

**NEW ZEALAND LAW SOCIETY 150<sup>TH</sup> COMMEMORATION  
JUSTICE PRECINCT, CHRISTCHURCH  
5 September 2019**

**MIHI**

Ko te mihi tuatahi ki te runga rawa

Ki ngā mate

Ka tangi tahi tātou mō ō tātou taonga

Kua karangahia ki te Pō

Moe mai rā e Tahu Pōtiki, e Taua Mateka, moe mai, moe mai, moe mai rā

Te hunga mate ki te hunga mate

Te hunga ora ki te hunga ora

Ki ngā mana whenua o Ōtautahi, Ngāi Tūāhuriri, Ngāi Tahu, tēnei te mihi

E te Kaiwhakawā Tumuaki, tēnā koe

E ngā Kaiwhakawa – tēnā koutou

E ngā rōia, tēnā koutou katoa

Ko Kate Tarawhiti tōku ingoa

Ko au te mangai mō te Te Hunga Rōia Māori o Aotearoa ki Ōtautahi

No reira, tēnā koutou katoa

**KŌRERO**

**MAY IT PLEASE THE COURT**

1. It is a privilege and an honour to be able to stand here today and address Your Honours, this Court and my learned friends as the Ōtautahi Representative of Te Hunga Rōia Māori o Aotearoa (the Māori Law Society) and to congratulate the New Zealand Law Society on 150 years. Ka nui te mihi ki a koutou.

2. I also I want to mihi (acknowledge) the Canterbury-Westland Branch for your invite to speak here today and I am hopeful that we can continue build a positive and enduring relationship between our groups moving forward.

## **150 YEARS IN THE LAW**

3. 150 years ago, I would not have been able to stand here and address this Court as a Māori woman or to stand here wearing this kākahu named Te Whakaaro o Ngā Hau e Whā, a taonga provided to me by Te Rūnanga o Ngāi Tahu for this occasion.
4. Rather, the law at that time was, and arguably still is, a tool of the privileged. I recognise this because in order to move forward together we must acknowledge our past and the intergenerational effect that comes from how our country and our profession was formed.
5. The journey of Māori lawyers began in 1897 with the first Māori lawyer Sir Apirana Ngata, followed some 75 years later by the first Māori women lawyer, Dame Georgina Te Heuheu.
6. It was also in the 1970s and 1980s that a resurgence of Māori activism was born, and a need was recognised for an entity to represent Māori members of the legal profession and Māori interests within the law. Te Hunga Rōia Māori (the Māori Law Society) was formed in 1988 to be the voice, the *mangai*, for Māori in the law. The guiding vision for Te Hunga Rōia Māori being 'Mā te Ture, Mō te Iwi' (*by the Law, for the people*).

## **TE HUNGA RŌIA MĀORI**

7. While this is only the 31<sup>st</sup> year that Te Hunga Roia Māori has been in operation, a mere blip in comparison to the Law Society's impressive timeline, we have accomplished a lot over a short amount of time. Significant milestones in 2019 alone include:

- a. The first time the National Māori Mooting competition was held in the Supreme Court;
  - b. The appointment of the first Māori Supreme Court Justice, his honour Justice Joe Williams; and
  - c. The first time in our history that the President of the New Zealand Law Society, Tiana Epati, was invited to deliver a key note address at Hui-a-Tau (the Māori Law Society's annual conference).
8. On that note, our annual Hui-a-Tau was held last week in Wellington and was attended by over 300 people and was one of our 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." This whakataukī challenges Te Hunga Rōia Māori to explore exciting possibilities within the legal landscape and to utilise our potential to create a brighter future.
9. In doing so, we cannot overlook the well-being of Māori in the legal profession, an issue too often kept in darkness. This theme also applies 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. Being kept in the darkness, being called to the table at the last minute – these are all challenges for Te Hunga Rōia Māori.
11. To echo the words of my Tumuaki Wahine (co-president of Te Hunga Roia Māori) in her address yesterday to the Wellington commemorative sitting, the current system means 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.

12. Kua tangi taku manawa i ēnā mea. My heart cries when I hear those alarming statistics.

13. So how do we transform the law in terms of its relationship with Māori?

### **TRANSFORMATIVE CHANGE**

14. By showing up, acknowledging that things need to change, making a commitment to do so and by doing the work. Tiana Epati's key note speech at Hui-ā-Tau did just this. She acknowledged that the NZ Law Society had not provided for its Māori members and committed to working with Te Hunga Rōia Māori to address these issues. She also stressed the importance of non-Māori doing the work to address these issues as well, not just relying on our Māori academics to teach Māori legal issues or expect our Māori lawyers working in our firms to provide cultural support. We must all turn up. We must all work together to create a better and brighter future for our country.

15. This is critical because if the legal profession is to be reflective of the society in which we live, then having a basic understanding of Māori history, te Reo and tikanga is a necessity. After all, this is the only place in the world where we have tikanga Māori and speak te reo Māori – Aotearoa.

16. So while there are challenges there is also incredible opportunity for change and for us all to be apart of that.

## **NEXT 150 YEARS**

17. As Sir James Henare said: “*We have come too far, not to go further. We have done too much, not to do more.*” To me, this means the time is right now, right now to do more for Treaty partnerships, for recognising Maori interests and values, and for empowering and educating Māori and Pākehā lawyers to be biculturally competent.

18. So for the next 150 years, lets do more as a profession and more to build relationships, between us as colleagues and between the Law Society and Te Hunga Rōia Māori, including at our regional levels. This should be seen as an exciting time ahead, one of opportunity and possibility and I encourage everyone here to embrace the wave which is coming.

## **CONCLUSION**

19. 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.