



Ngati Hineuru Iwi Incorporated

Quantum: Special Factors

Presentation to the Minister for Treaty of Waitangi
Negotiations

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Introduction

We are very pleased to have this opportunity to meet with you today Minister, to discuss those factors that are unique to Ngati Hineuru, in the context of the Crown's quantum "special factors".

As you will know, we have provided your officials with our quantum base factors information. We subsequently met with your officials to further discuss base factors on 19 November. For your convenience, we have **attached** a copy of our base factors submissions to this paper.

The purpose of today's presentation is to go beyond the base factors material. Accordingly, today's presentation, and this accompanying paper, outlines those special factors that are particularly unique to the history and experiences of Ngati Hineuru.

We wish to highlight that the purpose of this paper is to outline additional information that must be provided for through our financial redress – namely our quantum figure. This paper is not designed to address any of our cultural redress aspirations. We will be sure to canvas all elements of our settlement package, including non-site specific cultural redress which we have not yet discussed with the Crown, at our hui on 14 December.

For your ease of reference, we have summarised the Ngati Hineuru special factors in the following executive summary.

Ngati Hineuru Quantum Special Factors: Executive Summary

Our quantum base factors highlight that Ngati Hineuru experienced the most serious kind of raupatu-related breaches, particularly given that the raupatu resulted in the loss of many lives. The raupatu turned out to be the start of a long, and concerted, process instigated by the Crown to acquire as much of the most valuable land as possible from the Ngati Hineuru rohe. The Crown's actions following on from the raupatu, through Native Land Court processes and aggressive purchasing methods, are also described in our base factors material.

In this report we detail the unique circumstances that led up to the raupatu, the particularly brutal treatment of our people during the raupatu, and the state that our people were left in, and continue to find themselves in, once the bulk of our lands had been taken from us.

Crown campaign to remove the people of Ngati Hineuru from the Hawke's Bay

Our troubled history is the result of the Crown's deliberate campaign to remove our people from the Hawkes Bay landscape. The key motivations behind this campaign were to obtain lands to further pastoral settlement and to further develop strategic access routes.

The Crown's attacks on Ngati Hineuru at Omarunui and Petane in 1866 were a result of this campaign. These battles mark a pivotal point in our history, and resulted in our label as rebels, caused our property to be taken and our villages to be sacked, and was the reason so many of our people were transported to the Chatham Islands (**Chatham's**) to be held indefinitely only to become embroiled with Te Kooti upon their escape.

The ongoing effect of being labelled as rebels has created an inaccurate record of our history, and has almost caused our independent iwi status to have been lost entirely. We find ourselves excluded from government processes including the commercial fisheries settlement, the government's record of iwi and Maori organisations (as outlined on the internet at Te Kahui Mangai from the website of Te Puni Kokiri) and exclusion censuses (Ngati Hineuru has never been included as an iwi to affiliate to in censuses).

Raupatu, loss of land, and dispossession

Through the raupatu, large areas of our land were confiscated, however no Compensation Court ever inquired into the lands within the Mohaka-Waikare confiscation district. The Crown subsequently returned some of our lands, but to the wrong people and not to Ngati Hineuru who were the rightful owners.

The raupatu was followed by our lands being taken from us as a result of Native Land Court processes (which were often unjust) and aggressive Crown purchasing. This, coupled with the years of tenurial uncertainty over some of our blocks, left Ngati Hineuru with minimal land holdings and meant that most of our people were dispossessed from their lands.

Social impacts of land loss

The extensive landloss, and the specific effects of the raupatu, has meant that the people of Ngati Hineuru have suffered poverty, poor housing and degraded physical and spiritual health. With the loss of the economic base that was originally provided by the once extensive landholdings, Ngati Hineuru lost the ability to develop papakainga lands and the ability to create a capital base. Our people had no choice but to move away from their homelands. The social impacts have been

oppressive and consistent over the years, however Ngati Hineuru were not able to benefit from government assistance to address these impacts.

Crown campaign to remove the people of Ngati Hineuru from the Hawke's Bay

We have had a particularly fraught history primarily because the Crown had instigated a deliberate campaign to remove the people of Ngati Hineuru from the Hawkes Bay landscape. The Crown, together with settler soldiers, developed a strategy to remove the "issue" of the Ngati Hineuru people to allow access to more lands in the area to further their pastoral settlement and strategic access route development, as well as their other plans. Specifically, as a result of this campaign:

- The Crown attacked our people, without provocation, at Omarunui and Petane in 1866, in the guise of suppressing a rebellion that did not occur. As part of this we lost our chief Te Rangihiroa
- Following on from Omarunui and Petane, the Crown tarnished us with the label of rebels, and manufactured reasons to allow access to some of our most valuable lands
- Our kainga were sacked and our property was stolen by government forces
- Of those still alive after the battles, our people were forced out of their lands or seized, incarcerated and transported to the Chatham's where they were detained without trial for two years until their escape
- Those of our people who were able to escape were then tied to Te Kooti (whether or not they acquiesced) and became intertwined in his battles. We lost more people and a second chief, Nikora Te Whakaunua, at Te Kooti's battle of Ngatapa in 1869. By 1869 the Crown had nearly succeeded in extinguishing Ngati Hineuru iwi

Crown's strategy behind attacks at Omarunui and Petane

The Crown appears to have developed a strategy in conjunction with settler soldiers to remove Ngati Hineuru from the landscape in order to acquire the valuable lands within the Ngati Hineuru rohe. We were seen as no more than annoyances standing in the way of the land that the Crown and the settlers craved. During the occupation at Petane, food became very scarce and so we sought the provision of supplies from government officials. The Crown appeared not to have any sympathy for our situation and, to the contrary, wished us dead or to be transported from our lands to the Chatham's so that they could access our land. Colonel Whitmore, one of the Crown officers and a key player in the later suppression of Ngati Hineuru "rebels", commented on our situation in the following way

They are really hungry, I believe, and want Rhodes to feed them... I suppose it would not do to introduce a little 'mix' or 'arsenic' into the flour sent over to them? Or else they might be profitably 'fed off', at Petane. But seriously could you not perhaps manage to get them to agree to be deported to the Chatham's on the promise of food for 6 months? They would do a great deal for 6 months' food right now¹

Our people were not comfortable selling our land to pastoralist settlers which caused issues for the provincial superintendant (who was also a pastoralist in the area, no doubt with his own personal agenda in mind)². By ridding the region of the Ngati Hineuru owners of these lands, the Crown would seek to gain valuable settlement lands and also lands along the critically important access route from

¹ Waitangi Tribunal, *The Mohaka ki Ahuriri Report*, p. 177

² With regard to McLean's authorisation of the battles at Omarunui (the Crown contingent against Panapa's party was led by McLean and Whitmore) and Petane (the Crown contingent was led by Fraser against Te Rangihiroa's horsemen) the Tribunal said "There seems little doubt that Whitmore seized upon that opportunity to settle his personal grievance with Ngati Hineuru, through McLean, also a pastoralist with a run in southern Hawke's Bay, had larger strategic interests in mind." Waitangi Tribunal, *The Mohaka ki Ahuriri Report*, p. 202

the interior to the coast, between Napier and Taupo³. This access route was known as the “Tarawera corridor”, is within our core rohe and was highly sought after by the Crown

A final point that needs to be emphasised is that McLean [the provincial superintendent] had a grand strategic motive for the confiscation. The road route to Taupo ran through the Mohaka-Waikare blocks, and the construction of the road had already begun. McLean now wanted to complete the project and to secure the road with redoubts as part of a larger strategy of cutting off the Kingite tribes from those of the Central North Island and the Urewera... McLean’s strategy was part of a larger plan that had long been associated with the confiscation... This plan envisaged the confiscation of vast areas of land... Dorset’s plan provided for a Napier to Taupo road and the settlement on the northern frontier of Hawkes Bay...”⁴



Napier-Taupo Road, Titiokura, 1940

Unprovoked Crown attacks at Omarunui and Petane in 1866

The attacks at Omarunui and Petane, and the subsequent raupatu, were completely unjustifiable and resulted in the loss of many Ngati Hineuru lives including the loss of our chief Te Rangihiroa at Petane. Perhaps the most unique factor of our raupatu claim is that our lands were confiscated despite the fact that we were never in a state of “rebellion”, as was required for confiscation under the New Zealand Settlements Act (1863). None of the actions of our people at Omarunui and Petane were considered by the Tribunal as constituting a ‘rebellion’, not even our actions to defend ourselves from those attacks

There was no semblance of ‘rebellion’ (under even the strictest English legal definition) anywhere in the Hawkes Bay before the attack on Ngati Hineuru and the others at Omarunui and Petane... overall we conclude that there was no ‘rebellion’ at either Omarunui or Petane, even in the firing in self-defence⁵

Those of our people who were not killed at the battles were seized, incarcerated and transported to the Chatham’s. The detainees include women and children and were held for two years (until their escape) without trial, imprisoned under extreme hardship and were required to carry out hard labour.

³ Waitangi Tribunal, *The Mohaka ki Ahuriri Report*, p. 199

⁴ *Ibid* p. 226

⁵ *Ibid* p. 250

Further punishment was dealt to our people as Crown forces descended on our kainga including at Te Haroto, to destroy them, and to steal our property. The punishments we received were excessive and out of proportion to the perceived threat we posed, especially as we had already lost so many lives and property as a result of the battles. The Tribunal has acknowledged this and has said

The detention without trial of the Omarunui prisoners on the Chatham's was not justified. In fact, it was probably unnecessary to imprison them at all, given the losses they suffered of kin (at Omarunui and Petane) and of property (as a consequence of Whitmore's Waiparati expedition). Moreover the confiscation of much of their land was carried out during their Chatham's detention⁶



'Hauhau' prisoners at Napier, date unknown

Unjustified killings at Ngatapa in 1869

Some of our people managed to escape with Te Kooti in 1868 but were then required to remain with him to fight his wars whether or not they wished to, for some years after. As a result of this, we lost more of our people as well as a second Ngati Hineuru chief, Nikora Te Whakaunua, at the particularly devastating battle of Ngatapa in 1869. To add insult to injury for Ngati Hineuru, Nikora's head was removed and brought back to the government camp.

The government forces indiscriminately took many lives at Ngatapa in retaliation to those who were killed by Te Kooti and his contingent at Matawhero (near Turanga). However, the Crown began killing people without first distinguishing between those who were responsible for the deaths at Matawhero and the innocent victims who were not at Ngatapa by choice but because, following their escape from the Chatham's, they were prisoners of Te Kooti. The Tribunal considered the battle at Ngatapa in their Turanga Inquiry and have described the killings as "a stain upon the history of this country, and it is long past time for them to be put right"⁷. The Tribunal also described the Crown's omission to hold an official inquiry after the battle as a breach of their obligation of good faith. Specifically, the Tribunal said

⁶ Ibid p. 218

⁷ Waitangi Tribunal, *Turanga Tangata Turanga Whenua: The Report on the Turanganui a Kiwa Claims*, p. 247

There was no Government inquiry into the allegations of execution. It is true that the sanitised, official accounts of the siege on the whole gave the impression that the killings were battlefield casualties. Even in official correspondence, however, there were statements that should not have been left unexplained. And newspaper accounts gave disturbing details, which should have aroused Government concern. It may be that there was an unspoken understanding that the events at Ngatapa were best left to lie. It is certainly apparent that many knew that killings on a horrific scale had occurred there. The Crown ought to have investigated them and tried those implicated in their commission. The fact that this did not occur demonstrates how thin the veneer of the rule of law could be in colonial New Zealand.⁸

Many of our people, including our chief Nikora, were killed at Ngatapa irrespective of the fact that at least some of them would have been innocent captives, and so were killed undeservedly. The events at Ngatapa only compounded the problems already faced by Ngati Hineuru after Omarunui and Petane and, by 1869, the government had almost succeeded in entirely wiping out our population.

Modern day effects of eradication campaign

Label and stigma of “rebels”

Once we had been branded with the label “rebels” we began to face the effects of this misconception, including the detrimental effects it has had on the way that the history of Ngati Hineuru has been told over the years.

To this day, many of our neighbouring groups continue to remain ill-informed which has resulted in significant prejudice to the mana of Ngati Hineuru iwi. We also know of many instances where our people have been reluctant to acknowledge themselves as Ngati Hineuru due to this prejudice. Unfortunately, much of the wider public, including a number of Ngati Hineuru, do not know that we were inaccurately labelled as rebels and remain unaware of their actual history.

Loss of iwi status

The concerted campaigns to remove Ngati Hineuru iwi from history, has unfortunately had flow on effects into the modern day. Our identity as an independent iwi has almost been lost since the confiscations and we have consequently been excluded from many government processes including the commercial fisheries settlement. We received no assets from the fisheries settlement and were presumably treated as a hapu of Ngati Tuwharetoa or possibly Ngati Kahungunu, despite our iwi status.

We have also found ourselves excluded from the government’s own record of iwi and Maori organisations (as outlined on the internet at Te Kahui Mangai from the website of Te Puni Kokiri). Instead of having our iwi status recognised, we are included as a hapu of Ngati Tuwharetoa and a large part of our rohe, as well as our marae at Te Haroto, is depicted as within the rohe of Ngati Tuwharetoa. Also, as we have detailed in our base factors submissions, Ngati Hineuru has never been included as an iwi in the censuses either.

We do recognise that the Crown is beginning to redress these problems, as evidenced by these Treaty settlement negotiations which we are pleased to see are progressing with the Crown “mo Hineuru, mai Hineuru” (by Hineuru, for Hineuru). However this is only the beginning. Our quantum figure must recognise, and provide for, this issue that is a very specific consequence of the Crown actions within our history.

⁸ Ibid p. 247

Raupatu, loss of land, and dispossession

To further the Crown's strategy to acquire our lands as easily as possible, large tracts of our lands were confiscated after most of our people had been killed, evicted from the rohe or were being detained at the Chatham's. The particularly unique elements we faced through our raupatu processes, which were responsible for the subsequent dispossession of our people from their lands include:

- Agreements between the Crown and loyalists groups were developed while we were in a state of exile and without taking our views into account
- No Compensation Court ever sat to inquire into the lands in the Mohaka-Waikare confiscation district
- Of those lands that were returned and not retained by the Crown, our lands were given to others and were not returned to their true Ngati Hineuru owners
- The Crown and Ngati Kahungunu chiefs effectively colluded to exclude us from the Native Land Court process in regard to the Pakaututu block to allow Ngati Kahungunu to gain access to it. With regard to Te Matai, which was the other block in the confiscation district that was subject to Native Land Court processes, the Crown negligently allowed it to become landlocked and inaccessible
- Continuing tenurial uncertainty for our people with regard to the Tarawera and Tatarakainga blocks meaning that they could not properly occupy the lands
- The ineffective and inaccurate processes of the Native Land Court resulting, at times, in Ngati Hineuru interests being arbitrarily excluded from owners lists. Furthermore, the Native Land Court processes simply facilitated aggressive Crown purchasing techniques

Confiscation via the 1870 agreement

Large tracts of our lands were confiscated by an order-in-council in January 1867 based on the recommendation of McLean. The basis of McLean's recommendation to confiscate the lands in the Mohaka Waikare confiscation district was, as he said, in accordance with the Hawkes Bay chiefs, however this could not have provided for the views of Ngati Hineuru given that our people were not in the Hawkes Bay at that time. In fact, for those Ngati Hineuru people who were not at the Chatham's, the government forces had made it expressly clear that they were not welcome back to their rohe for any purpose and posted the following notice for people of Ngati Hineuru

This is to let the Hauhaus understand that whereas they have invaded the peaceful territory of the sovereign Queen to create a disturbance therein, and have been punished by the soldiers of the Queen and been followed up the boundary, dividing the lands of New Zealand – if in future you attempt to oppose the Sovereignty of the Queen you will be followed up to the farthest end of New Zealand⁹

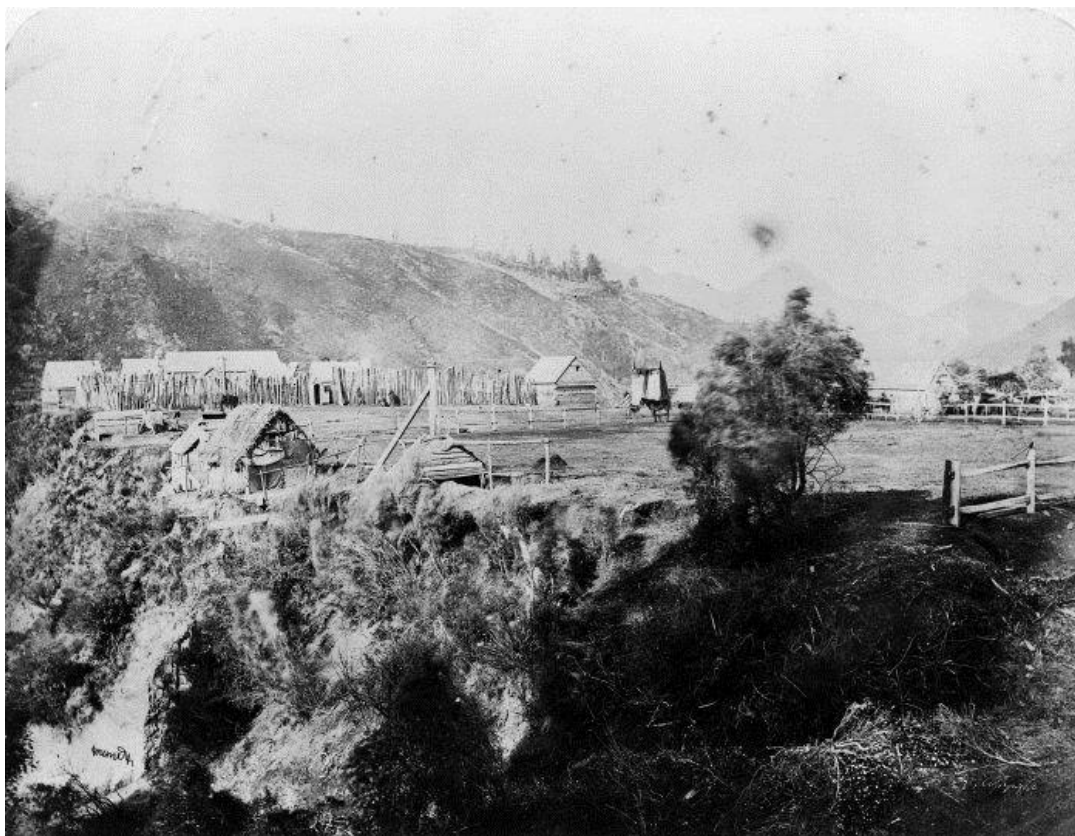
Unlike other groups in the country who had also suffered raupatu, no Compensation Court was established to ascertain any claims for compensation under the New Zealand Settlements Act. While the effectiveness of Compensation Courts may be questionable, it was certainly to our detriment that we were never afforded the opportunity to have our views heard in such a forum. Every other confiscation/raupatu in New Zealand had a judicial process of some kind, including the Compensation Court in Taranaki, the Waikato, or the eastern Bay of Plenty, and the Tauranga Commissioner's Court

⁹ Colonel Whitmore, Report 22 October 1866, enclosing a translation of his posted message, AGG-HB 1/1/127. In R P Boast July 2010, *Ngati Hineuru and the Hawke's Bay Frontier Gap filling Research Report Commissioned by the Crown Forestry Rental Trust*, p. 93

at Tauranga and the Poverty Bay Commission at Turanga. Instead of benefiting from a judicial process, the Crown worked with the Kahungunu groups to ascertain how our lands were to be treated and which we would lose. The Tribunal have found that the lack of a Compensation Court was a breach of the Crown's duty of active protection and said

Despite the provision for it in legislation, no compensation court ever sat to consider claims in the Mohaka-Waikare confiscation district and therefore there was no judicial determination of whether persons affected by the confiscation were in rebellion. This lack of due process breached the Crown's duty of active protection¹⁰

The subsequent agreement of 1870 outlined which lands were to be retained by the Crown and which would be returned to Maori within the confiscation district. Through the 1870 agreement the Crown acquired all of the lands from our rohe that are within the boundaries of the confiscation district, and retained the Waitara block and areas at Te Haroto and Tarawera. The 1870 agreement did not, however, return the remaining lands at Tarawera to its rightful Hineuru owners but instead provided for our lands to be returned to a Kahungunu group known as Ngati Kahutapere. The Crown paid these loyalists off by allocating our lands to Ngati Kahutapere in exchange for the loyalty they had displayed. The only lands that we received back were the less valuable lands at Tatarakina.



Tarawera redoubt, [ca 1869]

After the confiscation, we went through a period of title confusion where lands at Tarawera would come back to us, only to be reallocated to Ngati Kahutapere in the 1920s. The Crown wrongly dispossessed our people from these lands and then continued to perpetuate breaches of good faith

¹⁰ Waitangi Tribunal, *The Mohaka ki Ahuriri Report*, p. 258

and fair dealing by allowing the land to be repeatedly given back only to be taken away again¹¹. This had a significant effect on our people and

The loss of the location of Ngati Hineuru's principal cultivations and settlements at Tarawera alongside the Waipunga River was a serious blow to the viability and maintenance of that community.. the Crown was thus in breach of the principles of reciprocity and partnership and its duties of active protection and good faith conduct¹²

The Tataraaikina block also presented issues associated with title security and the blocks were subject to years of uncertainty about occupation due to the reinvestigation of title processes of the Land Court. These processes continued as late as the 1950s.

Effective confiscation through the Native Land Court

The Pakaututu and Te Matai land blocks within the confiscation district, were also the subject of Native Land Court investigations. Despite our significant interests in Pakaututu, this block was investigated in 1869 – while we were either still in exile or alternatively still in hiding outside of the main centres. Effectively, these lands were confiscated from us, and then title was allocated through the Native Land Court to others, and not Ngati Hineuru. The Tribunal's view is that this outcome as a result of our absence was not merely coincidental with respect to the Pakaututu block and was in fact part of a plan between the Crown and the Kahungunu chiefs who received these lands

There appears to have been a degree of complicity between the Crown and the Ngati Kahungunu chiefs, who were assured of the Pakaututu title because Ngati Hineuru and the others with claims to the block did not attend the hearing. This act of complicity meant that the title was awarded to a coterie of chiefs, mainly from the coast, who had very insubstantial claims to Pakaututu, and this in turn led to the block's ultimate alienation into European ownership¹³

Te Matai was subject to a title extinguishment (and reinvestigation process) also, however, it was over a much longer period of time. Furthermore, the Crown acted negligently¹⁴ in managing this block as it became effectively landlocked and could not be accessed.

We continued pursuing recognition of our interests in these lands until the 1950s, when we could no longer afford to appeal the decision of the reinvestigation. By then we faced significant financial difficulties as a result of funding the proceedings associated with the Tarawera and Tataraaikina blocks as well as paying the costs of the reinvestigation proceedings itself.

Loss of lands through unwelcome Native Land Court processes and aggressive Crown purchasing

Our exile from the confiscation district meant that we were forced to move beyond our core rohe and had to rely solely on our lands in the central North Island and lands and towards the Urewera's to sustain us. Ultimately however, we had no choice but to participate in alien and, in our view, dangerous, Native Land Court processes despite our reluctance to do so. The Waitangi Tribunal in its CNI report has said of the Native Land Court processes that

The Crown has a Treaty obligation to consult with Maori about how their lands should be managed and administered, and should secure their consent to the introduction of any new tenure and title determination systems. However the Crown did not adequately consult them or secure their consent;

¹¹ Ibid p. 357

¹² Ibid p. 356

¹³ Ibid p. 327

¹⁴ Ibid p. 327

nor did it inform them of the purpose, functions and processes of the new court. Central North Island Maori were thus prejudiced from the outset of their engagement with the court....¹⁵

While the Native Land Court did properly acknowledge and provide for our interests in certain blocks, we were significantly prejudiced in the proceedings relating to other, at times key, blocks. A key issue in the region was the Court's inability to understand the relationships between the CNI groups or apply tikanga. The Tribunal has noted that

The Native Land Court was not an appropriate body to deal with the complex matter of determining customary rights, which required a deep knowledge of history, whakapapa and relationships among the various kin groups with rights to land and resources in a district

We were heavily penalised by the Court's shortcomings in these matters. For example, some of the rightful Ngati Hineuru owners were excluded for no reason by the Court from the list of owners of Runanga No 1, simply because the Court could not understand the contextual circumstances.

The Runanga No 1 case also demonstrates Ngati Hineuru's unwillingness to become involved in the Native Land Court process at all. Ngati Hineuru objected to the Court dealing with the case in 1872, at which point it was adjourned, and then again in 1877 (the Court heard the case in any event).

Once titles had been through the Native Land Court investigations process, the Crown began an aggressive land acquisition process of those remaining lands we possessed. From 1880 until 1895 the Crown acquired 104,480 acres of Kaingaroa 1, 20,910 acres of Heruiwi 1, 5,500 acres from Pukahunui 1, 73,221 acres in Heruiwi and Heruiwi 4 (by 1962 the Crown had acquired all of our interests in Heruiwi 4) and 10,111 acres of Whirinaki 1. The Tribunal found that "the tribes with interests in Kaingaroa had either lost them in court or to alienation, leaving insufficient land and resources for that district to form a base for their customary practices or for economic development"¹⁶. However, the effects of dispossession associated with CNI lands were only compounded for us by the confiscations of our land in the remaining part of our rohe.

Ngati Hineuru also often struggled to properly represent their interests as a result of minimal funds to do so. In addition to Court and surveying costs, Ngati Hineuru were financially crippled as a result of participation in the New Zealand wars and we could not fund independent advice to assist our engagement in the Court. However, there was no option to opt out of the process as there was no other legal means available to process our lands to provide for full title over them. In the end, the titles obtained through the Court process often caused difficulties in themselves. This was especially because Native Land Court processes could not provide for ownership while also providing for the tikanga framework that had previously governed rights to land.

¹⁵ Waitangi Tribunal, *He Maunga Rongo: The Report on the Central North Island Claims, Stage 1* p 536-7

¹⁶ *Ibid* p 651

Social impacts of land loss

The raupatu and loss of our lands has been a key contributor to the poverty and degraded health and wellbeing we continue to see in our people. To this day, many of our people continue to live in a state of poverty without access to proper housing and healthcare due to:

- Loss of our asset base and economic platform through the loss of the vast majority of our lands through raupatu, prejudicial Native Land Court processes, aggressive Crown purchasing, and tenurial difficulties
- Oppressive poverty resulting from the inability to establish papakainga due to the lack of land and the lack of funds to develop any land we did retain
- A lack of government assistance to allow our people access to sufficient healthcare and to sound housing
- An absence of compensation despite the fact that other groups who suffered raupatu have received compensation. This has meant that our people have not had access to any targeted funding that could assist Ngati Hineuru to move forward at any stage

Loss of land causing poverty

With the loss of large areas of land we also lost the ability to develop a sound economic base to sustain Ngati Hineuru in the future and also did not make sufficient profits to properly develop our kainga, furthering our impoverishment. Minimal land is left in the hands of Ngati Hineuru (except for a small area at Te Haroto). Ngati Hineuru is left with no papakainga lands and the realities that accompany limited Crown land in the rohe.

Any development that we made at Te Haroto in the 20th century, ceased and regressed by the 1920s and 1930s, because of the tenurial problems we were facing, for example as a result of the many hearings and petitions that arose as a result of the issues with the Tarawera and Tatarakainga blocks. The physical and spiritual health of our people plummeted due to underfunded and inadequate Maori healthcare facilities, underemployment, tuberculosis and lack of state assistance.

The Tribunal has recognised “a connection between land loss and poverty in cases where insufficient land has been retained for subsistence and insufficient income is available from intermittent part-time work to make up the deficit”¹⁷. The experiences of Ngati Hineuru have certainly been hampered by land loss and associated poverty. The Tribunal refers specifically to the circumstances of life at Te Haroto where

even in an area where a lot of Maori land was retained – such as Te Haroto – Maori still suffered poor health and poverty because they lacked the capital to develop that land. Thus, they were hardly in a better position than those who had lost it all

Decline in health of our people

Poverty and landlessness has led to poor housing and poor health and wellbeing of our people. Our mortality rates were particularly high by the 1890’s and it was found that

¹⁷ Waitangi Tribunal, *The Mohaka ki Ahuriri Report*, p. 679

The paucity of children and old people, especially amongst the Ngatihineuru, was very marked. On enquiry, I found the death-rate amongst children had been very heavy, which I attribute in great measure to want of sufficient nutritious food which would also account for the scarcity of very old people¹⁸

Housing was in a dismal state at Te Haroto due to the extreme poverty suffered by its inhabitants. In 1936 the situation was publicised to a degree through a letter from local school teacher Edward Nepia to the Native Minister, to highlight the

serious state of affairs [that] exists here at Te Haroto. Several families, extremely poor, are living in disgraceful and unhygienic conditions and [this] requires an urgent investigation by your health department¹⁹

As was the typical response of the government to providing assistance in our rohe, the Minister did nothing to address the situation.



Bell whanau, William, JB, Jim Wereta, of Ngati Hineuru, date unknown

Absence of compensation for raupatu

A further compounding factor to the raupatu we suffered is that no compensation has been provided for the groups affected by the Mohaka-Waikare confiscations, unlike that which has been provided to other groups who have also suffered raupatu²⁰. Consequently, we have not had any assistance from the Crown to allow us to move beyond our troubled history, which has added to the modern day issues of raupatu that currently impact on our people.

Just to survive, our people looked to becoming seasonal workers at the cost of community support. The people of Ngati Hineuru had no other option but to leave their homes that were on lands that

¹⁸ *Census of the Maori Population*, 1896 AJHR H-13B, p 6.

¹⁹ *Ibid* p. 669

²⁰ *Ibid* p. 690

could no longer sustain them and look to find work in the cities. The result has been that “Today the people are like pellets from a shotgun blast sprayed in all directions, no aims, no goals, no mana”²¹.



Kingita Pataka Bell, of Ngati Hineuru, date unknown

²¹ Dave Kinita, document M23, p. 8 in the Waitangi Tribunal, *The Mohaka ki Ahuriri Report*, p. 660

Conclusion

The Crown's concerted attack on the people of Ngati Hineuru began in 1866 at Omarunui and Petane and was relentless until the bulk of their rohe was in the hands of the Crown, or of incorrect Maori owners. Following on from the raupatu and loss of lands through Crown actions, the identity of Ngati Hineuru was wrongly tarnished with the label of 'rebels', which has had a flow on effect to the modern day causing some of our people discomfort to acknowledge an association to Ngati Hineuru. This suppression of Ngati Hineuru iwi has meant that many of our customary practices and our true history, has also been unfairly suppressed over the years and has contributed to the poor health and living conditions of our people. As at this point in time, Ngati Hineuru iwi is in a severely impoverished state across all facets.

We look forward to working with the Crown to establish the effect of these factors on the financial redress element of the Ngati Hineuru settlement package. In our view, we could provide the Crown with any clarification sought in regard to our base and special quantum factors information, as well as discussing any other 'final issues' on 14 December including, of course, cultural redress.

Your officials have indicated that any Crown offer is subject to Cabinet approval. Minister, we are confident that the wider settlement package we have been developing together with Crown officials is realistic and within existing parameters.

We will provide you with detailed information about the overall settlement package for the Ngati Hineuru claims at our final issues hui on 14 December. As mentioned earlier, we will also present any outstanding issues that are remaining as at 14 December.

Minister, thank you for making time to meet with us today. We are very much looking forward to meeting with you again on 14 December for our final issues hui.