



Waitangi Tribunal

Hearing 11 (closing submissions) of the disability phase of stage two of the Health Services and Outcomes Kaupapa Inquiry (Wai 2575)

Wednesday 27 November 2024

PAANUI

Pursuant to sections G26–G27 of the Waitangi Tribunal's Accessibility Inquiry Protocol for Phase One of Stage Two of the Health Services and Outcomes Kaupapa Inquiry (the accessibility protocol), this paanui sets out key information for inquiry participants prior to Crown hearing two of the disability phase of the stage two inquiry.

CLAIMS

Closing submissions for the following claims will be heard:



1. Ngaati Kapo (Tibble) claim (Wai 2109)
2. The National Hauora Coalition claim (Wai 2943)
3. Ngaati Korokoro, Ngaati Wharara and Te Pouka (Turner and Others) Resource Management claim (Wai 2003)
4. The Health and Support Services (Hakaraia-Tino) claim (Wai 3212)
5. The Alcohol Healthcare claim (Wai 2624)
6. The Healthcare of Disabled Maaori claim (Wai 2672)
7. The Health Services and Outcomes (Raukawa-Tait) claim (Wai 3216)
8. Effects of Colonisation (McLaughlin) claim (Wai 2123)
9. Waimiha River Eel Fisheries (King Country) claim (Wai 762)
10. Land Alienation and Wards of the State (Harris) claim (Wai 1531)
11. Ngaati Tara (Gabel) claim (Wai 1886)
12. Te Mahurehure (Egen) Lands claim (Wai 2005)
13. The Housing (Wikotu) claim (Wai 2743)
14. The Disability and Rehabilitation Support Services (Kingi) claim (Wai 2894)
15. The Māori Disability claim (Wai 2619)
16. The Taylor Alexander Curd ACC claim (Wai 3069)
17. Whirinaki Lands and Waters (Hokianga) claim (Wai 700)
18. Descendants of Turongo (Native Lands Act) claim (Wai 1589)
19. Racism against Maaori claim (Wai 2494)
20. Maaori Nurses claim (Wai 2713)
21. The Mental Health Services (Campbell) claim (Wai 2728)
22. Ngaati Rehia Hapu claim (Wai 1341)
23. The Health Services and Outcomes (Te Puna Ora o Mataatua) claim (Wai 2912)
24. The Te Roopu Taurima claim (Wai 2734)
25. The Maaori Stroke Sufferers claim (Wai 2736)
26. Ngai Tamahaua (Biddle) claim (Wai 1781)
27. The Health Services and Outcomes (Grant-Mackie) claim (Wai 3243)
28. Te Paatu Land & Resources claim (Wai 1176)
29. The Health Services and Outcomes (Moxon) claim (Wai 2910)
30. The National Hauora Coalition claim (Wai 2943)



31. The Te Roopu Waiora Trust claim (Wai 3073)
32. Muaupoko Lands & Resources (Greenland) claim (Wai 2139)
33. New Zealand Māori Council Health claim (Wai 2623)
34. Health Services (Tamihere) claim (Wai 2720)
35. Health Services and Outcomes (Lawrence) claim (Wai 2849)
36. ACC Service Delivery claim (Wai 2704)
37. Ngati Rangitihi Inland & Coastal Land Blocks claim (Wai 996)
38. Maori Affairs Act and Burials and Cremations Act claim (Wai 179)
39. The Health Services and Outcomes (Ngai Tai, Ririwhenua) claim (Wai 3117)
40. The Māori Health (New Zealand Māori Council) claim (Wai 2644)
41. Ngati Hine Lands, Forests and Resources claim (Wai 682)
42. Te Kapotai and Ngati Pare Hapu claim (Wai 1464/1564)
43. The Crown

DATES

Crown hearing two will be held from **Monday 2 to Friday 6 December 2024**. The hearing will run from 9:45am to 5:00pm Monday to Thursday, and from 8:45am to 4:30pm on Friday. The hearing will start with a mihi whakatau from 9:45am to 10:45am on the Monday.

VENUE

Hearing 11 will be held in person. From Monday 2 to Thursday 5 December 2024 the hearing will be held at **Te Rauparaha Arena, Porirua**. On Friday 6 December 2024, the hearing will be at the **Waitangi Tribunal's offices, Level 2, Fujitsu Tower, 141 The Terrace, Wellington**. Diagrams of the venues are attached at **Appendix A**.

The venue will be open prior to hearing each day from 9am (and from 8am on Friday) for inquiry participants to familiarise themselves with the venue and available facilities. There will also be seating reserved for Taangata Turi where New Zealand Sign Language (NZSL) interpreters and speakers are clearly visible. It would be helpful if seating in the hearing room could be prioritised for Taangata Whaikaha.



In the event of emergency at Te Rauparaha Arena:

In the event of an evacuation, the assembly point is at the rear car park located at the south end of the Arena nearest Lyttelton Avenue (opposite the old Police Station building). Go out the doors to our hearing room and turn right.

All Arena staff are fully trained for any emergency, so please follow their instructions. They will also assist anyone with accessibility requirements.

In the event of emergency at the Tribunal offices:

In the event of an evacuation, emergency exits are located next to the Level 2 bathrooms, or to your left as you exit the elevator. Those who are able to evacuate by themselves or with the help of a support person should descend to the ground floor, turn right to walk down Cable Car Lane, and assemble at the evacuation assembly points located just outside LuluLemon or James Cook Arcade. This ensures that building entry is kept clear for emergency services.

Those who need assistance evacuating should wait in the stairwell. This is a fire rated safe space.



LOG-IN INSTRUCTIONS FOR ZOOM

Some parties will appear remotely via Zoom video conferencing. The Zoom log-in details for hearing 11 will be shared on **Friday 29 November 2024**. The YouTube livestream links for the hearing will also be distributed by Tribunal staff on this day.

Joining the hearing via the Zoom meeting link

1. Open the Zoom Meeting by either **clicking** the link or by **copying** the link to an internet web browser.
2. You will be prompted to enter your display name. Type in your full name and law firm in the box provided.
3. Please ensure that you have unselected **'Do not connect to audio'** and **'Turn off my video'** to allow audio and video connection before clicking 'join'.
4. Click **'Join'**.

Joining the hearing via the Zoom application

1. Open the **Zoom** app and click **'Join'**.
2. You will be prompted to enter the Meeting ID and your display name.
 - a. Type in the Meeting ID in the box provided.
 - b. Type in your full name in the box provided.
3. Please ensure that you have unselected **'Do not connect to audio'** and **'Turn off my video'** to allow audio and video connection before clicking 'join'.
4. Click **'Join'**.

Technical issues and difficulties

Parties who wish to conduct AVL checks or resolve log-in issues may do so before each hearing day commences, between 8:30am to 9:30am.

There will also be a **virtual waiting room** for witnesses to enter prior to their scheduled presentation if appearing remotely. A designated technical support person will be assigned to the virtual room to assist with any troubleshooting.

For any log-in or AVL issues that may arise during the hearing, please contact Assistant Registrar **Meg Russell** (Meg.Russell@justice.govt.nz).



ACCESSIBILITY SUPPORTS

Translations of key documents into alternate formats

Opening submissions and briefs of evidence have been translated to the following alternative accessible formats:

- NZSL video
- Large Print
- CD Audio
- Braille

NZSL interpretation, live captioning and audio description

NZSL interpretation, live captioning and audio description will be available during the hearing. **NZSL interpretation** and **live captioning** will be visible on both Zoom and the primary YouTube livestream. **Audio description** will be provided via a second YouTube livestream.

The NZSL interpreters for hearing 11 are:

- (a) Alan Wendt;
- (b) Laura Cherrington;
- (c) Francesca Collins
- (d) Rosita Rapihana;
- (e) Rangī Musgrave; and
- (f) Rosie Henley.

Hearing assistance

2.4Ghz encrypted signal wireless headsets will also be available for use to assist with hearing. These will also connect to audio description.



ACCESSIBILITY AWARENESS GUIDE

Presenters and speakers

1. To assist kaapoo Maaori and interpreters, each speaker should begin their presentations by clearly identifying themselves.
2. Each speaker should state their name each time they begin talking.
3. To assist interpreters and live captioners, please speak clearly and at a moderate pace, taking short and natural pauses.
4. Only one speaker should speak at a time.
5. Ensure oral descriptions are given for any visual aids or PowerPoint presentations.
6. Those participating via Zoom should label their video with their name and role within the inquiry (e.g., Judge Stone – Presiding Officer). Participants sharing their screen with two or more people should identify each person in the naming function for their video.

Interactions with kaapoo

7. When talking to a kaapoo, speak to them and not their guide, and always identify yourself. Additionally, do not touch a kaapoo person unless you ask first and have been given permission to do so.
8. Do not be afraid to ask a kaapoo person if they require assistance. When guiding a kaapoo person, ask them what their preferences are and inform them of any hazards, for example if going up steps advise how many and the gradient.
9. Should a kaapoo person arrive without a sighted guide, introduce yourself and contact someone to collect or guide them to a meeting room if you are unable to assist.
10. It is fine to ask a kaapoo person what their level of vision is.

Interactions with taangata turi

11. Before approaching, maintain eye contact or wave. If this is not possible, tap on the upper arm or shoulder.
12. When talking, maintain eye contact by speaking directly to the person and not to their interpreter.
13. Be aware that during conversations with taangata turi, the main conversation partner is not the interpreter. Therefore, please address and speak directly to the



person, as the interpreter will sign/speak in the first person when relaying what each person is saying to the other.

Guide dogs

14. Guide dogs should not be addressed or touched when in their harness.
15. If the handler and the dog are stationary, ask the handler whether it is appropriate to engage with and pat the guide dog.
16. Do not direct the guide dog unless asked to by the handler.
17. Guide dogs should not be given food.
18. The handler should be asked before giving water to the guide dog.

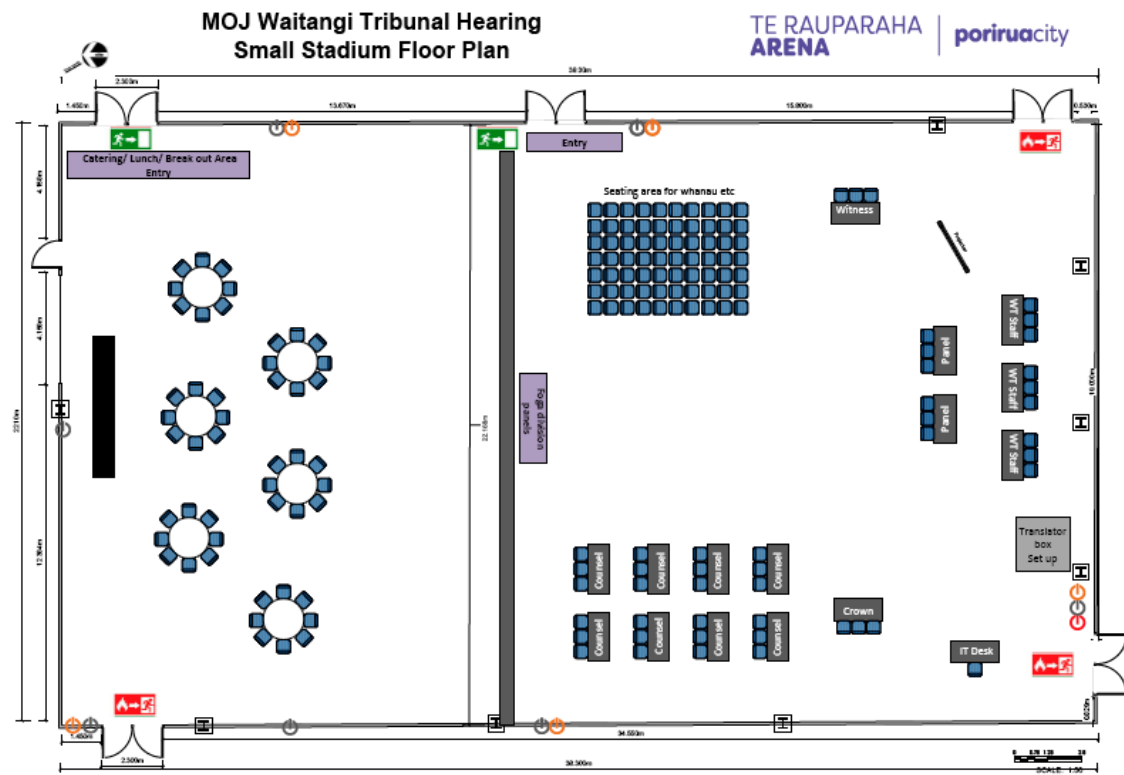
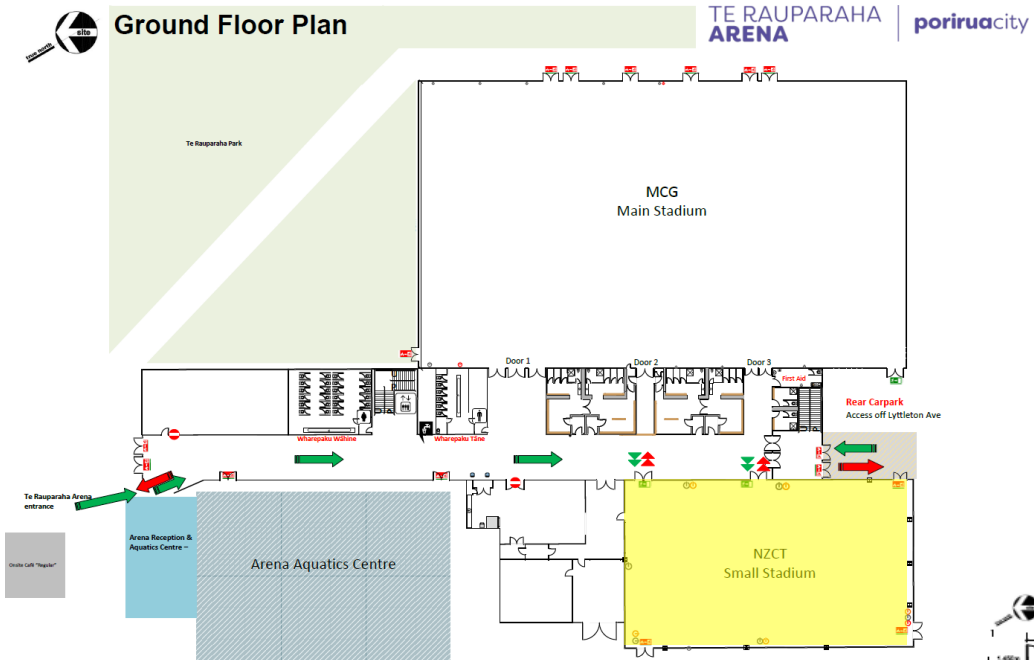
Catering

19. Kaapoo Maaori have different accessibility needs for catering. In relation to catering:
 - (a) Ask the person whether they would like anything to eat or drink.
 - (b) Explain the food and beverage options available.
 - (c) Ask the person whether they want to get the food with your help.
 - (d) Advise what food is on their plate.
 - (e) Put sauces on the side of the plate.
 - (f) For beverages, explain what the beverage is, ask the person where they want the beverage placed before doing so and, if they ask, guide their hand to the cup. Also advise where they should place the empty cup when they are finished.

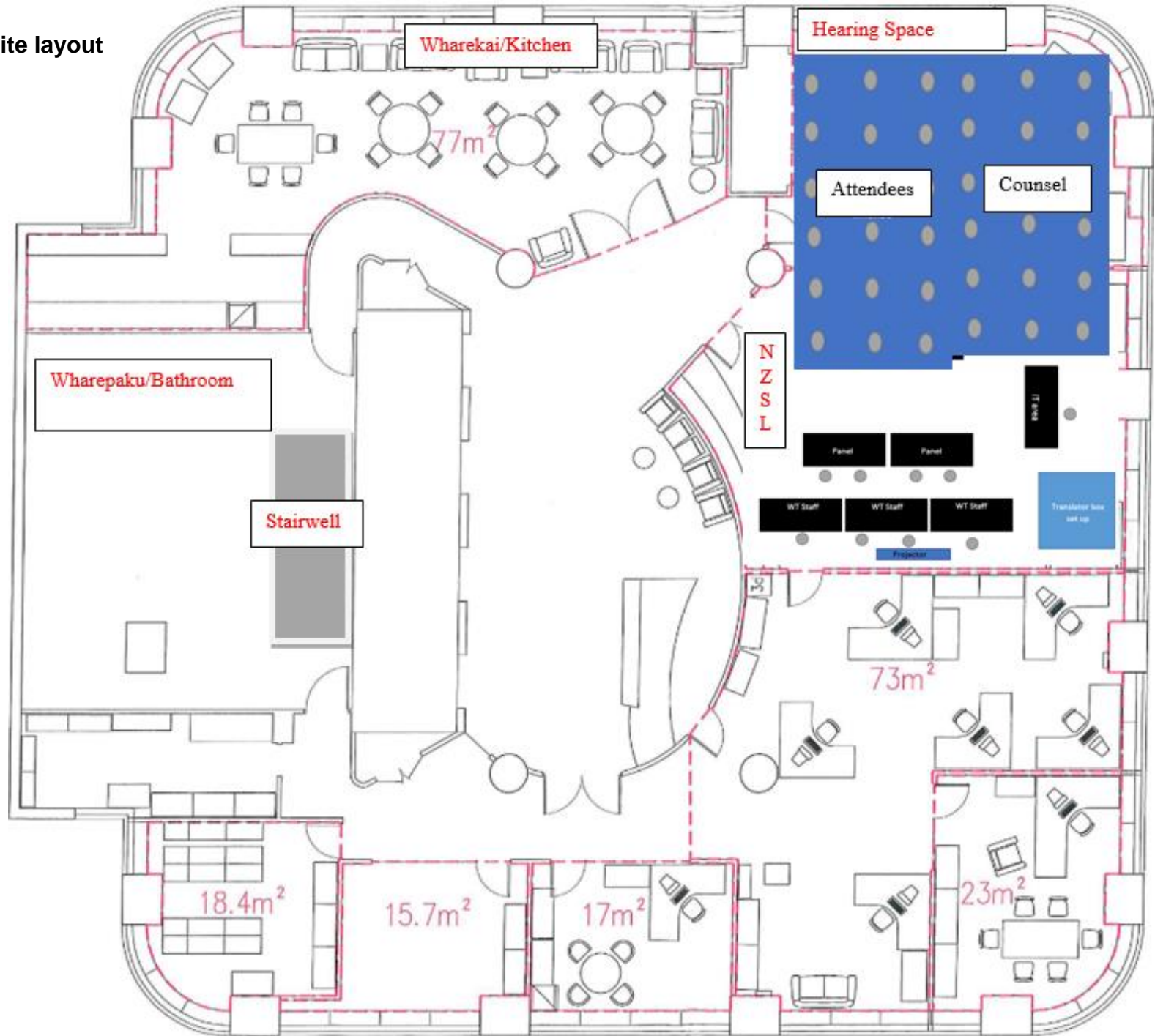
HEARING TIMETABLE

Please find **attached** as **Appendix B** the final timetable for hearing 11.

Appendix A: Te Rauparaha site layout



Tribunal Offices site layout



Appendix B: Timetable for hearing 11

	Monday 2 December		Tuesday 3 December	Wednesday 4 December	Thursday 5 December		Friday 6 December
			Appearances 9:45am – 10am	Appearances 9:45am – 10am	Appearances 9:45am – 10am		Appearances 8:45am – 9am
Mihi whakataū 9:45am – 10:45am 60 minutes	Mihi whakataū	Session 1 10am – 11:30am 80 minutes 2 x 5 minute break	Tamaki Legal – 80 minutes Wai 762, 2894, 2005, 1886, 1531, 2743 (#3.3.118)	Kaupare – 65 minutes Wai 1341 (#3.3.131) Whaiaia Legal – 15 minutes Wai 2912 (#3.3.129)	Bennion Law – 80 minutes Wai 2143 (#3.3.121), Wai 3073 (#3.3.125), 2139 (#3.3.127)	Session 1 9am – 10:30am 80 minutes 2 x 5 minute break	Crown – 80 minutes (#3.3.138)
Kapu tii 10:45am – 11:15am		Kapu tii 11:30am – 12pm				Kapu tii 10:30am – 11am	
Session 1 11:15am – 1pm 95 minutes 2 x 5 minute break	Appearances – 15 minutes Rainey Collins – 65 minutes Wai 2109 (#3.3.113) Dixon & Co – 15 minutes Wai 2943 (#3.3.121), Wai 2003 (#3.3.133), Wai 3212 (#3.3.110)	Session 2 12pm – 1pm 55 minutes 1 x 5 minute break	Tamaki Legal – 10 minutes Wai 762, 2894, 2005, 1886, 1531, 2743 Mahony Horner – 45 minutes Wai 2619 (#3.3.120), Wai 3069 (#3.3.119)	Whaiaia Legal – 20 minutes Wai 2912 Wackrow, Panoho & Associates – 35 minutes Wai 2734 (#3.3.130), Wai 2736 (#3.3.128), Wai 1781 (#3.3.126), Wai 3243 (#3.3.134), Wai 1176 (Wai #3.3.135)	Bennion Law – 20 minutes Wai 2143, 3073, 2139 Phoenix Law – 35 minutes Wai 2720, 2704, 179, 2623, 2849 (#3.3.137)	Session 2 11am – 1pm 105 minutes 3 x 5 minute break	Crown – 105 minutes (#3.3.138)
He kai 1pm – 2pm		He kai 1pm – 2pm				Kapu tii 1pm – 1:30pm	
Session 2 2pm – 3pm 55 minutes 1 x 5 minute break	Dixon & Co – 55 minutes Wai 2943, 2003, 3212	Session 3 2pm – 3pm 55 minutes 1 x 5 minute break	Mahony Horner – 15 minutes Wai 2619, 3069 Afeaki Chambers – 25 minutes Wai 700 (#3.3.162) McCaw Lewis – 15 minutes Wai 1589 (#3.3.122)	Wackrow, Panoho & Associates – 55 minutes Wai 2734, 2736, 1781, 3243, 1176	Phoenix Law – 10 minutes Wai 2720, 2704, 179, 2623, 2849 Oranganui Legal – 25 minutes Wai 3117 (#3.3.114) Woodward Law – 20 minutes Wai 2644 (#3.3.124)	Session 3 1:30pm – 3:30pm 105 minutes 3 x 5 minute break	Crown – 105 minutes (#3.3.138)
Kapu tii 3pm – 3:30pm		Kapu tii 3pm – 3:30pm				Haakari 3:30pm–4:30pm	
Session 3 3:30pm – 5pm 80 minutes 2 x 5 minute break	Dixon & Co – 20 minutes Wai 2943, 2003, 3212 Te Mata Law – 35 minutes Wai 2624(#3.3.111), Wai 2672 (#3.3.112) NL Lawyers – 20 minutes Wai 3216, 2123 (#3.3.115)	Session 4 3:30pm – 5pm 80 minutes 2 x 5 minute break	Annette Sykes – 80 minutes Wai 2494, 2713, 2728 (#3.3.132)	Roimata Smail – 80 minutes Wai 2910 (#3.3.117)	Tukau Law – 80 minutes Wai 682, 1464/1546 (#3.3.136)		