




**MAY IT PLEASE THE TRIBUNAL:**

1. There continues to be a lack of particularity on the claim issue for determination by the Tribunal. For the rangatiratanga pou, this means the issues will need to be ventilated through the hearing process, and the current timetable may not allow sufficient opportunity for the Crown to engage and respond to those claims and that evidence.
2. The Crown reiterates its submissions that greater direction from the Tribunal as to the particular topics of evidence for hearing weeks would support more focused and efficient hearing. The Crown outlines, to the extent it is possible, what it understands the key claim issues to be in this rangatiratanga pou, and what the topics anticipated at present for Crown evidence are.
3. The Crown makes a number of high level and preliminary submissions on the Treaty principles relevant to the rangatiratanga pou. In particular, in this inquiry the Tribunal will grapple with:
  - 3.1 identifying with precision the particular Crown conduct and legislation that is claimed to be inconsistent with the Treaty;
  - 3.2 identifying, in relation to any claim for breach of active protection, the particular taonga or interest that protection is contended for;
  - 3.3 and evaluating the conduct of the Crown in a way that is not a-historical, that takes into account the circumstances of that conduct and acknowledges the Crown's role involves a wider range of interests than those under the Treaty.

4 December 2025



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F Dean  
Counsel for the Crown

**TO:** The Registrar, Waitangi Tribunal

**AND TO:** Claimant Counsel