

HE KŌRERO POTO NĀ TE TUMUAKI WAHINE O
TE HUNGA RŌIA MĀORI O AOTEAROA

AT THE NEW ZEALAND LAW SOCIETY 150TH COMMEMORATION,
OLD HIGH COURT, WELLINGTON

4 September 2019

Mihi

1. **Ka tū.** Karanga to pō, karanga te ao. Ko Ranginui kei runga rā, ko Papatuanuku e takoto nei. Mai i te kore, te pō, ka puta mai ki te whai ao, ki te ao marama e. Tihei mauri ora.
2. Mihi kau ana ki te mana o tēnei Kooti Matua Tawhito, tēnā koe. Ki ngā Kaiwhakawā e noho ana, e Chief Justice Winkelmann, tēnā koe. E ngā Kaiwhakawā o te pae, tēnā koutou.
3. Arā, tahuri atu ki te mana o tēnei whenua, Te Atiawa Taranaki Whānui, tēnā koutou.
4. Ki aku hoa e noho ana ki tōku nei taha, tēnā koutou. Ki ngā manuhiri nei, tēnā koutou, tena tātou katoa.
5. Ā, ka huri.

Kōrero

6. **E te koti /May it please the Court**
7. It is my honour and privilege to address the Court on behalf of Te Hunga Rōia Māori o Aotearoa - the Māori Law Society, and to offer our best wishes to the New Zealand Law Society at this 150th Commemoration.
8. At our recent Hui-ā-Tau (annual conference) held last week at Pipitea Marae and Victoria University of Wellington, over 300 people attended what I believe is one of the

most engaging and thought provoking conferences yet. Our theme was “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. To achieve our goals, we cannot overlook the well-being of Māori in the legal profession, an issue too often kept in darkness. The theme also applied to those whom the legal system has let down, ignored or forgotten.

9. Over three days, this theme was captured by our keynote presenters and composers, including your honour Chief Justice Winkelmann, and woven through their beautiful, 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 and the words I speak today are some of the honest truths from our conference, a call for change, hope for the new day. Ka tū au hei māngai mō tā mātou Hunga, I stand here as the speaking voice for the Hunga.
10. This is the 31st year that Te Hunga Rōia Māori has been in operation, a mere blip in comparison to the Law Society’s impressive timeline, but significant none the less. Significant for a number of firsts that were celebrated:
 - a. The first time the National Māori Mooting competition was held next door in the Supreme Court. E te kaiwhakawā Tumuaki, tēnā ka mihi – to our Chief Justice for inviting us into your court, we give you thanks;
 - b. We celebrated the first tangata Māori to be appointed to the Supreme Court bench earlier this year, his honour, Justice Joe Williams, tēnā koe e te rangatira; 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. Tiana's attendance and presentation at Hui-ā-Tau was a huge step forward for the Law Society. Fronting up takes guts. Because over the past 150 years the poor history of the law in terms of its relationship with Māori, has been and still is a barrier. And that is why knowledge of Te Tiriti o Waitangi and tikanga Māori in the law must be the bare minimum for all lawyers and members of the judiciary.
 12. If the legal profession is to be reflective of the society in which we live, then having a basic understanding of Māori history is a necessity. Because this is the only place in the world where we have tikanga Māori and speak te reo Māori – Aotearoa.
 13. What are Te Hunga Rōia Māori o Aotearoa's expectations of the law and the profession right now? Well, we need transformative change, not tomorrow but today. Transformative change in terms of the relationship, the partnership between our two societies. Working together for a better and brighter future for our country.
 14. But how can we plan for a brighter future when Te Hunga Rōia Māori are being left out of the conversations? The NZ Law Society, alongside the NZ Bar Association, has a permanent seat at the consultation table when it comes to nominations for Queens Counsel and judicial appointments. Until our Hunga are sitting at that table to advocate for Māori, the NZ Law Society must ensure it is doing its best to support Māori appointments to all levels of the judiciary and the bar. We look forward to working closely with the NZLS to ensure that this happens. I'd like to acknowledge the Solicitor General, Una Jagose for her support over recent months and I'm encouraged by her forward thinking on these matters of inclusion. Tēnā koe.

15. We asked ourselves, what does transformative change in the law look like for Māori?
Something a lot better than what it currently looks like where Māori are:
16. 3 times more likely to be arrested;
17. 3-4 times more likely to be charged;
18. 11 times more likely to be remanded in custody;
19. 4 times more likely to be convicted
20. 7 times more likely to be imprisoned.
21. Kua tangi taku ngākau i enā mea. My heart cries when I hear those alarming statistics.
So how do we transform the law in terms of its relationship with Māori? By showing up, acknowledging that things need to change and making a commitment to do so.
22. And this is what I admire about our current President of the NZLS, Ms Epati. She showed up to our conference last Friday, acknowledged that things must change, not only within the law, but also – within the legal profession. She discussed the Law Society’s Colmar Brunton survey which produced some deeply disturbing and concerning results. “The figure is 40% of Māori lawyers have been sexually harassed in the last five years compared with the average 27%.
23. These results showed that a Māori lawyer was more likely to experience unwanted sexual attention and inappropriate physical contact. When we look at bullying in the workplace, 62% of Māori lawyers have been bullied compared with 52%”.
24. The culture in the legal profession MUST change and Te Hunga Rōia Māori is committed to working in partnership with the Law Society’s Culture Change Taskforce to address these issues.

25. Because we have hope that the law and profession has a brighter future ahead. As Justice Williams reminded us at our conference dinner on Saturday night, in the words of Tā Hemi Henare, “We’ve come too far not to go further. We’ve done too much not to do more.” Nā ko te pō he rā ki tua- here we are in the night, a new day is about to come.”

Closing

26. In closing, let’s remind ourselves that 150 years wasn’t that long ago, prior to that Te Tiriti o Waitangi was signed in 1840, bringing Māori and non-māori together in partnership, and before then tikanga Māori was the first law of this land. In Māori Society, everything is intricately intertwined, we are always acknowledging the past. Our history is in our kōrero and waiata. Perhaps one day, we will all be singing a waiata about today’s 150 year milestone.
27. I would like to end my kōrero with an acknowledgment to my Uncle, Kotuhi Johnson Taikato, who passed away on Sunday. He was a colourful character who lived on Matakana Island and loved to sing, he knew all the words to our mōteatea (traditional laments).
28. Instead of going back to Uncle Kotuhi’s tangi, my whānau told me to stay in Wellington and deliver this kōrero, because it is too important not to share. I chose you all. So while I couldn’t be with my whānau when they buried Uncle today on Matakana Island, I would like to honour his memory, by closing with his favourite mōteatea, Tamarangi:

Tamāurangi

- *nā Haerehuka nō Ngāti Whakaaue (1833)*

He aha rawa te hara i whiua ai a Tamarangi ki te mate rā...

Ko te Kaoreore ko Te Rau o Te Huia he hinu paranga horomirimiri ki te kiri **e...**

Hoatu rawa nei taku matakahi ka wāhi ki te angaanga o Tamapahore nō hea e... ngā whā **e...**

Ehara i ...te tangata he auarere kaha runga nō te pou rākau o te kupenga o Tutānekai ka hoka i...
te rangi e

E Hinea...Rangi hikoia mai rā tā tōua manu ka motu i... te ringa e...

Me ahu ki... uta rā e kau i te wai Ngā Mātarae i waho o Opounui e...

Au atu ana Ngā Matakerewhana i raro o Matakana e...

Ma tō tuahine e taki ki te ara Ngā Roro Whareniū Te Umu ki Maketū e...

Tangi te pōhiri a tō tūpuna nau mai e Pā e...!

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

Marcia Rohario Murray
Tumuaki Wahine, Te Hunga Rōia Māori o Aotearoa

Wednesday 4 September 2019