

**WAITANGI TRIBUNAL**

Wai 2494

**CONCERNING**

the Treaty of Waitangi Act 1975

**AND**

the Racism Against Māori claim

**MEMORANDUM-DIRECTIONS OF THE PRESIDING OFFICER**

The Registrar is directed to add to Wai 2494 an amended statement of claim received on 8 May 2025 and to record its date of receipt in the register of claims.

This amendment seeks to add further particulars to the claim, specifically in relation to the effect of the Crown's denial of the inherent mana and role of wāhine Māori, legislation that denied the voice of wāhine Māori, entities that manage Māori interests and Māori-owned assets for the benefit of Māori, but are dominated by the Crown and tāne Māori, representation of wāhine Māori on the negotiation bodies for settlement, the Education Ordinance 1847, the severing of the relationship wāhine Māori have with whenua and the environment, the effects of land alienation on the collective whānau/hapū unit, and family and sexual violence.

The amendment seeks to add further allegations to the claim concerning wāhine Māori. These allegations include that the Crown breached the principles of the Treaty of Waitangi by:

- institutionalising ethnicity and gender-based discrimination against wāhine Māori within its policies, practices, processes, structures and systems;
- failing to afford wāhine Māori equal access, opportunities, resources and outcomes as non-Māori;
- failing to remedy systemic inequities experienced by wāhine Māori;
- failing to implement adequate provisions that reflect the special status and rangatiratanga of wāhine Māori to make decisions for their whānau, hapū and iwi;
- failing to afford to Māori women equal and equitable opportunities that had otherwise been made available to non-Māori men and women and tāne Māori;
- failing to ensure that there is representation of wāhine Māori throughout the decision-making bodies across all government sectors;
- failed to protect the rights of wāhine Māori in respect of health in all its forms, including prohibiting Māori health practices and obstructing wāhine Māori participation in the health system;
- failing to provide equitable quality of and access to care;
- failing to address the economic and business under-development of wāhine Māori resulting in disproportionate poverty and unemployment rates and pay inequities;
- implementing legislation and policies that have resulted in prejudicial scrutiny and action by the Police and criminal justice system against wāhine Māori, resulting in wāhine Māori being the most incarcerated group percentage wise in Aotearoa;
- failing to recognise data in relation to wāhine Māori as a taonga that requires active protection under te Tiriti o Waitangi; and
- failing to enable wāhine Māori to access and use their own data which has, and continues to have, consequential impacts on the fair and equitable sharing of benefits with wāhine Māori in respect of that data.

The amendment also seeks to add a variety of relief, including recommendations that the Crown:

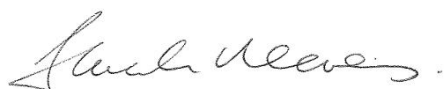
- recognises that the prejudice experienced by wāhine Māori has intergenerational consequences, contributing to the deprivation and marginalisation of tamariki, mokopuna and whānau Māori;
- integrates tikanga Māori – including mātauranga and mana wahine – into governance, law and policy development as a legitimate and equal system of knowledge and justice;
- provides for the establishment of governance structures that guarantee wāhine Māori leadership and decision-making in the design, implementation, and evaluation of all policies affecting them and their whānau;
- provides for the establishment of a dedicated, independent statutory body with a mandate to monitor, report on, and ensure accountability for its obligations and performance in relation to wāhine Māori;
- affirms that constitutional transformation is necessary to ensure equity of data sovereignty for wāhine Māori;
- invests in increasing data infrastructure and capacities of wāhine Māori to enable wāhine Māori rangatiratanga over data;
- affirms that constitutional transformation under te Tiriti o Waitangi is essential for a just future for all, including wāhine Māori, and acknowledge the sustained breaches and deep harm caused by the Crown over time;
- provides appropriate reparation to wāhine Māori for historic and ongoing te Tiriti breaches, including recognition of intergenerational trauma and harm, and a commitment to restore mana wāhine;
- ensures long-term and sustained investment in wāhine Māori-led initiatives across key sectors—health, justice, education, Māori development, and the economy, including increased support for whānau-based organisations and targeted investment in areas where wāhine Māori are underrepresented;
- establishes a dedicated wāhine Māori-led fund to support healing, resilience, leadership development, and the revitalisation of culture, identity, and tikanga;
- resources Māori-led efforts to restore gender balance and uphold mana wāhine within tikanga frameworks; and
- significantly improves its funding for existing wāhine Māori programmes and initiatives.

The amendment is to be entered on Wai 2494, the Racism Against Māori claim, as document #1.1.1(l).

The Registrar is to send a copy of this direction to the claimants and give notice of the amendment to those on the notification list for:

- Wai 2494, the Racism Against Māori claim; and
- Wai 2700, the Mana Wahine Kaupapa Inquiry.

**DATED** at Wellington this 13<sup>th</sup> day of November 2025



Judge Sarah Reeves  
Presiding Officer

**WAITANGI TRIBUNAL**