

IN THE WAITANGI TRIBUNAL
KEI MUA I TE ROOPU WHAKAMANA I TE TIRITI O WAITANGI

WAI 2700
WAI 381

IN THE MATTER of the Treaty of Waitangi Act 1975

AND

IN THE MATTER of the Mana Wāhine Kaupapa Inquiry (Wai 2700)

AND

IN THE MATTER of a claim filed by **DAME ARETA KOOPU** on behalf of herself and on behalf of the Maori Women's Welfare League Incorporated and by **DAME WHINA COOPER, DAME MIRA SZASZY, DR ERIHAPETI MURCHIE, GEORGINA KIRBY, VIOLET POU, JUNE MARIU, HINE POTAKA, AROHA RERITI-CROFTS** (being past Presidents of the Māori Women's Welfare League) and on behalf of themselves and **RĪPEKA EVANS** of Ngāpuhi, Te Aupouri, Ngāti Kahu and Ngāti Porou for herself and on behalf of Māori women and by **MARY-JANE PAPAARANGI REID** of Te Rarawa and Te Aupouri for herself and on behalf of Māori women and by **DONNA AWATERE-HUATA** of Ngāti Whakaue and Ngāti Porou for herself and on behalf of Māori women and by **LADY ROSE HENARE** for herself and on behalf of Ngāti Hine and by **KATERINA HOTERENE** for herself and on behalf of Ngāti Hine and by **TEPARA MABEL WAITITI** for herself and on behalf of Ngāti Hine and by **KARE COOPER-TATE** for herself and on behalf of Ngāti Hine (Wai 381)

JOINT MEMORANDUM OF COUNSEL FOR THE WAI 381 CLAIMANTS

DATED this 18th day of March 2020



Presented for filing by:
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<p>RECEIVED Waitangi Tribunal</p>
<p>18 Mar 2020</p>
<p>Ministry of Justice WELLINGTON</p>

MAY IT PLEASE THE TRIBUNAL

1. This joint memorandum of counsel is filed with the support of the following Wai 381 claimants and their counsel:
 - a. Dame Areta Koopu, Te Mata Law;
 - b. Aroha Reriti-Crofts and the Maori Women’s Welfare League, Dixon & Co Lawyers;
 - c. Rīpeka Evans, Kāhui Legal;
 - d. Mary-Jane Papaarangi Reid, Kāhui Legal; and
 - e. Donna Awatere-Huata, Annette Sykes & Co.

2. This joint memorandum of counsel responds to the Memorandum-Directions of the Presiding Officer dated 17 February 2020¹ (“the directions”) directing parties to file memoranda addressing the issues set out at paragraph 6 of the directions by midday, Wednesday 18 March 2020.

Representation of the Māori Women’s Claim (Wai 381) – Paragraph 6(c)

3. The parties have committed to a collaborative approach to the progression of the Wai 381 claim, including the joint filing of memoranda, submissions and amended statements of claim.²

4. Counsel for the parties to this memorandum convened a teleconference to discuss the practicalities around joint filing, and the possible protocols to be followed in the event that parties are unable to reach agreement.

5. It was agreed that:
 - a. Counsel will coordinate to prepare documents to be signed and filed jointly by the parties. The parties will commit to attempting to reach consensus on all issues.

¹ Wai 2700, #2.5.13.

² Wai 2700, #3.1.169.

- b. In the case that unanimous agreement is unable to be achieved on a particular issue, the Tribunal will be informed of the majority position of the claimants.
- c. The claimants consider, however, that there is also scope within the approach for any dissenting views of claimants to be noted in memoranda and submissions to be filed. This to ensure that the documents being placed on the record are reflective of the positions of all parties to the Wai 381 claim.
- d. A memorandum of understanding between the parties is currently being developed which will outline agreed protocols and procedures for the progression of the Wai 381 claim in this inquiry. It is the intention of counsel to file this document with the Tribunal in advance of the judicial conference set down for 15 April 2020.

Other matters

- 6. On 16 March 2020, a memorandum of counsel was filed by Tukau Law on behalf of claimant counsel seeking an extension to Friday 20 March 2020 for the filing of a collective response to the directions.
- 7. Counsel for the Wai 381 claimants will continue to liaise with other claimant counsel with a view to provide a joint response to the balance of the issues to be addressed.

DATED this 18th day of March 2020



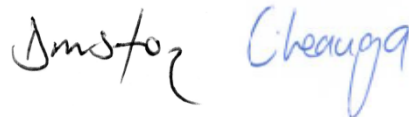
K Dixon / A Castle / A Herewini

Counsel for Aroha Reriti-Crofts and the
Māori Women's Welfare League



**N R Coates / P T Walker / T N Hauraki / J
E Judge**

Counsel for Rīpeka Evans and Mary-Jane
Papaarangi Reid



D Stone / C Leauga

Counsel for Dame Areta Koopu



A Sykes / J Bartlett / K Delamere-Ririnui

Counsel for Donna Awatere-Huata