

NEW ZEALAND LAW SOCIETY 150TH COMMEMORATION**INVERCARGILL****1 November 2019*****Appearance***

1. Tēnā koutou e ngā kaiwhakawā, ko Ms Woodward tēnei, ka tū ahau mō te Hunga Rōia Māori o Aotearoa.

Mihi

2. I te tuatahi, ka tika, e rere atu ana ngā mihi ki ngā Atua, ko Ranginui rāua ko Papatūānuku, tēnei ka mihi.
3. Ki a rātou mā kua hoki atu ki te kainga tūturu ki Hawaiki nui, Hawaiki roa, Hawaiki Pāmamao, haere, haere, moe mai okioki.
4. E mihi ana ki te mana whenua, ki Ngai Tahu, ki te runaka o Murihiku, tenei ka mihi.
5. Ki a tātou te hunga ora, arā te hunga roia, te hunga kaiwhakawā, ngā manuhiri otirā ki a tatou katoa, tihei Mauri ora.

Introduction

6. May it please the Court, on behalf of Te Hunga Roia Maori o Aotearoa, it is my privilege to address the court at this special sitting. We offer our best wishes to the New Zealand Law Society on its 150 year commemoration. Ka nui te mihi ki a tatou.
7. Your Honour, today I address the Court specifically in relation to Maori within the law.

Maori in the law

8. Maori in the profession have been making huge strides of late.
9. This year saw the first tangata Maori to be appointed as a Judge of the Supreme Court, - Justice Joe Williams. Justice Williams is fluent in te reo Maori and is an expert on tikanga and te Ao Maori.
10. We also recently saw the first tangata Maori to be appointed as Chief District Court Judge. Judge Hemi Taumaunu who is now the head of the biggest Court in Australasia.

11. Maori make up a small proportion of lawyers and an even smaller proportion of the judiciary, so these promotions for our Maori judges, is a significant achievement.

History

12. The law has been, and today still is, a barrier for Maori.
13. Our law and legal system, adopted from England, is inherently biased against Maori.
14. It was this legal system that denounced Maori as primitive barbarians – Wi Parata case.
15. It was this legal system that denied our ancestors speaking Maori – The Native Schools Act.
16. It was this legal system that persecuted our spiritual leaders – Rua Kenana, Te Whiti, Tohu.
17. It was this legal system that imprisoned a 17 year old Maori boy for 21 years for a murder he did not commit – Teina Pora.
18. It was this legal system that caused the biggest alienation of indigenous Maori land in modern time – the Foreshore and Seabed Act.
19. I could go on.
20. The laws poor history with Maori is devastating, and the ripple effects continue to be felt today. Maori are statistically the most uneducated, unhealthiest and most locked up people in this country.

Transformative Change

21. What do we do to change this?
22. Justice Williams, when he was appointed as a Supreme Court Judge, said it was important that Maori in the courts system, and indeed in the entire legal system, came to see their culture was valued, and it that was up to the system to signal that it valued Maori culture.
23. The current New Zealand Law Society president, Ms Tiana Epati, has done just that. At the annual Te Hunga Roia Maori conference held in Wellington this year, she attended on behalf of the New Zealand law society. The first law society president to attend our conference. Her presence signalled that the system values Maori.

24. Ms Epati gave a powerful and inspiring key note address. She acknowledged that the NZ Law Society had not provided for its Māori members and was 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 for a better future. So that, the coat of arms, which backs every court room in New Zealand, showing Maori and Pakeha as equals in the law, means something.
25. The law and indeed the profession must be representative of both of these treaty partners.
26. This is critical because if the legal profession is to be reflective of the society in which we live, then having an understanding of Māori history, te Reo Maori 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.
27. I acknowledge the efforts of the Southland Judiciary and members of the Southland bar who have taken steps to learn te reo and tikanga. This begins our transformation over the next 150 years.
28. For now, Maori are shamefully overrepresented in the negative statistics. So, for lawyers and Judges, to have an understanding of the background, language and culture of Maori, means Maori will have a better relationship with the law and it is hoped these statistics will change.
29. It is what we do each day in our legal careers that signifies the direction in which the profession is progressing.

Next 150 Years

30. As Sir James Henare said: “We have come too far, not to go further. We have done too much, not to do more.” right now is the time 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.
31. So for the next 150 years, let’s do more as a profession and more to build relationships, between us as colleagues and between the Law Society and Te Hunga Rōia Māori,. This is an exciting time ahead, one of opportunity and possibility that we can all embrace.

Conclusion

32. 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 that 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 and perhaps one day in the future, we will all be addressing the Court in te reo and we can all sing a waiata.
33. [Karanga Murihiku Waiata]
34. Nō reira, e ngā rangatira, e aku hoa, kia kaha tātou. Tēnā koutou, tēnā koutou, tēnā tātou katoa