

**BEFORE THE WAITANGI TRIBUNAL
HEALTH SERVICES AND OUTCOMES KAUPAPA INQUIRY**

WAI 2109

IN THE MATTER

of the Treaty of Waitangi Act 1975

AND

IN THE MATTER

of a claim by Maaka Tibble on behalf of himself and all Ngati Kapo (Maori blind, vision impaired and deaf blind persons) and their whanau, people with psychiatric, intellectual and mental health disabilities and disabled persons generally

AFFIDAVIT OF JIM MORUNGA

RECEIVED

Waitangi Tribunal

3 Apr 23

Ministry of Justice
WELLINGTON

Rainey Collins
Solicitors
Level 19
113 – 119 The Terrace
WELLINGTON 6011

PO Box 689
WELLINGTON 6140
DX SP20010
Phone: (04) 473 6850
Facsimile (04) 473 9304

Counsel: Peter Johnston

I, **Jim Morunga**, of Napier, Kia Piki te Ora Coordinator affirm:

1. My name is Jim Morunga, and I am providing this evidence in support of the Wai 2109 Treaty of Waitangi claim being a claim filed by Maaka Tibble on behalf of all kapo (blind) Maori and their whanau.
2. I have been blind for some 43 years having lost my sight in 1972 as a result of sporting injuries received eight years apart.
3. I have spent much of my adult life working with kapo and other disabled Maori to realise their full potential many of whom are challenged on a daily basis with society's misconceptions about their blindness and their disability.
4. In my evidence I hope to raise awareness of some of the issues faced by kapo Maori and their whanau.

Background

5. I was born in 1947 at Rawene on the shores of Hokianga moana.
6. I whakapapa to Nga Pui Nui Tonu and my hapu include Ngati Kaharau and Ngati Hau.
7. I am a father of 6, grandfather of 13 and great grandfather of 3.
8. During the mid-1980s I was involved with other kapo Maori to establish Ngati Kapo. In 1991 we determined that Ngati Kapo O Aotearoa become an incorporated society ("Ngati Kapo") and a Tumuaki was appointed. I was elected as the inaugural chair, a position I held for ten years.
9. Over the years I have worked with troubled youths, gangs and the blind.
10. I have also worked with Maori communities to promote issues impacting kapo Maori including the use of guide dogs and educating whanau, hapu and iwi regarding, for example, the use of guide dogs on marae.
11. Since 2011 I have been employed to co-ordinate the Kia Piki te Ora Suicide Prevention programme for Te Kupenga Hauora-Ahuriri.
12. I have also been fortunate to receive a number of awards over the years including:
 - (a) Napier City Council outstanding person civic award, 1985.
 - (b) Napier Pilot City Trust award for community programmes, 1991; and,
 - (c) "Local hero" New Zealander of the Year award, 2013.



Kapo Maori experiences

13. Losing my sight in 1972 at age 22 changed my life.
14. I have come to learn that making a contribution to society is key to my existence.
15. However, my initial experiences as a kapo Maori were not positive.

Medical treatment

16. Following my accident I was transported to Auckland Hospital to receive specialist surgery.
17. Initially I had to get over the shock and trauma of losing my sight and sense of feeling worthless. Being blind initially left me disempowered, feeling hopeless and alone. I was cut off from society and my whanau. There was a time when I questioned my self-worth.
18. The sense of hopelessness wasn't helped much by the treatment and rehabilitation which I received following my accident.
19. I spent two and a half very lonely and traumatic months away from most of my whanau who lived in Wairoa. They were not in a financial position to move to Auckland to provide me with support.
20. During that time I received a couple of visitors, including from a Minister of Religion. However for the most part I was left to cope on my own at what was a very traumatic time.
21. I was eventually sent home to Wairoa after two failed surgeries.

Rehabilitation

22. After my surgery I was enrolled at the Adult Rehabilitation Unit at Homai, Manurewa.
23. My experience with rehabilitation at Homai, Manurewa was not very positive either.
24. I understand that Homai was established by the Royal Foundation for the Blind ("the Foundation") with government funding to provide rehabilitation and educational services to all kapo people.
25. I found the rehabilitation very foreign. The rehabilitation was provided by Pakeha who appeared to have little or no understanding of Maori culture and tikanga.
26. Whanau were not involved in the rehabilitation process. Instead the rehabilitation focussed on me as an individual.



27. My rehabilitation was meant to last 12 weeks and was designed to teach me things such as buttering bread and tying my shoe laces.
28. During the rehabilitation sessions I was told what to do and how to do it. I was also taught stuff even if I didn't need it. My views around the rehabilitation process didn't matter.
29. The rehabilitation manager, guide dog trainer, nurse and occupational therapist were all from overseas. The remaining staff member was a Pakeha kiwi.
30. The training came from a Pakeha perspective which did not take in to account my specific needs or cultural background.
31. For example the training:
 - a. Made no provision for whanau involvement. In fact whanau were excluded from the rehabilitation process.
 - b. Lacked any cultural understanding or appreciation of tikanga including for example the concept of tapu and noa. For instance it was not uncommon for staff to sit on tables where I was eating.
 - c. Lacked or ignored any understanding or appreciation of whakama. For example, the staff did not have an appreciation of my feeling of whakama when it came to showering. Even when it was clear that I could shower myself it was not uncommon for staff to come into the showers uninvited.
 - d. I also recall getting in to trouble when learning braille as I was not use to a stranger touching my hands. It seemed that the trainer had no idea or appreciation of the whakama or shame that I felt, not only about having to come to terms with being blind, but also in allowing a stranger to touch my hands without making sure that it was okay with me first.
 - e. Did not allow for me to provide an alternative view or way to do things. The training instead provided for only one way to do things even if you didn't need it.
 - f. Discouraged any attempts by me to do things how I thought they should be done. Instead, any attempt by me to do things how I wanted to do, was discouraged and frowned upon. For example, the trainer took issue with the way that I wanted to butter my own bread.
32. Disillusioned with the process I left the rehabilitation program after only 6 weeks of the 12 week course.
33. Rather than provide me with the confidence to take on the next stage of my life the treatment and rehabilitation really increased my sense of disconnection from my whanau and feelings of hopelessness.



34. I felt that those providing the rehabilitation at the time on behalf of the Foundation were inflexible and wanted to put me in a pre-ordained cubby hole or box that I was not prepared to go into. In my experience, they did not consider who I was as a kapo Maori.

35. To me I was still young and had a whole lot of living still to do.

Royal Foundation for the Blind

36. I was and remain disappointed with the general level of service and support offered by the Foundation to kapo Maori.

37. In my experience the Foundation:

- a. Caters well for kapo Pakeha but is not designed to cope very well with the needs of kapo Maori and their whanau.
- b. Has taken a Pakeha approach to providing services and support which focusses more on the individual. It appears to me that little or no thought is given to looking at the needs of kapo Maori as part of a whanau, hapu and iwi and to assist them with rehabilitation back in to their whanau, hapu and iwi.
- c. In recent times ignores its responsibilities to kapo Maori by referring Maori issues to an under resourced Ngati Kapo Maori O Aotearoa or to its own underequipped Maori staff on the front line.
- d. Appears to me to give little or no thought to providing effective assistance or training to whanau of kapo Maori who are usually the primary caregivers.
- e. Continues to receive the bulk of funding for providing services to kapo New Zealanders (including kapo Maori) in circumstances where it is not necessarily best suited to meet the on-going needs of kapo Maori and their whanau, hapu and iwi.
- f. Takes a narrow approach in the provision of rehabilitation and on-going services and support which limits the ability of kapo Maori from realising their potential.
- g. Takes a narrow approach in the provision of rehabilitation and on-going services and support which fails to properly take into account the important role of whanau, hapu and iwi in the rehabilitation process.
- h. Does not fully appreciate the impact of poverty and poor living conditions that many of our kapo Maori have come from.
- i. Is not best suited to advocate for the needs of kapo Maori and their whanau, hapu and iwi.

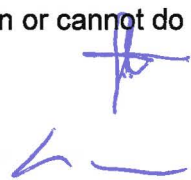


My involvement with the Foundation

38. Over the years, I have had only limited involvement with the Foundation who really only keep in touch. Originally this was mainly through the provision of newsletters that I couldn't even read.
39. I also meet occasionally with the Foundations field staff member for our area. I get on well with the staff member and when we meet usually talk about how things are going.
40. Apart from this I have very little to do with the Foundation. I have access to talking books and a white cane.

Third class citizen

41. In my view kapo Maori have been and continue to be treated as third class citizens.
42. In my personal experience and having worked with kapo Maori and Maori with disabilities over many years it appears that we are the most disadvantaged health group in Aotearoa
43. It appears to me that kapo Maori are usually third in line to receive resources, programs, support and jobs.
44. In my view kapo Maori when compared with other New Zealanders are more likely to:
 - (a) Suffer from lower socio and economic conditions.
 - (b) Suffer from higher levels of poverty and rely on a benefit to survive.
 - (c) Have a poorer standard of housing and living conditions.
 - (d) Enjoy a poorer standard of health.
 - (e) Have increased difficulty in finding meaningful employment or voluntary work.
 - (f) Live in an isolated area and have an increased reliance on public transport and/or taxis.
 - (g) Suffer from other conditions or impairments. For example, all kapo Maori that I know suffer from multiple conditions and impairment such as obesity, diabetes and hearing loss.
45. In my personal experience and having worked with kapo Maori and Maori with disabilities over many years, being constantly told what we can or cannot do by



others (normally full sighted people) is very damaging to our mana, self-confidence and esteem.

46. In my experience most kapo Maori or Maori with a disability are shy to be in the public and public arena. Being constantly addressed in the third person by others only serves to increase our shyness and reduce our sense of self-worth.
47. In my experience kapo Maori also who are not born blind, often have great difficulty integrating back in to their whanau, hapu and Marae. In my view this is in part due to the lack of whanau involvement in the rehabilitation process and also the lack of information being provided to whanau, hapu, iwi and Marae by those with the resources.
48. As a result many of our kapo Maori in my view become further disconnected from their whanau, hapu, iwi and Marae.

Employment

49. My initial attempts at seeking employment as a kapo Maori showed me from an early stage the additional challenges faced by kapo Maori.
50. In or about 1976 I went to the Maori Affairs in Otago to see what was required to get a job with them as a social worker. I was told that I needed a qualification.
51. Relying on this advice I started a sociology degree at Auckland University. Part way through the course I changed courses and instead obtained a diploma in community studies from Auckland University.
52. Having obtained my qualification I returned to Maori Affairs in Otago (early 1975) and was told that they couldn't employ me because I was blind.
53. I was not going to take this lying down and I travelled to Wellington to get an audience with the then Minister of Maori Affairs Right Honourable Duncan MacIntyre.
54. Although I was unable to see the Minister I was able to meet the chief executive of Maori Affairs who then passed me on to his State Services Commission equivalent.
55. Unfortunately my explanation had no effect and as I had taken it as far as I could go I returned to Papakura where I was living and became a community volunteer.
56. This was one of my first experiences of kapo discrimination.
57. While I was at University I was able to get a job at Marley Tiles in Manurewa. This was only after having been to 24 unsuccessful interviews. The interesting thing is that at my interviews the potential employers would speak to my support person ... it was like I wasn't even there! This however, only made me more determined than ever to get a job.



Foundation, Kapo Maori and the Crown

58. As already stated, in my view the Crown funded Foundation operates a system which does not effectively serve the needs of kapo Maori and their whanau.
59. The Crown funded services and support provided by the Foundation appears to me to have been designed by Pakeha for kapo Pakeha with no involvement from or thought about the needs of kapo Maori.
60. Accordingly the services and support provided by the Foundation does not in my view meet the unique needs and requirements of kapo Maori. This includes properly taking into account:
- (a) The importance of whanau, hapu and Marae involvement in the rehabilitation process.
 - (b) Our cultural preferences and tikanga.
 - (c) The fact that many of our kapo Maori come from communities that are often the most disadvantaged.
 - (d) Our often lower socio and economic conditions.
 - (e) Our generally higher level of poverty and reliance on benefits.
 - (f) Our often poorer standard of housing and living conditions.
 - (g) Our generally poorer standard of health.
 - (h) Our youthful population.
 - (i) Our increased difficulty experienced in obtaining employment or voluntary work.
 - (j) The fact that many kapo Maori live in isolated communities and have an increased reliance on public transport and/or taxis.
 - (k) The fact that many kapo Maori suffer from multiple other conditions or impairments.
61. Over the years the Foundation has employed Maori staff. Although this has helped, the employment of Maori staff in my view have been used by the Foundation to provide a Maori face to mainstream programmes.
62. The real issue in my view is that Maori have not had the opportunity to develop and design Crown and Foundation policy and programmes appropriate for kapo Maori.



Instead issues and challenges faced by kapo Maori are often transferred to under resourced Maori workers on the front line.

63. I hold the Crown responsible for this as the main funder for the Foundation.

Ngati Kapo – the beginnings

64. The establishment of Ngati Kapo began in the early 1980s arising from the need to improve the services and support being offered to kapo Maori and their whanau.

65. During the discussions we shared stories about the issues we were facing. They included things like:

- (a) The need to be separated from the whanau to go to Homai in Auckland to learn Braille and how this added to the sense of disconnection (both in distance and in the provision of whanau support) being experienced by kapo Maori.
- (b) The Foundation's reluctance to take on board our concerns relating to the need to travel to Homai and the impact that this had on kapo Maori.
- (c) The reluctance of the Foundation to understand or acknowledge the importance of whakapapa, whanau and tikanga and the impact that this was having on the provision of services and support.
- (d) The need to get things done as kapo Maori and how our needs were not being met by the Foundation.
- (e) Why kapo Maori were not receiving all (or aware) of the services or support that they were entitled to.
- (f) How Maori generally lost sight at a young age compared with Pakeha who typically lost their sight at a much later stage and ensuring that any training and rehabilitation takes this into account.
- (g) How we could organise ourselves to meet our kapo Maori needs under tikanga.
- (h) How we could improve the ability of kapo Maori to fully engage with their whanau and community.
- (i) How we could change attitudes towards employing kapo Maori to obtain meaningful employment.
- (j) How we could move kapo Maori from the status of third class citizens up to one. It appeared to us that kapo Maori were usually third in line to receive resources, programmes, support and jobs.



- (k) How we enable kapo Maori to be involved in determining policy and making decisions at the Foundation table.
 - (l) In recognising the Treaty of Waitangi - How we could work in partnership with the Crown regarding the design and provision of culturally appropriate services and support to kapo Maori.
66. We were also aware of non-Maori bodies receiving funding from the Foundation such as the association of Blind Citizens and Parents of Visually Impaired Children.

Founding of Ngati Kapo

67. Ngati Kapo has its origins in the mid-1980s. During the early days of Ngati Kapo we did not have a formal entity as we needed time to develop and inform kapo Maori.
68. It is an organisation developed by Maori for Maori to drive our own kaupapa to improve the services and support being provided to kapo Maori. Under our rules three out of five Tumuaki must be blind.
69. I was appointed chair of Ngati Kapo in 1991. In 1992 we were registered as an incorporated society.
70. The problem for us was that although we had a willing, skilful and enthusiastic Tumuaki and members we had no resources.
71. This wasn't helped by the Foundation who I believe see Ngati Kapo as a threat, to its own Crown funding stream.
72. Rather than work with us to improve the position of kapo Maori the Foundation was very protective over its position as a one stop shop to provide services to all kapo people including kapo Maori.
73. Accordingly, we had to go through all sorts of hoops and hurdles before we received any resourcing from the Foundation.
74. This surprised us as we were aware of other organisations which were being funded by the Foundation to provide services for kapo organisations as referred to above.
75. In my view this is just another example of kapo Maori being treated as third class citizens.

Ngati Kapo Future

76. I am worried about the future of Ngati Kapo.



77. My hope is that Ngati Kapo is able to ensure that kapo Maori get the support they need to ensure that they can reach their full potential.
78. This includes:
- (a) Having an organisation which is able to lead by example by employing skilled and capable staff who are all kapo.
 - (b) Having an organisation which is able to actively develop and/or design Crown and or Foundation policy and programmes for the provision of culturally appropriate services and support for kapo Maori and their whanau.
 - (c) Having an organisation which is appropriately resourced and funded taking into account the unique needs and position of kapo Maori referred to earlier including:
 - (i) The importance of whanau, hapu and Marae involvement;
 - (ii) Our cultural preferences and tikanga;
 - (iii) Our often lower socio and economic conditions;
 - (iv) Our general poorer standard of health;
 - (v) Our isolation and reliance on public transport;
 - (vi) Our need to receive a proper education and meaningful employment;
 - (vii) Our youthful population; and,
 - (viii) Any other impairment or condition which Kapo Maori may be suffering from.
 - (d) Having an organisation which has the resources to canvas the views and needs of the members on a regular basis.
 - (e) Having an organisation which is funded and resourced directly by the Crown and which does not have to rely upon the goodwill of the Foundation.
 - (f) Having an organisation which is not forced through Crown or Foundation funding requirements to simply adopt the practices of mainstream but to be in a position to design and deliver culturally appropriate services to kapo Maori.
 - (g) Having resources to enable young kapo Maori to receive rehabilitation assistance at home with the support of whanau.
 - (h) Having resources to ensure that young kapo Maori are not forced to leave home and the support of whanau to be educated.
 - (i) Having resources to assist with the integration of kapo Maori back into their whanau, hapu and Marae. (This includes socialisation programmes incorporating whakapapa, whanau, hapu and Marae).
 - (j) Having resources to educate whanau, hapu and Marae about the special challenges faced by kapo Maori.



- (k) Having programmes that show us what we can do and which recognise that we are not all the same.
- (l) Having sufficient resources to provide effective and appropriate support to regional Ngati Kapo members. This includes access to information (including health literacy) and access to social and medical services.
- (m) Having sufficient resources to provide services and support to kapo Maori that are needed and culturally appropriate.

Conclusion

- 79. In my view it is important that kapo Maori are no longer treated as third class citizens.
- 80. The challenges kapo Maori face are on top of the well-known health and socio-economic disparities faced by Maori. As such we often find ourselves at the bottom of the heap.
- 81. I believe that it is the wish of most kapo Maori to be positively and actively engaged with their whanau, hapu and Marae; to be a contributing member of the community. This involves gaining the confidence and appropriate skills to participate.
- 82. For kapo Maori this includes having a holistic approach to the provision of services and support which takes in to account tikanga, whakapapa and the specific needs of the whanau. Any approach must also take in to account the particular socio-economic and health conditions of both the individual and whanau.
- 83. History shows us that mainstream providers don't work for kapo Maori and it is therefore important that organisations such as Ngati Kapo are adequately funded to ensure that they are able to provide effective culturally appropriate services and support for kapo Maori and their whanau.

AFFIRMED at *Napier* this *27* day of *October* 2015, before me and I certify that I first read and explained the foregoing affidavit to Mr. Jim Morunga and that he appeared to understand the same and wrote his signature in my presence




A Solicitor of the High Court of New Zealand / ~~Justice of the Peace / Registrar of the High Court of New Zealand~~

L. W. WILLIS
SOLICITOR
NAPIER

