

IN THE WAITANGI TRIBUNAL

Wai 3300 **Wai 3316**
Wai 3317 **Wai 3318**
Wai 3319 **Wai 3320**
Wai 3321

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF Tomokia ngā tatau o Matangireia - the
Constitutional Kaupapa Inquiry (Wai
3300)

BY Jane Mihingarangi Ruka, on behalf of
the Grandmother Council of the
Waitaha Nation, including the three
hapu of Ngāti Kurawaka, Ngāti
Rakaiwaka, and Ngāti Pakauwaka

AND Continued...

**MEMORANDUM OF COUNSEL REQUESTING EXTENSION TO FILE
SUBMISSIONS IN REPLY TO CROWN RESPONSE SUBMISSIONS
DATED 15 JULY 2024**

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Counsel Assisting: Nicholas Johnson

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Waitangi Tribunal

16 Jul 24

Ministry of Justice
WELLINGTON

BY Apihaka Irene Tamati-Mullen Mack,
on behalf of herself, and Ngatiawa ki
Kapiti

AND

BY Louisa Te Matekino Collier, Rihari
Richard Takuira Dargaville, and
Joseph Kingi, on behalf of themselves,
and Ngāpuhi-nui-tonu

AND

BY Moerangi Potiki, on behalf of Te
Rūnanga o Ngāti Whakaue
Incorporated, for and on behalf of
Ngāti Whakaue ki Maketu Hapū

AND

BY Sailor Morgan and Frances Goulton, on
behalf of themselves, the Ngati
Ruamahue hapū, and Ngati Kahu ki
Whangaroa

AND

BY Daniel Watson and Tūwharerangi
Ruka, on behalf of the Grandfather
Council of the Waitaha Nation,
including the three hapū of Ngāti
Kurawaka, Ngāti Rakaiwaka, and
Ngāti Pakauwaka

MAY IT PLEASE THE TRIBUNAL:

- 1.** This Memorandum of Counsel (“MoC”):
 - a.** is filed for and on behalf of:
 - i.** Jane Mihingarangi Ruka, on behalf of the Waitaha Executive Grandmother Council, which includes the three hapu of Ngāti Kurawaka, Ngāti Rakaiwaka, and Ngāti Pakauwaka;
 - ii.** Apihaka Irene Tamati-Mullen Mack, on behalf of herself, and Ngatiawa ki Kapiti;
 - iii.** Louisa Te Matekino Collier, Rihari Richard Takuira Dargaville, and Joseph Kingi, on behalf of themselves, and Ngāpuhi-nui-tonu;
 - iv.** Moerangi Potiki, on behalf of Te Rūnanga o Ngāti Whakaue Incorporated, for and on behalf of Ngāti Whakaue ki Maketu Hapū;
 - v.** Sailor Morgan and Frances Goulton, on behalf of themselves, the Ngati Ruamahue hapū, and Ngati Kahu ki Whangaroa ; and
 - vi.** Daniel Watson and Tūwharerangi Ruka, on behalf of the Grandfather Council of the Waitaha Nation, including the three hapū of Ngāti Kurawaka, Ngāti Rakaiwaka, and Ngāti Pakauwaka (all together called “the Claimants”); and
 - b.** respectfully requests an extension to file reply submissions by Monday 29 July 2024.
- 2.** On 3 July 2024 the Tribunal directed the Crown to file closing submissions by 5 pm, Tuesday 9 July 2024, and for the claimants to file reply submissions by 5 pm, Monday 15 July 2024.¹
- 3.** The Claimants respectfully seek an extension of the filing deadline to 5 pm on 29 July 2024 for the following reasons:
 - a.** Ms. Jane Ruka, Claimant for the Waitaha Grandmother Council, and Mr. Tuwhareangi Ruka, have been occupied with nursing their dying sister,

¹ Wai 3300, #2.6.9.

who sadly passed away on Friday 12 July 2024. They have therefore not been able to engage with Counsel or the other Claimants to devise an appropriate collaborative response to the Crown submissions;

- b.** all of the Claimants have worked together collaboratively from the outset, and wish to continue to collaborate in relation to their reply submissions;
- c.** sufficient time needs to be afforded to Ms. and Mr. Ruka, to allow them and their whānau to grieve the recent loss of their dear sister; and
- d.** it seems highly unlikely that legislation will be rushed through the House after the next Cabinet Paper, and as such there is negligible risk of any prejudice to the parties.

4. The Claimants therefore respectfully seek an extension until 29 July 2024 to file reply submissions. Counsel and the Claimants sincerely apologise for any inconvenience caused as a result of any extension which may be granted.

Dated 15 July 2024



Janet Mason
Counsel Acting