TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

Wai 3553

E PĀ ANA KI te Treaty of Waitangi Act 1975
CONCERNING

Ā, te Education and Training Amendment Act and Te Mātaiaho Urgent Inquiry

AND

HE PĀNUI WHAKAHAU O TE MANA WHAKAHAERE

MEMORANDUM-DIRECTIONS OF THE PRESIDING OFFICER CONFIRMING WITNESSES FOR THE URGENT HEARING AND OTHER MATTERS

10 Āpereira 2026

Te Aronga / Purpose

1. This memorandum-directions:

    (a) records those witnesses the panel wishes to put questions to at the two-day urgent hearing for the Education and Training Amendment Act and Te Mātaiaho (Wai 3553) Urgent Inquiry;

    (b) confirms arrangements for closing submissions; and

    (c) responds to Tukau Law's request for an additional hearing day (Wai 3553, #3.1.37).

Ko ngā kaikōrero ka tū ki te nohoanga / Witnesses to present at hearing

Procedural history

2. In memorandum-directions dated 12 March 2026, I released the filing milestones for the urgent inquiry (Wai 3553, #2.5.2 at [12]).

3. On 26 March 2026, via an email from the Waitangi Tribunal Registrar (the Registrar), I directed counsel for the Crown to file an indicative list of witnesses they would like to cross-examine, based on the evidence filed, by 31 March 2026.

4. On 1 April 2026, the Tribunal received a memorandum from counsel for the Crown, James Watson, Tanuvi Garimella and Lachlan Ewing, outlining a list of witnesses that the Tribunal may wish to put questions to. The Crown submits that they may seek limited time in the hearing timetable for cross-examination depending on the witnesses the Tribunal wishes to hear from (Wai 3553, #3.1.41 at [2] & [3]).

Panel decision

5. On 2 April and 8 April 2026, respectively, via emails from the Registrar, I confirmed that the panel wishes to put questions to:

    (a) Bruce Jepsen and Therese Ford (#A4 & #A4(a))

    (b) Ripeka Lessels (#A12)

    (c) Richard Manning and Nepia Mahuika (#A15)

    (d) Bevan Holloway (#A18)

    (e) Phillippa Tinning (#A22)

    (f) Alicia Poroa (#A26)

    (g) Jane Jarman (#A27)

    (h) Watson Ohia (#A29)

    (i) Dr Raewyn Mahara (#A31)

    (j) Meredith Kennett (#A36)

    (k) Jodie Hunter (#A37)

    (l) Ellen MacGregor-Reid (#A42)

    (m) Andrew Jackson (#A43)

    (n) Pauline Cleaver (#A44)

6. Counsel responsible for filing the draft timetable should liaise with the relevant parties to file the draft timetable by no later than **5 pm, Friday 10 April 2026.** To assist with timetable

drafting, the Tribunal notes we are not expecting lengthy opening oral submissions but brief opening statements.

7. Further, the Crown should be aware that the expectation is that they cross examine witnesses at the hearing rather than file questions in writing. Leave to do this will only be granted in limited circumstances.

Ngā tāpaetanga whakakapi / Closing Submissions

8. On 8 April 2026, via an email from the Registrar, I directed counsel for the witnesses listed at [5] above to file closing submissions **by 5 pm, Monday 13 April 2026**.

9. On 8 April 2026, the Tribunal received the following memoranda concerning closing submissions from:

   (a) Counsel for the New Zealand Educational Institute (NZEI) – Te Riu Roa (Wai 3503) and the Ngā Kura ā Iwi o Aotearoa (Wai 3502) claims, Annette Sykes, Jack Potaka, Kalei Delamere-Ririnui and Rangipurei Manley (Wai 3553, #3.1.51).

   (b) Counsel for the Crown and counsel for the Ngāti Hine Lands, Forests and Resources (Wai 682) and Te Kapotai and Ngāti Pare Hapū/Waikare Inlet (Wai 1464/Wai 1546) claims, Season-Mary Downs and Jessica Hita (Wai 3553, #3.1.53).

10. The panel will hear oral closing submissions at the urgent hearing. These oral submissions are not expected to be as extensive as written closing submissions, but it is an opportunity for the Tribunal to engage with counsel on their respective arguments.

11. I accordingly confirm that written submissions are to be filed after the urgent hearing and direct:

   (a) claimant and interested party written closing submissions to be filed by **5 pm, Friday 1 May 2026;** and

   (b) the Crown's written closing submissions to be filed by **5 pm, Friday 15 May 2026**.

He tono mō tētahi rangi nohoanga anō / Request for an additional hearing day

12. On 25 March 2026, Dr Downs and Ms Hita, filed a memorandum seeking, among other matters, that an additional day be scheduled for 17 April 2026 (Wai 3553, #3.1.37 at [10]).

13. On 7 April 2026, the Tribunal received a memorandum from the Crown in response to Dr Downs and Ms Hita's request for an additional hearing (Wai 3553, #3.1.48).

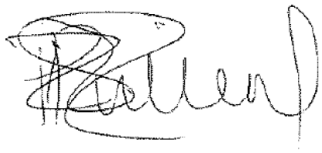
14. The Crown and Tukau Law, in their joint submissions dated 8 April 2026, urgently seek direction from the Tribunal as to whether additional hearing time will be allocated on 17 April 2026 (Wai 3553, #3.1.53 at [17]).

15. Having considered the evidence and submissions to be presented at the urgent hearing, the Tribunal maintains its position that all evidence is to be heard on 15 and 16 April 2026. I do, however, grant leave for the morning of Friday, 17 April 2026, to be used for the purposes of hearing oral closing submissions.

Me tuku atu te Kairēhita i tētehi kape o tēnei whakahau ki ērā ki te rārangi whakamōhio mō Wai 3553, the Education and Training Amendment Act and Te Mātaiaho Urgent Inquiry.

The Registrar is to send a copy of this direction to all those on the distribution list for Wai 3553, the Education and Training Amendment Act and Te Mātaiaho Urgent Inquiry.

WHAKAPŪMAUTIA ki Ōtautahi i te 10 o te Āpereira 2026



Kaiwhakawā R Mullins
Te Mana Whakahaere
TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI