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RECEIVED

Waitangi Tribunal

27 Oct 2023

Ministry of Justice
WELLINGTON

14 September 2023

Registrarial Administrator
Waitangi Tribunal
Ministry of Justice
WT.Registrar@justice.govt.nz

Attention Caitlin,

Claimant: Kararaina Tamehana Kemp

Tena Koe and thank you for your helpful and informative letter of 18 May 2023, regarding the claim for our Kuia, Kararaina Tamehana Kemp; on behalf of the descendants of Wiremu Ngawati and Te Oi Tamehana - for the Otiria Railway Station site, Roadings, Sidings, Storage Areas and Logging Yard.

As you pointed out, Kararaina's claim was not submitted to you as a claim, but was instead, filed as a Brief of Evidence under the Wai 1040 District Claim: Te Paparahi o te raki. This fact is contradictory to the explanation our kuia was given by her Acting Counsel, who told Kararaina that her claim was submitted under the Wai 327 number.

Your letter clarifies that the Wai 327 number exclusively belongs to the Ngati Kopaki, Ngati Te Ara Whanau Trust and their claim for the Tuhipa Scoria Ballast Pit, registered with the Waitangi Tribunal in 1993.

Kararaina, supported by the Ngati Kopaki Hapu Trust, called hui with her claimant whanau to explain the quite complicated process of how their claim is not one at all, but their taonga of whakapapa, history and korero are now part of a much larger district claim, without their knowledge or consent.

The claimant whanau are quite rightly upset that not only have their collective tupuna mana been takihi-ed upon, but their taonga of korero and whakapapa, have been appropriated, used to benefit another Wai claim.

The loss and grief of the combined Tamehana and Ngawati whanau is tragically hard to witness. Their one chance to address past wrongs stolen away from them, yet again.

Kararaina bears the burden of mamae of her whanau deeply as she feels she has failed them all. At age 82, our kuia hails from a generation where her whanau and hapu are renown for their personal integrity. Tika me te Pono are not just catch-phrases. Tika me te Pono was how one lived.

Kararaina and her claimant whanau of kaumatua and kuia have laboriously worked their way through the submitted Brief of Evidence, and have found that it is riddled with inaccuracies, misinformation and spelling mistakes, including her own ingoa and that of the tupuna Te Oi Tamehana.

I oku Tupuna, e noho mai na i raro i te maru o nga whetu, nau ra i whakato te putiputi o te tumanako, ko matou, to mokopuna, i miria ki tona kakara

Our Tupuna, now resting in the embrace of the stars, it was you who planted the flower of hope, and it is us, your descendants, who are touched by its fragrance.

Te Pou Rahui O Putotara



*Te Moko o te Whanau Tamehana
No Ngati Kopaki Hapu*

*Te Komiti Tiaki O
Ngati Kopaki Hapu Trust*

Te Pou Whakahaere:

Ko Vivienne Davis

Te Hekeretari:

Ko Josephine Kemp-Baker

Te Putea Whakahaere:

Ko Aroha Boost

Te Kereme Kaikorero

Ko Jenny Nelson-Smith

Ngati Kopaki Hapu live by the Tikanga of Tika me Te Pono o tona whakaaro, me tona mahi i oku whanau katoa.

Our kaumatua are horrified that this document as it is written would be an instrument to mislead the authority that is the Waitangi Tribunal, our whanau korero and whakapapa commandeered to tautoko that act.

As a collective, the whanau agree that this document must be corrected, our uri whakatupu deserve to have their heritage recorded accurately, and faithful to the taonga tuku iho that is the korero of their tupuna and hapu.

Two important factors need to be considered on the pathway toward correction:

The first being, that Kararaina Tamehana Kemp did not receive a final copy of the submitted Brief of Evidence, as her Acting Counsel only gave her a "draft copy" to read and sign off. The second is that as she was unaware that her "claim" was filed under the Wai 1040 District claim, our kuia and her whanau were not present or active contributors to these hearings.

The next points to note are:

Motatau 4H(1 — 8) blocks belonging to Wiremu Ngawati and Te Oi Tamehana are entirely separate blocks of whenua to Te Iwi Ngaro Kingi's Motatau 4B block.

Ngawati and Tamehana are blood relatives both receiving their land from their shared tupuna Putotara and Taurahaiti. They, from 415 others (who applied), were the only two descendants of these tupuna, to whom the Native Land Court granted shared ownership and land title to the 4H blocks.

The Motatau 4B block belongs to another tupuna, who does not share lineage with Ngawati and Tamehana. So this claim or brief of evidence should not have been written to read as if these blocks are linked. They are only neighbouring pieces of land.

The Brief of Evidence does not address the **how** of the taking of the Otiria Railway Station site, et al. This is a major concern for Kararaina and her whanau as the Native Land Act and Public Works Acts both heavily contributed to this taking without compensation. Mr Peter Clayworth's Report for the Tribunal, investigates these actions and the Native land courts part in outlining a means of compensation through the Land Consolidation hearings a process that was not fulfilled.

The other concern for the claimant whanau is the Alienation of the Railway site, logging yard, roadings, sidings and other areas on the 4 H block before the title process began, via land sales to Surveyors and Auctioneers; Wilson and Wilson, and a query of duplicity with the sitting Native Land Court Judge Wilson inferred by Mr Clayworth.

There are many other queries that Kararaina and her whanau would like to have addressed, or clarified, but because they were not part of any process concerning their claim, the natural order of research, hui, having proper representation, consultation, healing, has been denied to them.

Ngati Kopaki Hapu, together with our kuia Kararaina Tamehana Kemp, are aware that her claim correction does not comply with the Kaupapa Inquiry Programme, and would like to instead, apply to make a Formal Statement to be heard, as part of the Tribunals Statutory Obligations to inquire into all Claims before it.

Kararaina Tamehana Kemp, supported by her whanaunga kaumatua and Kuia, and tautokoed by the Ngati Kopaki Hapu Trust membership, would like the opportunity to correct all the errors in this Brief of Evidence document, which is associated with her Tamehana and Ngawati whanau, or, have the document expunged from record.

The Ngati Kopaki Hapu Trust humbly appeal to the Waitangi Tribunal to assist our Kuia, her whanau and her hapu in this endeavour to make correct that which has been incorrectly done

We look forward to your reply and guidance Thank you for your time.

Naku noa na,



Kararaina Tamehana Kemp

Claimant

Belinda Mossop

(Interim) Te pou Whakahaere

Ngati Kopaki Hapu Trust

