

**IN THE WAITANGI TRIBUNAL**

Wai 2575

**CONCERNING**

the Treaty of Waitangi Act 1975

**AND**

the Health Services and  
Outcomes Kaupapa Inquiry

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**MEMORANDUM-DIRECTIONS OF JUDGE D STONE**  
**CONFIRMING ARRANGEMENTS FOR THE HEARING OF CLOSING**  
**SUMBISSIONS AND REPLY SUBMISSIONS**

13 Noema 2024

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## Purpose

1. This memorandum-directions confirms arrangements for the hearing of closing submissions for the disability phase of stage two of the Health Services and Outcomes Kaupapa Inquiry (Wai 2575) (disability inquiry), scheduled for 2 – 6 December 2024.
2. In particular, I confirm:
  - (a) accessibility arrangements for this hearing;
  - (b) the venue for the final day of hearing (6 December 2024), in light of unforeseen developments; and
  - (c) a request that the closing submissions of the Medical Practitioners Racial Prejudice (Wai 2682) claim be taken as read.
3. I also address a request from claimant counsel to file written reply submissions.

## Arrangements for closing submissions

### *Procedural background*

4. On 9 September 2024, I confirmed that the venue for the hearing of closing submissions would be **Te Rauparaha Arena, 17 Parumoana Street, Porirua City Centre, Porirua 5022** (Wai 2575, #2.6.187).
5. I further noted that parties were directed to file any further accessibility requirements by 23 September 2024, and requested that counsel also provide indications of Taangata Whaikaha attendance at this time, so the Tribunal could ensure suitable arrangements were made (Wai 2575, #2.6.187 at [8]).
6. On 23 September 2024, the Tribunal received memoranda from:
  - (a) Counsel for the Ngati Kapo (Tibble) (Wai 2109) claim, who indicated that a number of kaapoo Maaori will attend for the presentation of the Wai 2109 closing submissions and provided a number of additional accessibility requirements for those attending (Wai 2575, #3.2.1177).
  - (b) Counsel for the Crown, who noted that officials expected to attend the hearing would include taangata turi, as well as a power wheelchair user (Wai 2575, #3.2.1178).
7. The Tribunal has since been made aware that Te Rauparaha Arena is no longer able to host the final day of the hearing of closing submissions on 6 December 2024.

### *Accessibility arrangements*

8. I confirm that Te Rauparaha Arena is able to meet the accessibility needs sought at [5] above.
9. I further confirm that the following New Zealand Sign Language (NZSL) interpreters will service the upcoming hearing:
  - (a) Alan Wendt;
  - (b) Laura Cherrington; and
  - (c) Rangī Musgrave.

10. Tribunal staff are working to confirm additional NZSL interpreters on the days taangata turi are expected to appear in person.
11. As with previous hearings, I also confirm two audio-describers from Audio-Described Aotearoa Ltd and a live captioner from CaptionsLIVE will service the hearing remotely.

*Venue for final day of hearing*

12. To ensure that the full five days of hearing are able to take place, and there is no impact on hearing time the Tribunal will hear the final day of closing submissions at the **Tribunal Offices, Level 2, Fujitsu Tower, 141 The Terrace, Wellington Central, 6011**. As parties will recall, this Tribunal has previously held hearing six of the disability inquiry in its offices.
13. However, I am cognisant that the Tribunal's offices have significantly less space than the Te Rauparaha Arena, and that this venue change may create accessibility challenges for our taangata whaikaha attendees. As such, parties should confirm in their RSVP email due by **5pm, Monday 18 November 2024** whether they seek to attend the final day of hearing (6 December 2024) in person or remotely via audio-visual link.
14. Parties seeking to attend in person should also indicate any accessibility requirements for the final day of hearing via memorandum by **5pm, Monday 18 November 2024**.

*Wai 2682 request to take closing submissions as read*

15. On 4 November 2024, counsel for the Medical Practitioners Racial Prejudice (Wai 2682) claim filed a memorandum seeking that the Wai 2682 closing submissions be taken as read (Wai 2575, #3.2.1213).
16. Counsel is mindful of the time pressures for the hearing of closing submissions and seek leave on this basis. Counsel also state that the Wai 2686 closing submissions (Wai 2575, #3.3.116) speak for themselves and there is nothing further to add to the record.
17. I grant the leave sought. If the Crown or Tribunal have any questions in relation to these closing submissions, a process for this will be confirmed following the closing submissions hearing.

**Reply submissions**

18. On 1 November 2024, co-ordinating counsel filed a memorandum seeking leave to provide written submissions in response to the Crown's closing submissions (Wai 2575, #3.2.1212). A list of counsel in support is provided as appendix A (Wai 2575, #3.2.1212(a)).
19. Claimant counsel signal that they have conferred on a possible date for filing reply submissions and propose 31 January 2025.

20. I grant leave for written reply submissions to be filed, and direct that these should be filed by **5pm, Friday 31 January 2025**.

The Registrar is to send this direction to all those on the notification list for Wai 2575, the Health Services and Outcomes Kaupapa Inquiry.

**I HAINATIA** i Te Whanganui-aa-Tara i te 13 o ngaa raa o Noema 2024.

A handwritten signature in black ink, appearing to read 'Damian Stone', with a long horizontal stroke extending to the right.

Judge Damian Stone  
Presiding Officer

**WAITANGI TRIBUNAL**