

IN THE WAITANGI TRIBUNAL

WAI 2700
WAI 475
WAI 861
WAI 2854

AND

IN THE MATTER OF

the Treaty of Waitangi Act 1975

AND

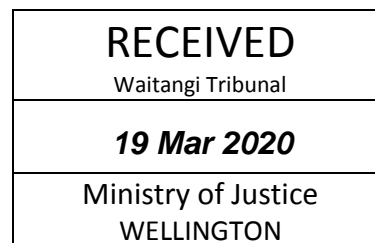
IN THE MATTER OF

the Mana Wāhine Kaupapa Inquiry

MEMORANDUM OF COUNSEL

Dated 19 March 2020

Counsel Acting:
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MAY IT PLEASE THE TRIBUNAL

1. This memorandum is filed in response to the memorandum of directions¹ dated 17 February 2020, in which counsel are directed to submit proposed updates, amendments, or omissions to the list of claims intending to participate in the inquiry. This memorandum relates to:
 - a. **Wanda Brljevich** on behalf of herself and for the benefit of her whanau and on behalf of her Iwi Ngāti Huarere ki Whangapoua (**Wai 475**);
 - b. a claim by the late Sir Graham Stanley Latimer (d), Tom Kahiti Murray, Richard John Nathan and the late Sir Hector Busby(d) for and on behalf of Mangakahia Hapū claims collective and Te Taitokerau District Māori Council (**Wai 861**);
 - c. a claim by **Sybil Maama Rikiti-Reihana** (nee Mikaere), William John Michael Rickitt and Stella Rickitt for and on behalf of themselves and the Rikiti/Rickitt whanau (**Wai 2854**).

(“the claimants”)

Claims intending participation

2. Appendix A to the directions² sets out a list of claims intending to participate in the Wai 2700 inquiry. The following claims have been omitted from Appendix A.

No	Wai no	claimants	Key themes
1	475	a claim by Wanda Brljevich on behalf of herself and for the benefit of her whanau and on behalf of her Iwi Ngāti Huarere ki Whangapoua	Failure to protect Māori women as purveyors of matauranga māori and individual properties in traditional fine arts
2	861	a claim by the late Sir Graham Stanley Latimer (d), Tom Kahiti Murray, Richard John Nathan and the late Sir Hector Busby(d) for and on behalf of Mangakahia Hapū claims collective and Te Taitokerau District Māori Council	Non recognition of wahine mana whenua
3	2854	a claim by Sybil Maama Rikiti-Reihana , William John Michael Rickitt and Stella Rickitt for and on behalf of themselves and the Rikiti/Rickitt whānau	Demise of the role of whāea rangatira and cultural inheritance

¹ Wai 2700, #2.5.13.

² Wai 2700, #2.5.13(a).

3. Overall, counsel submit that the claimants are eligible to participate in the Wai 2700 inquiry on the basis that:
 - a. the claimants are Māori;
 - b. the claims are contemporary in nature, of national significance, affecting Wāhine Māori;
 - c. the claims have not been inquired into as part of any district historical inquiry; and
 - d. the claims are not included in any settlement legislation.

4. For the avoidance of doubt, counsel confirm the claimants intend to participate in the Wai 2700 inquiry and accordingly seek leave for inclusion.

Wai 2493 - Correction

5. We note Appendix A incorrectly records entry number 72 as Wai 2493 brought by Iris Ward, Watson Irving for the descendants of Ngaone Te Tira and Rori Watene Land claim. Counsel act for the Wai 2493 claim brought by Rita Beckmannflay, concerning the Te Reo Māori on Legal Tender claim.

Views of how the inquiry should proceed

6. Counsel support the joint memorandum currently circulating among claimant counsel and awaits the final version following proposed amendments. The claimants accordingly reserve their position to make submissions, if any, on the final version of the Joint Memorandum of Counsel.

Dated this 19th day of March 2020 at Tāmaki Makaurau



Charl Hirschfeld /Barney Tūpara / Te Atairehia Thompson