



Waitangi Tribunal

Media Statement

Monday 27 July 2009

MEDIA STATEMENT – WHANGANUI DISTRICT INQUIRY (WAI 903)

The Waitangi Tribunal has today released a report on aspects of the Wai 655 (Ngā Wairiki) claim. The Tribunal is releasing this short report at the request of the Wai 655 claimants. The Ngāti Apa Settlement Bill, soon to be before Parliament, will settle the Wai 655 claim. The claimants wanted the Tribunal to express its views on their evidence before the bill enacting the settlement is introduced. The Tribunal agreed that it was appropriate to recognise the Wai 655 claimants' involvement in the Whanganui district inquiry by reporting on their historical claims to the extent possible within the limited time available. The Whanganui Tribunal panel comprises Acting Chief Judge Carrie Wainwright (Presiding Officer), Professor Wharehuia Milroy, Dr Ranginui Walker, and Dr Angela Ballara.

The Wai 655 claimants earlier sought an urgent hearing of the Tribunal to challenge the Ngāti Apa Settlement. The Tribunal declined, and that decision is not revisited in this report. Judge Wainwright notes that this report does not traverse the modern-day iwi/hapū debate that underlay the challenge to the proposed settlement.

The report's findings are that in 1849, Ngā Wairiki suffered a heavy blow to their identity as a recognisably distinct iwi. This came about when Donald McLean, Crown agent, deliberately overlooked the separate identity of Ngā Wairiki in arranging the purchase by the Crown of the lands comprised in the Rangitikei-Turakina Purchase. Colonial processes generally conspired to merge the identities of the groups whose interests were affected by the signing of the Deed. The Tribunal found that the Crown, through its agent Donald McLean, breached the Treaty principles of good faith and active protection, and in doing so caused prejudice to Ngā Wairiki by undermining their ability to survive as a group with separate identity and recognition.

The Whanganui district inquiry continues in the latter half of 2009 with closing submissions to be presented by counsel for the claimants and the Crown in October and December.

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