

I TE RŌPUU WHAKAMANA I TE TIRITI O WAITANGI

WAI 2500

IN THE WAITANGI TRIBUNAL

Wai 2005

KEI RARO I TE MANA O

te ture o te Tiriti o Waitangi 1975

ME

I TE TAKE O

te pakirehua Wai 2500 mō ngā kereme
e pā ana ki te Military Veterans

ME

I TE TAKE O

he kereme nā Denise Anne Egen mō ia
me tōna whānau

**MEMORANDUM OF COUNSEL FILING AMENDED BRIEF OF EVIDENCE OF DR
JUDY BLAKEY AND AMENDED EXHIBIT BUNDLE**

Dated: 17 December 2025

Presented for filing by:

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Waitangi Tribunal

17 Dec 2025

Ministry of Justice

WELLINGTON

MAY IT PLEASE THE TRIBUNAL

1. This memorandum is filed on behalf of a claim by Denise Anne Egen, on behalf of herself and her whānau, Wai 2005.
2. In memorandum-directions dated 21 February 2025, the Presiding Officer, Judge Isaac, updated the inquiry timetable, which set down a filing deadline for Wai 2005's technical evidence of **Friday, 11 April 2025** for hearing week six.¹
3. The Brief of Evidence of Judy Blakey, MNZM, PhD in Support of Claimant dated 11 April 2025 was accordingly filed on **Friday, 11 April 2025**.² However, since the presentation of her evidence at Hearing Week Six, Dr Blakey has identified two minor corrections she wishes to amend. These amendments do not affect the substance of her evidence.
4. The first amendment is at paragraph [39] of her evidence.³ The original paragraph is reproduced here with bold text outlining the text to be changed:

[...]

MacLellan's text reveals how state-sanctioned secrecy and the influential power of Defence departments and the Atomic Weapons Research Establishment (AWRE) on medical research, have ensured that definitive diagnoses of contested illness symptoms experienced by nuclear test veterans and their whānau could not be traced and confirmed. The May 2024 New Zealand submission to the UN Secretary-General addressing the legacy of nuclear weapons testing in the Pacific stated that the "impacts of testing continue to be felt today, including but not limited to intergenerational physical and psychosocial health concerns, environmental harm including contamination, displacement and disconnection to land, loss of livelihoods, and feelings of injustice."³⁰ **using traditional clinical, toxicology or epidemiological paradigms. This was largely due to the limits of current scientific knowledge, and the vested**

¹ See Wai 2500, #2.6.031, at [4]; see Wai 2500, #2.6.031(a), at 1.

² See Dr J Blakey, *Brief of Evidence of Judy Blakey, MNZM, PhD in Support of Claimant* dated 11 April 2025, Wai 2500, #F17.

³ See Dr J Blakey, *Brief of Evidence of Judy Blakey, MNZM, PhD in Support of Claimant* dated 11 April 2025, Wai 2500, #F17, at [39].

interests that influenced the determination of research priorities.

5. Paragraph [39] has been amended to remove the passage that was intended to be deleted but missed during proof reading “using traditional clinical, toxicology or epidemiological paradigms”. Paragraph [39] also has the statement, “This was largely due to the limits of current scientific knowledge, and the vested interests that influenced the determination of research priorities.”, shifted to its correct place but otherwise unchanged. Accordingly, the amended paragraph [39] is reproduced here with bold text outlining the shifted text:

[...]

Maclellan’s text reveals how state-sanctioned secrecy and the influential power of Defence departments and the Atomic Weapons Research Establishment (AWRE) on medical research, have ensured that definitive diagnoses of contested illness symptoms experienced by nuclear test veterans and their whānau could not be traced and confirmed. **This was largely due to the limits of current scientific knowledge, and the vested interests that influenced the determination of research priorities.** The May 2024 New Zealand submission to the UN Secretary-General addressing the legacy of nuclear weapons testing in the Pacific stated that the “impacts of testing continue to be felt today, including but not limited to intergenerational physical and psychosocial health concerns, environmental harm including contamination, displacement and disconnection to land, loss of livelihoods, and feelings of injustice.”³⁰

6. The second amendment is to the Exhibit Bundle filed with Dr Blakey’s brief of evidence dated **Friday, 11 April 2025**.⁴ The final page sent in the written submission to the Expert Medical Panel by the New Zealand Nuclear Test Veterans Association dated 20 August 2009 (marked “**D**”)⁵ was not included

⁴ See Dr J Blakey, Appendix A: Index and exhibits to the brief of evidence of Judy Blakey dated 11 April 2025, Wai 2500, F17(a).

⁵ Page 26 of the written submission is missing at Dr J Blakey, Appendix A: Index and exhibits to the brief of evidence of Judy Blakey dated 11 April 2025, Wai 2500, F17(a), at 265.

in the original document bundle filed. The missing page included the following:

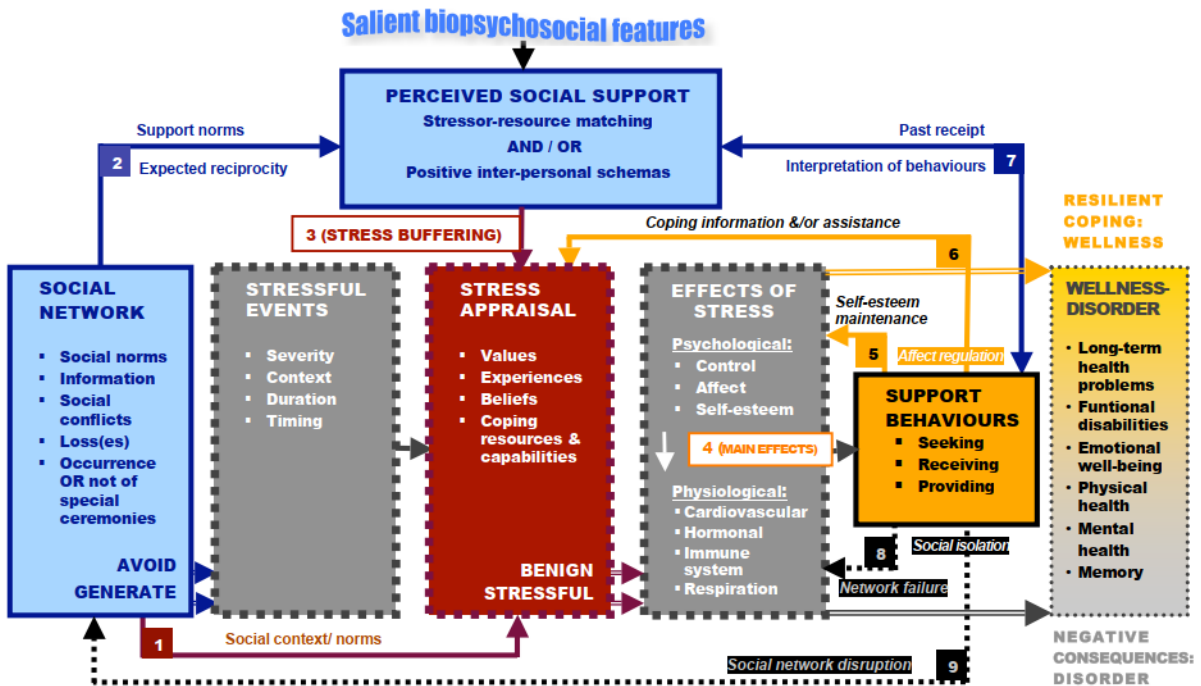


Figure 4. Major concepts and mechanisms depicting relations between stress, social support and the wellness-disorder continuum. (Adapted from Cohen's *Transactional Model of Stress* [1992] Figure. 1, p. 110.)

7. The missing page has been included at the end of the amended exhibit bundle and marked "D-1". Accordingly, paragraph [75] of Dr Blakey's brief of evidence now states "NZNTVA's written submission is **attached** and marked "D" at page 241 and "D-1" at page 320 of the **Exhibit Bundle**."
8. Paragraph and page numbers for the amended brief of evidence and exhibit bundle match the original aside from the addition of "D-1" within the exhibit bundle. Pages and paragraphs referred to during Hearing Week Six, as captured in the transcript, will not be affected.
9. We seek leave for the amended brief of evidence and exhibit bundle to be added to the record.
10. Accordingly, if leave sought is granted, please accept for filing the:
 - a. Amended Brief of Evidence of Judy Blakey, MNZM, PhD in Support of Claimant dated 11 April 2025; and

b. Amended Exhibit Bundle.

11. Counsel submit that no prejudice will accrue to any other party should the leave sought be granted.

DATED at TĀMAKI MAKAURAU this 17th day of December 2025

A handwritten signature in cursive script, appearing to read "A. Crawford", is written above a horizontal line.

Adam Crawford