

**IN THE WAITANGI TRIBUNAL**

**Wai 2800  
Wai 2147**

**IN THE MATTER OF** the Treaty of Waitangi Act 1975

**AND**

**IN THE MATTER OF** the Inquiry into Remaining  
Historical Claims

**BY** Moerangi Potiki, Willie Tapsell,  
and Liam Tapsell, on behalf of  
themselves, their whānau, and Te  
Rūnanga o Ngāti Whakaue mai  
Maketū Incorporated, for and on  
behalf of Ngāti Whakaue mai  
Maketu Hapū

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**MEMORANDUM OF COUNSEL  
SEEKING TO PARTICIPATE IN INQUIRY**

**Dated: 26 February 2026**

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**Counsel Acting:** Janet Mason

**RECEIVED**

Waitangi Tribunal

**26 Feb 26**

Ministry of Justice  
WELLINGTON

## **MAY IT PLEASE THE TRIBUNAL:**

1. This Memorandum of Counsel (“MoC”):
  - a. is filed on behalf of Moerangi Potiki, Willie Tapsell, and Liam Tapsell, on behalf of themselves, their whānau, and Te Rūnanga o Ngāti Whakaue mai Maketū Incorporated, for and on behalf of Ngāti Whakaue mai Maketu Hapū (“the Claimants”); and
  - b. seeks leave to participate in the Inquiry.
2. In Memorandum-Directions (“MDs”) dated 12 January 2026, Her Honour directed claimants that intend to participate in this Inquiry to file submissions by Monday 11 May 2026.<sup>1</sup> An online Judicial Conference is to be held on 27 February 2026 to discuss how the Tribunal will implement their new approach to the Inquiry.<sup>2</sup>
3. The Claimants filed their Initial Statement of Claim (“the Original SoC”) with the Tribunal on 27 August 2008, which was registered by the Tribunal on 29 August 2008.<sup>3</sup>
4. The historical claims contained in the Claim have not hitherto been enquired into. Neither has the Claim been settled.
5. The Claim can be classified as a Category Three claim as further research is required, there are overlapping interests, and the Claimants request in-person hearings.

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<sup>1</sup> Wai 2800, #2.5.17, at [13].

<sup>2</sup> Wai 2800, #2.5.17, at [15].

<sup>3</sup> Wai 2147, #1.1.1.

6. Within Category Three, the Claimants respectfully request that the Wai 2147 Claim be heard as a matter of priority as the Crown is currently poised to enter into Treaty Settlement negotiations with respect to their Claim.



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**Janet Mason**  
**Counsel Acting**