

**HE KŌRERO POTO NĀ TE TUMUAKI TĀNE O  
TE HUNGA RŌIA MĀORI O AOTEAROA**

**AT THE NEW ZEALAND LAW SOCIETY 150<sup>TH</sup> COMMEMORATION,  
HIGH COURT, HAMILTON**

16 October 2019

***Mihi***

1. Ka tangi te tītī. Ka tangi te kākā. Ka tangi hoki ahau. Tihei Mauri Ora!
2. Mihi
3. Huri noa ki a koe e te kaiwhakawā, a Justice O'Regan, me ngā kaiwhakawā katoa tēnā koutou, otirā ka tuku atu ngā mihi ki a koutou kua whakarauika mai i runga i te reo karanga o te ra, tēnā koutou katoa

***Kōrero***

4. **E te koti /May it please the Court**
5. It is my honour to address the Court on behalf of Te Hunga Rōia Māori o Aotearoa - the Māori Law Society, and to offer our congratulations to the New Zealand Law Society at this 150<sup>th</sup> Commemoration.
6. I also want to acknowledge the Waikato Bay of Plenty Branch for their invitation to speak today, in particular the President Terry Singh. I am hopeful that we can continue to build a positive and enduring relationship together.
7. Te Hunga Rōia Māori started with humble beginnings with a handful of members in the garage of the late, great John Chadwick, in 1988\*, with the guiding vision as 'Mā te Ture, Mō te Iwi' (by the Law, for the people).

8. Fast forward and this years Hui-ā-Tau (annual conference) was held in Wellington, 31 years since those humble beginnings. At this year's Hui-ā-Tau over 300 people attended with the theme being “Nā ko te pō, he rā ki tua – here we are in the night, a new day is yet to come.” It challenged Te Hunga Rōia Māori to explore exciting possibilities within the legal landscape and to utilise our potential to create a brighter future.
9. Over three days, this theme was captured by our presenters, including Chief Justice Winkelmann, and woven through their inspiring, and sometimes challenging kōrero and waiata. Being kept in the darkness, being called to the table at the last minute – these are all challenges for Te Hunga Rōia Māori.
10. Despite these challenges, this year was significant for a number of firsts that were celebrated:
  - a. The first time the National Māori Mooting competition was held in the Supreme Court;
  - b. We celebrated the first Māori to be appointed to the Supreme Court bench; his honour, Justice Joe Williams; and
  - c. For the first time in our history, the President of the New Zealand Law Society, Ms. Tiana Epati, was invited to deliver a keynote address.
11. Our members in Whanganui-ā-tara have certainly set a high bar for our next Hui-ā-Tau which is to be held here in Hamilton next year.

## I ngā wā o mua

12. Whilst Te Hunga Rōia Māori has only been in operation for a small amount of time, particularly in comparison to the New Zealand Law Society, for us here in the Waikato, there is another significant Māori institution that has been around for slightly longer than the NZ Law Society; the Kīngitanga.
13. Ko te pūtake o te Kīngitanga: “Hei pupuru i te whenua, hei puru i te toto, hei pupuru i te mana Māori motuhake” (The Kīngitanga was established to hold on to our land, to stop the warfare between our people, to keep our Mana Māori Motuhake).
14. The korowai I wear today was worn by my great grandfather who was a staunch supporter of the Kīngitanga and speaker for King Koroki and Queen Te Atairangikaahui in her time.
15. As Pōtatau Te Wherowhero, the first Māori King was nearing death he gave his son Tāwhiao and his people some advice. ‘I muri, kia mau ki te whakapono,  
  
ki te aroha,  
  
ki te ture.  
  
Hei aha te aha, hei aha te aha.’ (After I am gone, hold fast to faith; hold fast to love; hold fast to law. Nothing else matters now – nothing.)
16. Despite this advice to hold fast the law, as we all know, the Waikato experience of the law was devastating with the passage of the New Zealand Settlements Act of 1863 which led to the raupatu (confiscation) of 1.2 million hectares of Waikato land. And in 1995 we have the Waikato Raupatu Claims Settlement Act, an endeavour between the Crown and the claimants to settle the Waikato raupatu claim and to remove the sense of grievance felt by Waikato.

## I tēnei wā

17. Today, the statistics for the Māori in the law are alarming – Māori are: honour honor
  - a. 3 times more likely to be arrested;
  - b. 3-4 times more likely to be charged;
  - c. 11 times more likely to be remanded in custody;
  - d. 4 times more likely to be convicted; and
  - e. 7 times more likely to be imprisoned.
18. So what do we do to address this?:
  - a. Firstly, we need transformative change - not tomorrow but today;
  - b. This starts with the relationship between our two societies and I must commend the NZ Law Society for fostering this relationship, which I hope will continue to grow going forward;
  - c. If the legal profession is to be truly reflective of the society in which we live, then having a basic understanding of te reo Māori, tikanga Māori and Māori history including Te Tiriti o Waitangi must be the bare minimum for all lawyers and members of the judiciary;
  - d. Finally, whereas the NZ Law Society, and the NZ Bar Association, has a permanent seat at the consultation table when it comes to nominations for Queens Counsel and judicial appointments, so too should Te Hunga Rōia in order to advocate for Māori.
19. I want to acknowledge the President of the NZLS, Ms Epati for delivering a keynote address at our Hui-ā-Tau this year. Ms Epati challenged us to address the shocking statistics arising from the Law Society's Colmar Brunton survey which show that 40% of Māori lawyers have been sexually harassed in the last five years compared with the average 27%. She also highlighted the shocking state for Māori male lawyers in that

Māori men are more likely to feel we work under unrealistic time pressures, suffer from job stress, and do not perceive we have work life balance. I am working with my tuākana to look at how we address these shocking statistics.

### **A te wā heke**

20. If we are to address the many deficiencies facing Māori and the wider community in the law we cannot do it alone. We need to work together. We need transformative change – now not tomorrow. He wero nui ki a tātou. This is a massive challenge for us all.
21. Heoi anō, in the words of Potatau Te Wherowhero, in 1858, when he was proclaimed as King: “Kotahi te kohao o te ngira e kuhuna ai, te miro ma, te miro pango, me te miro whero. There is but one eye of a needle, through which white, black and red cotton are threaded.
22. Nō reira, i runga i tērā whakaaro, tēnā koutou, tēnā koutou, tēnā tātou katoa.

**Ka rite ki te pai o te Kōti (as the Court pleases).**

Glenn Paul Tootill  
Tumuaki Tāne, Te Hunga Rōia Māori o Aotearoa

Wednesday 16 October 2019