

APPENDIX I

**RECORD OF INQUIRY**

**RECORD OF HEARINGS**

**TRIBUNAL MEMBERS**

The Tribunal constituted to hear the Te Arawa mandate claims comprised Judge Caren Wickliffe (presiding), John Baird, and Gloria Herbert.

**THE HEARING**

The hearing was held on 21, 22, 23, and 25 June 2004 in Rotorua.

**RECORD OF PROCEEDINGS**

**1. CLAIMS**

**1.1 STATEMENTS OF CLAIM**

**1.1.1 Wai 1150**

A claim by Pihopa Kingi, Pirihira Fenwick, and Malcolm Short on behalf of Te Arawa taumata concerning the Crown's mandating process in Te Arawa, 30 April 2004

**1.1.2 Wai 1173**

A claim by David Whata-Wickliffe on behalf of Ngati Te Takinga, Ngati Hinekura, Ngati Whanarere, Ngati Rongomai, Ngati Te Rangiunuora, Ngati Te Rangiteaorere, Ngati Parua Ha, and Ngati Tamakari concerning the mandating structure of Nga Kaihautu o Te Arawa and the Crown's recognition of that mandate, June 2004

**1.1.3 Wai 1175**

A claim by David Potter and Andre Patterson on behalf of Ngati Rangitihi concerning the Crown's settlement and mandating policies in the Te Arawa region, 8 June 2004

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**1.1.4 Wai 1180**

A claim by Tame McCausland on behalf of Waitaha concerning the Crown's settlement and mandating policies in the Te Arawa region, 10 June 2004

**1.1.5 Wai 1174**

A claim by Te Ariki Morehu, Stephen Hohepa, Te Kapua Watene, and Isobella Fox on behalf of Ngati Makino and Ngati Tuwharetoa Te Atua Reretahi Ngai Tamarangi concerning the Crown's settlement and mandating policies in the Te Arawa region, 8 June 2004

**2. PAPERS IN PROCEEDINGS: TRIBUNAL MEMORANDA, DIRECTIONS, AND DECISIONS**

**2.1 REGISTERING NEW CLAIMS**

**2.1.1** Chairperson, memorandum concerning applications for urgency and joinder, 4 May 2004

**2.1.2** Presiding officer, memorandum registering claim 1.1.5, 10 June 2004

**2.2 AMENDING STATEMENTS OF CLAIM**

There were no papers concerning the amending of statements of claim

**2.3 CONCERNING JUDICIAL CONFERENCES AND HEARINGS**

**2.3.1** Presiding officer, memorandum concerning research, Taupo and Kaingaroa representation, direct negotiations, and other mandate issues, 5 February 2004

**2.3.2** Presiding officer, memorandum concerning research, boundaries, and mandate representation, 24 February 2004

**2.3.3** Presiding officer, memorandum concerning applications for urgency and joinder, 7 April 2004

**2.3.4** Chairperson, memorandum concerning applications for urgency and joinder, 7 April 2004

**2.3.5** Presiding officer, memorandum concerning research, boundaries, and mandate representation, 23 April 2004

- 2.3.6** Chairperson, memorandum concerning applications for urgency and joinder, 4 May 2004
- 2.3.7** Chairperson, memorandum concerning applications for urgency and joinder, 17 May 2004
- 2.3.8** Chairperson, memorandum concerning applications for urgency, 19 May 2004
- 2.3.9** Chairperson, memorandum concerning applications for urgency, 20 May 2004
- 2.3.10** Chairperson, memorandum declining to order facilitated discussion between parties and granting urgency, 24 May 2004
- 2.3.11** Presiding officer, memorandum setting out timetable for inquiry and hearing, 26 May 2004
- 2.3.12** Presiding officer, memorandum scheduling teleconference to discuss urgent hearing, 31 May 2004
- 2.3.13** Presiding officer, memorandum revising timetable for hearing, 2 June 2004
- 2.3.14** Presiding officer, memorandum concerning 24 June 2004 judicial conference, 2 June 2004
- 2.3.15** Presiding officer, memorandum summarising directions issued at 4 June 2004 teleconference concerning timetable for filing of submissions, evidence, and applications for cross-examination, scope of inquiry, and venue and timetable for hearing, 8 June 2004
- 2.3.16** Presiding officer, memorandum appointing kaumatua to assist CNI regional claims Tribunal, 9 June 2004
- 2.3.17** Presiding officer, memorandum in response to 11 June 2004 memorandum of Crown, 14 June 2004
- 2.3.18** Presiding officer, memorandum concerning scope of inquiry, inclusion of new claims, and deferral of urgency, 18 June 2004
- 2.3.19** Presiding officer, memorandum registering claim 1.1.2, 11 June 2004
- 2.3.20** Presiding officer, memorandum registering claim 1.1.3, 10 June 2004

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- 2.3.21** Presiding officer, memorandum concerning extensions for filing of documents, 9 July 2004
- 2.3.22** Presiding officer, memorandum confirming 5 July 2004 timetable for filing of documents, 5 July 2004
- 2.3.23** Wai 1174 claimant counsel, memorandum seeking leave for late filing of submissions, 7 July 2004
- 2.3.24** Crown Law Office, memorandum concerning presentation of submissions, 7 July 2004
- 2.3.25** Wai 1150 claimant counsel, memorandum seeking leave for late filing of submissions, 7 July 2004
- 2.3.26** Crown counsel, memorandum concerning claimant counsel's late filing requests, 8 July 2004
- 2.3.27** Wai 1032 claimant counsel, memorandum seeking leave for late filing of submissions, 7 July 2004
- 2.3.28** Presiding officer, memorandum registering claim 1.1.4, 7 July 2004
- 2.3.29** Chairperson, memorandum concerning applications for urgency and joinder, 18 June 2004

**3. SUBMISSIONS AND MEMORANDA OF PARTIES**

**3.1 PRE-HEARING STAGE (INCLUDES ALL JUDICIAL CONFERENCES)**

- 3.1.1** Te Arawa taumata, submissions in response to 21 November 2003 memorandum of Tribunal and 22 December 2003 memorandum of Crown, 30 January 2004
- 3.1.2** Te Rangatiratanga o Ngati Rangitahi Incorporated, submissions concerning deed of mandate of executive council of Nga Kaihautu o Te Arawa, 4 January 2004
- 3.1.3** Counsel for Wai 21(a), Wai 43, Wai 154, Wai 275, Wai 316, Wai 319, Wai 358, Wai 724, Wai 725, Wai 794, Wai 795, Wai 918, Wai 937, Wai 980, Wai 1009–1013, Wai 1026, Wai 1035, Wai 1036, Wai 1037, Wai 1039, Wai 1041, and Wai 1042, submissions concerning issues raised at 10 February 2004 judicial conference, 20 February 2004

- 3.1.4** Wai 1150 claimant counsel, submissions concerning issues raised at 10 February 2004 judicial conference, 20 February 2004
- 3.1.5** Counsel for Wai 837, Wai 57, and Wai 288, submissions concerning issues raised at 10 February 2004 judicial conference, 23 February 2004
- 3.1.6** Counsel for Wai 18, Wai 114, and Wai 500, submissions concerning issues raised at 10 February 2004 judicial conference, 23 February 2004
- 3.1.7** Counsel for Ngati Rangitihi and Ngati Hikairo, submissions concerning issues raised at 10 February 2004 judicial conference, 24 February 2004
- 3.1.8** Counsel for Wai 257, Wai 416, Wai 996, and Wai 1034, submissions concerning issues raised at 10 February 2004 judicial conference, 24 February 2004
- 3.1.9** Wai 664 claimant counsel, submissions concerning issues raised at 10 February 2004 judicial conference, 24 February 2004
- 3.1.10** Crown counsel, submissions concerning issues raised at 10 February 2004 judicial conference, 24 February 2004
- 3.1.11** Wai 726 claimant counsel, submissions concerning issues raised at 10 February 2004 judicial conference, 24 February 2004
- 3.1.12** Counsel for Wai 832, Wai 445, Wai 781, and Wai 786, submissions concerning issues raised at 10 February 2004 judicial conference, 24 February 2004
- 3.1.13** Counsel for Ngati Raukawa Trust Board, submissions concerning issues raised at 10 February 2004 judicial conference, 24 February 2004
- 3.1.14** Wai 533 claimant counsel, submissions concerning issues raised at 10 February 2004 judicial conference, 27 February 2004
- 3.1.15** Counsel for executive council of Nga Kaihautu o Te Arawa, submissions concerning issues raised at 10 February 2004 judicial conference, 27 February 2004
- 3.1.16** Counsel for Tapuika, submissions concerning issues raised at 10 February 2004 judicial conference, 27 February 2004

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- 3.1.17** Wai 1150 claimant counsel, submissions concerning issues raised at 10 February 2004 judicial conference, 27 February 2004
- 3.1.18** Counsel for Wai 316 and Wai 410, submissions concerning issues raised at 10 February 2004 judicial conference, 3 March 2004
- 3.1.19** Crown counsel, submissions in response to paper 2.3.2, 15 March 2004
- 3.1.20** Counsel for CFRT, memorandum seeking leave to be heard, 16 March 2004
- 3.1.21** Counsel for Wai 218, 219, and Wai 791, memorandum seeking joinder of urgency applications, 19 March 2004
- 3.1.22** Counsel for Wai 218, 219, and Wai 791, submissions supporting application for joinder (paper 3.1.21), 19 March 2004
- 3.1.23** Crown counsel, submissions in response to papers 3.1.21 and 3.1.22, 23 March 2004, 23 March 2004
- 3.1.24** Entry vacated
- 3.1.25** Wai 1150 claimant counsel, submissions concerning Crown's Te Arawa mandating policies, 25 March 2004
- 3.1.26** Counsel for Ngati Pikiao kaihautu committee, submissions concerning issues raised at 10 February 2004 judicial conference, 24 March 2004
- 3.1.27** Crown counsel, submissions in response to paper 3.1.25, 29 March 2004
- 3.1.28** Counsel for Nga Kaihautu o Te Arawa Executive Council, submissions opposing applications for urgency and joinder, 30 March 2004
- 3.1.29** Wai 1150 claimant counsel, submissions in response to paper 3.1.27, 31 March 2004
- 3.1.30** Wai 1150 claimant counsel, submissions concerning recognition of mandate of executive council of Nga Kaihautu o Te Arawa, 2 April 2004
- 3.1.31** Crown counsel, submissions concerning recognition of mandate of executive council of Nga Kaihutu o Te Arawa, 2 April 2004

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- 3.1.32** Wai 1150 claimant counsel, memorandum applying for interim relief, 5 April 2004
- 3.1.33** Wai 1150 claimant counsel, submissions concerning application for interim relief (paper 3.1.32), 5 April 2004
- 3.1.34** Crown counsel, submissions in response to paper 3.1.32, 6 April 2004
- 3.1.35** Counsel for Nga Kaihautu o Te Arawa Executive Council, submissions in response to paper 3.1.32, 6 April 2004
- 3.1.36** Wai 726 claimant counsel, submissions in response to paper 2.3.2, 6 April 2004
- 3.1.37** Wai 1175 claimant counsel, submissions in response to paper 3.1.33, 6 April 2004
- 3.1.38** Wai 1034 claimant counsel, submissions in response to paper 3.1.33, 6 April 2004
- 3.1.39** Wai 1150 claimant counsel, submissions in response to paper 3.1.34, 7 April 2004
- 3.1.40** Crown counsel, memorandum concerning availability of Crown counsel, 8 April 2004
- 3.1.41** Wai 1150 claimant counsel, submissions in response to paper 3.1.26, 13 April 2004
- 3.1.42** Wai 1150 claimant counsel, submissions concerning taumata claim and application for interim relief, 13 April 2004
- 3.1.43** Wai 681 claimant, submission concerning Ngati Whaoa mandate hui, 14 April 2004
- 3.1.44** Wai 384 claimant counsel, submissions concerning issues raised at 14 April 2004 judicial conference, 14 April 2004
- 3.1.45** Counsel for Wai 319, Wai 154, Wai 275, Wai 918, Wai 980, and Wai 21(a), submissions concerning applications for interim relief and urgency, 14 April 2004
- 3.1.46** Wai 1150 claimant counsel, submissions concerning issues raised at 14 April 2004 judicial conference, 14 April 2004
- 3.1.47** Counsel for Ngati Rangiwewehi, submissions seeking urgent hearing, 14 April 2004

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- 3.1.48** Counsel for Ngati Tamakari, submissions concerning Te Arawa mandate for Nga Kaihoutu o Te Arawa, 15 April 2004
- 3.1.49** Counsel for Ngati Tamakari, submissions concerning Te Arawa mandate for Nga Kaihoutu o Te Arawa, 21 April 2004
- 3.1.50** Wai 1150 claimant counsel, submissions in response to paper 2.3.5, 29 April 2004
- 3.1.51** Counsel for Nga Kaihoutu o Te Arawa Executive Council, submissions in response to paper 3.1.50, 4 May 2004
- 3.1.52** Counsel for Ngati Tamakari, submissions in response to paper 2.3.6, 4 May 2004
- 3.1.53** Counsel for CFRT, submissions in response to paper 2.3.5, 7 May 2004
- 3.1.54** Wai 1150 claimant counsel, submissions in response to paper 2.3.6, 12 May 2004
- 3.1.55** Counsel for Nga Kaihoutu o Te Arawa Executive Council, submissions in response to paper 2.3.6, 12 May 2004
- 3.1.56** Crown counsel, submissions in response to paper 2.3.6, 12 May 2004
- 3.1.57** Wai 1175 claimant counsel, submissions in response to paper 2.3.6, 12 May 2004
- 3.1.58** Wai 1150 claimant counsel, submissions in response to paper 2.3.6, 13 May 2004
- 3.1.59** Wai 681 claimant, submissions concerning mandating issue and section 30 application, 13 May 2004
- 3.1.60** Counsel for Ngati Tamariki, submissions in response to paper 2.3.6, 13 May 2004
- 3.1.61** Counsel for Nga Kaihoutu o Te Arawa Executive Council, submissions in response to paper 2.3.7, 18 May 2004
- 3.1.62** Crown counsel, submissions in response to paper 2.3.7, 18 May 2004
- 3.1.63** Counsel for Nga Kaihoutu o Te Arawa Executive Council, submissions in response to paper 2.3.8, 20 May 2004

- 3.1.64** Wai 1175 claimant counsel, submissions in response to paper 2.3.8, 20 May 2004
- 3.1.65** Wai 1175 claimant counsel, submissions in response to paper 3.1.64, 21 May 2004
- 3.1.66** Wai 1150 claimant counsel, submissions in response to paper 2.3.10, 26 May 2004
- 3.1.67** Wai 837 claimant, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.68** Counsel for Ngati Tamariki, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.69** Counsel for Wai 21(a), Wai 275, Wai 316, Wai 319, Wai 358, Wai 724, Wai 725, Wai 794, Wai 795, Wai 937, Wai 980, Wai 1009–1013, Wai 1026, Wai 1035, Wai 1036, Wai 1037, Wai 1039, Wai 1041, and Wai 1042, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.70** Wai 524 claimant counsel, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.71** Counsel for Wai 316 and Wai 410, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.72** Wai 1175 claimant counsel, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.73** Wai 726 claimant counsel, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.74** Counsel for Tuhourangi, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.75** Crown counsel, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.76** Crown counsel, memorandum concerning contact details for teleconference, 31 May 2004
- 3.1.77** Wai 681 claimant, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.78** Counsel for Nga Kaihautu o Te Arawa Executive Council, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.79** Counsel for CFRT, submissions in response to paper 2.3.11, 28 May 2004
- 3.1.80** Counsel for Nga Kaihautu o Te Arawa Executive Council, memorandum concerning availability for teleconference, 31 May 2004

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3.1.81 Wai 1150 claimant counsel, memorandum concerning contact details for teleconference, 1 June 2004

3.1.82 Counsel for Ngati Whakaue, memorandum concerning mandate of Nga Kaihautu o Te Arawa, 1 June 2004

3.1.83 Counsel for Ngati Whakaue, memorandum amending paper 3.1.82, 3 June 2004

3.1.84 Wai 1150 claimant counsel, memorandum concerning contact details for teleconference, 4 June 2004

3.1.85 Wai 664 claimant counsel, submissions in response to paper 2.3.11, 4 June 2004

3.1.86 Counsel for Nga Kaihautu o Te Arawa Executive Council, submissions in response to paper 2.3.10, 4 June 2004

3.1.87 Wai 664 claimant counsel, submissions concerning claimants' position and mandate issues, 8 June 2004

3.1.88 Wai 1175 claimant counsel, memorandum concerning particulars of claim and evidence to be filed, 8 June 2004

3.1.89 Wai 1150 claimant counsel, memorandum concerning document A11, 8 June 2004

3.1.90 Wai 664 claimant counsel, memorandum concerning provisional status of statement of claim, 10 June 2004

3.1.91 Wai 681 claimant, submissions supporting Wai 1150 and concerning Lake Opouri and broadcasting issues, 11 June 2004

3.1.92 Crown counsel, memorandum requesting deferral of hearing, 11 June 2004

3.1.93 Wai 681 claimant, memorandum in response to paper 3.1.92, 12 June 2004

3.1.94 Wai 681 claimant, memorandum in response to paper 3.1.97, 14 June 2004

3.1.95 Wai 1150 claimant counsel, memorandum in response to paper 3.1.92, 14 June 2004

3.1.96 Wai 664 claimant counsel, memorandum in response to paper 3.1.92, 14 June 2004

- 3.1.97** Crown counsel, memorandum in response to paper 2.3.17, 14 June 2004
- 3.1.98** Counsel for Ngati Makino, Ngati Tuteniu, and Ngati Tuwharetoa Te Atua Reretahi Ngai Tamarangi, memorandum in response to paper 3.1.92, 15 June 2004
- 3.1.99** Wai 1175 claimant counsel, memorandum in response to paper 3.1.92, 15 June 2004
- 3.1.100** Wai 533 claimant counsel, memorandum concerning statement of claim and evidence filed by Wai 791 claimants, 15 June 2004
- 3.1.101** Wai 524 claimant counsel, memorandum concerning statement of response and document A111, 15 June 2004
- 3.1.102** Counsel for Te Arawa taumata claimants, memorandum in response to paper 3.1.92, 14 June 2004
- 3.1.103** Counsel for Ngati Tamariki, memorandum in response to papers 3.1.92 and 3.1.97, 15 June 2004
- 3.1.104** Wai 726 claimant counsel, memorandum in response to paper 3.1.92, 15 June 2004
- 3.1.105** Wai 681 claimant, memorandum in response to paper 3.1.92, 15 June 2004
- 3.1.106** Counsel for Nga Kaihautu o Te Arawa Executive Council, memorandum in response to papers 2.3.17 and 3.1.92 and e-mail circulated by Tribunal on 11 June 2004, 15 June 2004
- 3.1.107** Counsel for Nga Kaihautu o Te Arawa Executive Council, memorandum concerning affidavits and supporting evidence to be filed, 15 June 2004
- 3.1.108** Wai 664 claimant counsel, memorandum seeking leave for late filing of document A113A, 16 June 2004
- 3.1.109** Wai 837 claimant, submissions concerning autonomy of Ngati Whaoa, procedural concerns, and document A114, 17 June 2004
- 3.1.110** Wai 681 claimant, submissions concerning autonomy of Ngati Whaoa, 17 June 2004
- 3.1.111** Wai 681 claimant, submissions in response to document A114, 16 June 2004

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**3.1.112** Wai 1150 claimant counsel, memorandum seeking leave for late filing of submissions, 17 June 2004

**3.1.113** Wai 1150 claimant counsel, memorandum concerning cross-examination of kaihautu witnesses, 18 June 2004

**3.1.114** Counsel for Nga Kaihautu o Te Arawa Executive Council, memorandum seeking leave to cross-examine Malcolm Short, David Whata-Wickliffe, David Potter, Pihopa Kingi, Te Ururoa Flavell, Mihikore Heretaunga, Taiwhakaneke Eru, and Mike Rika, 18 June 2004

**3.1.115** Counsel for Nga Kaihautu o Te Arawa Executive Council, memorandum in response to paper 3.1.113, 18 June 2004

**3.1.116** Counsel for Nga Kaihautu o Te Arawa Executive Council, memorandum in response to paper 3.1.114, 18 June 2004

**3.1.117** Counsel for Ngati Tamariki, memorandum seeking leave to cross-examine Andrew Hampton, Edward Kameta, Eva Moke, and Rawiri Te Whare, 18 June 2004

**3.1.118** Counsel for Wai 7 Wai 204, Wai 233, and Wai 363, memorandum seeking leave to cross-examine William Hall, Mihikore Heretaunga, and Pat Mansell, 18 June 2004

**3.1.119** Wai 524 claimant counsel, memorandum seeking leave to cross-examine David Potter, 18 June 2004

**3.1.120** Counsel for Ngati Makino, Ngati Tuteniu, and Ngati Tuwharetoa Te Atua Reretahi Ngai Tamarangi, memorandum seeking leave to cross-examine Andrew Hampton, Rawiri Te Whare, Mihipa McGrath, Eva Moke, and Mita Pirika, 18 June 2004

**3.1.121** Wai 664 claimant counsel, memorandum seeking leave to cross-examine Andrew Hampton, 16 June 2004

**3.1.122** Counsel for Ngati Whakaue, memorandum concerning status of Ngati Whakaue claims Wai 268, Wai 317, and Wai 335 and Pukeroa Oruawhata Trust, 18 June 2004

**3.1.123** Crown counsel, memorandum seeking leave to cross-examine Malcolm Short, Te Ururoa Flavell, Pihopa Kingi, and Pirihira Fenwick, 18 June 2004

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**3.1.124** Counsel for Ngati Rangitahi, memorandum seeking leave to cross-examine Andrew Hampton, Henry Pryor, Eruini George, Hakopa Paul, Paul Tapsell, Eva Moke, and Rawiri Te Whare, 18 June 2004

**3.1.125** Counsel for Ngati Makino, Ngait Tuteniu, and Ngati Tuwharetoa Te Atua Reretahi Ngai Tamarangi, memorandum in response to paper 2.3.18, 21 June 2004

**3.1.126** Counsel for Ngati Makino, Ngait Tuteniu, and Ngati Tuwharetoa te Atua Reretahi Ngai Tamarangi, in response in response to paper 2.3.18, 21 June 2004

**3.1.127** Counsel for Ngati Tamakari, memorandum seeking leave for late filing of submissions, 20 June 2004

**3.1.128** Wai 1150 claimant counsel, memorandum seeking leave to cross-examine Hakopa Paul, Eruini George, Te Ohu Mokai Wi Kingi, Manahi Bray, Mihipa McGrath, Martha Siggelko, Paul Tapsell, Putiputi Tonihia, Andrew Hampton, Arama Pirika, Denis Polamalu, Anaru Rangiheuea, Charles Taua, Ngarahu Katene, Barnett Vercoe, and Rawiri Te Whare, 18 June 2004

**3.1.129** Counsel for Nga Kaihautu o Te Arawa Executive Council, memorandum concerning background and nature of document A141, 24 June 2004

**3.2 HEARING STAGE**

**3.2.1** Wai 837 claimant, memorandum, 21 June 2004

**3.3 OPENING, CLOSING, AND IN REPLY**

**3.3.1** Wai 1150 claimant counsel, opening submissions, 21 June 2004

**3.3.2** Wai 1173 claimant counsel, opening submissions, 21 June 2004

**3.3.3** Crown counsel, opening submissions, 21 June 2004

**3.3.4** Wai 1175 claimant counsel, opening submissions, 18 June 2004

**3.3.5** Wai 1180 claimant counsel, opening submissions, 19 June 2004

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- 3.3.6** Wai 1174 claimant counsel, opening submissions, 20 June 2004  
(a) Wai 1174 claimant counsel, table detailing chronology of claim-related events, 22 June 2004
- 3.3.7** Counsel for Nga Kaihautu o Te Arawa Executive Council, opening submissions, 21 June 2004
- 3.3.8** Wai 533 claimant counsel, opening submissions, 25 June 2004
- 3.3.9** Wai 524 claimant counsel, opening submissions, 25 June 2004
- 3.3.10** Crown counsel, submissions in reply to submissions and evidence of other parties, 25 June 2004
- 3.3.11** Wai 1173 claimant counsel, opening submissions, 22 June 2004
- 3.3.12** Edward George, submissions on behalf of Ngati Tuara Ngati Kea, 30 June 2004
- 3.3.13** Wai 1175 claimant counsel, submissions in reply, 7 July 2004
- 3.3.14** Wai 1180 claimant counsel, submissions in reply, 9 July 2004
- 3.3.15** Wai 1174 claimant counsel, submissions in reply, 9 July 2004
- 3.3.16** Counsel for Ngati Tamakari, closing submissions, 13 July 2004
- 3.3.17** Wai 681 claimant, closing submissions, 8 July 2004
- 3.3.18** Wai 837 claimant, closing submissions, 2 July 2004
- 3.3.19** Wai 1150 claimant counsel, submissions in reply, 8 July 2004

**3.4 POST-HEARING STAGE**

- 3.4.1** Crown counsel, memorandum concerning signing of terms of negotiation, 29 July 2004

**4. TRANSCRIPTS AND TRANSLATIONS**

**4.1 TRANSCRIPTS**

4.1.1 Transcript of portion of hearing on 23 June 2004, undated

**5. PUBLIC NOTICES**

**5.1 JUDICIAL CONFERENCES**

There were no public notices concerning judicial conferences

**5.2 HEARINGS**

5.2.1 Registrar, declaration that notice of hearing given, 10 June 2004

Registrar, notice of hearing, 10 June 2004

Waitangi Tribunal, list of parties sent notice of hearing, undated

**RECORD OF DOCUMENTS**

**A DOCUMENTS RECEIVED UP TO COMPLETION OF CASEBOOK**

A1 Office of Treaty Settlements, 'Te Arawa Mandate Assessment', report to Ministers in Charge of Treaty of Waitangi Negotiations and Maori Affairs, 30 March 2004

A2 Nga Kaihautu, minutes of CNI mandating hui, various dates

***Evidence filed on behalf of the Te Arawa taumata claim***

A3 Pihopa Kingi, affidavit, April 2004

A4 Pirihiira Fenwick, affidavit, April 2004

A5 Te Ururoa Flavell, affidavit, undated

A6 Te Ururoa Flavell, affidavit, 7 June 2004

A7 Mihikore Heretaunga, affidavit, 7 June 2004

A8 Peter Staite, affidavit, 7 June 2004

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A9 Mike Rika, affidavit, 7 June 2004

A10 Warwick Rika, affidavit, 7 June 2004

A11 Pihopa Kingi, affidavit, 8 June 2004

(a) Supporting documents to document A11, various dates

A12 Maxine Rennie, affidavit, 8 June 2004

A13 James Wilson, affidavit, 8 June 2004

A14 Archbishop Whakahuihui Vercoe, affidavit, 8 June 2004

A15 Fred Whata, affidavit, 8 June 2004

A16 Malcolm Short, affidavit, 8 June 2004

A17 Leah Ratana-Clubb, affidavit, 8 June 2004

A18 Bonita Morehu, affidavit, 8 June 2004

A19 Alfie McRae, affidavit, 8 June 2004

A20 Robert Martin, affidavit, 8 June 2004

A21 Pat Mansell, affidavit, 8 June 2004

A22 Iris Kirimaoa, affidavit, 8 June 2004

A23 Maria Johnston, affidavit, 8 June 2004

A24 Eru Hall, affidavit, 8 June 2004

A25 Taiwhanake Eru, affidavit, 8 June 2004

A26 Rangi Easthope, affidavit, 8 June 2004

A27 Toby Curtis, affidavit, 8 June 2004

A28 Trudi Bennett, affidavit, 8 June 2004

A29 Pirihira Fenwick, affidavit, 9 June 2004

A30 William Hall, affidavit, June 2004

A31 Ngarahu Katene, affidavit, June 2004

A32 Katerina Daniels, affidavit, June 2004

A33 Barnett Vercoe, affidavit, June 2004

A34 Joe Edwards, affidavit, June 2004

A35 Manu Pene, affidavit, June 2004

A36 Ian Mackintosh, affidavit, 10 June 2004

A37 David Taui, affidavit, 8 June 2004

***Evidence filed on behalf of Ngati Makino***

A38 Neville Nepia, affidavit, 9 June 2004

A39 Hakopa Paul, affidavit, 10 June 2004

***Evidence filed on behalf of Ngati Tuwharetoa Te Atua Reretahi Ngai Tamarangi***

A40 ColleenSkerret-White, affidavit, 8 June 2004

A41 Tomairangi Fox, affidavit, 8 June 2004

***Evidence filed on behalf of Ngati Makino***

A42 Horace Meroiti, affidavit, 9 June 2004

***Evidence filed on behalf of Ngati Tamakari***

A43 David Whata-Wickliffe, affidavit, 8 June 2004

***Evidence filed on behalf of Ngati Rangitahi (Wai 996)***

A44 David Potter, affidavit, 8 June 2004

(a) Society Te Rangiratanga o Ngati Rangitahi Incorporated, submissions, 4 January 2004

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*Evidence filed on behalf of Nga Kaihautu o Te Arawa Executive Council*

- A45 Paul Tapsell, affidavit, 14 June 2004
  
- A46 Putiputi Tonihi, affidavit, 14 June 2004
  
- A47 Maramena Udy, affidavit, 14 June 2004
  
- A48 Hare Raharuhi, affidavit, 14 June 2004
  
- A49 Stormy Hohepa, affidavit, 14 June 2004
  
- A50 Brian Peni, affidavit, 14 June 2004
  
- A51 Rongomaipapa Kokiri-Taikato, affidavit, 14 June 2004
  
- A52 Manahi Bray, affidavit, 14 June 2004
  
- A53 Polly Bray, affidavit, 14 June 2004
  
- A54 Cathrine Galvin, affidavit, 14 June 2004
  
- A55 Mihipa McGrath, affidavit, 14 June 2004
  
- A56 Hariata Kaiako, affidavit, 14 June 2004
  
- A57 Ken Hingston, affidavit, 14 June 2004
  
- A58 Katerina Galvin, affidavit, 14 June 2004
  
- A59 Te Ruapeka Taikato, affidavit, 14 June 2004
  
- A60 Arama Pirika, affidavit, 14 June 2004
  
- A61 Topsy Pirika, affidavit, 14 June 2004
  
- A62 Denis Polamalu, affidavit, 14 June 2004
  
- A63 Anaru Rangiheuea, affidavit, 14 June 2004

- A64 Charles Taua, affidavit, 14 June 2004
- A65 Mariana Henry, affidavit, 14 June 2004
- A66 Riria Waru, affidavit, 14 June 2004
- A67 Ngarahu Katene, affidavit, 14 June 2004
- A68 Lewis Vercoe, affidavit, 14 June 2004
- A69 Hohepa Heke, affidavit, 14 June 2004
- A70 Robert Young, affidavit, 14 June 2004
- A71 Peehiarangi Hemepo, affidavit, 14 June 2004
- A72 Martha Siggelko, affidavit, 14 June 2004
- A73 Wiremu Te Pohawaiki Wiringi Jones, affidavit, 14 June 2004
- A74 Rosie Te Wao, affidavit, 14 June 2004
- A75 Te Puhi Patara, affidavit, 14 June 2004
- A76 John Te Poari Newton junior, affidavit, 14 June 2004
- A77 Craig Pirika, affidavit, 14 June 2004
- A78 Minnie Vercoe, affidavit, 14 June 2004
- A79 Barnett Vercoe, affidavit, 14 June 2004
- A80 Barnett Vercoe, affidavit, 14 June 2004
- A81 Hakopa Paul, affidavit, 14 June 2004
- A82 Davey Gardiner, affidavit, 14 June 2004
- A83 Edward Kameta, affidavit, 14 June 2004

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- A84 Wayne Taylor, affidavit, 14 June 2004
- A85 Louis Phillips, affidavit, 14 June 2004
- A86 Hana Wharehinga, affidavit, 14 June 2004
- A87 Frederick Cookson, affidavit, 14 June 2004
- A88 Brian Peni, affidavit, 15 June 2004
- A89 Hariata Paikea, affidavit, 15 June 2004
- A90 Tawhiri Morehu, affidavit, 15 June 2004
- A91 Mihipeka Morehu, affidavit, 15 June 2004
- A92 Aroha Campbell, affidavit, 15 June 2004
- A93 Barry Woods, affidavit, 15 June 2004
- A94 Henry Colbert, affidavit, 15 June 2004
- A95 Kipa Hohepa, affidavit, 15 June 2004
- A96 Wallace Haumaha, affidavit, 15 June 2004
- A97 Henry Pryor, affidavit, 15 June 2004
- A98 Ruka Hughes, affidavit, 15 June 2004
- A99 Mihiterina Hohepa, affidavit, 15 June 2004
- A100 Paea Hohepa, affidavit, 15 June 2004
- A101 Te Hei Pirika, affidavit, 15 June 2004
- A102 Te Ohu Mokai Wi Kingi, affidavit, 15 June 2004
- A103 Mary Hohepa-Kiriona, affidavit, 15 June 2004

**A104** Eruini George, affidavit, 15 June 2004

(a) Te Arawa Executive Council, 'Deed of Trust Relating to the Te Arawa Executive Council',  
12 March 2004

**A105** Te Poroa Malcolm, affidavit, 15 June 2004

**A106** Robert Reweti, affidavit, 15 June 2004

(a) Declarations of support for Ngati Tahu/Ngati Whaoa representatives from participants in  
mandating hui, various dates

**A107** Wikepa Te Rangipuawhe Maika, affidavit, 15 June 2004

**A108** Te Amotawa Pirika, affidavit, 15 June 2004

**A109** Rawiri Te Whare, affidavit, 16 June 2004

(a) Minutes of hui, various dates

(b) Documents concerning Te Arawa mandating hui, various dates

***Evidence filed on behalf of Ngati Rangitihi (Wai 524)***

**A110** Wai 524 claimant counsel, submissions in response to claim 1.1.3, 15 June 2004

**A111** Henry Pryor, affidavit, 15 June 2004

***Evidence filed on behalf of Ngati Taeotu, Ngati Hurunga Te Rang and Ngati Te Kahu***

**A112** Wai 533 claimant counsel, submissions in response to claim 1.1.1, 16 June 2004

**A113** Ben Hona, affidavit, 16 June 2004

***Evidence filed on behalf of Waitaha claimants (Wai 664)***

**A113A** Tame McCausland, affidavit, 22 June 2004

***Evidence filed on behalf of Crown***

**A114** Andrew Hampton, affidavit, 16 June 2004

(a) Supporting documents to document A114, various dates

***Claimant rebuttal evidence filed on behalf of the Te Arawa taumata claim***

**A115** Joe Edwards, affidavit in reply to documents A76, A64, A50, A96, A104, June 2004

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**A116** Bonita Morehu, Pat Mansell, and William Hall, affidavit in reply to documents A63, A107, 17 June 2004

**A117** Pirihiira Fenwick, affidavit in reply to documents A46, A47, A51, A54, A55, A56, A58, A59, A60–A62, A65, A69, A72–A75, A77, A78, A93, A95, A99, A100–A103, 17 June 2004

**A118** Pirihiira Fenwick, Bill Kingi, Joan Kanara, and Hapeta Hapeta senior, affidavit in reply to document A104, 17 June 2004

**A119** Pihihira Fenwick, affidavit in reply to document A114, 18 June 2004

**A120** Merepeka Raukawa-Tait, affidavit in reply to documents A97, A111, 18 June 2004

**A121** Pihopa Kingi, affidavit in reply to document A109, 18 June 2004

***Claimant rebuttal evidence filed on behalf of Ngati Tamakari***

**A122** David Whata-Wickliffe, affidavit, 18 June 2004

***Claimant rebuttal evidence filed on behalf of Ngati Rangitahi (Wai 996)***

**A123** Keremete Kuriwaka, affidavit, 15 June 2004

**A124** Andre Paterson, affidavit, 18 June 2004

**A125** Patricia Rondon, affidavit, 18 June 2004

***Further evidence filed on behalf of Nga Kaihautu o Te Arawa Executive Council***

**A126** Cedri Forrest, affidavit, 14 June 2004

**A127** Eva Moke, affidavit, 15 June 2004

**A128** David Galvin, affidavit, 15 June 2004

**A129** Edwin McKinnon, affidavit, 15 June 2004

**A130** Nga Kaihautu o Te Arawa Executive Council, *Deed of Mandate*, 2 vols (Nga Kaihautu o Te Arawa Executive Council, 21 June 2004), vol1

**A131** Mita Pirika, affidavit, 20 June 2004

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A132 Minutes of VIP taumata meeting, Suncourt Motel and Conference Centre, Taupo, 16 June 2003

A133 VIP taumata, 'VIP Taumata Meeting: CEO's Report', 16 June 2003

A134 Whaimutu Dewes, affidavit, undated

A135 James Schuster, affidavit, undated

A136 Leah Ratana-Clubb, affidavit, 17 June 2004

A137 Malcolm Short affidavit, 22 June 2004

A138 Anaru Rangihueua, affidavit, 22 June 2004

A139 John Waaka, affidavit, 22 June 2004

A140 Office of Treaty Settlements, *Ka Tika a Muri, Ka Tika a Mua: He Tohutohu Whakamarama i nga Whakataunga Kereme e pa ana ki te Tiriti o Waitangi me nga Whakaritenga ki te Karauna – Healing the Past, Building a Future: A Guide to Treaty of Waitangi Claims and Negotiations with the Crown*, 2nd ed (Wellington: Office of Treaty Settlements, [2002]), pp32, 41, 42

A141 'Presentation Overview', outline of presentation at Te Arawa mandate hui of July and August 2003, undated

A142 Rawiri Te Whare, affidavit, 24 June 2004

A143 'Resolutions: Tuhourangi/Ngati Wahiao', record of recommended resolutions, undated

A144 Maria Tini, affidavit in reply to document A139, 25 June 2004

A145 Petition of iwi representatives for Te Arawa to Minister in Charge of Treaty of Waitangi Negotiations concerning Nga Kaihautu deed of mandate, undated

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B1 Horace Meroiti, affidavit, 2 July 2004

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**B2** Rangi Easthope, affidavit, 6 July 2004

**B3** Bonita Morehu, affidavit, 6 July 2004

**B4** Tame McCausland, affidavit, 7 July 2004

**B5** David Whata-Wickliffe, affidavit, 6 July 2004

**B6** Bill Kingi, affidavit, 6 July 2004

**B7** Tawhanake Eru, affidavit, 6 July 2004