

**IN THE WAITANGI TRIBUNAL
I TE ROOPUU WHAKAMANA I TE TIRITI O WAITANGI**

**Wai 2575
Wai 2619**

In the Matter of the Treaty of Waitangi Act 1975

And

In the Matter of the Health Services and Outcomes
Kaupapa Inquiry (Wai 2575)

And

In the Matter of a claim by Dr Huhana Hickey on behalf
of herself and other Maaori Disabled (Wai
2619)

Memorandum of Counsel Seeking Leave to File Reply Submissions

Dated 11 November 2024

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Waitangi Tribunal

11 Nov 24

Ministry of Justice
WELLINGTON

Mahony Horner Lawyers

Counsel: Dr Bryan Gilling / Rox Soriano

PO Box 24515

Wellington 6142

04 974 4028 / 04 974 4036

bryan.gilling@mhlaw.co.nz / rox.soriano@mhlaw.co.nz

MAY IT PLEASE THE TRIBUNAL

1. This Memorandum of Counsel is filed on behalf of Wai 2619, a claim by Dr Huhana Hickey on behalf of herself and other Maaori Disabled (**Claimant**), and in relation to the Priority Inquiry into the Disestablishment of Te Aka Whai Ora.
2. His Honour Judge Stone directed Crown Counsel to file Closing Submissions by 25 October 2024, with claimant counsel to file Reply Submissions by 1 November 2024.¹
3. Counsel and the Claimant did not originally intend to file Reply Submissions, however, after further review of the Crown Closing Submissions, other Claimant Closing Submissions, and discussing these matters aa-tinana / in-person with the Claimant on 8 November 2024, Counsel were instructed to file reply submissions in respect of the framing of Maaori health disparities in the context of the decision to disestablish Te Aka Whai Ora.
4. Counsel therefore file with this memorandum the Reply Submissions on behalf of the Wai 2619 Claimant. Although Counsel file these submissions at the earliest possible opportunity available following the receipt of instructions, we acknowledge that these Reply Submissions are filed after the deadline. We therefore respectfully seek leave to file these Reply Submissions out of time, and for these submissions to be placed on the record of inquiry. Counsel submit that minimal prejudice, if any, shall accrue to any party as a result of the late filing.

Dated at Wellington this 11th day of November 2024



Dr B D Gilling and R M A Soriano
Counsel for the Wai 2619 Claimant

¹ Email from Registrar, received 21 October 2024, advising extension requests granted by His Honour to file Crown Closing Submissions and Claimant Reply Submissions, respectfully.