

IN THE WAITANGI TRIBUNAL

Wai 2800

CONCERNING

the Treaty of Waitangi Act 1975

AND

the inquiry into Remaining
Historical Claims: Southern
North Island and South Island
Claims

**MEMORANDUM-DIRECTIONS OF CHIEF JUDGE ISAAC RELEASING FIVE
CLAIM ASSESSMENTS**

7 August 2022

Release of claim assessments

Procedural context

1. On 8 September 2018, I announced that a Tribunal standing panel would be appointed to inquire into certain claims that are not included in the recognised mandates of groups in Treaty settlement negotiations and have remaining historical grievances that have not previously been heard or settled and are not being heard in current Tribunal inquiries (Wai 2800, #2.5.1 at [1]).
2. Accordingly, I confirmed that the Wai 2800 standing panel would consider remaining historical claims in the southwestern North Island, the South Island and the Chatham Islands (to be known as Region 1), comprising the following inquiry districts (Wai 2800, #2.5.1 at [18]):
 - (a) Taranaki;
 - (b) Whanganui;
 - (c) Te Whanganui a Tara/Wellington;
 - (d) Te Tau Ihu/Northern South Island;
 - (e) Southern South Island; and
 - (f) Rēkohu/Chatham Islands.
3. I also outlined, under the fast-track process, the steps the Tribunal will take for each district (Wai 2800, #2.5.1(b)):
 - (a) Identify remaining claims with historical grievances that arise in the district and relate to issues heard in the preceding district inquiry;
 - (b) Consult with and confirm which claimants want the Tribunal to consider their claims;
 - (c) Resolve any jurisdictional matters affecting the Tribunal's ability to inquire into the claims;
 - (d) Commission an assessment of claim issue coverage in the evidential record of the preceding district inquiry and in the Tribunal report;
 - (e) In consultation with the claimants, determine:
 - which claims or parts of claims are ready to proceed;
 - what are the priority issues to be heard; and
 - which claims, if any, raise grievances not considered in the preceding inquiry;
 - (f) Commission any essential gap-filling research required;
 - (g) Hear any claimant and Crown evidence, any technical research, and submissions from the parties; and
 - (h) Complete short reports on the claims, either individually or jointly.

4. On 1 October 2018, I released preliminary lists of claims assessed by Tribunal staff as eligible and ineligible to participate in an inquiry into the remaining historical claims in the Southern North Island and South Island inquiry districts (Wai 2800, #2.5.2). Following consideration of party responses to this preliminary claims list, five claims have been included in the Wai 2800 inquiry (Wai 2800, #2.5.4, #2.5.5, #2.5.6 & #2.5.7).
5. In my memorandum-directions dated 29 March 2022, I informed parties that Tribunal staff were undertaking an assessment of the following five claims that have been included in the Wai 2800 inquiry (Wai 2800, #2.5.8):
 - (a) The Southern Forests (Wai 158) claim;
 - (b) Ngāti Rangatahi kei Rangitīkei (Wai 1623) claim;
 - (c) SILNA Estate Crown Forests Amendment Act 1992 (Te Aika) (Wai 2163) claim;
 - (d) Descendants of Priscilla Muriwai Dennison (Wai 2236) claim; and
 - (e) Geary Whānau Middle Island Half-Castes Crown Grants Act 1877 Lands (Wai 2324) claim.
6. I indicated that parties would be advised on next steps and further actions by the end of May 2022. On 26 May 2022, parties were informed via an email from the Tribunal's Registrar that the Wai 2800 panel were assessing the five claim assessments with the view that these will be released to parties for consideration.

Claim assessments

7. The five claim assessments have been placed on the record of inquiry as Wai 2800, #6.2.1, #6.2.2, #6.2.3, #6.2.4 & #6.2.5).
8. The purpose of the claim assessments is to summarise allegations made by the statements of claim and to assess Waitangi Tribunal reports and other relevant existing research. Where appropriate, the assessments indicate matters where clarification may be sought from the claimants (Wai 2800, #2.5.8).

Next steps

9. I now invite the claimants to submit their feedback on the claim assessments by **midday, Tuesday 20 September 2022**. The Crown is directed to submit in reply by **midday, Tuesday, 18 October 2022**.

The Registrar is to send this direction to all those on the notification list for Wai 2800, the Inquiry into Remaining Historical Claims: Southern North Island and South Island Claims.

DATED at Rarotonga this 7th day of August 2022



Chief Judge W W Isaac
Presiding Officer

WAITANGI TRIBUNAL