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IN THE WAITANGI TRIBUNAL WAI 1040

IN THE MATTER OF THE TREATY OF WAITANGI ACT 1975

AND

IN THE MATTER OF TE PAPARAHI O TE RAKI (NORTHLAND INQUIRY)

MEMORANDUM OF THE CROWN

21 December 2012

RECEIVED
Waitangi Tribunal
21 December 12
Ministry of Justice
WELLINGTON

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MAY IT PLEASE THE TRIBUNAL:

1. We refer to the Tribunal's direction of 14 November Wai 1040, #2.5.132 (paragraph 55-56) that the Crown identify any existing research from other inquiries that it wishes to file on the record of inquiry. The Crown confirms its previous indication (Wai 1040), #3.1.812, paragraph 7), that it wishes to file a report from the Whanganui district inquiry entitled "The Development of Institutions of Governance for Māori 1852 – 1865" by Dr D M Loveridge (Wai 903, #A143).

2. This report examines the place of Māori under the Constitution Act 1852 and examines the policies put in place with respect to local justice, governance and Māori land title through to 1866. It is therefore relevant to Issue 1 "Tino Rangatiratanga, Kawanatanga and Autonomy: Political Engagement between Maori and the Crown". We note that the report has also been filed in the Rohe Potae District inquiry.

3. We note that we have yesterday received the Tribunal's 20 December 2012 direction Wai 1040, #2.5.144 which, at paragraphs 27-28 directs that parties outline the "relevant context for Te Paparahi o Te Raki inquiry purposes ... along with an indication of how it is to be relied upon". We consider the subject matter of the above evidence means it would be helpful for all parties to refer to in addressing the matters covered by Issue 1.

4. At this stage the Crown has not identified any further reports from other inquires upon which it would wish to rely. However, given the early stage in the inquiry process, we would appreciate the opportunity to seek the inclusion of further reports should the need arise.

21 December 2012

A K Irwin/H M Carrad
Counsel for the Crown

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