

IN THE WAITANGI TRIBUNAL**WAI 2374
WAI 2196
WAI 1699
WAI 1701
WAI 996
WAI 377****IN THE MATTER OF**

the Treaty of Waitangi Act 1975

AND

a claim by Sir Graham Latimer on behalf of himself and the hapū of Te Paatu; Mr Haami Piripi on behalf of himself and the iwi of Te Rarawa; Mr David Potter and Mr Andre Paterson on behalf of themselves and hapū of Ngāti Rangitihī; Ms Michelle Marino and Mr Errol Churton for and on behalf of themselves and the descendants of Tāringa Kuri (Te Kaeaea); and Mr Russell Kemp on behalf of himself and the hapū, marae and whānau of Te Uri o Hau

MEMORANDUM OF COUNSEL**20 June 2012**

RECEIVED

Waitangi Tribunal

21 June 2012Ministry of Justice
WELLINGTON

Pacific Law Limited
Barristers & Solicitors
Level 13, Willbank House, 57 Willis Street,
PO Box 27400
Marion Square
Wellington 6141
Tel: (04) 384 1304
Fax: (04) 384 1304
Counsel Acting: Janet Mason

MAY IT PLEASE THE TRIBUNAL

- 1.** This Memorandum is filed further to the Statement of Claim and Memorandum of Counsel filed on behalf of the Claimants on 1 June 2012 seeking an urgent inquiry into the administration of legal aid in the Waitangi Tribunal jurisdiction (“the Latimer and Piripi Urgency Application”).¹
- 2.** Counsel advised in paragraph 16 of Counsel’s Memorandum dated 1 June 2012 that affidavits in support of the Urgency Application would be filed in the week beginning 4 June 2012.
- 3.** Counsel respectfully requests the Tribunal’s forbearance in relation to the filing of the affidavits.
- 4.** Counsel has been unable to finalise the various affidavits in support of the Latimer and Piripi Urgency Application as their preparation has taken much longer than anticipated, particularly given that Counsel’s priorities have been diverted to other pressing Waitangi Tribunal matters since the filing of the Latimer and Piripi Urgency Application. Counsel has had to manage a number of significantly compressed timeframes for submissions and other attendances in relation to various other Tribunal proceedings. This has included the preparation of submissions in relation to the Wai 2364, Wai 2366 and Wai 2372 Applications for Urgency, which were filed this Monday 18 June 2012. Counsel is also focusing on the preparation of evidence due to be filed with the Tribunal this Friday 22nd May 2012, as well as preparations for Counsel’s opening submissions due next Tuesday 26 June 2012, in relation to the Wai 2358 Urgency Application Proceedings.
- 5.** Given these circumstances, Counsel anticipates that affidavits in support of the Latimer and Piripi Urgency Application will be able filed with the Tribunal after

¹ Wai 2374, #1.1.1 and #3.1.1.

Tuesday 26 June 2012 – counsel anticipates that all affidavits will be filed with the Tribunal by Friday 29 June 2012 at the latest. Counsel also advises that Mr Haami Piripi is overseas until Wednesday 27 June 2012.

6. Counsel submits that no prejudice will accrue to any party as a result of the delay in filing the affidavits.
7. Counsel apologises to the Tribunal and parties for any inconvenience caused.

Dated 20th June 2012



.....
Janet Mason
Counsel for the Claimants