

IN THE WAITANGI TRIBUNAL

Wai 898

IN THE MATTER OF

The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

Te Rohe Potae Inquiry

AND

IN THE MATTER OF

Ngati Te Wehi

**MEMORANDUM OF COUNSEL REGARDING
CROSS-EXAMINATION OF KESAIA WALKER**

Dated 14th October 2013

RECEIVED Waitangi Tribunal
14 Oct 2013
Ministry of Justice WELLINGTON

Te Mata a Maui Law

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MAY IT PLEASE THE TRIBUNAL

1. Counsel files this memorandum on behalf of Ngati Te Wehi.
2. On 11 October 2013, the Presiding Officer Judge Ambler asked Ms Kesaia Walker about her report, 'History of pre-1865 Crown Purchase Reserves in Te Rohe Pōtae' (Wai 898 #A142). In particular the Presiding Officer Judge Ambler sought further details about some of the blocks at page 57 of her report, in particular the Mowhiti block. Ms Walker indicated that she will file further information about the Mowhiti block in due course.
3. Counsel has been instructed to ask Ms Walker a question in relation to the Mowhiti block and counsel respectfully seeks leave to put that question to Ms Walker. That question is, 'how did the Mowhiti block come to be Europeanised?'. The Europeanisation of Maori land was an issue which Marge Apiti addressed in her evidence.
4. Given the Presiding Officer's request to Ms Walker to provide further information about the Mowhiti block, in counsel submission, this may provide Ms Walker the opportunity to also answer the question put to counsel.
5. If leave is sought, counsel requests that the answer be included in the response to the Judge's directions.
6. Counsel apologises for the late request but counsel had been busy preparing for the briefs of evidence for Ngati Te Wehi and had not been able to prepare for cross-examination of Ms Walker. Counsel believes that no prejudice will be caused by this delay.

DATED at Auckland this 14th October 2013.



David Martin Stone | Augencio Bagic

TO: The Registrar, Waitangi Tribunal; Crown Law Office and those
on the notification list for Wai 898 Te Rohe Potae Inquiry.