WAITANGI TRIBUNAL

Wai 3584

CONCERNING	the Treaty of Waitangi Act 1975
AND	a claim by Alaina Teki-Clark on behalf of herself, Ngāti Pāmoana and the legacy of Tauira.

MEMORANDUM-DIRECTIONS OF THE DEPUTY CHAIRPERSON

The Registrar will please enter this matter on the register of claims and give it the next available Wai number. The register should note that the claim was received on 16 September 2026.

The claimant has applied to have their claim heard urgently by the Tribunal and this application will be dealt with in separate directions.

The claimant should please take note of the 'Wai' number reference at the top of the page. Please use this claim number in any communication with the Tribunal.

This claim is lodged by Alaina Teki-Clark on behalf of herself, behalf of herself, Ngāti Pāmoana and the legacy of Tauira and concerns the Crown's ongoing failure to implement the settlement of historical Whanganui claims, enacted through the Ngā Hapū o te Iwi o Whanganui Claims Settlement Act 2026 (the Act), in accordance with its Treaty obligations and the implementation framework in the He Rau Tukutuku deed of settlement (the Deed).

The claimant alleges that the Crown has breached the principles of the Treaty of Waitangi by failing to:

- actively protect hapū rangatiratanga during the settlement's implementation;
- act in good faith during the settlement's implementation;
- make informed decisions about the settlement's implementation;
- ensure that hapū whose rights are affected by the settlement can participate meaningfully in the implementation process;
- monitor its commitments to Ngāti Pāmoana under the He Korowai Whakamana framework; and
- resolve post-settlement disputes about how the steps for implementing the settlement should be given effect under the resolution process included in the He Korowai Whakamana framework.

The claimant seeks a variety of relief, including recommendations that the Crown:

- re-engage with Ngāti Pāmoana and all 22 hapū, marae by marae, regarding the implementation of the settlement;
- fund independent legal advice for all hapū during settlement implementation;
- withhold settlement assets until the Takapau Whāriki Trust amends its deed to include enforceable hapū representation, veto rights, and a guaranteed share of resources;

- do not permit the initial trustees to take irreversible steps; and
- apologise to Ngāti Pāmoana directly.

Section 17(4) of the Act includes provisions removing the Tribunal's jurisdiction to inquire into or make findings or recommendations in respect of the historical claims of Ngā Hapū o te Iwi o Whanganui, the Deed, the Act and the redress provided under the Deed and the Act. However, under section 17(5) of the Act, the Tribunal retains jurisdiction to inquire into and make findings or recommendations in respect of the interpretation and implementation of the Deed or the Act. This claim is registered subject to these provisions and only insofar as it concerns contemporary allegations of Treaty breaches by the Crown.

The claimant may amend this claim at a later stage. In any case the Tribunal may require the claimant to prepare a fully particularised statement of claim before the claim can be heard.

The Tribunal currently runs district and kaupapa inquiry programmes in which claims are grouped either by district or by kaupapa (thematic) issue. Historical claims are those that raise grievances which arose before 21 September 1992. Contemporary claims have grievances that arose on or after that date. Some claims have both historical and contemporary grievances.

The allegations in this claim are contemporary in nature. Although arising in relation to a specific geographic area, they pertain to the Crown's mandating policy and process and as such may be best suited for consideration in a kaupapa inquiry. If an urgent hearing is not granted for this claim, it would appear to fall within the scope of the Tomokia ngā tatau o Matangireia - the Constitutional (Wai 3300) kaupapa inquiry.

The claimant also needs to be aware that the Tribunal only makes recommendations to the Crown. It cannot tell the Crown what to do; it may only recommend that the Crown acts to address the negative consequences of its breaches of the principles of the Treaty.

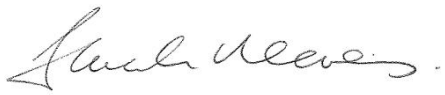
Legal Aid Services provides help for Waitangi Tribunal claimants. For advice on getting a lawyer or receiving funding, please contact Legal Aid Services at their Wellington central office or one of the local offices; the claimant should check their telephone directory for contact details.

Any questions about the contents of this document should be directed to The Registrar, Waitangi Tribunal, DX SX 11237, Wellington; phone (04) 914 3000, fax (04) 914 3001; email wt.registrar@justice.govt.nz.

The Registrar is to send a copy of this direction to the claimant and to:

- Crown Law Office;
- Te Kahui Whakatau (Treaty Settlements), Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau;
- Crown Forestry Rental Trust;
- Legal Aid Services;
- Te Puni Kōkiri;
- the Whanganui Land Settlement Negotiation Trust;
- Whanganui District Council;
- Takapau Whāriki Trust;
- Tūpoho Whānau Trust;
- Tūpoho Investments Ltd;
- Ngā Tāngata Tiaki o Whanganui Trust;
- Department of Conservation; and
- all those on the notification list for Wai 3300, Tomokia ngā tatau o Matangireia – the Constitutional Kaupapa Inquiry.

DATED at Wellington this 23rd day of September 2026



Judge Sarah Reeves
Deputy Chairperson
WAITANGI TRIBUNAL