rakairoa resides at Waipiro Bay and were gifted land by a daughter of Iritekura. Their marae is Kiekie. Te Whanau a Te Haemata is also one in the same with this Whanau a Rakairoa. This land at Waipiro was originally Ngati Ira and occupied by Ruamuku until it came under the mana of Tuwhakaitiora

⁵⁶ This line from Rongomataianiwaniwa to Whakahana is extracted from the whakapapa table, K Dewes, Wai

900 A36, (affidavit) 14 December 2000, para 4.

Te Whanau A Hinerupe ki Waiapu and Te Whanau a Karuai

103. There is also a strong Hinerupe presence in the Waiapu valley. I was told that Tuterangiwhiu had great mana. He was the first born son of Tuwhakairiora, and when he married the daughters of Hinerupe (Te Atahaia and Te Aotaihi) they produced the offspring of both Ruataupare and Hinerupe for example Hukarere (2), Makahuri, and Karuai, but the mana of Hinerupe grew even greater. Hinerupe descendants are also closely connected to Ngati Porou tuturu and Ngati Pokai of the Waiapu valley, they are as follows;

- Te Whanau a Karuai; (Ngati Porou tuturu)
- Te Whanau a Hinerupe ki Waiapu (Ngati Porou tuturu)
- Kaiwaka marae, is located in Poroporo Valley, outside of Tikitiki settlement. Its principal hapu are Ngati Putaanga and Te Whanau a Hinerupe
- Karuwai Marae is located north of Rangitukia off Maraehara road, is a meeting place for Te Whanau a Karuwai and Te Whanau a Karuai.

104. Te Whanau a Karuai is also a principle hapu at Waiomatatini . Common tradition is told of the separation of Tuterangiwhiu youngest sons Kautuku, Kopuni, and Karuai being jealous of the fish given to their older brother Hukarere (2). Their mother worried that the authority of Hukarere would be compromised decided to separate the children, Karuwai was sent to the Waiapu, Kopuni to Horoera, and Kautuku to Whakararanui (next to Horoera). See above.

⁵⁷ Noho Koia has Tamatepukeiti as a descendant of Hinekehu and Tangihiakotea eldest child Tamataonui (1), who begat Kahukuramoko, who begat Tamataonui (2), who begat Kai-rahui, who begat Tamateapukeiti who married Makahuri. Although an elder sibling to Materoa, Tamataonui was most likely a male that was killed along with Poroumata by the Ngati Ruanuku, because Poroumata had exercised his mana rangatira in a tyrannical manner. This line also places Porourangi some 2 generations before Ruawaipu. Noho Koia also notes Tamataonui (2) marries Tamateakui from Rongomaitapui and Uetaha (Tamateakui is a sister to Hinerupe and Te Aopare)

⁵⁸ Makahuri is the progenitor of this section of Hinerupe. Te Whanau a Hinerupe ki Waiapu

⁵⁹ Te Auiti marries Ngawhakauruhanga

⁶⁰ Te Waiwhakararu also spelt Te Wai-whaka-ra-nui (is a great grandchild of Hine-te-Kura from Materoa)

105. Note in the above whakapapa, the Goldsmith – Collier Genealogy Book has Rerekohu marrying Kainau, parent of Uhunuioterangi p28. The Tapunapukaha version is from Koroneho Koia , JPS has Taporapukaha. Also note Halbert has Uekapuanui (from the Tamaikakea line) and child Tauria (not Pohatu) that marries Pokai [Horouta, p330]. Walzl also records Makahuri a son of Koparehuia from Umuariki (Uepohatu Manawhenua Research Project 4 December 2009, p65 also see Chart 63).
106. Makahuri is also a child of Tuterangiwhiu and Te Atahaia. His interests in lands of the Waiapu were by conquest.

NGATI POKAI

107. Ngati Pokai reside on the southern bank of the Waiapu river (Rakairoa lands), from Pohautea to Reporua, inland to the Paoa-o-ruku stream including Ahikouka (Uepohatu boundary.) The Ngati Pokai mana whenua source is from Rakaimatapu and Kauwhakaheia (a son of Nua and Tanetangiia). Ngati Pokai also have a right to be an autonomous tribe in their own right.

There are other names given by the descendants of Toi, of whom the representatives in this district are the Ruawaipu people of Northern Waiapu, the POKAI and RAKAIROA peoples of the Waiapu valley and the UEPOHATU people living between Tuparoa and the Tapuwaeroa Valley ... [Rauru-Nui-A-Toi , lecture 2, page 4.]

108. The hapu in the Ngati Pokai rohe are as follows;

- Te Whanau a Pokai (Ngati Pokai)
- Te Whanau a Uruahi; (Ngati Pokai)
- Te Whanau a Hineauta; (Ngati Pokai)
- Te Whanau a Rakaihoea (Ngati Pokai) [see Rakaimataura whakapapa]
- Te Whanau a Uruhonia (Ngati Pokai)
- Ngati Horowai (Ngati Pokai)
- Ngati Puai (Ngati Pokai).

109. It is from Ruawaipu that the mana whenua of Ngati Pokai can be traced to Ngati Nua of the Parawhenuamea branch of Ruawaipu. Pohatu the wife of Pokai was a direct descendant of Nua and Ruawaipu.

[393] Ngati Pokai is the hapu name of the people living at the mouth of Waipatu river.... The descendants of Pokai and Pohatu were known as Ngati Pokai on the southern side of the river and as Ngati Nua and Ngai Tane on the northern side. ⁶¹

⁶¹ Te Papatipu o Ruawaipu, para 393

⁶² Pokai (1) was born the same time period as Porourangi, it is questionable for this Pokai to marry Pohatu. Halbert has Pokai (1) as the great grandchild of Porourangi who married Tauria (grandchild of Tanetangiia), [see *Horouta*, p330].

110. The battle of Tarerekoau is well documented in *Te Papatipu o Ruawaipu* which recalls common traditions of the assault by a Wahine-iti chief on Te Aotaihi (the daughter of Hinerupe). Te Aotaihi married Tuterangiwhiu. Tuterangiwhiu being the eldest son of Tuwhakairiora, would seek revenge ultimately with the support of his father and relatives.

At the mouth of the Waiapu river, on the northern side, the land in Kautuku was claimed through the papatipu of Ruawaipu while on the south side (Pohautea and Tikapa), the claims were through the papatipu of Pokai. Further up the Waiapu river on the northern bank, to the west of the Maraeham river, the land was claimed through the papatipu of Te Aokairau (through his children and their descendants or through gifts from Te Aokairau). West of Tikitiki, on both the northern and southern banks, it was the defeat of Wahineiti at Tarerekoau that defined the claims. It was the conquest of this land by Tuwhakairiora and his people, the division of the land among the victors and the occupation of it which defined the claims to this land. It should be noted that Ngati Pokai claimed land in this area too as they argued that they lived with Wahineiti but were not subject to the conflict at Tarerekoau which involved Wahineiti. They had lived peacefully with Wahineiti and continued to do so after Tuwhakairiora's kin came and occupied the land.⁶³

111. It is important to explain how Wahine-iti got there in the first place. When Hauiti exiled his elder brothers Taua and Mahaki *ewe karoro*, Mahaki came to the Waiapu. His son Te Aohore married Rakairoa, the granddaughter of Pokai and sister to Te Aokairau. Many claimants in the early title investigations claimed the Wahine-iti were the descendants of Porourangi. However, it is said Tamatea Pokai whenua feeling sorry his grandsons Taua and Mahaki, sent his minions to establish an *iwi* for them. This explains how this group grew numerous in numbers over a small period of time. Gudgeon refers to these people as the Wahine-iti branch of Rakairoa, who came under the complete destruction of Tuwhakairiora and his warrior sons at the battle of Tarerekoau.
112. In my view, Ngati Pokai never lost their mana whenua for the following reasons, (1) there were claims only the Wahine-iti were destroyed. (2) Rakaitemania was not affected because she aided Tuwhakairiora and had married his uncle Iwi-

⁶³ *Te Papatipu o Ruawaipu*, paragraph 355

Rakau. (3) Te Ihiko o Te Rangi, the second wife of Tuwhakairiora was a descendant of Rakairoa and Pokai, and therefore Tuwhakairiora's warrior sons Tuhorouta and Tinatoka engaged in the battle were also of Pokai stock.

Te Whanau a Pokai and Te Whanau a Hineauta

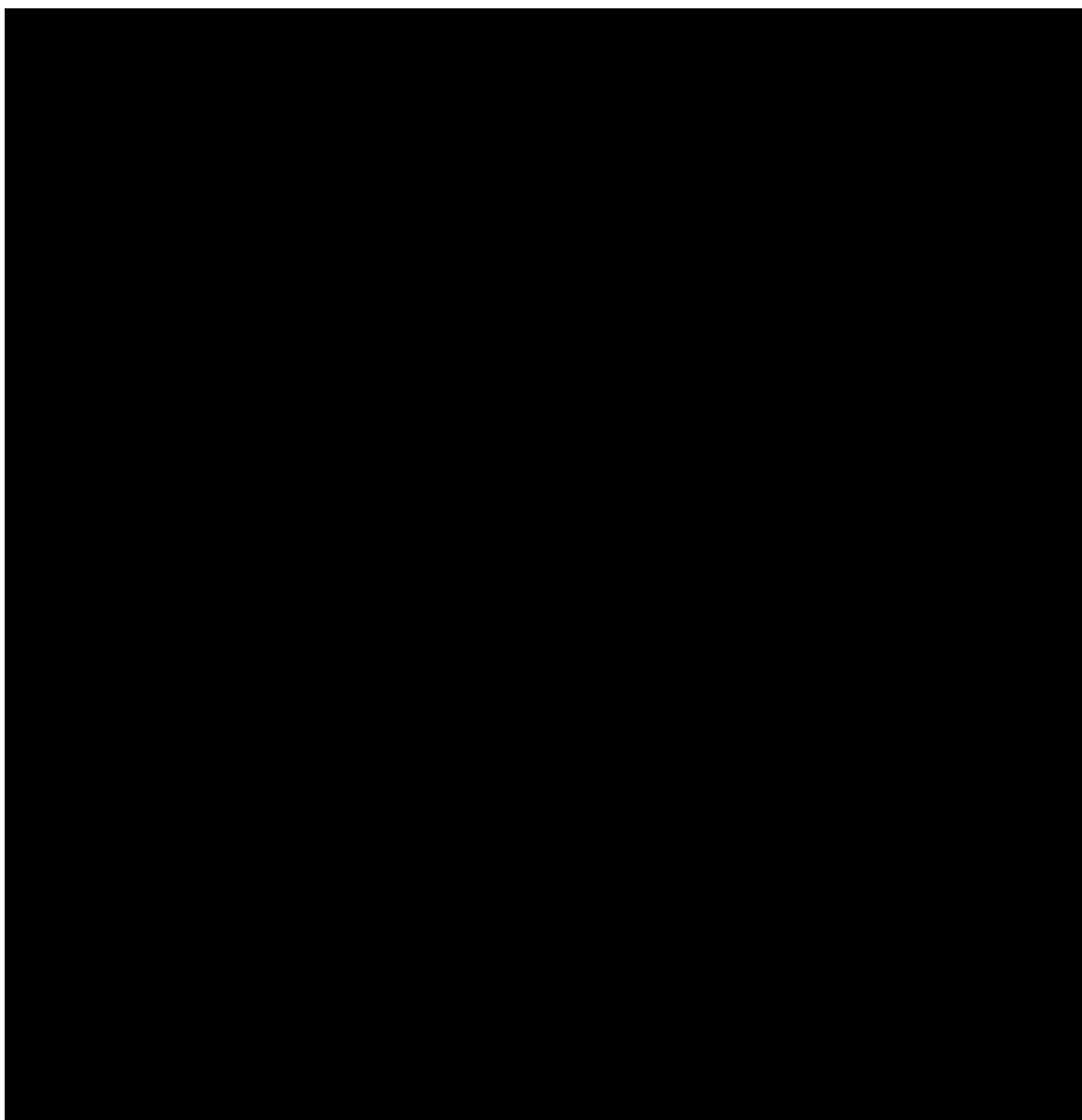
113. Pokai marae is the meeting house for Te Whanau a Pokai at Tikapa and Te Whanau a Hineauta. I remember Eru Potaka Dewes telling me Hineauta was the name of the mussel rock at Pokai (Port Awanui) and how dare they say that rock belongs to Ngati Porou.

⁶⁴ Te Rangimatemoana had a pa at Taitai mountain (near Hikurangi), where many hapu sought refuge during the 1830 Nga Puhi raids. Te Whanau a Whaita claims were also awarded in the 1879 Court decision on the Taitai block.

⁶⁵ A.K.A. Tamaiwhaterangi, this ancestors was one of the last traditional guardians of Whangaokena Island

⁶⁶ The line shown from Whaita to Rawiri Rangi Katia can be seen in Soutar .M. *Ngati Porou Leadership - Rapata Wahawaha and the Politics of Conflict*, January 2000. p66

Te Whanau a Rakaitemania

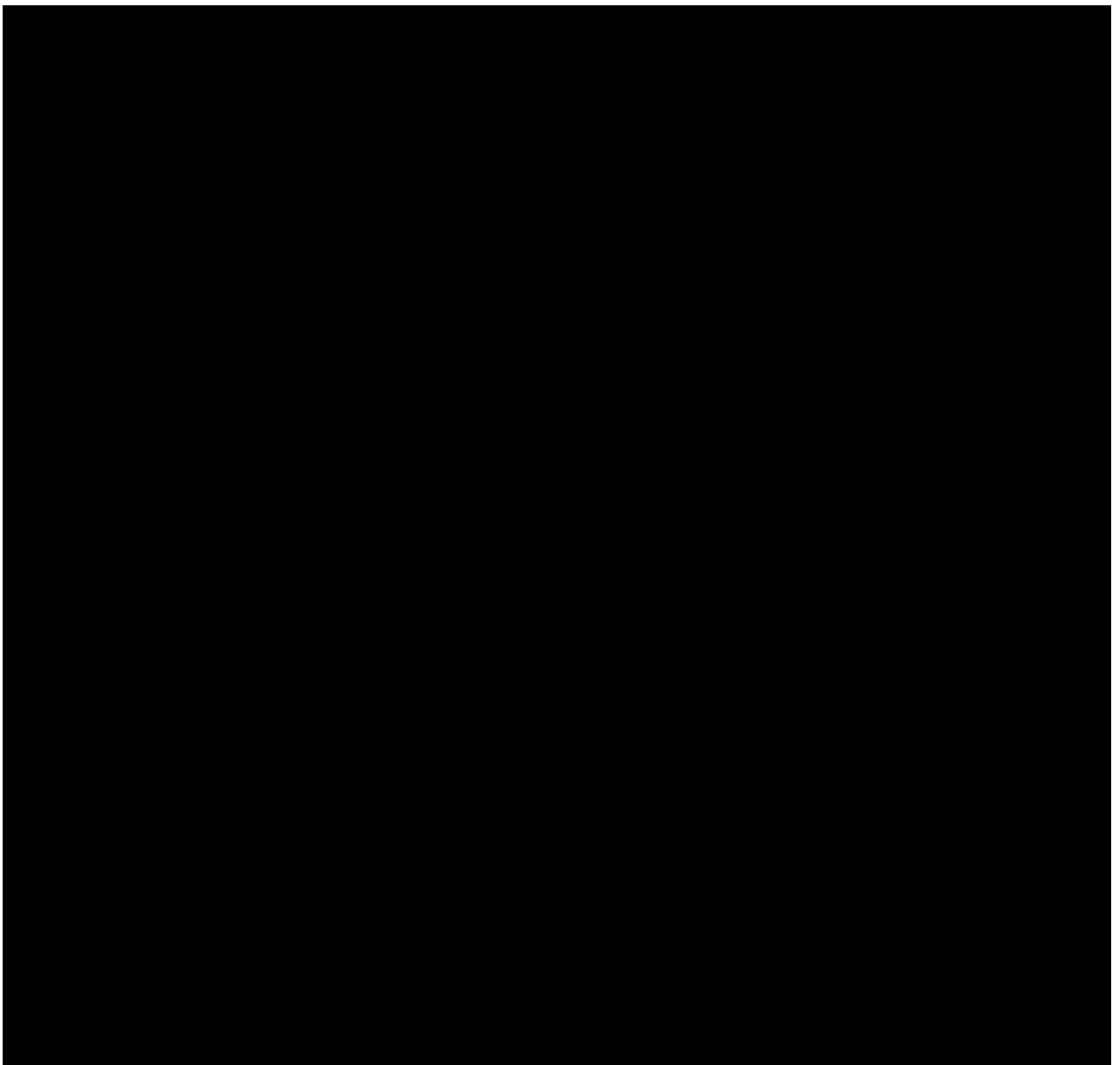


Te Whanau a Uruhonea

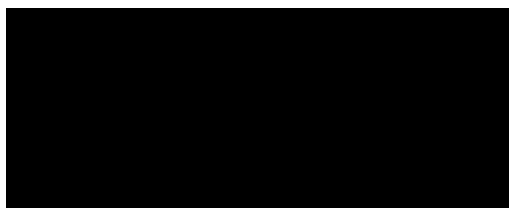
114. Te Horo Marae and Rakaitemania meeting house, is a meeting place of Ngati Horowai, Te Whanau a Mahaki and Te Whanau a Uruhonea. Te Uruhonea was grandchild of Te Aotaihi and Tuterangiwhiu, and would have been born after the battle of Tarerekoau.

⁶⁷ Rakapa Koia says Rangitauria-i-waho was a descendant of Tamakihikurangi (Tamahurumanu's brother), and has a line to show it.

⁶⁸ Te Aohore is the son of Mahaki ewe Karoro a descendant of Porourangi



115. Neho Koia has Te Uruhonea coming from Iwitaia and Te Wehiwehi.



⁶⁹ Drummond RJH “*The Origins and Early History of Ngati Porou*”, MA Thesis; 1937

⁷⁰ Karuai comes from Te Aotaihi, Makahuri (1) and (2) and Hukarere (2) come from Te Atahaia

⁷¹ This line comes from Te Whanau a Uruahi, information pack – Wananga 8-12 April 2004, p6

⁷² Soutar version, *Ngati Porou Leadership*, 2000 p168

⁷³ Iwitaia (2) siblings include Uetaha (2), Karuai, Hukarere (2), Te Mohiraira, Kopuni, and Tamakautuku

⁷⁴ There are several Wehiwehi, Wehiwehi (1) is the last child of Ruataupare, Wehiwehi (2) a child of Tuterangiwhiu child, and Wehiwehi (3) is a grandchild of Kauwhakatuakina, Wehiwehi (4) is a grandchild of Ruataupare (Te Aotiraroa was a child of Ruataupare who had Tumokai (1) & Wehiwehi (4)). The Rauru tables have Wehiwehi (1) marrying Punaiteao (a sister of Iwirakau (2)). Halbert has Punaiteao as a child of Hao. Hao is listed as a sibling to Ruaterau (of Tuiti-matua)

Te whanau a Uruahi

116. Tinatoka marae is just before Tikitiki (at Whakawhititera). Its principal hapu are Te Whanau a Te Uruahi and Te Whanau a Tinatoka. The wharenui is called Te Poho o Tinatoka, the wharekai is Rangikapitiao (the wife of Tinatoka).
117. Te Uhunuioterangi was the first husband of Uruahi. When he died, his father Rerekohu took Uruahi to wife. The Waiapu descendants of Uruahi come from the marriage of Uruahi and Rerekohu (husband 2). The Te Araroa descendant's of Uruahi come from the first marriage of Uruahi and Uhunuioterangi (the son of Rerekohu). Ngata shows Uhunuioterangi married Uruahi, and their child was Tataingaoterangi.

⁷⁵Hikaooho also has a Ruawaipu and Tamaikakea line from his parent Whare-i-kare [Wharikura] (see *Chart 74*). Whare-i-kura married Te Rangipamamao from Hinengarangara and Naia (see *Ngati Manu Chart 34* and *Te Aitanga a Mate Chart 60*)

⁷⁶ Kauaetangohia is a hapu at Whangaparaoa associated with the Whanau a Apanui tribe

⁷⁷ Some versions have Takimoana 2 (married Rangituihi) having Tuwhare-rakau, who begat Te Keteupoko. Rakapa Koia has Te Keteupoko comes from Moumowhiwhi and Tuwharerakau (of Takimoana 1)

⁷⁸ Te Uhu was also from Makahuri (Makahuri also fought in the battle of Tarerekoau)

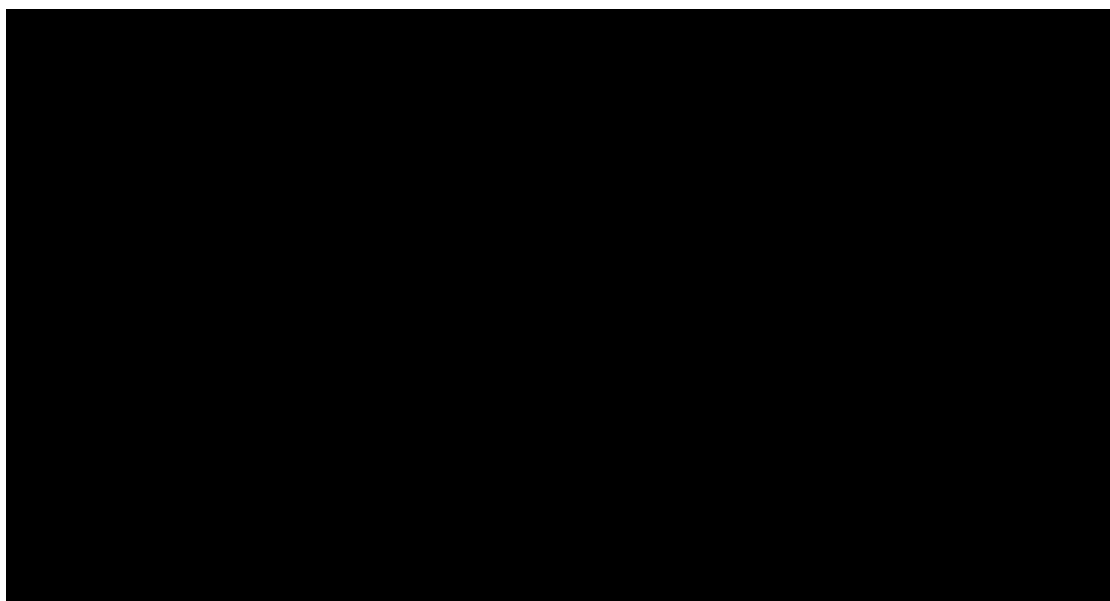
⁷⁹ Tapuiria is a half-sister of Te Rangimatemoana from Ngarangikatuihi (the second wife of Tamaiwhaterangi)

RUAWAIPU ANCESTORS WRITTEN OUT OF THE HISTORY BOOKS

118. As you can see previously at page 19 the ancient hapu Rakaimatapu and Rakaimatahana in which both Tuwhakairiora and his second wife Te Ihiko O Te Rangi are direct descendants. Tamaikakea and Hinengarangara are also very important ancestors.

Tamaikakea

119. Our elders acknowledge Tamaikakea as an important ancestor as he was a brother to Ruawaipu. I have Tamaikakea as a brother to Tamahurumanu, nevertheless, Tamaikakea is very important in our history because he is also an ancestor to other important tipuna, such as Kaiawa and Tuwhakairiora.
120. These are important ancestors in Ruawaipu history. Especially when it comes to Tamaikakea, as this ancestor reinforces the Tamakitera, and Tahatiti branch of the Toi peoples. Tamaikakea is recorded by Halbert, Ngata, Gudgeon and our own ancestors during early title investigations. But today, is written out of the history books by both the Crown and Ngati Porou.
121. The below whakapapa shows Tamaikakea (who it is said lived at Kaiti for a time).

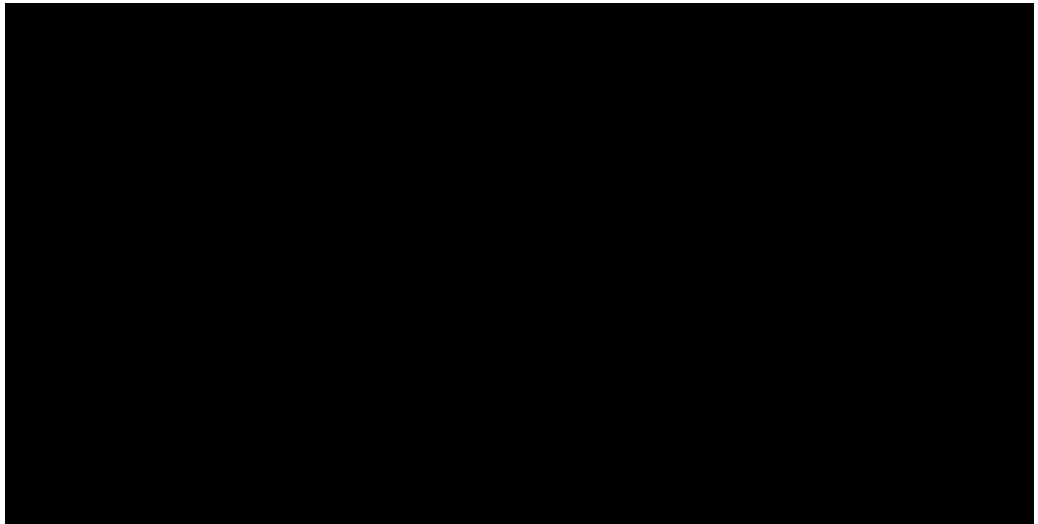


⁸⁰ Also known as Uehengaparaoa

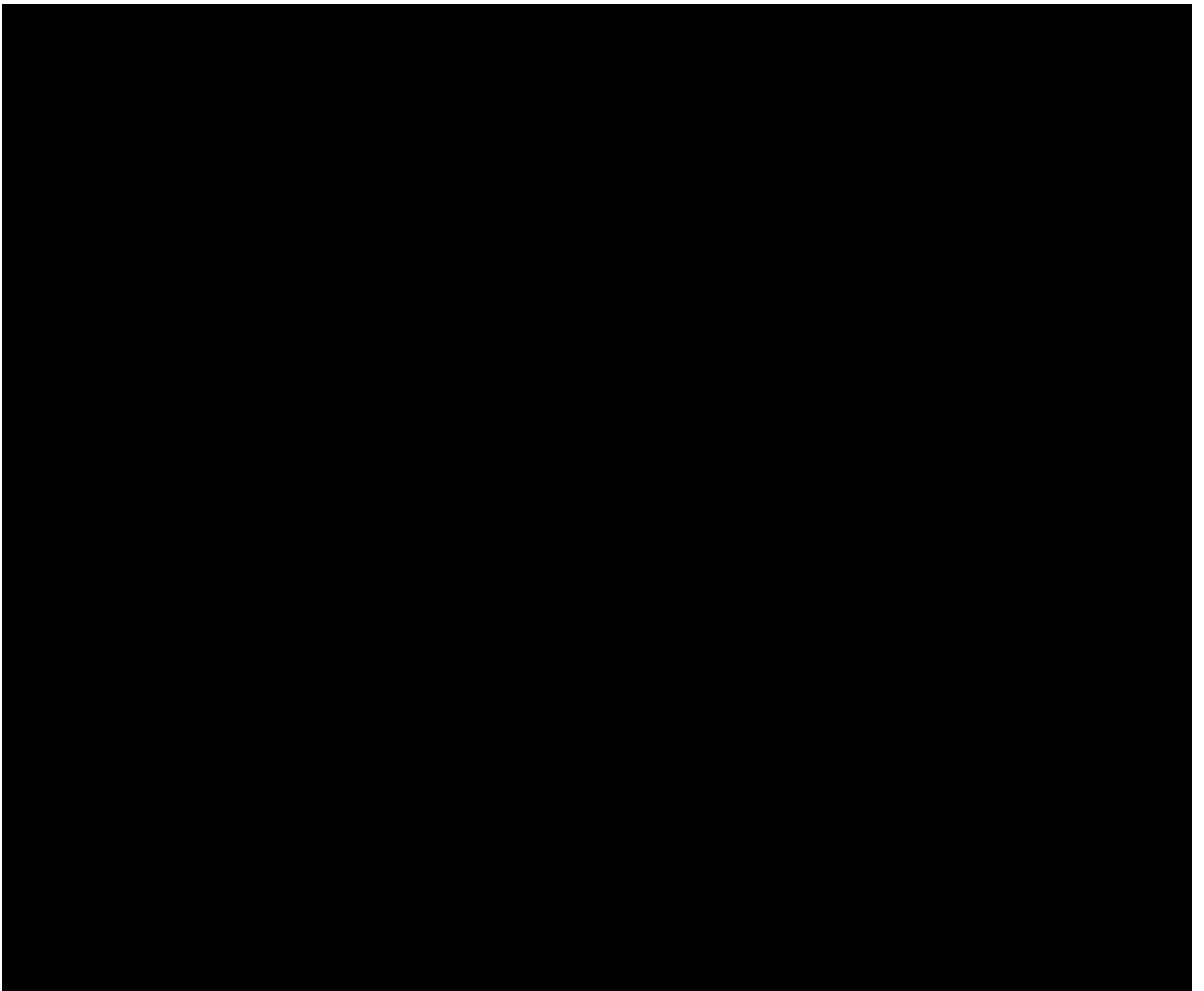
⁸¹ See Rongomaianiwaniwa and Ngati Rongomai whakapapa

Ngati Manu and Hinengarangara

122. Hinengarangara is an important ancestor because she is an origin of mana whenua and disproves the assumption or subtle suggestion given by Ngata and the Crown's Ngati Porou historical account in 2010, that all the Ruawaipu people migrated with Tamateaupoko to Whangara when they were conquered by Nga Oho.
123. The fact that Ngata recalls the instruction by Tamateaupoko to not harm Hinengarangara in his lectures, is evidence that it was not a wholesale migration. Other traditions of constant occupation at Wharekahika (covered by Belgrave and Young) is also testimony.
124. It is important that we remember founding hapu of Ruawaipu that have been succeeded by contemporary descendants. Ngati Manu is an ancient Ruawaipu hapu who fought alongside Tuwhakairiora.
125. Hinengarangara also a full blooded descendant of Ruawaipu and a descendant of Manupukaka. Hinengarangara was also relation to Tamateaupoko. Tamateaupoko whilst at Whangara gave instructions to her warrior sons Tamakoro and Uetaha on their Nga Oho campaign, not to harm their relative Hinengarangara on her homelands.
126. There is a tradition that Hinengarangara named Hinerupe. Hinerupe, along with Ruataupare and Te Ihikooterangi were all great Ruawaipu chieftainesses who held great mana whenua.
127. The descendants of Hinengarangara and Ngati Manu are still alive today. For example, Tuterangiwhiu had a son Te Rangituatini, who begat Pakira (Te Whanau a Tuterangiwhiu, at Tapatu). Te Rangituatini married Te Rauniao, a daughter of Te Manukoau from Ngati Manu and Hinengarangara.



128. Another whakapapa of Hinengarangara is as follows;



⁸² Rakaihuia was a female from Ngati Kahungunu and Anewakirangi was a female from Ngati Uepohatu
Rauru Lecture 7 p 47

⁸³ See page154, para304 of *Te Papatipu o Ruawaipu*, for this line to Hinengarangara

WHANGAOKENA

129. It is important to exemplify how by direct intervention, the Crown has failed to protect the right of Ruawaipu not to be subjected to forced assimilation or destruction of their culture and customs.
130. Whangaokena is a sacred island, with traditions going back to Wheketoro who first placed the Tuatara on the island and the kaitiaki Mohorangi. It has actually been stolen several times by legislation. The first time was in 1897 for a public Works lighthouse. It was taken under pakeha law before the island had a title investigation, in other words the Crown used pakeha law while the island was still held under Maori law.
131. In 1901 my ancestor Pineaha was a claimant in the Whangaokena Island Title Investigation. There he claimed through Whakaohonga the daughter of Tinatoka. Pineaha did so on the basis of mana whenua, that is to say the island was handed down and succeeded to by successive generations since the Ruawaipu chief Tahingaroahau gifted the island to his nephew Kaiawa with his daughter Whatumouri.
132. It was Tinatoka a direct descendant of Tahingaroahau and a warrior son of Tuwhakairiora who guarded the waters of Whangaokena and handed the island down to his daughter Whakaohonga (who had the mana to place rahui over the waters). The taonga passed to her son Takimoana (2) who established his own hapu, and had Hineauta, who became a chieftainess in her own right.
133. Tamaiwhaterangi (Tamauaterangi) a son of Hineauta was one of the last customary guardians of the waters over Whangaokena. In turn, his son, the chief Te Rangimatemoana was one of the last traditional chiefs who obtained the mana whenua and handed down the rohe known as Pakihi including Whangaokena to his son Rawiri Rangi Katia.

134. The island was determined in 1901 as belonging to four tipuna on behalf of their respective whanau. These tipuna were Wikiriwhi Matauru, Pineaha Koia, Ripeka Tahuru and Hapi Haerewa.
135. Compensation was awarded with no right to appeal. When the island was no longer needed for a public lighthouse in 1922, instead of giving the island back to the four tipuna, the Crown kept it.

⁸⁴ Halbert also has Tamatauirā (1) as a child of Tahingarohau [*Horouta*, pg 322].

⁸⁵ Wharawharaterangi marries Ueangore who was a descendant of PAWA and KIWA, see table on p44, Walker .V. *Te Kani a Takirau* , a thesis for MA Degree, Massey University, 1997

⁸⁶ Tawakeoneone parents were Rongomaikairae and Whatiuawhatiwhatikuamo. Whatiuawhatiwhatikuamo was a full blooded descendant of Ruawaipu through the Whatiu-a-Punga branch.

⁸⁷ Hiakaitaria a Wahine-iti chief associated with Porourangi

⁸⁸ Whakaohonga is the sister to Takimoana (1). Whakaohonga expelled Takimoana (1) when he broke her rahui over Whangaokena Island.

136. The Island has traditionally never been under the authority of any full-blooded descendant of Porourangi.
137. In 2012, the Crown gave our island to Ngati Porou *improper* (the descendants of Porourangi from Potikirua ki te Toka a Taiau). To add insult to injury, they settled my father's claim with others (Wai 298) over Whangaokena under the Ngati Porou settlement without his consent.
138. In my view, the island should have been returned to the descendants of the four owners determined in 1901.
139. We then should have vested it back to the descendants of Tahingaroahau, and the Ruawaipu hapu of the East Cape (Te Whanau a Takimoana, and Te Whanau a Hunaara).
140. That never happened. This is just one example of the prejudices the Crown has caused towards the Ruawaipu people.

PREJUDICES OF THE INTERMARRIAGE THEORY

141. The Crown has done a lot of damage to our cultural identity and history. Foreshore and seabed, waterways and forests are all resources recently stripped from Ruawaipu all bartered and traded in political settlements between the Crown and Ngati Porou as a direct result of the intermarriage theory and the wrongful assumption that Ruawaipu was absorbed and assimilated pre-1840 into Ngati Porou.
142. As with Whangaokena, another example was Crown Licensed Forest Blocks on papatipu o Ruawaipu land. The Waitangi Tribunal under section 8 of the Treaty of Waitangi Act 1975 has exclusive statutory powers to allow Maori claimants to a determination of the rightful owners. This right to a determination cannot not be interfered with by political settlements.

143. In 2012, the Crown with its Ngati Porou Treaty Settlement Act simply wrote into its settlement legislation that Ngati Porou obtained these forests “as if” it had met the determination under section 8.
144. Although Ngati Porou held no mana whenua and could not prove they were the rightful owners of the Crown Forest Blocks, the 2012 settlement blocks any person, court or tribunal from inquiring. It was simply an abuse of statute by the Crown and Ngati Porou for political motives.
145. For the Crown to treat Ngati Porou (the descendants of Porourangi) as the only iwi on the East Coast based on an assumption of intermarriage, without tested evidence, only endorses the notion that its relationship with Ngati Porou is political. This goes back to the 1865 atrocities and the injustices caused by the Crown and its loyal ally Ngati Porou (taha kawana).
- “Napoleon said that history books were written by the winners, but I don’t think we really appreciate what that means. If I am rich and powerful and my folks murder you and wipe out your family and all of your friends and all of your witnesses, I am going to have much more to say about your history when it is written than you are...”⁸⁹
146. The actions of Crown statutory bodies such as the Waitangi Tribunal and Maori Affairs Select committee who in their view have been reluctant to deal with matters of whakapapa are hypocritical. To ignore Ruawaipu claims of mana whenua is to support Ngati Porou claims of mana whenua.
147. Ngati Porou in their historical account of Ruawaipu claim Muriwhakaputa and Tamateaupoko (full blooded descendants of Ruawaipu) married Tuere and Uekaiahu who were descendants of Porourangi. Oddly enough the account admits the mana whenua of Ruawaipu was reclaimed but does not explain how we lost it to become Ngati Porou.

⁸⁹ *Articles 33 Conspiracy Theories That Turned Out To Be True JFK II – Part 1*

148. When I first saw my whakapapa 20 years ago I was very disappointed Porourangi was not in it. I realised it was for a reason which has put me on a journey of self-discovery.
149. I miss the passion of my pakeke. They are all gone now. Aunty Mehua was my kaitiaki, she would also bless me with Ringatu karakia and travel everywhere I went.
150. I remember June Fox would also go on about two-lines of Ruawaipu for every one-line Porourangi, and then throw in Tamaikakea for good measure. June had studied intermarriage between Porourangi descendants and Ruawaipu. If you asked him a question about Ruawaipu he would give you a two-hour answer (history lesson). Likewise, Tame Te Maro.
151. Lou Hunaara Tangaere was a different kettle of fish. A te Tiriti o Waitangi rights advocate and Chairman of the Maori District Council. Lou believed Porourangi was paramount. It wasn't until his brother gave him his whakapapa tracing him, to his ancestor Hunaara, and then to Ruawaipu. Learning he was tangata whenua pre-migration he then 'turned rebel' and associated himself with those that affiliated to Ruawaipu. He would carry his whakapapa in his pocket and tell and show everyone. Lou used to say to me frequently, 'the truth fears no authority' then quote Te Kooti, "ma te ture, ka patua te ture...one day, the law will fight the law....lore verses the law" he would say.
152. Now I am getting old, getting grey and quoting the same thing, hoping that justice will be bought to an end for the next generation.– END.

Dated this day 28th of February 2023



JASON MATHEW KOIA (CLAIMANT)

APPENDIX 1

RUAWAIPU MODERN DAY ETHNIC SUPPRESSION CLAIM
CLAIMANT SUPPLEMENTARY EVIDENCE



Picture topside Te Ika a Maui Ngati Porou chart

Picture bottom Gisborne Herald articles courtesy of Jason Koia.

Preface

The fiduciary duty extends above and beyond the powers of the Crown or parliament [Justice Cooke]. This duty can be exemplified by Lord Normanby's Instructions in August 1839, in particular that any cession of aboriginal rights must be done so with the free and intelligent consent, and that no Maori can enter into any contract in that may cause injury or force Maori to become authors of their own demise.

Hobson's proclamations in May 1840 had no formal process and was based on the assumption of cession of sovereignty by Maori under the English version of the Treaty of Waitangi 1840. There are some key facts that set the foundation of this contemporary claim.

- (1) The English and Maori Treaty of Waitangi texts are irreconcilable and both different treaties with different meanings.
- (2) The Maori version did not cede sovereignty.
- (3) Only the Maori version of the Treaty of Waitangi (Te Tiriti o Waitangi) was solicited on the East Coast. The English version should not be a valid document to be relied upon and in accordance with the rule of *contra preferentum* the indigenous text prevails where there is ambiguity.
- (4) When the claimants tipuna signed te Tiriti o Waitangi on 1 June 1840 at the Waiapu, it secured the protection of his tino rangatiratanga over his lands, villages and treasures in exchange for the right of kawanatanga to the Crown. The Crown's right was limited to the maintenance of peace and good of and government for the settlers on their own little pieces of land. These limitations of the settler government can be endorsed by Hobson's report to Gipps on 17 February 1840, section 53 of the New Zealand Constitution Act 1852, and Wardell's records in Gisborne in 1861.
- (5) The claimant's aboriginal rights are still extant under Article 2 of te Tiriti o Waitangi, section 28 of the New Zealand Bill of Rights 1990, and the Declaration on the Rights of Indigenous Peoples 2007.

The Ruawaipu modern day ethnic suppression claim may not be palatable to the Crown, or Waitangi Tribunal in relation to the controversial Wai 2190 recommendations found to be *ultra vires* by the High Court in 2010.

These allegations of the ethnic suppression of tribal and cultural identity on the East Coast are highly sensitive because they threaten the very legitimacy of both the Crown and its ally the Ngati Porou.

It would be naïve to assume that a colonising power has never used the divide and rule strategy, and in the context of this supporting document and statement of claim, using a selective group of East Coast Maori to establish British rule and redefine the social engine of the aboriginals.

The current settlement process is designed to extinguish tino rangatiratanga rather than recognise it. This fundamental flaw is politically driven that is causing a delay in justice and an opportunity for the nation to move forward, especially if all historical claims need to be re-investigated after the findings of contemporary Treaty claims.

The Crown today only has itself to blame for continuing to act in bad faith. Even today in the 21st century the government rejects recommendations given by the UN Economic and Social Council on 10 March 2006, and the CERD on 15 August 2007. Both UN committees advised the government to give the Waitangi Tribunal binding powers and adequate resources. Further recommendations by the UN Special Rapporteur James Anaya in February 2011 also advised the government to take special measures to address the concerns of Ruawaipu and others regarding treaty matters also fell upon deaf ears.

There are significant political ramifications if this claim should proceed and be proven to be well founded. For example, tax payer's money will have to be accounted for, history will have to be re-written, adequate redress given and the validity of historical settlements will be further questioned, especially when the wrong Crown, under the wrong Treaty, settles with the wrong group of Maori. This political mischief making has been made possible because there are two treaties (Maori and English texts of the Treaty of Waitangi), two Crown's (UK & NZ) and two Ngati Porou's (tangata whenua of the Waiapu valley and the Church of England converts also known as the canoe people).

It is therefore important to note and differentiate that this claim and its supporting documents are lodged by a descendant of the authentic Ngati Porou of the Waiapu valley, and the authentic Treaty solicited on the East Coast in 1840, between the authentic Crown UK.

Interpretation

Ngati Porou (*improper*) > *Nga tini uri o Porourangi* (the descendants of Porourangi also known as the canoe people).

Ngati Porou tuturu (*proper*) > a pre-1840 grouping that still occupy their traditional lands to this present day on the northern bank of the Waiaapu river. The eponymous ancestors consist of Pokai and Porourangi. The customary land and territorial rights derive from Ruawaipu. This is the authentic Ngati Porou in which Apirana Ngata refers to as Ngati Porou 'proper'. Ngati Porou tuturu derive also from several important ancestors named Porou. The Hapu of this grouping consists of Ngati Putaanga, Te Whanau a Hinepare, Te Whanau a Tapuhi and Te Whanau a Rakaimataura. All descendants of Ngati Porou tuturu descend from the children of Te Aokairau and Tamataua.

Ngati Porou taha kawana > Ngati Porou loyalists or friendly natives on the settler governments side. Christian converts, also self-proclaimed as the canoe people.

Ngati Porou Whaiti > a Ngati Porou district boundary created by Rapata Wahawaha (the leader of the Ngati Porou taha kawana) in 1868 and 1879 from Potikirua to the Waitakeo Stream (between Waipiro and Tokomaru Bay). In a pre-1840 context, descendants of Ngati Porou tuturu reside at Waipiro Bay in the form of Te Whanau a Te Haemata and Te Whanau a Rakairoa from Rakaimataura.¹ This was not an expansion of a single tribe, rather a migration. What is clear is that Tuwhakairiora held mana tangata over this rohe.

Ngati Porou Whanui > a concept on intermarriage and theory created by Apirana Ngata (the protégé of Wahawaha). Based in three brothers Taua, Mahaki, and Hauiti.

Ngati Porou Iwi (represented in the form of Te Runanga o Ngati Porou) > a statutory body created by the Crown in 1987 based on a geographical location and the lectures by Ariana Ngata. The 1987 Act officially established and expanded a Ngati Porou boundary from Waipiro Bay to Kaiti. This corporate body was chaired by Apirana Mahuika (named after Apirana Ngata). Originally TRONP was a corporate body established under the Maori Trust Boards Act 1955. It was not designed to take over assets belong to the Whanau - hapu. It was given Iwi status by TOKM for the purpose of receiving Maori Fisheries Claims Settlement Assets in 2005. TRONP was dissolved and became Te Runanganui o Ngati Porou when it received settlement assets and monies under its Ngati Porou Treaty Claims Settlement Act 2012.

The Crown UK > the Monarch and Queen of England based on Christianity and religious fanaticism from the Roman realms now represented by the UK Parliament.

The Crown NZ > a controversial constitutional sovereign (the settler government) who has usurped the radical title of the Crown UK on the assumption Maori sovereignty was ceded under the Treaty of Waitangi English text. This led to a series of embarrassing constitutional blunders, tyranny, colonial terrorism, constitutional fraud and the usurpation and illegal adoption of foreign law promulgated by the Crown UK. The settler government with Letters Patent 1983 NZ was able to adopt Letter Patent 1917 UK., and placed the Governor General under Parliament NZ without the free and intelligent consent of the Maori sovereign nation. The New Zealand Constitution Act 1986 adopted these Letters patent 1933, repealed its limited powers under the 1852 Constitution Act and gave Parliament NZ full sovereign powers (self-proclaimed). Thus, settler Parliament became the Crown and the Queen.

¹ You can see the genealogy of both Rapata Wahawaha and Apirana Ngata to Rakairoa and Te Haemata at page 51 of *Soutar*. Rakairoa and Te Haemata descend from Rakaimataura (an ancestor of Ngati Porou tuturu of the Waiaapu valley)

ACKNOWLEDGEMENTS

Every moral and legal code of te Tiriti o Waitangi was violated as a direct result of the Crown's suppression of rebellion campaign (East Coast Wars 1865). With the assistance of the Ngati Porou taha kawana the settler government were seen as the victors securing British rule. If you were not in favour of the Crown or the Ngati Porou taha kawana then you were effectively written out of the history books.

In search for justice, the East Coast tribes, in particular those that descend from Ruawaipu continue to expose and challenge the very legitimacy of both the Crown and it loyal ally Ngati Porou.

To our ancestors persecuted, punished, exiled and murdered all because they chose the right to retain their tino rangatiratanga independent of Queen Victoria who promised her protection.

To the generation's that followed labelled as rebel and forced to hide in secret and exercise their Ringatu faith.

To our pakeke who have died on their death bed waiting in the 20th and 21st centuries for justice to be brought to an end.

You have inspired this document to be written, not only to assist with the preparation of Ruawaipu contemporary Treaty claims, but also to place on record and continue to keep the name of our sacred ancestress Ruawaipu alive, and to reaffirm that our tino rangatiratanga is inalienable and indisputably embedded in our whakapapa to our land as tangata whenua tuturu.

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INTRODUCTION

1. This claimant supplementary evidence draws from various documents including the Wai 900 East Coast Case Book Research Programme. The purpose of this document is to provide evidence based on fact, logic and reason to support the allegations made in the Ruawaipu modern day ethnic suppression statement of claim.
2. To ensure the Tribunal will exercise its full statutory powers and inquire into this claim, and not remove this claim for inquiry under section 7 of the Treaty of Waitangi Act 1975, the claimant reminds the Tribunal of Judge Clark's view that the issues of East Coast representation are not frivolous or vexatious.²
3. The Crown in its Wai 2190 submission of 23 December 2009 viewed that Ruawaipu had been silent over the last 150 years. This places us around the time of the 1865 suppression of rebellion. Yet overwhelming evidence on the traditions of Ruawaipu are told in the Native Land Court post 1895 up to the 1920s during papatipu committee hearings. Traditions are told of Ruawaipu in Ngata's lectures which came to prominence in 1944 and were published in 1972 by the Department of Anthology.
4. The Crown was also aware in the 1980's that there were protests from Hauiti and Waiapu north being included in the establishment of Te Runanga o Ngati Porou (TRONP). During the early 1990's the Ruawaipu Land Incorporations was established and by August 2003 saw the establishment of the Ruawaipu Tribal Authority which was further testament that our sacred tipuna Ruawaipu was and still is, of significant importance. The Crown was also aware there were protests from Ruawaipu with other East Coast tribes being assimilated into Ngati Porou during 2002-2005 period. This continued with litigation up until 2009. While Gisborne tribes were also consulting with the Crown – Office of Treaty Settlements (OTS) between 2012-2018 challenging the foreshore boundary Ngati Porou.

² Chief Judge's MB 41", 14 December 2010, para 89 Section 30 application by Ruawaipu, Uepohatu and Hauiti in the Maori Land Court

5. Therefore, in my view, the Crown's definition of silence could only mean in the House of its Parliament, its laws and its history books.
6. The crux of the argument is an unproven claim by Ngati Porou as the only iwi on the East Coast from intermarriage. The Crown's modern-day practice of treating this claim as valid for political reasons has continued to prejudice those who affiliate to Ruawaipu and other independent and autonomous tribal groups on the East Coast.

OVERVIEW

7. To be tangata whenua you must have an association with the land, it separates us from those that have migrated and defines us as aboriginal. Also, of importance is the ability for the Waitangi Tribunal to identify who were the tangata whenua upon the signing of te Tiriti o Waitangi that have been prejudiced by Crown. This begs the question, who are the tangata whenua on the East Coast as of 1840?
8. There are seven rohe on the East Coast that are sources for associated hapu to claim mana whenua, they are Ngati Ruawaipu, Ngati Porou tuturu, Ngati Pokai, Ngati Uepohatu, Te Aitanga-A-Mate, Ngati Ira, and Te Aitanga-A-Hauiti.
9. The history of Ngati Porou as an "iwi" has always been a contentious one. There are three key figures (with the direct support of the Crown) that have led to and are responsible for the shaping of a modern day Ngati Porou as we know it today. They are, Rapata Wahawaha, Apirana Ngata (a protégé of Wahawaha), and Apirana Mahuika (named after Apirana Ngata). Like all those that can whakapapa to the Tikitiki-Rangitukia area, they are Ngati Porou tuturu.
10. What is phenomenal about these three men as Ngati Porou tuturu descendants, is the fact that they were able to establish with the support of the Crown, their own Ngati Porou leadership. All three men were coincidentally Church of England (Anglican) advocates, and descendants of Rakaimataura (an original Ngati Porou tuturu ancestor of the Waiapu valley). These men were also politically astute and great leaders, irrespective of the religion or path they chose.

11. Ngati Porou claims being established over the East Coast upon the signing of Te Tiriti o Waitangi 1840 are critical in regards to being the rightful recipient of Treaty settlements and in particular being able to meet legal requirements under section 58 of the Marine and Coastal Area Act 2011 ('the MACA'). The MACA requires evidence for example of constant occupation of Ngati Porou hapu as of 1840 to this present day should it be granted customary title.
12. Te Runanga o Ngati Porou boundary claims today has never had its mana whenua evidence tested before any competent judicial. TRONP was also unable to produce a mana whenua report during the Waitangi Tribunal (Wai 900) East Coast District Inquiry which consisted of a majority of over 40 Ruawaipu claims. This inquiry was closed down when TRONP and the Crown decided to settle all East Coast claims 'outside of court' so to speak by direct negotiations under Crown settlement policy as a large natural grouping. Thus, the Ruawaipu claims were defeated and denied a statutory right to hearing.
13. Meanwhile the true history and cultural identity of the East Coast tribes, in particular, the Ruawaipu tribe, continues to be buried in the Native Land Court, debated on the marae and handed down as oral tradition (taonga tuku iho) from generation to generation. It is however important to note, there is one thing that those who affiliate to Ruawaipu have never lost. It is their whakapapa to their land.
14. There are two key periods in history that have led to the ethnic suppression of the Ruawaipu tribe, the first being the 1865 rebellion of suppression (East Coast wars) where the Ngati Porou taha kawana was able to establish a powerbase as a result of supporting and seeking assistance from the settler government. This Ngati Porou entity was led by Rapata Wahawaha who was rewarded with political power, money, land and resources. Those deemed rebel or dissidents (hauhau) were forgotten, left to die on reservations and written out of the history books.
15. From a historical context, on Ngati Porou, Soutar without a timeframe purports that Ngati Porou tuturu (of the Waiapu valley) expanded over time to a larger area known as Ngati Porou 'whaiti' generally from Wharekahika to Waipiro Bay. Soutar then explains this larger group expanded further over time to what is commonly

understood today to be Ngati Porou whanui (Potikirua ki te Toka a Taiau).³ But there is no well-founded evidence to show this happened prior to or upon the signing of the te Tiriti o Waitangi 1840.

16. We know as fact, that since 1856 key statements were made limiting a Ngati Porou district to Waipiro Bay in relation to parishes. While the government formally recognised a similar boundary by 1875.
17. Although te Tiriti promised the preservation and protection of all Maori tribes, evidence shows the political expansion of Ngati Porou began in 1865 as a direct result of the East Coast Wars (suppression of rebellion). Soutar himself views that “as a direct result of the war, a Ngati Porou whanui identity was fostered and more or less accepted.”
18. The 1865 conflicts were orchestrated by the Crown for one purpose only. Due to increasing settler frustration, the Crown was eager to establish its rule and advance its land taking agenda for pakeha settlement. This of course included the acquisition of great wealth and resources and control of a thriving Maori economy. Being outmanned and under resourced the Crown needed Maori allies to advance its suppression of rebellion campaign of 1865. In doing so, the Crown breached every moral and legal code of te Tiriti o Waitangi.
19. As a Maori slave in his youth, Rapata Wahawaha had a vengeance against the Maori race. Converted by the missionaries and a love for the pakeha people he was a prime candidate to deliver Crown motives. It was Crown intervention that not only empowered Wahawaha and the Ngati Porou taha kawana with the aid of militia and resources to suppress the East Coast independent sub-tribes and tribes, but more importantly assist the Crown to establish its British rule over the region. Logic and reason would support Christianity and colonisation having everything to do with the expansion of Ngati Porou as a political entity “because Christianity or at least the

³ Soutar M. *Ngati Porou Leadership – Rapata Wahawaha and the Politics of Conflict*, a thesis presented for the degree of Doctor of Philosophy, in Maori Studies at Massey University, Palmerston North, NZ, January 2000, p32

Anglican form of it, was a significant component both of the Ngati Porou psyche and the character of Rapata Wahawaha as their leader.”⁴

20. Some may argue that the loyalists had no option; they were trying to protect their own people. But killing your own people is not a valid reason to do so. The reasons were political. It has always been political.
21. After the 1865 conflicts the Crown was now seen as the victor, but now in debt to Ngati Porou loyalists who were promised rewards beforehand. One thing was for certain, the region was now ripe for colonisation and the settler government immediately attempted to carve up Maori land to pay for its war efforts against Maori landowners.⁵
22. At the end of Te Kooti’s campaign to capture him, in 1872 the Mataahua hui at Waipiro Bay was held to celebrate Wahawaha’s feats against Maori deemed as rebel (hau hau / pai marire). This meeting records loyalists (the canoe people) agreeing to come under Porourangi and the Queen. It should be noted, many of the loyalists held no land under Maori custom.
23. A Ngati Porou District in 1875 would be formally recognised by the settler government from Hicks Bay to Waipiro Bay. Leaders of the Ngati Porou taha kawana also cemented their power by placing themselves in key political positions or dealing through the backdoors of Parliament. These actions would further assist the Crown in colonisation, by having the advantage of making loyalists Native Land Court assessors to assist in the alienation of Maori land.
24. Wahawaha was also involved in establishing a Potikirua northern Ngati Porou boundary in 1879, a government boundary for the purpose of the Native Land Court. This is covered by Young and Belgrave, while Berghan’s 2008 narratives recall Wahawaha establishing a southern government boundary (the Waitakeo stream) between Waipiro and Tokomaru Bay (at Tawhiti) in 1868. This Ngati Porou (Ngati Porou whaiti boundary) of course is reflected in the Drummond thesis of

⁴ Soutar, *Leadership*, Chapter 4, p96

⁵ The East Coast Native Land Titles Investigations Acts of 1866 and 1867 intended to confiscate Maori rebels land, due to a blunder it also confiscated from loyalists. The Act never came into force.

1937 as a modern day Ngati Porou. Berghan's narratives show many Ngati Porou references or claims to land stop at Waipiro Bay, with Ngati Porou 'piri tipuna' interests (a right by association only and not occupation) ending in Tokomaru Bay.

25. There are also key statements covered by historian Stirling. For example, in 1880 grievances by autonomous Tokomaru Bay Maori having to go to the Waiapu for hearings. As Gudgeon reported "to take a Tokomaru Maori Native to Waiapu is taking him away from his own people."
26. Key statements in the official translations placed on the Wai 900 inquiry as the *E Taku Hoa Aroha Volumes*, also prove beyond any doubt, that a Ngati Porou district (post 1840) only went as far as Waipiro Bay. There were separate and distinct Tokomaru Bay and Hauiti tribes in the 1860's.
27. Some may argue that at least Ngati Porou was established as a tribe from Hicks Bay to Waipiro Bay as of 1840 and therefore has a right to be a tribe. The answer is it did not. Papatipu o Ruawaipu claims from the Whangaparaoa river (some 10 kilometres past Potikirua in the north) to the Maraehara river (which leads to the lagoon and mouth of the Waiapu river in the south) adequately demonstrates this.
28. Porourangi land claims are virtually non-existent, except for the Ngati Porou tuturu region which were under Pokai, Porourangi and Te Aokairau. Whilst Ngati Porou elders acknowledge Te Aokairau obtaining her land as papatipu o Ruawaipu,⁶ papatipu origins were for some reason not considered for Waiapu title investigations.
29. If Porourangi claims (as the eponymous ancestor of Ngati Porou) are almost non-existent in the Native Land Court, then how did the descendants of Porourangi and a monolithic entity known as Ngati Porou establish itself as a traditional tribe from Potikirua ki te Toka a Taiau as of 1840? The answer is it didn't. It is a creature and creation of the Crown as a direct result of political intervention.

⁶ Wai 900, # A36 & Wai 900 # A46

30. It makes perfect sense, the Waiapu, the heart of Ngati Porou tuturu in the late 1830's was the first place on the East Coast to receive the Missionaries and therefore colonisation would expand outwards over a period of time.
31. We are looking at almost three decades of young Maori men being selected and trained by the Church Missionary Society by the time 1865 arrived, the Volkner incident in Opotiki became the excuse to wage war against non-Christian faiths (Maori), despite Hobson's verbal proclamation in 1840 at Waitangi that all faiths would be tolerated.
32. In a nutshell, the Ngati Porou taha kawana was the Maori Church of England on the East Coast. It was a mere faction consisting of landless converts who were ready to seize an opportunity to do the Crown's bidding for the promise of reward. It was reciprocal as the Crown only had interests in establishing British rule and taking Maori land but could not do so without loyalist support.
33. So, the question is why Porourangi? The answer as told by pakeke June Fox was because it was political, including Rapata Wahawaha building Porourangi marae at Waioamatatini.
34. Like Wahawaha, Apirana Ngata was also of mixed race and a descendant of the Ngati Porou tuturu (Rakaimataura). Ngata (mentored by Wahawaha) was also loyal to the Church (Anglican). Ngata became a prominent Maori politician and was able to carry on with the systematic political expansion of the Ngati Porou hegemony with his lectures. These lectures to be used for systemic education focused on the development of Porourangi stock, in which Ngata claimed to be based on intermarriage between the descendants of Porourangi and the tangata whenua such as Ruawaipu. In particular the three brothers Taua, Mahaki ewe-karoro and their younger brother Hauiti (who later exiled his two elder brothers). Hence, the Ngati Porou whanui intermarriage concept by Ngata was conceived.
35. This grouping appears to be bigger than Soutar's starting from Te Kaha and going all the way to Mahia. Despite the intermarriage theory being quashed by historians Young and Belgrave. Young and Belgrave also view that Ngata's lectures diverge from traditions told in the Native Land Court.

36. An affidavit by Tame Te Maro in 2000⁷ makes it clear that Porourangi was born, lived and died in Whangara. It is illogical looking at a pre-1840 context for Porourangi's legacy to expand from the Waiapu back to Whangara. While the theory of Porourangi's exiled descendants (Taua and Mahaki) from Whangara intermarrying to expand his tribal estate, was even more nonsensical. Mahaki never ruled the Ruawaipu people in the Ruawaipu rohe.
37. In the 20th century, Ngati Porou as known today would be officially established by way of the Crown's Te Runanga o Ngati Porou Act 1987 ('TRONP'). Based on Ngata's lectures, this Ngati Porou entity formally expanded its 1868 (and 1875 district sheep boundary) to also usurp the Hauiti tribe and cover the entire East Coast region.
38. TRONP would further be led by Apirana Mahuika (named after Apirana Ngata). Mahuika was also a descendant of the Ngati Porou tuturu (Rakaimataura), committed to the Church of England (Anglican), and like Ngata and Wahawaha, very astute in Ngati Porou politics.
39. Various settlements, again initiated in the backdoors of Parliament between the Crown and Ngati Porou (TRONP) over fisheries, foreshore and seabed and Treaty claims were promulgated in the early 21st century. During this time, claims that Ruawaipu are the tangata whenua who were being prejudiced continued to be at the forefront.
40. Another key point in history regarding the ethnic suppression of Ruawaipu was the Ngati Porou Treaty Claims Settlement Act 2012, where again those deemed dissidents were again written out of the history books, while Ngati Porou representatives were again rewarded with political power, money, land and resources.
41. The Crown or Ngati Porou is yet to engage with Ruawaipu to prove before an impartial judicial, who is the correct title holder of customary rights on the northern region of the East Coast.

⁷ Wai 900# A58

42. Instead, the Crown has passed its own legislation blocking any judicial of New Zealand from inquiring into the validity of any Ruawaipu historical claims, or rights over fisheries.
43. The Crown intended to do the same towards Ruawaipu with 2019 Ngati Porou foreshore and seabed settlement legislation despite an abundant history of the territorial waters in the East Cape region belonging to Ruawaipu.
44. At the end of the day, the Crown is the perpetrator, instigator and violator that has caused the ethnic suppression of the Ruawaipu people. The Crown has used its own iwi model of kawanatanga as the tool to suppress Maori tino rangatiratanga, by pitting Maori against Maori it has created winners and losers, and it is a historic practise it continues with today.

PART 1 HISTORICAL BACKGROUND

RUAWAIPU

45. Ruawaipu are known as *Nga uri o Toi*, (descendants of Toi) and also referred to as tangata whenua tuturu (a pre-migration people). The eponymous ancestor Ruawaipu was told in tradition as being a descendant of Toi. Her descendants still occupy her lands today and maintain the oral traditions of Ruawaipu.
46. There is a wealth of evidence of the Ruawaipu people recorded in the Native Land Court Archives. Writings by Gudgeon, Apirana Ngata, Lawson, McConnell, and reunion books such as the Manuel Jose and Goldsmith tell traditions of the mana whenua of Ruawaipu and the Ruawaipu people.

If our supposition of a Toi papatipu or foundation is reasonable, all that can be indicated in a rough manner is the name of the Toi descendant, whose branch of the Toi family is acknowledged by tradition as the paramount occupier, thus we are justified in putting the names of RUAWAIPU and UEPOHATU on the map...⁸

We can say, that when Porourangi and his brother Tahu-potiki were living at Whangara and commencing to lay foundations of various tribes, which trace descent

⁸ Rauru., Lecture 4, page 4.

from them, Ruawaipu and Huritakeke [Uepohatu] were at the head of the Toi tribes, which occupied the territory from Tuparoa northwards⁹.

“But Sir Apirana Ngata stated what must be remembered is, that no point of time can be taken and described as the date when the reign of Toi ceased and that of Porourangi began” (p53(a)).¹⁰

We are of Porourangi, of Toi and of Ruawaipu” say the whakapapa of Ngati Porou, but the northerners turn to Ruawaipu to establish their rights to the territory they occupy. Tuwhakairiora established his mana over the people while Ruawaipu retained her mana over the land.¹¹

It is true that Ngati Ruawaipu can claim that they are their own autonomous tribe rather than being a sub-tribe or hapu of Ngati Porou. Certainly Ngati Ruawaipu have had a history as an organising force of their own when ring-fencing their own territory, Marangairoa No I, as the East Cape Reserve,...¹²

47. It is important to note that no full-blooded descendant of Porourangi ever ruled the Ruawaipu people. In addition, Porourangi did not live in the Ruawaipu rohe, or hold authority over the land and people.

THE WATERS OF RUAWAIPU

48. What is significantly important when it comes to the ancestor Ruawaipu is that she held great importance over the waterways and fisheries. Young and Belgrave cover these traditions.

“Kaiaua replied it was the celebrity of the waters of Ruawaipu that had brought him that way.

Waiapu

Waikaka

Waipara

Orutu[a]

Awatere

⁹ *Rauru Nui A Toi*, 1972, Lecture 6, page 3

¹⁰ Drummond R.J.H, “The Origins and Early History of Ngati Porou, A Maori Tribe of the East Coast” MA thesis for Victoria University, 1937

¹¹ McConnell, B. ‘*Te Araroa - an East Coast Community History*,’ 1990, Chapter 1, page 7.

¹² Kohere, R – Tawakewake : An Historical Case Study and Situational Analysis of Ngati Ruawaipu Leadership; a thesis presented for the degree of Doctor of Philosophy in Māori Studies at Massey University, Albany, Aotearoa-New Zealand - 2005 p 116

Karakatuwhero
Wharekahika
Whangapora¹³

[122] Crucially, Waiheke denied that Ngaoho ever conquered Wharekahika; they took the land between Pukeamaru and the Awatere river. The Rivers of Ruawaipu were the Karakatuwhero, Waikaka, Awatere, Wharekahika and Whangapora. Ngaoho did not take all her land in consequence. While Ngaoho lived at Karakatuwhero, Te Whanaua Tuiti, who were descendants of Ruawaipu, lived at Wharekahika.¹⁴

[231] Under cross-examination by Wiremu Fox, he referred to several occasions to Ruawaipu and Tamateapoko;”..... The waters of Ruawaipu referred to by Tamateapoko were Waiapu, Awatere, Karakatuwhero, Wharekahika and Whangapora...¹⁵

[253] He denied that Tania had any interest in the land or that Tania was given any land on his marriage. Tania was a descendant of Porourangi and came from Whangara when Tamakoro and Uetaha returned to avenge the death of Tamatearahia and reclaim the land of Tamateapoko and Ngati Ruawaipu. He denied that Ngaoho ever conquered Wharekahika: they took the land between Pukeamaru and Awatere river. The rivers of Ruawaipu were the Karakatuwhero, Waikaka, Awatere, Wharekahika and Whangapora.¹⁶

49. In telling the tradition of Tamateapoko and Uekaiahu Ngata writes the following;

Tamateapoko lived at Whangara. When her sons went out far at sea to fish she watched the canoes sailing out and disappearing over the horizon, and she wept, bemoaning the risks and hardships they faced to obtain food from the ocean. And she cried, “There yonder are the foods of the streams of Ruawaipu gnawing at the shore.” Her children asked what she meant and she explained, that the streams she named abounded in the kahawai fish, which at times literally biting at it. It was then that the sons of Uekaiahu and Tamateapoko, namely Raramatai, Tania, Uetaha and Tamakoro determined to avenge the death of their ancestor Tamatearahia.¹⁷

¹³ *Te Papatipu o Ruawaipu* , para 61

¹⁴ *Ibid*

¹⁵ *Ibid*

¹⁶ *Ibid*

¹⁷ *Rauru*, Lecture 6, page 13.

50. In 1996, Maru Koia wrote to the Department of Conservation outlining the significance of Whanga-o-Kena Island.

“Tahingaroahau chief of Ruawaipu people of East Cape pre-migration in our oral history is recalled as saying to his son in law Kaiawa, “The fish of the rivers of Ruawaipu (Waiapu, Awatere, Karakatuwhero, Wharekahika) are only seasonal, (the Kahawai) while my rock [Whanga-o-Kena] out there abounds with fish at all times. ”¹⁸

51. Traditions on the Waters of Ruawaipu continue to be handed down. It was only fitting that at the turn of the 21st century those who affiliate to Ruawaipu became very protective when it came to fisheries, and foreshore and seabed settlements between the Crown and Ngati Porou.

THE NGATI POROU’S

52. The eponymous ancestor for Ngati Porou is Porourangi. According to Soutar, Ngati Porou is a shortened form for *Nga Tini Uri o Porourangi*¹⁹ (the descendants of Porourangi).

53. In 1895 W.E. Gudgeon (a Native Land Court Judge) who also presided over title investigations on the East Coast viewed the following;

“The name of Ngati-Porou does not by any means convey a correct idea of assemblage of the tribes now known under that designation. Porourangi, was indeed one of the progenitors of the tribe; but not the only one, nor, indeed, the chief one..... Ngati Porou are unable to say how, or what manner, they first became possessed of their present land.” - [Gudgeon. W.E. Journal of Polynesian Society - The Maori Tribes of the East Coast of N.Z, Vol III – Part II page 19.]

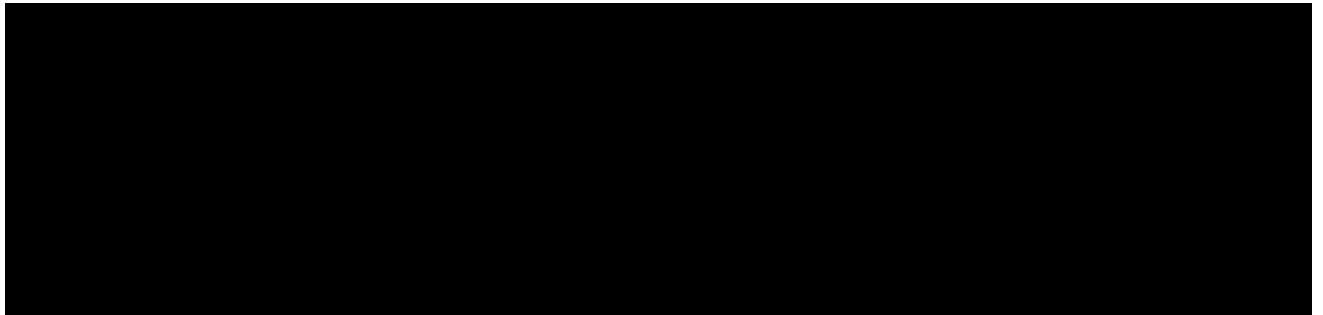
54. Ngati Porou proper, or Ngati Porou ‘*tuturu*’ means the original Ngati Porou people of the Waiapu valley. This clan resides on the northern bank of the Waiapu river (from the Kopuakanae to Paoaoruku) and opposite to its relatives the Ngati Pokai (on the southern bank).

¹⁸ Letter to the Department of Conservation, Field Base, Te Araroa by Maru Koia, 8 March 1996.

¹⁹ Soutar, *Leadership*, p29

55. Rongomaiwharemanuka was a son of Pokai. Rongomaiwharemanuka begat Te Aokairau who married Tamataua. It is said Tamataua was the son of Rongomai aniwaniwa (a daughter of Porourangi).

According to tribal scholars, originally, Ngati Porou had been properly a name applied to those hapu living along both banks of the Waiapu River from Kopuakanae, at the mouth of the Waiapu, to Paoa-o-Ruku Stream some twenty kilometres inland. Over the years, local speakers, during marae discourse, have acknowledged this descent group as Ngati Porou tuturu...²⁰



Te Aokairau became the wife of Tamataua, son of Rongomaianiwaniwa and Tawakika, and their children Hinepare, Huangā, Putaanga and Rakaimataura became owners of land from Paoaruku to Kopuakanae²¹

It was Te Aokairau who divided the lands in the Waiapu valley between her children Putaanga, Hinepare, Huangā, Rakaimataura and Tamatohukore. Te Aokairau inherited the mana over the lands from her tipuna Ruawaipu, who in turn was a descendant of Toikairakau, one of the corner stone ancestors of the Eastern tribes.²²

56. Ngati Porou tuturu is a legitimate pre-Treaty tangata whenua grouping associated with Porourangi and Pokai who obtain their mana whenua also from Ruawaipu. To avoid confusion, Ngati Porou tuturu should not be confused with Ngati Porou Whaiti or Whanui or Ngati Porou in general. These are not natural groupings with customary land holding origins.

²⁰ Ibid, p30

²¹ Ibid, p31

²² Wai 900, # A36, affidavit of (Koro) Te Kapunga Matemoana Dewes dated 14 December 2000, para 82

57. Soutar in his thesis attempts to validate a Ngati Porou monolithic entity (pre-Treaty). Soutar refers to Ngati Porou expansion, but is not able to clarify how, when and why.

As the home group expanded to encompass the wider region, the name Ngati Porou was applied to all those hapu living between Tawhiti and Patangata at Wharekahika. Sir Apirana Ngata, in his writings referred to this group as Ngati Porou whaiti, the name which was used to distinguish them from Ngati Porou [[tuturu]]. Further expansions over time lead to what most people commonly understand today to be Ngati Porou – the people between Patangata and Toka –a-Taiau. This largest group is sometimes called Ngati Porou whanui, again to differentiate the wider group from the smaller division. - Soutar, *Leadership*, p32 [*Claimants underlining and insert*]

THE CHURCH OF ENGLAND

58. Just prior to te Tiriti o Waitangi being brought to the East Coast by the Church Missionary Society (CMS), several tipuna from the Waiapu (Ngati Porou *tuturu*) were abducted and taken up north. It was William Williams's cunning plan to return these ancestors back to the Waiapu in an attempt to win favour and introduce Christianity to the East Coast (the first process or tool for colonisation).

[456]William Yate also told the House of Commons Select Committee on Aborigines in February 1836 that they were lured on board and taken to the north for the purpose of establishing friendly relations with Maori leaders.²³

59. William Williams becoming a hero would have his Church accepted by those of the Waiapu. Over the next two decades with the Crown strategically selected recruits to be converted. Christianity would spread throughout the district with parishes like a virus indoctrinating the next generation. By 1856, the Church with support of some Ngati Porou tuturu members would expand Christianity to as far as Waipiro Bay (near Tokomaru Bay).

In 1856, CMS missionary Charles Baker recorded one Waipiro chief discussing the church-building programmes in the district and how they were about to upgrade to a wooden one. Having listed other places –Rangitukia, Kawakawa, Te Horo, Tuparoa, Kakariki and Whareponga- he said that 'it is now time for the Waipiro people to

²³ *Te Papatipu o Ruawaipu* para 456

make a stir, as at the extreme end of the Ngati Porou district.²⁴ [*Claimants underlining*]

TE TIRITI O WAITANGI 1840

60. The 1835 Declaration of Independence declared Maori ‘sovereign power and authority’ (ko te kingitanga, ko te mana). Maori did not cede their mana under te Tiriti o Waitangi.
61. The English version and Maori version of the Treaty of Waitangi are two different documents and cannot be reconciled. Maori ceded sovereignty under the English version, whereas Maori did not cede sovereignty under the Maori version.
62. Only the Maori version of the Treaty of Waitangi was solicited on the East Coast. The preamble sets the context of the Maori version in which the Queen desired to preserve Maori chieftainship over their lands. In doing so, the Queen sought Maori authority to establish her government so that no evil will come to both Maori and European.
63. Although missionary Henry Williams was asked by Bishop Broughton of Sydney to help influence Maori to surrender sovereignty (Orange p39), Henry being fluent in Maori knew that northern Maori would not give their sovereign power and authority to the Queen. The term kawanatanga (governance) derives from the Maori language version of the English word ‘governor’ (not the English word sovereign).
64. On 17 February 1840 Hobson wrote to Sir George Gipps (Governor of New South Wales) recalling a settler at Hokianga who objected to the Treaty. Hobson reports; ‘I asked his motives for endeavouring to defeat the benevolent object of her Majesty, whose desire it is to secure to these people (Maori) their just rights, and to the European settlers peace and civil government.’ Hobson further explained how he was sent to control unruly British subjects upon which he asked Maori for their authority to do so (Maori responded by a song of applause).

²⁴ Gillings. B, *‘I Raised the Flag Over Them For Their Protection’*: The Development of an Alliance between East Coast Maori and the Crown 1840–1872, a Report Commissioned by CFRT and Te Kura Takai Puni, (Wai 900,# A24), April 2005.

65. In short, Maori allowed a government to be established for peace and good order. This can also be endorsed by s53 of the New Zealand Constitution Act 1852 which limited government's powers to peace and good order.
66. The fact that Wardell (Crown official based in Gisborne) in 1861 recalled Maori statements that the Queen was not their ruler and government was limited to the settlers in isolated portions of the island, further proves that East Coast Maori granted 'kawanatanga' to the Queen as a limited form of governance.²⁵
67. It is absurd to think that East Coast rangatira that signed te Tiriti would give their right to absolute rule to an absent foreign ruler represented by a handful of settlers living under sufferance. Anthropologist Hugh Kawharu noted, 'there could be no possibility of the Maori signatories having any understanding of government in the sense of sovereignty.'
68. The background to the signing on the East Coast of the Treaty of Waitangi (1840-1865) is adequately covered by Derby in his scoping report for the East Coast Inquiry (Wai 900# A11).
69. By 1865, the East Coast economy was still under the mana of Maori. But this would change as the Crown wanted land, resources, power and control. With the bible now losing its effect, it was now time to bring in the gun.

THE SUPPRESSION OF REBELLION 1865

70. The 1860s was a crucial era in Ruawaipu post Treaty history where the ethnic suppression of Ruawaipu whanau-hapu began with the genesis of the Ngati Porou taha kawana (Ngati Porou on the government side). The Ngati Porou loyalists consisted of those chosen by the Crown for religious induction, and converted Maori missionaries. This faction would become mercenaries for the Crown.

²⁵ Derby M. Wai 900# A11, 'Undisturbed Possession- Te Tiriti and East Coast Maori' 2007 page 55

71. Rapata Wahawaha was of mixed race. He was also a Maori slave in his childhood who had a thirst for revenge and a score to settle with the Maori people. Wahawaha was a prime candidate to suppress Maori land owners that would not yield to the Queen and settler government. He would play a major role in suppressing the identity of Ruawaipu whanau-hapu.

Wahawaha was on the verge of manhood and with his kinsmen ready to take advantage of opportunities Christianity provided.....The first twenty years of his life is characterised by experiences of militancy and Christianity. This ambiguous co-existence would characterise both Ngati Porou leadership during the 1860s and Wahawaha himself, so that he would lead his men in the name of Christianity, while reverting to traditional practices in conducting warfare. Wahawaha, like others, saw no incompatibility between the old and the new, and applied the new to his changing world. Killing was not a contradiction as he was waging war in the name of Christianity.²⁶

72. The Crown's true agenda was to acquire sovereignty (absolute British rule), which was the key to achieving its immediate goal of obtaining cessions of land and in its broader goal of opening up the East Coast for Pakeha settlement and control, regardless of Maori opposition.

The outcome of the conflict brought a sea-change to the coast, which was not lost on Donald McLean, the government's agent provocateur on the scene: "The several successful engagement's...will I feel assured be the means of enabling the Govt in conjunction with our Native allies to establish British authority along the whole line of coast from Hicks Bay on the East to Uawa or Tolaga Bay on the South (Luiten, p52).²⁷ [*Claimants underlining*]

73. The atrocities caused to the Ruawaipu people that would not yield to the Queen and wanted to maintain their tino rangatiratanga over their lands by peaceful means was horrendous. This included the killing of women and children.

²⁶ Soutar – *Leadership*, page 132. – Chapter 4.

²⁷ Luiten – “*Local Government on the East Coast*” (see Subasic, Scoping Report – EAST COAST WARS and AFTERMATH p 116)

The queen party buried 30. There were 30 wounded. 70 women and children and 10 men were captured. 11 cask's of powder. Many belongings were confiscated by the Queen party..... Ruataupare are good people unto themselves. Hauti are also. Porou is the same. They are friendly with Taranaki and with the Pakeha. Friend, the hauhau have left here. They have no more warriors. They are finished, finished. Soon they will be completely gone.²⁸ –[*claimants underlining*]

“My affectionate friend greeting's to you. This is to make known to you my things that were done wrong by the Queen's party of Waiapu. 1 house of potatoes with 200 kits of potatoes in it burned with fire. Another house was destroyed by fire. The things there that were destroyed in it, 1 loft of corn and wheat, 56 bags, 1 pig and 5 horses. Those are all the things destroyed by the Queen's party of Waiapu. There is another matter, a Hauhau boy who came out of the bush among several other Hauhaus. The reason he came out was out of love towards his parents who were on the Queen's side. As he made his way 3 followed him and that boy came out himself. When he met the sentinels of the Queen's party of Waiapu, 2 of whom are from here, they caught him. They led him on and when they arrived at a certain place they sat him down and asked him what he knew about the pa of the Hauhaus and he said 50 (men). When he had told all he knew, they blindfolded his eyes with a handkerchief and then bayoneted him from behind and killed him. This is to ask you whether this is right or wrong...”²⁹ – [*Claimants underlining*]

[501] It was erected at Pakaimiromiro [Pakairomiromi]. It was burnt by the government. The people were inside and burnt to death. Wi Wanoa was one who escaped, so was Hohepa Karapaina who still suffers from a bullet wound in the hand. There were others who escaped.³⁰

74. The real aggressors of the 1865 suppression of rebellion were the Crown and the Ngati Porou loyalists acting on behalf of the Queen and Church of England.

[533] Here it was the loyalist faction who initiated the conflict. The opposite faction, who were called Kingites and really became converts to Pai Marire, had previously been just a bellicose. The only group involved who advocated peace was the group of Pai Marire.... The Europeans had no such concerns for Peace. In this war among the

²⁸ *E Taku Hoa Aroha*, Volume 5, part I, page 52. 27 August 1865. MS Papers 0032 Folder 689I, Translation.

²⁹ Ibid, Volume 5, part I, page 95 Letter from Hori Ngangaro to McLean, 6 September 1865

³⁰ *Te Papatipu o Ruawaipu*, para 501

Ngati Porou the Ngati Porou loyalist faction used European arms and support to defeat the dissidents³¹ within their own tribe.³² - [*Claimants underlining*]

Be strong in to the revenge these deaths laying at your feet. There are very few men at Te Hatepe, about 50, which is another reason why I am careful. If I go, all will go, as fighting pleases this tribe.³³ [Ngati Porou Loyalist Kohere to McLean]

75. Major Rapata Wahawaha was painted as a hero, and protector of Ngati Porou lands by helping the Crown, so says the history written by Ngati Porou and others. But the truth is Rapata Wahawaha was not a traditional chief. He had no land to protect.³⁴

76. In fact, key leaders of the Ngati Porou loyalists were landless and therefore, by siding with the Crown they would be able to obtain land. For example, as covered by Stirling, in April 1874 regarding the Kawakawa township rejected by Wahawaha and Kohere (leaders of the Ngati Porou taha kawana) “Campbell writes: “They said that being the two smallest land owning chiefs they dreaded a [Native] land’s Court which would give each his own and consequently threw every obstacle in the way.

In Campbell’s view, some of those who opposed the Court did so because they were aware their ‘pretentious’ claims would not stand its scrutiny. In this regard, he specifically referred to recent occupations of Pai Marire land by taha kawana leaders, and referred to the claims of the latter as examples of these weak or pretentious claims.³⁵

77. The Crown also offered money and positions of power as reward.

“...One of the crucial factors in forming the attitudes of Ngati Porou leaders during the conflict was the promise by Crown officials of the benefits of alliance. McLean

³¹ Note: the term “dissident” is used by Te Runanga o Ngati Porou supporters to describe Ruawaipu claimants today. (re: a compilation of affidavits in support of the Wai 272 claim filed in the Waitangi Tribunal on 2 December 2009).

³² *Te Papatipu o Ruawaipu*, para 533

³³, *E Taku Hoa Aroha*, Volume 5, part II, page 117, 7 December 1868

³⁴ In April 1874 regarding a kawakawa township rejected by Wahawaha and Kohere (leaders of the Ngati Porou kawanatanga) “Campbell writes in response to the locals: “They said that being the two smallest land owning chiefs they dreaded a [Native] land’s Court which would give each his own and consequently threw every obstacle in the way.” - See Stirling “*East Coast Lands Nineteenth Century Overview*”, 2010, WAI #900 A71-page 224 (also see footnote 504, page 164)

³⁵ Stirling “*East Coast Lands Nineteenth Century Overview*”, 2010, WAI #900 A71 – page 163

was authorized to provide such benefits directly in the form of arrangements made directly with 'Friendly Chiefs', including supplying them with the munitions they needed to defend themselves as well as applying Crown forces to the task, where necessary. He was also able to promise the preservation of the safety of the district as well as rewards from a grateful government to Maori who assisted it, ..."³⁶

78. Subasic covers Colonial Secretary Frederick Weld's instructions empowering McLean to "supply arms and ammunition to loyal natives" and "substantial reward for services rendered," including pensions for the widows of men, who may fall in "suppressing insurrection."³⁷ Subasic continues on Weld, and writes;

Weld also suggested that Mclean would be empowered to raise a European militia force, but at the end of the letter he explained why so much emphasis was placed on recruiting the professed Kawanatanga supporters;

You are aware of the financial position of the Colony, and also that the Government cannot hold out hopes of reinforcements of Regular Troops being afforded by the Lieutenant General Commanding in New Zealand; you are also generally in possession of the views of the Governor in respect to the present position of Native Affairs. It therefore only remains for me to say that it is with full reliance on your discretion and judgment that the Government has requested you to undertake the task now imposed upon you.

Weld's instructions to McLean are suggestive of the stance that the Crown was adopting in respect to Pai Marire. Two main features emerge from the letter which would guide Crown policy over the coming months. Firstly judging by Weld's use of the word insurrection, it seems the Crown construed that Volkner's execution – as noted earlier at best, not even instigated by the Pai Marire, and at worst, a single incident – was an act of rebellion, even though Volkner was not officially a representative of the Crown. It seems possibly that the corollary to this construction could have been that anyone associated with Pai Marire was, therefore guilty of the same offence.³⁸

79. Subasic continues on Weld... "suggesting that Volkner's execution was nothing more than a criminal act which provided an opportunity for a much more heavy-handed reaction from the Crown."

³⁶ Gillings B, - *I Raised The Flag over Them for Their Protection*, p 154

³⁷ Subasic; Wai 900#, A 28, page 72.

³⁸ Ibid, page 73.

“Weld seems to have suggested that the Crown was seeking to use an essentially criminal act to achieve its own political goals, the ultimate of which may well be the imposition of substantive Crown authority in the regions where Pai Marire had established a foothold.”³⁹

THE AFTERMATH AND EXPANSION OF NGATI POROU

80. Soutar writes;

...The civil war that took place was to be the catalyst for reshaping the iwi profile at the expense of hapu autonomy. As a direct result of the war, a Ngati Porou whanui identity was fostered and more or less accepted.⁴⁰

81. When Te Kooti’s pursuit ended, Ngati Porou loyalists or ‘canoe people’ gathered to celebrate Major Rapata Wahawaha’s “victorious” feats at the 1872 Mataahu hui (Waipiro Bay). Waipiro Bay was the place of Wahawaha’s hapu Te Whanau a Haemata. Te Haemata (associated with Rakairoa) was also a descendant of Rakaimataura (Ngati Porou tuturu) who migrated to Waipiro Bay to occupy gifted land.

82. Wahawaha was awarded the Queens sword of Honour, where many loyalists stood to give their praises to the power of Queen and Ngati Porou.

Then stood HORI NGANGARO; greetings to you Major, the man who gave us the authority of the Queen as an umbrella for Ngati Porou⁴¹....

83. The statement below by Paratene Ngata (the father of Apirana Ngata) along with others shows how a political Ngati Porou umbrella was wielded together.

Then stood PARATENE NGATA to welcome the people;- Welcome the tribes, welcome. Greeting’s to you all. Welcome and give thanks to this our power and authority. Our two powers have been collected together on the one flag. Welcome the people, welcome on the one canoe, to the authority bestowed upon us this day. O the people, lie down in the canoe and remain silent. Let the man who will conduct us be

³⁹ Ibid, page 78.

⁴⁰ Soutar, Leadership, Introduction, p33

⁴¹ *E Taku Hoa Aroha*, Volume 3, Mataahu meeting of Ngati Porou 1872, page 171

Major Rapata, and let him conduct the laws for us and for the land from Anaura to Taumata o Apanui. I have no boundary for any man. It is for each tribe here to come under the authority of Ngati Porou.⁴² [*Claimants underlining*]

84. Rapata Wahawaha and a few other key loyalists where able to infiltrate Parliament and do backdoor deals, placing themselves politically in positions of power over land and finance. This would pave the way for future loyalists in maintaining its allegiance with the Crown to carry on the Ngati Porou hegemony.

85. Stirling records some comments on Rapata's later years in 1884 regarding the Governments intentions to cut his salary from £300 per annum to £100, Rapata Wahawaha responded as reported on by the *Poverty Bay Herald*, by saying;

‘I have always been on the Pakeha side and with the law and order in troubled times. I am still steadfast and always will be to the Queen and her Government...although the present Government have taken the pension from an old man, I have still left the goodwill of the European, as I plainly see today. .⁴³

I have been a dog fed by the Government, but so many years have passed that it has become a matter of forgetfulness, and now I have reached my mature years, and I have no work to do, I am now treated in this way. I am not at all dark or sad about this – that is, the plundering me of the money. If I was of that stamp... I should show it by turning rebel, or making others turn rebel, or killing someone.⁴⁴

He said he was prepared to continue to act for government, but pointed out that the wars had ended in 1872; a government victory in which he had played an enormous part.⁴⁵

I am not an arithmetician or a financier, and do not know anything about it. But with references to the land, I have simply to say to Ngati Porou, “Sell your land”. Nearly all the land has gone – Porter and other Commissioners are the ones who have got it. The rather flippant advice to Ngati Porou to sell their land seems a reflection of

⁴² E Taku Hoa Aroha, Volume 3 , Mataahu meeting of Ngati Porou 1872, page 182

⁴³ *Poverty Bay Herald*, 3 May 1884. [From a speech Rapata made at a wedding. You can find this online using the Papers Past site: <https://paperspast.natlib.govt.nz/>) - Stirling personal correspondence July 2018] Also see Stirling, WAI #900 A71 at pages 526-527

⁴⁴ *Poverty Bay Herald*, 8 May 1884, - see Stirling, WAI #900 A71 at page 527

⁴⁵ Ibid

Ropata's evident despair over the land already sold – and perhaps over his own role in its alienation.⁴⁶

THE NGATI POROU DISTRICT 1875

86. By 1875 the Ngati Porou district was recognised by the Crown from Potikirua to Tawhiti (southern end of Waipiro Bay).

...the government did not respond to Porter's February request for instructions until 17 April 1875. His district was the Ngati Porou district as then defined by Porter and the government (Awarau, near Tawhiti, around Potikirua, and inland along the watershed to Maungawaru).⁴⁷

87. In 1879 Wahawaha (a non land owner) was also involved in the Native Land Court boundary between Ngati Porou and Whanau a Apanui which confirmed Potikirua. This boundary is covered in Te Papatipu o Ruawaipu.⁴⁸

Wiremu Kingi recalled a meeting held in Gisborne in 1879 to discuss and settle the boundary between Apanui and Ngatiporo... Rapata Wahawaha informed the Court that he had signed his name to the agreement as to the boundary between Apanui and Ngatiporo. He was able to point out the boundaries on the plan (pp617-618).⁴⁹

88. The Ngati Porou southern boundary was confirmed in 1885 at the Hautanoa hearing, Ropata Wahawaha gave evidence that in 1868 he proposed the Waitakeo boundary (Southern boundary of Waipiro Bay and the northern boundary of Tokomaru Bay).

I went to the Aruru that night and found them waiting for me – before daylight I went to Te Puka to see Major Biggs and Mr Locke. I was told that Waekawa was the government boundary. We then went to Henare Potae who upheld the boundary; many of us had then assembled there. I told Henare that I would never consent to his boundary including my land. I proposed Waitakeo as boundary, which was adopted (p182).⁵⁰

⁴⁶ Ibid

⁴⁷ Stirling, B. 'East Coast Lands: Nineteenth Century Overview', September 2010, WAI 900 #A71 page 270

⁴⁸ See *Te Papatipu o Ruawaipu*, para 136

⁴⁹ Berghan P. 'East Coast Block Research Narratives 1865-2000' August 2008

⁵⁰ Ibid, p182

89. Therefore, the Ngati Porou district from Potikirua to Waipiro Bay was created by the Crown and Rapata Wahawaha. This District did not expand further than Tokomaru Bay.

In April 1880 Gudgeon reported that Tokomaru Bay Maori were very dissatisfied as their lands being investigated at a Waiomatatini sitting, “as there is nothing for them to live on while attending sittings” there. Indeed the press observed that, “to take a Tokomaru Maori Native to Waiapu is taking him away from his own people.”⁵¹

90. Drummond⁵² in his 1937 thesis refers this Ngati Porou as a “modern day Ngati Porou,” that extends to as far as Tokomaru Bay.

91. Overwhelming evidence in the Paula Berghan ‘East Coast Block Research Narratives’ report (filed in the Wai 900 Inquiry) demonstrates that past Tokomaru Bay, there are no Ngati Porou claims or traditions over land.

92. This does not however mean, that the Ngati Porou district stopped at Tokomaru Bay, as the Crown would play a further role in the systematic expansion and indoctrination of Ngati Porou to far as Gisborne and continue its role in the ethnic suppression of the Ruawaipu people in the 20th century.

THE NGATI POROU HEGEMONY IN THE 20TH CENTURY

93. Apirana Ngata would carry on the mantle of Rapata Wahawaha and Ngati Porou.

The degree to which the martial tradition impacted on the individual’s decision to enlist in World War Two is a question addressed in this thesis, as is the matter of whether the Ngati Porou contribution can be attributed to the stance taken by men like Major Rapata Wahawaha in the wars of the 1860’s. Apirana Ngata, who played a key role in Ngati Porou recruitment was a great nephew of Harata Te Ihi, the wife of Major Wahawaha. His father, Paratene Ngata, had been a member of Rapata Wahawaha’s household. In turn, Apirana came under the Major’s influence throughout his childhood. Wahawaha was one of the first to discern Apirana’s “intellectual promise

⁵¹ Stirling, ‘*East Coast Lands: Nineteenth Century Overview*’, 2010, WAI #900 A71 page 472 (also see ‘East Coast Items’, in the Poverty Bay Herald, 6 April 1880, p.2)

⁵² R J H Drummond, *the Origins and Early History of Ngati Porou*, p88

and is credited with having influenced his subsequent educational career.” Many of the values of Wahawaha’s generation were passed on to Apirana by Wahawaha and his wife, Harata Te Ihi, and reinforced by his parents, Paratene and Katerina. It was through them that his attitudes to the monarch, the Government and also the Anglican church were shaped . . .⁵³.

94. Ngata was able to indoctrinate the younger generations with his Rauru Nui A Toi Lectures, designed to show the development of Porourangi stock (Nga Tini Uri o Porourangi) and to promote a Ngati Porou whanui myth that covered the entire East Coast region (from Mahia to Te Kaha to include the Gisborne tribes and Te Whanau A Apanui). Ngata’s sale pitch was the descendants of Porourangi were superior composing of Hawaiki immigrant stock that colonised the primitive tangata whenua Toi peoples.
95. In these lectures, Apirana Ngata also asserted an intermarriage theory based on the descendants of Porourangi, known as the three brothers Taua (the ancestor of Whanau a Apanui), Mahaki (the ancestor of the Ngati Porou tribe over the Ruawaipu and Uepohatu rohe), and Hauiti (the ancestor of the Hauiti tribe).

[720] Ngata was able to experiment in different forms of social, economic, and cultural development through his access to government. A common whakapapa from Porourangi was extended to unite Maori living on the East Coast....this became a surrogate tribal identity...⁵⁴

96. These Rauru lectures were a dangerous tool stemming from a selective Ngati Porou faction and based on selective whakapapa that would be used to ‘reshape an iwi’ in the 1980’s.

TE RUNANGA O NGATI POROU ACT 1987: THE BEGINNING OF AN ‘IWI’

97. Another significant period in the ethnic suppression of Ruawaipu whanau-hapu by acts done or omitted by or on behalf of the Crown was in the late 1980s when the General Legislative Council of New Zealand enacted Te Runanga o Ngati Porou Act 1987.

⁵³ Soutar, *Leadership*, Chapter 1, pages 47-48.

⁵⁴ *Te Papatipu o Ruawaipu*.

98. Contrary to the Crown accepting “that it was the intent of Ngati Porou members to set up the Runanga” the claimant asserts that the Bill was opposed by Waiapu North and others. This 1987 Act was based on the philosophies of Apirana Ngata, and his selective history was accepted by the Crown as legitimate without proper inquiry.
99. As previously mentioned, the 1879 Potikirua northern boundary and 1868 Waitakeo (Tawhiti) southern boundary was created by Wahawaha. The Taiau boundary for Ngati Porou and based on Ngata’s lectures that Taiau was a descendant of Porourangi living in Kaiti to which the rock there was named after him. This is despite the fact that there is no record in the Native Land Court of Taiau holding mana whenua in the area, or Porourangi traditions. Yes Taiau did live there, but traditions are told by the Gisborne tribes that Taiau was a woman to which the rock was named after.
100. On 11 December 1985 Koro Wetere (Minister of Maori affairs) introduced the Te Runanga a Ngati Porou (“the Bill”).
101. The Bill sat in Parliament until 16 June 1987, where at the second session it was introduced by Dr Gregory (Northern Maori MP). Eight submissions were received. He noted that “the committee exercised considerable patience in the hope that those groups objecting to the Bill might resolve their differences with Ngati Porou Runanga, that has not been possible. I shall turn to the differences.” Noting that whakapapa was an internal matter, he refers to three hapu Te Aitanga-a-Hauiti, Ngati Konohi and Ngati Oneone where witnesses want to remain separate from Ngati Porou.⁵⁵ The committee felt it was an “extraordinary claim”, although it believed the concerns were sincerely held, it nevertheless understood the major concerns of Paikea Runanga and Waiapu North to “retain their independence and autonomy and preserve the rights of ownership of assets and land”.⁵⁶
102. Winston Peters who had tried to resolve the boundary dispute, but to no avail, referred to the great Maori scholar, who in his view, regarding the boundary dispute,

⁵⁵ Wai 900, #A15 Document Bank on TRONP Act 1987, page 000017

⁵⁶ Ibid, page 000018. – Also see letter by L Tangaere, Chairman of the Waiapu North Committee, dated 5 September 1986, page 000364

Apirana Ngata's thesis tended to support the Ngati Porou case. However, Peters went on to say;

"I stress that it was the Government majority of the committee that was against that view, as were the department officials. The committee instructed the department officials to write further to the nga nohokainga in July 1986 to find out their views on the way the boundary dispute could be resolved. However, that resolution failed to mature. The department added a note of warning that stated; "There is a good chance that once the committee has made its decision the dust should settle and the respective parties tend go their own ways." That is a problem, because I do not think the dust will settle. The Bill will fail if parties go their own ways, because the object of the Bill should be to unite the people."⁵⁷

103. Peters (who had met with Hauiti), found the Paikea objection had merit, he also indicated that they were astutely aware of the political ramifications, "he who hold the purse-strings has the power".

104. In other words, the Crown created the internal conflict by endorsing one Maori group to defeat the mana of other Maori groups. It would then respond to Maori grievances by placing the responsibility on the aggrieved party to sort it out with its Maori rival now given the power. The Crown would then ignore the problem and wait for it to go away eventually (despite Peters telling the Crown the problem wouldn't settle).

105. On 7 July 1987, the Bill went through its second reading. Koro Wetere admitting the issues weren't resolved, but in his view "the Bill had to proceed."

106. On 16 July, Koro Wetere moved that the Bill was read a third time, noting the boundaries of the board from "Potikirua to Te Toka a Taiau" he reassured the House that assets that belonged to other Maori authorities would not be affected.

"I want to allay any fears that the people of the region might have about the provisions concerning assets, because it refers to assets that the trust board itself will acquire. It does not refer to assets held by other Maori authorities – I want to make the point perfectly clear. Concern was expressed by many Maori authorities in the

⁵⁷ Ibid, page 000018

region and I wish to take this opportunity to reassure them that that was not the concept of the Bill.”⁵⁸

107. Wetere reminded the House that the Maori Affairs is being devolved, that is the reason for forming statutory Maori authorities.

108. On 4 May 1987 the solicitor for the Maori Affairs, Whaimutu Dewes (whose father was an interim trustee of TRONP), wrote to Dr Gregory, Chairman of the Maori Affairs Committee, disagreeing with the separate identity of the Paikea Runanga.

“With respect, Mr. Barber’s statement that the Paikea Runanga supporters are not Ngati Porou is incorrect. It is also the only time such an assertion has been made”⁵⁹.

109. Te Runanga o Ngati Porou Act was given Royal Assent on 20 July 1987. Authors of Te Papatipu o Ruawaipu viewed the following;

[687] At this point, conversations based on alternative traditions, which had probably continued on the marae even if they no longer had any impact on land ownership or resource allocation, changed because one tradition was given institutional recognition by the Crown. Nga uri o nga hapu o Ngati Porou mai Potikirua ki te Toka a Taiau, which rather oddly was based on a geographical rather than a whakapapa definition, were to be represented by Te Runanga o Ngati Porou...⁶⁰

110. Some Te Aitanga-a-Mahaki kaumatua, (Gisborne) say they jumped in a bus and drove to Wellington during the establishment of the TRONP Bill. There at the footsteps of parliament they approached Dr Mahuika and Koro Wetere, and vigorously objected to any inclusion of their tribes. It appears the area for Ngati Porou was originally intended to cover the Turanganui-a-Kiwa tribes, as far as Muriwai (Ngata’s C Company boundary). Fortunately for Te Aitanga-a-Mahaki, Rongowhakaata and others, the TRONP Act’s “jurisdiction” only went to as far south as Toka-a-Taiau.

⁵⁸ Ibid., page 000026. (third reading)

⁵⁹ Ibid., page 000308

⁶⁰ *Te Papatipu o Ruawaipu*, para 687

111. Unfortunately the traditional East Coast tribes, Ruawaipu, Uepohatu, Ngati Ira and Hauiti were replaced with rohe (1-4). In other words, wiped off the historical map.
112. The Crown now accorded false recognition to Te Runanga o Ngati Porou as the statutory authority over the Ruawaipu rohe which was replaced with rohe 1. This had prejudicial consequences for Ruawaipu whanau-hapu by way of their continued ethnic suppression, and would have major ramifications over assets and property rights in the 21st century, as the Ngati Porou leadership was now under the mantle of Apirana Mahuika.

PART 2 THE MODERN DAY ETHNIC SUPPRESSION OF RUAWAIPU

EXTINGUISHING RUAWAIPU FISHERIES

113. In November 1988, Koro Wetere released a document entitled “Partnership Response: Policy Statement”⁶¹. The document intended to promote “a Maori Development Decade” by devolving the Maori Affairs, and in regards to the principles of the tTeaty, give Maori a greater say in their development. Maori groups could also be established under the Maori Trust Board Act 1955. This is how TRONP was constituted in 1987. In other words, TRONP were already set up well in advance of the government’s political agenda on Maori Affairs.
114. Te Ohu Kaimoana was established as a result of Maori Treaty Fisheries Claims Settlement Act 1992 (which derived from an interim settlement in 1989). It was intended by the Crown to be used as an economic base to strengthen Maori tribes as part of the Maori development decade. But the newly elected National Government did a u-turn and in 1991 created the Te Puni Kokiri (TPK) to take over from the now dissolved Maori Affairs. The Crown also repealed the Runanga-a-Iwi Act (1990). This Act was the result of the alternative to trust board legislation for developing iwi during the Maori Development Decade scheme. Although the Ruawaipu Land Incorporations were formed in the early 1990’s, any possibility of maintaining the autonomy of Ruawaipu would be ineffective.

⁶¹ Department of Maori Affairs, Te Urupare Rangapu: Te Rarangi Kaupapa (Partnership Response: Policy Statement), Hon Koro Wetere, Minister of Maori Affairs, November 1988.

115. Koro Wetere became a commissioner of TOKM, along with Whaimutu Dewes (1990-2000). Dewes designed the fisheries allocation model for Te Runanga o Ngati Porou. He also became the self appointed Chairman of the TRONP Fisheries Company in 2003⁶², when at the time he was also the Chairman for Te Kura Takai Puni (Ngati Porou Treaty Claims Committee)⁶³ and the Chairman for Ngati Porou Whanui Forests.

116. The fisheries settlement (intended as an economic base) had now taken 10 years to sort out. By now, the Ruawaipu Tribal Authority Trust (RTA) was established in 2003⁶⁴ to empower the whanau-hapu of Ruawaipu. The RTA made various submissions on fisheries. In particular objecting to the Maori Fisheries Bill 2004. This Bill became the Maori Fisheries Act 2004, which formed the Aotearoa Fisheries Limited (AFL).

117. Despite various protests, submissions, and public letters, during 2002-2005 to TOKM and the Crown, part of the policy criteria by TOKM was that Ruawaipu had to be recognised by TRONP (who opposed the independence of Ruawaipu as a tribe).⁶⁵

118. Eventually, TOKM accepted TRONP as the Mandated Iwi Organisation (MIO) to receive the fisheries settlement assets belonging to Ruawaipu traditionally. TRONP (funded by TPK⁶⁶ and assisted by Tuhono⁶⁷) had approximately received 3,000, votes out of 16,000 distributed to their beneficiaries. TRONP claimed a 92% mandate of the 3,000 votes (to represent 72,000). A TOKM policy clause accepted the majority of votes received, not a majority of the beneficiaries represented. This meant, TRONP was guaranteed a mandate.

119. In 2006 TRONP had formed the Porou-Ariki Trust the constitution was written by Whaimutu Dewes and consisted of the TRONP Board members as trustees (a

⁶² The Porou-Ariki Trust was constituted in March 2006, in which Whaimutu Dewes became a Director. The Trust was formed as part of the allocation criteria under the Maori Fisheries Act 2004.

⁶³ The Committee was dissolved on 1 October 2004 by a majority vote of Ruawaipu, Uepohatu and Hauiti claimants, although TRONP purport they were “Ngati Porou” claimants, see page 7, TRONP Annual Report, 2005.

⁶⁴ Go to www.ruawaipu.com

⁶⁵ See section 16, Wai 1301; - Statement of Claim, www.ruawaipu.com “Ruawaipu Treaty Claims”

⁶⁶ TPK give financial assistance to TRONP for capacity building.

⁶⁷ Tuhono was a government census database used to establish a beneficiary list for mandate purposes.

subsidiary). A confidential vesting of fisheries assets to TRONP worth \$35million by TOKM-(AFL) was scheduled for May 2006, in Ruatoria.

120. Koro Wetere's assurances in the third reading of the TRONP Bill would come back to bite him, as he and the Commission who arrived by bus, were blocked from entry into Uepohatu Marae by 100 Ruawaipu, Uepohatu and Hauiti tribal protesters. The ceremony was delayed by 1 hour, media were ordered by TRONP to stop filming⁶⁸, and extra police from Tokomaru Bay and Gisborne were called⁶⁹.

121. The main point of protest was the ethnic suppression of the traditional tribes, Ruawaipu, Uepohatu, and Hauiti. Schedule 3 & 4 of the Maori Fisheries Act 2004, re-designs the social structure of East Coast Maori by recognising TRONP and Whanau-a-Apanui under the landless tipuna Porourangi (who was killed by a fish).

122. Despite an attempt by the traditional tribes for a section 30 investigation in the Maori Land Court (was declined), the Treaty of Waitangi fisheries settlement by way of its principle Act (1992), blocks any person or body from inquiring into the validity of the Act, or how the assets are distributed.

EXTINGUISHING RUAWAIPU FORESHORE AND SEABED

123. Before the Foreshore and Seabed Act ("FSA") 2004 was passed. TRONP represented by Dr Apirana Mahuika, without a mandate, had entered into their own private negotiations with government. Terms of Negotiations were implemented by Matanuku Mahuika and the Crown in November 2004⁷⁰ (exclusively resourced by TPK, the Crown⁷¹, and with access to the fisheries settlement monies⁷²). The document was kept confidential from public scrutiny. Unadvertised site visits were convened in March 2005. This would lead to protest, as a result of clause 13.1., which

⁶⁸ The CEO for TRONP was on the Maori Television Board.

⁶⁹ *Gisborne Herald* - "PROTEST DISRUPTS \$35M CELEBRATION" Page 1, "EXTRA POLICE CALLED IN TO QUELL PROTEST" page 3, 9 May 2006.

⁷⁰ Terms of Negotiations between the Crown and Te Runanga o Ngati Porou, 1 November 2004. Signed by Parekura Horomia, Margaret Wilson, Michael Cullen and Api Mahuika. It had also been signed by TRONP trustees, and supporters, in total about 24 signatures.

⁷¹ Clause 17 of the Terms of Negotiations provides that the Crown will provide \$200,000 to pay for negotiation costs.

⁷² In 2003, \$10 million in net profits had been made by TRONP fisheries quota leases before TOKM vested the assets.

provided to remove the jurisdiction of the courts or tribunals from inquiring into interests already recognised in a final agreement. It was the intention of TRONP (with the endorsement of the Crown) to settle foreshore and seabed interests of Ruawaipu as Ngati Porou and then block Ruawaipu descendants from challenging the settlement in court.

124. This led to public protest again by Ruawaipu, Uepohatu, and Hauiti Tribal Authorities in April 2005 where Crown officials were intercepted at the airport. Officials were forced to abandon their Reporua visit, as the road was blocked by Ngati Rangi. With a police escort they were followed to Te Araroa, where officials were compelled to stay in the bus. At Lottin Point, the local Wai 1300 Tapaeururangi claimants blocked the road to the official party⁷³.

125. This led to an urgent hearing application by Ruawaipu and Te Aitanga-a-Hauiti claimants before the Waitangi Tribunal in June 2005. Unfortunately the application was turned down by Judge Wainwright on 13 July 2005 as her Honour considered the application premature. Her Honour viewed that the applicants were not likely to be irrevocably prejudiced, and that there were alternative remedies, such as mediation pursuant to the Maori Land Court's section 30 jurisdiction. The Crown had submitted and acknowledged that the extent to which TRONP can speak for the various East Coast groups, including some that may not identify as Ngati Porou would need to be resolved "before any final agreement is reached and before an application is made in the High Court" (pursuant to section 96 of the FSA).

126. Ruawaipu claimants wanted to exercise their rights to file claims against the FSA pursuant to section 6 of the Treaty of Waitangi Act 1975. The terms of negotiations festered into the Heads of Agreement in February 2008. Thus a further urgent application was filed by Kaumatua, Lou Tangaere, on behalf of Ruawaipu in February 2008, and likewise declined⁷⁴.

⁷³ *Gisborne Herald*, "OFFICIALS FLY INTO FORESHORE FURORE," 21 April 2005.

⁷⁴ Wai 63, #2.15, Memorandum-Directions of Presiding Officer 8 May 2008. The application was declined on the grounds that there were alternative remedies through the High Court. But, it seems the Tribunal failed to comprehend the fundamental issue that Ruawaipu could not claim aboriginal title before the courts under the FSA 2004. The Terms of Negotiations and Deed of Agreement further blocked Ruawaipu by intending to remove the jurisdiction of the Waitangi Tribunal from inquiring into Ruawaipu claims against the FSA 2004 (FSA claims to be settled under the Deed of Agreement).

127. On 7 August 2008, the Crown and TRONP (on behalf of certain hapu of Ngati Porou) initialled the Deed of Agreement. Another urgent application was filed by Tamaki Legal on 6 August 2008. In opposition, the Crown argued that the various Ruawaipu and Hauiti claimants had an alternative remedy through the High Court, and there would be no prejudice as only Ngati Porou hapu who wanted to mandate the Deed, would do so, there being no prejudice to those that do not.
128. On 31 October 2008, representatives of the Crown and the hapu of Ngati Porou (TRONP supporters) had signed the Deed. Appointed representatives would file an application in the High Court for confirmation that the requirements for a finding by the High Court under section 96 of the Foreshore and Seabed Act had been satisfied. This was required pursuant to obligations set out in schedule 8 of the Deed of Agreement.
129. On the 26 September 2008, another application for an urgent hearing was declined by the Tribunal which took the view that given the ratification process was incomplete and ‘somewhat premature’ to say that the ratification process has not worked or that the claimants hapu will be involuntarily included in the Agreement.⁷⁵
130. Also on 26 September 2008, Crown Law Office reviewed the Nga Rohe Moana o Nga Hapu o Ngati Porou Bill (“the Bill”)⁷⁶ for consistency with the New Zealand Bill of Rights Act 1990.⁷⁷ Noting that clause 109 of the Bill removed the jurisdiction of the courts and tribunals, on 29 September the Bill (subject to the Heads of Agreement), just three days after the Tribunal’s decision, and despite the Heads of Agreement having no evidence of individual hapu mandate, was rushed into parliament.
131. The Deed of Agreement which is subject to the Bill was ratified on 31 October 2008. The Tribunal has no longer any jurisdiction to inquire into the Bill and its Deed by virtue of its interpretation of section 6(6) of the Treaty of Waitangi Act 1975. Although The House of Representatives may under section 8 of the Treaty of

⁷⁵ Wai 1493, #2.5.6 Memorandum-Directions, Judge Milroy, dated 26 September 2008, see para14.

⁷⁶ Bill 303-1 2008

⁷⁷ Crown Law reference: ATT395/79. My note; section 27 of the Bill of Rights Act 1990 recognizes the rights of a person to justice before the courts.

Waitangi Act 1975 refer a Bill to the Tribunal to make comments, the Crown refused to do so.

132. Ruawaipu have been claiming since 2005, that the terms of negotiation affecting Ruawaipu foreshore and seabed were likely to create irreversible prejudice and that the identity of tribes such as Ruawaipu would be subsumed by Ngati Porou. The Deed of Agreement recognises the mana moana of nga hapu o Ngati Porou mai Potikirua ki te Toka Taiau before and at the signing of the Treaty.
133. In March 2009⁷⁸, a ministerial panel to review the FSA was established. On 1 July 2009 the panel released its report⁷⁹ recommending in particular the repealing of the FSA.
134. On 2 November 2009 the Prime Minister John Key, announced that the government will repeal the foreshore and seabed legislation. However, said Key, the “Government is committed to honouring the agreement reached under the Foreshore and Seabed Act 2004 with Nga Hapu o Ngati Porou in the East Coast region”.⁸⁰
135. The Bill continued to sit in the House, a delay caused as a result of the Marine and Coastal Area Act 2011 (‘the MACA’) replacing the FSA.
136. In September 2012 an application was being sought by TRONP for a determination of a customary marine title under the 2011 Act. At the same time the claimant was contacted by the Crown (OTS) to provide traditional evidence over the area claimed by TRONP.
137. Despite the OTS assuring the claimant that the natural groupings policy could not be used under the MACA, there is evidence the Crown intended to recognise the same Ngati Porou Treaty settlement group for foreshore settlement.

⁷⁸ United Nations recommendations (Economic and Social Council 10 March 2006, CERD 15 August 2007), political pressure, plus an agreement between National government and the Maori Party lead to the establishment of the panel.

⁷⁹ *Pakia Ki uta Paki Ki Tai*, Report of the Ministerial Review Panel, 30 June 2009.

⁸⁰ www.beehive.govt.nz

138. Furthermore, TRONP must meet the evidence criteria under 58 of the MACA, the independent report commissioned by the OTS from Dame Judith Potter to advise the Minister if these requirements can be met is still outstanding today. It was never done.
139. However, a key change in the Crowns position was it has broken its promise towards Ruawaipu, and will allow TRONP to bypass the High Court process originally offered under section 96 of the FSA. This process is still available under the 2011 Act where Ruawaipu can challenge the application before the Court, and the applicant group must meet the burden of proof criteria over the area claimed. But the Crown knowing of Ruawaipu concerns has decided to take an alternative route under section 95 of the 2011 Act.
140. Section 95 is a discretionary power that allows the Minister of Treaty of Waitangi Negotiations (OTS) to enter into an agreement directly with an applicant groups under the 2011 Act. It is important to note, Matanuku Mahuika (who wrote the initials terms), used to work at the same law firm as the Minister, the Hon Christopher Finlayson (Minister at that time). The Minister also had a very personal relationship with Apirana Mahuika.
141. Over \$1 million dollars in costs to date, the inquiry for a customary marine title is still pending some 9 years since its application. The settlement has no compensation under the Ngati Porou foreshore and seabed agreement which will be a full and final settlement. That is to say, no Ruawaipu claims over the area settled cannot be heard by any tribunal or courts of New Zealand.
142. Again, by Crown intervention with the aid of resources and endorsement the Crown is empowering 'Ngati Porou' to usurp the property and customary rights of Ruawaipu. The Crown for its own political interests allows Ngati Porou to bypass due process before the courts, while intending to block Ruawaipu with legislation from having access to the courts.
143. Recently in 2018, the 2008 Bill was amended and reintroduced as Bill No 2. In 2018 the claimant wrote to the new Minister for Treaty Negotiations, the Hon Andrew Little, to warn him of the serious grievances that will occur should the Crown proceed

and legislate the foreshore and seabed rights of Ngati Porou hapu, before they have proven customary rights under s58 of the MACA.

144. In March 2019 the Waitangi Tribunal held an inquiry (Wai 2660) into the Marine and Coastal Act 2011. Relevant correspondence between the claimant and OTS was placed on the record as supporting evidence against the Crown and prejudices of the MACA.⁸¹

145. In May 2019, the Crown enacted the Nga Rohe Moana o Nga Hapu o Ngati Porou Act. The purpose of the Act was to protect Ngati Porou hapu rights. There was no title determination under the MACA.

EXTINGUISHING RUAWAIPU TE TIRITI O WAITANGI CLAIMS

146. At the same time the Crown was dealing with TRONP on foreshore seabed, in 2006 Api Mahuika engaged with Mark Burton who was at that time the Minister for Treaty of Waitangi negotiations, to enter into ‘direct’ settlement negotiations.

147. In September 2007 the Wai 272 TRONP claimant (Api Mahuika) sought a mandate by TRONP beneficiaries via ballot vote. The ballot information sheet only mentioned the Wai 272 claim, the info sheet did not refer to settling Ruawaipu claims, in fact it lead the voter to believe a majority of claims in the inquiry were Ngati Porou, but 90% at that time were non-Ngati Porou claims. By October, tensions grew.⁸²

148. On 5 December 2007 the results were publicly released; 4,194 valid votes, with 3863 votes accepting the mandate claiming a 92% mandate overall of the returned votes, which in reality was 21.4% of the registered beneficiaries (5.4% of the government’s iwi census).

149. On 15 December 2007 “Notification of Mandate for Treaty Negotiations; Ngati Porou” was advertised in the *Dominion* News Paper by OTS.⁸³ The Crown had

⁸¹ Wai 2660 #A105 and #105(a)

⁸² *Gisborne Herald*, “RUNANGA’S NEGOTIATION BID ANGERS OTHER TRIBES”, - 9 October 2007. It should be noted that, Lou Tangaere, and original members of the Paikea Runanga, who objected to the TRONP Bill in 1986, were active in the protests.

⁸³ (Wai 2190, #A1, paragraph 3). (Wai 1301 Statement of Evidence Henry Koia, 13 November 2009)

placed all Ruawaipu claims (Wai numbers) in the notice, including contemporary ones to be settled as historical. In other words, the Crown was in such a hurry, it did not have the time to read the claims first and determine which claims were historical or contemporary before its notice.

150. On 16 February 2008, the OTS met with a large number of Ruawaipu claimants at Gisborne, who unanimously opposed their claims being used for a Ngati Porou mandate. Out of a total of 38 written submissions only one was in support of TRONP.⁸⁴ The OTS continued and recognised a TRONP mandate.

151. Again the Crown exclusively dealt with and funded only one claimant group to the detriment of others. This approach by the Crown was premised on the assumption that Ngati Porou is the only “iwi” on the East Coast, and on the assertions by Dr Mahuika, (who had previously promoted Ngata’s intermarriage theory of the three bothers).

17. First, we have been instructed that Ruawaipu, Hauiti and Uepohatu are not separate and autonomous iwi.⁸⁵

152. On 29 September 2009, Api Mahuika wrote to the Minister of Treaty of Waitangi Negotiations, declining to have personal facilitated discussions (as directed by the Waitangi Tribunal on 5 August 2009) with claimants disputing the TRONP mandate to settlement their claims (as Ngati Porou). Mr Mahuika based his assertion on Apirana Ngata’s Raurunui A Toi lectures that the descendants of Porourangi intermarried with the tangata whenua Toi peoples such as Ruawaipu, Mr Mahuika wrote;

Porourangi, like others of our ancestors, is a descendant of Toi and of Paikea. Through intermarriage the Uepohatu and Ruawaipu bloodlines have merged with those of Porourangi.....

It was as a consequence of this intermarriage that our tipuna chose Porourangi (or to give him his full name, Porou Ariki Te Matatara a Whare Te Tuhi Marie Kura a Rauru) to be the ancestor from whom our iwi takes its name. This in no way detracts

⁸⁴ Wai 900, # 3.5.43(e), paragraph 17.8, Brief of Evidence Jason M Koia 22 May 2009.

⁸⁵ Wai 900, # 3.5.42(c), Wai 2190 A110, B Tupara, Affidavit of Jason Mathew Koia 20 May 2009. [see appendix JMK2] letter by Rainey Collins, James Johnston, to Paul James, Office of Treaty Settlements (OTS) Director, dated 27 March 2008. SEE SOUTAR, *LEADERSHIP*, P32

from the mana and importance of our other tribal ancestors. What it does is recognise our common heritage...

153. Dr Mahuika does not name who ‘our tipuna’ were that chose Porourangi, but evidence shows in the *E Taku Hoa Aroha* volumes, it was the loyalists such as Paratene Ngata (Apirana Ngata’s father), wanting all tribes to come under Ngati Porou.

154. The Crown continued to support Api Mahuika’s “interpretation” of history. Yet, without tested evidence, or before assessing the Ruawaipu traditional history. In doing so, the Crown considered there was sufficient support for the identification of the three groups (Ruawaipu, Uepohatu, Hauiti) as part of the large natural group Ngati Porou.

Ruawaipu is understood to be an important ancestor (not hapu). It is understood that descent lines from Ruawaipu merge with Porourangi...⁸⁶

155. By this time, *Te Papatipu o Ruawaipu* had been completed by independent qualified historians who researched primary sources in the Maori Land Court archives.

TE PAPATIPU O RUAWAIPU TRADITIONAL HISTORY REPORT

156. On 18 November 2009, the Tribunal placed on its East Coast Wai 900 record of inquiry, the “*Te Papatipu o Ruawaipu: Traditional History Report*” authored by Dr Grant Young and Professor Michael Belgrave, dated September 2009, and recorded as Wai 900, # A30.

157. As Dr Young and Professor Belgrave have pointed out, no one can claim the mandate for everyone when there is division⁸⁷ and the powerful write out the powerless.⁸⁸ They also viewed the following;

⁸⁶ Wai 900, # 3.5.61(a), Crown Law, Brief of Evidence, Paul James, 17 June 2009

⁸⁷ *Te Papatipu o Ruawaipu*, para 649

⁸⁸ *Ibid*, para 636

[186] What is most surprising is the extent to which the Rauru lectures diverge from the traditions given in the Court.⁸⁹

[643] Despite his view of tribal identity, Soutar has to acknowledge at times, in the face of overwhelming evidence, that a monolithic entity called ‘Ngati Porou’ did not exist.⁹⁰

[654] We anticipated a robust debate between the descendants of Ruawaipu and the descendants of Porourangi in the Court and were quite surprised when that did not eventuate. There is not an absolute silence on Porourangi or Ngati Porou but the lack of any significant evidence on his relationship with the land, indeed traditions relating to him, is unusual in our experience.⁹¹

[719] ...but this report has demonstrated that the descendants of Ruawaipu and the descendants of Porourangi did not merge through intermarriage to become Ngati Porou. The evidence presented in the Native Land Court adequately demonstrates the distinctions between the two whakapapa lines in relationship to the land.⁹²
[Claimants underlining]

158. Regarding the Crown’s intension to settle Treaty claims with Ngati Porou, the authors of Te Papatipu o Ruawaipu viewed the following;

[455] Many Ruawaipu claimants believe that by settling on the basis of a historiography, that Ngati Porou supported the Crown and did not rebel, the Crown will be ignoring the claims of those descended from those who were attacked by the Crown and Maori allies and therefore be able to avoid responsibility for the events of 1865The Crowns actions in settling East Coast claims without addressing the possibility that its actions had a significant and destructive impact on the lives of many of those who looked for alternative ways of dealing with colonisation –and, with the Crown’s support, were attacked by their kin- would only foster ongoing grievances. Should this occur, it will raise real doubts about the durability of any settlement reached with the present generation of Ngati Porou leaders especially where questions are raised about the current historiography.⁹³

⁸⁹Ibid, para 186

⁹⁰ Ibid, para 643

⁹¹ Ibid, para 654

⁹² Ibid, para 719

⁹³ *Te Papatipu o Ruawaipu* , para 455

THE CROWNS HISTORICAL ACCOUNT

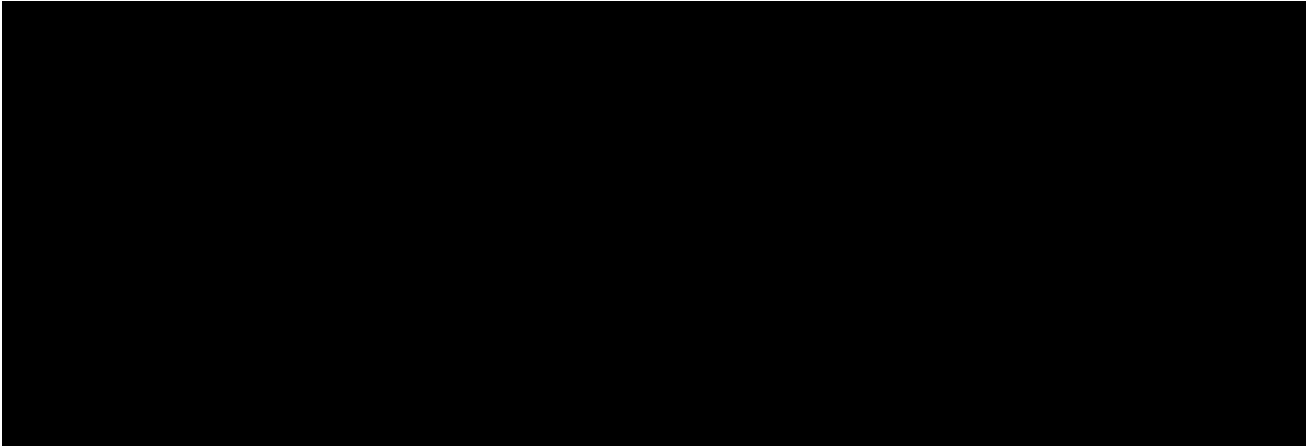
159. On the 14 May 2010 the Crown decided to review East Coast traditional history reports placed on the Wai 900 Inquiry. No report was provided by Ngati Porou.
160. The Crown historian was Dr Loveridge was not qualified in customary rights. The Crown had limited his time and resources compelling Dr Loveridge to file his report under duress, which was of course in favour of Ngati Porou and the Crown.
161. The grievances the claimant has with the Crown's process have already been placed on the Wai 900 inquiry record and the Maori Select Committee who would not look into whakapapa matters.⁹⁴
162. The Crown was more concerned with recognising the Ngati Porou historical account for its Deed of Settlement for Wai 900 East Coast Treaty claims. This included a distorted history based on Apirana Ngata's lectures that Ruawaipu migrated to Whangara led by the chieftainess Tamateaupoko who married Uekaiahu a descendant of Porourangi.
163. The only reference to mana whenua in the Ngati Porou historical account is to Ruawaipu. There is no explanation on where Ngati Porou and its purported hapu derive their mana whenua. Instead, migrant ancestors and their waka are promoted. The account also focuses on intermarriage.
164. It is important to summarise some key concerns of the Crowns recognition of the Ngati Porou historical account. The account recognises any ancestor (including the claimants) on or after 6 February 1840 by virtue of being descended from Porourangi in the Ngati Porou area from Potikirua ki te Toka a Taiau.
165. The first concern is the Rauru lectures were written by Apirana Ngata a Ngati Porou loyalist with the focus of promoting Porourangi. The historical account adopts Ngata's accord of Ruawaipu and the Nga Oho invasion.

⁹⁴ Wai 900 #3.1.371 Memorandum of Wai 1318 claimants in response to the crowns review of traditional history reports dated 25 August 2010. Also see page 51 of the submission to the Maori Affairs Select Committee on the Ngati Porou Claims Settlement Bill 17 June 2011.

166. The account wrongfully portrays Ruawaipu being conquered by Nga Oho and Tamateaupoko fleeing to Whangara where she married Uekaiahu a descendant of Porourangi. With the descendants of Tuere (a descendant of Porourangi) who married Muriwhakaputa of Ruawaipu, to become Ngai Tuere alongside the descendants of Tamateaupoko and Uekaiahu expelled Nga Oho and reclaimed the mana whenua of Ruawaipu.
167. This is a distorted and selective history. There is no clarification on how the reclaimed mana whenua of Ruawaipu became Ngati Porou.
168. The traditions in the Native Land Court also confirm Ruawaipu did not leave their rohe, only Tamateaupoko. By Ngata's own admission in his lectures, he himself recalls Tamateaupoko telling her sons on their journey to defeat the Nga Oho to leave her cousin Hinengarangara alone. Hinengarangara was still occupying her Ruawaipu papatipu, of which her descendants still live today.
169. It was also not a Porourangi or Ngati Porou mission, as Ngata quotes "*Tena te karere a Tamateaupoko te haere na*"⁹⁵. The journey was to restore the mana of Tamateaupoko a Ruawaipu chieftainess.
170. Most importantly, Uekaiahu was so remotely connected to Porourangi that it was blatantly misleading for Ngata to promote Uekaiahu as a descendant of Porourangi.
171. Ngata gives key hints in his lectures of Uekaiahu's connection to Ruawaipu but doesn't go as far as to chart them. Only a person knowledgeable in the various lines can place the hints together.
172. The truth is Uekaiahu was a cousin to the Ruawaipu chieftainess Tamateaupoko (a full blooded Ruawaipu descendant).⁹⁶ This also changes the perspective from Ngati Porou to Ruawaipu in the context of the Nga Oho defeat by the children of Uekaiahu as covered by Young and Belgrave had they been informed of the whakapapa.

⁹⁵ Rauru , lecture 6, page 21.

⁹⁶ See page 52 of the submission to the Maori Affairs Select Committee on the Ngati Porou Claims Settlement Bill 17 June 2011.



173. As you can see from the chart above, Ngata recalls Muriwhakaputa marrying Tuere (a grandchild of Porourangi). Therefore Rongomaikairae, was 50/50 who married a full blooded Ruawaipu descendant. Their child Whatiuaroa who also married a full blooded Ruawaipu descendant and had Uekaiahu, who also married Tamateaupoko another full blooded Ruawaipu descendant.

174. Ngata does recall a Toi tribe living at Whangara before Porourangi, and a prior Tuere. I hesitate to be convinced it was the Tuere of Porourangi that married Muriwhakaputa. As shown with the Rongomaianiwaniwa whakapapa to Porourangi and Tamataua who married Te Aokairau. We should use some caution in some traditions when names are being repeated throughout generations.

175. There are also concerns with the account that deceptively portrays Paikea as a descendant of Toi of which Porourangi descends. It is true Paikea was a descendant of Toi, and a founding ancestor to Porourangi but Toi was Tangata whenua. Paikea was a migrant (not born of this land).

THE WAI 2190 INQUIRY

176. The Wai 2190 urgent inquiry resulted from urgent applications filed in May 2009 from Ruawaipu, Uepohatu and Te Aitanga-a-Hauiti claimants.⁹⁹

⁹⁷ There are two Tamatauirā. Tamakihī is said to be the younger sister of Muriwhakaputa. Some say this Tamakihī came from Tamatauirā (2) the son of Rakaimatapu, another full blooded Ruawaipu descendant. This would also be more logical as Tuere was the grandchild of Porourangi. Porourangi was born at least four generations after Ruawaipu.

⁹⁸ Tamatearahia was a Ruawaipu chief who was slain by an intruding branch of Nga Oho over a fishing incident. His daughter the Ruawaipu chieftainess Tamateaupoko sought refuge at Whangara where she married her first cousin Uekaiahu. This story is covered in Chapter F1 of *Te Papatipu o Ruawaipu*

177. In December 2009, the Waitangi Tribunal inquired urgently into allegations regarding the Ngati Porou settlement of Ruawaipu claims, and others. It is important to note, the Tribunal would not inquire into matters of tribal identity.

178. The Crown argued in defence of Ngati Porou that there was no evidence of a Ruawaipu entity for the last 150 years. This happens to be around the time shortly after the Crown's 1865 suppression rebellion campaign.

Similarly, while various hapu that the Ruawaipu claimants claim to be hapu of Ruawaipu may have a separate identity, and in particular prior to the wars of the 1860's, the reality for the last century and a half is that this identity has been very much seen within the context of Ngati Porou. The Ruawaipu traditional history report [[the Report]] may identify instances of individuals looking to the ancestor Ruawaipu to establish Native Land Court claims, but what is more telling from the Crown's perspective, is the lack of evidence of any Ruawaipu entity operating for the last 150 years. As noted, the authors describe a "renaissance" of Ruawaipu in the last 10 years.¹⁰⁰

179. In other words, what the Crown was saying is Ruawaipu did not exist in the history books since the 1865 suppression rebellion.

180. Counsel for the Wai 1301 Ruawaipu ethnic suppression claim (settled as historical), Barney Tupara claimed that there was no express consent given from those who affiliate to Ruawaipu for TRONP to settle the Wai 1301 claim.

181. In the Crown's view because Ruawaipu did not exist, Api Mahuika on behalf of TRONP could achieve a Ngati Porou mandate to settle all East Coast claims. To this present day, there is no evidence that any person who gave their mandate to TRONP to settle historical Treaty claims understood the Wai 1301 claim or was made aware of it. The TRONP mandate to settle never referred to or made it clear that it

⁹⁹ Wai 900, # 3.5.42, (Wai 1301 urgent application regarding TRONP settlement negotiations) 21 May 2009/ Wai 900, # 3.5.43. (Wai 1089, 1302, 1082, 1025, 1300, 1866, 1265, 1267, 1268, 1269, 1270, 1272, 1337, 1648, 1859, 1862, 901, 1171 & 1381 urgent application regarding TRONP settlement negotiations) 22 May 2009. / Wai 900, # 3.5.44. (Wai 390, 703, 941, 976, 1266, 1303, 1304 & 1331 urgent application regarding TRONP settlement negotiations) 22 May 2009

¹⁰⁰ Wai 2190, # 3.3.28 – Closing Submissions on behalf of the Crown, 23 December 2009. paragraph 176, page 46

involved Ruawaipu claims who were claiming they were not Ngati Porou. It was simply a Ngati Porou mandate endorsed by the Crown.

182. To add further insult to injury, the Crown could even be bothered reading the Wai 1301 claim as exemplified by the Director of the OTS, Paul James when examined by Mr Tupara.

BT You know, of course, a number of Ruawaipu claimants claim that Ruawaipu is an autonomous traditional tribe?

PJ I understand that that is the case, yes.

BT You accept that, don't you?

PJ That they claim it? Yes

BT That's what Wai 1301 says, doesn't it?

PJ I have not read Wai 1301

183. The Wai 2190 Tribunal released its report in March 2010. The panel viewed the TRONP mandate to settle all historical claims on the East Coast was valid, although there were concerns with the mandate process that should not be practised on other Maori.

184. But the Wai 2190 Tribunal lead by the infamous Judge Coxhead did not inquire into the Wai 1301 claim of express mandate before the Tribunal, and therefore failed to fulfil its powers and functions under the Treaty of Waitangi Act 1975. In other words, Judge Coxhead was supposed to inquire into the claim before him (of express consent) and then consider if it was well founded as recommendations can only be given on well-founded claims. In short, the recommendations were without jurisdiction. This was later determined by the High Court who viewed the Tribunal's recommendations were *ultra vires*.¹⁰¹

185. Nevertheless, despite the controversial Tribunal recommendations (which were a 'get out of jail pass' for the Crown and TRONP), the Tribunal recommended the following;

¹⁰¹ Application by the claimants father Henry Koia: RESERVED JUDGEMENT OF DOBSON - KOIA V WAITANGI TRIBUNAL, 22 February 2010

Having rejected the other options, we therefore recommend that the Crown ensure, as far as possible, that the settlement will benefit all those for whom TRONP claims a mandate. To that end we would expect, for example, **that the Crown will ensure that the post-settlement governance entity is inclusive of all those for whom TRONP has obtained a mandate. This includes those who opposed the mandate** as well as all those who supported it..... We note that the Crown has already acknowledged that the negotiation framework can cater for small groups and individuals.¹⁰² [*Claimants emphasis added*]

186. But the Post Settlement Governance Entity (PSGE) did not cater for or recognise the Ruawaipu claimants or those that affiliate to the Ruawaipu iwi.

187. In August 2010, regarding the Ngati Porou settlement, three applications on behalf of Ruawaipu, Uepohatu and Te Aitanga-A-Hauiti were filed in the Maori Land Court pursuant to section 30(1)(b) of Te Ture Whenua Maori Act 1993. Although the application for a determination for the appropriate representatives of Ruawaipu, Uepohatu and Te Aitanga-A-Hauiti was declined by Judge Clark on the grounds that the Wai 2190 Tribunal had already determined that TRONP was properly mandated to settle all “historical treaty claims” on the East Coast. Judge Clark also declined the application on the grounds that the Crown would not be bound by an Order of the Maori Land Court. Judge Clark also commented by saying;

“I do not consider that the applications were frivolous, vexatious or an abuse of the Maori Land Court s30(c)(6)(a). Nor do I consider that the applications did not present serious issues for determination¹⁰³

THE NGATI POROU CLAIMS SETTLEMENT BILL 2011

188. The Ngati Porou Claims Settlement Bill was introduced into Parliament on 15 February 2011. At no point in time did the Attorney General fulfil his obligations pursuant to section 7 of the New Zealand Bill of Rights to inform the House of Representatives as to whether or not the 2011 Bill was inconsistent with the Bill of

¹⁰² East Coast Settlement Report 2010, page 65

¹⁰³ Chief Judge’s MB 41”, 14 December 2010, para 89

Rights, in particular clause 27 (the right to justice). The Attorney General also happened to be the Minister for Treaty of Waitangi Negotiations.

189. Submissions on the Bill were called for by the Maori Select Committee. It is important to note the committee would not deal with issues of whakapapa. Although the committee assumed Ngati Porou held a whakapapa to start with. The claimant submitted a 72 page submission to the committee dated 17 June 2011 opposing this Bill.

190. On 03 July 2011, oral submissions were heard at Rahui marae, Tikitiki. The process was a sham, as the acting Chairman, Mr Flavell had cut and penalised the time of Ruawaipu speakers, and Mr Flavell attempted to close the hearing down.¹⁰⁴

AIRING OF GRIEVANCES

191. On 24 August 2011, the Crown convened an Airing of Grievances (AOG) to allow Ruawaipu and other claimants who objected to the Ngati Porou claims settlement an opportunity to air their grievances before a panel with no powers. This was intended to be a substitute for Ruawaipu having their statutory rights to a hearing before the Waitangi Tribunal removed. The condition was there was no judicial or report, it was just a hearing to listen.

192. This was part of an alternative remedy submitted by the Crown in the Wai 2190 inquiry. A remedy that effectively allowed the Crown to proceed with the TRONP settlement.

193. The AOG was boycotted by Ruawaipu claimants.

194. A statement of protest was placed on the record Darrell Naden (counsel on behalf of the claimant).¹⁰⁵ Later on, the Crown in order to validate its settlement, would attempt to convene another AOG. This hearing was boycotted again by the Ruawaipu claimants.

¹⁰⁴ J Koia, letter to Chairman Tau Henare, re: Complaint against the select committee, 3 July 2011.

¹⁰⁵ STATEMENT OF PROTEST –Jason Koia Wai 1862 Claimant, Airing of Grievances, 24 August 2011, Hinerupe marae

195. On 29 August 2011, the Maori Affairs Select Committee released its report on the 2011 Bill. The committee viewed their role was to ‘examine the bill, not to arbitrate on matters of whakapapa.’
196. On 1 September 2011, the claimant’s brother, Henry Koia, sent a 13 page notice to all members of Parliament outlining in detail how the Select Committee Report was misleading.
197. During December 2011 a petition by Ruawaipu, Uepohatu and Hauiti tribal members was also initiated.

It is almost given with a degree of regret, because we recognise there are so many inherent flaws in the process underpinning the settlement of these bills. As my colleague has just recently mentioned, the danger is that these settlements, rather than being true and just settlements, are downgraded almost to the level of deals... Choosing to adopt a blanket approach, a very selective approach, in the Government’s determining with whom it will negotiate has interfered with traditional relationships between iwi, between hapū, in ways that are not helpful and that continue to create new problems.A few days ago I presented to Parliament a petition relevant to this bill, the petition of Barney Tūpara and 1,053 others who are highlighting that there is a community of people on the East Coast who feel completely excluded from the settlement that is being passed today. This community of people believe that their rights are being transgressed, a continuation of transgressions going back at least to the mid - 19th century. It would be extremely unwise of me, with my whakapapa to Ngāpuhi, to pretend any expertise, or knowledge of the debates that are occurring on the coast about who has mana whenua, whose rights are being dealt with, but I do feel that as an MP I have a duty to put on record the fact that there is a significant community of people on the coast who feel they have been overlooked. Any failure of the Crown to deal properly in an inclusive way with all of the people, with all Māori, with all interests will lead to a degradation of respect for the Treaty process. – [Hansard Debates, David Clendon on the Ngati Porou Claims Settlement Bill, 8 March 2012]

THE UNITED NATIONS REPORT 2011

198. Due to concerns that the Crown would remove the rights to justice of the Ruawaipu claimants before the Courts, and strip Ruawaipu of their rights protected under Article II of te Tiriti, the claimant's brother, Henry Koia corresponded with the United Nations, and went to Geneva to discuss concerns.

199. On 17 February 2011, just 2 days after the Ngati Porou Claims Bill was placed in Parliament, the United Nations Special Rapporteur recommended the following;

73. The Government should make every effort during treaty settlement negotiations to invoke all groups that have an interest in the issues under consideration. In order to address any conflicts regarding participation or representation in settlement negotiations, the Government, in consultation with Maori, should strengthen available mediation or alternative dispute resolution mechanisms. The Government should take special measures to address concerns of the Ruawaipu, Ngati Uepohatu and Te-Aitanga -a-Hauiti iwi, in relation to the East Coast District settlement case.¹⁰⁶

200. There was no response by the Crown.

THE NGATI POROU CLAIMS SETTLEMENT ACT 2012

201. On 9 January 2012 an urgent hearing against the PSGE was lodged by the claimant as a member of Ruawaipu (Wai 2356). But this application was turned down as Judge Coxhead on 28 March 2012 who viewed it involved also having to inquire into the Ngati Porou Treaty Claims Settlement Bill 2011 which by now had blocked the Waitangi Tribunal from inquiring into any aspect of the settlement.

202. The Ngati Porou (Treaty) Claims Settlement Act ('the Act') came into force on 5 April 2012. Below is a summary;

1. Section 13(4) Removes the jurisdiction of the courts and tribunals of New Zealand from inquiring into the Act or the Deed of Settlement (subject to the Act).

¹⁰⁶ UN, General Assembly; Human Rights Council, Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya, 17 February 2011

2. Recognises and places Ruawaipu whanau and hapu as Ngati Porou (schedule 1) and settles over 40 Ruawaipu (claims as listed in schedule 2)
3. The Crown does not acknowledge that any other group or iwi having an interest to land given in the Crown's cultural redress.
4. The Crown acknowledges conservation lands (in the Ruawaipu rohe) as ancestral lands which Ngati Porou exercise mana whenua also vests to Ngati Porou, Ruawaipu reserves such as Pukeamaru.
5. The Crown also vests Crown Forestry Rental Trust licenses on papatipu o Ruawaipu land to Ngati Porou without a Ngati Porou claims being proven well founded, or a Waitangi Tribunal recommendation under s8H of the Treaty of Waitangi Act 1975. This is contrary to the *Haronga V Waitangi Tribunal* case [2015] where the High Court over ruled the Tribunal and found that claimants had a statutory right to a Tribunal determination of Crown Forest Rental blocks.
6. The Act also vests to Ngati Porou, Whanga o Kena Island and the Waiapu river (belonging to Ruawaipu).
7. The Deed of Settlement (subject to the Act) also gives a one sided Ngati Porou historical account approved by the Crown. Ruawaipu is assimilated into a tipuna of Ngati Porou and removes important ancestors of Ruawaipu such as Tamahurumanu, Tamaikakea and Kaiawa.
8. Ngati Porou also have power to amend place names and land sites of Ruawaipu to Ngati Porou names.

203. In short, Ngati Porou (TRONP) with the aid and endorsement by the Crown, were able to bypass having to prove their Treaty claims well founded and close the Waitangi Tribunal down. Ngati Porou was able to do so as a direct result of Crown intervention.

204. What made this settlement unusual is the fact that Ngati Porou failed to produce a mana whenua report before the Waitangi Tribunal to prove its Treaty claims well founded.

CONCLUSION

205. The Waitangi Tribunal has already viewed that all Treaty settlements are political in nature. The Crown's settlement policy is a testimony to the continuance of Treaty grievances and an example of political expediency when it comes to Treaty matters, causing various urgency applications before the Tribunal. The question is why does the Crown continue to breach and deny Treaty rights, when it may be better for the nation to just accept it and get on with moving forward?

206. In June 1997 the Hon Douglas Graham in a Parliamentary debate (then Minister in Charge of Treaty of Waitangi Negotiations) said in response to a Parliamentary Question that:

“To the extent that those customary and aboriginal title rights still exist ... it may well be that it is not only unnecessary to extinguish them but vastly better to actually recognise them and put them into practice in today's world. That was the conclusion of the royal Canadian commission of inquiry on aboriginal rights in Canada... If we wish to extinguish those rights – if that were thought to be necessary – then not only would we have to settle historical claims where they have been breached and pay compensation appropriate to that, but we would also have to pay compensation for the taking away of the rights, which could be done only with the consent of Maori unless it were in the national interest and we would have to pay compensation after due consultation.”

207. Thankfully reports were completed for the casebook including the ability for the claimant to put his own research on record¹⁰⁷ before the Wai 900 inquiry closed .

208. There is overwhelming evidence the Ngati Porou entity expanded with Christianity from the Waiapu in 1838 to Waipiro bay by 1856. Native boys (with no land rights by custom) were selected to be converted into Christianity and by 1865 ready to wage war for the Church of England and pakeha settlers who were wanting Maori land, wealth and resources.

¹⁰⁷ This includes a review of various documents by the claimant placed on the Wai 900 Inquiry record. Wai 900 #3.1.342 (a-e) 25 June 2010

209. As a direct result of the 1865 East Coast wars, a new Ngati Porou Anglican converts were wielded together into a political unit. Driven by many landless loyalists, the landless ancestor Porourangi was appropriately selected as the umbrella in 1872.
210. Known as the Ngati Porou taha kawana, leaders such as Wahawaha for their loyalty to the British Empire and assistance in the suppression of rebellion campaign were rewarded and recognised by the Crown with a Ngati Porou District from Hicks Bay to Waipiro Bay in 1875.
211. Apirana Ngata the protégé of Wahawaha would then attempt to indoctrinate the next generations through his Rauru lectures. These lectures were designed to elevate Porourangi and his descendants based on a theory of intermarriage that was not supported by custom or traditions. The traditions given in *Te Papatipu o Ruawaipu* demonstrate this.

[658] I was so bewildered I couldn't understand why. It wasn't until years later that I realised that I realised that the induction of tanga-heke, the immigrant, the Maori immigrant, and the genealogies pertaining to the likes of Paikea, a total foreigner, and the shifting of history from one area, from Whangara and establishing Waiomatatini, to try and elevate the status of corrupt people. Corrupt people have since that time corrupted the ideals and the real history of our people. If fact today a lot of the elders are living in denial because they knew no better and they had no such skills as finding out the truth or researching if the information is correct or otherwise. We are living in conflict of some of our people beleiving in the tangata-heke, which is the immigrant that came here and forced the indigenous people, Maui tuturu, and in so doing the mountain now has been replaced by the mana of another person, that was stung by a manta ray in Whangara and left the real heroes of the tribe in limbo. Without a word of a lie, a lot of our people are either living in denial or don't know.¹⁰⁸

212. Ngati Porou leadership would continue after the passing of Apirana Ngata with Apirana Mahuika. Based on Ngata's lectures and the whanui concept by intermarriage, the Ngati Porou boundary further expanded to Gisborne with the passing of the Te Runanga o Ngati Porou Act 1987. With continued support of the Crown, this is the Ngati Porou hegemony that we know of today.

¹⁰⁸ *Te Papatipu o Ruawaipu*, - interview with Anaru Kupenga

213. The Crown in order to validate its own legitimacy, it must validate Ngati Porou to make itself exempt from any violations towards the Ruawaipu people and prevent embarrassment before the international community.
214. The Crown (settler government) has done so by relying upon the intermarriage theory that the descendants of Ruawaipu merged with the descendants of Porourangi to become Ngati Porou, the only iwi on the East Coast upon the signing of Te Tiriti o Waitangi and loyal ally of the Crown.
215. The fact is, there is overwhelming evidence to prove the Crown's intermarriage assumption is wrong, and that its relationship with Ngati Porou has been purely political, and at the expense of the ethnic suppression of the Ruawaipu people.
216. The cultural identity, economic, social and political power of the Ruawaipu people must be restored and protected, even if it means the embarrassment of the Crown and Ngati Porou having to concede they are fictitious entities founded on their own violations of Te Tiriti o Waitangi against the aboriginal peoples of the East Coast. Otherwise, the rule of law and principles of natural justice have no meaning or effect in today's modern world, and generational grievances would continue -END.

Appendix 1

Understanding the Prerogatives of the Treaty

V29/03/2026

INTERNATIONAL LAW¹

Pre-existing rights

Te Tiriti (Māori text)

A treaty of relations

Maori *inherent* sovereign

Crown UK *de facto* sovereign

(Crown right to govern
their own subjects)

Contextual description only

Maori hold indigenous
dominium and imperia
(tino rangatiratanga).

Communal Allodial
title in on and above
the soil (mana
whenua tuku iho).

Maori legitimate right
to rule and exercise
authority over their
territory under their
own laws (tikanga).

Maori carry the divine
spark of God (te Ira
Atua).

Treaty engagement

* Informed consent

DOMESTIC LAW²

New common law rights

The Treaty (English text)

A treaty of cession

Maori (*sui generis*)

Crown UK *de jure* sovereign

(Crown right to rule all
of New Zealand)

Contextual description only

Maori hold native title
dominium unique
property rights (*sui
generis*) - Subject to
Crown authority.

Allodial title belongs
to the Crown.

Crown holds
imperium (right to
govern) not dominium
as it must recognise
Maori property rights.

The Crown holds
divine grace from
God.

Treaty settlement

* consent

¹ Article 45 of the UN Declaration on the Rights of Indigenous Peoples 2007 (subject to the sovereignty of indigenous peoples)

² Article 46 of the UN Declaration on the Rights of Indigenous Peoples 2007 (subject to the sovereignty of a colonial usurping state)

Appendix 2

Pros and Cons: Nga Rohe Moana o Nga Hapu o Ngati Porou

PROS

- **Taonga Tūturu (Artifacts/Treasures):** Ngā hapū o Ngāti Porou have specific provisions regarding the ownership and management of taonga tūturu found within their Customary Marine Title area. The Act provides mechanisms for hapū to possess wildlife and marine mammal matter, and allows for the determination of ownership of found taonga tūturu.
- **Customary Fishing Regulations:** The Act permits the creation of bespoke regulations for customary fishing and food gathering, allowing hapū to manage their *kāpata kai* (food cupboards). This includes setting specialized rules for fishing practices that differ from general public regulations.
- **Resource Management Act (RMA) & Coastal Management:** The legislation strengthens the ability of hapū to manage their takutai moana (coastline) by providing a stronger voice in resource consent processes. This includes:
 - **Wāhi Tapu Protection:** Recognition of sacred sites, enabling restrictions on access or activities.
 - **Participation:** Direct participation in conservation processes and management of protected marine life.
 - **Decision-Making:** The ability to influence activities impacting their coastal resources.
- **Protected Customary Rights:** Recognition of ongoing practices (like collecting hāngī stones or launching waka) through specialized, tailored permissions.

CONS

- **Sui Generis Framework:** Agreement with the Crown as Sovereign under a sui generis framework undermining te Tiriti inherent sovereign rights.
 - Legitimatises Crown sovereignty out to the 200-mile zone and undermines tino rangatiratanga.
- **Allodial rights and Minerals:** While Customary Marine Title (CMT) includes ownership of "non-Crown minerals" (like sand or shells), the Crown retains ownership of "Royal minerals" like petroleum, gold, and silver (200-mile zone).
- **Legal limitations:** Rights are limited to all existing laws, and new laws by the Crown.
- **Legal maxims:** Relative rights are already recognised under the current legislative framework such as fishing regulations.
- **RMA and Conservation Act:** The Act provides for "environmental covenants" and participation in Resource Management Act (RMA) processes, but these often mirror or overlap with protections already available to other iwi under standard NZ law
- **Compensation vs. Quantum:** Like most Treaty-related settlements, the financial redress is typically a "quantum" that represents only a small fraction of the total economic loss since the 1800s—a standard Crown policy for all settlements.
- **Customary Aquaculture and Management:** Does not automatically grant a separate, independent management framework for large-scale breeding or reseedling (customary management areas) to restore depleted stocks outside of existing fisheries, aquaculture and marine framework.

17 April 2026

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PO Box 297
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NEW ZEALAND

To: Andrew Matthew
Director
Takutai Moana
Te Tari Whakatau

Re: Ngā Hapū o Ngāti Porou – Application for Customary Marine Title under the *Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019*

Thank you for the extension to lodge this submission. We note at the outset that the absence of clear information about both the process to be followed and the content and effects of the application has significantly constrained our ability to provide a fully informed and meaningful response at this stage.

Te Tari Whakatau has recently undertaken public consultation on the application by Ngā Hapū o Ngāti Porou for customary marine title (CMT) over the area from Potikirua to Koutonui Head, extending from 3 to 12 nautical miles offshore.

The fishing industry does not oppose the recognition, legal expression, or protection of the mana of Ngā Hapū o Ngāti Porou in relation to their rohe moana. However, existing statutory frameworks — including the *Fisheries Act 1996*, the *Treaty of Waitangi (Fisheries Claims) Settlement Act 1992*, and the *Māori Fisheries Act 2004* — confer enduring and exclusive fishing rights on quota holders, including Mandated Iwi Organisations.

The *Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019* differs materially from the *Marine and Coastal Area (Takutai Moana) Act 2011*, particularly in how a granted CMT may affect fishing activity. Potential impacts include spatial restrictions arising from wāhi tapu, bylaws, or regional coastal plans; obligations to recognise and provide for fisheries management plans prepared by hapū; and constraints associated with protected activities and permission rights affecting access and essential infrastructure.

The application area is extensive, and there is potential for significant disruption to lawful fishing activity at a scale that could materially affect existing fishing rights. For context, since 1989 the application area has produced an average annual catch of approximately 360 tonnes of finfish, increasing to around 460 tonnes per year over the past five years. This fishing activity has involved between 6 and 34 vessels annually, and between 6 and 27 permit holders, primarily harvesting tarakihi, snapper, barracouta, and gemfish (see Appendix I).

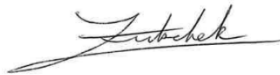
It remains unclear how the Crown recognition pathway will provide for engagement with affected rights holders, both in relation to this application — which is subject to bespoke legislation — and in respect of the wider group of applications proceeding through the Crown pathway.

Fishing industry parties have separately raised these concerns with Te Tari Whakatau (email dated 15 April 2026). The attachment to that correspondence, which elaborates on the absence

of a defined process and seeks clarity on proposed next steps, forms part of this submission and is appended here.

Notwithstanding the lack of process clarity, we provide this submission as an initial response. Once further information is available — including the scope of any proposed wāhi tapu within the CMT area — we will be better placed to provide additional evidence or submissions. Our strong preference, consistent with other Crown pathway applications, is for the Crown to undertake the relevant historical analysis and assemble the fishing data against which potential impacts can be properly assessed.

Nāku noa, nā



Lisa Futschek
Chief Executive

Appendix I: Fisheries data

Number of operators:

Vessels and permit holders where exact positions are provided in fishing returns

Fishing year	Distinct Count of Vessels	Distinct Count of Permit Holders
1998-1999	17	6
1999-2000	12	5
2000-2001	17	11
2001-2002	12	8
2002-2003	29	22
2003-2004	30	25
2004-2005	23	21
2005-2006	25	22
2006-2007	15	12
2007-2008	11	11
2008-2009	15	14
2009-2010	8	8
2010-2011	10	10
2011-2012	8	7
2012-2013	6	5
2013-2014	9	9
2014-2015	7	7
2015-2016	11	9
2016-2017	7	6
2017-2018	15	14
2018-2019	22	16
2019-2020	34	27
2020-2021	29	22
2021-2022	18	14
2022-2023	21	15
2023-2024	15	13
2024-2025	17	12
2025-2026*	16	14

* indicates incomplete fishing year

Annual fish catch (in kilograms) of the top 10 species by volume in the application area

Fishing Year	Tarakihi	Snapper	Barracouta	Gemfish	Hoki	Ling	Jack mackerel	Gurnard	Frostfish	School shark
1998/1999	100070	25872	35350	8480	35670	2660	9792	3020	12510	3360
1999/2000	88553	17109	24215	2865	3760	1215	1660	2214	9125	1270
2000/2001	146158	30671	24927	9932	24901	5595	9250	5739	34785	1297
2001/2002	206815	17954	10390	4155	16690	3150	2520	5000	7910	2129
2002/2003	168601	23743	19968	10831	28285	6174	5550	5610	5604	1539
2003/2004	191331	31251	28393	28900	37898	9496	2105	9881	5490	3976
2004/2005	226005	33945	24893	21231	16225	4815	2185	6326	5255	1597
2005/2006	294375	36627	29743	5849	5861	5634	4020	8861.5	7055	2173
2006/2007	214586	23794	25465	12035	14005	5903	2755	5123	2759	3296
2007/2008	90640	20203	5693	9570	9441	929	2105	4191	1560	717
2008/2009	134960	20051	14687	6420	10563	969	1835	4335	2981	649
2009/2010	158530	16947	23084	21370	17165	1001	3806	6058	2214	401
2010/2011	143113	12836	21730	13300	15024	2716	4020	4562	2660	300
2011/2012	206173	22434	26581	17015	28933	2386	9480	2637	4361	1584
2012/2013	58062	9969	5093	3815	8715	111	2301	2240	1728	291
2013/2014	163966	20058	35164	14620	53569	3491	14358	4190	5478	986
2014/2015	137207	24358	27753	13336	11384	2051	10324	5028	5557	443
2015/2016	153352	19887	25866	3193	3254	819	7077	5154	6830	711
2016/2017	169554	25629	25543	13357	17173	4182	17713	6232	8314	1086
2017/2018	152738	22698	22129	12356	20685	3848	10214	6230	5801	892
2018/2019	149956.8	37444	17329	34069.2	8659	41069	15025	8247	2183	5755
2019/2020	274348.4	51454	25900	53338.5	20856	55753.5	10546	14064.7	1319.1	9793.6
2020/2021	361181.5	53065.8	20075	46339.6	20723	47400.9	8501.2	14013.2	2876.2	13353.4
2021/2022	221140.8	30232.5	20180.8	29700.5	21671	18538.3	4763.5	9430.9	1376	13030.7
2022/2023	204760	36374.3	12099	51303	30387	33677	14264	5803	1436	11839.8
2023/2024	309164.8	46081	13829.5	41296	6032.2	14221.4	4903.5	7544.5	620	23763.5
2024/2025	287629	47083.2	7651	51541.6	11585	6365.6	3241.1	9508	1713.8	13003.9
Grand Total	5193424.3	779318.2	582004.9	568008.6	508133.2	289650.3	186838.4	177258.9	151784.2	134539.9

