

BEFORE THE WAITANGI TRIBUNAL

WAI 3300

WAI 3342

IN THE MATTER OF

the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

Tomokia ngā tatau o Matangireia - the
Constitutional Kaupapa Inquiry (WAI 3300)

AND

IN THE MATTER OF

a claim by **Pita Tipene, Moana Maniapoto,
George Laking, Veronica Tawhai, Donna
Kerridge and India Logan-Riley** on behalf of
Ngā Toki Whakarururanga (WAI 3342)

**MEMORANDUM OF COUNSEL FILING SUPPLEMENTARY DOCUMENTS
TO THE STATEMENT OF POSITION FOR NGĀ TOKI WHAKARURURANGA**

Dated on this 4th day of December 2025

RECEIVED

Waitangi Tribunal

4 Dec 25

Ministry of Justice
WELLINGTON

**ANNETTE
SYKES & Co.**
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TĒNĀ E TE TARAIPUNARA:

Introduction

1. This Memorandum of Counsel is filed for and on behalf of **Wai 3342**, a claim by Pita Tipene, Moana Maniapoto, George Laking, Veronica Tawhai, Donna Kerridge and India Logan-Riley on behalf of Ngā Toki Whakarururanga (“**Ngā Toki Whakarururanga**”/the Claimants”).
2. Following the presentation by Donna Kerridge and Professor Jane Kelsey on behalf of Ngā Toki Whakarururanga at the Wai 3300 – wānanga tuaono held at Te Tii marae on 3 December 2025, documents were requested by members of the Tribunal panel.
3. This Memorandum of Counsel files with it the following documents, which supplement the Statement of Position of Ngā Toki Whakarururanga dated 17 December 2024,¹ and the Statement in Response to the Crown dated 17 December 2025,² and various other documents filed in support:³
 - 3.1 The supplementary speaking notes of Donna Kerridge.
 - 3.2 The Cabinet Paper on ‘International Treaty Making – Improvements to Aotearoa New Zealand’s Processes’ dated 18 November 2022.
 - 3.3 The Cabinet Paper on the Doctrine of Discovery.

DATED at Rotorua/Wellington this 4th day of December 2025.



Annette Sykes



Maia Te Hira

Counsel for the Claimants

¹ Wai 3300, #B43 *Statement of Position for Ngā Toki Whakarururanga* dated 17 December 2024.

² Wai 3300, #B43A *Statement in Response to Crown Statement of Position* dated 17 December 2024.

³ Wai 3300, (B43(a) *Appendix A: Speaking Notes of Donna Kerridge* dated 18 November 2025, Wai 3300, #B43(b) *Appendix B: ‘Mana and International Treaty-Making’ (PowerPoint)* dated 18 November 2025, Wai 3300, #B43(c) *Appendix C: Mana and Constitutional Transformation of Treaty-Making (Paper)* dated 18 November 2025.