

TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

Wai 3513

E PĀ ANA KI
CONCERNING

the Treaty of Waitangi Act 1975

Ā,
AND

the Citizen (Ruddock) Urgent
Inquiry

HE MANATU WHAKAHAU NĀ TE MANA WHAKAHAERE

*MEMORANDUM-DIRECTIONS OF THE PRESIDING OFFICER DECLINING ADDITION
OF EVIDENCE ONTO THE RECORD OF INQUIRY*

7 Hiringa-ā-nuku 2025

Te Aronga

1. E whai take ana tēnei manatu-whakahau ki tā Honore Tuariki Delamare tuku tōmuri i ngā kōrero taunaki mō te kerēme Citizenship (Ruddock) (Wai 3513).

Te hātepe kua whāia

2. I te 15 o Hepetema 2025, i tuku ahau i tētahi manatu-whakahau e whakaū nei i ētahi take, tae atu ki ētahi anō tonono mō ngā tūranga o ngā tāngata i tēnei ruku tātari e mea nei, nā runga anō i te āhuatanga whāiti o tēnei ruku tātari, ka whai wāhi mai rātou ki te mātakitaki noa (Wai 3513, #2.5.8).
3. I te 17 o Hepetema 2025, i tuku mai a Mr Delamare ki te Taraipiunara i ētahi tāpaetanga me ngā tuhinga tautoko mō te ruku tātari Wai 3513. I tuku noa ēnei tuhinga ki te Taraipiunara me te rōia mō te kaikerēme, a Winston McCarthy.
4. Nā runga i aku kupu whakahau, i waenga i ngā rā 19-23 Hepetema 2025, i whakawhiti kōrero te Rēhita me Mr Delamare mā te ĩmēra me tana whakaū ake, i te kimi tūranga ia hei hunga whai take, ka mutu, ko te aronga o ana tuhinga he tautoko i te tonono ohotata a te kaikerēme, John Ruddock me ana tamariki.
5. I te 23 o Hepetema 2025, nā tētahi ĩmēra o te Rēhita, i whakaae ahau ki tā Mr Delamare kuhu mai hei hunga whai take me taku whakahau ki a ia kia tukuna āna tuhinga ki ngā tāngata katoa i te rārangi ingoa. I mea hoki ahau ki a Mr Delamare, ka pōwhiritia ngā tāpaetanga a ngā hunga o tēnei ruku tātari kia rongoi ai pena raini e tautoko ana rātou i te whakairinga ake o ā Mr Delamare tuhinga ki te pūranga tuhinga o tēnei ruku tātari.
6. I te 30 o Hepetema 2025, i tuku a Mr Delamare i āna tāpaetanga me āna tuhinga tautoko, me tētahi whakarāpopototanga o tana tāpaetanga, waihoki, i ētahi kōrero taunaki e whai take nei ki tētahi whakahaerenga ā-ture nā Mr Delamare i tuku e arotakehia ana tētahi whakataunga a te Minister of Immigration, ki ngā hunga o tēnei ruku tātari
7. Nā kona, i whakamōhio atu ahau ki ngā hunga o tēnei ruku tātari kua whakaaetia tā Mr Delamare noho mai hei hunga whai take me te tuku i ngā kupu whakahau e mea nei me tuku mai ngā hunga i ā rātou tāpaetanga mō te āhua o ā Mr Delamare tāpaetanga, kōrero taunaki anō hoki noho mai ki tēnei ruku tātari i mua i te 2 o Oketopa 2025, kātahi ka tuku ahau i taku whakataunga.

Ngā tāpaetanga a te Karauna

8. I te 2 o Oketopa 2025, i tuku mai te Karauna i tētahi manatu rōia ki te Taraipiunara (Wai 3513, #3.4.1). Ko te Karauna anahe te hunga i tuku tāpaetanga mai.
9. I tuku te Karauna i tana whakamārama atu, kei a te Taraipiunara te mana kia whakaaetia te tuku mai i ngā kōrero taunaki e āwhina nei i tana whakahaere tika atu i te ruku tātari, engari ka kī hoki rātou, ekore ngā tuhinga a Mr Delamere e āwhina i tā te Taraipiunara whakahaere tika i ngā take kei mua i a ia, ko ēnei hoki ngā take matua kāhore e tika ana te noho mai o ēnei tuhinga:

- (a) The material filed for the judicial review proceedings as they are legal submissions on different causes of action in separate proceedings, and ‘do not evidence anything’;
- (b) The subject of the judicial review proceedings fall outside of the scope of this targeted inquiry into the Citizenship Act 1977, the broader evidence received by the this Tribunal from Immigration NZ was for wider context to the application, and the Tribunal has no evidential foundation to consider the legal submissions being advanced;
- (c) The Tribunal must be mindful of the principle of comity, where it may be being asked to review an extant judicial review proceeding, with reference to the Tribunal’s *Marine and Coastal Area (Takutai Moana) Act Inquiry – Stage 1 Report (Wai 2660, 2021)*;¹
- (d) Ultimately, the material filed by Mr Delamare do not purport to provide any additional or relevant information for the Tribunal’s inquiry.

Whakataunga

10. Whai muri mai i tā mātou titiro ki ngā tāpaetanga, i tā mātou arotake anō hoki i ngā tuhinga a Mr Delamare, ka **whakakahoretia** te tono a Mr Delamare kia whakairi ake ana tuhinga ki te pūranga tuhinga o tēnei ruku tātari.
11. I mua marika i te nohoanga, i whakatakotohia kētia te rārangi wā me ngā rā tuku tuhinga, wairuatoa, i waho kē atu i aua taima tā Mr Delamare tuku i ana tuhinga. Ahakoa kua whakaaetia tā Mr Delamare noho hei hunga whai take, kāhore taua tūranga e tuku nei i te āheinga kia tuku mai ngā kōrero taunaki me ngā tāpaetanga, wai hoki, kāhore mātou e mārāma ana pena raini e whai take ana ngā tuhinga ki tēnei ruku tātari, ki te roherohenga o te take, ka mutu, ki tā mātou mana ā-ture mō tēnei kaupapa.

¹ at [5.3.1(c)].

Purpose

12. This memorandum-direction addresses the late filing of evidence of the Honourable Tuariki Delamare in the urgent inquiry of the Citizenship (Ruddock) claim (Wai 3513).

Procedural history

13. On 15 September 2025, I released memorandum-directions confirming, amongst other things, that due to the truncated nature of this inquiry any further requests for participation in this inquiry would be limited to watching brief status only (Wai 3513, #2.5.8).
14. On 17 September 2025 the Tribunal received submissions and support documents filed by Mr Delamare for the Wai 3513 inquiry. This material was filed only with the Tribunal and Winston McCarthy, as counsel for the claimant.
15. Upon my direction, via e-mail correspondence from the Registrar, between 19 – 23 September 2025, Mr Delamare confirmed that he sought to file this material as an interested party, and the material he wished to file was in support of the urgent application of the claimant, John Ruddock and his children.
16. On 23 September 2025, I granted interested party status to Mr Delamare, also via e-mail correspondence with the Registrar, and directed him to serve his documents on parties to the distribution list, and advised Mr Delamare that parties to the inquiry would then be asked for submissions as to whether this material should be accepted onto the record of inquiry.
17. On 30 September 2025, Mr Delamare filed his submissions and supporting evidence to inquiry parties, which included an amended synopsis of his submissions, and a range of evidence related to a set of judicial review proceedings bought by Mr Delamare against the Minister of Immigration.
18. Accordingly, I informed parties to this inquiry that Mr Delamare had been granted interested party status, and directed parties to file any submissions regarding the acceptance of Mr Delamare's submissions and evidence into this inquiry no later than 2 October 2025, upon receipt of which I would make my decision.

Crown submissions

19. On 2 October 2025, the Tribunal received a memorandum of counsel for the Crown (Wai 3513, #3.4.1). The Crown were the only party to file submissions.
20. Crown counsel acknowledge that while the Tribunal may accept anything into evidence that may assist it to deal effectually with the inquiry, the material filed by Mr Delamare will not assist the Tribunal to deal effectively with the matter before it, and ought not to be received for the following:
 - (a) The material filed for the judicial review proceedings as they are legal submissions on different causes of action in separate proceedings, and 'do not evidence anything';

- (b) The subject of the judicial review proceedings fall outside of the scope of this targeted inquiry into the Citizenship Act 1977, the broader evidence received by the this Tribunal from Immigration NZ was for wider context to the application, and the Tribunal has no evidential foundation to consider the legal submissions being advanced;
- (c) The Tribunal must be mindful of the principle of comity, where it may be being asked to review an extant judicial review proceeding, with reference to the Tribunal's *Marine and Coastal Area (Takutai Moana) Act Inquiry – Stage 1 Report (Wai 2660, 2021)*;²
- (d) Ultimately, the material filed by Mr Delamare do not purport to provide any additional or relevant information for the Tribunal's inquiry.

Decision

- 21. Upon the submissions received, and a review of the material filed by Mr Delamare, the leave sought by Mr Delamare for his material to be accepted onto the record of inquiry is **declined**.
- 22. Timelines and filing dates were set in advance of the hearing and unfortunately, the documents filed by Mr Delamare were filed well outside of those timeframes. While interested party status has been granted to Mr Delamare, this does not extend to the filing of substantive evidence and submissions, furthermore, it is not clear whether or not a number of the documents filed are relevant to this inquiry and fall within the scope of the inquiry and the Tribunals jurisdiction in this matter.

Me tuku atu te Kairēhita i tētehi kape o tēnei whakahau ki ērā ki te rārangi whakamōhio mō Wai 3513, the Citizenship (Ruddock) Urgent Inquiry.

The Registrar is to send a copy of this direction to all those on the distribution list for Wai 3513, the Citizenship (Ruddock) Urgent Inquiry.

WHAKAPŪMAUTIA ki Whanganui-a-Tara i te 7 o Hiringa-ā-nuku 2025



Kaiwhakawā A Thomas
Te Mana Whakahaere

TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

² at [5.3.1(c)].