

**IN THE WAITANGI TRIBUNAL
TE RAU O TE TIKA: THE JUSTICE SYSTEM KAUPAPA INQUIRY**

**WAI 3060
WAI 88 & 89**

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF Te Rau o Te Tika: The Justice System Kaupapa Inquiry (WAI 3060)

AND a claim by the late Te Pehi Parata, Ani Parata, Darrin Parata and Damian Parata for and on behalf of Te Āti Awa Marae Committee, other whānau and hapū of Te Āti Awa/Ngātiawa ki Waikanae, and descendants of Te Kakakura Wi Parata Waipunahau (the Kāpiti Island claim) (WAI 88)

AND a claim by the late Te Pehi Parata, Ani Parata, Darrin Parata, Karen Parata, Matthew Love-Parata, Ratapu Nelson Solomon, Sandra Louise Marama Edwards, Lois McNaught, Hauangi Kiwha and Doris Lake for and on behalf of Te Āti Awa Marae Committee, other whānau and hapū of Te Āti Awa/Ngātiawa ki Waikanae, and descendants of Te Kakakura Wi Parata Waipunahau (the Whitireia Block claim) (WAI 89)

AND

MEMORANDUM OF COUNSEL FILING OUR RESPONSES

Dated 7 November 2025

RECEIVED

Waitangi Tribunal

7 Nov 25

Ministry of Justice
WELLINGTON

COUNSEL ACTING

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MAY IT PLEASE THE TRIBUNAL

1. This Memorandum of Counsel is filed on behalf of the Kapiti Island claim (**Wai 88**); and the Whitireia Block claim (**Wai 89**) (Te Āti Awa/Ngātiawa) (“**the Claimants**”).
2. We refer to the Memorandum-Directions dated 25 September 2025 (Wai 3060, #2.6.48), which outlines the requirements for parties to file responses on the following matters to assist with planning the eight days available to this inquiry by 5pm, Wednesday 8 October 2025,¹ addressing the following matters identified in paragraph [13] to:²
 - (a) advise the Tribunal of any kaikōrero (not in custody) who are yet to be heard in He Rau Kōrero Tara-ā-Whare;
 - (b) identify any kaikōrero who are in custody; and
 - (c) indicate whether the parties are keen for the Tribunal to visit any particular facilities, and if so which and why.
3. On 9 October 2025, counsel filed a memorandum seeking an extension to file responses to the matters outlined above at paragraph [2] by 5pm, Friday 17 October 2025.³ The Tribunal extended the deadline for all parties to **5pm, Friday 7 November 2025**.⁴ Counsel therefore addresses the instructions obtained from the claimants.
4. The claimants have indicated that they have no suggested facilities to propose, as the Tribunal’s list of potential sites is sufficient. Furthermore, they do not wish to participate in any kaikōrero under Te Aronui o te Tāhū (the Criminal Justice Stage), of Tāhū o te Rau, Stage 3 of the inquiry, but may provide further instructions if they wish to participate in any future kaikōrero under Te Tuarongo o te Tāhū (the Civil Justice Stage), of Tāhū o te Rau, Stage 3 of the inquiry.

DATED this 7th day of November 2025



Chris Beaumont
Counsel for the Claimants



Tekih Veikoso
Counsel for the Claimants

¹ Wai 3060, #2.6.48 at [19].

² Wai 3060, #2.6.48 at [13].

³ Wai 3060, #3.2.397 at [3].

⁴ Confirmation email sent by the Waitangi Tribunal Assistant Registrar on 13 October 2025 at 11.55am.