Wai 898

IN THE WAITANGI TRIBUNAL

CONCERNING the Treaty of Waitangi Act 1975

AND the Te Rohe Pōtae District Inquiry (Wai 898)

MEMORANDUM-DIRECTIONS OF DEPUTY CHIEF JUDGE C L FOX CONFIRMING DISCUSSIONS AND DIRECTIONS AT JUDICIAL CONFERENCE

28 February 2018

Tēnā koutou,

1. Judicial Conference

1.1. On Monday 26 February 2018, I convened a judicial conference with parties to discuss the joint request from the Crown and the Maniapoto Māori Trust Board (MMTB) for early reporting on certain topics to assist settlement negotiations between Maniapoto and the Crown (Wai 898, #3.5.14). The judicial conference was also an opportunity to hear from parties on their own respective priorities for the report and how they would see this Tribunal proceeding in terms of releasing the report.

1.2. I advise at the outset that this Tribunal met in December 2017, prior to receiving the joint memorandum from the Crown and the MMTB, and discussed a plan to progress and release the report. This plan was reflected in a presentation at the conference on behalf of the Wai 898 Tribunal. I outline that plan below.

Report release timetable

1.3. The Tribunal will release Part 1 and 2 of the report in pre-publication format in August 2018. Parts 1 and 2 encompass chapters 1-9 of the report and cover the following topics and issues:

- The tribal landscape;
- Te Tiriti;
- Old Land claims;
- Pre-Native Land Court Crown purchasing;
- War and raupatu;
- Te Ōhākī Tapu;
- Native Land Court;
- Pre-emption era Crown purchasing; and

- The North Island main trunk line.

1.4. The Tribunal will release a further tranche of report chapters in pre-publication format in December 2018. The remaining chapters of the report will be released in 2019 with a timetable to be confirmed.

1.5. Parties present at the judicial conference were generally supportive of the plan and were pleased with the progress made on the report thus far.

1.6. I advised at the conference that I would be directing all parties to file further detailed submissions on priority topics for reporting.

1.7. Claimant counsel are to file full and comprehensive submissions **by 12pm, Wednesday 14 March 2018** on the following:

a) Responding to the plan for reporting as outlined above;

b) Detailed priorities for the report, including why they should be given priority; and

c) Any topics or issues they consider should be de-prioritised, or not given priority, and why.

1.8. Crown counsel and counsel for the MMTB are to respond to those submissions **by 12pm, Wednesday 28 March 2018.**

The Registrar is to send this direction to all those on the notification list for Wai 898, the combined record of inquiry for Te Rohe Pōtae District Inquiry.

DATED at Gisborne on this 28th day of February 2018.

Deputy Chief Judge C L Fox
Presiding Officer
WAITANGI TRIBUNAL