

BRYCE LYALL

BARRISTER



Bryce Lyall

Barrister

Bryce is based in Titirangi, Tāmaki Makaurau Auckland, where he lives with his wife and young whānau.

He is a barrister with a focus on public law and human rights issues, and is available for instructions on matters across Aotearoa. He currently represents claimants in the Waitangi Tribunal, and parties in te Kōti Whenua Māori, the High Court, the Court of Appeal, and the Supreme Court. Outside of litigation, Bryce also acts for parties in mediation, advises parties on Treaty of Waitangi settlements, and has facilitated use of withdrawal mechanisms built into mandates.

Holding a particular concern about access to justice, Bryce regularly undertakes work on legal aid. He is approved to undertake legal aid work in the Waitangi Tribunal, te Kōti Whenua Māori and te Kōti Pira Māori, and all of the higher Courts on matters concerning Māori land law, the Treaty of Waitangi, tikanga, and customary title issues.

Bryce holds LLB and BA (Political Science) degrees from the University of Canterbury, and an LLM (International Law, First Class Honours) from the University of Auckland. He is a member of the Auckland Branch Council of the New Zealand Law Society, and is a member of the Māori Land Court and Waitangi Tribunal Selection Committee which assesses applications for approvals to undertake legal aid work.

Recent case examples

Selected Litigation

- *Haronga v Waitangi Tribunal (Te Ropu Whakamana i Te Tiriti o Waitangi)* [2015] NZHC 1115
- *Attorney-General v Haronga* [2016] NZCA 626, [2017] 2 NZLR 394
- *Re Te Runanga i Ngāti Whakane ki Maketu Incorporated* [2019] NZHC 2360
- *Te Whakatōhea* [2020] NZHC 1905
- *Re Edwards Whakatōhea* [2021] NZHC 1025, [2022] 2 NZLR 772
- *Re Ngāti Pāhauwera* [2021] NZHC 3599
- *Te Kāhui Takutai Moana o Ngā Whānui Me Nga Hapū v Landowners Coalition Incorporated* [2022] NZCA 27
- *Whakatōhea Kotahitanga Waka v Te Kāhui Takutai Moana o Ngā Whānui me nga Hapū* [2022] NZCA 7
- *Paul v Attorney-General* [2022] NZCA 443
- *Re Edwards (deceased) (on behalf of Te Whakatōhea) (No 7)* [2022] NZHC 2644
- *Re Ngāti Pāhauwera (Stage 2)* [2023] NZHC 15
- *Attorney-General v Waitangi Tribunal* [2023] NZHC 132 (under appeal)
- *Whakatōhea Kotahitanga Waka (Edwards) v Te Kāhui and Whakatōhea Māori Trust Board* [2023] NZCA 504
- *Kawakawa 1D2 Abu Whenua Trust (Interested Party Application)* [2023] NZHC 1182
- *Re Edwards (Whakatōhea Stage 2) No 8* [2023] NZHC 1618
- *Hata v The Attorney-General* [2023] NZHC 1255
- *Estate of Eric John Tupai Ruru v Attorney-General* [2023] NZSC 82
- *Re Ngāi Tūmapūhia-a-Rangi Hapū* [2024] NZHC 309
- *Ngā Hapū o Tokomaru Akau* [2024] NZHC 682
- *Re Tamihana Paki & Ors* [2024] NZHC 805

Waitangi Tribunal Inquiries

- Wai 814 Mangatū Remedies Inquiry – Counsel for Ngā Uri o Tamanui (Remedies Inquiry)
- Wai 898 Rohe Pōtae District Inquiry – Counsel for claimants (District Inquiry)
- Wai 898 Priority Report concerning Māui's Dolphin – Counsel for claimants (Priority Report)
- Wai 1040 Te Paparahi o Te Raki (Northland) Inquiry – Counsel for Te Waimate Taiamai ki Kaikohe Claims Alliance and others (District Inquiry)
- Wai 1750 North-eastern Bay of Plenty Inquiry – Counsel for Rongopopoia Hapū and Te Upokorehe Iwi (District Inquiry)
- Wai 2200 Porirua ki Manawatu District Inquiry – Counsel for claimants (District inquiry)
- Wai 2478 Inquiry on Claims about the Reform of Te Ture Whenua Maori Act 1993 – Counsel for claimants (Urgent Inquiry)
- Wai 2490 Ngāpuhi Mandate Inquiry – Counsel for claimants (Urgent Inquiry)
- Wai 2521 Motiti Inquiry – Counsel for Rauhina and Aporina Whānau Trust (Urgent Inquiry)
- Wai 2522 Comprehensive and Progressive Agreement For Trans-Pacific Partnership Inquiry – Counsel for Wai 2523 on behalf of Hapū o Ngāpuhi (Urgent Inquiry)
- Wai 2358 Freshwater and Geothermal Resources Inquiry – Counsel for Ngāpuhi Claimants and interested parties (Kaupapa Inquiry)
- Wai 2500 Military Veterans Inquiry – Counsel for claimants (Kaupapa inquiry)

- Wai 2575 Health Inquiry – Counsel for claimants (Kaupapa inquiry)
- Wai 2660 Marine and Coastal Area (Takutai Moana) Act 2011 Inquiry – Counsel for claimants (Kaupapa Inquiry)
- Wai 2700 Mana Wāhine Inquiry – Counsel for claimants (Kaupapa inquiry)
- Wai 2750 Housing Inquiry – Counsel for claimants (Kaupapa inquiry)
- Wai 2840 Hauraki Overlapping Claims Inquiry – Counsel for Ngāti Porou ki Hauraki (Urgent Inquiry)
- Wai 2915 Oranga Tamariki Urgent Inquiry – Counsel for Interested Party (Urgent Inquiry)
- Wai 3315 Smokefree Aotearoa urgent claim – Counsel for Claimants
- Wai 3660 Whakatika Ki Runga, a Mini-Inquiry Commencing Te Rau o Te Tika – Counsel for Te Upokorehe Iwi (Kaupapa Inquiry)

Māori Land Court

- Ongoing applications:
 - Application for meeting of owners of 29 Te Hape Road, Maunu, Whangārei
 - Counsel in A2080003371 - Takapuwahia C2A2A
- Counsel in Applications:
 - CJ 2022/37 (A20220015603) Waima D58
 - Waima D 58 - Injunction - A20220017182
 - *Vaimoso - Mauriboro B* (2019) 185 Waikato-Maniapoto MB 145 (185 WMN 145)

Mediation

- Counsel for Wai 874 and Wai 499 in successful mediation to form a collective entity for Ngā Uri o Tamanui claimants to progress applications for resumption in the Mangatū Remedies Inquiry (2019)
- Counsel for Ngā Uri o Tamanui in mediation to seek a joint approach to resumption in Mangatū Remedies Inquiry (Mediation conducted over five months from October 2019-February 2020)
- Counsel for Baker and others on behalf of Hapū o Ngāpuhi in successful mediation with the Crown to resolve selected claim issues in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership Inquiry. This mediation led to the creation of Ngā Toki Whakarururanga, a by Māori for Māori body to enable effective Māori influence on trade negotiations (2020)

Other Kaupapa

- Assisted Te Upokorehe Iwi in petition and iwi wide vote to withdraw from Te Whakatōhea Settlement mandate
- Counsel for applicants in direct negotiations with Crown for recognition agreements under the Marine and Coastal Area (Takutai Moana) Act 2011
- Presentation of lectures for continuing legal education courses:
 - Judicial Review and the Treaty of Waitangi (2021)
 - The Treaty of Waitangi / Te Tiriti o Waitangi and Judicial Review (2022)
 - The Role and Standing of Tikanga and Te Tiriti o Waitangi in Judicial Review (2023)