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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

NGATI TE WEHI WEEK 7 POST-HEARING MATTERS

Dated 12th November 2013

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Waitangi Tribunal
12 Nov 2013
Ministry of Justice
WELLINGTON

MAY IT PLEASE THE TRIBUNAL

1. This memorandum is filed in response to the memorandum directions of the Presiding Officer dated 21 October 2013 directing that matters arising from Week Seven of the Wai 898 Te Rohe Potae hearings are to be filed by 22 November 2013.[1]

2. Counsel seeks leave to file the following:

    a. PDF version of the slideshow presentation from Daisy Kahaki regarding her report on Ngati Te Wehi Sites of Significance Waahi Tapu Report;[2]

    b. Video clips from Miki Apiti's Brief of Evidence;[3] and

    c. Ngati Te Wehi Map book which contains all the maps used by Ngati Te Wehi claimants in their presentation.

3. With regard to the video clips used by Miki Apiti, these were played at different times during Mr Apiti's presentation, however they are filed along with this memorandum as a single video file. These clips were taken from *Waka Huia* footage which were shown publicly on national television, hence the claimants have no issue with it being filed with the Tribunal.

4. Counsel has been instructed however by the claimants to exclude the tupuna photos that were shown during their presentation. The claimants request that these photos not be filed on the Wai 898 Te Rohe Potae record of inquiry as these are private and are considered tapu. Instead, a complete mapbook is filed which contains all the maps used by the claimants during their presentation.

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[1] Wai 898, #2.6.43
[2] Wai 898, #A104(a)(i)
[3] Wai 898, #N42

5. In response to the Judge's direction regarding Karoha Moke's source for her statement in her brief,[4] counsel advises that the book Ms Moke referred to is by Openshaw, Lee and Lee, *Challenging the Myths: Rethinking New Zealand's Educational History* (1993). A copy of the front page of the book is attached as Appendix A.

6. Due to the size of the documents and video, Counsel has saved the files in a compact disc to be sent today for filing and by way of service.

DATED at Auckland this 12th November 2013.

David Martin Stone | Augencio Bagsic

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

[4] Wai 898, #N8, par 7