In the Waitangi Tribunal
Housing Policies and Services Kaupapa Inquiry

Wai 2750
Wai 58
Wai 972
Wai 1661
Wai 1670
Wai 1843
Wai 1940

In the Matter of the Treaty of Waitangi Act 1975

And

In the Matter of Housing Policies and Services Kaupapa Inquiry

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Memorandum of Counsel seeking extension to file amended Statements of Claim and Submissions

Dated 27 April 2018

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Waitangi Tribunal
27 April 2018
Ministry of Justice
WELLINGTON

Morrison Kent
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Wellington and Auckland

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May it please the Tribunal

1. This Memorandum of Counsel is filed on behalf of the following claimants:

   (a) Wai 58 – a claim by Patricia Jane Tauroa & the late Nuki Aldridge on behalf of Ngā Hapū o Whangaroa;

   (b) Wai 972 – a claim by Edward Penetito and others on behalf of themselves and the Kauwhata Treaty Claims Komiti and Nga Uri Tangata o Ngāti Kauwhata ki Te Tonga;

   (c) Wai 2389 – a claim by Tahua Murray, Rapine Hona, Charlie Hikuwai, Louis Hohaia, Mereihe Kool and Kawhena Paul on behalf of themselves and Ngati Ruamahue;

   (a) Wai 1661 – a claim by Moana Nui A Kiwa Wood, Waitangi Wood and Terry Smith on behalf of themselves and the descendants of Ngatirua ki Whangaroa;

   (b) Wai 1670 – a claim by Ricky Martin Houghton on behalf of Te Paatu and Te Uri o Ratima;

   (c) Wai 1843 – a claim by Terrence Tauroa on behalf of Te Aeto Hapu, as descendants of Te Puta and Taramainuku; and

   (d) Wai 1940 – a claim by Jane Mihingarangi Ruka Te Korako on behalf of the Grandmother Council of the Waitaha Nation, including the three hapu of Ngati Kurawaka, Ngati Rakaiwaka and Ngati Pakauwaka.

   ("The Claimants")

2. In his Memorandum of Directions dated 15 March 2018 (Wai 2750, #2.5.3) at paragraph 2(a), the Chairperson directed that Amended Statements of Claim for the claims participating in the Housing Kaupapa Inquiry (Wai 2750) should be filed by 11 May 2018.

3. The Chairperson also directed at paragraph 2(b) that Submissions addressing the eligibility of the claims to participate in the Housing

Kaupapa inquiry, accompanied by a bibliography of research ("Submissions") should be filed by 11 May 2018.

4. Counsel respectfully seek leave for an extension to file Amended Statements of Claim and Submissions in regard to the claims listed above for the Housing Kaupapa until **8 June 2018**, for the reasons set out below.

5. The Claimants are all heavily involved in the Te Paparahi o Te Raki district inquiry, which is in its final stages. Final submissions are due on 29 May 2018 for all of these claims except Wai 972 and the Claimants are busy working towards meeting this deadline.

6. The Claimants in Te Paparahi o Te Raki Inquiry are also involved in the Ngapuhi settlement process, which has proved time consuming and is still ongoing.

7. The Claimants involved in Te Paparahi o Te Raki inquiry are under a substantial amount of pressure, and it has become apparent that they will be prejudiced if they are not able to have more time to finalise the Amended Statements of Claim and Submissions for the Housing Kaupapa.

8. Given that the Claimants are actively involved in other inquiries, both district and kaupapa, Counsel propose **8 June 2018** as the date of the extension in order for the Claimants to fully consider their claims and particular issues for this inquiry. The Claimants do not want to risk overlooking anything in their Amended Statements of Claim and Submissions and want time to carefully consider the issues.

9. Wai 972 is the only claim not currently involved in Te Paparahi o Te Raki inquiry, but they are working towards particularising their claims for the Porirua ki Manawatu inquiry as well as being engaged in other kaupapa inquiries. They are also still involved in the Taihape inquiry and preparing for the presentation of their claim.

10. Counsel submit that little or no prejudice will be caused to any other party should the leave sought be granted.

Dr B D Gilling / C E Bulow
Counsel for the Claimants