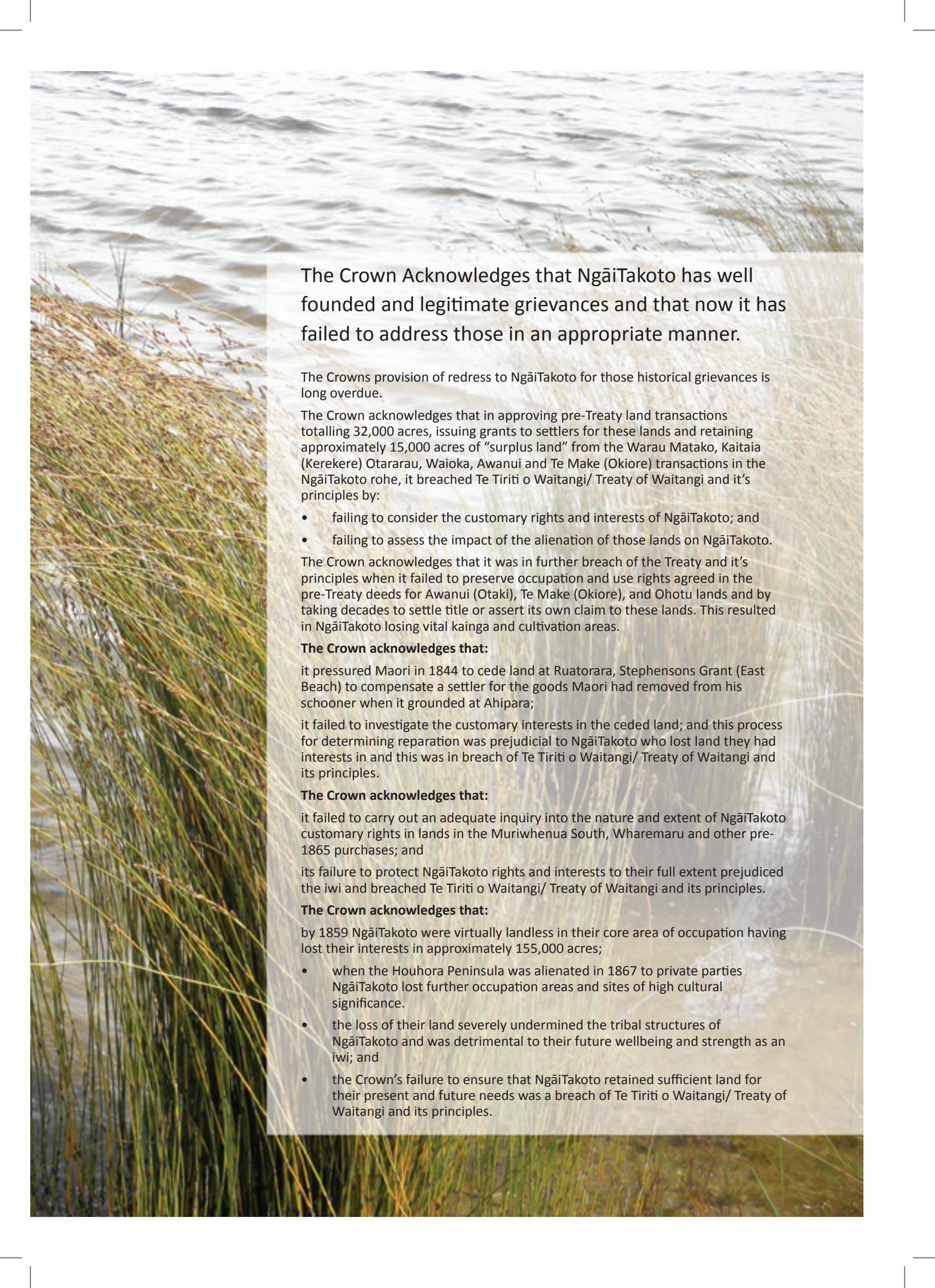


# Crown Apology



**NgaiTakoto**



## The Crown Acknowledges that NgāiTakoto has well founded and legitimate grievances and that now it has failed to address those in an appropriate manner.

The Crown's provision of redress to NgāiTakoto for those historical grievances is long overdue.

The Crown acknowledges that in approving pre-Treaty land transactions totalling 32,000 acres, issuing grants to settlers for these lands and retaining approximately 15,000 acres of "surplus land" from the Warau Matakō, Kaitaia (Kerekere) Otararau, Waioka, Awanui and Te Make (Okioire) transactions in the NgāiTakoto rohe, it breached Te Tiriti o Waitangi/ Treaty of Waitangi and its principles by:

- failing to consider the customary rights and interests of NgāiTakoto; and
- failing to assess the impact of the alienation of those lands on NgāiTakoto.

The Crown acknowledges that it was in further breach of the Treaty and its principles when it failed to preserve occupation and use rights agreed in the pre-Treaty deeds for Awanui (Otaki), Te Make (Okioire), and Ohotu lands and by taking decades to settle title or assert its own claim to these lands. This resulted in NgāiTakoto losing vital kainga and cultivation areas.

### **The Crown acknowledges that:**

it pressured Maori in 1844 to cede land at Ruatorara, Stephenson's Grant (East Beach) to compensate a settler for the goods Maori had removed from his schooner when it grounded at Ahipara;

it failed to investigate the customary interests in the ceded land; and this process for determining reparation was prejudicial to NgāiTakoto who lost land they had interests in and this was in breach of Te Tiriti o Waitangi/ Treaty of Waitangi and its principles.

### **The Crown acknowledges that:**

it failed to carry out an adequate inquiry into the nature and extent of NgāiTakoto customary rights in lands in the Muriwhenua South, Wharemaru and other pre-1865 purchases; and

its failure to protect NgāiTakoto rights and interests to their full extent prejudiced the iwi and breached Te Tiriti o Waitangi/ Treaty of Waitangi and its principles.

### **The Crown acknowledges that:**

by 1859 NgāiTakoto were virtually landless in their core area of occupation having lost their interests in approximately 155,000 acres;

- when the Houhora Peninsula was alienated in 1867 to private parties NgāiTakoto lost further occupation areas and sites of high cultural significance.
- the loss of their land severely undermined the tribal structures of NgāiTakoto and was detrimental to their future wellbeing and strength as an iwi; and
- the Crown's failure to ensure that NgāiTakoto retained sufficient land for their present and future needs was a breach of Te Tiriti o Waitangi/ Treaty of Waitangi and its principles.

### **The Crown acknowledges:**

- the significant of Te Oneroa-a-Tohe to NgāiTakoto as a Taonga which is vital to their spiritual and material well-being; and
- that it has failed to respect, provide for, and protect the special relationship of NgāiTakoto to Te Oneroa-a-tohe.

The Crown acknowledges its failure to actively protect NgāiTakoto hindered their ability to participate in economic development and marginalised the iwi. The Crown further acknowledges that the cumulative effect of its actions and omissions left generations of NgāiTakoto a legacy of impoverishment, spiritually, psychologically, and economically. This has an enduring and ongoing impact on the iwi.

### **Apology**

The Crown apologises to NgāiTakoto, to their ancestors and to their descendants for failing to achieve the relationship sought by NgāiTakoto, as Treaty partner, and for the consequences to NgāiTakoto of that failure. The Crown acknowledges the impact of land loss and with that the suffering and hardships that befell generations of NgāiTakoto members. The crown in this regard, unreservedly apologises to NgāiTakoto.

The Crown's failure of the past left NgāiTakoto virtually landless by 1859. Its actions caused significant damage to social and economic development of NgāiTakoto and severely undermined the wellbeing of the iwi with consequences that continue to be felt today. Crown again apologises to NgāiTakoto for those events.

The Crown recognises that it has not always fulfilled its obligations to NgāiTakoto under Te Tiriti o Waitangi/ Treaty of Waitangi that was signed in Kaitaia by NgāiTakoto and Crown representatives 1840.

The Crown recognises that the process of hearing begins with this agreement between the Crown and NgāiTakoto. The Crown looks forward to building and enduring relationship of mutual trust and cooperation with NgāiTakoto that is based on a mutual respect and on Te Tiriti o Waitangi/ Treaty of Waitangi, and to achieving that relationship and partnership sought by NgāiTakoto in 1840.

The Minister for Treaty of Waitangi Negotiations will deliver the following Crown apology at the signing of the NgāiTakoto Deed of Settlement.....

Tena koutou nga whanau, nga marae, o te iwi o NgāiTakoto, tena koutou katoa, I am reminded as I stand here on behalf of the Crown as to the significance of this place known to you all as Te Rangianiwaniwa. The historical significant of events that occurred here on this land in the past can also perhaps be modern sign of relevance to our gathering here today.

The symbol of Te Rangianiwaniwa ( the double rainbow) appeared after a significant event within NgāiTakoto history and whilst the double rainbows may not be present at this event, the "light of illumination, 'or light of understanding that is associated with illumination, is without doubt, present among us, and like the events of old, it allows us to pause, to take stock, and reflect on the past and present events that ultimately cause us both, NgāiTakoto and the Crown representatives, to be here, on this land, this day.

A substantial period of time has elapsed since Muriwhenua claim was first submitted to the Waitangi Tribunal, and over the last few years we have achieved together, with the NgāiTakoto negotiations team, an outcome that seeks to address the historical grievances of NgāiTakoto, somewhat less of a physical battle, but a symbolic event and process for both sides, none the less.



**NgāiTakoto**

In the process of negotiations came illumination, in the light of illumination came understanding, and from this understanding came movement and movement brought with it ability to heal old scars on both sides, and look towards new horizons.

Horizons that bring the ability of both parties to move forward together with a better understanding of where it is we have come from, and to where we are able to go. That is the present, and future, that is a path we are both destined to continue to tread.

Moving forward also requires us to accept that the crossing of our historical paths could have been better, the goods intentions of that time perhaps weren't good enough; the absence of cultural understandings created, in many instances, misunderstandings, and the actions of one group, led to reactions by another, and ultimately the partnerships and relationship elements that are essential to achieving prosperity together, were, in many instances, left languishing.

It's my role as the Minister for Treaty of Waitangi Negotiations to acknowledge that languishing, and to find ways forward for both sides. Ways forward together that rebuild those languishing relationships and partnerships thus allowing us to tread the path towards a more prosperous future, together.

In the settlement with NgāiTakoto we have attempted to achieve this both economically and culturally, and it is envisaged that this will be strengthened, as I have mentioned, through us working closely together.

As the representative for the Crown I acknowledge that historically things could, and should, have been done better, hence my being here today.

In my role as the Minister for Treaty of Waitangi Negotiations, and on behalf of the Crown, I convey the Crown's apology to NgaiTakato, to their ancestors and to their descendants for our failings to achieve that relationship sought by our Treaty partners and for the consequences to NgāiTakoto of that failure. We acknowledge the impact of land loss, and with that the suffering and hardships that befell generations of NgāiTakoto members. The Crown unreservedly apologises to NgāiTakoto for that.

I am aware that the Crown's failure of the past left NgāiTakoto virtually landless by 1859; its actions caused significant damage to the social and economic development of NgāiTakoto and severely undermined the wellbeing of the iwi with consequences that continue to be felt today. The Crown in this regard, again apologises to NgāiTakoto for these events.

The Crown recognises it has not always fulfilled it's obligations to NgāiTakoto under the Treaty of Waitangi that was signed here in Kaitaia by NgāiTakoto rangatira and Crown representatives in 1840.

However, I believe that the process of healing beings today (as back then with the appearance of the double rainbow) with this Deed of Settlement signed between us; the Crown and NgāiTakoto. And the Crown looks forward to building an enduring relationship of mutual trust and cooperation with NgāiTakoto that is based on a mutual respect for each other, the Treaty of Waitangi, and to achieving that relationship and partnership sought by our representatives in 1840.

Once again I acknowledge our purpose of being here at this historical event, and what the future may bring to us all.

Thank you

No reira, tena koutou, tena koutou, tena koutou katoa.

Hon Christopher Finlayson

Minister for Treaty of Waitangi Negotiations