

**Wai 49, #2.33**  
**Wai 682, #2.109**  
**Wai 1464, #3.1.38**  
**Wai 1546, #3.1.37**  
**Wai 3503, #3.1.17**

**OFFICIAL**

IN THE WAITANGI TRIBUNAL

WAI 3310

WAI 3540

---

IN THE MATTER OF

The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

a request for an Urgent Inquiry Ripeka Lessels and O'Sonia Hotereni for and on behalf of themselves and New Zealand Educational Institute (NZEI) Te Riu Roa (Wai 3503)

AND

IN THE MATTER OF

A Claim by Rita Beckmannflay for herself and on behalf of Ngati Torehina ki Mataure O Hau concerning education services and outcomes

---

**Memorandum of Counsel**

**Dated 22 December 2025**

---



**LOADER**  
LEGAL

Loader Legal, Spaces – Level 7, 50 Albert Street, Auckland CBD 1010

P 09 872 0816 extn. 1816 (09) | M 022 025 0436 | brooke@loaderlegal.com

**Counsel acting: Brooke Loader | Grant Hewison | Jasper Sontier**

**RECEIVED**

Waitangi Tribunal

**23 Dec 2025**

Ministry of Justice  
WELLINGTON

## MAY IT PLEASE THE TRIBUNAL

### Introduction

1. This Memorandum is filed on behalf of Rita Beckmannflay, on behalf of herself and Ngati Torehina ki Mata-ure O Hau.
2. On 19 November 2025, the Tribunal received amended statements of claim and a joint application for an urgent inquiry concerning the recent amendments to the Education and Training Act 2020 and the reset of the New Zealand Curriculum - Te Mātaiaho (“the original urgency application”), on behalf of the Wai 682 and Wai 1464/1546 claims.<sup>1</sup>
3. On 3 December 2025, the Tribunal received an amended statement of claim and a further application for an urgent inquiry in relation to the education reforms, filed on behalf of Ripeka Lessels and O’Sonia Hotereni and New Zealand Educational Institute (NZEI) Te Riu Roa (“the Wai 3503 urgency application”).<sup>2</sup>
4. The further urgency application filed as Wai 3503 relates to the same underlying matters as the earlier urgency application: the recent amendments to the Education and Training Act 2020 and the reset of the New Zealand Curriculum - Te Mātaiaho.
5. On 5 December 2025, Her Honour Judge Rachel Mullins was appointed as the presiding officer to the panel convened to determine the urgency applications, alongside Dr Paul Hamer, Kevin Prime, Gerrard Albert and Derek Fox.<sup>3</sup>
6. By directions issued on 15 December 2025, Her Honour confirmed that, given the substantial overlap in issues raised, the panel would determine the original urgency application and the Wai 3503 urgency application together.<sup>4</sup>
7. The Tribunal also directed any interested parties to file responses to the Wai 3503 urgency application by Monday, 22 December 2025.
8. Following these filings, on 22 December 2025, Counsel for Ms Beckmannflay filed a statement of claim on behalf of Ngati Torehina ki Mata-ure O Hau in the Wai 3310 Education Services and Outcomes Kaupapa Inquiry.

---

<sup>1</sup> WAI 1464, #1.1.1(o) / WAI 1546, 1.1.1(n).

<sup>2</sup> Wai 3503, #1.1.1(a)

<sup>3</sup> Wai 1464 #2.5.2

<sup>4</sup> Wai 3503 #2.5.2.

9. The matters raised by the urgency applications are also engaged by the statement of claim filed on behalf of Rita Beckmannflay and Ngāti Torehina ki Mata-Ure o Hau, which concerns the Crown's education services and outcomes as they affect the ability of hapū to exercise rangatiratanga through education, including the development and support of kaupapa Māori approaches, partnerships with kura and tertiary providers, and pathways that strengthen cultural identity and leadership for tamariki and rangatahi.
10. Ms Beckmannflay and Ngāti Torehina ki Mata-Ure o Hau say that the matters raised by the urgency applications warrant consideration by the Tribunal on an urgent basis. They say the proposed education reforms are of particular significance to hapū seeking to advance kaupapa Māori education outcomes, given the potential for those reforms to affect the legislative and policy settings within which Māori communities engage with, shape, and rely upon education as a means of cultural transmission, empowerment, and self-determination.
11. As a hapū with longstanding involvement in education initiatives and a direct interest in the protection and advancement of kaupapa Māori education outcomes, the claimants are directly affected by the Crown's education policies and settings. They accordingly have a direct interest in any inquiry granted and seek leave to participate as a full party, with the ability to file evidence as the Tribunal may direct.

**Dated at Tāmaki Makaurau this 22<sup>nd</sup> day of December 2025**



---

**Dr Grant Hewison**  
**Counsel for the Claimants**



---

**Jasper Sontier**

**TO:** The Registrar, Waitangi Tribunal, Wellington;  
All Counsel - WAI 3310 The Education Services and Outcomes Inquiry