

IN THE WAITANGI TRIBUNAL
OF NEW ZEALAND

WAI 2003

IN THE MATTER OF

the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

a claim by Cheryl Turner, John Klaricich, Harerei Toia (deceased), Ellen Naera, Fred Toi, Warren Moetara and Hone Tiamona on behalf of Ngati Korokoro Ngati Wharara and Te Pouka Hapu

BRIEF OF EVIDENCE OF YANJE KLARICICH

Dated this 24th day of March 2014

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Introduction

1. My name is Yanje Klaricich. My father is John Klaricich. My grandmother is Te Au Mihi Toi. I have three sons, who are 26, 23 and 19 years old.
2. I am employed by the University of Auckland as a Professional Learning and Development facilitator. The learners in my class are teachers and leaders in schools. My work is specifically aimed at changing the educational culture in schools in order to accelerate the educational success of priority students, of which Maori are one group.
3. In this brief I firstly describe what and how I learnt from my family, to give insight into how our hapu cultural values have travelled through four generations of my family and how this might be reflected in an effective educational setting for my hapu now. My evidence draws on my experience as tangata whenua, as a parent, and as an educator.
4. Second I record the finding of ancient artifacts at my home at Tairutu, and the fragile environment there and at Kawehitiki Point, located on the shores of the Hokianga Harbour within our cultural landscape.

My Education

5. My own formal educational started at Omapere Primary School that my siblings and me attended. In 1971 I went to board at Auckland Girls Grammar School and then in 1976 went to Massey University gaining a Bachelors degree in Agricultural Science. In 1998 I achieved a Diploma of Teaching from Auckland Teachers' College, or what is now known as the University of Auckland.

My Learning

6. While at Omapere School I lived at home on the Waiwhatawhata farm with my family. A local woman was the junior teacher, and there were at least three different headmasters in my time. In hindsight I see that besides literacy and numeracy, what we learnt through school came from a combination of community input and the

particular passion of the headmaster at the time. One headmaster loved music so we sang a lot, another entered us into a national essay writing competition, a local artist took us for painting, my father helped us learn to swim, and at community events like Calf Club Day we competed with other schools in not only the best reared calf and baking, but also naming native plants.

7. In my eyes school was made up as a part of the fabric of the area. Most of us were related, and what happened at school involved most people from the community and was about the community. Newcomers fitted in with us and learned what was important to us. As children we felt the community was looking after us.
8. For me, the most profound learning was during the school Christmas holidays. During this time learning stemmed from my family and I believe it is this learning that grounded me during my secondary and tertiary education, and enabled my successes.
9. Over the summer, three generations of my family spent the entire holiday break camping at the coast. My brothers and sisters, my mother and father, my grandmother, and different mixes from year to year of aunts, cousins and members of my wider family. All us children got the same messages whilst living with the adults there with us. I don't remember my grandmother speaking Te Reo Maori.
10. We all learnt the names of bays and rock outcrops, what could be gathered at each place, the best time to fish, swim or dive in different places, how to cook on open fires, how to swim and dive, how to be safe in and around the water, and how to use and look after the resources at the beach.
11. I remember that I made flax mats with my grandmother. Today I am frustrated that I have forgotten how to weave because I have a nagging sense of 'almost' knowing, which is of little use in practice.

12. My parents sent all of us to boarding schools out of the local area. The foundations of high expectations, a sense of responsibility, clarity about who we were and the sense that there was a place that was ours had been laid during our primary school years.
13. Regardless of the range of formal education my cousins and I have received, we all actively pass on to our children and grandchildren, our knowledge about the Waiwhatawhata coast, its physical attributes and fishing practices, and the experience of living together with and in it.
14. As a parent it is hard to really know how much our children absorb or remember, and how much touches their hearts and minds as a way of being. My youngest son spent all his primary and secondary school life in the city. The other two sons went to both Opononi Area School and schools in Whangarei. For all three, during some part of every school holiday, we returned to Te Wahapu. Now they all work and live in Australia.

Maori Education

15. For many generations a significant proportion of Maori students have not achieved well and have left school young without worthwhile qualifications, and without any real options for work. Their achievement levels are significantly lower than those of non-Maori students in our primary and secondary schools. In 2010, Auckland University used my son's pieces of writings, as examples for teachers around New Zealand being introduced to the NZ Curriculum National Standards. It was challenging for many teachers to accept that the author was not only a boy, but also a Maori boy. I attach a sample of his writing as Appendix A.
16. His writing suggests that replicating the circumstances of how I had learnt about the coast, place and being family weren't necessary for him to understand what my parents and my grandmother knew and lived by, with respect to the coast and family. I believe it is the reiterative talk and adventure in the contexts of both family and place that deepen understanding of identity. In this way tradition is kept, and traditional knowledge and practice retained.

17. At Teachers College I wrote a paper that was a synthesis of research about the influences on teaching and learning in New Zealand for Maori. The paper is attached to this brief as Appendix B. Little has changed for Maori and this is not surprising given the history of Maori education.
18. I have been teaching in primary schools in Tai Tokerau for 15 years. The list of what works for Maori students is not new, it includes for example:
- a. Understanding and knowing the learner;
 - b. High expectations;
 - c. Teachers with passion, who will challenge our children;
 - d. Teachers with strong pedagogical content knowledge to encourage critical thinking;
 - e. Strong relationships and connections with parents.
19. Most critical to Maori students' learning is that teachers understand and respect Maori students as Maori. This means knowing and respecting the traditional knowledge that they are responsible for. Maori students are very good at judging the integrity and depth of both the teacher's mind and heart.
20. Schools have a curriculum framework in which learning can be localised, and governance derived from the community, but the educational needs of students and the systems in which schools must implement the New Zealand curriculum are constantly subject to change. It is imperative to ensure our school at Omapere can be responsible in its role in giving effect to kaitiakitanga and growing sustainability of kaitiaki status across all generations in our community.
21. From an educational point of view it is the relevance of what is being learnt, and the student-teacher interaction and dialogues connected to the cultural capital of the student, that are so important for Maori students. Success in this rests with having quality educators (teachers and leaders) in our schools who honestly believe that the Maori community's curriculum is valid, and who are prepared to learn from us as tangata whenua to affirm and legitimate different ways of knowing. I believe

there are more empowering, more meaningful and more rigorous ways of learning that can be applied to our children.

22. The culturally authentic and relevant curriculum of learning that we wish implemented as a fundamental part of the design and implementation of the school based curriculum must be protected from changes in governments, school principals or Boards of Trustees. Under Te Tiriti o Waitangi the Crown has a duty to provide such protection.

Tairutu and Kawehitiki Point



23. My father has spoken of our cultural landscape and the significant sites with our Te Wahapu rohe. I am fortunate to live on our ancestral lands located at Tairutu on the north shore of the Hokianga Harbour which is displayed in the photograph above. The open green space in the manuka (seen from the summit of Puke Rangatira) is Tairutu. Along the beach up harbour is Kawehitiki Point. Following the ridge from the Point to the summit behind Tairutu (obscured) is Maukoro Pa. In the distance on the northside is Te Karaka Point and on the southside Koutu Point.

24. In 1977 Tairutu No 1 Block of 11.06 hectares, was partitioned from the Te Puna Topu o Hokianga Block and put into European title by Kahi and Betty Tipene. In 1983, my de facto partner, two friends and myself purchased the property. I know that the original shareholders (of Te Puna o Hokianga) were not particularly pleased that the block was being on-sold. In 1989 our two friends sold their shares to us. Then in 1999 my partner sold his interests. I now have half share ownership of the Tairutu Block with Fred Leef from Mitimiti. I have the only beachside dwelling from south of Kawehitiki Point to Mitimiti.
25. The name Tairutu means slapping or banging tide. It can be observed in either of two ways: Due to the slope at the top of the beach, at high tide waves build up and pound or bang on the beach; or, in calm weather and especially at low tide, waves travel from the cliff end of the beach towards Kawehitiki Point with a soft, slapping sound as they break.
26. The late Pat Newson of Mitimiti told me that historically Tairutu was the place where any waka was able to land, repair and re-gather. The most likely landing place for waka is somewhere between my dwelling by the creek and the bay at the cliff end of the beach. The exact landing place had everything to do with the size of the waka and the marine conditions at the time of landing.
27. I have been told there was an accepted and agreed kaupapa when landed at Tairutu: any dispute or raruraru held between different groups of people who landed, was not to be brought ashore. It had to be left outside of the place where rest and replenishment were necessary before continuing the journey.



28. At Maukoro Pa, above Tairutu, I have found lots of different types of stone chips, including obsidian, on the existing midden. They are unusual in that they do not occur naturally in the area. I understand that grey obsidian is from Whangaroa and the black obsidian is from Mayor Island. I have also found pieces of bone fishhooks and off-cuts of bone showing how the bone had been drilled out.
29. In the 1980's a friend found a stone adze head roughly 20cms long on a midden that has long since been covered by sand. In December last year I picked up a small stone adze head and another worked piece of stone that I am uncertain of its purpose from the existing midden. From a nearby limestone mussel rock I also picked up a larger stone adze head.
30. In the thirty years I have owned land at Tairutu the modern world has had a significant impact there and at Kawehitiki Point. Sand movement and global warming factors aside, the most significant impacts are seen through increased vehicle access to the sandhills and the proliferation of small boat recreational fishing and commercial set netting practices.
31. Water traffic is mostly from the Opononi side. In the 1980's, there was a snapper fishing ground several hundred metres off the Tairutu beach called the Nursery. It became a popular fishing spot in the 1990's because a catch was guaranteed, all be it undersized. Now boats are rarely seen fishing there.
32. Commercial nets are set close to the Tairutu shore throughout the year, including December and January when mullet are spawning. As far as I know there has been no ongoing monitoring from the Opononi side of either recreational or commercial fish catches. Cell phone service was not available to Tairutu until about 2007, and until then contact with Opononi was not possible unless you had a boat. In effect, in the last 30 years fish stocks on the Harbour have been harvested with no measure of control.
33. When I lived at Tairutu in the 1980's our neighbours from Rangī Point would visit us either by boat or on horseback. The only vehicle that could negotiate the steep, soft sand dunes at Kawehitiki Point was the three-wheel ATV bike, and

hardly anyone on the north side of the Harbour had one of those. However quad bikes became popular in the 1990s to get down to Tokataa for fishing. A very large landslip this side of Whanui stopped a lot of bike traffic along the beach for several years around 1999.

34. In the last five years with the advent of powerful off road SUV vehicles Kawehitiki Point has become a main thoroughfare to Tokataa. Vehicles drive right through shoreline middens simply because the sand is relatively hard and the least possible problems are likely to happen so far above the high tide mark.
35. To me there is a clear and urgent need for measures to prevent the further destruction of Kawehitiki. Part of these measures must be an awareness of its cultural and historical significance. Most people I know who live at Rangi Point are respectful in their use of the Point when going down to Tokataa for fishing. But they have little power to influence others.
36. Traditionally Tairutu and Kawehitiki were active parts of a whole. They functioned with the people of Te Wahapu, Te Rarawa and visitors. The Harbour waterways facilitated the network of people, trade and activity. Nowadays the Harbour continues to draw people, but to the detriment of its resources and areas of cultural and historical significance.
37. As in the past, it is necessary for peoples from both sides of the Harbour to facilitate a common way of regarding and looking after the area and its resources. Considering the rate of destruction that I have seen in the last five years a collaborative approach must be implemented urgently.
38. To conclude I wish to record that the Crown has an obligation to ensure the principles of protection, partnership and participation inherent in the Treaty of Waitangi are realized and that means a true commitment to biculturalism is needed across all levels of the education system.

39. Maori have been living alongside of and with respect to European culture for a long time, and the effort required now needs to come from the other Treaty partner.
40. Secondly our cultural landscape needs protection, we must be able to do that, to ensure our future generations can learn about their ancestors and their beginnings.

Yanje Klaricich
24 March 2014