

Help us improve this website **TAKE THIS 10 MINUTE SURVEY** Go in the draw to win a \$100

MC

# Governing New Zealand - background to the Treaty

## Governing New Zealand

The Colonial Office in London's Whitehall was th... decisions about New Zealand's future were mac... Zealand was a relatively minor issue for the off... Zealand's neighbour. Its governors, merchants... in events across the Tasman.

As at date of publication  
Nov 2012 (Archive)

MCH, 2007a  
( Nation Dates  
FINAL

## New South Wales and New Zealand

New South Wales was founded as a penal colony in 1788. By the 1830s, Sydney was a large, bustling town and active trading post. Its merchant and commercial community had strong interests in the Pacific and New Zealand; whaling and sealing crews set sail from Sydney to New Zealand. Missionaries also made their way from there, including Samuel Marsden (known in New South Wales as the Flogging Parson), who arrived in the Bay of Islands in 1814.

The governors of New South Wales sometimes saw New Zealand as part of their unofficial sphere of influence. They were concerned about the activities of British subjects there and tried to regulate the inevitable problems between traders and Maori. The authority of the New South Wales courts was extended to New Zealand in some circumstances, and some missionaries and chiefs of the Bay of Islands were named as Justices of the Peace.

page 21

The New South Wales government also supported the efforts of British missionary organisations in New Zealand. The earliest and most important of these was the Anglican Church Missionary Society. Marsden preached the first sermon in New Zealand on Christmas Day 1814, and the first mission station was soon opened at Rangihoua.

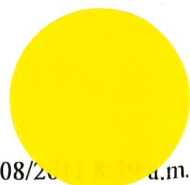
## An official presence

There were legal difficulties about extending the New South Wales courts to New Zealand. Some British subjects who took part in tribal warfare could escape prosecution in Sydney. The most notorious case was in 1830, involving Captain Stewart of the brig *Elizabeth*. He allowed the Ngati Toa chief Te Rauparaha and his allies to use his ship in an attack on Ngai Tahu, leaving about 300 killed and others enslaved.

This episode convinced the New South Wales government that a stronger official presence in New Zealand was needed. With the agreement of the British government, James Busby was appointed in 1832 as British Resident, equivalent to a consular officer. He arrived in New Zealand in May 1833. Busby's role was really to watch over British interests. It was an impossible task, with virtually no budget and no real authority; even the New South Wales government sometimes took action in New Zealand without consulting him. He rarely went far from the Bay of Islands and was on bad terms with New South Wales Governor Bourke and some missionaries. The Colonial Office in London looked forward to replacing him with somebody more able.

He was expected to apprehend criminals and escaped convicts and return them to New South Wales. He had no police or other resources except for periodic visits from a warship from the Sydney Royal Navy squadron. Maori society had its own systems of authority and regulation, but Busby was meant to organise these into a form that would be more recognisable to the British and encourage chiefs to make and enforce western-style laws.

In 1834 he invited northern chiefs to select a flag so that local ships could be clearly identified and trade. The Flag of the Independent Tribes of New Zealand was gazetted in Sydney in August 1835. Busby is best remembered for his role in the Declaration of Independence of New Zealand, which



MCH 2007

created what some people now consider a show of Maori unity.

---

How to cite this page: 'Governing New Zealand - background to the Treaty', URL: <http://www.nzhistory.net.nz/politics/treaty/background-to-the-treaty/governing-new-zealand>, (Ministry for Culture and Heritage), updated 17-Apr-2007