OFFICIAL

IN THE WAITANGI TRIBUNAL WAI 898

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF Te Rohe Pōtae District Inquiry

CROWN MEMORANDUM WITH WRITTEN QUESTIONS FOR MR RAUPUTU

Dated 5 December 2012

RECEIVED
Waitangi Tribunal
5 Dec 2012
Ministry of Justice
WELLINGTON

CROWN LAW
TE TARI TURE O TE KARAUNA
PO Box 2858
WELLINGTON 6140
Tel: 04 472 1719
Fax: 04 473 3482

Counsel Acting:
Geoffrey Melvin / Stephanie Jones

MAY IT PLEASE THE TRIBUNAL:

Introduction

1. This memorandum responds to the direction of 15 November 2012[1] that the Crown file in writing the questions it put to Mr Tuwhangai at the first hearing week so that Mr Rauputu, who was unable to appear in relation to the brief of evidence that he prepared jointly with Mr Tuwhangai[2], may provide a written response.

2. The Crown apologises for the delay in filing these questions. It does not object to an extension if Mr Rauputu is unable to provide his answers within the original timeframe of Thursday 20 December set for claimant counsel, Ms Sykes, to file the response.

Questions for Mr Rauputu

3. The questions the Crown put to Mr Tuwhangai were as follows:

   3.1 You refer in your evidence to the Kawenata Tapu. Is that the same thing as the Ohaki Tapu?

   3.2 What is your understanding of what the Kawenata Tapu says?

   3.3 In your evidence you have described the Kawenata as "stitching us together". That sounds very much like it is a bond between the iwi. Is that a fair description, or what comment would you have about that?

   3.4 How do you see the Crown fitting into Te Kawenata Tapu?

   3.5 In your view, did the Kawenata establish some agreements between Rohe Pōtae Māori and the Crown?

   3.6 My understanding is that Mr Whitely was killed in the late 1860s, which is, am I correct, before the time when you say the Kawenata came into being?

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1 Wai 898, 2.6.1, at [2.2].

2 Wai 898, H13.

3.7 In your view, did the Crown have a legitimate concern about the shooting of Reverend Whitely at Pukearuhe and about that kind of event?

5 December 2012

Geoffrey Melvin / Stephanie Jones
Counsel for the Crown

TO: The Registrar, Waitangi Tribunal
AND TO: Claimant Counsel