

Waitangi Tribunal

Media Statement



EMBARGOED UNTIL 6.00AM SATURDAY 7 APRIL 2007

WAITANGI TRIBUNAL REPORT RELEASED ON THE NORTHERN SOUTH ISLAND (TE TAU IHU O TE WAKA A MAUI) WAI 785

The Waitangi Tribunal today released a preliminary report on customary rights in Te Tau Ihu o te Waka a Maui (the northern South Island) WAI 785.

There are 31 claims in this region. Since completing hearings, the claimants have started negotiations for settlement with the Crown. The claimants asked for early findings on customary rights and their treatment by the Crown, in order to assist the negotiations.

The Tribunal has found that all eight iwi of Te Tau Ihu – Ngati Apa, Rangitane, Ngati Kuia, Ngati Toa Rangatira, Ngati Rarua, Ngati Tama, Te Atiawa, and Ngati Koata – had valid customary rights when the Treaty of Waitangi (the Treaty) was signed in 1840. Those rights were protected and guaranteed by the Treaty. Despite acknowledging this at the time, the Crown acquired millions of acres of Te Tau Ihu lands and resources in violation of those rights, without finding out the correct Māori owners or obtaining their full and free consent. Partly as a result, the Crown's massive purchases were invalid in both British and Māori law, and in breach of the Treaty.

The first major land loss occurred in 1844, when the Government failed to inquire properly into the New Zealand Company's claim to own land in Tasman Bay and Golden Bay. The Crown granted that land to settlers a year later, even though Māori title had not been extinguished. This was in breach of the Treaty. In 1847, the Government purchased the Wairau block (around three million acres) from just three Porirua chiefs, chosen by itself, thus disenfranchising all the other Ngati Toa, Ngati Rarua, and Rangitane people. Then, in 1853, the Government extorted a cession of all Ngati Toa's interests in the South Island by an unfair manipulation. From 1854 to 1856 it used this cession (the Waipounamu purchase) to obtain the interests of all the other tribes without their free and full consent.

These actions were in plain breach of the Treaty of Waitangi and its principles. As a result, Te Tau Ihu Māori lost almost all of their land by 1860, through unfair means.

All the iwi of Te Tau Ihu suffered as a result of these and other Treaty breaches. In particular, the Ngati Apa tribe never consented to any sale and was never paid anything.

During the inquiry, the Crown admitted that it had failed to inquire properly into customary rights before buying land or confirming the New Zealand Company's title.

It also admitted that its governors and officials had acted with a ruthless pragmatism that sidelined the Treaty and deliberately advantaged settlers over Māori. As a result, the Crown admitted that its purchases left Te Tau Ihu Māori in poverty.

- ENDS –

FOR ALL MEDIA ENQUIRIES CONTACT:

**Helena Bethune
Communications Adviser
Waitangi Tribunal**

**Mobile 027- 496- 0605
Direct Dial 04 914-3128
Email: helena.bethune@justice.govt.nz**