

APPENDIX A

Wai 745/1308 claimant evidence on the record addressing the Tribunal Statement of Issues

ROI number	Document	Date
Wai 2561, #A10(b)	Affidavit of Ani Ramari Pitman	7 December 2015
Wai 2561, #A9(b)	Affidavit of Dr Guy Sinclair Gudex	8 December 2016
Wai 2561, #A8	Affidavit of Jared Paki Pitman	2 December 2016
Wai 2561, #A39	Second Affidavit of Ani Ramari Pitman	26 February 2016
Wai 2561, #A38	Second Affidavit of Dr Guy Sinclair Gudex	23 February 2016
Wai 2561, #A40	Affidavit of Ngawaka Haswell Grant Pirihi	12 February 2016
Wai 2561, #A41	Affidavit of Bronwyn John Rameka Mackie	12 February 2016
Wai 2561, #A54	Second Affidavit of Ngawaka Haswell Grant Pirihi	10 March 2016
Wai 2561, #A77	Brief of Evidence of Jared Paki Pitman	22 August 2016
Wai 2561, #A76	Brief of Evidence of Dr Guy Sinclair Gudex	22 August 2016
Wai 2561, #A109	Second Brief of Evidence of Jared Paki Pitman	26 September 2016
Wai 2561, #A106	Second Brief of Evidence of Dr Guy Sinclair Gudex	23 September 2016
Wai 2561, #A130	Third Brief of Evidence of Ani Ramari Pitman	16 November 2016
Wai 2561, #A133	Third Brief of Evidence of Dr Guy Sinclair Gudex	29 November 2016

Issue 1: How did the Crown require the Ngātiwai Trust Board (NTB) to demonstrate support and consent for their deed of mandate? To what extent, if any, was that support and consent shown?

ROI number	Paragraph(s)
Wai 2561, #A10(b)	17
Wai 2561, #A9(b)	18
Wai 2561, #A39	34-35, 39
Wai 2561, #A38	27, 34
Wai 2561, #A40	6, 9-10
Wai 2561, #A54	10
Wai 2561, #A76	5, 29
Wai 2561, #A106	43-49
Wai 2561, #A133	20-21

Issue 2: To what extent, if at all, did the Crown seek to establish the nature and level of support for groups who opposed the mandate?

ROI number	Paragraph(s)
Wai 2561, #A10(b)	61, 64, 69
Wai 2561, #A9(b)	24, 32
Wai 2561, #A8	17
Wai 2561, #A39	10, 32, 39
Wai 2561, #A38	6-7, 24
Wai 2561, #A77	30-32
Wai 2561, #A76	5, 18-22, 29-30
Wai 2561, #A106	43-50

Wai 2561, #A133	5-15, 22-23
Issue 3: To what extent, if any, did the Crown actively protect the position of hapū and the ability for hapū to exercise tino rangatiratanga?	
ROI number	Paragraph(s)
Wai 2561, #A10(b)	7, 15, 69, 71 75
Wai 2561, #A9(b)	35-39, 48-49, 58-59, 69-70
Wai 2561, #A8	19-20
Wai 2561, #A39	14, 25, 28-31, 40-41
Wai 2561, #A38	4-5, 12, 26, 28-29, 33, 35, 46-49, 53-56
Wai 2561, #A77	7, 34
Wai 2561, #A76	5, 7-15, 20, 24-27, 40, 47-50, 53-54, 57, 88
Wai 2561, #A109	5, 14, 26-27
Wai 2561, #A106	6-15, 28-29, 59-61
Wai 2561, #A133	22-23
Issue 3(a): Did the hapū referred to in the NTB deed of mandate support and/or consent to that mandate?	
ROI number	Paragraph(s)
Wai 2561, #A10(b)	10, 12, 57, 64, 77
Wai 2561, #A9(b)	27, 32, 55-57
Wai 2561, #A8	17
Wai 2561, #A39	26, 39
Wai 2561, #A38	6-7, 19
Wai 2561, #A54	3
Wai 2561, #A77	30-32
Wai 2561, #A76	5, 10, 18-22, 29-30, 44, 55
Wai 2561, #A106	43-50
Wai 2561, #A130	44
Issue 3(b): Does the NTB mandate provide for representation of hapū?	
ROI number	Paragraph(s)
Wai 2561, #A10(b)	17, 28, 31, 35-36
Wai 2561, #A9(b)	18-19, 21
Wai 2561, #A8	16
Wai 2561, #A38	8-11, 26, 31-33
Wai 2561, #A41	7-9
Wai 2561, #A77	22-25, 27-28
Wai 2561, #A76	5
Wai 2561, #A106	7-14, 23, 59
Wai 2561, #A130	41-42
Issue 4: Are the remedies available under the NTB deed of mandate workable?	
ROI number	Paragraph(s)
Wai 2561, #A10(b)	76
Wai 2561, #A9(b)	44-52
Wai 2561, #A76	5, 45-46, 71-76
Issue 5: Are the claimants prejudicially affected, or likely to be prejudicially affected, by the Crown's recognition of the NTB deed of mandate? If so, to what extent?	
ROI number	Paragraph(s)
Wai 2561, #A10(b)	12
Wai 2561, #A9(b)	33, 38
Wai 2561, #A38	13-17, 55-56

Wai 2561, #A76	5, 41
Issue 6: Was the Crown's decision to recognise the NTB mandate consistent with the principles of the Treaty of Waitangi/Te Tiriti o Waitangi?	
ROI number	Paragraph(s)
Wai 2561, #A9(b)	36-39, 60-61
Wai 2561, #A8	19-20
Wai 2561, #A39	13, 28, 40-41, 26, 30
Wai 2561, #A77	7, 33
Wai 2561, #A76	5, 23-24, 39-40, 50, 53, 58, 88-92
Wai 2561, #A109	26-27
Wai 2561, #A106	41, 62
Issue 7: What structures are currently available to Ngātiwai for use as a mandated entity for Treaty settlement purposes?	
ROI number	Paragraph(s)
Wai 2561, #A10(b)	13, 27
Wai 2561, #A106	16-22
Issue 8: What is the relationship between the claimants' hapū that are listed in the NTB deed of mandate and the marae listed in section 14 of the NTB deed of mandate?	
ROI number	Paragraph(s)
Wai 2561, #A9(b)	71
Wai 2561, #A41	3-5
Wai 2561, #A77	10, 20-21
Issue 9: If the Tribunal concludes any of the claims are well-founded, what, if any, practical recommendations should the Tribunal make?	
ROI number	Paragraph(s)
Wai 2561, #A77	34
Wai 2561, #A76	77-79