

**TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI**

Wai 2700

**E PĀ ANA KI***CONCERNING*

te Treaty of Waitangi Act 1975

**Ā,***AND*

te Mana Wāhine Kaupapa

Inquiry

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**HE PĀNUI WHAKAHAU O TE KAIWHAKAWĀ REEVES  
MEMORANDUM-DIRECTIONS OF JUDGE REEVES REGARDING  
PARTICIPATION IN THE MANA WĀHINE KAUPAPA INQUIRY**11 Hōngongoi 2024

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## **Hei tīmatanga kōrero / Introduction**

1. This memorandum-directions addresses several requests regarding participation in the Mana Wāhine (Wai 2700) kaupapa inquiry.

## **Kōrero whānui / Background**

2. On 7 December 2020, I indicated to parties that I will be taking a broad and inclusive approach to claim eligibility (Wai 2700, #2.5.36).
3. I identified the principal exclusions to claim eligibility are (Wai 2700, #2.5.24):
  - (a) claims that fall outside the scope of this inquiry (Wai 2700, #2.5.24(a));
  - (b) mana wāhine grievances that are included in historical claims fully addressed in one or more Treaty settlements with the Crown;
  - (c) claims with mana wāhine grievances that have been previously heard or reported on by the Tribunal; and
  - (d) claims whose remaining mana wāhine grievances have already been fully incorporated by Tribunal direction (consolidated) into Tribunal inquiries that are currently underway.

## **Claims seeking to participate in the Mana Wāhine kaupapa inquiry**

### *The Descendants of Priscilla Muriwai Dennison (Wai 2236) claim*

4. On 24 February 2023, the Tribunal received a memorandum of counsel on behalf of Wai 2236 seeking to participate in the Mana Wāhine inquiry (Wai 2700, #3.1.822).
5. Counsel notes that Wai 2236 is actively participating in three inquiries (Wai 2700, #3.1.822 at [4]):
  - (a) Wai 2800, the Inquiry into Remaining Historical Claims: Southern North Island and South Island Claims (Remaining Historical Claims inquiry);
  - (b) Wai 2750, the Housing Policy and Services kaupapa inquiry; and
  - (c) Wai 3060, Te Rau o te Tika – the Justice System inquiry.
6. Counsel seek leave for the Wai 2236 statement of claim to be aggregated into the Mana Wāhine inquiry and be granted the ability to participate as a full party in the inquiry. Counsel submits the claim is eligible to participate as the Wai 2236 statement of claim raises mana wāhine issues that are not a part of the succession to land claim being heard in the Remaining Historical Claims inquiry. Counsel further submits that these issues have not been heard by the Tribunal, are not consolidated into an inquiry and are not covered by any settlement with the Crown (Wai 2700, #3.1.822 at [5]–[7]).
7. Having considered the statement of claim and amendments currently registered for Wai 2236, I am not satisfied that the claim contains allegations that fall within the scope of this inquiry. The claim does not clearly set out any allegations concerning mana wāhine distinct from those being heard in the Remaining Historical Claims inquiry.
8. The Descendants of Priscilla Muriwai Dennison (Wai 2236) claim is therefore not eligible to participate in the Mana Wāhine kaupapa inquiry at this stage.

*The Mana Wāhine (Packer) (Wai 3289), the Mana Wāhine (Warren) (Wai 3290) and the Mana Wāhine (Waiomio) (Wai 3291) claims*

9. On 12 April 2023, the Tribunal received the following claims concerning mana wāhine:
  - (a) a claim by Nadia Packer on behalf of her whānau, hapū, iwi, whānau whānui and whāngai (Wai 3289, #1.1.1);
  - (b) a claim by April Warren on behalf of her whānau, hapū, iwi, whānau whānui and whāngai (Wai 3290, #1.1.1); and
  - (c) a claim by Angela Waiomio on behalf of her whānau, hapū, iwi, whānau whānui and whāngai (Wai 3291, #1.1.1).
10. These claims were accompanied by memoranda of counsel seeking leave to participate in the Mana Wāhine inquiry (Wai 2700, #3.1.826, #3.1.827 & #3.1.828). Counsel submits that Ms Packer and Ms Waiomio are wāhine Māori with lived experiences of the breaches of Te Tiriti o Waitangi for themselves and their whānau (Wai 2700, #3.1.826 at [3] & #3.1.828 at [3]). Ms Warren is Māori who has experiences of systemic racism within her life (Wai 2700, #3.1.827 at [3]).
11. These three claims contain allegations that are contemporary in nature and fall within the scope of this inquiry. I am satisfied that none of the principal exclusions listed at [3] above apply to the Wai 3289, Wai 3290 and Wai 3291 claims.
12. I confirm that the Mana Wāhine (Packer) (Wai 3289), the Mana Wāhine (Warren) (Wai 3290) and the Mana Wāhine (Waiomio) (Wai 3291) claims are eligible to participate in the Mana Wāhine kaupapa inquiry.

*The Mana Wāhine (Rigby) (Wai 3292) claim*

13. On 26 May 2023, the Tribunal received a claim by Anahera Rigby on behalf of her whānau, hapū, iwi, whānau whānui and whāngai. Anahera is a wāhine Māori with distinct experiences of racism and failings of the Crown to actively protect herself or her whānau (Wai 3292, #1.1.1).
14. The claim was accompanied by a memorandum of counsel seeking to participate in the Mana Wāhine inquiry (Wai 2700, #3.1.829).
15. This claim contains allegations that are contemporary in nature and fall within the scope of this inquiry. I am satisfied that none of the principal exclusions listed at [3] above apply to the Wai 3292 claim.
16. I confirm that the Mana Wāhine (Rigby) (Wai 3292) claim is eligible to participate in the Mana Wāhine kaupapa inquiry.

*The Mana Wāhine (DT) (Wai 3293) claim*

17. On 14 March 2023, the Tribunal received a claim by DT on behalf of their whānau, hapū, iwi, whānau whānui and whāngai. DT has lived experiences within a broken system of care that has no policies, systems or strategies designed for women and believes that their experiences would be relevant and useful in the Mana Wāhine inquiry (Wai 3293, #1.1.1(a)).
18. The claim was accompanied by a memorandum of counsel seeking leave to participate in the Mana Wāhine inquiry and to be heard confidentially due to the vast trauma the claimant have experienced as a mana wāhine (Wai 2700, #3.1.830(a)).

19. The claim contains allegations that are contemporary in nature and fall within the scope of this inquiry. I am satisfied that none of the principal exclusions listed at [3] above apply to Wai 3293.
20. I confirm that the Mana Wāhine (DT) (Wai 3293) claim is eligible to participate in the Mana Wāhine kaupapa inquiry.

*The Ngā Kairauhii Nannies against P (Wai 2655) claim*

21. On 25 August 2023, the Tribunal received a memorandum of counsel on behalf of the Ngā Kairauhii Nannies against P (Wai 2655) claim seeking leave to file an amended statement of claim within the Mana Wāhine inquiry. The claimants are participating in the Health Services and Outcomes (Wai 2750) kaupapa inquiry and after a hui on 17 August 2023, have decided to seek to participate in the Justice System, Housing and Mana Wāhine kaupapa inquiries (Wai 2700, #3.1.819 & #3.1.819(a)).
22. On 22 November 2023, the Tribunal received an amended statement of claim for Wai 2655 concerning mana wāhine and the lack of Crown support for the kuia of marae whose communities struggle with methamphetamine addiction (Wai 2655, #1.1.1(c)). The accompanying memorandum seeks leave to participate in the Mana Wāhine inquiry (Wai 2700, #3.1.820). Counsel later followed up on this request (Wai 2700, #3.1.821).
23. The claim contains allegations that are contemporary in nature and fall within the scope of this inquiry. I am satisfied that none of the principal exclusions listed at [3] above apply to Wai 2655.
24. I confirm that the Ngā Kairauhii Nannies against P (Wai 2655) claim is eligible to participate in the Mana Wāhine kaupapa inquiry.

*The Moetara Uri (Wai 2354) claim*

25. On 19 August 2020, the Moetara Uri (Wai 2354) claim sought to participate in the Mana Wāhine inquiry, submitting that the principal exclusions did not apply to the claim (Wai 2700, #3.1.249). An amended statement of claim was also filed, however, it could not be registered at this stage.
26. On 23 December 2020, I informed parties that due to administrative matters, the Wai 2354 amended statement of claim could not be registered. If matters progressed such that the amendment could be registered, I indicated that it was likely that the claim would be eligible to participate in the Mana Wāhine inquiry (Wai 2700, #2.5.39 at [11]–[12]).
27. On 2 July 2021, the amended statement of claim for Wai 2354 adding further allegations to the claim concerning wāhine and tamariki Māori was refiled (Wai 2354, #1.1.1(c)). The amendment was registered on 22 July 2021 (Wai 2354, #2.2.3).
28. On 21 September 2021, counsel for Wai 2354 filed a memorandum seeking to change the claim's consolidated status in Wai 1040, the Te Paparahi o Te Raki inquiry (Wai 1040, #3.4.38). The Presiding Officer Judge Coxhead directed for the claim's status to be changed to aggregated on 15 July 2022 (Wai 1040, #2.7.34 at [19]).
29. On 7 March 2024, the Tribunal received a memorandum of counsel for Wai 2354 seeking leave to participate in the Mana Wāhine Inquiry, noting that the claim is no longer consolidated in the Te Paparahi o Te Raki inquiry (Wai 2700, #3.1.824).
30. The claim now contains allegations that are contemporary in nature and fall within the scope of this inquiry. I am satisfied that none of the principal exclusions listed at [3] above

apply to Wai 2354 and there are no longer administrative matters affecting the claim's eligibility to participate.

31. I confirm that the Moetara Uri (Wai 2354) claim is now eligible to participate in the Mana Wāhine kaupapa inquiry.

*The Mana Wāhine (Tutai) (Wai 3376), the Mana Wāhine (Te Ahuriri) (Wai 3377) and the Mana Wāhine (Kurarangi) (Wai 3378) claims*

32. The Tribunal also received the following claims concerning mana wāhine:

- (a) a claim by Regina Tutai on behalf of her whānau, hapū, iwi, whānau whānui and whāngai, received 21 March 2024 (Wai 3376, #1.1.1);
- (b) a claim by Te Ahuriri on behalf of her whānau, hapū, iwi, whānau whānui and whāngai, received 25 March 2024 (Wai 3377, #1.1.1); and
- (c) a claim by Cherie Kurarangi on behalf of her whānau, hapū, iwi, whānau whānui and whāngai, received 16 April 2024 (Wai 3378, #1.1.1).

33. Counsel submits that Ms Tutai has experienced prejudice from Crown failures that has affected her mana as a wāhine and seeks change for her tamariki and mokopuna (Wai 3376, #1.1.1 at [4]). Ms Te Ahuriri has lived experiences of a prejudiced system and her ability to exercise tino rangatiratanga and maintain tikanga Māori regarding her identity has been extinguished (Wai 3377, #1.1.1 at [3]–[4]). Counsel also submits that Ms Kurarangi has relevant experiences within a broken system which has detrimentally affected herself, her siblings, her parents and her wider whānau (Wai 3378, #1.1.1 at [7]–[8]).

34. These claims were accompanied by memoranda of counsel that accordingly seek leave to participate in the Mana Wāhine inquiry (Wai 2700, #3.1.816, #3.1.817 & #3.1.818).

35. The claims contain allegations that are contemporary in nature and fall within the scope of this inquiry. I am satisfied that none of the principal exclusions listed at [3] above apply to Wai 3376, Wai 3377 and Wai 3378.

36. I confirm that the Mana Wāhine (Tutai) (Wai 3376), the Mana Wāhine (Te Ahuriri) (Wai 3377) and the Mana Wāhine (Kurarangi) (Wai 3378) claims are now eligible to participate in the Mana Wāhine kaupapa inquiry.

### **Claim seeking to withdraw from the Mana Wāhine kaupapa inquiry**

*The Descendants of Hineato Savage (Wai 1789) claim*

37. On 21 September 2018, the Descendants of Hineato Savage (Wai 1789) claim filed an amended statement of claim containing allegations concerning mana wāhine. Wai 1789 was granted leave to participate in the Mana Wāhine inquiry on 23 December 2020 (Wai 2700, #2.5.39 & #2.5.39(a)).

38. On 13 April 2023, the Tribunal received a memorandum of counsel seeking to withdraw Wai 1789 from the inquiry. Counsel was instructed by the named claimant Bella Savage to seek leave to withdraw (Wai 2700, #3.1.823).

39. Accordingly, I grant leave for the Descendants of Hineato Savage (Wai 1789) claim to withdraw from the Mana Wāhine kaupapa inquiry.

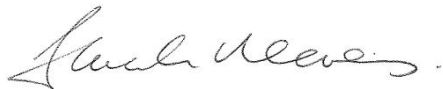
*The Wāhine Addiction (Waihi) (Wai 2829) claim*

40. On 21 September 2018, the Tribunal received a statement of claim on behalf of Roimata Waihi concerning the disproportionately negative impacts on wāhine Māori from harm caused by addictions, especially those living in Tairāwhiti (Wai 2829, #1.1.1). The accompanying memorandum sought inclusion in the Mana Wāhine inquiry, which was subsequently granted on 23 December 2020 (Wai 2829, #3.1.1 & Wai 2700, #2.5.39 & #2.5.39(a)).
41. On 2 May 2024, the Tribunal received a memorandum of counsel on behalf of Wai 2829 advising that the named claimant had passed away and counsel have no instructions from any whānau who seek to take over the claim. Counsel therefore seek leave to withdraw Wai 2829 from the Mana Wāhine Inquiry (Wai 2829, #3.1.825).
42. As counsel have no further instructions following Ms Waihi's passing, I grant leave for the Wāhine Addiction (Waihi) (Wai 2829) claim to withdraw from the Mana Wāhine kaupapa inquiry.
43. An updated list of eligible claims in this inquiry is attached as **Appendix A**.

Me tuku atu te Kairēhita i tētehi kape o tēnei whakahau ki ērā ki te rārangi whakamōhio mō Wai 2700, te Mana Wāhine Kaupapa Inquiry.

*The Registrar is to send a copy of this direction to all those on the notification list for Wai 2700, the Mana Wāhine Kaupapa Inquiry.*

**WHAKAPŪMAUTIA** ki Te Whanganui a Tara i te 11 o te Hōngongoi 2024



Kaiwhakawā Reeves  
Tumuaki Pakirehua

**TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI**