

**IN THE WAITANGI TRIBUNAL**  
**I TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI**

**Wai 3310**  
**Wai 2424**

**In the Matter** of the Treaty of Waitangi Act 1975

**And**

**In the Matter** of the Education Services and Outcomes  
Kaupapa Inquiry (Wai 3310)

**And**

**In the Matter** of a claim by Maiki Marks, on behalf of  
herself, Harry Mahanga and Kitty  
Mahanga-Nisbet (Wai 2424)

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**MEMORANDUM OF COUNSEL FILING FIRST AMENDED STATEMENT OF CLAIM AND  
SEEKING LEAVE TO PARTICIPATE IN THE EDUCATION KAUPAPA INQUIRY**

**Dated 11 DECEMBER 2023**

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**RECEIVED**

Waitangi Tribunal

**11 Dec 23**

Ministry of Justice  
WELLINGTON

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**Mahony Horner Lawyers**

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**MAY IT PLEASE THE TRIBUNAL**

1. This Memorandum of Counsel is filed on behalf of Wai 2424, a claim by Maiki Marks, on behalf of herself, Harry Mahanga, and Kitty Mahanga-Nisbet (**Claimant**).
2. Counsel enclose with this memorandum an amended Statement of Claim (**ASOC**) on behalf of the Claimant for inclusion in the Wai 3310: Education Services and Outcomes Kaupapa Inquiry (**Education Inquiry**) which has recently commenced.
3. The ASOC addresses contemporary grievances in relation to the kaupapa of education. The Wai 2424 Claimant participated in the Wai 1040: Te Paparahi o Te Raki District Inquiry (**Wai 1040 Inquiry**). However, the issues she is wishing to raise in the Education Inquiry are issues that have not been raised in the Wai 1040 Inquiry.
4. Counsel will address the eligibility of the Wai 2424 claim to participate in the Education Inquiry in due course. In the meantime, Counsel have sought aggregated status for the Wai 2424 claim to assist with the claim's participation in the Education Inquiry.
5. Counsel respectfully seek leave for the ASOC to be placed on the record of inquiry and for Counsel and Claimant to be notified of further progression in the Education Inquiry.

**Dated** at Wellington this 11<sup>th</sup> day of December 2023

  
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**Dr B D Gilling and R M A Soriano**  
**Counsel for Wai 2424**