

TE MANUTUKUTUKU

*Te Roopu Whakamana i te
Tiriti o Waitangi
Panui*



*Waitangi Tribunal Division
Department of Justice
Newsletter*

Tekau ma waru
Pipiri 1994

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CLAIMS IN HEARING

Chathams WAI 64

The Moriori inquiry was opened in the Chatham Islands 9-13 May, and continued the following week, 16-20 May, in Wellington.

The claim concerns the failure of the Crown to recognise and protect Moriori customary rights to land and fisheries on Chatham and outlying islands, following petitions and requests from Moriori leaders from the 1850s through to the 1880s. The claimants allege that these Treaty breaches occurred through the operations of the Maori Land Court and the Crown's refusal to

review those operations. The claim also alleges that the Crown failed to protect the Moriori people from oppression and destruction, and failed to recognise them as tangata whenua of the Chathams, with all the functions and privileges that such a status entails.

Te Runanga o Wharekauri Rekohu Inc attempted to stop the hearing through a High Court restraining order, claiming that the Waitangi Tribunal does not have the jurisdiction to inquire into the decisions of previous Courts. The High Court said the Runanga's arguments were not valid, hence, the inquiry proceeded.



Te Awapatiki. Wilfred Davis (left) presenting a copy of the 1862 Moriori petition to Governor Grey.



Site Visit at Manukau Moriori Reserve, Chathams. Tommy Solomon with the statue of his Tupuna, Tame Horomona.



Chathams hearing, Turnbull House, Wellington, 16-10 May 1994.

Whanganui River WAI 167

The tribunal has heard evidence from Whanganui iwi relating to its claim to the Awa o Whanganui at hearings at Putiki Marae in Whanganui from 14–18 March and 18–22 April 1994.

Evidence presented has focused upon traditional uses of the river, including fishing and transport, the tribe's metaphysical relationship with the river, and the contemporary problems of pollution, headwater diversion and low water-levels.

Further iwi evidence as well as Crown and third party evidence is scheduled for hearings in June and July.



Whanganui site visit 21 April 1994. Hearing evidence at Tieke.



Whanganui site visit 21 April 1994. From Left, Tribunal members Keita Walker, Lynn Fussell (staff), Mack Temara, Mary Boyd (obscured), Eddie Durie (Chairperson), John Kneebone.



Whanganui site visit 18 April 1994. Ned Tapa at Pungarehu Marae.

Turangi Lands WAI 84

At a hearing at Hirangi Marae in Turangi from 5–8 April 1994, Ngati Turangitukua claimants presented evidence concerning their grievances arising from the development of Turangi township from 1964.

The township was developed in connection with the Tongariro Hydro scheme. Lands for the township were acquired from the Ngati Turangitukua hapu under special legislation, the Turangi Township Act 1964, which granted the Crown extensive powers of compulsory acquisition.

The Crown will present its evidence to the tribunal in Turangi in August.



Claimant Dulcie Gardiner (right) with Tribunal and claimant counsel.

Ngai Tahu Ancillary Claims WAI 27

The report on the Ngai Tahu ancillary claims is currently in draft form. The tribunal hopes to finalise the report for release to the Minister of Maori Affairs by the end of the year.

Goodbye to Judge Ashley (Chick) McHugh

Judge McHugh has retired from his position of Deputy Chief Judge of the Maori Land Court, formally, although not actually, ending his role as a presiding officer for some of the tribunal inquiries. He is known for his tremendous effort in presiding over the Ngai Tahu claim, on which he is still working; the ancillary Ngai Tahu claims have yet to be reported to government and Judge McHugh has a temporary warrant to complete that matter.



Judge McHugh with researcher Janine Ford, at his farewell at the Tribunal's office, March 1994.

STAFF NEWS

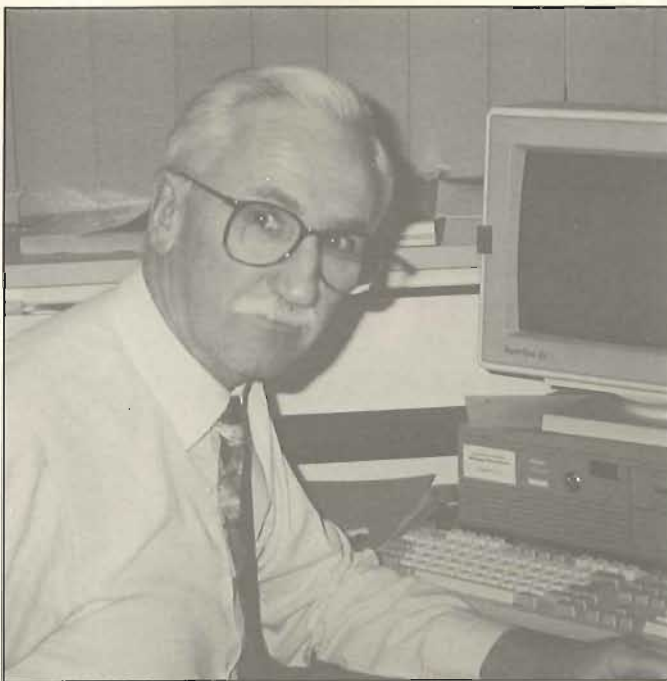
NEW STAFF



Moana Murray, claims administrator (left) and Licia Tuni, records clerk.

Moana Murray of Ngati Kahungunu and Tuhoe has joined the team of claims administrators. Moana comes to the Waitangi Tribunal after seven years in the Wellington District Court. She is also studying for a BA in English and psychology at Victoria University.

Licia Tuni, Ni Sa Bula Vinaka, is a Fijian, born in Suva. Licia has been studying at the Central Institute of Technology and is now the tribunal's records clerk.

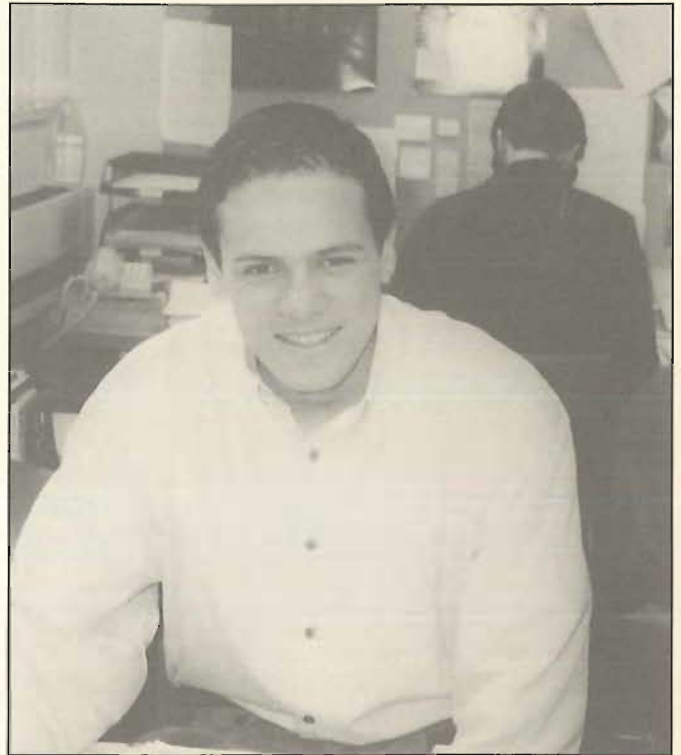


Dr Ian Shearer, project manager

Dr Ian Shearer, as the Tribunal's new project manager, is responsible for the administration of staff research programmes. He was formerly the Dean of the Faculty of Science and Engineering at the Auckland Institute of Technology.

Members and staff welcome Licia, Ian and Moana.

FAREWELLS



Hemi Pou, claims administrator

Hemi Pou of Nga Puhī, who has been a claims administrator since March 1992, has left the tribunal. Hemi will be greatly missed by both tribunal members and staff.



Tessa Castree, information manager

Note from the editor, Tessa Castree.

Tena koutou katoa

I am leaving my job as information manager to take up a position working for the Legal Services Board. I have been with the Tribunal since November 1988 and have produced *Te Manutukutuku* since its inception in September 1989. I shall sincerely miss the members, staff, claimants and public that I have met during my time here.

E noho ra

Secondary School Students' Essay Competition

To acknowledge the 1993 New Zealand Womens' Suffrage centenary and International year for Indigenous peoples, the Waitangi Tribunal staff organised an essay competition for 5th, 6th and 7th form students.

The essay topic was:

1993 was the International Year of Indigenous Peoples and the New Zealand Suffrage Centenary. There are similarities between women's issues and Treaty of Waitangi issues. Both women and Maori lack equality of opportunity in our society.

Discuss this statement.

RESULTS:

5th Form Division

1st VERA SCURR, Columba College, Dunedin.

2nd JASON MANUMU'A, Onehunga High School, Auckland

3rd ABBEY HUTCHINS, Rangi Ruru Girls' School, Christchurch

Commended: TANIA CALLAGHAN, Gisborne Girls' High, Gisborne; ANNA MCKNIGHT, Gisborne Girls' High, Gisborne; KARYN ROGERS, Fraser High School, Hamilton; MELISSA CALLAGHAN, Fraser High School, Hamilton; ANDREW BRYENTON, Edgewater College, Pakuranga.

6th Form Division

1st JARROD MURPHY, St Kentigern College, Pakuranga

2nd ANNA KIRK, Sacred Heart Girls' College, Hamilton

Commended: AIDAN SHATTOCK, Forest View High School, Tokoroa; JOSH JUDKINS, Forest View High School, Tokoroa; MICHELLE INMAN, Forest View High School, Tokoroa; OLIVIA FRASER, Hamilton Girls' High, Hamilton; JEREMY SPENCE, Amuri Area School, Culverden, North Canterbury

7th Form Division

1st KIRI NORONHA, Queens High School, Dunedin

2nd STEPHEN WALDERGRAVE, Hutt Valley High School, Lower Hutt

3rd equal TONI LLOYD, Lytton High School, Gisborne and ROWAN WALLACE, Hamilton Boys' High, Hamilton

Commended: JAMIE ALLAN, Lytton High School, Gisborne; TINEKE BROWN, Lytton High School, Gisborne; ANAMARIE EMMERSON, Lytton High School, Gisborne; LAWRENCE TANGAERE, Lytton High School, Gisborne; KATERINA ELMERS, Lytton High School, Gisborne; GENA TUFFERY, Waitara High School, Waitara; MICHELLE GERWITZ, Baradene College, Auckland; DAFYDD MALCOLM, Rotorua Boys' High School, Rotorua

The three winners have been notified of the results and will be flown to Wellington on 16 June 1994 to receive their prize money at a lunch reception.

Second and third places have been awarded where the seven judges were divided in their opinions of which essay was the best. The final vote was extremely close.

NEW CLAIMS REGISTERED

WAI 424

Claimants: Titoko Hohepa and Dean Haupapa on behalf of Tarata Trust, Ngati Te Ihingarangi and Ngati Rereahu

Concerning: Kokomiko and Tarata lands

Region: Taumaranui

Received: 27 January 1994

WAI 425 (This number reserved)

WAI 426

Claimants: Rangiwahia Osborne on behalf of Nga Toko Toru

Concerning: Te Uku Landing Reserve

Region: Whaingaroa

Received: 17 December 1993

WAI 427

Claimants: Horopapera Tamaku Whaanga for Whaanga whanau

Concerning: Waikokopu Lands

Region: Mahia

Received: 9 February 1994

WAI 428

Claimants: P R Lendrum on behalf of Whare Ranana Trust for the proprietors of Pipiriki Township no.1 and other blocks

Concerning: Section 24 Block I - Pipiriki Township sections 1, 2, 3, Block IX - Pipiriki Township

Region: Wanganui

Received: 26 January 1994

WAI 429

Claimants: Takirirangi Smith on behalf of Ngai Tumapuhia a Rangi Claims Committee and Ngai Tumapuhia a Rangi hapu me ona hapu karanga katoa

Concerning: lands now known as the McLean Purchases

Region: Masterton

Received: 20 April 1994

WAI 430 (This number reserved)

WAI 431

Claimants: W M Kaa and P Addis for Victoria University branch of Te Matawhanui and on behalf of Ngai Tauira

Concerning: The Ministerial Consultative Group on the Funding of Growth in Tertiary Education (universities and whare wananga)

Region: Aotearoa

Received: 6 May 1994

No third placing was awarded in the 6th Form division because only Jarrod Murphy's and Anna Kirk's essays were singled out as winners by the judges.

The judges, (6 members of staff who organised the competition), thank all participants for their essays, and their teachers, for encouraging the students to enter. We thoroughly enjoyed reading the essays, but found the judging extremely difficult.

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