

**BEFORE THE WAITANGI TRIBUNAL  
KEI MUA I TE TARAIPUNARA**

**WAI 3300  
WAI 3418**

**UNDER**

**The Treaty of Waitangi  
Act 1975**

**CONCERNING**

**Tomokia ngā tatau o  
Matangireia – the  
Constitutional Kaupapa  
Inquiry**

**AND**

**Wai 3418, a claim by  
Aroha Rickus on behalf  
of Waitaha te Iwi ki te  
Waipounamu**

---

**STATEMENT IN RESPONSE FOR WAI 3418**

Dated: 20 February 2026

---

**Counsel:**  
Bryce Lyall  
Kōkiri Chambers  
PO Box 60649  
Titirangi  
Auckland 0642  
022 658 1895  
Bryce@kokirichambers.nz

Hannah Swedlund  
Employed Barrister  
Hannah@brycelyall.com



**KŌKIRI  
CHAMBERS**

**RECEIVED**

Waitangi Tribunal

**20 Feb 26**

Ministry of Justice  
WELLINGTON

## **TĒNA, E TE RŌPŪ WHAKAMANA I TE TIRITI**

1. This is the Waitaha te Iwi ki te Waipounamu 3418 statement of reply to the Crown's position.
2. We have reviewed the Crown material and note the emphasis placed on Article 3, representative democracy, citizenship, and present constitutional arrangements. We consider that the Crown fails to differentiate between the versions of Te Tiriti and fails to take account of how Te Tiriti o Waitangi was understood and practiced by Iwi and Hapū within our communities after 1840.
3. As the Inquiry progresses, we will refer to two examples to draw those understandings out:
  - a. The actions of our Tūpuna Te Maiharoa in establishing and maintaining ahi kā at Te Ao Mārama and Ōhau, and the Crown's armed military removal of the community; and
  - b. The Te Kao notice directing settlers to cease removing resources and requiring them to engage with Iwi authority.

4. The purpose of providing this evidence will be to show evidence of continuing exercise of rangatiratanga and jurisdiction after 1840. This is clear evidence, contrary to the Crown's view, that iwi and hapū continued to exercise rangatiratanga in practice, with Article 2 operating alongside kāwanatanga from 1840 to the present.

Dated: 20 February 2026

*Aroha Louise Rickus*

**Kaiwhakahaere Matua Aroha L. Rickus**  
**Poutoko**  
**Waitaha te Iwi ki te Waipounamu**