IN THE WAITANGI TRIBUNAL **KEI MUA I TE ROOPU WHAKAMANA** **I TE TIRITI O WAITANGI**	**WAI 3212** **WAI 2750**

IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	the Housing Policy and Services Kaupapa Inquiry
AND	
IN THE MATTER OF	a claim by Geneva Hakaraia-Tino on behalf of herself and non-speaking tāngata whaikaha Māori (non-speaking disabled Māori)

MEMORANDUM OF COUNSEL REGARDING MINIMUM VIABLE HEARING REQUIREMENTS

Dated this 7th day of October 2026

RECEIVED
Waitangi Tribunal
8 Oct 26
Ministry of Justice
WELLINGTON

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MAY IT PLEASE THE TRIBUNAL

1. This Memorandum of Counsel is filed on behalf of Ms Geneva Hakaraia-Tino on behalf of herself and non-speaking tāngata whaikaha Māori (non-speaking disabled Māori)(**the Claimants**).

2. In Memorandum-Directions dated 2 Hepetema 2026, Presiding Officer Judge Coxhead directed claimant coordinating counsel to provide submissions on minimum viable requirements for the stage two hearing phase and more detail on the context of suggested accessibility measures.[1]

3. Counsel for the Claimants support the memoranda filed by claimant coordinating counsel on 14 August 2026[2] and on 7 October 2026.

4. This memorandum is filed in support of those memoranda with the purpose of providing the Tribunal with further clarity on the context of the accessibility measures sought.

5. The Claimants are non-speaking tāngata whaikaha and communicate through augmentative alternative communication. Ms Hakaraia-Tino will be providing evidence in stage two of the Wai 2750 inquiry. Should Ms Hakaraia-Tino be required to appear at a hearing, as she did so in the disability phase of the Wai 2575 Health Servies and Outcomes Inquiry, counsel has suggested some possible measures that could help to ensure the hearings are conducted as effectively as possible.

6. Counsel suggest that the Tribunal may wish to consider the following for the Claimants:

    a. provision of extra time for questioning as is required, noting that communication through AAC devices from text to speech can take longer than verbal communication;

    b. providing questions in writing in advance of hearing. This gives the Claimants the chance to pre-prepare answers to the extent that is possible; and

[1] Wai 2750, 2.6.071 at [43].
[2] Wai 2750, 3.2.479 at [9].

c. the opportunity to provide further detail in writing following the hearing if required.

7. Counsel for the Claimants support the proposed baseline accessibility requirements as outlined by claimant coordinating counsel in the joint memorandum of counsel dated 7 October 2026.

DATED at Auckland this 7th day of October 2026

Kelly Dixon / Lucy Tothill / Harriett Morrow
Counsel for the Claimants