

**KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA  
I TE TIRITI O WAITANGI**

**BEFORE THE WAITANGI TRIBUNAL**

**WAI 3300**

**IN THE MATTER OF** the Treaty of Waitangi Act 1975

**AND**

**IN THE MATTER OF** Tomokia ngā tatau o Matangireia - the  
Constitutional Kaupapa Inquiry

**MEMORANDUM OF COUNSEL FOR THE CROWN IN RESPONSE TO TRIBUNAL  
DIRECTION DATED 15 JULY 2024**

**19 July 2024**



**Te Tari Ture  
o te Karauna**  
Crown Law

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**Barrister instructed:**

Gregor Allan

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**RECEIVED**

Waitangi Tribunal

**19 Jul 24**

Ministry of Justice  
WELLINGTON

**MAY IT PLEASE THE TRIBUNAL**

1. This memorandum of counsel responds to the Tribunal's direction<sup>1</sup> that the Crown provide a list of constitutional experts it has considered approaching or engaging with during the development of the exposure draft of the proposed Bill.<sup>2</sup>
2. Counsel are instructed that:
  - 2.1 Ministry officials have compiled an initial non-exhaustive list of individuals identified as having expertise in New Zealand's constitutional arrangements. The list includes the following names:
    - Andrew Geddis
    - Ani Mikaere
    - Carwyn Jones
    - Christopher Finlayson
    - Claire Charters
    - Dean Knight
    - Geoffrey Palmer
    - Janet McLean
    - Linda Te Aho
    - Māmari Stephens
    - Natalie Coates
    - Paul McHugh
    - Paul Rishworth
    - Philip Joseph
  - 2.2 This initial list has been provided to the Associate Minister's office. No feedback on the list has been provided by the Associate

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<sup>1</sup> By email dated 15 July 2024.

<sup>2</sup> The evidence before the Tribunal showed that the Associate Minister of Justice had authorised officials to engage with constitutional experts during the development of an exposure draft of the Treaty Principles Bill: Wai 3300 #A7 and A23, 12 March 2024 briefing, at para 7.

Minister. In other words, the list is an initial Ministry of Justice list, which has not been endorsed or approved at Ministerial level.

19 July 2024



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L Theron / J Watson  
Counsel for the Crown

**TO:** The Registrar, Waitangi Tribunal

**AND TO:** Claimant Counsel