

BEFORE THE WAITANGI TRIBUNAL

WAI 1750

WAI 1782

IN THE MATTER OF

the Treaty of Waitangi Act
1975

AND

IN THE MATTER OF

claims relating to the North-
Eastern Bay of Plenty Inquiry
District (**WAI 1750**)

AND

IN THE MATTER OF

a claim by **Te Riaki Amoamo**
and **Mereaira Hata** for and on
behalf of **Ngāti Ruatakenga**
(**Wai 1782**)

JOINT MEMORANDUM OF COUNSEL

Dated this 14th day of May 2026

RECEIVED

Waitangi Tribunal

14 May 26

Ministry of Justice
WELLINGTON



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MAY IT PLEASE THE TRIBUNAL

1. This Memorandum of Counsel is filed on behalf of:
 - a) Te Riaki Amoamo and Mereaira Hata for and on behalf of Ngāti Ruatakenga (Wai 1782);
 - b) the late Hone Kameta, Te Rua Rakuraku, John Terehita Pio, Paeone Goonan and Te Ringahuia Hata for and on behalf of Ngāti Ira o Waiōweka (Wai 558);
 - c) the late John Hata, Russell Hollis, and Len Brown, John Brown, Antoinette Hata and Te Ringahuia Hata for and on behalf of the owners of Whakapaupākihi No 2 block, owners of the Moutuhora Quarry (Wai 864);
 - d) the late Mr John Hata and Russell Hollis, Antoinette Hata and Te Ringahuia Hata for and on behalf of Ngāti Patumoana hapū (Wai 1775);
 - e) Joseph Kahika and Jason Kahika for Te Whānau o Te Kahika, Kahika, Kahikatea, Kahikaroa, and Wharekahika (Wai 2510); and
 - f) Sharon Campbell for and on behalf of herself and her whānau, and for the benefit of ngā uri whakaheke a Rangihuatake rāua ko Haami Parehe, Patehepa Tāpono, Tipene Te Peha Tutaki Tamatea, rāua ko Hana Konewa (Wai 2728).
2. This memorandum is filed in response to the joint memorandum of counsel filed on 13 May by Wackrow Panoho (on behalf of some of the claimant groups) setting out their proposed approach to the remainder of the North-Eastern Bay of Plenty Inquiry (Wai 1750), and the Crown's memorandum in response filed on 14 May.
3. Counsel are instructed that their clients do *not* agree with the opinion expressed in the memorandum filed by Wackrow Panoho that concluding the inquiry by June 2027 would result in “an overly compressed” timetable.

4. Our clients hold the firm view that it is not only possible to conclude the inquiry by June 2027, but it is highly desirable to do so. We note too that the Crown supports this view. Our clients' primary concern is the length of time that it will take to obtain a report from the Tribunal on even the most optimistic scenario. Our clients are highly motivated to try and ensure that the inquiry is completed in the shortest reasonable time so that, if possible, their pou tikanga who have played such a fundamental role in the inquiry to date will be around to receive the report.
5. It is submitted that the three additional hearing weeks that the Tribunal has indicated can be allocated could all be scheduled in the first half of 2027. As the Crown observes, it should be possible for the remaining evidence to be heard within the remaining three weeks. An indicative timetable for those three weeks might be as follows:
 - a) Hearing weeks 9 – 12 for remainder of 2026 – as set out in the Wackrow Panoho timetable;
 - b) Crown evidence filed December 2026;
 - c) Ngāi Tai hearing week – February 2027;
 - d) Claimant reply evidence – end of February 2027;
 - e) Crown hearing week - March 2027;
 - f) Claimant closing submissions – generic and specific – end of April 2027;
 - g) Crown closing submissions – end of May 2027;
 - h) Closing submissions hearing week – June 2027;
 - i) Claimant reply submissions – June or July 2027.
6. In addition, or alternatively, it is submitted that the Tribunal could consider issuing a priority report on the raupatu (that is, the claims relating to the war and confiscation of land), on the basis that the raupatu is the most consequential catastrophic event in Whakatōhea's relationship with the Crown and the most

egregious of the Crown's breaches of te Tiriti o Waitangi. This aspect of the report would be greatly assisted by the fact that the historical account, Crown acknowledgements and apology in the historical Treaty settlement have already gone some way to addressing the issues and acknowledging at least some of the Tiriti breaches.

7. If the Tribunal is willing to consider issuing a raupatu report as a matter of priority, it would be possible for submissions on those claims to be filed within the next 3 – 4 months and addressed at a hearing by the end of calendar year 2026 (noting that the Crown evidence does not relate to the raupatu). If the Tribunal supports this approach, counsel could coordinate with the other claimant groups and the Crown to devise a workable programme.

DATED at Rotorua and Wellington this 14th day of May 2026



**Annette
Sykes**

**Kalei
Delamere-
Ririnui**

Jack Potaka

**Rangipurei
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