OFFICIAL

Wai 898, #3.3.459

IN THE WAITANGI TRIBUNAL
OF NEW ZEALAND

IN THE MATTER of the Treaty of Waitangi Act 1975

A N D

IN THE MATTER of the Te Rohe Pōtae District Inquiry (Wai 898)

MEMORANDUM OF COUNSEL FILING
HEARING WEEK EIGHT TIMETABLE

RECEIVED
Waitangi Tribunal
23 Oct 2013
Ministry of Justice
WELLINGTON

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1. This Memorandum of Counsel is filed on behalf of the Claimant Counsel Coordinating Committee ("CCCC") in response to the Memorandum-Directions of Judge Ambler dated 21 October 2013 (Wai 898, #2.6.43).

Hearing Week 8 Timetable

2. **Attached** is the draft hearing week 8 timetable.

3. Please note:

   (a) Several of the Tuhoro Whānau claimants are travelling from Australia and are only available on Tuesday to Thursday, hence they have been scheduled to present before Jane Luiten's #A24 - Local Government in Te Rohe Pōtae report on Thursday morning;

   (b) The time allocated to Basset and Kay to present their #A62 - The Impacts of the Native Townships Acts in Te Rohe Pōtae report is based on the estimates provide to date, however, inevitably, as has occurred in previous hearings this time may reduce as cross-examination proceeds meaning further time is available for other presenters in particular Jane Luiten;

   (c) The order of witnesses is still to be finalised. In particular, our Te Hauāuru Claimants are meeting on Friday to confirm the order of their presenters. An updated hearing week 8 timetable will be provided as soon as possible;

List of Claimants that have transferred from Hearing Week 8

4. At the teleconference held yesterday,[1] Judge Ambler requested we provide a list of claimants who had previously indicated to the CCCC their intention to present at hearing week 8 but had, for various reasons, now requested to move to other hearing weeks. This is set out below:

   Claimants who have formally advised the Tribunal they will no longer be presenting in Hearing Week 8

   (a) Wai 1606 – A Hope;

   (b) Wai 729 – D Takitimu.

[1] Wai 898, #2.6.44, para 2.1

Other claimants who indicated to the CCCC within the last two weeks that they will no longer be presenting in Hearing Week 8

(a) Wai 1450 – Y Singh;

(b) Wai 2118 – TA McQueen (Unrepresented);

(c) Wai 2017 – H Te Nahu;

(d) Wai 2087 – D Laird;

(e) Wai 1386 – M Tuwhare;

(f) Wai 1360 – G Tootill;

(g) Wai 2134 – J Burgess.

5. The CCCC have previously indicated to Counsel that it is preferable claimants do not change where they intend to present in order to avoid backlogs later in the hearings and so the CCCC can accurately plan going forward. Therefore, given the limited hearing time, where claimants seek to change from the hearing week they have previously indicated they will present, this is done so on the basis:

(a) Those who have already given their indications for the hearing week will get first preference ie. it is possible that those who change hearing weeks may not get an opportunity to present where time does not allow; and

(b) Preference will be given to the hau kainga to present in their rohe.

6. We raise this as we are similarly concerned regarding the number of claimants moving to future hearing weeks.

7. The CCCC will liaise with Counsel and seek to provide an updated list of claimant hearing week time indications by this Friday.

DATED this 23rd day of October 2013

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Aidan Warren/Glenn Tootill
On Behalf of the Claimant Counsel Coordinating Committee