



Te Hunga Rōia Māori o Aotearoa  
The Māori Law Society

# ZUI-Ā-TAU 2020

Annual Conference

*‘Māu tō tīī, māku tāku whewhera’*

*‘Kei a tāua te matangohi!’*

*‘You make your wedge, I’ll make my opening’*

*‘To us both the spoils’*

Saturday, 29 August 2020

Online

**HŌTAKA**  
Programme  
5 CPD hours

Proudly sponsored by:



Te Puni Kōkiri  
MINISTRY OF MĀORI DEVELOPMENT



THE UNIVERSITY OF  
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*Te Whare Hīnonga o Waikato*

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# Kaupapa o te Hui-ā-Tau

***'Māu te fīfī, māku te whewhera. Kei a tāua te matangohi!'***



***'Lets create the wedge, lets create the opening. Lets be successful!'***

The theme of the conference for 2020 is 'Māu te fīfī, māku te whewhera. Kei a tāua te matangohi!' 'Lets create the wedge, lets create the opening. Lets be successful!'. This theme is inspired by kōrero prior to the battle of Hingakākā, a battle fought between two Māori armies of the North Island, at Mangeo on the shores of Lake Ngāroto just north of Te Awamutu in the late 18<sup>th</sup> or early 19<sup>th</sup> centuries, which was reputedly "the largest battle ever fought on New Zealand soil".

According to Kelly,<sup>1</sup> before the battle took place Tiriwā, of Ngāti Apakura, called to Huahua of Ngāti Matakore, 'Māu te fīfī, māku te whewhera' ('Be you the wedge, I will open up the hole'), with Huahua's response 'Māu te fīfī, māu anō te whewhera!' ('Be you the wedge, you also open up the hole').<sup>2</sup> In essence about rangatira in dire straights expressing a willingness to engage the overwhelming odds! Tiriwā then threw two calabashes in to the air and as they fell smashing them both with one blow of his taiaha, claiming, 'Kei ahau te matangohi! - ('I will have the first to fall!')

The theme reminds us that despite our collective challenges, there are often different ways and paths to achieving success, but that we must challenge ourselves, despite the overwhelming odds:

***'Māu te fīfī, māku te whewhera. Kei a tāua te matangohi!'***  
***'Lets create the wedge, lets create the opening. Lets be successful!'***

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<sup>1</sup> Tainui p.293

<sup>2</sup> According to Ngāti Matakore, Huahua's response was ' Māku tāku fīfī, māku anō tāku whewhera!'

# Hōtaka Whakarāpopoto

## Programme Summary

### Rāhoroi 29 o Ākuhata

9:00am – 9:15am	Karakia Mihi whakatau (Marcia Murray and Glenn Toofill)
9:15am – 10:15am	KEYNOTE ADDRESS <i>'Māu te tīfī, māku te whewhera. Kei a tāua te matangohi!'</i> Rahui Papa
10:15am – 10:30am	BREAK
10:30am – 12:30pm	National Kaupapa Māori Moot Final (materials for moot available <a href="#">here</a> ) Judges: Justice Christian Whata, Judge Stephen Clark, Judge Tinimiraka (Tini) Clark  Appellant 1. Te Uranga Royal (Waikato) 2. Jacobi Kahu-Morris (Otago) 3. Herewini Ammunson (VUW)  Respondent 1. Jamee Miles (AUT) 2. Jack Potaka (U of Auckland) 3. Terrence Wagstaff (Canterbury)
12:30pm – 1:30pm	LUNCH BREAK
1:30pm – 2:45pm	Panel Session: Tikanga Māori in the Peter Ellis case <i>Facilitators: Marcia Murray, Bernadette Arapere</i> Panel: Maatanuku Mahuika, Horiana Irwin-Easthope, Natalie Coates, Kingi Snelgar and Rhianna Morar
2:45pm – 3:00pm	BREAK
3:00pm – 4:00pm	Te Hunga Rōia Māori Annual General Meeting 2020 (materials available in member homepage)
4:00pm – 4:15pm	BREAK
4:15pm – 5:15pm	KEYNOTE ADDRESS Waikato-Tainui – Past, present and future <i>Facilitator: Linda Te Aho</i> Panel: Rukumoana Schaafhausen, Parekawhia McLean
5:15pm – 5:30pm	Closing (Marcia Murray and Glenn Toofill) Karakia whakamutunga
5:30pm – 7:00pm	Free time for regional groups
7:00pm – late	TAVAKE AFEAKI SING ALONG REGIONAL WHAKAWHANAUNGATANGA

# Ko wai ngā kaikōrero

## Speaker profiles



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### **Rahui Papa – KEYNOTE ADDRESS 'Māu te fīfī, māku te whewhera. Kei a tāua te matangohi!'**

Rahui Papa is an orator, spokesperson, and recognised authority on Waikato reo and tikanga. Rahui has a background in broadcasting and education and has served on the Waikato-Tainui Governance Group since its inception. Rahui is the negotiator for Waikato-Tainui's outstanding Treaty claims, having previously chaired the Waikato Tainui Executive, Te Arataura, and served as a director and member of various holdings companies, ministerial committees, and national and local boards. Rahui plays an integral role in the Iwi Leaders' Forum, providing advice to Ministers and Crown officials on matters of national significance.

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### **Justice Christian Whata – National; Kaupapa Māori Mooting Competition**

Justice Whata is from Ngati Pikiao and Ngati Tamateatutahi - Kawiti of Te Arawa. Justice Whata graduated from Auckland University in 1992 and was admitted to the bar in the same year, obtaining an LLB (Hons) in 1994. He commenced working with the Auckland firm of Simpson Grierson until 1993 when he took up a position in the general litigation team at Kensington Swan until 1995. He obtained an LLM (1st class) from the University of Cambridge, then took employment with Russell McVeagh from 1997-2001, becoming a partner in 2001. He specialised in resource management law and Maori issues. Justice Whata was appointed a High Court Judge on 1 March 2011, initially based at the Christchurch High Court. He is now based in Auckland

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### **Judge Stephen Clark - National Kaupapa Māori Mooting Competition**

Judge Stephen Clark was appointed to the Māori Land Court on 25 January 2008. He is one of two resident Judges based in Hamilton for the Waikato-Maniapoto District of the Māori Land Court, hearing cases in Thames, Tauranga, Hamilton and Te Kuiti.

Judge Clark graduated from the University of Auckland in 1988 with an LLB and was admitted to the Bar in the same year. He subsequently obtained a GradDipDR in 2007 and a BA in 2013, both from Waikato University.

He began practice as a law clerk in November 1987 with Sellar Bone & Partners, Auckland. He worked for that firm until 1990 when he joined McCaw Lewis Chapman, Hamilton. In 1996, Judge Clark became a litigation partner with McCaw Lewis Chapman and remained with them until his appointment to the Māori Land Court bench in 2008.

Judge Clark's practise was primarily focussed on litigation. He appeared before all levels of the Courts in New Zealand and before various specialist Tribunals. He served as a member of various committees for the Waikato-Bay of Plenty District Law Society and was a specialist advisor for the Legal Services Agency.

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During his time as a lawyer he provided general advice and representation for whānau, hapū, iwi, Māori land trusts and incorporations before the Māori Land and Appellate Courts and the Waitangi Tribunal. He was a foundation member and former president of Te Hunga Rōia Māori o Aotearoa – the New Zealand Māori Law Society.

Judge Clark was appointed as an Alternate Environment Court Judge in 2009. He has also sat as the Presiding Officer in Waitangi Tribunal inquiries in relation to the Port Nicholson Block Urgency and Ngāti Kahu Remedies Inquiries. He is currently the Presiding Officer for the Health Services and Outcomes Kaupapa Inquiry.



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**Judge Tinimiraka (Tini) Clark National Kaupapa Māori Mooting Competition**

He uri nō Tainui waka a Judge Clark. Nō te Pūaha o Waikato ia (Ngāti Tīpa, Ngāti Tahinga and Ngāti Āmaru).

Judge Clark was admitted to the bar in September 1994 after graduating from Te Whare Wānanga o Waikato. Judge Clark specialised in criminal law for the majority of her 20 + years as a lawyer and practised as defence and Crown counsel in South Auckland, Waikato, Hawkes Bay and Gisborne.

Judge Clark was appointed to the Bench in August 2018 and sits in the Manukau, Papakura and Pukekohe District Courts. She holds Criminal, Jury and Youth Court warrants.



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**Natalie Coates – Panel Session: Tikanga Māori in the Peter Ellis case**

Nō Ngāti Awa, Ngāti Hine, Ngāti Tūwharetoa, Tūhourangi, Tūhoe hōki a Natalie. Natalie Coates has recently be named Partner at Kahui Legal. She holds an number of roles including as a lecturer at the University of Auckland and Co-Director of Aotearoa New Zealand Centre for Indigenous Peoples and the Law. She holds first class honours degrees in Law and Arts (Māori Studies) from the University of Otago and gained her LLM degree from Harvard University.



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**Matanuku Mahuika – Panel Session: Tikanga Māori in the Peter Ellis case**

Nō Ngāti Porou, Ngāti Raukawa a Matanuku. Matanuku has been in corporate and private practice since 1991, and co-founded Kahui Legal in 2003. Prior to establishing Kahui Legal, Matanuku was a partner at Walters Williams & Co and in-house counsel at the Treaty of Waitangi Fisheries Commission. Matanuku provides advice on a wide range of corporate, commercial, Treaty settlement and public law issues. Matanuku has acted on a large number of Treaty of Waitangi settlements, represented Ngāti Porou throughout their foreshore and seabed negotiations, and in 2012 was the Chair of the Ministerial Panel on the reform of Te Ture Whenua Maori Act 1993. He has also acted as a Treaty of Waitangi settlement negotiator and has worked directly on various items of law reform. Matanuku has held a wide variety of board roles including being the former Deputy Chair of Aotearoa Fisheries

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Limited (now Moana New Zealand) and the Chair of Sealord Group. He is currently the Chair of the Ngāti Porou Holding Company and the Eastland Group and holds a number of other directorships. He is a previous Tumuaki Tāne of Te Hunga Rōia Māori o Aotearoa (2002 – 2005).

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**Horiana Irwin-Easthope Panel Session: Tikanga Māori in the Peter Ellis case**

Ngāti Porou (Te Whānau a Putaanga), Rakaipaaka, Ngāti Kahungunu

Admitted as a Barrister and Solicitor of the High Court of NZ

LL.B., B.A. in Māori Resource Management | Victoria University  
LL.M. | Harvard Law School

Horiana is a critical legal thinker with a reputation for hard work. She pushes the status quo to affect change within, and outside of, the legal system to recognise the unique place of whānau, hapū and iwi within Aotearoa. Horiana consistently strives to provide quality legal and strategic advice, tailored to achieve desired outcomes for her clients.

Prior to establishing Whāia Legal, Horiana worked at Russell McVeagh, in their Resource Management, Māori Legal and Commercial Litigation teams, and at Kāhui Legal. Horiana has appeared in the Waitangi Tribunal, Environment Court, Māori Land Court, High Court, Court of Appeal and Supreme Court. Horiana is also regularly involved in alternative dispute resolutions processes.



**Rhianna Morar Panel Session: Tikanga Māori in the Peter Ellis case**

Rhianna is currently completing her LLB(Hons) and Bachelor of Arts, majoring in Political Science and International Relations. Her research interests include tikanga Māori and Treaty of Waitangi jurisprudence. Rhianna is an active member of Te Hunga Rōia Māori (Māori Law Society) and Ngā Rangahautira (Māori Law Students' Association at Victoria University of Wellington). She has whakapapa links to Ngāti Porou and Te Arawa (Tapuika)



**Kingi Snegler Panel Session: Tikanga Māori in the Peter Ellis case**

No Ngapuhi, Te Whakatohea, Ngai Tahu me Ngati Whakaue

Kingi is a barrister at Manuka Chambers and specialises in criminal defence. He is also a commissioner at the newly established Criminal Cases Review Commission and counsel to assist the Royal Commission into Abuse in State Care. Before working as a barrister, Kingi worked at Meredith Connell specialising in criminal prosecution of serious crime. He has also completed a Masters of Law at Harvard Law School as a Fulbright Scholar.

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**Rukumoana Schaafhausen KEYNOTE ADDRESS Waikato-Tainui – Past, present and future**

*Ngāti Hauā, Waikato Tainui*

Rukumoana, named after her marae in Morrinsville, is a dynamic leader who has carried her passion through roles as a lawyer, mother, director - whether in marae or boardrooms.

She is the current Te Arataura Chair and Kāhui Ariki Māori King's Representative, as well as the longest standing trustee of Waikato Tainui. She is both humbled and privileged to hold these roles and has always carried a message of kotahitanga, manaakitanga and prosperity for the people of Waikato and New Zealand.

Rukumoana chairs a number of Boards including the Waikato District Council Waters Governance Board, Miro, The Matamata-Piako Council Waharoa Provincial Growth Committee and the National Iwi Chairs' Freshwater Iwi Leaders Group. Rukumoana is also a trustee of the Tindall Foundation, the Princes Trust NZ, and has carried multiple public and private directorships in Genesis Energy, Agresearch, and has received the Sir Peter Blake award for leadership.

She is renowned as a hard-working principled “bridge builder” and a diverse thinker, which she attributes to being inspired by Wiremu Tamihana, as well as her children, to represent and create opportunities for the diversity of people she represents.

“I use my influence on boards to advocate and promote the importance of the true value and positive contribution a group of people can have in society beyond financial performance. True value is also about organisations having positive environmental, social and cultural impacts.”

Rukumoana describes her whānau as inspiring her daily - “It is about the long-term lens and what we must accomplish together.”

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**Parekawhia McLean KEYNOTE ADDRESS Waikato-Tainui – Past, present and future**

Parekawhia is the Director of Strategy & Infrastructure for Counties Manukau Health where she has been since early February 2019. Her previous role was from the New Zealand Transport Agency where she was Central North Island Regional Director from September 2016. Prior to that, she was the Chief Executive Officer of Waikato-Tainui for six years. Parekawhia has more than 27 years of public policy and public sector management experience including being an advisor to three prime ministers during her time at the Department of Prime Minister and Cabinet. She brings significant stakeholder management and governance experience to the role. For almost seven years she was director of her own company dedicated to advancing the creative potential of Māori knowledge, people and resources. Parekawhia has Masters' degrees in Social Sciences from the University of Waikato and in Public Administration and Development Policy from the University of Wisconsin. She also undertook an executive leadership programme at Stanford University. In 2014, she received a Distinguished Alumni Award from the University of Waikato and in 2016 was a finalist in the Board and Management category for the Westpac-Fairfax Women of Influence Awards. In September 2017, Parekawhia was elected for a three year period, the Chair of Te Whakakitenga o Waikato - the governing tribal body of Waikato-Tainui.

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### **Tavake Afeaki – SING ALONG**

No Rākaipāka, Kurupakiaka, Rongomaiwahine, Ngāti Kahungunu me te moutere o Tonga a Tavake.

He has been a lawyer for over 25 years in Aotearoa and 20 years in Tonga, a mediator and has practiced as a Barrister since 2002 in Treaty, Land, Civil litigation. Recently he has been involved as counsel in some high profile, complex High Court tribal disputes and in one as Amicus Curiae. He is a staunch advocate of Te Tiriti o Waitangi, justice and opportunities for tangata whenua, individuals, whānau, hapū & tribal nations. Tonga's King Tupou VI appointed Tavake a Law Lord of the Judicial Committee of the Privy Council in 2017 to advise the King on the Constitution 1875, draft legislation, international treaties, diplomatic appointments and relations. In 2020 Tavake was appointed to the constitutional role of Lord Chancellor, in which Tavake chairs the Judicial Appointment and Discipline Panel charged with making recommendations to the King for appointments to the judiciary, the attorney-general and police commissioner. Under the Constitution's clause 83b, he is responsible for the independence of the judiciary, administration of justice and the rule of law in the Kingdom of Tonga. With others, Tavake was a founding member of Te Rākau Ture at the University of Auckland, and has previously held the role of Tumuaki Tāne from 1999 – 2002 and 2017 – 2018.

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