APPENDIX "A"

PROPOSED CHANGES TO THE ALLEGED OVERLAPPING CLAIMS

Wai 1196

1. The Crown identified the Wai 1196 claim[1] as also being involved in the Wai 2575 Health Services and Outcomes Kaupapa Inquiry (the "Health Inquiry"). The Claimants propose to address these issues in the following ways:

   a. The negative statistics relating to Māori women's health at [104]-[110] will be removed and the Claimants intend to include these pleadings in their claim in the Health Inquiry;

   b. The reference to health and hygiene at [120] will be removed;

   c. The reference to mental health, substance abuse and poor health outcomes at [202] – [203] will be removed;

   d. The reference to poor health outcomes at [258(c)(v)] will be removed.

2. Although not identified by Crown counsel, the reference to poor health as a barrier to education at [132] will be removed.

Wai 1886

3. The Crown identified Wai 1886 claim[2] as also being involved in the Health Inquiry. The Claimants propose to address these issues in the following ways:

   a. The reference to health rights at [23] will be removed;

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[1] D Naden, S Roughton, N Pukepuke *Sixth Amended Statement of Claim for Wai 1196* dated 31 August 2018, Wai 1196, #1.1.1(g) – Please note that the Crown Eligibility Submissions cite Wai 1196 #1.1(k) as the source document, however Wai 1196 #1.1(g) is the latest Amended Statement of Claim filed for this claimant.
[2] D Naden, S Roughton, N Pukepuke *Second Amended Statement of Claim for Wai 1886* dated 31 August 2018, Wai 1886, #1.1.1(c).

b. The negative statistics relating to Māori women's health at [104] - [110] will be removed and the Claimants intend to include these pleadings in their claim in the Health Inquiry;

c. The reference to negative health outcomes at [118(f)] will be removed;

d. The health disparities listed at [206] - [212] will be removed and the Claimants intend to include these pleadings in their claim in the Health Inquiry;

e. The section relating to Menstruation, Birthing and Menopause at [213] – [223] is specific to women's health and is best heard in the context of women's issues. The Claimants wish to keep this issue in the Wai 2700 Inquiry. The Claimants have not raised this issue in the Health Inquiry;

f. The reference to health outcomes at [240(c)(v)] will be removed.

4. Although not identified by Crown counsel, the following changes will be made:

a. The reference to health and hygiene at [125] will be removed;

b. The reference to poor health as a barrier to education at [137] will be removed.

<u>Wai 2005</u>

5. The Crown identified Wai 2005 claim[3] as also being involved in the Health Services and Outcomes Kaupapa Inquiry. The Claimants propose to address these issues in the following ways:

a. The third cause of action relating to the Crown Failure to actively protect wāhine Māori in respect of their health at [81] – [92] will be

[3] S Loa, S Roughton *Fifth Amended Statement of Claim for Wai 2005* dated 19 August 2018, Wai 2005, #1.1.1(g).

removed and the Claimants intend to include these pleadings in their claim in the Health Inquiry ;

b. The reference to health outcomes at [114(c)(v)] will be removed.

6. Although not identified by Crown counsel, the reference to wāhine health at [71] will be removed.

Wai 2063

7. The Crown identified Wai 2063 claim[4] as also being involved in the Health Services and Outcomes Kaupapa Inquiry. The Claimants propose to address these issues in the following ways:

a. The reference to health rights at [23] will be removed;

b. The negative statistics relating to Māori women's health at [64] - [70] will be removed and the Claimants intend to include these pleadings in their claim in the Health Inquiry;

c. The section relating to the Tohunga Suppression Act at [73] – [77] relates directly to the erosion of the role of women in traditional Māori society and it therefore best heard in the context of women's issues. The Claimants wish to keep this issue in the Wai 2700 Inquiry. The Claimants have not raised this issue in the Health Inquiry;

d. The reference to mental health, substance abuse and poor health outcomes at [235] – [236] will be removed;

e. The reference to poor health outcomes at [278(c)(v)] will be removed.

8. Although not identified by Crown counsel, the following changes will be made:

[4] D Naden, S Roughton, K Deobhakta *Fourth Amended Statement of Claim for Wai 1886* dated 31 August 2018, Wai 2063, #1.1.1(e).

a. The reference to health and hygiene at [84] will be removed;

b. The reference to poor health as a barrier to education at [96] will be removed;

Wai 2382

9. The Crown identified Wai 2382 claim[5] as also being involved in the Health Services and Outcomes Kaupapa Inquiry. The Claimants propose to address these issues in the following ways:

a. The reference to health rights at [23] will be removed;

b. The negative statistics relating to Māori women's health at [104] - [110] will be removed and the Claimants intend to include these pleadings in their claim in the Health Inquiry;

c. The reference to health outcomes at [111(f)] will be removed;

d. The reference to mental health, substance abuse and poor health outcomes at [217] – [218] will be removed;

e. The section about treatment in the healthcare system at [302] – [308] will be removed and the Claimants intend to include these pleadings in their claim in the Health Inquiry;

f. The section relating to Menstruation, Birthing and Menopause at [309] – [314] is specific to women's health and is best heard in the context of women's issues. The Claimants wish to keep this section in the Wai 2700 Inquiry. The Claimants have not raised this issue in the Health Inquiry;

g. The reference to poor health outcomes at [315(c)(v)] will be removed.

[5] D Naden, S Roughton, H Walker *Fourth Amended Statement of Claim for Wai 2382* dated 31 August 2018, Wai 2382, #1.1.1(d).