

HE KŌRERO POTO NĀ TE HUNGA RŌIA MĀORI O AOTEAROA

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

Mihi

- 1 Tīhei mauri ora. Tuatahi ka mihi au ki to tātau kaihanga. Ki te whare e tū nei, te papa e tākoto nei, tēnā kōrua. Ki o tātau tini mate, haere, haere, haere. Apiti hono, tatai hono, rātou te hunga mate ki a rātou, apiti hono tatai hono tātau te hunga ora ki a tātau nā reira tēnā koutou katoa.
- 2 Ka mihi au ki te mana o te Kooti Matua nei. Ki ngā kaiwhakawā e noho ana, Chief Justice Winkelmann, koutou katoa, tēnā koutou.
- 3 Ka huri au ki te mana o tēnei whenua, ki Ngāti Whātua Ōrākei, tēnā koutou.
- 4 Ki āku hoamahi, e ngā rōia e noho ana i te kooti nei, tēnā koutou. Tēnā tātau katoa.

Kōrero

May it please the Court

- 5 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 at this special sitting of the High Court commemorating and reflecting on the first 150 years of the New Zealand Law Society.
- 6 In 1869 the New Zealand Law Society was formed by Act of Parliament. The New Zealand Law Society last month released a timeline tracing milestones of the society from 1869 to 2019 and there are several milestones from this timeline that I would like to mention again today.
- 7 In 1897, Āpirana Turupa Ngata was the first Māori to be admitted as a barrister and solicitor. That same year Ethel Benjamin was the first European woman to be admitted. 75 years later, in 1972, Georgina te Heuheu would be the first Māori woman to be admitted.
- 8 In 1988 in the Rotorua garage of the late John Chadwick, Te Hunga Rōia Māori o Aotearoa was born. The Hunga was born out of the need for an independent Māori voice in the legal profession, with a vision of being by the law, for the people – mā te ture, mō te iwi. From that garage our Hunga has grown to include a significant membership of legal practitioners, judges, parliamentarians, legal academics, policy analysts, researchers and students.

- 9 At our recent Hui-ā-Tau (Annual Conference) held at Pipitea Marae and Victoria University of Wellington, over 300 people attended what I believe was one of our most engaging and thought-provoking conferences yet. The theme was “Nā ko te pō, he rā ki tua – here we are in the night, a new day is yet to come.” This theme 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. This theme also applied to those whom the legal system has let down, ignored or forgotten.
- 10 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. The words I share today reflect our hope for the new day, ā, e tū ana ahau hei māngai mō tā mātou Hunga, I stand here as the speaking voice of our Society.
- 11 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 nonetheless. Significant for a number of firsts that were celebrated:
 - 11.1 The first time that our National Māori Issues Mooting competition was held in the Supreme Court. I would like to repeat our thanks to the Chief Justice for inviting us into her court.
 - 11.2 Last month, the appointment of Judge Taumaunu as chief District Court judge.
 - 11.3 The appointment of the first Māori Supreme Court Justice, his honour Justice Joe Williams.
 - 11.4 For the first time in our history, a President of the New Zealand Law Society was invited to deliver a keynote address.
- 12 Tiana Epati’s attendance and presentation was itself a huge step for the Law Society. The poor history of the law in terms of its relationship with Māori has been, and still is, a barrier to engagement. If the legal profession is to be reflective of the society in which we live, then having a basic understanding of New Zealand’s history and Māori culture is a necessity – at all levels of the profession.
- 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 To echo the words of our Co-Tūmuaki speaking in Wellington, what does transformative change in the law look like for Māori? Something a lot better than statistics where Māori are:
- (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.
- 15 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.
- 16 I must therefore acknowledge the work that Tiana Epati is doing. She attended our conference and 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 troubling results. "The figure is 40% of Māori lawyers have been sexually harassed in the last five years compared with an average of 27%."
- 17 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. We have hope that the law and legal profession has a brighter future ahead. As Justice Williams reminded us at our conference dinner, 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."
- 18 On that note we also acknowledge the announcement earlier this week that the New Zealand Law Society would commission an independent review of its structure and function. A long-term endeavour expected to take 3-5 years minimum which reflects the weight the review is being given.
- 19 In closing, let's remind ourselves that 150 years wasn't that long ago, prior to that Te Tiriti was signed in 1840, bringing Māori and non-Māori together in partnership, and before that tikanga Māori was the first law of this land.
- 20 Despite considerable progress over the past 150 years, there is still much ground to cover. Let us take today's 150-year commemoration as an opportunity to reflect on our history and the milestones we have still to achieve. Nā ko te pō he rā ki tua, here we are in the night, a new day is about to come.