IN THE WAITANGI TRIBUNAL
TE ROHE POTAE INQUIRY DISTRICT

WAI 898

IN THE MATTER of the Treaty of Waitangi Act 1975

AND

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

Memorandum of Counsel Filing Corrections to the Hearing Week Ten Transcript

Dated 9 June 2014

RECEIVED
Waitangi Tribunal
9 Jun 2014
Ministry of Justice
WELLINGTON

Morrison Kent
Lawyers
Wellington and Auckland

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MAY IT PLEASE THE TRIBUNAL

1. This Memorandum of Counsel is filed on behalf of:

   (a) the Wai 614 Claimants Edith Dockery and the late Mr Isaac Kuila for and on behalf of the beneficiaries of the Te Maika Trust;

   (b) the Wai 836 Claimants Patricia Matthews and Vivienne Matthews on behalf of themselves and Te Puawaitanga Mokopuna Trust, Elenore Anaru Whanau Trust, and Te Tira Taurerewa;

   (c) the Wai 972 Claimants Edward Penetito and others on behalf of themselves, the Ngati Kauwhata Claims Komiti, Te Marae Komiti o Kauwhata Trust and Nga Uri Tangata o Ngati Kauwhata; and

   ("the Claimants").

2. This Memorandum of Counsel is filed in accordance with the Memorandum-Directions of the Presiding Officer dated 20 May 2014 (Wai 898, #2.6.68), directing that comments on the draft Hearing Week Ten Transcript be filed by midday 16 June 2014.

3. The Claimants request that the following amendments and corrections are made to the transcript.

HEARING WEEK TEN – Wai 898, #2.6.68

4. Page 14, line 16 "Morris and Kent" should read "<u>Morrison</u> Kent ..."

5. Page 1036, "Dry Bryan Gilling" should read "Dr Bryan Gilling..."

6. Page 1255, line 3 "into their" should be omitted to read "they've recognised the increasing problems..."

7. Page 1255, line 16 "of" should be omitted and replaced to read "the situation carefully and stemming the leak <u>at</u> the source..."

8. Page 1258, lines 17 and 19 should be reversed so that Dr Hearn is answering Dr Gilling's question.

9. Page 1260, line 15 should read "bursting up the big estates?..."

10. Page 1261, line 22 "land than to freehold land" should read "land to freehold land..."

11. Page 1273, line 7 "under a Labour Government that determent efforts" should read "under a Labour Government that determined efforts..."

12. Page 1277, line 3 "and you've already eluded to" should read "and you've already alluded to..."

13. Page 1279, line 16 "provisions which I elude to" should read "provisions which I allude to..."

14. Page 1375, line 3 "Morrison Ken" should read "Morrison Kent..."

15. Page 1282, line 11 "connections of the sough to which you are eluding" should read "connections of the sort to which you are alluding..."

16. Page 1283, line 7 "in the error" should read "in this era..."

17. Page 1284, line 5 "could be Treaty rights evolved" should read "could be Treaty rights involved..."

18. Page 1284, line 13 should read "Judge Acheson..."

19. Page 1284, line 15 should read "Judge Acheson..."

20. Page 1285, the last line "we have got to be vfery careful here" should read "we have got to be very careful here..."

21. Page 1291, line 11 should read "excise my interest..."

22. Page 1294, line 7 "to dispose of a block invested land" should read "dispose of a block of vested land..."

23. Page 1294, line 9 should read "he was assured that the owners had been consulted..."

24. Page 1299, line 16 should read "in contrast to yeoman farmer..."

25. Page 1307, line 12 should read "I have looked at more land alienation files than I really care to mention..."

26. Page 1308, line 15 should read "Maori were unable to compensate their lessees for their improvements..."

27. Page 1309, the third to last line should read "Te Rohe Potae Maori..."

28. Page 1312, line 10 "the board was partitioning the minister" should read "the board was petitioning the minister..."

29. Page 1312, line 14 should read "when they apply for a revesting would cite the fact that they were receiving no income..."

30. Page 1313, line 5 should read "what you were saying was petitioning the minister..."

31. Page 1313, line 23 should read "following I think their formation..."

32. Page 1315, line 22 should read "owners were in trouble albeit not of their own making..."

33. Page 1316, line 18 should read "it meant that owners of a lease..."

34. Page 1316, line 22 should read "part of the rationale was to..."

35. Page 1317, line 2 should read "applied to Maori land. But many people..."

36. Page 1317, line 8 should read "Why did it take so long for the fairer and more realistic regime to be created..."

37. Page 1317, line 18 should read "in the South Island who were subdividing their land..."

38. Page 1317, the last line should read "unfortunately the Commissioner of Taxes thought he had to..."

39. Page 1319, line 5 "restriction that enveloped all of most of" should read "restriction that enveloped all or most of"

40. Page 1323, line 17 should read "I have the date of 1912 in mind but I think that's wrong..."

41. Page 1324, line 23 should read "In here we have Somers Edwards..."

42. Page 1328, line 16 should read "60 years on from the big sheep farms on the East Coast..."

43. Page 1328, line 26 should read "unable to deal with large tracts of farming land..."

44. Page 1329, line 10 should read "blocks to Pakeha servicemen than Maori servicemen..."

45. Page 1329, line 15 should read "is actually Gould..."

46. Page 1334, line 2 should read "monies owed to Maori were tied up..."

47. Page 1376, line 8 "Dr Hearn they are in the Black folder at the end of the desk" should not be accredited to Dr Gilling as he was not in attendance on Day 5.

Dated at Wellington this 9th day of June 2014

Dr B D Gilling / C M Savali / M L Johnson
Counsel for the Claimants