

IN THE WAITANGI TRIBUNAL

**WAI 3060
WAI 1911
WAI 2139**

**WAI 2143
WAI 2949
WAI 3073
WAI 3163**

**IN THE MATTER
AND**

of the Treaty of Waitangi Act 1975

**IN THE MATTER
AND**

of Te Rau o te Tika: Justice System Inquiry (Wai 3060)

**IN THE MATTER
AND**

of a claim by Aaron Smale on behalf of tamariki Māori (Wai 1911)

**IN THE MATTER
AND**

of a claim by Timothy Tukapua and Dennis Greenland on behalf of Muaūpoko Tribal Authority (Wai 2139)

**IN THE MATTER
AND**

of a claim by Steven Wilson and Karen Pointon on behalf of Tāngata Turi (Māori Deaf) (Wai 2143)

**IN THE MATTER
AND**

of a claim by Emilie Rākete on behalf of People Against Prisons Aotearoa (PAPA) (Wai 2949)

**IN THE MATTER
AND**

of a claim filed by Tania Kingi on behalf of Te Roopu Waiora Trust (Wai 3073)

IN THE MATTER

of a claim by Anne Waapu and Te Raukura O'Connell Rapira on behalf of rangatahi Māori of today and future generations (Wai 3163)

MEMORANDUM OF COUNSEL

Dated: 8 October 2025

RECEIVED

Waitangi Tribunal

8 Oct 25

Ministry of Justice
WELLINGTON

**BENNION
LAW**

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MAY IT PLEASE THE TRIBUNAL:

1. This memorandum of counsel is filed in response to the memorandum-directions dated 25 September 2025,¹ on behalf of:
 - a) Wai 1911, a claim by Aaron Smale on behalf of tāmariki Māori;
 - b) Wai 2139, a claim by Timothy Tukapua and Dennis Greenland on behalf of Muaūpoko Tribal Authority;
 - c) Wai 2143, a claim by Steven Wilson and Karen Pointon on behalf of Tāngata Turi (Māori Deaf);
 - d) Wai 2949, a claim by Emilie Rākete on behalf of People Against Prisons Aotearoa (PAPA);
 - e) Wai 3073, a claim filed by Tania Kingi on behalf of Te Roopu Waiora Trust; and,
 - f) Wai 3163, a claim by Anne Waapu and Te Raukura O'Connell Rapira on behalf of rangatahi Māori of today and future generations.

(together "the claimants").
2. Parties were invited to file a memoranda by 8 October 2025 on a number of matters, including the kaikōrero yet to be heard in He Rau Kōrero-ā-Tara Whare; kaikōrero in custody; and sites, programmes, processes and courts to be prioritised for panel visits.²
3. Unfortunately, counsel have been unable to finalise instructions on the matters listed in the directions and respectfully seek an extension until Thursday, 16 October 2025 to do so.

Dated at Te Whanganui-a-Tara this 8th day of October 2025



Tom Bennion / Emma Whiley / Kudrat
Counsel for the claimants

¹ Wai 3060, #2.6.48.

² At [19] – [20].