

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

**24 October 2019**

***Mihi***

Ko Hikaroaroa te mauka,

Ko Waikouaiti te awa;

Ko Kati Huirapa te hapu;

Ko Haines Ellison toku ingoa.

1. E nga Kaiwhakawā tēnā koutou,
2. E Chief Justice Winkelmann, tēnā koe.
3. E te Roia matua, the Honourable David Parker, tēnā koe.

***Kōrero***

4. **E te koti /May it please the Court**
5. It is my honour and privilege to address the Court as a member of Te Hunga Rōia Māori o Aotearoa - the Māori Law Society, and to offer our best wishes to the Otago branch of the New Zealand Law Society at this 150<sup>th</sup> Commemoration. I take this opportunity to acknowledge Jo Hambleton, our current president of the Otago branch Council who is also addressing the Court today.

6. It is heart-warming to have both Community Law Centres in Otepoti, Dunedin appearing at this special sitting. We are very fortunate to have two Community Law Centres' here and I acknowledge Caryl O'Connor from Community Law Otago who has just addressed this Court.
7. When invited to address the Court at this special sitting, a number of matters came to mind that could be suitable for discussion. After some consideration "Access to Justice" seemed most appropriate. I intend to touch on two specific areas, the role of Community Law as a mechanism for providing Access to Justice and the relationship between Māori and the law.
8. Access to Justice is a term that we are all hearing more often. In a recent article in Law Talk, our president Ms Epati considers "Access to Justice" issues and within that same article outlines some of the barriers. It is acknowledged that these barriers have increased over time and that the Law Society has a role in breaking them down.
9. Last week, we held our annual Community Law hui in Waihopai, Invercargill. Each year we discuss what "access to justice" looks like for us and reflect how everyday within Community Law, we are all too well aware of the barriers identified by our president, that block a person's ability to be heard, exercise their rights, respond to discrimination and actively engage in what they are facing.
10. While Community Law provides a bridge allowing vulnerable members of our community to have that fundamental right of access to justice, there are limited resources so many unfortunately miss out. Some may try to navigate

the law alone with varying degrees of success. Community Law also has its own challenges with a limited pool of funding.

11. It is vitally important that Community Law Centres are able to continue and increase the work they do navigating these barriers so that more members of our community can access justice.
12. As I stand here to represent the Māori Law Society, it has to be acknowledged that for Māori, engaging with the law is often challenging. Over the past 150 years, the relationship between the law and Māori has often been at odds creating barriers – meaning many Māori struggle to access justice. For those of us who identify as Māori lawyers and work with our Māori communities, the legal profession can be a challenging and sometimes isolating space to work in.
13. However, in the ten years I have been practicing, there have been some changes suggesting the tide might be starting to turn, some of these changes include:
  - a. Our Courts opening in Te Reo;
  - b. The judiciary are recognising the need for greater diversity on the bench to better reflect the changing nature of our communities here in Aotearoa/New Zealand.
  - c. We celebrated the first Māori to be appointed to the Supreme Court bench earlier this year, His Honour, Justice Joe Williams.
  - d. Very recently, His Honour, Judge Heemi Taumaunu was the first Māori to be appointed the Chief District Court Judge and I mihi to you Sir.

- e. Within Community Law, we have a well advanced proposal to create Kaupapa Māori services across all 24 Community Law Centres throughout the country. The aim of these services is to have more Māori accessing Community Law when they require legal assistance, advice and representation.
14. Te Hunga Rōia Māori o Aotearoa has some expectations of the law and the profession. These include transformative change now. Transformative change in terms of the relationship and the partnership between our two societies. Working together for a better and brighter future for our country. What does transformative change in the law look like for Māori? Something a lot better than the current statistics for Māori within the law which are banded about on the media.
  15. I reiterate what our tumuaki wahine (female president) of our Māori Law Society said at the recent commemorative sitting in Wellington, the culture in the legal profession MUST change and Te Hunga Rōia Māori o Aotearoa is committed to working in partnership with the Law Society's Culture Change Taskforce to address these issues.

### ***Closing***

16. In closing, it is important to remember that our journey together has been relatively short. It has only been 179 years since Te Tiriti was signed. In Māori Society, we are always acknowledging the past so in preparing for this, there was much reflection on the journey so far. Both Te Hunga Roia

Māori o Aotearoa and Community Law are looking forward to forging stronger relationships with the New Zealand Law Society. We hope the journey over the next 150 years and beyond is one of partnership and that the barriers blocking access to Justice no longer exist.

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

Haines Ellison  
Member of Te Hunga Rōia Māori o Aotearoa

Thursday 24 October 2019