



CROWN APOLOGY TO THE AFFILIATE TE ARAWA IWI AND HAPŪ



CROWN ACKNOWLEDGEMENTS

The Crown acknowledges that it has failed to deal with the longstanding grievances of the Affiliate Te Arawa Iwi/Hapu in an appropriate way and that recognition of the grievances of the Affiliate Te Arawa Iwi/Hapu is long overdue.

The Crown acknowledges that:

- it did not consult with the Affiliate Te Arawa Iwi/Hapu on native land legislation prior to its enactment;
- the operation and impact of the native land laws, in particular the awarding of land to individuals and the enabling of individuals to deal with that land without reference to the iwi and hapu, made the lands of the Affiliate Te Arawa Iwi/Hapu more susceptible to partition, fragmentation, and alienation. This contributed to the erosion of the traditional tribal structures of the Affiliate Te Arawa Iwi/Hapu, which were based on collective tribal and hapu custodianship of land; and
- it failed to take steps to adequately protect the traditional tribal structures of the Affiliate Te Arawa Iwi/Hapu and this had a prejudicial effect on the Affiliate Te Arawa Iwi/Hapu and was a breach of the Treaty of Waitangi and its principles.

The Crown acknowledges that the combined effect of actions such as:

- the use of payments for land before title to the land was determined by the Native Land Court;
- the aggressive purchase techniques employed on occasion by the Crown
- the use and implementation of its monopoly powers over dealings in the land of the Affiliate Te Arawa Iwi/Hapu

meant that the Crown failed to actively protect the interests of the Affiliate Te Arawa Iwi/Hapu in the land they wished to retain, and that this was a breach of the Treaty of Waitangi and its principles.

The Crown acknowledges that:

- a large amount of Affiliate Te Arawa Iwi/Hapu land has been alienated since 1840;
- the combined effect of the Crown's actions and omissions has left some of the Affiliate Te Arawa Iwi/Hapu virtually landless; and
- its failure to ensure that some Affiliate Te Arawa Iwi/Hapu were left with sufficient land for their present and future needs was a breach of Te Tiriti O Waitangi/The Treaty of Waitangi and its principles.

The Crown acknowledges that lands of particular significance to the Affiliate Te Arawa Iwi/Hapu, including land at Te Ariki, Okere Falls, and lands with geothermal surface features at Orakei-Korako and Rotorua Airport, were taken under public works legislation. The Crown acknowledges that these takings have impeded the ability of the Affiliate Te Arawa Iwi/Hapu to exercise control over their taonga and wahi tapu and maintain and foster spiritual connections with those ancestral lands. This has resulted in a sense of grievance among the Affiliate Te Arawa Iwi/Hapu that still exists today.

The Crown acknowledges:

- the generosity of the Affiliate Te Arawa Iwi/Hapu in gifting land containing scenic sites to the nation; and
- that, in the case of land gifted by Ngati Pikiāo for the Rotoiti Scenic Reserve, at the time of gifting, the Crown had been undertaking measures to compulsorily acquire a greater area of land under the Scenery Preservation Act.

The Crown acknowledges that the Affiliate Te Arawa Iwi/Hapu considers the geothermal resource a taonga. The Crown also acknowledges that:

- the passing of the Geothermal Energy Act; and
- the loss of lands containing geothermal features for public works purposes.

have caused a sense of grievance within the Affiliate Te Arawa Iwi/Hapu that is still held today.

The Crown acknowledges that:

- the Affiliate Te Arawa Iwi/Hapu expectations of an ongoing and mutually beneficial relationship with the Crown were not always realised; and
- twentieth-century land development did not always provide the economic opportunities and benefits that the Affiliate Te Arawa Iwi/Hapu expected.

The Crown acknowledges that the Affiliate Te Arawa Iwi/Hapu has been loyal to the Crown in honouring their obligations and responsibilities under the Treaty of Waitangi, especially, but not exclusively, in war service overseas. The Crown pays tribute to the contribution made by the Affiliate Te Arawa Iwi/Hapu to the defence of the nation.

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The Crown recognises the efforts and struggles of the ancestors of the Affiliate Te Arawa Iwi/Hapu in pursuit of their claims for redress, justice, and compensation and makes this apology to the members of the Affiliate Te Arawa Iwi/Hapu, to their ancestors, and to their descendants.

The Crown profoundly regrets and unreservedly apologises to the Affiliate Te Arawa Iwi/Hapu for the breaches of Te Tiriti O Waitangi/The Treaty of Waitangi and its principles, acknowledged above.

The Crown profoundly regrets and unreservedly apologises for the cumulative effect of its actions over the generations, which have undermined tribal structures and had a damaging impact on the landholdings and development of the Affiliate Te Arawa Iwi/Hapu.

Accordingly, the Crown seeks to atone for these wrongs and assist the process of healing with this settlement, and looks forward to building a relationship of mutual trust and co-operation with the Affiliate Te Arawa Iwi/Hapu.