

CROSS EXAMINATION REQUESTS

Cat A – technical evidence – district wide issues

Cat B – technical evidence on Raukawa specific issues (referencing Muaūpoko as having no/limited customary interests at 1840)

Cat C – Tangata whenua evidence of a technical nature (ditto. But leaving out minor/incidental references to Muaūpoko having no/limited customary interests at 1840)

Have left off purely tangata whenua non-technical narrative evidence

Report		Reasoning	Cross-examination requested
A201 Crown Action and Maori Response, Anderson, Green and Chase	B	<ul style="list-style-type: none"> The authors are technical experts and discuss the relative strength of Muaūpoko customary interests in relation to Te Whatanui. Counsel seek leave to cross examine. 	YES
A235 T K Teira et al, Ngā Pae Maunga o Tararua – Te Mana o Ngāti Raukawa Report	B	<ul style="list-style-type: none"> This evidence relies on historic reports and an assessment of land court minutes to argue that Ngāti Raukawa interests in the Tararua ranges were significant vis a vis Kurahaupō groups, that the Crown ‘favoured’ the latter. This is a new proposition about the extent of Ngāti Raukawa customary interests which has not been examined in technical expert reports. Given its reliance on court minutes, and no other expert report addressing it to date, counsel seek leave to cross examine on this report. Alternatively, leave is sought for reply evidence to be filed. 	YES - provisional
A238 J Kereama et.al, Ngati Raukawa and the Manawatū River - V.1: Rangatiratanga	B	<ul style="list-style-type: none"> The author argues that Muaupoko lack customary interests in significant waterways and alleges Crown favouritism in recent RMA matters, in particular O2NL construction. Given the contemporary allegations of favouritism, counsel seek leave to cross examine on this report. 	YES – on limited topics
A243 H Collins, Otaki - Ngati Raukawa Customary Interests, 17 Aug 2023	B	<ul style="list-style-type: none"> The author argues from written sources that Muaupoko have limited/no rights in the region. Given that the author does not claim to be offering independent expert opinion and covers ground which technical experts address and sources are being utilised to simply support a narrative, and not test its validity, counsel no longer seeks to cross examine on this report. 	NO

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Waitangi Tribunal

20 Dec 2024

Ministry of Justice
WELLINGTON

A248 The Socio-Economic Costs of Landlessness: Ngāti Raukawa, by Charles Waldegrave, et al.	B	<ul style="list-style-type: none"> • The author is a technical witness describing an approach to assessing losses. • Questions arise about the assumptions behind the calculation of land loss and whether the approach is replicable for other iwi in the region. 	YES – on limited topics
A231 Ngā Pakanga o Te Ao - Participation, Price, and Post-War Experience’ (2022), T K Teira / H Collins	C	<ul style="list-style-type: none"> • The authors argue from written sources that Muaūpoko have limited/no rights in the region. • Given that the authors do not claim to be offering independent expert opinion and cover ground which technical experts address and sources are being utilised to simply support a narrative, and not test its validity, counsel no longer seeks to cross examine on this report. 	NO
H1 He Iti Na Motai Te Hono ki Raukawa, led by Professor Winiata and Tā Taihākurei	C	<ul style="list-style-type: none"> • The authors argue from written sources that Muaupoko have limited/no rights in the region. • Given that the authors do not claim to be offering independent expert opinion and cover ground which technical experts address and sources are being utilised to simply support a narrative, and not test its validity, counsel no longer seeks to cross examine on this report. 	NO
H5 Prof Sir M Durie et al, The Rangimarie Narrative	C	<ul style="list-style-type: none"> • Authors reach conclusions about limited/no Muaupoko customary interests. • Authors claim expert credentials to make comments on matters of custom, land and history. • However, it is unclear whether this ‘narrative’ statement is presented as evidence or advocacy. • If the Tribunal intends to treat this information as evidence, and rely on the statement and expertise of the authors to make findings, counsel seeks leave to cross examine. 	YES - provisional
K15 U6 T K Teira / H Collins	C	<ul style="list-style-type: none"> • The authors assert limited/no Muaūpoko customary interests in waterways. • Given that the authors do not claim to be offering independent expert opinion and cover ground which technical experts address and sources are being utilised to simply support a narrative, and not test its validity, counsel no longer seeks to cross examine on this report. 	NO

N1 A Mikaere, Brief of Evidence of Ani Mikaere	C	<ul style="list-style-type: none"> • Author argues that there are limited/no Muaūpoko customary interests in Horowhenua, Crown collusion to punish Raukawa. • Given that the author does not claim to be offering independent expert opinion and covers ground which technical experts address and sources are being utilised to simply support a narrative, and not test its validity, counsel no longer seeks to cross examine on this report. 	NO
N7 H Collins, 'Waiwiri Lake, Stream & Environs: He Taonga: Cultural Impact Assessment report for the three affected Ngāti Raukawa hapū - Ngāti Kikopiri, Ngāti Pareraukawa, Ngāti Hikitunga	C	<ul style="list-style-type: none"> • Author argues that there are limited/no Muaūpoko customary interests in Horowhenua. Also discusses the development of the Levin wastewater scheme and Muaūpoko involvement relative to Ngāti Raukawa involvement. • Given that the author does not claim to be offering independent expert opinion and covers ground which technical experts address and sources are being utilised to simply support a narrative, and not test its validity, counsel no longer seeks to cross examine on historical matters in this report, but does seek leave to ask questions about the development of the Levin wastewater scheme. 	YES – on limited topics
N19 C Royal, Brief of evidence of Charles Patrick Royal for Wai 113	C	<ul style="list-style-type: none"> • Author argues that Muaūpoko breached customary rules in a profound/unprecedented way. • Claims expertise, including through authorship of 6 books on mātauranga Māori. Counsel seek leave to cross examine. 	YES
N23 W Kiriona (Wai 113F & Wai 757), Brief of evidence of Wayne Kiriona	C	<ul style="list-style-type: none"> • The author retraces in detail events between iwi heke and Muaūpoko from minute books. • Given that the author does not claim to be offering independent expert opinion and covers ground which technical experts address and sources are being utilised to simply support a narrative, and not test its validity, counsel no longer seeks to cross examine on this report. 	NO
N41 and N41(a) W Kiriona, Supplementary brief of evidence of Wayne Kiriona	C	<ul style="list-style-type: none"> • This is technical evidence from several sources about the alleged sanctuary and its area. • Given that the author does not claim to be offering independent expert opinion and covers ground which technical experts address and sources are being utilised to simply support a narrative, and not test its validity, counsel no longer seeks to cross examine on this report. 	NO