

TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

Wai 3327

E PĀ ANA KI
CONCERNING

Te Tiriti o Waitangi 1975

Ā,

Te Reo in the Public Sector
Urgent Inquiry

AND

HE PĀNUI WHAKAHAU O TE KAIWHAKAWĀ WILLIAMS
MEMORANDUM-DIRECTIONS OF JUDGE WILLIAMS

15 Māehe 2024

Procedural history

1. On 1 March 2024, the Waitangi Tribunal Deputy Chairperson Judge Sarah Reeves granted the urgency applications concerning Crown actions or omissions relating to the use and status of te reo Māori in the public sector (Wai 3308, #2.5.10).
2. The urgent inquiry will be targeted and specific, and will focus on ‘whether the policies of the Coalition Government to limit the status and use of te reo Māori in the public sector are in breach of the principles of the Treaty of Waitangi’ (Wai 3308, #2.5.10 at [95]).
3. On 5 March 2024, the Waitangi Tribunal Chairperson Chief Judge Caren Fox appointed myself as Presiding Officer for the Te Reo in the Public Sector Urgent Inquiry (Wai 3327). Professor Tā Pou Temara, Professor Susy Frankel, Dr Hana O’Regan, and Dr Paul Hamer were also appointed as members of the Wai 3327 Tribunal panel (Wai 3327, #2.5.1).

Judicial conference

4. I intend to convene a judicial conference to discuss forward planning and next steps for the urgent inquiry.
5. The judicial conference will be held on Zoom on **Friday 5 April 2024**, commencing at **1pm**. An audio-visual link (AVL) will be provided for those who wish to participate.
6. Parties should confirm their intention to participate in the judicial conference via an e-mail to the Tribunal’s Registrar (WT.Registrar@justice.govt.nz) by **5pm, Friday 22 March 2024**.

Matters for discussion

7. I propose to address, and hear submissions, on the following matters:
 - (a) Hearing planning matters, including proposed hearing dates, the amount of hearing time required, hearing location preferences, and any specific hearing protocols or procedures.
 - (b) Whether a statement of issues is needed to refine the scope of the issues for inquiry. Should this be required, my preference would be for parties to confer and prepare an agreed draft statement of issues for the Tribunal’s consideration in the first instance.
 - (c) A proposed inquiry timetable outlining key inquiry dates and milestones (including deadlines for amending pleadings if required, and the filing of evidence and legal submissions).
 - (d) The extent to which any interested parties seek to participate in this inquiry.
 - (e) Updates on disclosure and discovery processes.
 - (f) Any further issues identified by or arising between the parties at this stage.
8. Parties are invited to file submissions on the matters from [7] above by **5pm, Wednesday 27 March 2024**. I encourage parties to confer and seek agreement on the above matters,

and file a joint memorandum articulating any shared positions where agreement is possible.

Disclosure of interest

9. I acted for Te Runanga a Iwi o Ngāti Kahu in the Waitangi Tribunal and Courts of civil jurisdiction for several years whilst in practice with Wackrow Williams & Davies Limited. Margaret Mutu on behalf of Te Rūnanga a Iwi o Ngāti Kahu and Ngāti Kahu iwi was granted interested party status in the urgency application.
10. I did not have any involvement with Professor Mutu or Te Runanga a Iwi o Ngāti Kahu when this matter came to the Tribunal as these are new issues raised after my appointment to the bench.
11. I do not consider this to raise any conflict of interest but disclose this connection to all parties. If any parties consider that there may be conflict, then they should file submissions on that issue by **5pm, Wednesday 27 March 2024** and be prepared to address them at the conference.

Me tuku atu te Kairēhita i tētehi kape o tēnei whakahau ki ērā ki te rārangi whakamōhio mō Wai 3327, Te Reo i te Kāwanatanga Ruku Tatari Ohotata.

The Registrar is to send a copy of this direction to all those on the distribution list for Wai 3327, the Te Reo in the Public Sector Urgent Inquiry.

WHAKAPŪMAUTIA ki Tāmaki Makaurau i te 15 o te Māehe i te tau 2024.



Kaiwhakawā Williams
Tumuaki Pakirehua

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