

3. ENFORCEMENT, 1922–60

Legislation in 1922 placed the kereru under statutory protection and outlawed all hunting of the bird. The only real change, however, came in the name of the activity: poaching took the place of hunting, and both Maori and European continued to kill the kereru. Crippled by a lack of funds and an even more significant lack of manpower, the Department of Internal Affairs did little to prevent the widespread killing of kereru. Complaints about the lack of protection for kereru and other native birds filled the correspondence files of the department. After the Second World War, the Government developed a policy of active conservation for the kereru and other native birds. Maori continued to clash with the Government over its attempts to enforce the Animals Protection and Game Act 1921–22 as well as its new policies of active conservation. The basis of the clash changed little from the early years of the twentieth century. Maori still claimed a right to hunt kereru while the Government sought to protect the bird in the name of conservation.

The earliest versions of animals protection legislation created the framework for the enforcement of the game laws. The first Act, passed in 1861, included provisions for a fine as high as £40 and promised half of the money assessed in fines would be paid to informants instrumental in achieving the conviction. (Legislation did not apply to kereru until 1864, however.) The 1866 Act provided for rangers to help enforce animals protection legislation. The money from licence fees and fines defrayed the rangers' salaries and expenses. Other Acts modified the structure of fines, setting a lower limit of £1 and an upper limit of £20. In 1880, after one of the many consolidations of the Animals Protection Act, legislators neglected to include any fines for the violations concerning native game. 'The most important omission of all is that under the Act there is no penalty for destroying game or native game during the closed season,' complained one correspondent to the Premier, 'when the defect becomes known both game and native game will be destroyed during the breeding season.' Parliament responded with an 1881 amendment to the Animals Protection Act, which specified a fine not exceeding £20 for the violation. Other amendments continued to modify enforcement provisions. The 1884 legislation significantly enhanced the role of rangers, giving them the powers

1861—Protection of Certain Animals Act 1861

Offences punished by fines

£1–20 for a male bird, £2–40 for a female

Half the fine goes to persons instrumental in procuring conviction

1862—Birds Protection Act 1862

Hunting licences required for imported game

1866—Protection of Certain Animals Act Amendment Act 1866

£20 fine for taking game without a licence

Provincial superintendents may appoint rangers

Fees and fines to pay rangers salary, or go to local acclimatisation society

1867—Protection of Animals Act 1867

No person under 15 may be imprisoned, but may be whipped on default of fines assessed

1873—Protection of Animals Act 1873

Maximum fine of £20 for violations of Act (only killing out of season applies to native game)

1880—Animals Protection Act 1880

No provisions for penalties for any offences relating to native game

1881—Animals Protection Act Amendment Act 1881

Maximum fine of £20 for violations of Act without specified penalty (taking native game out of season)

1884—Animals Protection Act 1880 Amendment Act 1884

Strengthens powers of ranger, enabling him to seize guns, nets, etc

£10 fine for resisting or obstructing ranger

1889—Animals Protection Act Amendment Act 1889

Council members of acclimatisation societies may receive powers of the ranger

1895—Animals Protection Act Amendment Act 1895

Minimum fine for violation of Act is £1

Shooting native pigeon during closed season subject to a fine between £5 and £50

1907—Animals Protection Act 1907

Penalty for selling or keeping native game out of season set at £5

Fines for breaches of Act between £1 and £20

Table 4: Enforcement provisions in the Animals Protection Acts

of a constable in the enforcement of game legislation, and also made it illegal to resist or obstruct a ranger. With the new powers (and a few more granted in subsequent amendments), rangers could seize guns or nets used in breaking the law, search packages and sacks suspected of containing illegally caught birds, and enter private property unobstructed. Table 4 catalogues the development of the enforcement provisions.¹

By 1884, legislators had put together a framework for enforcing the Animals Protection Act. Despite the strong provisions in the legislation, however, enforcing the Act proved difficult. The rangers had immense territories to cover, with only one or two rangers in each acclimatisation district. Although the districts varied in size, they all included more territory than

¹ Arthur Perry to Premier, 15 July 1881, IA1 1881/2871, NA; the Protection of Certain Animals Act 1861; the Protection of Certain Animals Act Amendment Act 1866; the Animals Protection Act 1880; the Animals Protection Act Amendment Act 1881; the Animals Protection Act Amendment Act 1884

one or two men could effectively police. After the turn of the century, as the Animals Protection Act and Department of Internal Affairs policy provided for closed season for the pigeon, the shortcomings in enforcement became more evident. Poachers had little trouble avoiding the rangers and constables authorised to enforce the legislation. ‘This act is but a dead letter,’ one man complained to the Colonial Secretary, ‘Pigeons and wild ducks are shot wherever found.’² The Taumarunui Rod and Gun Club reported in 1915 that ‘the system of enforcing the [close season on pigeons] proved unworkable . . . it is very difficult to catch pigeon shooters who go back into the bush far away from any police station.’ Despite the problems, the Government did pursue some violators in court. However, almost all of the files relating to the prosecution of violations of the Animals Protection Act are not stored at the National Archives, having been destroyed.³

In 1922, the Government took a definitive step towards the conservation of the kereru and other absolutely protected birds. Realising that it had neither the manpower nor the funds to effectively prevent bird poaching, the Department of Internal Affairs reached an understanding with acclimatisation societies to pick up the slack. The Government gave the societies the right to charge for licences to shoot native game (provided for in the Animals Protection and Game Act 1921–22) and the societies agreed to use the extra revenue to help enforce the provisions protecting native birds. Explained the Under-Secretary of Internal Affairs in 1925:

one of the reasons for making provisions for a licence to take or kill native game was with a view of providing additional funds for Acclimatisation Societies in order to enable them to better carry out the intention of the law, namely not only the protection of game birds, but also the protection of absolutely protected birds.⁴

The acclimatisation societies had clamoured for the right to collect licence fees on native game hunting for nearly 30 years. One of the early versions of the Animals Protection Act had vested property rights to introduced animals and their progeny in the acclimatisation societies. This property right lent legitimacy to the licence fee – hunters paid for the right to shoot someone else’s birds. On the other hand, no one owned native game under British law as introduced to New Zealand, and no one needed a licence to shoot it. The 1921–22 Act changed this policy, requiring everyone – including Maori – to purchase licences to shoot native game. The kereru no longer classified as native game, but the pukeko, kuaka

² LBNelly to Colonial Secretary’s office, 18 March 1905, IA1 1905/506, NA

³ Department of Internal Affairs memo to Minister of Internal Affairs, ‘Illegal Shooting of Pigeons’, 6 January 1915, IA1 25/12/pt 1, NA

⁴ JHislop to JRP Pratt, 27 October 1925, IA1 25/12/pt 1, NA (DB, p 46); Gallbreath, *Working for Wildlife*, p 14; the Animals Protection and Game Act 1921–22

(godwit), grey duck, and several other native species still did. Legislators did not discuss this important change in Parliament, and no record of Maori reaction to it exists.⁵

Despite the new arrangement, enforcement of the conservation measures of the Animals Protection and Game Act posed continued problems for the Government. Of all the birds protected by statute, the kereru proved by far the most difficult to manage. Hunters, both Maori and European, had sought the bird for generations and did not easily give up the delicacy. Crippled by a lack of manpower and funds, large territories, poor roads, and the fact that poaching proved difficult to detect and prevent, the Department of Internal Affairs nevertheless tried to clamp down on the illegal taking of kereru. The problems they encountered became no easier to solve as the century wore on. Indeed, many of the same problems still face Department of Conservation officials today.

The agreement with the acclimatisation societies did not solve the problems with pigeon poaching and instead created a whole new set of dilemmas. Some societies, such as those on the West Coast, did not even have rangers. 'The local Acclimatisation societies in such districts where the birds are often numerous are quite impotent, being without regular rangers,' explained the secretary of the Native Bird Protection Society in one letter of complaint to the the Department of Internal Affairs.⁶ Many of the people who had pushed hard for bird conservation complained that the societies had not lived up to their end of the agreement reached in 1922:

By accident some acclimatisation societies may occasionally secure a conviction for pigeon-shooting, but as a rule the societies have forgotten what they owe by way of reparation to the bird, and they generally lack any adequate sense of the need for preserving the rare indigenous fauna.⁷

The societies spent their time and money on game, ignoring their responsibility to protect native birds. One Internal Affairs officer outlined the problems:

To rely on the activities of honorary rangers for the protection of our absolutely protected birds, is hopeless . . . Generally, the question involves a review of the whole of the legislation connected with the conservation of absolutely protected birds, and until this has been done it

⁵ Gallbreath, *Working for Wildlife*, p14, McDowall, *Gamekeepers for the Nation*, pp 66, 295

⁶ EVSanderson to under-secretary, Department of Internal Affairs, 10 May 1926, IA1 25/12/pt 1, NA

⁷ 'Rare Birds: Protected in Law but Not in Fact', *Evening Post*, 27 March 1928, IA1 25/12/pt 2, NA (DB, p 47)

seems to me that no satisfactory solution of the problem will be forthcoming.

The Native Bird Protection Society and other conservationists, in particular, criticised the heavy reliance on the acclimatisation societies; the conservation and acclimatisation movements had battled each other since the 1870s.⁸

A group of dedicated conservationists had formed the Native Bird Protection Society in 1923. The society fought to raise awareness of and appreciation for those birds native and unique to New Zealand and the bush that provided them with a home. The society immediately adopted a strong stance against the importation of new birds and animals into New Zealand, and this brought it into direct conflict with the acclimatisation societies. The society kept constant pressure on the Department of Internal Affairs to dedicate more time and money to the enforcement of the protection provisions of the Animals Protection and Game Act 1921–22. The society assisted with the task where possible, supplying information and reports of poaching to the department, circulating posters on the need for bird protection, and lobbying for the cause of conservation. In 1935, the group changed its name to the Forest and Bird Protection Society.⁹

The Department of Internal Affairs welcomed the help, and its officers also relied on other agencies for assistance; they depended on the local police forces to capture and prosecute offenders and they also repeatedly asked the New Zealand Forest Service for aid in enforcing the animals protection legislation. Forest service officers, however, hesitated to get involved. They did not want to incur the ill will of the people in their areas, especially Maori:

the whole work of detecting [pigeon poachers] falls on forest officers; and in the Native mind, the whole odium of interference with what are looked upon as hereditary rights is attaching to the Forest Service and forest officers. The result of this is that a stigma is locally attached to the Forest Service, and other legitimate forest activities are hampered by the opposition of local Native population, always a grave matter for forestry.¹⁰

Internal Affairs's reliance on other agencies to assist with pigeon protection underscored problems inherent in the whole system of wildlife

8 DIA memo, J W Heenan to Minister of Internal Affairs, 25 August 1938, IA1 50/4, NA

9 Lynette E Lochhead, 'Preserving the Brownies' Portion: A History of Voluntary Nature Conservation Organisations in New Zealand, 1880–1935', PhD dissertation, Lincoln University, 1994, pp 192, 207, 266, 294

10 AD McGavock to under-secretary, Department of Internal Affairs, 20 July 1937, IA1 47/8/pt 1, NA; DIA memo, J Hislop to director of forestry, 'Native Pigeons', 18 August 1927, IA1 25/12/pt 2, NA

management. 'The loadstone to effective bird protection in New Zealand, however, is the lack of control of wild life. No Government Department is directly responsible for the enforcement of the bird protection laws, which are left to the haphazard care of a few acclimatisation societies, which are much more concerned with game and other species, and occasionally to the police and bird lovers.' Such criticisms of Crown conservation policy began in the 1920s and continued for the rest of the twentieth century.¹¹

Even with the cooperation of other agencies, obstacles arose. Often the Department of Internal Affairs or the constabulary did not receive enough information from informants to apprehend offenders. Much of the information received by the department originated from anonymous sources, because people did not want their neighbours to know who had tipped off the authorities. The location of most of the offences offered another set of problems. Kereru lived in the bush-clad districts and back blocks, forcing rangers in search of arrests to travel long distances to remote places. A constable from the West Coast responded to a department request to investigate reported pigeon poaching: 'I respectfully submit that the distance from this station to Okuru and Huhaka is over 130 miles, and there are ten large and unbridged rivers to cross besides numerous creeks which are dangerous in times of flood'. The trip took two weeks in good weather, and proved impossible once the rivers rose. Just as juicy flesh and tame habits invited hunting, the less-developed regions favoured by kereru inhibited the successful prevention of poaching.¹²

These problems varied with the region. In more settled areas, acclimatisation societies had more members and more money for rangers, and the police had easier access to remote areas via better roads. Of course, fewer pigeons lived in such areas. The West Coast proved a particularly problematic area. Correspondence over pigeon poaching in the area fills the files of the Department of Internal Affairs now held by the National Archives. The area developed a reputation for its unruly gold diggers and timber workers, and even employees of the public works service were frequently reported decimating the local pigeon population. Judging by the correspondence, the department and the Forest and Bird Society – which served as a watch dog and constant informant on pigeon poaching – were more concerned with the protection of pigeons on the West Coast than anywhere else in the country. Hunters 'are blowing hell out of the pigeons right from the Waiho down to the Milford Sound,' complained one member of the Forest and Bird Society. 'Surely the Department should

¹¹ RHD Stidolph, 'Nature Notes: Value of Bird Life', *Evening Post*, 20 July 1929, IA25/12/pt 2, NA

¹² 'Report of Constable DS Moodie, No 2158 Relative to Pigeon Shooting at Okuru', 29 June 1926, IA1 25/12/pt 1, NA; Under Secretary of Internal Affairs to Captain Sanderson, 13 May 1926, papers of the Forest and Bird Society, MS0444, Alexander Turnbull Library, Wellington, folder 231

take some action in stopping the shooting of pigeons,' commented former Prime Minister Sir Thomas McKenzie, president of Forest and Bird, 'I am told the only protection they now have are *their feathers*' (emphasis in original).¹³

In response to these complaints, Internal Affairs arranged for rangers from Wellington and north Canterbury to visit the area, since the local acclimatisation society had no ranger of its own. The two men confirmed the reports of widespread poaching. They also recorded conversations with people in the area. 'If I want pigeons I shoot them. To hell with the laws, nobody observes them here,' proclaimed one settler. Another man declared, 'he would take pigeons if he wanted them. To Hell with Rangers and Police. The West Coast has laws for itself and they would stand no interfering.' Several of the people interviewed even offered to take the rangers on a pigeon hunt.¹⁴

Sometimes, of course, the rangers, police, foresters, or other Government officials involved in the protection of the kereru caught a poacher. But even in such situations, punishment depended upon the whims of the judge, and unsympathetic judges levied frustratingly low fines. Several times, convicted poachers received only a hand-slap – a fine of 10 shillings – even though the Animals Protection and Game Act allowed for fines as high as £20. The lack of suitable punishments provided another frequent topic of complaint for the Forest and Bird Society.¹⁵

A large portion of the correspondence over pigeon poaching deals with Pakeha rather than Maori hunters. However, Maori and Internal Affairs continued to clash over access to kereru. In fact, little had changed since the early years of the century. Maori continued to hunt the bird, they continued to ask the Government for permission to do so, and they continued to claim access to the kereru as a right guaranteed by the Treaty of Waitangi. In return, the department continued to refute such claims.

The decision to close the season on kereru for good reached Maori slowly. In the 1920s, they continued to ask the Department of Internal Affairs to open the season and permit hunting. In 1927, for example, the department received a petition from Matamua Whakamoe and others to open the season at Waikeremoana: 'Parts of this district have been sold to the Crown and parts we retained to supply us with the games which our ancestors partook.' The petition pointed out that the 'Season for shooting birds and wild game acclimatised by the Crown is opened every year', and the petitioners argued that Maori should have the same privilege with

¹³ See correspondence in IA1 25/12/pts 1, 2, NA, and the papers of the Forest and Bird Society; first quote from E V Sanderson to R Semple, 12 July 1938, FB papers, folder 237; second quote from E V Sanderson to under-secretary, Department of Internal Affairs, 11 February 1928, IA1 25/12/pt 2, NA

¹⁴ P W Wilson and J Digby, 'Report of Ranging the Westland Acclimatisation Society's District from 1st to 13th September 1927', IA1 25/12/pt 2, NA (DB, pp 48–50)

¹⁵ C M Gow to Tim O'Brien, 18 May 1934, FB papers, folder 234

regard to native game. But the department had prohibited kereru hunting since 1912, and, not surprisingly, it rejected the 1927 request.¹⁶

The clash between Maori and the Government occurred more in the courts than in correspondence. Unfortunately, the records of the Department of Internal Affairs relating to court proceedings on charges of poaching have been destroyed. Some records might exist in the files of the acclimatisation societies, local police districts, or courts, but those sources have not been searched for the purposes of this commission. However, newspaper clippings located in the files of the Forest and Bird Society and the department provide examples of the issues that developed in the courts.

The most important issue contained in the newspaper coverage of poaching cases involved continued claims by Maori to a right to hunt kereru. For example, one article covering a 1936 pigeon poaching case reported: 'The natives considered it their right to be able to take anything growing or living on their lands.'¹⁷ A 1939 article discussing poaching cases in the Rotorua district observed 'that 80 per cent of the offenders were Maoris, who seemed to believe there was one law for the Maoris and another for the Pakeha.'¹⁸ One 1941 article in the *Bay of Plenty Times* printed a speech on Treaty rights made by a lawyer in defense of his Maori clients.

They are all members of a tribe that lives, and whose ancestors have lived from time immemorial, in these parts; and from time immemorial it had been one of their rights to take pigeons from the bush as part of their food supply. But the pakeha has come along and created an artificial system, and, in recent years, has prohibited the killing of native pigeons . . . We talk glibly of treaty breaches, yet there are certain rights given by the Treaty of Waitangi which, although they may not be supported by Supreme Court decisions in more recent years, are regarded as inalienable rights by the Maori.

The magistrate presiding over the case fined the defendants £2 10s for shooting pigeons. In one interesting case, in 1934, several Maori defendants claimed that Sir Apirana Ngata, the Native Minister, had given his permission to shoot kereru to provide for a hui. Ngata, however, stated that he had authorised no such action.¹⁹

Both the courts and the Department of Internal Affairs refused to recognise the claims of Treaty rights made by Maori. The courts routinely handed down fines to both Maori and Pakeha, although the size of the fine varied in each situation. The department refused all requests for

¹⁶ Matamua Whakamoe and others to R F Bollard, not dated, circa 1927, IA25/12/pt 2, NA; Richard F Bollard to Matamua Whakamoe, 18 May 1927, IA25/12/pt 2, NA

¹⁷ 'Illegal Shooting: Tuis and Pigeons – Native heavily fined in Taupo Court', circa 1936, FB papers, folder 236

¹⁸ 'Killing Native Birds,' 25 October 1939, FB papers, folder 238

¹⁹ 'Glib Talk of Treaty Breaches', *Bay of Plenty Times*, 21 July 1941, FB papers, folder 240 (DB, p 51); 'Native Pigeons Shot, Maori Apprehended: Sir A Ngata's Authority?', 'No Authority: Shooting of Native Pigeons', circa 1934, FB papers, folder 234 (DB, p 52)

permission to shoot kereru. When questioned about the rights of Maori to kill the bird, Internal Affairs officers replied that ‘the provisions of the Animals Protection and Game Act 1921–22 are general in their application and there is no exception in regard to Maoris’. Department policy did not change after the 1917 Crown Law Office opinion and the new legislation passed in 1922. After the 1920s, Maori demands for the official right to kill kereru lessened; only one request after 1927 exists in the files of the department.²⁰

The issue exploded again during the Second World War. Representatives from iwi all over New Zealand had gathered in Rotorua in 1943 to celebrate the opening of the centennial meeting houses. The delegates at the conference asked the prime minister to remove the protection on the kereru so that the bird could be sent as a delicacy to the Maori Battalion serving in the Middle East. Prime Minister Peter Fraser said that he would consider the request. Letters of protest streamed into newspapers around the country from both Maori and Pakeha. Maori at home already sent their relations and friends overseas packages stuffed with titi/muttonbird, eel, and shellfish. That should be enough, argued conservationists, rather than turning to an absolutely protected bird still perilously close to extinction. ‘There are other delicacies which could be provided the Maori Battalion which would be equally enjoyable as the wood pigeon, while costing less in the nation’s heritage which the Maori Battalion is fighting to preserve,’ wrote one protester.²¹

Internal Affairs adopted a strong position against the request to kill kereru. Fuel rations and a war-induced decrease in domestic manpower had taken a toll on Internal Affairs’s already weak ability to effectively police for poaching. Department officers had struggled with the enforcement of pigeon protection but felt that they had succeeded and given the bird a respite; they found the prospect of legalised killing hard to stomach.

the Maoris of Rotorua, the Urewera and the East Coast do not deserve any favourable consideration of this request, for over the years we have had a great deal of trouble with them, and I can only think that in making this request they have done it with their tongues in their cheeks, because they are fully aware of the difficulties we are faced with in endeavouring to protect the pigeon. It is common knowledge, though we are seldom able to sheet it home, that at every big hui native pigeon forms portion of the bill of fare . . .²²

²⁰ G P Newton to secretary, Nelson Acclimatisation Society, 14 April 1931, IA1 25/12/pt 2, NA

²¹ ‘Native Pigeons’, *Wanganui Chronicle*, not dated, FB papers, folder 231 (DB, p 53); DIA memo, J W Heenan to Minister of Internal Affairs, ‘Protection on Native Pigeon’, 18 June 1943, IA1 46/12/pt 1, NA (DB, pp 54–55); Wira Gardiner, *Te Mura O Te Ahi: The Story of the Maori Battalion*, Auckland, Reed Books, 1992, p 35

²² DIA memo, J W Heenan to Minister of Internal Affairs, 18 June 1943, IA1 46/12/pt 1, NA (DB, pp 54–55)

Department officers worried that the Prime Minister's reply – that he would consider the request – would seem like an official complacency toward Maori taking of kereru. The Minister of Internal Affairs, WE Parry, issued a press statement firmly refusing to lift the protection on kereru. 'It cannot be seriously maintained,' he pointed out, 'that there is any necessity whatever for sending pigeons to our Maori soldiers overseas. Even if a case were established for additional or special food supplies for them, the remedy obviously would be in other directions. The pigeon is one of the glories of our native fauna.' The Minister explained that, while the pigeon had once stood on the brink of extinction, the policy of protection had led to a noticeable increase in numbers. Rather than reverse that policy, he ordered the rangers in the field to remain vigilant and to redouble their efforts to stop pigeon poaching.²³

After the Second World War, Government policy on the kereru began to change. Before the war, the Government did little to protect the kereru other than try to stop illegal hunting – and they did not always succeed in this endeavour. After the War, however, Internal Affairs officers assumed a more active stance on pigeon conservation. The Government created a sub-division of Internal Affairs dedicated solely to the management of wildlife – the Wildlife Branch. The new branch undertook such plans as habitat conservation, scientific research and publicity to better understand and protect the kereru. This policy continued to bring Maori and the Government into conflict.

As the Second World War came to a close, the Government assumed a new approach to wildlife management in New Zealand. Proposals to create a department to deal specifically with wildlife had circulated since the 1920s. The Forest and Bird society and other conservationists lobbied for a stronger government role in native bird conservation. They also demanded more 'scientific expertise' in wildlife management. Although shelved during the war, these ideas finally gelled with the creation of the Wildlife Branch, as a part of the Department of Internal Affairs, in 1946. The new department inherited the administration of the Animals Protection and Game Act 1921-1922, and also assumed control over deer control operations. Administrators also envisioned an increased government role in fieldwork and research. In 1948, the rediscovery of the takahe – thought extinct since early in the century – created a wave of public interest in wildlife and fauna conservation.²⁴

²³ DIA press release, 5 August 1943, IA1 46/12/pt 1, NA (DB, pp 56–57)

²⁴ Gallbreath, *Working for Wildlife*, pp 36, 41, 84–85

A few years later, Parliament passed the Wildlife Act 1953, finally laying the old Animals Protection Act to rest. The new law strengthened still further the provisions for the protection of native birds. It raised the fine for taking protected species from £20 to £50, and provided for a fine of £100 for resisting a ranger. Other provisions remained unchanged; for example, acclimatisation societies still maintained a very large role in wildlife management through the administration of ranging.²⁵

Following the passage of the new legislation, Wildlife Branch officers undertook a review of Government policy on bird conservation. After the review, agency officers developed a number of proposals to improve government conservation efforts. The Wildlife Branch recognised its dependence on acclimatisation societies for ranging, but planned to exercise more control in the recruitment of rangers, and also to reorganise acclimatisation districts to ensure effective coverage of the entire country. The proposals also included a number of ideas that served as important parts of the management of kereru over the next several years. Officers talked of setting up education campaigns to broaden awareness and support for conservation initiatives:

It is planned specially to investigate ways and means of enlisting a sympathetic interest in fauna protection amongst the Maori people as it is realized that mere effort at law enforcement is not enough and on its own is unlikely to produce the desired results.

Wildlife Branch officials also planned to work more closely with the government agencies that controlled land – such as the New Zealand Forest Service and the Department of Lands and Survey – in the management of bird habitat.²⁶

Before the creation of the Wildlife Branch, the Department of Internal Affairs had done little to protect the kereru other than trying to catch poachers – after they had already shot their prey. The Wildlife Branch changed this policy. In 1955, agency officers implemented a publicity and education campaign geared at decreasing pigeon poaching. They used radio broadcasts and advertising, and corresponded with sawmillers' associations, the timber employees' union, young farmers' clubs and other groups, stressing the need for bird conservation. They issued a short film, 'The Kereru,' and created postal slogans to publicise the need to protect the pigeon. The Wildlife Branch created a pamphlet entitled 'This is your Pigeon' that detailed the plight of the bird. '[O]ur bush pigeon must be

²⁵ The Wildlife Act 1953

²⁶ 'A Policy on Fauna Protection Submitted to the Rare Animals Advisory Committee at its Meeting on April 9 1954', IA1 47/91/1 pt 1, NA, p 2 (DB, pp 58–60)

saved,' it explained. 'He is in danger of becoming extinct.' The full color pamphlet explained the life cycle and habits of the pigeon, and discussed the vital role played by the bird in the dispersal of tree seeds. It pointed out the importance of the kereru to pre-European Maori, and its place in Maori myth and legend. It outlined the characteristics of the kereru that made the bird such a frequent target of the poachers' rifle and the reasons that poaching must be stopped.

If he were dull to look at and tasted like boot leather, if he were hard to shoot, wary of people, and fathered ten youngsters a brood, absolute protection would hardly be necessary. But handsome, conspicuous, delicious to eat, easy to shoot, and tame as a chicken, rearing only a single chick each brood, and a great sower of tree seeds, he must be protected from those who can see no further than their stomachs.

The pamphlet also explained the tenets of the Wildlife Act 1953, and underlined the £50 fine for poaching. 'But law, of itself, can do little to help the pigeon. *You Can*,' stressed the pamphlet. The Wildlife Branch distributed the pamphlet widely, to sawmillers' associations; loggers and bushworkers; the forest service; young farmers' clubs; the Federated Mountain Club; sporting goods stores for dispersal with the sale of new hunting guns; the Department of Maori Affairs for tribal committees; and rural householders in kereru habitat and regions like the West Coast with a long history of poaching.²⁷

The Wildlife Branch also initiated a campaign aimed specifically at reducing Maori poaching of kereru. Internal Affairs officials believed it necessary to emphasise their message to Maori in particular, because of the persistent clashes between the Government and Maori over management of the bird.

This issue is complicated. There is primarily the difficult factor that the worst offenders are the Maori people and the prosecution of individual Maoris is a waste of effort because since Maoris acknowledge no personal responsibility for their wrongful acts in this field . . . Bearing all these facts in mind it is recommended that a special effort be made to give publicity to the fact that the law protecting the pigeon must be observed.

The Wildlife Branch planned a number of publicity techniques, such as radio talks, poster displays, advertising, and bulk mailings. Internal Affairs accountants authorised an expenditure of £500 on the programme.²⁸

²⁷ 'This is Your Pigeon', not dated, IA1 46/12/109/pt 1, NA (DB, pp 61–62); see correspondence in IA1 46/12/109/pt 1, NA, specifically 'minute sheet', to Mr Secker, not dated; Wildlife Branch memo, 'Minutes of Staff Meeting Held 16 May 1960', IA1 46/12/117/pt 1, NA; Secretary for Internal Affairs to secretary, Forest and Bird Society, 1 October 1957, AAAC W3179, 46/12/10, NA

²⁸ DIA memo, senior field officer to controller, Wildlife Division, 'Publicity Measures for Protection of Pigeon', 26 May 1955, IA1 46/12/109/pt 1, NA (DB, pp 63–64); memo from accountant, 'Expenditure – Protection of Native Pigeon', 18 January 1956, IA1 46/12/109/pt 1, NA

Wildlife Branch officers coordinated with the Department of Maori Affairs on the campaign to decrease poaching by Maori. The two departments cooperated on the publication of an article and a number of advertisements in *Te Ao Hou: The New World*, a bilingual magazine published by the Department of Maori Affairs. The article discussed the importance of pigeons to pre-European Maori. ‘One of the most important of all birds, to the Maori, was the kuku, kukupa, kereru, or pigeon. Not only did he relish the flesh of the bird . . . but he also found a use for the feathers in the adornment of his beautiful cloaks.’ After highlighting the importance of the kereru as a food source, in material culture, and as a source of mythology, the article concluded that the modern use of guns threatened the bird with extinction. ‘Persistence in shooting the pigeon will lead eventually to its utter extermination, when we will be speaking of it in the past tense for it will be as the moa – extinct!’²⁹ Maori language advertisements carried messages from the Wildlife Branch warning of the impact of poaching on the kereru population, and pointing to the steep fines stipulated by law for poachers.

ON THE ONE HAND:

New Zealand is blessed with native pigeons unknowingly sowing tens of thousands of tree seeds each year.

ON THE OTHER HAND:

Some New Zealanders after ridiculously easy meat, kill pigeons wantonly. Before the coming of the pakeha and in the early days of settlement killing pigeons was necessary for food. It is obviously not necessary now. This problem is a national one, but it can be solved only by the forbearance of the individual. Heavy fines can be levied on all who treat the pigeon as anything but an absolutely protected bird. Please remember that native pigeons in plenty mean beauty of bird and bush for you and yours, and that shooting pigeons quickly makes the breed a rare one.

SPARE THE PIGEON.

The Wildlife Branch repeatedly published several versions of the advertisements from 1956 to 1959, and Maori-language radio broadcasts carried the same message.³⁰ (Copies of the advertisements are included in appendix II.)

The advertisement made an important point: that Maori no longer needed the bird for food. During the early years of pigeon protection,

²⁹ Hemi Bennett, ‘The Kereru: Yesterday and Today’, *Te Ao Hou: The New World*, no 2, December 1957, pp 45, 48 (DB, pp 65–67)

³⁰ Advertisement, English and Maori language copies in IA1 46/12/109/pt 1, NA (DB, pp 68–70; *Maori News*, radio 2YA, 20 May 1956, IA1 46/12/109/pt 1, NA

both Maori and European argued that the kereru served as a vital food source in less-developed regions. Maori members of Parliament frequently made this point in debates over the issue, and it often earned Maori the support of the European members. By 1960, few Maori depended on the kereru as an irreplaceable food supply, but it remained significant as a cultural food and was used for important hui and ceremonial occasions. Maori continued to stake a claim for the right to kill the bird for such situations.

As a part of the publicity campaign, Wildlife Branch officers communicated directly with iwi authorities on the issue of kereru protection. The Maori 'social system acknowledges a tribal responsibility only,' explained an Internal Affairs memo. 'There is need therefore to deal with the tribe not the individual for convincing the Maori people of its responsibility to respect the fact that the law protects the bush pigeon.'³¹ In 1957, for example, Internal Affairs received reports of pigeon poaching in the Te Araroa area. The Wildlife Branch, in coordination with the Secretary for Maori Affairs, contacted the Kawa Kawa Tribal Committee to plead for assistance with the control of kereru hunting:

This then is an appeal to your committee to do all in its power to guarantee the safety of these birds lest it vanish for all time from our forests. Once the native pigeon becomes extinct vain regrets can never bring it back again.

The letter also warned of prosecution but explained 'this in itself is not sufficient nor desirable.'³²

The publicity campaign marked a significant change to Government policy on the protection of native birds. For the first time, the Government took an active stance on conservation. Internal Affairs officers recognised the need for a conservation program that included more than after-the-fact ranging:

While ranging may bring poachers to task when birds have been shot, it does little to prevent the killing of pigeons, except for short periods after raids. Poaching is so widespread, and the amount of ranging done is so localised and spasmodic that it in no way can be said to cope with the problem.

³¹ DIA memo, senior field supervisor to controller, Wildlife Division, 'Publicity Measures for Protection of Pigeon', 26 May 1955, IA1 46/12/109/pt 1, NA (DB, pp 63–64)

³² Department of Maori Affairs to Enoka Potae, 7 October 1957, FB papers, acc 84–180, box 57, folder 100/3 (DB, p 71)

The Wildlife Branch latched on to education and publicity as a preventative measure, a way to pre-empt pigeon poaching, rather than merely pick up the feathers.³³

The Wildlife Branch policy of active conservation went beyond publicity, however, to habitat protection. The early versions of the Animals Protection Act included provisions for game reserves, but these served as no-shooting areas rather than protected habitats. Berry-bearing trees in a reserve could still be cut down, obviously degrading the area as a pigeon habitat. Wildlife Branch officers moved towards habitat protection with the same logic they had used in the publicity campaign – the recognition that pigeon protection meant more than just the enforcement of poaching laws. Internal Affairs officer AFDouglas explained the realisation of the need for habitat protection in 1955:

While much is being done at present by the Department all our energies appear to be in the one direction, that of law enforcement . . . Although law enforcement is very necessary it can only be one part of the whole of native bird conservation. Two of the essentials must be food and shelter. What are we doing regarding these two aspects? The answer is nothing.

Douglas and other officers at the Department of Internal Affairs recognised that the real problem lay in the deforestation of native bush. The exploitation of native bush meant the destruction of berry-bearing trees and the disappearance of kereru habitats.³⁴

Wildlife Branch officers noted two obstacles to the adoption of a policy on habitat protection. First, they had little control over the habitat itself – the New Zealand Forest Service, the Department of Lands and Survey, and other Government departments managed the land. A lack of scientific information provided the second obstacle. To effectively conserve the kereru, the Government needed information on the habits and status of the bird, how it adapted to modified environments, and the role it played in the regeneration of native bush. Scientists had long known that the pigeon and other forest birds dispersed seeds through their consumption of berries. The Wildlife Branch sought more specific answers about the relationship between kereru and the regeneration of timber trees to counter the arguments made by logging interests that timber had a higher value than the pigeon.³⁵

³³ DIA memo, FL Newcombe, 'Publicity Campaign Re Native Pigeons', 4 December 1961, IA1 46/12/pt 1, NA

³⁴ DIA memo, AFDouglas to conservator of wildlife, 'Protection of Native Birds', 13 January 1955, IA1 46/12/pt 1, NA (DB, pp 72–73)

³⁵ Ibid

The lack of control over the land restricted the Wildlife Branch in its attempts at habitat conservation; agency officers had to rely on cooperation from their colleagues at the New Zealand Forest Service. Over the next several years, officials from the Department of Internal Affairs and the Forest Service corresponded regularly over the issue of habitat preservation. Internal Affairs wanted the Forest Service to assume a more pigeon-friendly logging technique. Miro and hinau, two of the kereru's favourite foods, had a low value as timber, and department officers asked their Forest Service counterparts to leave those trees standing. Officers also complained about Forest Service employees compounding the problem by shooting kereru themselves. But the Forest Service officials did not cooperate. They offered a number of reasons that the department's plans would not work: they already spared miro trees; miro and hinau made up only a small portion of the forest; it was not practicable to exclude individual trees; single trees left standing usually fell to windthrow and exposure. The Forest Service's policy of leaving protection forests had led to a noticeable increase of all native birds, including pigeons. Director of Forestry A R Entrican explained the service's position:

Naturally the Forest Service is desirous of maintaining the bird population at as high a level as possible, as birds, especially pigeons, are instrumental in the distribution of rimu seed but it will be seen that Forest Service and sawmilling activities do not seriously affect pigeon populations and that further reservation of miro would not be practicable or effective.

The NZFS focused primarily on the economics of timber – a perspective very different from that of the Wildlife Branch, with its concentration on conservation.³⁶

The lack of coordination between the Department of Internal Affairs and the New Zealand Forest Service exemplifies one of the most frequent criticisms of conservation policy in New Zealand – with responsibility for wildlife and other environmental issues spread around multiple and competing authorities, political infighting and bureaucratic turf protection frequently inhibited environmental management. Internal Affairs officers clearly recognised the problem. 'The curbing of pigeon shooting is a difficult problem,' stated the Secretary for Internal Affairs, A G Harper, in 1957. 'It is a problem made no easier through the system of administration which we have inherited as part of the wild-life set-up in this country.'

³⁶ NZFS memo, A R Entrican to secretary, Department of Internal Affairs, 'Preservation of Native Birds', 29 September 1955, IA1 46/12/pt 1, NA; Secretary for Internal Affairs to director, New Zealand Forest Service, 3 September 1957, IA1 46/12/pt 1, NA; A G Harper to director of forests, NZFS, 29 October 1958, AAAC W3179 46/12/11, NA

Throughout the 1950s and 1960s, critics frequently called for the restructuring of the system for managing wildlife, on the ground that no good conservation policy could develop from such a fragmented structure. This proved the case in the Wildlife Branch's attempt at kereru conservation.³⁷

Despite the new focus, Wildlife Branch officers had difficulty implementing active conservation specifically for kereru. The poor coordination among the different Government departments blocked progress in this direction, as did a lack of 'scientific' knowledge about kereru in particular. Internal Affairs scientists focused their research on higher profile birds at greater risk than the kereru, such as the kakapo and the takahe. Without information on the status of the bird, Wildlife Branch officers found it difficult to come up with a policy for active conservation. Still, the recognition of these problems, and the new concerns with habitat protection, represented a significant departure from the older policy, which had been concerned only with enforcement.³⁸

Notwithstanding the problems with jurisdiction and research, habitat protection for the kereru did exist. By the 1960s, national parks, scenic reserves, and other land owned both publicly and privately had received statutory protection and served as reserves for native birds. Island sanctuaries such as Kapiti and Little Barrier continued to provide a home for indigenous fauna. As the threat posed by introduced species became more fully understood, the Government took action to curb the problem. For example, Internal Affairs officers had carried out deer control operations since the 1930s, and after 1951 the Wildlife Branch offered a bounty on possums. While none of these measures focused specifically on kereru, they served as positive measures in the conservation of the bird.³⁹

Even though the Internal Affairs officers implemented the new, more active conservation policies, Government efforts at pigeon protection continued to hinge on the enforcement of the poaching laws. In this area, little had changed since the early years of the century. Internal Affairs efforts still suffered from a lack of manpower and funds. The department had assumed control of the Rotorua acclimatisation district, and only that region received consistent, professional ranging. 'The country has not even a skeleton coverage of paid field staff who can attend to pleas [to stop pigeon poaching];' explained one department official.⁴⁰ Despite the history of problems with interagency cooperation and acclimatisation and society ranging, Internal Affairs still relied on these options in an attempt to

37 A G Harper to secretary, Forest and Bird Protection Society, 1 October 1957, FB papers, acc 84-180, box 57, folder 100/3 (DB, p 74). The historian Ross Gallbreath provides an excellent discussion of bureaucratic squabbles involved in wildlife conservation and the repeated attempts to reform the system in *Working for Wildlife*.

38 Acting Secretary of Internal Affairs to secretary, Ornithological Society of New Zealand, 9 May 1955, AAAC W3179 46/12/9, NA; 'Native Fauna Conservation Today', *Forest & Bird*, no 110, November 1953, pp 10–12 (DB, p 75–77)

39 Gallbreath, *Working for Wildlife*

40 HD Kelly to A L Nalder, 25 October 1957, AAAC W3179, 46/12/10, NA; press statement, Minister of Internal Affairs, 1953, IA1 46/12/pt 1, NA

police the entire country. For example, FL Newcombe, the Secretary for Internal Affairs, responded to reports of pigeon poaching in the Wellington region with a plea to the honorary rangers in the area:

Law enforcement is one of the important elements of conservation, and we need your assistance in the enforcement of the Wildlife Act of 1953. This department and other interested groups have not sufficient staff to range this area effectively and continuously . . . The mere presence of an energetic ranger who is known as an officer who will take action will deter many would-be poachers. Any help you can give in detecting and reporting . . . any known or suspected instances of the killing of native pigeons will be an important step in the preservation of our native birds.

The problems with relying on honorary rangers had not changed, however. Critics of the system, like the Forest and Bird Society, continued to question the motivation and dedication of many acclimatisation society rangers. The Forest and Bird Society had sponsored some rangers, as well, but this did not stop the complaints.⁴¹

The lack of a strong deterrent in the form of consistently steep fines continued to plague Internal Affairs efforts at enforcement. The Wildlife Act 1953 had raised the maximum fine for the illegal taking of kereru and other native birds from £20 to £50, but magistrates still often imposed fines significantly below the maximum. This retarded successful kereru conservation. According to a leading member of the Forest and Bird Society:

Many breaches of the Act protecting native birds occur in bush areas where detection is unlikely or almost impossible, especially as many slaughtered birds are plucked on the spot and cooked in the bush. Trappers in distant areas in many cases do partly live on native birds and only the prospect of a really heavy fine will act as a deterrent to these people.

Conservationists also complained that the newspapers did not give enough coverage to the issue of pigeon poaching and to the potentially high fines; more in-depth coverage would have publicised the need for conservation and the risks involved in breaking the law.⁴²

While people illegally killed pigeons all over the country, some areas proved more difficult than others – just as in the early part of the century.

⁴¹ FL Newcombe to honorary rangers, 13 December 1960, FB papers, acc 84-180, box 57, folder 100/3 (DB, p 78)

⁴² 'Submission of Mr R C Nelson, a Member of the Executive at Deputation to the Hon the Minister of Internal Affairs, 21 April 1955', FBA, folder 248; 'Fines for Shooting Native Pigeons', *Taranaki Herald*, 1 November 1954, FB papers, folder 248

West Coast residents continued to cause problems. Perhaps due to the lingering influence of the Second World War huahua controversy, Maori poaching garnered more correspondence and concern after the war. In the late 1950s, Northland drew more attention than any other region. Northland had never had full-time rangers stationed in the region, although the acclimatisation societies had occasionally employed officers on a part-time basis during the game season to deal with game issues. The Department of Internal Affairs had received persistent reports of kereru hunting by Maori in the area, and, in 1959, two Government rangers went to the region to investigate. They confirmed the suspicions. One ranger reported:

Large numbers of native pigeons are shot by the Maori people, in nearly all bush areas I examined. The main areas shot are those that have a traditional background for tribal hunting and belong in a sense to the different localised sub-tribes. Shooting does occur occasionally throughout the year, coming to a head when the pigeons begin feeding on the miro berries. This is even before the berries ripen, the flesh being very palatable to Maoris when miro flavoured.

As a result of the survey, four more Internal Affairs men went to the region on a 'sting' operation to apprehend pigeon poachers, especially Maori poachers, and they succeeded in obtaining a number of convictions.⁴³

The situation in Northland demonstrated the tenuous nature of Internal Affairs's enforcement policy; despite the extensive kereru habitat and repeated reports of hunting, no authorities regularly policed the region. The West Coast, Urewera, and other remote regions posed similar problems, and the laws, fines, and Internal Affairs policy directives meant little in such situations. Kereru hunting continued, with little real interference from the Government. This reality shades any discussion of the enforcement of the prohibition on shooting kereru.

In their report on the pigeon-poaching situation in Northland, the rangers observed that the problem came to a head when the birds began feeding on miro berries. In the late nineteenth century, Hone Heke and Tame Parata had told Parliament of the Maori kereru season. The 1960s' concern with miro-fattened pigeons demonstrates how little had changed in the 100 years of Crown involvement in pigeon protection. For a variety of motives, Europeans placed restrictions on access to kereru and, from the beginning of the process, Maori stated their opposition to these

⁴³ RT Adams to controller, Wildlife Office, Wellington, 8 September 1959; HD Kelly to conservator of wildlife, DIA, 2 October 1959; DIA memo, D S Main, 'Pigeon Poaching – North Auckland District', 1 June 1960; IA1 46/12/117/pt 1, NA

restrictions. With the decision to restrict all taking of kereru – by both Maori and Pakeha – the Crown searched for a way to enforce its policy, but the restrictions proved easier to legislate than to enforce. Throughout the twentieth century, the Department of Internal Affairs struggled to carry out a policy of pigeon protection. The lack of manpower and funds, the reliance on acclimatisation societies, and the fractured system of wildlife management all inhibited the enforcement of the policy. Continued claims by Maori to hereditary or Treaty-guaranteed rights to kereru access also complicated the issue.