

WAITANGI TRIBUNAL

Wai 2490

CONCERNING

the Treaty of Waitangi Act 1975

AND

the Ngāpuhi Mandate Inquiry

MEMORANDUM-DIRECTIONS OF THE PRESIDING OFFICER**Introduction**

1. In my memorandum-directions of 22 December 2014, I indicated that the Tribunal considers additional hearing days in March 2015 would be an efficient way to incorporate newly-released Crown documents into this inquiry and complete the hearing process.
2. I can now confirm the Tribunal intends to convene a two-day hearing in the first week of March 2015 in Wellington for this purpose.

Discovery

3. On 28 January 2015, Crown counsel notified the Tribunal they intended to file the last tranche of discovery documents by 30 January 2015. The Tribunal received most of the documents by disk on 30 January 2015 and understands that claimant counsel are also able to access copies.
4. On 30 January 2015, the Crown informed the Tribunal that the remaining 16 documents will be released on Monday 2 February 2015 and that once this has been completed the Crown's disclosure of documents in this inquiry will be concluded.
5. On 30 January 2015, the Crown sought confidentiality for 55 of the documents on the grounds of commercial sensitivity. I am currently reviewing these documents and will update parties in due course of their status.
6. Now that the Crown's disclosure process is almost complete, plans for how to incorporate them into the inquiry can be finalised.
7. As stated above, the Tribunal will convene a hearing in the first week of March. This hearing will be held over two days in Wellington with exact dates to be confirmed, although I can confirm that Friday 6 March is not available.
8. Parties are advised that these additional hearing days will not be an opportunity to revisit evidence traversed at the Waitangi hearing in December 2014, instead, it is an opportunity for parties to cross-examine key witnesses on selected documents contained in the Crown's three most recent discovery releases (26 November 2014, 23 December 2014 and 30 January 2015) (#A139, #A144 & #A146). Such documents should be strictly relevant to the core issues set out in the Tribunal's statement of issues (#1.4.1).

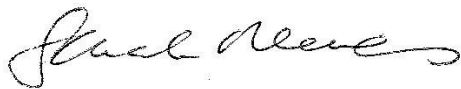
9. The Tribunal considers the most efficient way to conduct this hearing will be for parties to indicate by mid-February which documents they wish to use in cross-examination and which witnesses they wish to recall. Parties will be required to confirm this by memorandum..
10. The Tribunal does not expect to receive written opening submissions on the issues this new material raises before the hearing. Instead, brief verbal opening submissions will suffice to orientate parties, and give context to the documents concerned and the questions to follow. Any issues arising can be addressed in the written closings.
11. As previously indicated, the Tribunal expects that written closing submissions will be received by the end of March 2015.

Teleconference

12. As noted by email on Friday 30 January, a teleconference to discuss these matters will be held on **Tuesday 3 February 2015 at 1pm.**
13. The agenda for the teleconference is as follows:
 - a. update on disclosure;
 - b. hearing dates;
 - c. filing timetable; and
 - d. other matters.
14. Parties are to confirm their intention to participate in the teleconference and provide their phone number to the Registrar by email (wt.registrar@justice.govt.nz) by **3pm, Monday 2 February 2015.**

The Registrar is directed to send a copy of this direction to counsel for the claimants, Crown counsel and all those on the distribution lists for Wai 2490, the Ngāpuhi Mandate inquiry.

DATED at Wellington this 2nd day of February 2015



Judge S F Reeves
Presiding Officer

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