

In the Waitangi Tribunal

Wai 207

Wai 785

Under **the Treaty of Waitangi Act 1975**

In the Matter of **the Northern South Island Inquiry (Wai 785)**

And

In the Matter of **a claim to the Waitangi Tribunal by Akuhata Wineera, Pirihira Hammond, Ariana Rene, Ruta Rene, Matuaiwi Solomon, Ramari Wineera, Hautonga te Hiko Love, Wikitoria Whatu, Ringi Horomona, Harata Solomon, Rangi Wereta, Tiratu Williams, Ruihi Horomona and Manu Katene for and on behalf of themselves and all descendants of the iwi and hapu of Ngati Toa Rangatira**

BRIEF OF EVIDENCE OF HORI TURI ELKINGTON

Dated 9 June 2003

KensingtonSwan 
TRAVELERS

89 The Terrace PO Box 10246 DX SP26517 Wellington
Telephone (04) 472 7877 Facsimile (04) 472 2291
Solicitor Acting: D A Edmunds

Counsel: K Bellingham/K E Mitchell/B E Ross

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Introduction

- 1 This evidence is not intended to address Maori to Maori grievances should there be any, but rather Crown to Maori grievances and in this case particularly towards Ngati Toa.
- 2 This evidence is to assist in establishing that “Ngati Toa and their allies” had Mana on both sides of Cook Strait, including waterways, harbours, estuaries and the like. However I do not intend to geographically identify the extent of such mana in any detail.
- 3 This evidence is intended to portray that because of the skill and knowledge of our Tupuna and their respect for Raukawa, Cook Strait became a passageway to assist in the establishment and maintenance of such Mana rather than a barrier or hindrance to such.
- 4 My full name is Hori Turi Elkington. I answer to either George or Hori. I am of Ngati Toa and Ngati Koata descent, as well as Te Ati Awa, Ngai Tahu and others.
- 5 I was born in 1950 in Nelson and I grew up on Rangitoto ki te Tonga, where most, if not all, of my navigation and seamanship skills were learnt. I still presently own land on Rangitoto ki te Tonga. I now live at Titahi Bay, Porirua, where from my lounge I enjoy a good view across Raukawa Moana, to Te Waipounamu and the many islands of Raukawa Moana. On a fine evening I can see the lighthouse at Takapourewa (Stephen’s Island). During the holidays I often go back to Rangitoto ki te Tonga with my family on our waka called Destiny. Destiny is the first Maori owned commercial vessel to be launched, following the Crown’s recognition under the Treaty of Maori commercial fishing rights.
- 6 My mother is Manganui Reeves. Her mother was Leena Watson, who was raised on Arapawa Island. My mother’s grandmother was Kaiherau of Ngai Tahu and Te Atiawa, (Puketapu Hapu). My mother’s grandfather was Tamati Tahuaroa Watson of Te Atiawa. My father was Turi Ruruku Elkington. His mother was Wetekia Ruruku of Ngati Koata and Ngati Awa. My father’s father was Ratapu Elkington of Ngati Toa. Ratapu’s mother was

Marara, granddaughter of Nohorua, older brother of Te Rauparaha and one of Ngati Toa's prominent chiefs.

- 7 My family has always had strong ties to the ocean, as did their Tupuna. The ocean still forms a vital part of our lives today but it was even more integral to the lives of our Tupuna. It provided sustenance, recreation, employment, spiritual well-being and a vital means of travel.
- 8 It was via the ocean that the waka of the great migration touched the shores of Aotearoa. The ocean and waka are bound up in the history of Maori migration and movement. They played a vital part in the conquest of Te Tau Ihu by Ngati Toa and their allies.
- 9 It is my view that any Inquiry into Ngati Toa's position at 1840 and beyond must consider Ngati Toa's position on both sides of the Cook Strait. For Ngati Toa and their allies, control of strategic passageways, harbours, areas of coastlines and islands were integral to maintaining Mana on the land and water on both sides of the Cook Strait.

Growing up on D'Urville

- 10 My father Turi Ruruku Elkington was born at sea and made his living from the sea. He made his living from commercial fishing, charter fishing, paua diving and coastal shipping, such as delivering the mail and supplies to settlers in the Marlborough Sounds and other areas. In our family the sea has been used not only as a means of transport, but also for customary and recreational fishing, and as a means of providing employment.
- 11 When we were kids we used to go out with my father on the mail run, which ran around D'Urville once a week. That took all day, about 8 hours. He also did special call outs in emergencies, at all hours of the night, for example when Aunty Ariana Rene needed to be taken to board the Anchor Shipping Company coastal ships to go to Wellington to have her babies.
- 12 We were quite used to travelling by boat, like our Tupuna, it was our main means of transport. We travelled by boat from D'Urville to Nelson because the options for transport by land were so limited. We also travelled to Porirua. Travelling at any time of the day or night was not an issue, you just

did it. We often travelled at night because the weather was more settled. Tidal movements and weather were always taken into consideration

- 13 Our family comes from a fishing background. My father and his brothers and cousins were commercial fishermen. My father and uncles saw that these skills were passed down. All of my brothers and I are ticketed mariners and marine engineers. My older brother is the first Maori to have both deep-sea navigation and deep-sea chief engineers tickets. My younger brother is a deep-sea skipper, who sometimes fishes in international waters. He can catch more fish in one trip than my father and uncles caught in their lifetimes. Both of my brothers have considerable international experience at delivering ships from countries as far away as Japan, Taiwan, South Africa, the islands of the Pacific and Canada via the Panama Canal.

Customary knowledge of the sea

- 14 Excluding Makara, the shortest distance to Te Tau Ihu from the northern side of Cook Strait, settlement wise, is from Porirua. For our Tupuna, Porirua, Mana and Kapiti would have been a common departure point to travel across Cook Strait.
- 15 We all know that Hinepoupou swam from Kapiti to Rangitoto ki te Tonga. I don't intend to cover the details of her swim but I refer to it to portray that with her knowledge of tidal flows and currents her swim might well have been tidally assisted most of the way. My father taught us that Cook Strait tides have been known to flow in the same direction for thirty-six hours. She may have understood the cycle of such tidal flows and timed her swim accordingly.
- 16 From land to land, from Te Waipounamu to Te Ika a Maui, the closest distance is from Ohau Point, west of Makara to Perano Head, which is a little north east of Tory Channel. That's approximately a distance of 12.5 nautical miles.
- 17 In the olden days people were more sea-oriented because there was no other option. Knowledge of the tide and weather patterns was the essence of living close to the sea. Such knowledge was passed down to succeeding generations.

- 18 When we were growing up our old people could tell three weeks in advance what the weather was going to be like, from the cycles of the moon and from the appearance of the moon and the sun. We had other methods of knowing weather patterns. For example, when we gutted blue cod, if they had stones in their belly, we knew that bad weather was coming. The cod swallowed stones to give them ballast so that they would not be thrown around as much by the swell. If we saw dolphins in the bay, we knew a southerly was coming. If we caught Wheke we knew a southerly was coming. If we could see Mount Taranaki we knew a southerly was going to come shortly. We could tell how long the southerly was going to blow for. We had our ways of knowing if a northerly was on its way, and so forth. We relied a lot upon reading the sky and reading other signs. I can still tell the weather using the old ways but with far less reliability. It was easier when we were growing up because the weather was far more settled then than it is now and we were more observant and had closer links with nature.
- 19 We were taught to navigate without navigational aids. We could navigate by the sky and by the skyline at night. If we got caught in the fog, we would determine the motion of the vessel and the direction of the wind and rain in relationship to our boat and we could keep our boat on course.
- 20 One time, a long time ago, when I was about twelve years old, Dad and I were going to Nelson. It was his turn to sleep. It was rough and raining with poor visibility and I mistook Delaware Bay for Nelson. After a while Dad woke up and without looking where we were, he told me we were steering in the wrong direction. I asked him how he knew. He said that the motion of the boat was different to what it was when he went to sleep and the different motion woke him up. I do the same now. I have learnt so much from that experience and others similar.
- 21 My father, like our Tupuna, was a clever teacher of navigation skills. He like them would often use humour in his teaching methods, thus making it easier for the learning to occur. We once had a Pakeha university student who used to visit us often. He kept asking Dad to teach him navigation skills. One night shortly after that, they were going to Patuki. Somewhere between Waitai and Patuki Dad stopped the boat and said now you're ready for your first navigation lesson. They went up to the bow of the boat. Dad put his fingers in his mouth, whistled and then said, "Listen". Somehow in

the distance the sheep dogs of Patuki heard the whistle and responded.....”Woof, Woof!” Dad pointed to the sound of the barking dogs and said, “There’s Patuki!”. Our university friend refers to that as his ‘dog barking navigational lesson’.

22 In 1976, I navigated my wife’s uncle’s boat across Cook Strait without a compass in fog. From two miles off Cape Jackson to four miles off Mana Island we were fog bound all the way. When the fog lifted we found that we were perfectly on course. That ability has little to do with my skills but much to do with connecting with our Tupuna, who passed on these skills and are still responsible to see that they work even today. Today we have Global Positioning Satellite Navigation Technology that gathers data from satellites in space and transfers this back to our systems, which guide us. Our old people also navigated by using celestial information transfers, but instead of feedback from satellites they received feedback from our Tupuna, which guided them across mighty oceans.

23 My father was in touch with this type of navigation. On one occasion MAF divers were researching the scallop fishery near the Chetwood Islands. Their support boat lost them, so eventually called for help. Other vessels and I understand also a spotter plane were called in to assist. My brother, on his vessel, picked up the commotion on the radio and went to assist also. He remembered that Dad would be due back at French Pass with the outgoing mail shortly, so he got a message to him. Dad calculated the tidal effect and the speed that they would be swimming against the tide, and set out to find them. He knew that with darkness approaching, he had time for only one shot at this, so his calculations had to be spot on. About an hour and a half later he picked them up. He was disappointed for years that they were two points off the port bow instead of being directly on his course. One who didn’t know better, might assume that he fluked that, but I, having been rescued many times by him at sea, know better. I call this true Celestial Navigation.

24 I have crossed Cook Strait many times in boats and Waka, as our Tupuna would have done. Some people see Cook Strait as a barrier, but skills and knowledge of the sea, that our old people had, have made Cook Strait into a corridor instead of a barrier. Cook Strait can be treacherous, but if we apply the knowledge of our Tupuna, and always give due respect to Tangaroa and

Raukawa Moana, we can cross safely. Our Tupuna respected the Cook Strait, but for them, with their skills and knowledge, a crossing would certainly not have been an “Everest undertaking”.

25 I quote from ‘Kapiti’ an award winning book written by Chris Maclean:

“Although Ngati Toa and their allies crossed Cook Strait, their familiarity with it never led to complacency. Strong, shifting currents and unpredictable changes in the weather meant that Raukawa was always treated with respect; a canoe crossing was an occasion for ritual designed to ensure survival.

‘That part of the ocean, called Raukawa, was sacred to the people,’ wrote Tamihana Te Rauparaha. ‘They would not cross it in the ordinary way; all those who had never crossed it before were blindfolded and the figurehead of the canoe was covered with leaves of the karaka. Only those who had previously crossed used their eyes; they acted as pilots calling out so that those who were blindfolded knew where they were going. When they had crossed and were close to the beach they would take off the leaves; then the newcomers would be carried ashore by the experienced voyagers, because if they waded a great storm would come up. When everybody had disembarked the blindfolds would be offered to a Tuahu called Tuhinapo’”.

(Maclean Chris, *Kapiti*, the Whitcombe Press, Wellington 1999, page 128)

26 Our Tupuna would sometimes have used sails in crossing Cook Strait. Some of that knowledge and skill may have been lost or is perhaps dormant today but we know that the voyages were always well planned and well provisioned.

27 Kapiti and Mana are very well positioned for Kaitiaki of Cook Strait. Because they face straight into Cook Strait, one could say that they are the eyes of Cook Strait, particularly northern Cook Strait, a bit like the Brothers Islands are the eyes of the Wheke. So it was of strategic advantage for Ngati Toa to be placed at Kapiti and Mana because they could see who or what was coming towards them from both the North and the South islands.

28 Kapiti and Mana are also well positioned for tidal assisted crossings of Cook Strait. From Kapiti and Mana, the outgoing tide will take you south, and the incoming tide will take you north. You could leave Mana, Kapiti or Porirua for Cloudy Bay, Port Underwood or Tory Channel on an outgoing tide and come back on an incoming tide, and be tidal assisted each way. If you are travelling to Queen Charlotte or Pelorus Sounds, D’Urville Island, Golden Bay, or Nelson, because they are almost directly west of Porirua, Kapiti or Mana, you would pick your times when travelling across. You might leave at mid tide, that way, half the tide would take you north or south; the other half would bring you back on course again and you would be fine.

29 When you look at the distance in nautical miles from Kapiti to other significant locations, it is easy to see why it was such a strategic location:

Whanganui	55
Whangarae	75*
Otaki	10
Whakapuaka	85*
Golden Bay	100*
D’Urville	45
Cloudy Bay	50

* Via Stephens Island passage

30 The other reason that Kapiti and Mana were in such a strategic position was that they guarded the entrance to Porirua Harbour, which was of extreme interest to whalers as it lies directly on the migration route of the southern right whale through Cook Strait.

Waka voyages across Cook Strait

31 To illustrate times and distances that can be covered with or without tidal assistance I provide the following. This Autumn Ngati Toa travelled between the North and South Islands in our Waka ama, Waikatohu; all the navigation was done using our knowledge of the tides and the weather. We travelled from Ngatittoa domain in Paremata to Tory Channel in four hours and twenty minutes on 27th March 2003. After an hour or so’s rest, we travelled back

again in 5 1/2 hours on the same day, with the same crew. We travelled virtually the exact same distance both ways, but the crew was a little more tired coming back, and we adjusted our return course to allow for an expected southerly change, so it took a little longer coming back.

- 32 In May this year a Waka ama competition was organised from Waikawa Bay near Picton to Ngati Toa Domain. Ngati Toa decided not to get involved because the tides were wrong. This decision later was shown to be wise. However the organisers decided to proceed with the trip, despite several warnings. After nine hours paddling all of the Waka Ama, except two, were taken in tow. Those two paddled to the shelter of Mana Island and were then towed to Porirua harbour. To date, Ngati Toa has been the only Waka ama to paddle all the way from Porirua to Te Tau Ihu or vice versa, land mass to land mass without being towed.
- 33 In 1990 the Sesquicentennial project funded a number of Maori groups around the country to build traditional waka to take part in the Sesqui celebrations. Te Tau Ihu decided to build a waka to represent all of Te Waipounamu – it was called ‘Te Awatea Hou’ and was a people’s waka, as opposed to an Iwi specific waka.
- 34 Te Awatea Hou’s maiden voyage across Cook Strait started on 16 February 1990, the night my youngest child was born, and arrived in Titahi Bay the next morning. I understand that the Navy having heard beforehand of this ambitious proposed feat said that Maori had neither the skill nor were they sea worthy on waka enough for such an undertaking and should not attempt it. Following the birth of my child, I went out from Titahi Bay and linked up with Te Awatea Hou. Whilst going out I noticed a vessel with unusual lighting, which I could not identify, but I watched it during the night. Early in the morning the fog lifted and I spotted a navy vessel, which I believe shadowed us all night in anticipation that before dawn they would have to swoop in and rescue 150 crazy Maori.
- 35 This showed a huge underestimation of Maori skills and ability and the seaworthiness of our waka. I was involved with all of Te Awatea Hou Cook Strait crossings, some of which were in reasonably rough seas. This proved to us that waka could come across the Cook Strait with favourable tides, in most weather conditions. Te Awatea Hou voyaged far beyond Cook Strait,

even up to the Waitemata Harbour in Auckland then across land to Onehunga re-enacting Tainui's waka crossing, then back down the West Coast and back home to Te Tau Ihu.

- 36 The above waka are representations of the types of waka that would have been used by our Tupuna. Prior to the arrival of the Pakeha in Aotearoa there were no real roads, no horses or carriages and no rail system. In fact, the main form of travelling vehicle was the waka. Our Tupuna developed incredible skills and ability not only in building and using these waka, but also in mastering the oceans that the waka travelled upon. During the times of our Tupuna, the tidal and weather patterns were more predictable and settled and so it is my estimate that they may have been able to predict the tides and the weathers often many weeks ahead of a journey. My brothers can do the same today.
- 37 One of the great benefits of European civilisation for Maori was the introduction of new technology in the forms of ships and boats. Ngati Toa saw the value of and quickly capitalised on these new forms of technology, trading with the Pakeha and voyaging across the seas to Australia and even to Europe.
- 38 Ngati Toa also made use of this new technology closer to home. For example, Ngati Toa made use of the brig *Elizabeth* in its attack on Ngati Tahu in the 1830s. In addition, prior to the incident where the surveyors huts in the Wairau were burned, Te Rauparaha and Te Rangihaeata with 50 Ngati Toa crossed the Cook Strait on 28 May 1843 in the schooner *The Three Brothers* owned by Joseph Thoms, who was the son in law of the Ngati Toa chief Nohorua (from Boast, Richard, '*Ngati Toa and the Upper South Island*', September 1999/March 2000, Wai 785 # A56, page 96).
- 39 Ngati Toa and Ngati Toa's allies' strategic positioning on both shores of the Cook Strait was thus vitally important in retaining and protecting the rights acquired by Ngati Toa and allied iwi by Take Raupatu. The strategic positioning of Ngati Toa meant that it was an ideal place from which to defend attacks from enemies (as exhibited in the battle of Waiorua), but equally important, from which to launch offensive campaigns. Later, control of the Cook Strait area, and the land on either side, became very important in terms of trade and relationships with Europeans.

Connections between Porirua and D'Urville

- 40 The connections between the people on either side of Cook Strait remains an important part of the lives of Ngati Toa and Ngati Koata today. When I was growing up, a group from Porirua would come down to D'Urville Island to visit during the Christmas holidays. We used to leave D'Urville in the middle of the night because the weather was more settled then and would arrive at Porirua by dawn. Sometimes there would be three boatloads of whanau. These days you would say that the boats were overloaded. They would bring any relations who wanted to come, and it wasn't just relatives either, it was friends as well. We always embraced anyone who came with our Porirua cousins. This was a huge occasion for us. We used to look forward to the Porirua crowd coming over.
- 41 These days I am a Chartered Financial Consultant and a Certified Financial Planner. I am the major shareholder of a maritime training school based in Porirua. I own a fishing charter business based in Porirua and I do some commercial fishing and a lot of customary gathering of Kaimoana for tangi and Hui, mainly, but not exclusively for Ngati Toa and Ngati Koata. It is common for me to call Ngati Koata and ask them to bring specific species of Kaimoana to Porirua so that we here, can focus on gathering other species. That is not a new thing. I often call on the Ngati Koata trawler – Te Ruruku, for fish for tangi at Takapuwahia. If Te Ruruku is fishing near Whanganui a Tara, they will come in to the harbour and drop off fish for our tangi.
- 42 There is an ongoing connection between Ngati Koata and Ngati Toa and our other allies; the preservation of such relationships is paramount to me.