TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

Wai 2800

E PĀ ANA KI
CONCERNING

te Treaty of Waitangi Act 1975

Ā,
AND

te Inquiry into Remaining Historical Claims

HE PĀNUI WHAKAHAU A TE MANA WHAKAHAERE

MEMORANDUM-DIRECTIONS OF THE PRESIDING OFFICER ADDRESSING LATE SUBMISSIONS REGARDING ELIGIBILITY

15 Hepetema 2026

Hei tīmatanga kōrero / Introduction

1. This memorandum-directions for the Inquiry into Remaining Historical Claims (Wai 2800) addresses:

   (a) late submissions from parties responding to the Crown's submissions on the eligibility of claims to participate in this inquiry; and

   (b) a late submission regarding eligibility for the Ngatarawa Block (Wai 596) claim.

He tāpaetanga kua tukua tōmuri / Submissions received out of time

Horopaki / Background

2. On 14 August 2026, counsel for the Crown provided submissions on eligibility in relation to claims seeking to participate in this inquiry (Wai 2800, #3.2.25 & #3.2.25(a)).

3. Claimants were directed to file any replies to Crown submissions on eligibility and jurisdiction by 5 pm, Monday 31 August 2026 (Wai 2800, #2.5.22 at [42(d)]).

4. In memorandum-directions of 4 August 2026, I reminded parties that I will not accept documents for the Wai 2800 record that have not been filed on time without prior leave being sought, and a compelling reason for the delay being provided alongside supporting evidence (Wai 2800, #2.6.3 at [3]).

Descendants of Romio Wi Repa and Mary Gundry Wi Repa (Wai 1553) and Ngāti Whakaue ki Maketū Lands (Waterreus and Others) (Wai 2147) claims

5. On 31 August 2026, Janet Mason and Lars Thompson, counsel for the Descendants of Romio Wi Repa and Mary Gundry Wi Repa (Wai 1553) claim filed reply submissions to the Crown's submissions on eligibility for the Wai 1553 claim. These submissions were received after the 5 pm deadline. Counsel apologised for the delay in filing and sought leave for the same, but provided no explanation for the late filing.

6. Ms Mason and Mr Thompson also filed late reply submissions to the Crown's submissions on eligibility for the Ngāti Whakaue ki Maketū Lands (Waterreus and Others) (Wai 2147) claim. Counsel again apologised for the delay in filing and sought leave for the same, but provided no explanation for the late filing.

Ngāti Tahinga, Ngāti Tanetinorau, Ngāti Te Whatu and Others Lands and Resources (Walsh) (Wai 2117) claim

7. Similarly, on 31 August 2026, Charl Hirschfeld, counsel for the Ngāti Tahinga, Ngāti Tanetinorau, Ngāti Te Whatu and Others Lands and Resources (Walsh) (Wai 2117) claim filed reply submissions to the Crown's submissions on eligibility for the Wai 2117 claim. These submissions were also received after the 5 pm deadline, and no explanation was provided for the late filing nor leave sought.

Te Aitanga-a-Hauiti (Wai 976) claim

8. On 1 September 2026, Tui Marino filed reply submissions to the Crown's submissions on eligibility for Te Aitanga-a-Hauiti (Wai 976) claim. Mr Marino advised that he was unable to get an update on the filing deadline until seeing the filing coming in on 31 August 2026, and sought leave for the delay in filing.

Descendants of Te Hirawanu (Karaitiana) (Wai 1928), Waikawa 2B and 3 Land Blocks (Wai 1808), Te Whānau-a-Apanui Mana Wahine (Stirling) (Wai 2257) and Raketapauma (Descendants of Ropoama Pohe) (Wai 1632) claims

9. On 2 September 2026, Chris Beaumont and Tekih Veikoso, counsel for the Descendants of Te Hirawanu (Karaitiana) (Wai 1928), Waikawa 2B and 3 Land Blocks (Wai 1808), Te Whānau-a-Apanui Mana Wahine (Stirling) (Wai 2257) and Raketapauma (Descendants of Ropoama Pohe) (Wai 1632) claims filed reply submissions to the Crown's submissions on eligibility for the Wai 1928, Wai 1808, Wai 2257 and Wai 1632 claims.

10. Counsel advised that they were unable to finalise instructions in regard to the Crown submissions on eligibility until this point due to the ill health of the claimants and circumstances outside of the claimants' control.

Late eligibility submission for the Ngatarawa Block (Wai 596) claim

11. On 15 July 2026, Cameron Hockly, counsel for the Ngatarawa Block (Wai 596) claim filed submissions on the eligibility of Wai 596 to participate in this inquiry. In their memorandum, counsel sought leave to file a statement with supporting material that provided further detail and substantiated their claim's submissions on eligibility (Wai 2800, #3.2.13).

12. Counsel stated that they had just been engaged and the claimants had not been able to prepare this material with counsel prior to this time. Counsel advised that the statement would be filed by Monday 20 July 2026.

13. Accordingly, on 20 July 2026, Mr Hockly filed a statement of evidence of Olivia Thompson regarding Wai 596 and its eligibility to participate in this inquiry.

Whakataunga / Decision

14. I once again remind parties that if counsel seek to file out of time, a request to do so must be filed in advance of the directed deadline and accompanied by a full explanation regarding its late provision (Wai 2800, #2.5.22 at [20]).

15. I expect lawyers to meet the timeframes for filing, and leave will not be granted in the absence of a proper explanation for the delay. While I will have a more flexible approach towards unrepresented parties, I have a higher expectation of counsel.

16. For this reason, I accept the eligibility submissions filed by Mr Marino on behalf of the Wai 976 claim and grant the leave sought.

17. However, counsel for Wai 1553, Wai 2147, Wai 2117, Wai 1928, Wai 1808, Wai 2257, Wai 1632 and Wai 596 need to provide a proper explanation as to why they could not file timely submissions.

18. I direct counsel for the claims listed above at [17] to advise the reasons for their delay before a granting of leave will be considered. Counsel are to file these submissions by **5 pm, Tuesday 22 September 2026**.

He tāpaetanga kua tukua, kua whakawhiwhia torohanga rānei / Submissions received in time or granted an extension

19. For parties' reference, **attached** as **Appendix A** to this direction is a table summarising the claims whose eligibility submissions were received by the directed deadline (14 July

2026), and those granted extensions to submit their eligibility submissions by 14 September 2026.

Me tuku atu te Kairēhita i tētehi kape o tēnei whakahau ki ērā ki te rārangi whakamōhio mō Wai 2800, the Inquiry into Remaining Historical Claims.

The Registrar is to send this direction to all those on the distribution list for Wai 2800, the Inquiry into Remaining Historical Claims.

WHAKAPŪMAUTIA ki Rotorua i te 15 o te Hepetema 2026

Kaiwhakawā T Wara
Te Mana Whakahaere
TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI