

IN THE WAITANGI TRIBUNAL

Wai 2500

CONCERNING

the Treaty of Waitangi Act 1975

AND

the Military Veterans Kaupapa
Inquiry

MEMORANDUM-DIRECTIONS OF CHIEF JUDGE W W ISAAC

1 September 2016

Introduction

1. This memorandum-directions addresses matters discussed at the Judicial Teleconference held with counsel on Wednesday 31 August 2016.

Waiouru hearing

2. Tom Bennion and Emma Whiley filed memoranda and an updated list of time indications for the Waiouru hearing prior to the teleconference. I note that the time indications now amount to 20 hours hearing time sought which counsel are optimistic will fit into the three hearing days allocated. Further arrangements were advised and agreed as follows:
 - a) The pōwhiri on Wednesday 26 October 2016 will commence at 8.00am to allow proceedings to begin at 9.00am; and
 - b) The hearing and hakari is to conclude by 3.30pm on Friday 28 October 2016 to enable the Tribunal and other parties to catch their respective flights.

Final filing date for claims seeking to participate in Wai 2500

3. I set the following filing dates in respect of the filing of new claims and amended claims seeking to participate in this inquiry:
 - a) Counsel and any unrepresented parties are to file any new claims or amended claims relating to veterans issues, together with submissions relating to the Tribunal's ability to inquire into these claims, **by 12pm, Friday 23 September 2016**;
 - b) Crown counsel are then to file their responses on the eligibility of these claims **by 12pm, Friday 30 September 2016**; and
 - c) The Tribunal will issue its final decision on the eligibility of the claims, along with a final list of all claims eligible to participate in this inquiry, **by Friday 7 October 2016**.
4. Mr Bennion raised a point that setting the filing date for claims in this way may cause some confusion over the right to be included in the Waiouru hearing week. To be clear, these dates relate to the filing of claims seeking to participate in this inquiry. The subsequent registration of a claim and acceptance for eligibility does not automatically grant leave to that claim to participate in the Waiouru hearing week. I consider the witness indication list filed by Mr Bennion and Ms Whiley on Wednesday 31 August 2016 to be the final list of witnesses for the Waiouru hearing week. Any further claims or witnesses that wish to be added to this hearing week will need to seek the leave of the Tribunal via written submissions.
5. The filing dates set above relate solely to the filing of new claims and amended claims adding veterans' issues seeking to participate in this inquiry. This does not apply to filing further amendments to claims that are granted leave to participate. Counsel and claimants will be advised of a filing date for final amended statements of claim after the research is complete.
6. The Tribunal will release a public notice in a nationwide newspaper, as well as on the Waitangi Tribunal website, notifying the final date for claims seeking to participate in Wai 2500 – The Military Veterans Kaupapa Inquiry.

Other matters

7. Claimant counsel, Moana Durie-Sinclair, made a request that other witnesses not seeking to present at the Waiouru hearing be afforded the opportunity to file evidence and have it taken as read.
8. The request is granted. Any claimants or witnesses wishing to file evidence and have it taken as read are to file **by 12pm, Monday 3 October 2016**, in accordance with the filing date set for briefs of evidence for the Waiouru oral hearing.

The Registrar is to send this direction to all those on the notification list for Wai 2500, the combined record of inquiry for the Military Veterans Kaupapa Inquiry.

DATED at Gisborne on this 1st day of September 2016.



Chief Judge W W Isaac
Presiding Officer

WAITANGI TRIBUNAL