

Te Kōti Rangatahi o Mātaatua –  
Marae Youth Court: A Site of  
Limitless Potential

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A thesis submitted to Auckland University of Technology

In fulfilment of the requirements of the degree

Doctor of Philosophy (PhD)

## Declaration statement

“I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person (except where explicitly defined in the acknowledgements), nor used artificial intelligence tools or generative artificial intelligence tools except where referenced, for the purpose of creating illustrative images, nor material which to a substantial extent has been submitted for the award of any other degree or diploma of a university or other institution of higher learning.”

## Co-authored work

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## Abstract

This thesis explores what tikanga is, its philosophical foundations, and how te ao Māori worldview and historical experiences have shaped the tikanga of Te Kōti Rangatahi o Mātaatua, a marae-based Youth Court. Using kaupapa Māori methodology, pūrākau, observations, noho wahangū reflexive practice, and in-depth interviews with four kaumātua, the research led to the development of an original analysis framework: Te Pepe Ao Uri Whāriki using ngā hiki matau – the rightward strands. This framework weaves together the voices of kaumātua and observational data to create ngā kāwai toro, representing the extended strands of the whāriki that reflect the broader tikanga domains and their expressions through Māori epistemology, ontology, cosmogony, and metaphysical thought. This thesis also incorporates ngā hiki mauī as the leftward strands, which highlight the core tikanga values of Te Kōti Rangatahi o Mātaatua: kaumātuatanga and rangatiratanga, whanaungatanga, manaakitanga, wairuatanga, and kotahitanga, each with the same corresponding kāwai toro whenu. Together, these elements reveal tikanga as a dynamic, relational system, enabling te pānga o pepe ao uri, the butterfly effect, to be understood in terms of how tikanga lives, evolves, and impacts all those involved in Te Kōti Rangatahi, especially rangatahi Māori. The thesis argues that Te Kōti Rangatahi o Mātaatua is a powerful site of connectedness and restoration, while also cautioning against the risk of superficial engagement when tikanga is constrained within Pākehā systems. Ultimately, this thesis is a koha to my tīpuna and mokopuna mō āpōpō, calling for the protection and valuing of tikanga spaces, the elevation of kaumātua leadership, and the creation of whare wānanga-like spaces and the use of wānanga moments where rangatahi can learn who they are, where they come from, and how our histories and tikanga continue to shape our futures.

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This study was approved by The University of Auckland Human Participants Ethics Committee on August 2020 for three years, reference number 019588.

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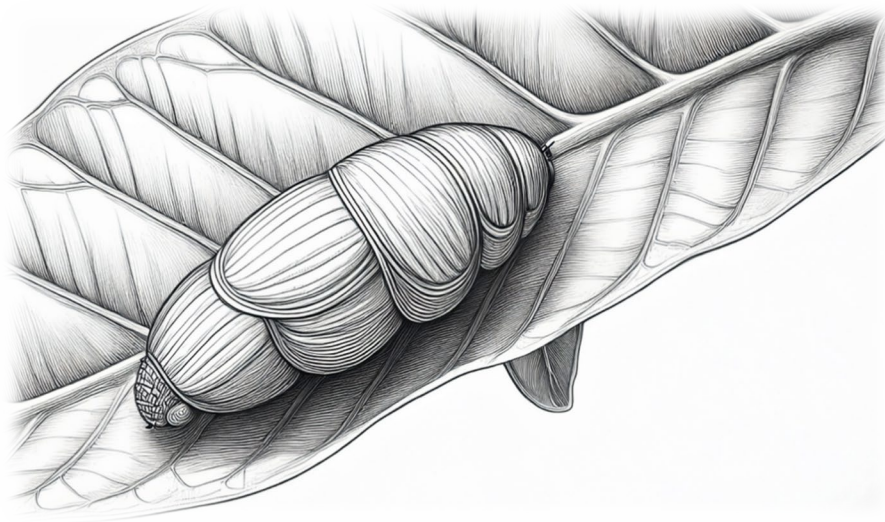
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*Figure 1 Te Kōpaki Pepe Ao Uri, the cocooned butterfly.  
Note: Image adapted from Adobe Express*

## **Chapter 1 – Whakatakinga Introduction**

In this first section of this chapter, I introduce myself and explain my positionality, while the next section offers a guide on how to read this thesis. First, I share a series of pūrākau stories relating to each line of my pepeha. These pūrākau do not appear in chronological order; at times, my accounts jump through different timelines, as one memory, circumstance or event leads to another pūrākau. It is an intentional reflexive method called noho wahangū, which has similarities with noho puku research methods used by (Rye, 2024) and Elder (2012). Tohunga Wiremu Niania (2024) describes noho puku as a process of sitting on things observed and holding that experience inside. Noho wahangū and whaiwhakaaro is the practice of sitting in deep silence and reflecting on what is. Over the years, I've been privileged to work alongside several kaumātua and mōhio pakeke – some are whānau, many are not, who have formally and informally guided me throughout my career and my doctoral studies. I have learnt a great deal from these relationships, but the concept of noho wahangū meaning to sit in deep silence and whaiwhakaaro refers to the concept of reflexivity described as bending “back upon oneself” in a thoughtful self-awareness have been invaluable skills (Finlay, 2003, p. ix). Developing the skill of noho wahangū for me has been a conscious and intentional practice of being silent and truly being present to reflect on what was, what is, and what could be.

Whaiwhakaaro, the thoughts, perceptions, lightbulb moments of aspiration or inspiration were a koha from my tīpuna and the many kaumātua and pakeke that have been on this journey with me in making sense of what I saw or read, heard, smelt, tasted and felt. Noho wahangū became a wānanga with self – sometimes it occurred after attendance at Kōti Rangatahi as I drove home; other times, it was brainstorming and writing and drawing on chart papers that covered my office walls. I still refer to the faded poster on my wall. Noho wahangu has enabled me to share my pūrākau sometimes with others including my supervisors but most often with myself. It involved reflection and being reflexive and then writing my pūrākau with the layers and complexities in negotiating and balancing my positionality as an insider and outsider throughout this doctoral journey (Cram, 2016).

*Ko wai au, nō hea au*

*E tū ana au i te tihi o tōku maunga tapu o Maungapōhatu*

*I titiro whakararo ki ōku awa e rere ana atu*

*Ko Waikari, Tauranga, ko Ōhinemataroa ēnā*

*E noho ana ki ōku marae ko Te Māpou i Maungapōhatu, ko Ōhutu i Rūātoki*

*E hono ana ki ōku hapū ko Tamakaimoana, ko Whānau Pani*

*Ko Ngāi Tūhoe te iwi*

*Ko ōku mātua, ko Henare Black rāua ko Teria Heemi Tawa*

*Ko Stella Black ahau*

*Tokorua āku tamāhine.*

As I introduce myself with this pepeha, writing and rewriting, triple checking my te reo, and making sure the macrons are correct, I already know I will change it many times before the final submission. I use my pepeha to introduce myself through memories and stories (some are mine; some have been shared with me by whānau) attached to each line. In this way, I outline

my positionality and signal the continual reflexivity required while undertaking and pulling the threads of this doctoral research together using noho wahangū.

My pepeha describes ko wai au, no hea au – who I am and where I come from. E tū ana au I te tihi o tōku maunga tapu o Maungapōhatu – figuratively, this means I stand on my sacred mountain Maungapōhatu. I say this to show my stance, standing firm in the knowledge that I know who I am and where I come from. I have never climbed and made it to Tūtemaungaroa. On a clear day, the summit can be seen from the marae ātea. The rock formation juts out from the ridgeline of Maungapōhatu.



*Figure 2 Ridgeline of Maungapōhatu.*

*Note: Photograph by the author.*

During the summer of 2001, the children, grandchildren, and great grandchildren of my grandparents gathered in Maungapōhatu for a whānau reunion. Lots of planning had gone into the event over several years. Whānau journeyed from far and near to get to know each other, to wānanga, learn, have fun, and climb the maunga together.

For me, my siblings, and our children, these gatherings were important as Mum had passed away in 1984 and being at these gatherings and listening to our aunties was like being in the presence of our mother. I was excited to climb the maunga. I knew I was not the fittest and I was pregnant, but I felt confident I could do it. So, when I was cautioned not to climb the

maunga, I took it as a personal affront. I was mad that I was now trapped in Maungapōhatu until the reunion had finished and I could go home with my 2-year-old kōtiro. That night, during whakawhiti kōrero in Tāne-nui-ā-rangi, everyone spoke about their day or shared other reflections. I did not want to participate. I did not want to be there. I wanted to go home. But my aunty encouraged me to have a kōrero as she knew I was mad and bitterly disappointed that I could not climb the maunga. I did not hear my aunty explain that I could climb to the summit of the maunga and that this was my choice, but she encouraged me to consider the health of my unborn baby. She knew many babies that had been lost to the patupaiarehe in the ngahere that surrounds our marae and covers our maunga. She shared story after story of such misfortunes. I could hear the aroha and concern in her voice and saw her eyes welling up. However, I was selfish, self-absorbed and culturally clueless. It took me many years to get over myself, to learn what I did not know and to view those warnings as loving admonishments to protect me and my unborn child.

*Ko au te tamaiti o Hinepūkohurangi rāua ko Te Maunga* – I am a child of the mist maiden Hinepūkohurangi and Te Maunga. I am also a descendant of Te Whānau-a-Apanui, Whakatōhea and Ngāti Whakaue of the Te Arawa and Mātaatua waka. I am equally proud of my tauiwi whakapapa as a descendant from Ingarangi and Kotirani who married my tīpuna Mokeke te Tara Nikorima Poihipi. My feet are firmly grounded in my connectedness and identity as Ngāi Tūhoe, but I mihi to my wider whakapapa links. Hinepūkohurangi is not a deity or myth, and Te Maunga is not just a mountain; they are my ancestors, and it is for this reason we are called the Children of the Mist. So, when Te Urewera National Park was given the same legal status as an individual person, having all the rights, powers, duties, and liabilities of a legal person, as the kaitiaki of this whenua, we were hopeful that the law of Aotearoa New Zealand (Aotearoa) would care for our tīpuna... but that's a story for another time.

*I titiro whakararo ki ōku awa e rere ana atu Ko Tauranga me Ōhinemataroa ēna.* Growing up, I have vivid memories of my uncles driving us kids down to the awa for a swim. The drive was

terrifying and fun; we soon learnt to hold on for dear life or risk being flung from one side of the truck or trailer to the other. Although the Tauranga awa flows downstream below Te Mapou marae, the preferred swimming holes are further down the road from the pā, at Pinaki or Korakonui. My aunties shared stories about Koro Tawa and Nanny Aniteweweni setting up a summer holiday home at Korakonui. This seemed strange to me as it was only 15 minutes down the road by car, but I had to remember the usual mode of transport was walking – although they had horses too. I am still amazed at how fit my aunties were into their 70s, walking up and down the roads in Maungapōhatu, visiting each other and checking on the other houses. My aunties shared stories of growing up in Maungapōhatu and working the whenua to clear the land of the gorse. Gorse and blackberry now cover much of the whenua my aunties had cleared, and the changes somewhat saddened them.

*E moe ana ki ōku marae ko Te Māpou i Maungapōhatu ki Ōhutu i Rūātoki* – I have slept in Tāne-nui-ā-rangi in Te Māpou marae also called Maungapōhatu marae by some whānau who posit Te Māpou is the name of the papakainga. My aunty, however, maintains the name of the marae is Te Māpou. As a child, I always felt a special connectedness and affinity to Maungapōhatu, which only deepened for my siblings and me after our mother passed away. I recall my mother and her siblings' raising funds with a batons-up similar to a raffle prize draw and returning periodically to work on the whareniui. I have photos of my mother working on the roof of the Tāne-nui-ā-rangi, and I was told by my aunty that this was most unusual for a wahine to work on top of the whare, given the tapu nature of the whareniui. Mum had a quiet mana about her, and she was afforded this honour. I wondered if it was more acceptable because Rua Kenana had performed many tapu lifting rituals in Maungapōhatu according to my aunties. Or was it because Tāne-nui-ā-Rangi is a unique meeting house, because food can be eaten inside. When I first heard that story many years ago, I felt a sense of pride, but over time, I have wondered about the accuracy of that account. My aunties and uncles have shared many stories of growing up together in their little home with their parents.

After the police raid in April 1916 that killed two and imprisoned Rua Kenana, Maungapōhatu was left in ruins. My grandparents and their children were some of very few who had remained in Maungapōhatu, raising all of their children there. My grandparents were known for their manaakitanga, looking after manuhiri and whānau alike. In 1925, my nanny, her brother and Koro Tawa cared for a group of tamariki during a typhoid fever outbreak at a separate campsite in Maungapōhatu.

On my father's side, I can only recall sleeping in the whare tipuna at Ōhutu a couple of times. The whare tipuna is named after Tūhoe Pōtiki. He was the grandson of Paewhiti and Toroa, who captained the Mātaatua waka. As I was born in Tauranga Moana and grew up in Mauao, I recall my parents usually drove over for the day, or if we stayed, we usually slept at the homestead. My memory of the homestead is that it was an older style farmhouse with high ceilings, creaky floorboards, and the toilet was outside. This was the home of my Nanny Ngapera and my koro, who had passed away when I was young.

Ngapera had a moko kauae and she wore thick glasses. I think I must have been too shy or too scared of her, as she always seemed to be growling at me. Her reo Māori was different from the reo I heard between my parents or between my mother and almost anyone else she spoke with. My mother had a lovely soft āhua about her; she was genuine and humble in her approach with people and by all accounts, much like her father. People warmed to her. My sister told me she had a good relationship with Nanny Ngapera and that when she visited with her, they had long meaningful conversations about many different kaupapa. I do not recall these interactions. I was probably off playing somewhere with my cousins, rather than being around whoever Mum was talking to. As I grew up, I learnt more about my Nanny Ngapera and all of her achievements within the Women's Welfare League and for her community. I am proud of her and of my heritage. I wish I could have known her, but then I wish this for all tīpuna.

*E hono ana ki ōku hapū ko Tamakaimoana, ko Whānau Pani.* As an adult, as a mother, and as a niece, I am continually striving to connect with my hapū. On Mum's side, I am proud to be Tamakaimoana, making the regular trips back to attend marae kaupapa, hapū hui, or to enjoy being in the presence of tīpuna, all of which is healing. Hapū kaupapa varies, ranging from discussing animal and pest control issues to renovation planning. Some kaupapa are historical, being consistently raised and discussed over time, while other matters are reliant on someone willing to do the mahi and having the funds to fix the problem. In my time, hapū thrive under strong leadership and, for the most part, the hapū appreciate forward-thinking. Organising and uniting whānau for a kaupapa such as a working bee or fundraising are examples. But change is not always appreciated, if adaption has the potential to impact marae kawa or tikanga. The rich kōrero about a range of kaupapa is the reality of being a member of ngā hapū as we navigate the pros and cons of change.

My connection, or should I say my reconnection as Whānau Pani, is a work in progress. Although Ruatoki is closer to where we lived growing up, my father rarely took us home after my mother passed away. When he did take us back home, he had certain whānau members we would visit. Dad was brought up as a whangai by his koroua and kui alongside his nephews. Dad really loved his whangai whānau and had lovely stories about growing up. This meant that when we went to Ruatoki, we would visit his whangai whānau, rather than his immediate whānau. It always seemed strange to me, but it was perfectly natural to my dad. Dad would tell us of the time he spent 11 months in hospital as a child with rheumatic fever, until the day his koroua came in the hospital, picked him up and took him home without being discharged. Until this moment, I had not made the connection between this childhood story and when I saw him discharge himself from Auckland Hospital against medical advice later in life. He could be a very stubborn man. Dad passed away in 2007. At the time, he was living with me in Auckland.

In 2015, I moved back to the home to Mauao with my teenage daughter and my partner. Despite being just over an hour away from Ruatoki, returning to Ōhutu and attending hapū hui was really difficult for me. I felt a closeness to some of my whānau, but I largely did not know many. I also had this gripping fear and whakamā, knowing many of my whānau are fluent te reo speakers. For the few tangi I had been back to the marae to, I can still remember being whakamā, either not knowing my whakapapa connection to others or not knowing the marae kawa. So, when we moved even closer to Ruatoki in 2023, there were no more excuses. By 2024, I have started attending hapū hui and been involved in working bees, helping in the kitchen during marae kaupapa. At this point, kanohi kitea, being the face that is seen rather than heard through my waha, is, for me, a starting point. I will always be a learner of the te reo, but I have realised that I love hearing my whānau from Maungapōhatu and Ruatoki speak te reo Māori. In the listening, I feel my level of understanding and comprehension of the spoken reo has grown. The next challenge will always be taking that next step and speaking it more every day.

*Ko Ngāi Tūhoe te iwi.* I am proud to be Tūhoe, but I am also a descendant of Ngāti Whakaue of Te Arawa, who have provided undergraduate tertiary scholarships for myself and my eldest daughter. This assistance has enabled us to have more opportunities and to pay it forward in helping other whānau. I am also a descendant of Te Whānau-a-Apanui, Whakatōhea and Tūwharetoa; I am learning a little every day about these connections and my tīpuna.

I have introduced a little about my parents above. Mum died a couple of months before I turned 15. I cared for her at home and went with Dad to Waikato Hospital many times as she went through her cancer treatment. Mum was born and raised in Maungapōhatu and attended Turakina Māori Girls College in Marton. From there, she went to Auckland for work, and she met her first husband. Together, they had six children, but her husband was tragically killed in a bulldozer accident in Maungapōhatu, leaving Mum a widow. I'll share more about my Mum later in this thesis.

Dad was a big softie underneath it all despite appearing rough, rude and swearing like a trooper. In his own way, he was a loving father to my younger brother and me. He was hardworking having a good work ethic, but he also loved to drink alcohol. I recall being in the car as someone had to go and pick him up from one of the local pubs at the 6 o'clock closing time. I remember him telling me that as a young man, he went to work on his father's farm from sunrise to sunset with little to no breaks. He did not last long doing that work, and like many other young tane, he went to the city to work. I did not know what work he did, but his best memory of living in Wellington was eating egg foo young from the local Chinese place. I was in my 20s and had never heard Dad speak of this time, and I was amazed he knew what egg foo young was. Before Mum passed away, I remember my parents speaking te reo Māori late into the night. It was such a comforting sound. I never heard Dad have these types of deep and meaningful conversations again. He never remarried, though I wish he had.

I hope in sharing these stories you get a sense of who I am, how my life has been shaped and influenced by my life experiences, including becoming a proud mother of two daughters. Both are strong young wāhine, but each have differing experiences of being Māori. My eldest was influenced by her Pākehā father and grandparents, who helped raise her from a baby, whereas a divorce meant my youngest daughter's experiences were different. Apart from having uniquely different personalities, they had different early childhood and rangatahi experiences that have shaped their sense of identity as Māori wāhine. Their experiences have assisted and guided my understanding and perceptions of the rangatahi and the ordinary challenges they face every day. This first-hand insight was invaluable as I explored each Kōti Rangatahi space and observed my own daughter skating on the edges of some troublesome situations that could easily have led her down a different pathway.

### **How to read this thesis**

The central aim of this doctoral thesis was to explore: he aha ngā tikanga o Te Kōti Rangatahi o Mātaatua, ā, he aha te rapunga whakaaro o te ao Māori? What are the tikanga and

philosophical underpinnings of Te Kōti Rangatahi o Mātaatua? He aha te hītori o Te Kōti Rangatahi o Mātaatua? What is the history that has shaped local tikanga. Overall, this thesis does not conform to a traditional thesis format, and I opted to use the thesis structure option that allows you to build your thesis by incorporating these publications. Although it is presented as a linear piece of work, with one chapter building on the next, in reality, the process was neither sequential, ordered or straightforward. Each chapter draws on the literature, with Chapter Two providing the research background. Each chapter also has a prelude that starts with a pūrākau drawn from my tīpuna who have been my kaitiaki throughout this thesis. These pūrākau ground the content of each chapter to draw insights from a more traditional time to inform contemporary contexts and learnings. As my tīpuna were my kaitiaki, throughout this doctoral journey, I also include snippets of these conversations throughout my writing. These conversations appear in italics or are indicated by an \*.

My use of te reo Māori throughout this thesis is a record of my learning, understanding and knowledge growth, where I started with parentheses' translations as much for myself as for the readers. With later publications, I have embraced the mana, mauri and wairua of te reo Māori without parentheses and commas where it makes sense to do so. Where a translation does not appear in the text, these appear in the glossary. In addition, variations in spelling and language conventions appear across the publications included in this thesis. Earlier works reflect the editorial and publication requirements at the time, including the use of American spelling and differing conventions in the representation of te reo Māori. Where possible, consistency has been applied in this thesis; however, original spelling has been retained in reproduced publications to preserve the integrity of those works.

The inclusion of the wider research project within this doctorate is both methodologically and conceptually justified. As the kairangahau who led the broader study, my doctoral inquiry is deeply embedded within the relationships, insights, and kaupapa that emerged across multiple

Kōti Rangatahi sites. This wider research provided a critical foundation for developing Te Pepe Ao Uri Whāriki framework and enabled a comparative lens through which the unique tikanga of Te Kōti Rangatahi o Mātaatua could be more clearly understood. Including the broader project honours the collective nature of kaupapa Māori research, where knowledge is co-constructed and grounded in whanaungatanga. It also reflects the reality that tikanga is not confined to a single site but is lived and expressed across diverse marae contexts. By drawing on the wider research, this doctorate is able to more fully explore the philosophical, relational, and practical dimensions of tikanga, while remaining firmly anchored in the specific context of Mātaatua. Finally, each chapter ends with a noho wahangū reflection section. The inclusion of my reflections has been useful in taking the time for deep reflection and documenting the learnings and growth I have experienced throughout this doctoral journey. It is in these spaces that I feel my tīpuna most distinctly as they guide me to expand, amend, or correct some of my earlier thinking and writing.

Chapter Two opens with a pūrākau about my koroua, symbolising cultural resilience and intergenerational care during a time of profound change. This pūrākau grounds the research within the historical and systemic forces that have shaped Māori experiences of injustice. The chapter then traces the development of Ngā Kōti Rangatahi as a culturally grounded response to the persistent overrepresentation of rangatahi Māori in the criminal justice system. A review of the literature explores the historical and ongoing marginalisation of tikanga through colonisation and institutional racism, while also acknowledging its endurance and relevance in everyday life. Although existing research affirms the positive impacts of Ngā Kōti Rangatahi, it also identifies structural limitations. This provides the backdrop for situating this doctoral research within Te Kōti Rangatahi o Mātaatua, with a description of the Eastern Bay of Plenty and some of the tāngata whenua of this rohe and an examination of the legacy of Crown violence and raupatu that fractured traditional Māori governance and social cohesion – impacts that continue to ripple through the generations including our rangatahi.

Chapter Three begins with my māmā's pūrākau of urban migration. The chapter reflects on the disconnection many Māori experienced from their whenua, marae, whānau and tikanga to explore the kaupapa of whanaungatanga justice within Te Kōti Rangatahi o Hoani Waititi Marae, a pan-tribal urban marae in West Auckland. Including this chapter in this thesis was vital, as it demonstrates the application of kaupapa Māori methodology. The chapter examines how tikanga is enacted in this marae setting through pōwhiri, the whakawhanaungatanga circle, and a whānau-for-whānau approach led by kaumātua. It highlights the transformative potential of marae-based justice in reconnecting rangatahi with their identity and whakapapa, while also acknowledging the structural challenges. The chapter affirms that whanaungatanga justice is not a fixed model but a living, relational practice shaped by the people and place, and essential to restoring mana through learning ko wai au, no hea au - who am I and where do I come from.

Chapter Four outlines the development of a kaupapa Māori research methodology in the first publication for this thesis of Ngā Kōti Rangatahi, focusing on the complex process of navigating both Pākehā institutional requirements and tikanga Māori engagement (Black et al., 2017). It details the formation of a multidisciplinary research team and the challenges of securing ethics and departmental approvals, versus the importance of kanohi kitea in building trust with marae communities. The chapter reflects on the tensions and learnings that arose from conducting kaupapa Māori research "backwards," where institutional demands preceded community consultation. Through this process, the research team upheld tikanga by prioritising whakawhanaungatanga, transparency, and cultural accountability. The chapter also highlights the pivotal role of kaumātua and the significance of whakapapa, wairua, and relational ethics in shaping the research. Ultimately, it affirms that kaupapa Māori research is not linear, but deeply relational, intuitive, and grounded in lived practice.

Chapter Five presents the second methodology publication called "Te Pepe Ao Uri: The development of pūrākau analysis framework" (Black, Kidd, & Thom, 2023). Drawing inspiration

from the pūrākau of Wairaka and a rangatahi named Manawa, the framework is structured around seven te ao Māori tikanga imperatives – whakapapa, tikanga, mana, tapu, wairua, mauri, and te reo Māori. These principles guide the analysis of how tikanga is lived, felt, and enacted within the marae-based court. This affirms that tikanga is not static but dynamic, relational, and deeply embedded in the lived realities of whānau, hapū, and iwi.

Chapter Six delves into the philosophical foundations of tikanga, as expressed by a kāhui kaumātua of Te Kōti Rangatahi o Mātaatua who said, “The judge has his tikanga, and we have ours,” thus highlighting the tensions and dual legal realities that kaumātua and rangatahi alike must navigate. This chapter then deepens the exploration of tikanga as a living relational system, layered and dynamic. This chapter brings the imagery missing in Chapter Five of Te Pepe Ao Uri, describing ngā kāwai toro referring to the strand extensions. Although there are many ways to think about tikanga, six interwoven categories create a structured way to understand its many dimensions and how they interact within Te Kōti Rangatahi o Mātaatua. These tikanga categories include: tūāpapa as foundational, whakahaere as functional, whakakotahi as unified and collective, mana me te haumarua as status and safety, whakaora as healing, and tawhito as ancient. Tikanga is not a rigid and confined set of cultural practices and categories, but instead a philosophical framework that is rich, fluid, holistic and has the potential to shape how justice is understood and lived.

Chapter Seven completes the weaving of Te Pepe Ao Uri by integrating ngā hiki mauī, the leftward strands of the whāriki, that represent the tikanga of Te Kōti Rangatahi o Mātaatua. Building on the analytical and philosophical foundations laid in Chapters Five and Six, this chapter draws together kaumātua pūrākau, personal reflections, observations across Ngā Kōti Rangatahi, and the literature to explore how tikanga is enacted in practice and how even small acts of tikanga can ripple through the lives of rangatahi – in what is here called Te Pānga Pepe Ao Uri, the butterfly effect. The chapter revisits traditional Māori societal structures, particularly the role of whare wānanga, to frame the marae as a contemporary site of cultural

learning and transformation. It highlights the seven tikanga imperatives –kaumātuatanga, whanaungatanga, manaakitanga, wairuatanga, whakapapa, kaitiakitanga, and kotahitanga – as essential to the functioning of Te Kōti Rangatahi. These values are not treated as abstract ideals but as lived, relational practices that shape how rangatahi experience justice, identity, and belonging. Through the metaphor of the whāriki, the chapter illustrates how tikanga is not linear or fixed, but instead interwoven, contextual, and deeply felt. It acknowledges the tensions between tikanga and the Pākehā legal system, while also affirming the power of wānanga moments as brief but meaningful interactions where mātauranga Māori is shared and embodied. The chapter calls for a collective commitment to uphold tikanga not as performance, but as a lived ethic of care, accountability, and transformation.

When tikanga is upheld with integrity and intention, it can foster deep cultural reconnection and resilience in rangatahi. The completed whāriki Te Pānga Pepe Ao Uri then symbolises the potential for marae spaces to become sites of healing, learning, and cultural resurgence.

The final chapter is a letter to my tīpuna. I reflect on the deep intergenerational wisdom that has shaped not only my life but also the heart of this thesis. I honour the legacy of pā living, where everyone had a role, and tikanga wasn't something you talked about because it was lived in everyday life. Even though we no longer live on the pā, the values of aroha, manaakitanga, and collective care still guide us. The simplicity and complexity of tikanga modelled on our marae and actualised in our daily lives has enabled Māori to maintain and be proud of being and living as Māori. The kaumātua of Te Kōti Rangatahi o Mātaatua are staunch advocates for the maintenance of tikanga – they are cultural kaitiaki. They see the value in teaching our rangatahi the fundamental tikanga lessons of whakapapa and whakawhanaungatanga in learning “ko wai koe, no hea koe”. However, more importantly, everyone has a role in providing wānanga moments that translate mātauranga Māori into meaningful learnings to grow their understanding of the intricacies of tikanga. Through Kōti Rangatahi, through tikanga, and through whānau-led solutions, we can begin to restore what

colonisation has tried to strip away. My recommendations are simple but vital: value and invest in our kaumātua and lay advocates, embed tikanga across systems, support whānau to stand strong, and create spaces where rangatahi can learn who they are and where they can experience being in a pā-like collective community. This thesis is my koha, a woven whāriki of stories, insights, and aroha, gifted back to my tīpuna and forward to my mokopuna mō āpōpō.



Figure 3 Developing Te Pepe Ao Uri.

Note: Adapted image from Adobe Express.

## Chapter 2 Whakamārama whānui background

### Tūāmua Prelude

*\*E koro, I love your smile. I feel so warm when I look at your photos. I see your face in the uncles and my older cousins. I imagine you had the same humour as the cousins, filling the room with your jovial chuckle. By all accounts, you were a hard-working, humble, down-to-earth man, a loving husband, father, and koro. I've never heard any of the whānau refer to you as a kaitiaki of Maungapōhatu, but I know you must have been. Like nanny, you too had many hidden talents. You were a self-taught builder of a traditional sunken earth floor, wharepuni. You built the wharepuni in 1929, and it still stands to this day. At the time, it served as a bedroom for your tamariki, my aunties, uncles, and mum. For me, your pūrākau is a reminder of traditional pā living when tikanga prevailed in managing relationships and focused on achieving the wider good of the collective. You were there during the time of Rua Kenana, when the numbers in Maungapōhatu swelled, and you and nanny remained there after Rua and the majority of his other followers were forced to leave. You both continued on in your role as kaitiaki and showing manaakitanga in caring for whānau and manuhiri alike.*

This pūrākau about my Koro Heemi offers a deeply personal yet culturally significant lens through which to understand the impact of colonisation on Māori ways of living and the relevance of tikanga-based justice initiatives such as Ngā Kōti Rangatahi. This memory of Koro Heemi has been shared by his children and passed down through the generations. It reminds me of a simpler time when tikanga Māori governed daily life, relationships, and collective well-being. Koro Heemi's building of a traditional sunken earth-floor wharepuni exemplified ingenuity. The fact that the wharepuni still stands today is a symbol of cultural resilience and intergenerational care. Set in Maungapōhatu during the time of Māori prophet Rua Kēnana, the wharepuni marks a period of cultural and spiritual awakening for many Māori, followed by colonial domination, oppression, and suppression.

The pūrākau of Koro Heemi is full of rich symbolism that speaks to the strength of Māori ways of living. The wharepuni he built is more than just physical structure – to me it represents shelter, identity, and whakapapa. Just as it provided warmth and shelter for my mother and her siblings, today we can create safe spaces to hold and support our mokopuna mō āpōpō. Koro and Nanny were kaitiaki, naturally living their tikanga within the support system of pā life. This pūrākau reminds us of what was disrupted – the deep connections to whenua, to our people, and to our tikanga-based systems of law and governance. But even in the face of that disruption, koro and nanny stayed in Maungapōhatu, keeping those tikanga values alive. In this way, I view this as a powerful analogy for the continued need to uphold and reclaim our ways of being Māori, particularly within the Pākehā systems that do not serve us. Finally, this pūrākau reminds us of the importance of intergenerational wisdom, which guides us today. Their lives offer a blueprint – not just for survival but thriving, reconnection, and restoration.

## Chapter outline

This thesis kaupapa grew out of a larger research project, which aimed to explore the philosophical underpinnings of Ngā Kōti Rangatahi, alongside other therapeutic specialist courts (Thom & Black, 2017). The first section of this chapter focuses on the development of

Ngā Kōti Rangatahi and the creation of the rationale for my doctoral research, which arose after years of working on this wider project. The second section focuses on the national and international legal tools and policies in the youth justice jurisdiction that have either worked to keep tikanga in the shadows or advocate for a different approach. The third section covers the insights of Māori scholars into what tikanga is, before exploring the existing literature. This includes exploring the associated criticisms in the co-option of tikanga in Ngā Kōti Rangatahi. In section four, I detail how this thesis evolved from a larger research project that focuses on exploring he aha ngā tikanga o Te Kōti Rangatahi o Mātaatua, ā, he aha te rapunga whakaaro o te ao Māori? What are the tikanga and philosophical underpinnings of Te Kōti Rangatahi o Mātaatua? The chapter ends with my noho wāhangū reflection.

### **Section 1. The development and current processes of Ngā Kōti Rangatahi**

To understand the significance of Ngā Kōti Rangatahi, it is essential to first examine the conditions that led to their creation. The following section outlines the systemic issues that continue to affect rangatahi Māori, the justice system's failure to address them, and how Ngā Kōti Rangatahi aims to play a small part in creating positive change for rangatahi.

The intergenerational trend of rangatahi Māori progressing from Youth Court to adult prison, as observed by Judge Taumaunu and others, was a key catalyst for the development of Ngā Kōti Rangatahi (Taumaunu, 2014b). While youth incarceration rates have declined to levels not seen since before World War II – prompting some to describe this as a “reversal of the intergenerational and life course impacts” (Cook, 2023, p. 2) – rangatahi Māori remain disproportionately represented at every stage of the justice system. This includes initial police contact, arrests, charges, Youth Court appearances, and placements in youth residences (Becroft, 2011, May 16-17; Cliffe-Tautari 2024).

Understanding the drivers of youth offending is complex. Contributing factors include poverty, inadequate housing, unemployment, limited access to education, unresolved trauma, undiagnosed learning or physical disabilities, grief, and loss (Gluckman, 2018b; Low et al.,

2021; Stubbing et al., 2023). These challenges are compounded by the enduring impacts of colonisation, including land and resource confiscation, which fractured traditional social structures and spiritual cohesion (Cram, 2011; Walker, 2004). The imposition of mono-cultural public and social policies, institutional racism, and discrimination and bias in the justice system have been well documented as causes for Māori offending (Durie, 1998; Cleland & Quince, 2014; Cliffe-Tautari 2024; 1998). In essence, the blame shifted to Māori, rather than acknowledging the historical and ongoing impacts of colonialism, justifying the very discriminatory policies and practices that continue to oppress and marginalise Māori. However, of the underlying causes of Māori youth offending, Judge Taumaunu cautions (2014a, p. 6):

*It is unrealistic to see the courts as the sole agents responsible to fix the problem. A wide ranging Governmental and community strategy is required to deal with the underlying causes.*

With Māori making up over half of the adult prison population and over 80% in youth residence, there is a strong need for a culturally grounded approach, one led by iwi, hapū, and communities, and centred on tikanga values and practices within the Youth Justice system – which provides a compelling rationale for the establishment of Ngā Kōti Rangatahi.

Ngā Kōti Rangatahi emerged after a group of youth justice stakeholders identified the intergenerational trend of rangatahi appearing in Youth Court, then District Court, and on to adult prison (Taumaunu, 2014b). Led by Judge Taumaunu, a possible solution proposed was to have Youth Court on a marae, thereby exposing rangatahi to the best aspects of being Māori and nurturing a sense of belonging. This proposition was taken to the iwi and hapū leaders in Tūranga-nui-ā-Kiwa Gisborne for discussion. After a number of hui, kaumātua offered their support of the initiative with the aim of helping rangatahi stay out of the system. Iwi and hapū leaders launched the first Kōti Rangatahi o Te Poho-o-Rawiri marae on 30 May 2008 (Taumaunu, 2014b).

Best practice protocols were established as a guide for the overall operation of Ngā Kōti Rangatahi at its 16 marae locations. However, marae kawa dictates how that actually occurs in practice, allowing for variations to be observed for iwi, hapū and tāngata whenua and between pan-tribal urban marae and marae in the provinces (Taumaunu, 2015).

As stated in section 72(1) of the District Court Act 2016, a judge may hold a session of the court at a time and place the Judge thinks fit. Former Principal Youth Court Judge Becroft was once asked what the aim was of having proceedings on marae, explaining:

*How can we harness the power of the marae and Māori culture to create an environment for the young person and their whānau that better motivates them to commit to the elements of their FGC [family group conference] plan?*  
(Becroft, 2011, May 16-17, p. 12)

The former Principal Youth Court Judge Walker acknowledged the Kōti Rangatahi sits on a marae alongside tribal leaders, ancestors, and the tribe (Walker, 2017). Current Principal Youth Court Judge Malosi pioneered the Pasifika youth initiative. Currently, there are 16 rangatahi courts in operation, with five in Auckland, three in the Bay of Plenty, two in Waikato, and one each in Te Waipounamu, Taranaki, Tairāwhiti, Ahuriri, Tai Tokerau and Taupo.

### Placing Ngā Kōti Rangatahi in the Youth Court system

Ngā Kōti Rangatahi sit firmly within the Youth Court jurisdiction; it is not a separate youth justice system, or a sentencing court. Rather, it is a court set up to monitor family group conference plans from a cultural viewpoint. Family group conferences (FGC) are described as a restorative justice process for rangatahi, their whānau, and victims, with the aim of reintegrating and repairing harm over punishment (Johnson, 2015; Lynch, 2012). FGCs include the creation of a plan that rangatahi must complete under the monitoring of the justice system. While the processes involved in the FGCs are outside the scope of this thesis, the plan

they create and how that is monitored are relevant. In particular, this doctoral research focuses on the monitoring of the FGC plan in the Kōti Rangatahi setting.

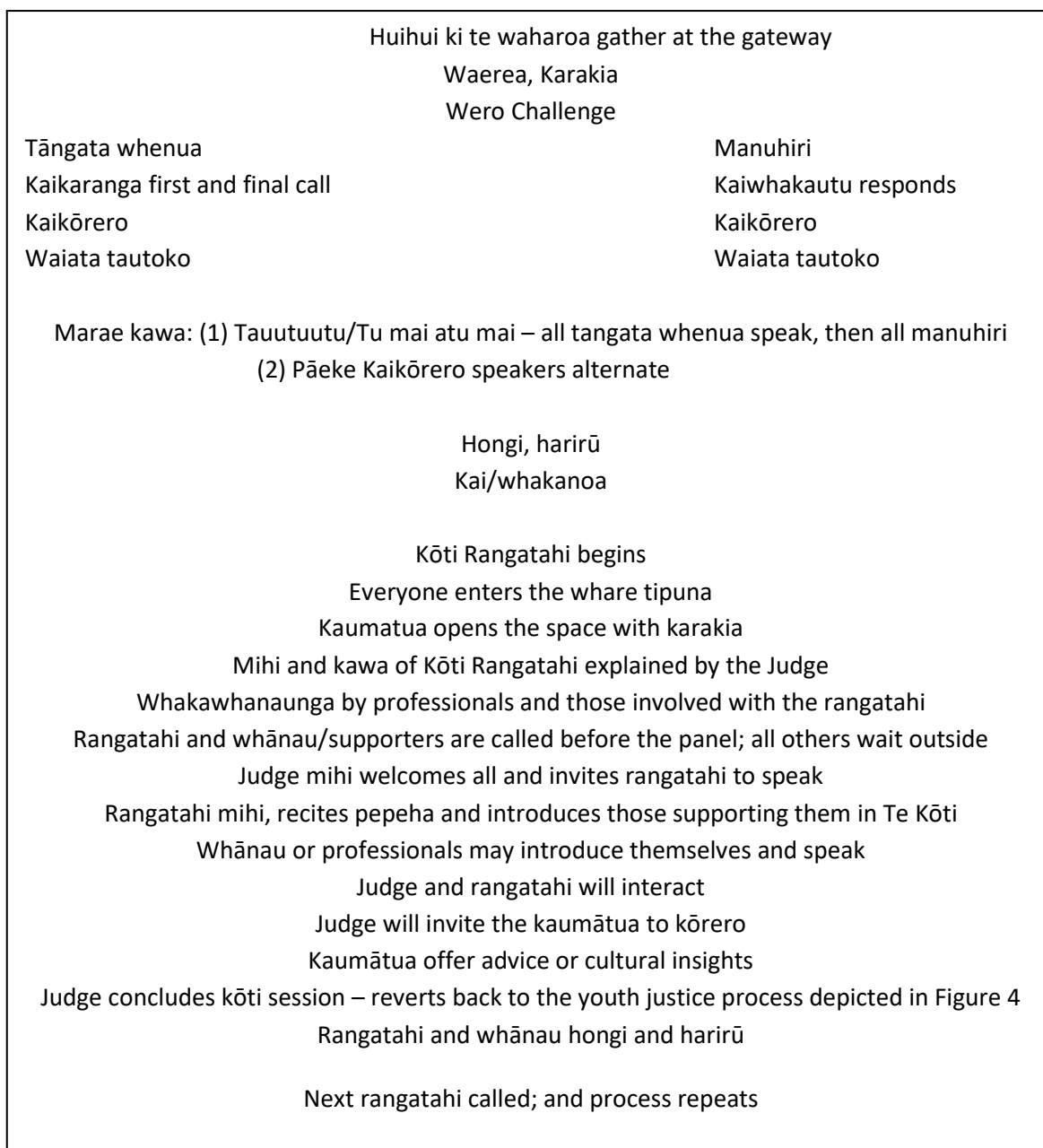
At its core, the youth justice system in Aotearoa is built on a commitment to alternative responses to offending. Police have the discretion to decide how they respond when a young person offends. Most of the time, they choose not to prosecute. Depending on how serious the offence is, they might give a verbal warning or refer the case to a Youth Aid officer to develop an alternative action plan (Bradley et al., 2006; Ministry of Social Development, 2017). These plans are designed to be restorative and include the victim, the community, and the young person's whānau or caregivers, with the aim to support the rangatahi to make things right and move forward (Lynch & Peirse-O'Byrne, 2016). A restorative justice approach focuses on restoring relationships, trust, dignity, and addressing the social harm caused by offending rather than punishment (Maxwell, 2013; Tauri, 1998; Moyle & Tauri, 2016). If alternative action does not work – or if the offence is more serious – the rangatahi may be referred to the Youth Court for an FGC. Offences can range from theft and property damage to assault and public disorder (Ministry of Justice, 2024). Serious cases are generally heard in Youth Court, with murder and manslaughter being heard in the District Court.

The varying processes all children and young people regardless of ethnicity will go through in the youth justice jurisdiction and how they can access Kōti Rangatahi. See the youth justice system roadmap of this process, Appendix A (Ministry of Justice, 2024, p.33).

### [Ngā Kōti Rangatahi proceedings](#)

The next diagram outlines the generic processes in Ngā Kōti Rangatahi pōwhiri, noting variations in marae kawa for different iwi, hapū and marae whānau. Kōti Rangatahi sits fortnightly and all Kōti Rangatahi participants and youth justice professionals are expected to attend and participate. Each rangatahi is assigned a youth advocate or lawyer who will work with them throughout their time in Kōti Rangatahi and if they appear in the youth system again. Each rangatahi is also assigned a lay advocate who will help them with a range of

culturally focused tasks, including learning their pepeha (Black et al., 2021; Taumaunu, 2015; Toki, 2014).



*Figure 4 Ngā Kōti Rangatahi pōwhiri and process*

For further context, the above description is supplemented with observations from the research and the Kōti Rangatahi operating protocols created by Judge Taumaunu, for the Ministry of Justice (Black et al., 2021; Cleland & Quince, 2014; Ministry of Justice, 2012; Taumaunu, 2015). The Kōti Rangatahi stakeholders can include: rangatahi, victim and their whānau (Waititi, 2012). The youth justice professionals include: the judge, court staff, police

prosecutor, youth advocate, lay advocate, social worker, youth justice coordinator and associated service providers such as youth workers or mentors (Black et al., 2021; Ministry of Justice, 2012). The marae will have kaumātua, the marae manager, and tāngata whenua supporting the paepae and manaakitanga processes to feed the manuhiri (Ministry of Justice, 2012). Sometimes representatives from the Ministry of Education attend Kōti Rangatahi too (Ministry of Justice, 2012).

The beginning of the formal legal processes occurs in different ways at each marae and may vary depending on how long the whakawhanaungatanga process takes (Taumaunu, 2015). At each marae, a karakia by a marae kaumātua opens the space for Kōti Rangatahi and hands the kaupapa over to the judicial team to direct proceedings. The court registrar will formally announce in te reo Māori that Kōti Rangatahi is in session. The judge will mihi to all in attendance, provide a brief overview on what will happen, and cover the rules that apply in a closed court setting in terms of privacy and confidentiality. If whakawhanaungatanga had not taken place before this point, the judge will then invite all Kōti Rangatahi professionals to introduce themselves before the court registrar calls the first case to be heard. All others will leave the whare tipuna, waiting outside until called. The judge will greet the rangatahi and ask them to share their pepeha and introduce those in attendance with them. For rangatahi who are new to Kōti Rangatahi, they may not have had engagement with their key youth justice personnel, including the lay advocate, so may not be able to introduce them to the judge or be prepared to recite their pepeha with confidence.

Whānau supporters of rangatahi appearing in Kōti Rangatahi were mothers, siblings, grandparents and other youth justice personnel (Black et al., 2021). There were a few occasions where the rangatahi did not have any other whānau in attendance beyond their youth justice team (Taumaunu, 2014b). Some reasons why whānau were unable to attend related to work commitments, coming from broken homes, lack of parenting skills, solo parenting challenges, health issues impacting on wairua, mental well-being, grief, alcohol and drug addiction and intergenerational trauma (Taumaunu, 2015). Additional factors included

practical challenges such as transport, distances to be travelled, lack of resources, overcrowded housing or homelessness and a range of limited capacity to access information, services and entitlements. However, other challenges to whānau engagement arose from disconnection from te ao Māori, including an absence of understanding tikanga, marae kawa, and te reo Māori (Black et al., 2021). Consequently, some rangatahi were reluctant or refused to attend Kōti Rangatahi because they felt te ao Māori, particularly whakapapa knowledge, was not readily available or known to them. This reality is understood by the Kōti Rangatahi judges (Taumaunu, 2015).

Despite its marginalisation by successive colonial governments, tikanga Māori has never ceased to exist. Rather, it has persisted as a living system of law and values, deeply rooted in whakapapa, whanaungatanga, and collective responsibility. The next section repositions tikanga not as a cultural add-on, but as the first law of Aotearoa – one that Ngā Kōti Rangatahi actively aims to model and uphold.

## **Section 2. Tikanga in the shadow of colonisation**

This section traces how tikanga Māori, despite being the first law of Aotearoa, has been systematically marginalised through colonisation, legal exclusion, and institutional racism. Yet, through legal challenges, policy reform, and Māori-led advocacy, tikanga is being reasserted as a foundational legal framework, which works for Māori.

### **Te Tiriti o Waitangi**

Te Tiriti o Waitangi (Tiriti) is a part of the fabric of this nation and acknowledged by the courts; however, the true intent was to grant the Crown kawanatanga – authority to govern its people. Therefore, any laws created by the colonial legal system exceeds the limits established by Te Tiriti (Mikaere, 2021). While a comprehensive history of Te Tiriti is beyond the scope of this chapter, it is important to acknowledge the significant disparities between the Māori and

English texts. These differences have had lasting impacts, particularly on the preservation of tikanga Māori and traditional Māori authority.

For instance, Article 1 of Te Tiriti affirms that Māori retain kāwanatanga (governorship), whereas the English version asserts that sovereignty is ceded to the British Crown. Article 2 guarantees tino rangatiratanga (chieftainship or self-determination) over Māori taonga (treasures), but the English text focuses on land rights and pre-emption. Article 3 promises equal rights and privileges (ōritetanga) to Māori and non-Māori alike. Notably, Article 4 – present only in the Māori text – guarantees freedom of spiritual belief (wairuatanga). These contradictions undermined the authority of tikanga Māori, which had governed relationships, land, and resources in Aotearoa long before 1840 (Mikaere, 2007; Williams, 2013). The assertion of British sovereignty in the English version relegated tikanga Māori from its status as the first law of Aotearoa to a marginalised position within colonial law (Mikaere, 2007). However, the Māori text was signed by the vast majority of rangatira and is the authoritative text according to the application of the international legal doctrine of *contra proferentem* (Suter, 2014).

From the 1960s, Māori social movements, galvanised by global civil rights activism, challenged the ongoing marginalisation of Māori in their own country. These movements gave voice to widespread dissatisfaction with the social, economic, and political conditions facing Māori communities (Walker, 2004). As Māori leaders and activists mobilised around issues such as land loss, cultural suppression, and breaches of Te Tiriti o Waitangi, their demands gained traction in the public sphere (Wynyard, 2019). This growing awareness and pressure from Māori communities began to influence public opinion and, eventually, judicial thinking (Tauri & Webb, 2011). For example, the landmark legal case *New Zealand Māori Council v Attorney-General* [1987] case, commonly known as the State-Owned Enterprises (SOE) land case, asked the Court of Appeal to determine whether the government's plans to transfer land breached the principles of the Treaty (Dymond, 2018). This case outlined and set the precedent that enabled the principles of the Treaty to be incorporated in common law (Te Aho, 2008). Since

then, the courts have entrenched a range of principles of Te Tiriti namely, consultation, partnership, participation, equality and equity when considering Tiriti claims (Jones, 2024; Orange, 2015).

Despite these legal advances, the criminal justice system continues to operate largely through a monocultural lens, often excluding tikanga Māori as a legitimate framework for justice (Taumaunu, 2014a). In 2025, the marginalisation of tikanga Māori continues to be reinforced through political and legislative developments that undermine the foundational promises of Te Tiriti o Waitangi. The recent attempt to pass the Treaty Principles Bill, which sought to legally redefine the principles of the Treaty, was met with widespread public opposition and ultimately defeated in Parliament (Jones, 2024; Justice Committee, 2025; RNZ, 2025).

However, the Bill's aim to reframe the Treaty in a way that prioritises state sovereignty and individual rights over collective Māori rights, including their right to live by tikanga Māori, raised significant concerns about the erosion of Indigenous autonomy and the potential lack of constitutional recognition. Simultaneously, the government's review of the Waitangi Tribunal, despite expert consensus that it is fulfilling its intended role, has raised concerns about political interference and a deliberate narrowing of its scope. This review, framed as a return to the Tribunal's "original intent," is viewed by many Māori leaders and legal scholars as a veiled attempt to limit its ability to hold the Crown accountable for breaches of Te Tiriti (Paewai, 2025). These developments reflect a broader pattern in which tikanga Māori remains resilient and central to Māori life, while it is continually subordinated to colonial legal norms and state-centric interpretations of justice (Williams, 2013). The struggle for genuine recognition of tikanga Māori and the full realisation of the promises outlined in te Tiriti continues.

#### [Institutional racism in the public sector](#)

The erosion of promises within Te Tiriti and the marginalisation of tikanga Māori were not confined to abstract legal debates – they were, and continue to be, deeply embedded in the

everyday operations of the state. Nowhere was this more visible than in the public sector, where institutional racism shaped the treatment of Māori whānau, particularly through welfare and justice systems that failed to reflect or respect tikanga Māori. The 1986 Puao-te-Āta-tū report, led by Tūhoe rangatira John Rangihau, was a landmark inquiry into the treatment of Māori by the Department of Social Welfare (Ministerial Advisory Committee, 1988). Drawing on kōrero from hui held with whānau, hapū and iwi across the motu, the report exposed the normalisation of institutional and cultural racism within state systems (Ministerial Advisory Committee, 1988). It called for a fundamental shift: Māori must be involved in shaping policy, and tikanga Māori – its values, practices, and worldview – must be embedded in the design and delivery of services. The report was clear in its recommendations: to dismantle cultural racism, Aotearoa needed leadership that valued all people and systems that genuinely incorporated Māori knowledge and beliefs.

The timing of Puao-te-Āta-tū was critical, marking a turning point. During the 1980s, Māori children were being removed from their homes in alarming numbers and placed into state care, often in environments that were unsafe and culturally alienating. Rangihau’s words captured what many Māori already knew: “national structures are rooted in values, systems and viewpoints of one culture only” (Ministerial Advisory Committee, 1988, p. 19). His critique wasn’t just about welfare – it was about the entire architecture of the state and its failure to reflect the Treaty partnership or uphold tikanga Māori.

At the same time, the broader social and political context was shifting, with Māori increasingly vocal about their rights under Te Tiriti o Waitangi and the need for systemic change (Cook, 2023). The 1986 Te Whaingā i Te Tika report further highlighted the shortcomings of the British-based legal system, which continued to criminalise and penalise Māori, highlighting the need for accessible legal support (Advisory Committee, 1986; Johnson, 2015). Following Puao-te-Āta-tū, there was a noticeable decline in the institutionalisation of tamariki Māori and rangatahi, prompting a gradual response from the justice system. In this context, a working party moved away from the existing welfare model, proposing a dual approach that separated

youth justice from care and protection. This shift was reflected in the 1986 Children and Young Persons Bill, which established a dedicated Youth Division within the District Court (Watt, 2003).

### Legal instruments and reforms

These early critiques and reforms laid bare the structural racism embedded in state institutions and highlighted the urgent need for a justice system that reflects the values and realities of Māori. As the state began to respond, attention turned to how both international legal instruments and domestic reforms could be leveraged to better protect the rights of tamariki and rangatahi Māori, and whether these frameworks could aid in seeking the fulfilment of the promises made in Te Tiriti o Waitangi. This included a place for tikanga Māori in law and policy.

There are international instruments, like the International Covenant on Civil and Political Rights, which recognises the need for special protections (Cleland, 2016), while the United Nations Convention on the Rights of the Child was finally ratified in Aotearoa in 1993 in a show of commitment to uphold the principles of protection, provision and participation. However, the Convention on the Rights of the Child is at odds with Article 2 of Te Tiriti of Waitangi that guarantees tino rangatiratanga over their taonga including of Māori pēpi, tamariki and rangatahi (Cleland, 2024). The Convention does not adequately acknowledge the role of whānau, whānau whānui, hapū and iwi in exercising collective responsibilities and tikanga Māori principles to care and protect Māori children (Cleland, 2024).

Cleland (2022) argues that alongside Te Tiriti, the United Nations Declaration on the Rights of Indigenous Peoples offers a more culturally grounded framework for realising the rights of Māori children. The United Nations Declaration affirms Māori rights to tino rangatiratanga by supporting the decolonisation of systems that marginalise tikanga Māori ways of being, knowing, and doing. Unlike the Convention on the Rights of the Child, which centres individual rights and Western legal norms, the United Nations Declaration of Indigenous Peoples

recognises the collective rights of Indigenous peoples and the importance of tino rangatiratanga.

In 1989, the Children, Young Persons, and Their Families Act was introduced as a pioneering piece of legislation, shifting from a professionalised, state-centric model to one that aimed to empower whānau. It promised a balance between youth justice and welfare, with restorative justice, reintegration, and whānau-led decision-making at its core (Lynch, 2012; Watt, 2003). But the reality was far from the vision. The noble aspirations embedded within the 1989 Act encountered significant implementation challenges that undermined its transformative potential. By the 1990s, thousands of tamariki were still in care, many living in appalling conditions with little to no support (Royal Commission of Inquiry Abuse in Care, 2022). Despite the legislative commitment to family empowerment and cultural responsiveness, systemic problems persisted throughout the following decades. By the early 2000s, evidence was mounting that the system was failing to deliver the safe, stable and loving care that children require (Child, 2016). A review revealed that the current system is broken and lacks accountability and direction, resulting in children in state care continuing to experience abuse and victimisation and altering their life-course choices (Child, 2016).

In 2017, the Children, Young Persons, and Their Families Act was renamed the Oranga Tamariki Act, and the Ministry for Children was created to transform the system. Focus shifted to accountability, well-being, and returning power to whānau, hapū, and iwi. Support for rangatahi leaving care was introduced, and youth justice was extended to 17-year-olds (Montgomery, 2024). But real change takes more than tweaks to the system. It requires a fundamental rethinking of child protection to align with Te Tiriti o Waitangi (Cleaver, 2023; Waitangi Tribunal, 2021). The proposed legislative changes revealed tensions between Pākehā-dominated frameworks and Tiriti-compliant systems centred on mātauranga Māori (Cleaver, 2023). It is not enough to co-opt cultural concepts in a tokenistic way (Sykes, 2021).

Operational models must be grounded in tikanga Māori that uphold kotahitanga, whakapapa, and rangatiratanga intergenerational whānau leadership in care decisions (O'Brien, 2022). The

repeal of Section 7AA that required Oranga Tamariki to work in partnership with hapū and iwi and report on ethnic disparities only reinforces how deeply Pākehā perspectives remain embedded in the system. As such, Indigenous knowledge systems continue to be marginalised (Cleaver, 2023; Waitangi Tribunal, 2021).

#### Youth policy: From Whānau Ora to boot camps

Two key policy strands have shaped the operation of these courts: Māori development and youth development. Māori development policy has shifted away from a deficit-based model because of their cultural difference of colonial trauma, instead focusing on a framework grounded in Māori advancement and tino rangatiratanga (Cunningham, 2011). One of the most significant expressions of this shift is the Whānau Ora strategy, which places whānau at the centre of well-being. It seeks to build whānau capacity through collective action and engagement, recognising that individual well-being is inseparable from the well-being of the wider whānau (Whānau Ora Taskforce, 2009). Rooted in a te ao Māori worldview, whānau ora is a holistic model of well-being that includes taha tinana, taha wairua, taha hinengaro, and taha whānau dimensions (Durie, 1994). The term Whānau Ora has multiple meanings but has been defined by the Whānau Ora Taskforce as being both a goal and the driver to attaining whānau well-being (Kidd et al., 2010).

By the mid-90s, the Ministry of Youth Affairs shifted their youth development policy focus from “young people’s deficits and fixing these problems” to seeing youth as part of the solution (Gootman, 2003). The Youth Development Strategy identified six fundamental principles that included a focus on:

- The bigger picture (wider social, economic, cultural perspectives);
- Being connected (to whānau, community, school, university, training institutions, workplace peers);
- Use of consistent strengths-based approaches (risks and protective factors);
- Supportive quality relationships (via training);

- Youth participation (providing opportunities, empowering youth to solve problems, inform, shape, design, and contribute actively to youth programmes);
- Being evidence-based (ongoing effective research and evaluation).

Youth development theories have focused on strengths-based approaches and positive youth development (Ministry of Justice, 2012). Positive youth development has similar elements to that of the strengths-based and the Whānau Ora approaches above. These strengths are largely acquired through positive relationships, with pro-social and caring adults. In the right environment with positive influences, youth are seen to thrive in multiple settings, contexts, or environments such as school or the workplace (Butts et al., 2005). However, research suggests the reality is positive youth development cannot be achieved if the whānau and community drive initiatives to support, mentor, encourage and value rangatahi. This requires a massive shift in attitude and mindset (Jansen et al., 2010; Keddell, 2017). In addition, a focus on positive youth development does not work for young adults aging out of state care – a welfare policy approach would care for this cohort (Zhang, 2022).

Despite the presence of these progressive Māori development and youth development strategies, the deeply troubling reality for rangatahi remained. While the consistency of the Youth Justice Strategy since 2001 and justice innovation, such as Ngā Kōti Rangatahi, have contributed to a reduction in incarceration rates for young tāne (Cook, 2023), Oranga Tamariki continues to come under fire for failing to care for and protect tamariki and rangatahi. After footage of the attempted uplift of a pēpi from his māmā sparked widespread public outrage, Māori were again vocal about the failure of state care, and sick of the over-surveillance, control and removal of children (Fitzmaurice-Brown, 2023). The community response was immediate, with hundreds marching to Parliament demanding structural change and a complete overhaul of the agency, arguing that this situation is not just a policy failure. It exposed the disconnect between policy rhetoric and institutional behaviour, reinforcing the

need for youth policy in Aotearoa to be grounded not only in youth development theory, but in the lived realities, Te Tiriti obligations and rights, and aspirations of Māori communities.

At the same time, a Commission of Inquiry about the abuse and neglect of children, young people and adults in the care of the state and faith-based institutions between 1950 and 1999 was being undertaken. The findings were harrowing: one in three, and in some cases one in five, children went on to serve custodial sentences later in life, with at least half being Māori (Royal Commission of Inquiry Abuse in care, 2022). The Inquiry revealed widespread racial, emotional, psychological, sexual, spiritual, and financial abuse, alongside cultural, educational, and systemic neglect and confinement experienced by many Māori survivors (Royal Commission of Inquiry Abuse in Care, 2024).

Despite these findings, the current coalition government's reintroduction of military-style boot camps for 15–17-year-old serious offenders represents a disturbing return to punitive measures (Tauri, 2024). Research has consistently showed that such punitive approaches not only fail to rehabilitate but also risk exacerbating harm and deepening inequities for rangatahi Māori, particularly when no meaningful rehabilitative interventions are in place (Davies et al., 2024, June 11; Farrington et al., 2022).

These developments over time not only reflect a failure to protect Māori children and young people but also expose the deeper issue: the continued dominance of colonial legal frameworks that disregard tikanga Māori. To understand how we arrived at this point – and how we might move forward – we must return to the foundations of law in Aotearoa, where tikanga Māori was, and remains, the first law of the land.

### [Tikanga as the first law of Aotearoa](#)

Before the imposition of British law and the colonial state, tikanga Māori governed relationships, responsibilities, and justice in Aotearoa – it was, and remains, the first law of this land (Mikaere, 2007). Tikanga is described by Hirini Moko Mead (2003, p. 12):

*Tikanga embodies a set of beliefs and practices associated with procedures to be followed in conducting the affairs of a group or an individual. These practices are established by precedents through time, are held to be ritually correct, are validated by usually more than one generation ... [Tikanga] helps to differentiate between right and wrong and in this sense have built-in ethical rules that must be observed.*

Unlike Western legal concepts, tikanga Māori concepts do “not stand alone – they spiral and are interwoven in a koru” (Metge, 1996). Mead (2003) states that tikanga differs between iwi and hapū but it has two tenets – firstly, that it is based on mātauranga Māori or Māori knowledge and understandings; secondly, that it dictates the requisite kawa (protocols). Tikanga then can be seen as end and means, both the protocols or practice of conduct and the rationale behind that practice. Despite iwi and hapū variations, there are generalised tikanga principles that guide conduct and affairs. These include: whakapapa (genealogy) and whanaungatanga (connections and relationships between people and places); mana (determines who has authority); utu (rules of reciprocity and restoration of balance); tapu and noa (sacred and the ordinary); manaakitanga (hospitality and care); and kaitiakitanga (guardianship) (Durie, 2005; Gallagher, n.d; Te Aho, 2007).

Social and legal control within tikanga Māori is guided by the concepts of tapu and noa. Tapu refers to the sacredness or restriction placed on people, objects, or activities, where breaches can lead to misfortune, illness, or even death. To restore balance, individuals or objects are returned to a state of noa or a condition of normalcy and spiritual neutrality. This transition is not a consequence of wrongdoing, but rather a process to maintain harmony within the collective. The offender was encouraged to accept responsibility so as to re-establish mana in the whānau, hapū or iwi (Toki, 2005, p. 176). Tapu can also be removed through specific rituals involving a tohunga and karakia or practices such as the sharing of food and the cleansing of water (Dickson, 2011). The aim is to restore the mauri and

the mana of the offender and the victim, leading to reintegration and healing that is a holistic and collective approach underpinned by a te ao Māori paradigm.

Tikanga Māori is underpinned by the mythological origins of Māori society; these are divided into three phases: the creation myth of Ranginui, the sky father, and Papatūānuku, the earth mother; the adventures of Maui, a demi-god; and the stories of Tāwhaki. These stories map the evolution of the primordial parents, their atua tamariki and tāngata. Māori views of time are described as three states of existence: te kore the void, te pō the dark, and te ao mārama the world of light. The pōwhiri process performed before each session of the Kōti Rangatahi mirrors a literal and figurative progression through time and space. The karanga invites the visitors to engage and participate by crossing the marae ātea, which is the domain of Tūmataunga, god of war. This space is said to represent te kore. Te kore is a space of nothingness from which anything and everything is possible. It therefore is a space from which there is limitless potential (Whiteford & Barns, 2002). As the visitors move across this space, they figuratively enter into te pō before then entering into the meeting house or into te ao mārama.

The preservation of the marae as a tapu space is based on its cosmological foundations, although the physical components of the marae have a practical function (meeting house, eating house, toilet facilities). It is a site of multilayered meanings steeped in history, spirituality, values and beliefs. The marae represents tūrangawaewae as a place of belonging. This belonging is established via whakapapa to iwi, hapū or whānau groups and is represented in whakairo of a tipuna. The marae has been a site of resistance to the impacts of colonisation and a place to retain and maintain pre-colonial tikanga Māori ways of living and being Māori. Arguably, the use of the marae locale may be viewed as the natural forum to apply a holistic approach to resolving disputes and restoring balance and well-being for rangatahi, whānau, and the wider community.

Still, there have been criticisms about the transplanting of a monocultural British legal regime in the marae setting. The next section returns to such criticisms in the context of Ngā Kōti Rangatahi.

### **Section 3. Existing research of Ngā Kōti Rangatahi**

Research of Ngā Kōti Rangatahi is growing, with one evaluation completed in 2012 (Ministry of Justice, 2012) and several student research projects (Blank-Penetito, 2019; Findlay, 2024; Jessep, 2022; Waititi, 2012). Together, these studies provide a comprehensive description of the youth justice and policy landscape, the development of Ngā Kōti Rangatahi, and insights into the kōti processes. The body of work also provides valuable empirical research findings about the strengths, challenges, and criticisms of Ngā Kōti Rangatahi.

To date, only one evaluation of Ngā Kōti Rangatahi has taken place with an unknown number of rangatahi, whānau, and youth justice professionals at five marae locations (Ministry of Justice, 2012). The findings highlight the effectiveness of Ngā Kōti Rangatahi in engaging rangatahi and whānau, fostering positive behaviour, and addressing the underlying causes of offending by immersing rangatahi in the marae kawa and tikanga. The evaluation of five Kōti Rangatahi sites showed consistent good practice, including positive sharing of information, access to training and resources, improved systems for whānau conferences and triage, early lay advocate and community work involvement, and encouraging engagement with rangatahi before their marae appearance (Ministry of Justice, 2012). Positive early outcomes for rangatahi included high kōti attendance and whānau support at appearances. Rangatahi reported having a sense of pride in delivering their pepeha and positive behaviour and attitudes were observed by the evaluators. Whānau reported feeling welcomed, respected, and engaged during Kōti Rangatahi. Rangatahi also reported positive perceptions about Ngā Kōti Rangatahi generally, as well as the marae, kaumātua, lay advocates and others working in that setting compared to the Youth Court. The challenges identified in the evaluation related to addressing the education and health needs of rangatahi and providing ongoing support for

rangatahi and whānau beyond the completion of the FGC plan. The evaluation identified several challenges that limit the full potential of Kōti Rangatahi. These included the inconsistent presence of representatives from other government agencies during court sessions, a lack of coordinated “triage” or assessment by those agencies prior to the court sitting, and the need for a more structured and resourced tikanga-based programme to support rangatahi throughout the process (Ministry of Justice, 2012, p. 81).

The thesis titled *Toitū Te Mana Rangatahi: Marae-Based Youth Courts – Negotiating Pathways for Rangatahi Offending* by Haimona Hone Hiki-Tia-Te-Rangi Waititi explored the effectiveness of Te Kōti Rangatahi o Te-Poho-o-Rawiri marae, Gisborne, in addressing youth offending among Māori. The study explored the perspectives of rangatahi, lay advocates, and kaumātua to understand the processes involved and how cultural philosophies could improve outcomes for these youth. Interviews were conducted with 11 Māori participants: five rangatahi, four adults, and two kaumātua. One of the key findings revealed that rangatahi often focus on the consequences of their actions rather than understanding the legal processes, in that the focus was on “what do I have to do to get off” and testing the boundaries of the law (Waititi, 2012, p. 76). By focusing on the consequences rather than being present and feeling the wairuatanga of the marae, rangatahi could miss the full potential of being on the marae. This finding highlights a critical gap in the current youth justice approach if rangatahi are not supported in understanding their rights, responsibilities, or the broader implications of their actions both within the legal system and on the marae. Their engagement may be seen as transactional and surface-level. Tikanga-based approaches, such as those used in Kōti Rangatahi, offer a pathway to shift this dynamic by fostering understanding, accountability, and connection through culturally grounded practices that resonate with rangatahi and their whānau.

Rangatahi reported positive interactions in Kōti Rangatahi o Te-Poho-Rawiri in comparison to those who went to the standard Youth Court due to obtaining better explanations and perceived fairness. The marae added to rangatahi cultural experiences by connecting them to their cultural identity, reducing the adversarial nature of the court process, and fostering a

sense of belonging and respect. Te Kōti Rangatahi induced positive forms of whakamā, leading to feelings of remorse and accountability among rangatahi. Whānau and victims' presence in Kōti Rangatahi enhances these feelings. Lay advocates were crucial in bridging the gap between the justice system and Māori cultural practices. However, their role was reported as often being undervalued, time poor and lacking resources to build meaningful relationships with rangatahi and their whānau. The research found the domination of the Youth Court system over the marae processes problematic, and further investment in support for victims and rangatahi post Kōti Rangatahi was recommended. Overall, the study suggested recommendations regarding enhancing the role of lay advocates, conducting wānanga on the marae before Kōti Rangatahi, and developing post-Kōti Rangatahi programmes on the marae.

Blank-Penetito (2019) explored Ngā Kōti Rangatahi within Auckland and Gisborne. The research involved one in-depth semi-structured interview, and two community hui focus groups with eight rangahau collaborators over eight months. The study found whanaungatanga obligations framed within a collective approach led by the marae kaumātua was key to rangatahi and whānau embracing their cultural identity. The research highlights the significant roles that whānau whānui play in supporting rangatahi through the justice process. The concept of whāngai is prevalent, with wider family members stepping in to care for and advocate for rangatahi. This underscores the importance of collective responsibility and support within Māori culture. The thesis found that many rangatahi experience cultural disconnection and a lack of knowledge about their Māori identity, leading to feelings of whakamā. The research suggested that Ngā Kōti Rangatahi has the potential to reconnect rangatahi with their cultural identity through tikanga and te reo Māori, deepening their sense of belonging and self-worth. Kōti Rangatahi, iwi community panels and other hāpori or community-based solutions were reported as more effective in addressing the needs of rangatahi and whānau. However, lack of funding and resourcing was noted as limiting the delivery of holistic and culturally appropriate support. Structural barriers were reported in accessing support and information to navigate the youth justice system. Where this was

evident, it was being delivered by individuals rather than systematic support, indicating a need for more structured and consistent assistance. A key finding in this research was the critical finding that the incorporation of Māori concepts was tokenistic and te ao Māori knowledge, values, and practices underutilised as a consequence of being a subjugated part of the Pākehā justice system.

Jessep's (2022) master's research explored the experiences and perspectives of practitioners in Te Kōti Rangatahi o Ngā Hau e Whā in Ōtautahi Christchurch. The study aimed to showcase practitioner experiences to determine the impact on Māori and bridge the knowledge gap between academic perspectives and the lived realities of those working within Te Kōti Rangatahi. In total, five youth justice professionals were interviewed. The research found the centrality of tikanga and te ao Māori worldview in this setting was vital to helping rangatahi connect with their cultural heritage, which is crucial for their self-esteem and sense of belonging. Kaumātua were key to providing vital mātauranga Māori and connecting rangatahi to their whakapapa, helping rangatahi to overcome whakamā and fostering a sense of accountability and support. Additionally, the collective support by youth justice professionals and community members created a supportive environment in stark contrast to the Youth Court setting. This research highlighted the importance of a holistic approach where the role of kaumātua in supporting and guiding rangatahi with the cultural practices, like karakia, reinforced cultural values and connections.

Jessep (2022) also found several challenges, including that whakamā and cultural disconnection or lack of whakapapa knowledge can make it difficult for some rangatahi to engage. The research found a general lack of information provision and thorough understanding of the Kōti Rangatahi among whānau, making it difficult for them to feel comfortable. The adequacy of funding, support, and training for kaumātua and lay advocates was of concern to the researcher, who observed gaps in understanding the legal issues and not connecting with the realities of rangatahi today. Some advice was viewed as unhelpful. The FGC process was found not always to support whānau, which was identified as undermining

the Kōti Rangatahi process. Lack of post-Kōti Rangatahi support and follow-up was reported to be limiting the long-term impact of the Kōti Rangatahi interventions. Accessibility and practicality issues were noted as being problematic for rangatahi living outside of central Christchurch.

Findlay's (2024) doctoral aims and objectives investigated how effective Ngā Kōti Rangatahi is in supporting the health and well-being of Māori youth and their families, and to explore the relationship between youth offending and contemporary Māori socialisation. The research involved overlapping objectives and aimed to:

- Examine the link between youth offending and Māori socialisation processes.
- Identify customary approaches in te ao Māori and their relevance to current justice practices for Māori.
- Explore the theoretical foundations underpinning Ngā Kōti Rangatahi.
- Examine the processes involved in Ngā Kōti Rangatahi and their effects on rangatahi and whānau.
- Assess the potential of Ngā Kōti Rangatahi as an alternative to the mainstream Youth Court system, using Te Whare Tapa Whā as a holistic well-being framework.

The overarching goal was to understand whether and how Ngā Kōti Rangatahi can improve outcomes for rangatahi Māori and their whānau, and to identify the unique contributions of tikanga Māori in youth justice. In total, 18 participants were interviewed – six professionals, six youth, and six whānau members.

The key findings of this study demonstrated that Ngā Kōti Rangatahi significantly enhanced the health and well-being of rangatahi and their whānau by providing a culturally grounded alternative to the mainstream youth justice system. Participants consistently described the Ngā Kōti Rangatahi environment as more welcoming, respectful, and supportive than the conventional courthouse setting. The marae-based process, underpinned by tikanga Māori and guided by kaumātua, fostered a sense of belonging, identity, and dignity for rangatahi. Ngā

Kōti Rangatahi enabled rangatahi to reconnect with their whakapapa, language, and cultural values, contributing to improvements across all four Whare Tapa Whā dimensions of well-being: physical, mental, spiritual, and familial. The research also found that the relational and restorative nature of Ngā Kōti Rangatahi encouraged greater engagement from whānau and professionals alike, creating a collaborative space where healing and accountability could co-occur. Importantly, the study highlighted that rangatahi who participated in Ngā Kōti Rangatahi were less likely to reoffend, suggesting that culturally responsive justice processes can lead to more positive long-term outcomes.

The study makes three key recommendations based on Findlay's (2024) findings. First, it advocates for the formal recognition and support of kaumātua roles within the justice system, acknowledging their vital contribution to cultural leadership and intergenerational healing. Second, it recommends integrating Māori protocols and practices, such as pōwhiri, pepeha, and karakia, into wider judicial settings to foster a more inclusive and culturally affirming environment for rangatahi and whānau. Third, the study calls for targeted training in Māori approaches for all professionals working in youth justice, ensuring that they are equipped to engage respectfully and effectively with Māori. These recommendations aim to strengthen the cultural responsiveness of the justice system and support the broader goal of reducing Māori overrepresentation in youth offending statistics.

### [Criticisms of the Pākehā youth justice system](#)

The growing research affirms the effectiveness of Ngā Kōti Rangatahi as a restorative and culturally grounded tikanga approach, while also exposing the negative impact of persistent structural biases, limitations, and inequities that have historically shaped youth justice in Aotearoa. Māori scholars have consistently critiqued the Pākehā youth justice system for its failure to care for and protect tamariki and rangatahi, which contributes to their overrepresentation in the adult criminal justice system. Tauri and Webb (2012) have argued that the state's approach to incorporating Māori culture into youth justice processes is often

superficial, maintaining Crown control while marginalising Māori justice practices. These critiques point to a youth justice system that remains culturally insensitive and structurally resistant to transformation (Cleland & Quince, 2014).

Jackson's (1987) seminal report He Whaipāanga Hou called for a Māori conceptual framework to guide justice policy and research, arguing that the system has historically undermined Māori rights and tikanga. He emphasised the importance of understanding Māori offending within its broader social, economic, and cultural context, and advocated for community-led solutions and culturally appropriate data collection. Jackson (1987) also warned that systemic racism cannot be addressed by simply inserting Māori values into existing structures without genuine power-sharing, meaning allowing tino rangatiratanga Māori authority. More recently, Boulton (2020) highlighted the urgent need for a criminal justice system that genuinely respects and incorporates Māori cultural values through systemic reform, Māori-led initiatives, and meaningful policy and educational change (Boulton et al., 2020).

Sykes (2021) supports Jackson's (1987) view that a separate Māori justice system is necessary, highlighting the tokenistic use of tikanga within Pākehā law, where it is only acknowledged on the Crown's terms. This reflects the ongoing impacts of colonisation, which have corrupted our collective mindset and pathologised Māori as incapable of solving our own problems (Cliffe-Tautari 2024). Reasserting tikanga Māori on our own terms is essential. However, the process of decolonisation will take time and must address the deep and sustained impacts of colonisation.

#### **Section 4. The development of my doctoral research**

My decision to centre my doctoral research on Te Kōti Rangatahi o Mātaatua was intentional and deeply personal. After relocating from Tāmaki Makaurau to Tauranga Moana, I was surrounded by familiar faces and connections, yet I held no direct whakapapa to the rohe. While I whakapapa to Ngāti Whakaue, Te Arawa, my ties there were not strong. This research

became a deliberate return to my whakapapa, to the whenua of my tīpuna, and to a space where tikanga Māori and te reo are not only lived but fiercely protected.

This return was not just about place but also about purpose. I was drawn to Te Kōti Rangatahi o Mātaatua because of the depth of mātauranga held by the kāhui kaumātua who guide its processes. These kaumātua are not only experts in tikanga, hītori, and pūrākau, but also leaders who embody the lived expression of these knowledges. Their presence offered a rare opportunity to observe tikanga in practice and to engage with their insights on how justice can be enacted in ways that uphold mana, whakapapa, and whanaungatanga.

My research is grounded in a desire to better understand how tikanga Māori is operationalised within Te Kōti Rangatahi, and what this illustrates about the possibilities for a justice system that genuinely reflects the values and aspirations of Māori. I am interested in how this court navigates the tension between state-imposed legal and policy frameworks and the tikanga-based practices that underpin Māori understandings of justice, accountability, and healing. This study is not just an academic exercise; it contributes to the ongoing kōrero about what it means to realise tino rangatiratanga. It is about returning to the stories, the people, and the places that hold the mātauranga knowledge needed to transform systems that have long failed our whānau. By focusing on Te Kōti Rangatahi o Mātaatua, I hoped to illuminate how the incorporation of tikanga provides a space of limitless potential.

This section commences by outlining the pepeha, history, governing structure and development of Te Kōti Rangatahi o Mātaatua. Then you are introduced to the wider Bay of Plenty rohe that many who whakapapa to the Mātaatua waka call home, followed by a brief description of only three iwi for this rohe. It is important to acknowledge that not all iwi and hapū affiliated with the Mātaatua waka are represented in this analysis. Each iwi carries its own tikanga, histories, and expressions of identity. The perspectives presented here reflect those who participated in this study and are not intended to speak for the wider collective. The section aims to provide the context for understanding some of the historical events and the

intergenerational impacts on Māori. The section then ends with a recap of my research questions and aims.

### Introducing Te Kōti Rangatahi o Mātaatua

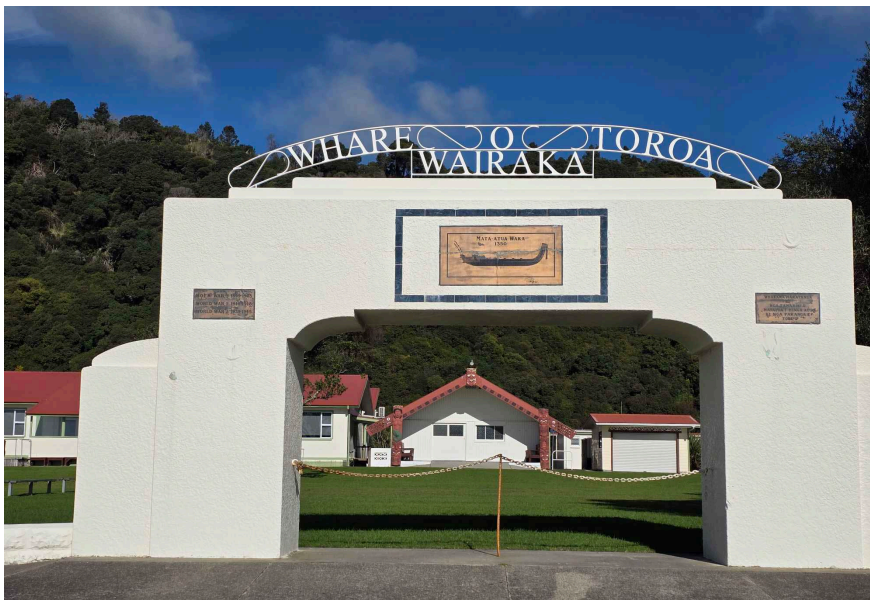


Figure 5 Wairaka Marae, Whakatāne

Note: Photo by author.

### Pepeha

*Ko Kāputerangi rāua ko Pūtauaki ngā maunga*

*Ko Ōhinemataroa te awa*

*Ko Mātaatua te waka*

*Ko Ngāti Awa te iwi*

*Ko Ngāti Hokopū te hapū*

*Ko Te Whare o Toroa te marae*

*Ko Wairaka te whare tipuna*

*Ko Tamatea ki te Huatahi te wharekai*

*Ko Te Mānuka Tūtahi te whenua*

## History of Wairaka Marae

The historical background detailed in this section is drawn from the preamble of the Ngāti Awa Settlement Act, 2005 which details some of the historical background to Wairaka Marae and the people who whakapapa or connect to it. Long before the arrival of the Mātaatua waka, ancestors of Ngāti Awa, who lived along the banks of Whakatāne River during the 18th and 19th century, were Ngāti Ngainui and later Toitehuatahi (Toi) who lived about Whakatāne. Te Whare o Toroa, the house of Toroa, was a low-thatched roof house made of raupo and built in 1894 (Walker, 2007).

By the time the Mātaatua waka made landfall at a place called Manuka-tu-tahi, the men set off to explore when the waka slipped its moorings and was in danger of being lost. The women were being led by Muriwai and Wairaka the daughter of Toroa, when Wairaka exclaimed:

*“Kia whakatāne au i ahau. I must act as a man.”*

Against tradition/custom, Wairaka performed the role of a man, but in doing so saved the waka. The area received its name in recognition of this feat.

On board the Mātaatua waka came the forebearers to iwi and hapū in this rohe. They included: Toroa, the captain; Muriwai, his sister; Puhi-kai-Āriki, his brother, Tāneatua, his half-brother; Ruaihonga, his son; Wairaka, his daughter; Tahinga-o-te-rā, his grandson; and nephew Rāhiri (Barrett, 2018, pp. 15-16). It is from these forebearers the iwi of Mātaatua descend and continued to settle in the rohe or further afield. Puhi migrated north and established the Ngāpuhi iwi. Muriwai settled in Ōpotiki and her people became known as Whakatōhea. Tāneatua is the ancestor of the iwi Ngāi Tūhoe. The Mātaatua domain is said to extend from Bowentown to Whangaparāoa, Cape Runaway and inland to the Urewera ranges (Barrett, 2018, p. 17). Those who settled in the area known today as the Bay of Plenty established new pā.

At Wairaka Marae, te Whare o Toroa had to be shifted because the river course changed. Houses and gardens became well established around the marae. Many pā (village), kāinga

(homes) and wāhi tapu (sacred) sites were established along the banks of the river by various hapū of Ngāti Awa ("Ngāti Awa Settlement Act," 2005, pp. 160 - 161). The river provided an abundance of kai and other taonga and easy transport to inland settlements. Most of all, however, the river became the life and spiritual source to the people, as the many accounts of tipua (guardian spirits) and taniwha within the river showed its significance to the iwi of Mātaatua.

The second Wairaka house was built in 1912 during the time of Te Hurinui Apanui. Riini Hētaraka was the principal carver and builder of the house. The wharenuī had unique features including the types of carvings on the amo and the curved ceiling. In the 1950s, renovations were made after a fire damaged the wharenuī. The land on which the marae stands was gazetted in 1967, and its legal description is Wairaka A40. In 1972, major renovations were undertaken, including the addition of a side door to the wharekai and a rear storage room. Then in 2012 prior to the 100th centennial, the wharenuī Wairaka was again given a facelift.

### Governance

The day-to-day running and functioning of the marae are overseen by a marae committee. In contrast to the other three marae in this research, no contracted services operate from Wairaka Marae. However, the marae is regularly utilised for marae, whānau, hapū and iwi kaupapa as needed.

*“Tū Mai Ngāti Hokopū, Healthy, happy whānau, working together to nurture and sustain our vibrant marae.”*

### The development of Te Kōti Rangatahi o Mātaatua

The early development of Te Kōti Rangatahi o Mātaatua have been captured in the accounts recorded in Josh Kalan's (2021) doctoral thesis. As the Māori Police liaison officer of this rohe, he details a firsthand account of how Te Kōti Rangatahi o Mātaatua came into being. Te Kōti Rangatahi o Mātaatua was established following a visit in early 2009 by three members of the

New Zealand Police, Officers Richard Thrupp, Waata Heathcote and Josh, who attended Te Kōti Rangatahi at Te Poho o Rawiri marae in Kaiti, Tūranga-nui-a-Kiwa, Gisborne. They were interested in seeing first-hand a marae-based Youth Court that was culturally aligned to support rangatahi. When they returned keen to get one established in Whakatāne, they faced a number of challenges. First, the sergeant in charge of youth aid services, Tom Brooks, felt any initiative to do with youth offending fit firmly within his domain. He was essentially miffed to have been left out of the kōrero. Second, the tribal authority, Te Rūnanga o Ngāti Awa, were less than enthusiastic, seeing the state controlled and Pākehā processes in the court being transplanted from “across the road to the marae” (p. 107). The third objection was that for this rohe, Ngā Kōti Rangatahi was not a Youth Court initiative held on marae. During the 1980s, Judge David Wilson had held Youth Court proceedings at Rautahi marae in Kawerau with great success until the funding ran out. Unperturbed, Josh set about garnering support from Tom, recommending they met with Ngāti Awa as mana whenua of the Whakatāne rohe. Armed with iwi and hapū data that indicated that many rangatahi offenders were from Ngāti Awa, the kōrero centred on gaining support to create an iwi-led intervention for their tamariki and mokopuna. In contrast to the idea of Kōti Rangatahi on their marae, Ngāti Awa embraced being part of an iwi-led intervention. Over the next 9 months, Josh worked with Ngāti Awa leaders to get their support for the parallel intervention, which Ngāti Awa saw would be best delivered from their hauora service, Te Tohu o Te Ora o Ngāti Awa. Unfortunately, while the hauora supported the idea, no agreement could be reached or processes put in place to provide the intervention.

Without the support of the hauora, the parallel intervention appeared unlikely to proceed. Nevertheless, hui with Ngāti Awa hapū members continued, with a strong focus on addressing the kaupapa of rangatahi offending. These hui were attended by a Māori judge, Police, and other youth justice professionals affiliated with Ngāti Awa, as well as representatives from other iwi. As with the initial hui, there was strong opposition from some whānau to the idea of establishing a Pākehā court on the marae. Those who spoke in support were often perceived

as advocating for it due to their roles within what is now Oranga Tamariki (formerly Child, Youth and Family). However, their arguments were given weight – not only because of their whakapapa, but also because kaumātua recognised them as familiar faces, regularly involved in marae kaupapa. Over the following 6 months, as kōrero about Kōti Rangatahi continued, many of the initial concerns were gradually resolved. Two years after visiting Te Kōti Rangatahi o Te Poho o Rawiri marae, Kōti Rangatahi o Mātaatua was officially launched on 11 June 2011 (Taumaunu, 2014b, p. 2).

### [Te Moana-a-Toitehuarahi Bay of Plenty – Ko wai, no hea mātou](#)

This research took place in Eastern Bay of Plenty. To understand the dynamics of this rohe, a brief examination of the wider region is useful. Te Moana a Toi-te Huatahi, the Ocean of Toi of the First Fruits, is the Māori name given by Toi-te Huatahi to the regions of Bay of Plenty. The name is often shortened to Te Moana-a-Toi. The region has a population of 334,140 according to the 2023 census (Statistics New Zealand, 2024).

The region has the third largest Māori population in the country, with 36 iwi, over 260 hapū and more than 200 marae with waka affiliations to Mātaatua, Te Arawa, Nukutere, Tākitumu, Horouta and Tainui (Bay of Plenty Regional Council Toi Moana, 2025). Census data indicates that nearly 10% of residents are able to converse in te reo Māori (Statistics New Zealand, 2024). Earlier regional research also highlights the importance of culture and spirituality for Māori wellbeing, with Māori participants reporting feeling their whānau was doing well (80%) and that Māori culture (76%) and spirituality (65%) was important aspects of their lives (Te Rōpū Rangahau Hauora a Eru Pōmare, 2015). Te Kupenga data highlights the centrality of marae within Māori social and cultural life, with 97% of Māori adults reporting having visited a marae, and over half attending within the previous 12 months (Stats NZ, 2020).

The Regional Council describes Māori in the region as a younger population group, who are mostly married or in a partnership and have at least one child. Over half indicated they did not have a religion (Bay of Plenty Regional Council, 2025; Statistics New Zealand, 2024). The Bay of

Plenty is one of the largest provinces in Aotearoa with a growing cultural and economic capital base. Te Tiriti o Waitangi settlements particularly since 2004 are changing the economic background. Māori are significant stakeholders across several industries, predominantly agriculture and forestry sectors (Bay of Connections Maori Economic Strategy and Te Puni Kokiri, 2014). Te Tiriti o Waitangi settlements are heralding in new economic opportunities within the rohe, leading to other developments for Māori well-being. Māori land tenure in the Bay of Plenty is high, with a number of land trusts in operation.

The picture to the east of Bay of Plenty is somewhat different to that of west. Census data confirms that the Eastern Bay of Plenty has a particularly strong Māori demographic presence. While approximately 30.6% of residents identify as Māori across the Bay of Plenty, compared with about 17–18% nationally (Stats NZ, 2023). The proportions are significantly higher in the eastern districts as Māori comprise 49% of the population in Kawerau, 46% in Ōpōtiki, and around 42% in the Whakatāne District (Stats NZ, 2023). In these communities, iwi and hapū structures remain highly visible in community life and marae continue to function as important social, cultural and spiritual centres.

The rohe boasts a mix of those prosperous in cultural and economic capital. Te Tiriti o Waitangi settlements, for Ngāti Awa from 2003, Ngāi Tūhoe from 2013 and Whakatōhea from 2023 and other iwi have and are changing the economic landscape for iwi.

Māori youth offending in the Eastern Bay of Plenty is higher than the national average. Cleland and Quince (2014) posit the larger population of Māori, high deprivation, and unemployment go some way to explaining the risk factors attributable to this trend. In 2014-2015, within the Bay of Plenty Youth Courts of Tauranga, Ōpōtiki and Whakatāne, 111 children and young people had their most serious finalised charges heard in these courts. This number dropped to 105 for 2023-2024, at 35% for the region (Ministry of Justice, 2024a). The high proportion of rangatahi appearing in Youth Court is evident across the nation. Bay of Plenty is noted as

having the second highest proportion behind Canterbury, as depicted below (Ministry of Justice., 2024).

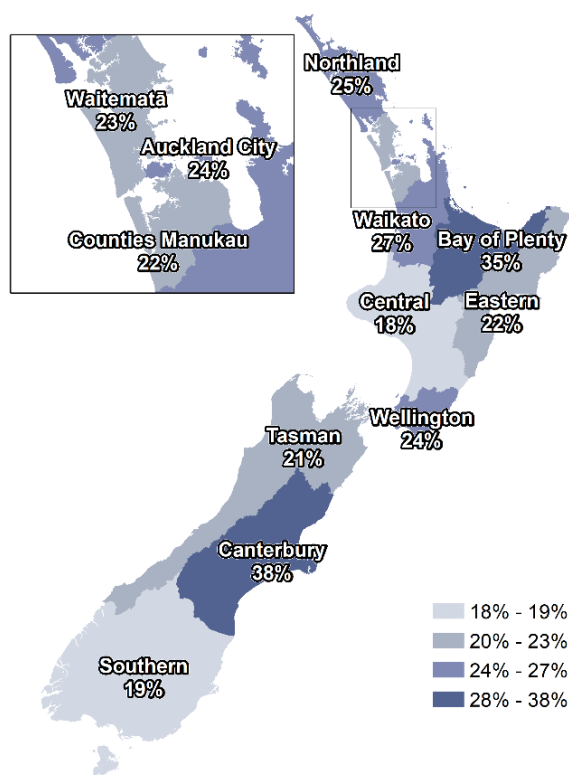


Figure 6 Proportion of young people proceeded against in the youth court by police district in 2023/2024

## Hītori

Given the diversity amongst Māori that whakapapa to the Mātaatua waka, this section presents a brief overview of the hītori of three iwi accounts of Ngāti Awa, Ngāi Tūhoe, and Whakatōhea in this rohe. These accounts provide important context for demonstrating the impacts of colonisation on some of the Mātaatua iwi that have left generations of Māori landless and disconnected. This information is largely drawn from the Waitangi Tribunal documents, representing the pūrākau of the tāngata whenua of those iwi.

### Ngāi Tūhoe

The following section is drawn from Volume 1 of the Wai 894 Waitangi Tribunal Report for Te Urewera – a claim brought by Ngāi Tūhoe (2017). Hinepūkohurangi, the mist maiden, and Te Maunga, the mountain man, came together at Ōnini and had their son Pōtiki I. From Pōtiki I

descend Ngā Pōtiki, Te Tini o Toi, and Te Hapuoneone – ancient peoples of Te Urewera. These tangata whenua were later joined by descendants of the Mātaatua waka, including Tūhoe-pōtiki, the eponymous ancestor of Ngāi Tūhoe (New Zealand Waitangi Tribunal, 2017, p. 24). These whakapapa linkages embody the depth of spiritual ties to the land and are expressed through the concept of mana motuhake. Ngāi Tūhoe had land and resource interests from Tahora to Pāpuni and to the south beyond Waikaremoana and to the west near Kāingaroa. Ngāi Tūhoe lived under mana motuhake o Tūhoe, free and interdependent, living off the whenua, moana, awa and lakes.

### Ngāi Tūhoe after the slayings

The confiscation of Tūhoe land in 1866 in the eastern Bay of Plenty is described as a pivotal grievance. The Crown took approximately 59,655 acres of the most fertile land (New Zealand Waitangi Tribunal, 2017, p. xxxiv). Ngāi Tūhoe had not been involved in the events that triggered the land confiscation, such as the killing of missionary Carl Völkner or James Fulloon (New Zealand Waitangi Tribunal, 2017, p. 166). Following the large-scale land confiscation, the Crown launched military expeditions into Te Urewera between 1869 and 1871, targeting Tūhoe and their allies, including Te Kooti (New Zealand Waitangi Tribunal, 2017, pp. 133 - 134). These expeditions were marked by brutality, including the killing of non-combatants, destruction of crops and homes, and desecration of the dead. The Tribunal found that the Crown's actions were merciless and in breach of Treaty principles, and that they left a legacy of trauma and distrust that persists to this day (New Zealand Waitangi Tribunal, 2017, pp. xxxv–xxxvi).

In response to these events, Tūhoe established Te Whitu Tekau in 1871, a council of 70 rangatira committed to resisting land sales, surveys, and the Native Land Court, as a clear expression of mana motuhake, yet the Crown consistently undermined its authority by refusing to engage with it and putting in place complicated legal structures that changed yearly (New Zealand Waitangi Tribunal, 2017, pp. xxxix - xl). The Urewera District Native Reserve Act

1896 offered a glimpse of promise, establishing a self-governing reserve for Tūhoe, but the Crown failed to implement the Act properly, bypassed the General Committee, and resumed purchasing land from individuals, contrary to the Act's intent. By 1930, only 25% of the original reserve remained in Māori ownership, and much of the land had become Te Urewera National Park, further alienating Tūhoe from their whenua (pp. xl-xli). Many other pūrākau of the prophet Te Kooti Arikirangi Te Tūruki, or the invasion in Maungapōhatu and capture and imprisonment of Rua Kenana Hepetipa, could also be added to this section to highlight other misuses and abuses of the laws, policies and Pākehā legal system. Unfortunately, this is outside the scope of this thesis.

The Tribunal concluded that the Crown's actions in confiscation, war, undermining of self-governance, and land alienation were all serious breaches of the Treaty of Waitangi, resulting in long-term impacts on the social, economic, and cultural well-being of Ngāi Tūhoe. Despite settling their Treaty of Waitangi claim in 2014, challenges persist as they contend with the legacy of colonisation.

#### Whakatōhea before the slayings

To the south-east of Whakatāne is Ōpotiki, so named after the tīpuna Pōtiki-mai-tawhiti who came from far away, Hawaiki. Te Whakatōhea whakapapa to Ranginui and Papatūānuku, via Tāwhaki who journeyed to the heavens to attain the three baskets of knowledge. Whakatōhea are also descendants of tīpuna Tūtāmure who came on the waka Nukutere or Muriwai of the Mātaatua waka, and other waka (Te Tāwharau o te Whakatōhea, 2025). Whakatōhea were proud, clever, entrepreneurial traders, business owners, wealthy, socially connected and overall thriving. From 1840 to 1864, Whakatōhea were thriving as they were economically strong traders, deeply rooted in their whenua, and actively engaging with the settler economy. Their signing of Te Tiriti o Waitangi was done in good faith, with hopes of partnership and protection. But over time that trust was betrayed.

Whakatōhea was involved in so far as a representative if the iwi affirmed the iwi's support for the Kīngitanga movement by participating in the ceremonial selection of Pōtatau Te Wherowhero as the first Māori King. This act of allegiance was rooted in a broader commitment to Māori unity and sovereignty. Although Whakatōhea was initially reluctant to engage in the battles, this shifted in early 1864, when the Crown forces arrived in Tauranga. A contingent of Whakatōhea warriors joined the coalition of East Coast iwi, in support of the Kīngitanga. Unfortunately, many died in the Battle of Kaokaoroa, including prominent rangatira who had much of the traditional mātauranga Māori (Whakatōhea Pre Settlement Claims Trust, 2023, p. 8). In the wake of this loss, Whakatōhea morale was low. Food production had declined due to the war, and the community was hit by outbreaks of typhoid and measles. During this time, the Pai Mārire prophets, including Pātara Raukatauri and Kereopa Te Rau, arrived in Ōpōtiki in February 1865 with a contingent of followers (Whakatōhea Pre Settlement Claims Trust, 2023, pp. 8 - 9). While Pātara sought to convert Whakatōhea to the Pai Mārire faith, Kereopa had a more vengeful agenda, driven by the loss of his own whānau.

#### [Whakatōhea after the slayings](#)

After the deaths of Reverend Völkner and James Fulloon, as described below, the Crown responded swiftly and harshly. Governor Grey declared martial law and sent a military expedition to Ōpōtiki in September 1865. The troops arrived unopposed, as most hapū had fled to the mountains, but this military might resulted in many deaths, and the Crown forces looted Whakatōhea villages, livestock and crops. In the weeks that followed, hundreds of Whakatōhea surrendered. Among them were Mokomoko who was convicted, hanged and buried at Mount Eden Prison. He maintained his innocence throughout. His whānau endured decades of stigma and shame. Many distanced themselves from the Mokomoko name, and some even removed him from their whakapapa. Though he was reinterred at Waiaua Marae in 1989 and posthumously pardoned in 1992, the pardon lacked consultation and failed to restore his mana. It wasn't until the Mokomoko Restoration Bill in 2011 that the Crown

formally acknowledged the harm done to restore his mana. The descendants of Mokomoko are still fighting for justice and compensation at the Waitangi Tribunal.

The impacts were profound. Whakatōhea were forced into the Ōpape Native Reserve, described as New Zealand's closest equivalent to a North American reservation (Whakatōhea Pre Settlement Claims Trust, 2023, p. 12). Their traditional economy collapsed, and their connection to sacred sites was severed. Tohunga were persecuted, tikanga suppressed, and generations grew up disconnected from their reo and whakapapa. The education system punished tamariki for speaking te reo Māori, and Crown policies pushed whānau into urban centres, fracturing ties to tūrangawaewae (Whakatōhea Pre Settlement Claims Trust, 2023, pp. 17 - 18). Despite this, Whakatōhea endured. They petitioned the Crown repeatedly, seeking justice and the return of their lands. Their resilience is woven through every generation. The establishment of the Whakatōhea Māori Trust Board in 1952 marked a turning point, and repeated petitions were submitted seeking redress (Whakatōhea Pre Settlement Claims Trust, 2023, p. 15). The Whakatōhea Treaty of Waitangi settlement aims to offer a brighter future focused on collective aspirations.

#### Ngāti Awa before the slayings

Ngāti Awa established their communities in the Eastern Bay of Plenty, coming from Hawaiki, and up north in Kaitiāia, Ahipara and Lake Tāngonge. By 1600, after battles with Ngāpuhi and Ngāti Whātua, half migrated to Waitara, Taranaki while the other half went from Auckland to Tauranga and then on to Whakatāne, uniting with Te Tino-o-Awa. Ngāti Awa descend from many ancestors, including Maui-tikitiki-a-Taranga. Their ancestors spread themselves across a wide area with hapori in Whakatāne, Te Teko, Edgecumbe, Matatā and Kawerau, with three significant awa Whakatāne, Rangitaiki and Tarawera and Pūtauaki maunga. Ngāti Awa enjoyed the food and resources from the whenua, swamps, and sea. They raised animals, grew kai, made rope from harakeke and were entrepreneurs transporting their products to the Auckland market by boat.

From the 1830s, Pākehā settlers came to the area as traders, whalers and Crown agents (Harvey et al., 2013). Some Pākehā married into Ngāti Awa. Māori embraced Christianity alongside their traditional customs. In some areas, the mixing of Māori spirituality and Christianity, such as the Paimārire, described as “the good and peaceful cult”, sprung up (Mather, 2014, p. 64). Paimārire was led by Te Ua Haumene who believed he was God’s chosen prophet (Davidson, 2004). Other Māori prophets, Te Kooti and Rua Kēnana, also used the Bible to challenge the legitimacy of Christianity (Rangiwai, 2022).

### Ngāti Awa after the slayings

Following the slaying of Reverend Carl Völkner and James Fulloon in 1865, Ngāti Awa experienced a series of devastating consequences that reshaped their social, cultural, and economic landscape. Although only a few individuals from Ngāti Awa were directly involved in the events, the Crown responded with sweeping punitive measures that affected the iwi as a whole. Some Ngāti Awa hapū were forcibly relocated from their ancestral lands and placed under military supervision. Many hapū were made to live on land that did not belong to them, often in close proximity to Te Arawa and military settlers with whom they were in conflict. The Crown laid out blocks in a corridor from the coast to the hill country, with the Whakatāne River forming the eastern boundary. These blocks were prone to flooding and were insufficient to sustain the hapū. The dislocation created a sense of intrusion and division among hapū, undermining traditional relationships and cohesion (New Zealand Waitangi Tribunal, 1999, p. 99). The confiscation of approximately 245,000 acres of Ngāti Awa land under the New Zealand Settlements Act 1863 was justified by the Crown on the grounds of rebellion. However, the Waitangi Tribunal found that there was no actual rebellion; rather, Ngāti Awa were reacting to an unlawful invasion by their former enemies, including Te Arawa forces acting under Crown command (New Zealand Waitangi Tribunal, 1999, pp. 64 - 66). The land was not taken for the killings themselves, as those responsible had already been tried and punished. Instead, the confiscation was indiscriminate and unjust, affecting hapū that were not involved in the events

and, in some cases, had actively opposed the violence (New Zealand Waitangi Tribunal, 1999, pp. 69 - 70).

Of the land returned to Ngāti Awa, only 77,870 acres were restored, and even this was not returned in its original form. The land was converted into individual shareholdings rather than communal tribal title, which facilitated alienation and eroded traditional social structures.

Over time, approximately 65% of the returned land was lost to the Crown and private purchasers (New Zealand Waitangi Tribunal, 1999, pp. 8, 90). The Native Land Court played a central role in this process, further dismantling customary ownership and enabling the fragmentation of tribal landholdings. Culturally, the impact was profound. The carved meeting house Mātaatua, built to unify the displaced hapū, was taken by the Crown for exhibition overseas and not returned until over a century later. This symbolic loss reflected the broader cultural dispossession experienced by Ngāti Awa (New Zealand Waitangi Tribunal, 1999, p. 8). The iwi was also stigmatised as “tangata hara” or people of sin, a label that endured for generations and contributed to a sense of shame and marginalisation (New Zealand Waitangi Tribunal, 1999, p. 110). Economically, the confiscation and subsequent land alienation left Ngāti Awa with limited means to participate in the colonial economy. Many were forced into low-wage labour roles, particularly in public works, due to the lack of viable land for agriculture or development (New Zealand Waitangi Tribunal, 1999, p. 109). The Crown’s failure to provide adequate compensation or support further entrenched this economic disadvantage. The Treaty of Waitangi settlement of approximately \$42 million has led to investment in the commercial arm, which holds assets in several primary industries and property that fund the social, education, health and cultural revitalisation of mana, identity and intergenerational well-being (New Zealand Legislation, 2005).

#### [The devastating impact of the deaths of Völkner and Falloon](#)

By the 1860s, the trust and respect that early missionaries had gained came under serious pressure due to increased colonisation. The growing number of new settlers began placing

demands on Māori resources, and threatening tino rangatiratanga. The wars in Taranaki, Waikato and other parts of Aotearoa all contributed to the breakdown of trust between the two cultures but especially with the missionaries (Davidson, 2004). On 2 March 1865, Reverend Carl Völkner, a missionary living amongst Te Whakatōhea, was hanged from a tree near his church, and decapitated. Many of Völkner's congregation had become Paimārire followers, with many suspecting him of acting as a government spy and reporting to Sir George Grey on military movements and supply routes (Mather, 2014). Völkner had left Ōpotiki for Auckland in 1864, and early in 1865, during his absence, tensions kept rising (O'Malley, 2011, p. 183). Whakatōhea sent a letter to Völkner warning him not to return. Ignoring the warning, Völkner returned and was immediately taken prisoner along with Reverend Thomas Grace and the crew of the schooner Eclipse. The next day, a rūnanga convened and decided to execute Völkner (Whakatōhea Pre Settlement Claims Trust, 2023, p. 8). Kereopa Te Rau is reported as gouging out and eating Völkner's eyes – the symbolism of this ritual representing the rejections of the Queen and the British law, or the governor and the general (New Zealand Waitangi Tribunal, 1999; O'Malley, 2011).

Then almost five months later another tragic killing took place in the rohe. James Te Mautaranui Fulloon was born and raised in Whakatāne. His father John Fulloon was an Anglo-French trader and his mother, Koka Te Mautaranui, was of Ngāi Tūhoe and Ngāti Awa descent. Their union was an arranged marriage, for the purpose of securing a new economic partnership (Godfery, 2015, p. 6). Despite Fulloon's whakapapa as Māori and European, his education and religious training meant he was viewed as a gentleman, taking up roles as a surveyor, interpreter, political secretary and spy (Godfery, 2015). Stuck between two worlds, Fulloon had long aligned with the colonial government. He was posted to Waikato, where preparation was under way to assert sovereignty. Fulloon sent regular reports to Governor Grey warning of a potential Māori attack.

Despite his role in enabling the war, Fulloon was conflicted. He spent a lot of time trying to help war victims and prevent colonial abuses; this treatment caused his whakamā of his

English heritage. He then asked Governor Grey if he could return to Whakatāne. He believed his whakapapa connections gave him standing amongst his people to help quell the discord amongst the Paimārire followers and that they would protect him (Godfery, 2015, p. 7). The Ngāti Awa rūnanga met several times to discuss the killing and resolved to put an aukati, or ban, in place to prevent the Waikato wars spreading to this rohe and also to keep Te Arawa who were working with the Governor out (New Zealand Waitangi Tribunal, 1999, pp. 53 - 64).

So, when Fulloon later arrived in Whakatāne, he was not greeted by his whanaunga, but by a group affiliated to Paimārire. Although, Fulloon assumed his whakapapa connections would grant him safe entry, he misjudged the situation even performing a whakapohane. A whakapohane is a grave cultural insult. Fulloon slapped each cheek of his buttocks – one for the Hauhau and the other for Paimārire (Godfery, 2015). Whether he meant this as an insult or as a symbol of contempt and defiance, it was deeply provocative and backfired on him. The Paimārire contingent viewed Fulloon's actions and his disregard of the aukati with disdain. Onshore, the rangatira Horomona and Te Hura issued instructions for those aboard the Kate (New Zealand Waitangi Tribunal, 1999, pp. 48-49). Fulloon and three of his shipmates were killed and their vessel burnt in the Whakatāne River (Parham, 1990).

### Learnings

The historical accounts of Ngāi Tūhoe, Whakatōhea, and Ngāti Awa reveal the deep and lasting impacts of colonisation on these iwi of the Mātaatua rohe. These iwi once thrived with strong systems of mana motuhake, cultural identity, and economic independence. The slaying of Völkner and Fulloon served as a pretext for the Crown to enact a broad and unjust confiscation of Ngāti Awa, Ngāi Tūhoe, Whakatōhea land, resulting in long-term harm to the iwi's social fabric, cultural identity, and economic well-being. The events surrounding the deaths of Völkner and Fulloon, and the Crown's indiscriminate retaliation, exemplify the disproportionate and unjust treatment of Māori, resulting in widespread raupatu and intergenerational trauma. The consequences were not only immediate but have continued to

reverberate through generations. The land confiscations, Crown violence, and the imposition of Pākehā legal and religious systems fractured their social structures and severed many from their whenua and whakapapa. These histories are not just past events; they are lived realities that continue to shape the experiences of whānau and communities today. Understanding this hītori is essential to appreciating the significance of Ngā Kōti Rangatahi and the part marae kaumātua have in responding to the enduring legacies of colonisation, systemic injustice, and cultural disconnection.

### Doctoral research questions and aim

This research asked: He aha te tikanga o Te Kōti Rangatahi o Mātaatua, ā, he aha te rapunga whakaaro o te ao Māori? He aha te hītori o ngā tikanga o tēnei Kōti Rangatahi. What was the tikanga, philosophical underpinnings and history shaping the tikanga of Te Kōti Rangatahi o Mātaatua? The aim was to explore how tikanga was enacted, interpreted, and protected within this space to aid rangatahi Māori navigating through the youth justice system via Te Kōti Rangatahi o Mātaatua.

### Noho wahangū reflection

The development of Te Kōti Rangatahi o Mātaatua was a massive undertaking that required many committed Māori, organisations, and services to tautoko it throughout the challenging parts. Initially, the focus centred on supporting Ngāti Awa tamariki and rangatahi first and obtaining wider support from other iwi and hapū. In this chapter, the passion and dedication of kaimahi who had whakapapa and worked within the youth justice system cannot be undervalued. They bore the burden of maintaining their mana, being tika and pono while working in Pākehā dominated police, Oranga Tamariki, hauora, and youth advocate spaces. They also balanced and weighed their whakapapa and whanaungatanga obligations. While it may have been interpreted as a ball and chain constraining their actions, I viewed their actions as being armed with a taiaha or patu in cutting through the raru or voices of opposition by using tikanga and whakapapa.

When I first began this doctorate, I had just moved back to Tauranga Moana from Tamaki Makaurau. In the last 2 years, I moved to the Eastern Bay of Plenty and have learnt so much more about the ongoing impacts of land confiscations and colonisation. Before now, I only saw and understood the impacts to my primary iwi, Ngāi Tūhoe. I heard differing pūrākau and read varying historical accounts of the impacts of the land confiscation and the many years of fighting for their whenua, taonga and utu in the Waitangi Tribunal processes. The history is still acutely felt, lamented in waiata, observed in the landscapes and repeated in the hītori shared within the Moana-a-Toi marae, iwi, hapū, whānau and hāpori. For example, every time I go to the urupā to visit Dad in Rūātoki, I cross the confiscation line. When I go to Maungapōhatu, only the photos depict what the pā used to look like. While I find it hard to imagine Ngāti Awa as tangata hara, they have nurtured passionate, educated and committed rangatira who were determined to change that narrative. Last month, I went to a wānanga in Ōpotiki and heard from descendants of the chief Mokomoko who was wrongly accused, imprisoned, hanged and buried at Mount Eden Prison for the killing of Völkner. Their pūrākau were so raw and real, particularly since they are still fighting for justice of their tipuna. Some of his descendants had to change their names for fear of the repercussions; many lived with whakamā and, being stripped of their lands, were forced to move. There is evidence amongst my Whakatōhea whānau that like Ngāti Awa, they too are changing their aspirations. In this chapter, I have tried to encapsulate this history and ground my research in the ongoing impacts on our te ao Māori worldview, beliefs and tikanga.

Undertaking this research has come with immense personal challenges. Had I known how long and demanding the doctoral journey would be, I doubt I would have had the confidence to begin. But I have drawn strength from the example of my grandparents, who taught themselves new skills through sheer determination, even when they lacked formal training. Their resilience has guided me, as has the wisdom of our tipuna and kaumatua – holders of mātauranga and tikanga. Their pūkenga, their quiet leadership, and their commitment to the well-being of iwi, hapū, whānau, and hāpori remind me of my own koro: humble, steady, and

always tending the home fires. To me, he embodies aroha, manaakitanga, whanaungatanga, and rauhanga (resourcefulness).

One of the most enduring psychological obstacles I have faced is my lack of fluency in te reo Māori. For a long time, this created a sense of inadequacy. However, a conversation with a hoā who had walked a similar postgraduate path helped shift my perspective. They reminded me that the goal is to understand te reo, not to be paralysed by the pressure to speak it perfectly. This does not mean I have abandoned the aspiration to speak the language of my tīpuna – far from it. I know that the change I want for my mokopuna must begin with me. I have come to see that there is deep learning in the quiet, uncertain spaces of perseverance. In many ways, I see myself in the rangatahi who appear before Kōti Rangatahi for the first time – nervous, unsure, and stepping onto the marae for the first time.

The fear and lack of confidence often left me paralysed. It is with a deep sense of whakamā that I acknowledge the time it has taken to complete this rangahau. My greatest regret is that many of the beautiful kaumātua who generously shared their pūrākau and offered guidance throughout this journey have since passed away. Their kōrero, their presence, and their unwavering support remain with me. This thesis is dedicated to them – in recognition of the invaluable insights they contributed and the legacy they leave behind.

This chapter has traced the whakapapa of Ngā Kōti Rangatahi, born from a need to disrupt the intergenerational pipeline of rangatahi into the criminal justice system. At its heart, this kaupapa is about restoring balance – reconnecting rangatahi with their identity, their whānau, and their whenua through tikanga grounded in the marae. Tikanga, as described throughout the chapter, is not a static set of rules but a living, breathing system of values and practices rooted in whakapapa, whanaungatanga, manaakitanga, and wairuatanga. It is the first law of Aotearoa, predating colonial impositions, and it continues to guide how Māori relate to one another and the world. The marae, as a site of tikanga, becomes a powerful space for

transformation – where rangatahi are not simply processed, but embraced, challenged, and uplifted.

The literature and research reviewed in this chapter affirm the strengths of Ngā Kōti Rangatahi. These include high levels of engagement from rangatahi and whānau, the positive influence of kaumātua, and the ability of the marae setting to foster pride, accountability, and cultural reconnection. Acts such as learning and reciting pepeha, participating in pōwhiri, and being supported by lay advocates and kaumātua are all part of reclaiming identity and restoring mana. Yet, the challenges remain. Structural barriers – such as underfunding, limited post-court support, and the dominance of Pākehā legal frameworks – continue to constrain the full potential of these courts. Some rangatahi struggle with cultural disconnection, whakamā, or a lack of whakapapa knowledge, which can hinder their engagement. The risk of tikanga being tokenised within a system that still centres Pākehā authority is a concern echoed by many Māori scholars. This chapter calls for a justice system that does more than accommodate Māori – it must be transformed by Māori. This means resourcing kaumātua and lay advocates, embedding tikanga across all levels of youth justice, and recognising that healing and accountability are not mutually exclusive. Ngā Kōti Rangatahi offer a glimpse of what justice could look like when grounded in te ao Māori. The challenge now is to ensure that tikanga is not only present, but upheld, protected, and led by those to whom it belongs.

When this research was still in its early conceptual stages, the government agency responsible for the care and protection of our pēpi, tamariki, and taiohi underwent changes in name and leadership. However, these changes have done little to improve outcomes for Māori children (Montgomery, 2024). The criticisms highlighted in the Te Puao-te-Āta-tū report continue to be echoed today by Māori scholars, frontline lawyers and the Chief Ombudsmen (Boulton et al., 2020; Bradley, 2024; Moxon, 2024; Sykes, 2021). Although the faces and names may have changed, the governing structures have remained largely the same. This thesis remains relevant because it explores, from within, what kaumātua identify as the tikanga that can help rangatahi stay out of the criminal justice system. The fact remains that rangatahi Māori

continue to dominate the Taiohi Youth Court. Even after 17 years in operation, Kōti Rangatahi is still needed. Despite a decline in overall youth offending, rangatahi Māori continue to require the most support to stay out of the system.

Having paused to reflect on the personal, cultural, and systemic dimensions of this kaupapa, we now turn to the broader research project from which this thesis grew. In the next chapter, you are invited to adjust your camera lens and take in the wider landscape of Ngā Kōti Rangatahi with a focus on Te Kōti Rangatahi o Hoani Waititi.



Figure 7 Te Huringa o te Pepe Ao Uri Kōpaki —the transition

Note: Adapted image using Adobe Express.

### Chapter 3 Kōti Rangatahi o Hoani Waititi Marae – Whanaungatanga justice

#### Tūāmua

*\*Māmā, I am saddened by the chances we missed out on getting to really know each other, but I'm grateful for the intimate time we spent together at the end of your life. Although I didn't appreciate how special it was until years later, it did prepare me to prioritise and treasure the time I had with dad at the end.*

*Māmā, my memories of you are mixed with stories I've heard from whānau about you. You were living and raising my older siblings in Maungapōhatu, until your first husband was tragically killed in a bulldozer accident. I can't even imagine how hard that would have been for you at the time. Then, 2 years later, you married dad. Aunty once said to me: "it was quite natural because you were already pals." At the time, I thought that was a strange thing to say, but it seems lots of alliances were formed out of necessity during the period. I can only imagine how hard it would have been for you to make the best of the circumstances. You moved the whānau to Mauao, where we lived around the corner from your sister. Growing up, I had heard the move was to enable all of*

*us to get a better education and opportunities. By the time we were all at school or working, you had started work as a Crothall's cleaner in Tauranga Hospital. I have good memories of all the aunties working there. We were probably a typical first-wave urbanised whānau; the older siblings got into drinking and parties and, through their youth, got into trouble with the law. This behaviour of my older siblings landed them with the honour of being sent off to uncle and aunty for a while to sort them out. Despite growing up in town, we always had a strong sense of who we were and where we came from, but the reality is we couldn't express that in te reo Māori. This has left an indelible scar that impacts each of us in different ways.*

This chapter opens with my māmā's pūrākau of moving her whānau from their whenua, marae, and pā network to town, highlighting the challenges this new way of being Māori presented. My māmā's journey from Maungapōhatu to Mauao reflects a broader story of Māori urban migration, one that shaped the lives of many whānau, including my own. It is within this context of displacement, adaptation, and resilience that the kaupapa of whanaungatanga justice takes root. Meaning, these conditions have largely shaped the judicial initiative led by Judge Taumaunu to create an approach that is relational, culturally grounded, and responsive to Māori realities.

In the previous chapter, you were invited to explore the background of the marae site of focus for this doctoral research. In this chapter, I invite you to take a broader view, adjusting the lens of your camera, so to speak, to examine an urban pan-tribal context and tikanga practices of Te Kōti Rangatahi o Hoani Waititi Marae. This chapter begins with a tūāpapa section that briefly outlines the pepeha, history, and kaupapa of the marae including when the Kōti Rangatahi initiative began at this marae.<sup>1</sup>

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<sup>1</sup> Appended is the background information for the other two Kōti Rangatahi marae included in the wider research project.

## Tūāpapa Hoani Waititi Marae



Figure 8 Te Kōti Rangatahi o Hoani Waititi Marae, West Auckland.

Note: photo by author.

### Pepeha

Ko Titirangi te maunga

Ko Waipareira te awa

Ko Waitakere te whenua

Ko Ngā Tūmanako te wharenuī

Ko Te Aroha te wharekai

Ko Hoani Retimana te tangata

Ko Hoani Waititi te marae

### History

In contrast to the rural, whakapapa-based context of Te Kōti Rangatahi o Mātaatua, this section examines the emergence of urban marae. These spaces developed in response to the mass migration of Māori to urban centres during the 1960s, where many found themselves living away from their ancestral lands and cultural institutions. A number of issues arose as

Māori worked and lived away from their homeland. Many found themselves in the cities without a place to be Māori, in sharing the language and practicing tikanga rituals and ceremonies such as tangihanga (funerals). Māori leaders arose to establish marae in urban setting to help many taura here (literally meaning the binding ropes – this became a term for tribal members living in the cities) to retain and maintain their identity (Tapsell, 2002). Consequently, during this period of great change, within a generation some city born and raised Māori would grow up with little to no knowledge of their language, culture, whakapapa or tikanga Māori values and practices.

Hoani Waititi Marae is one example of an urban marae complex that was built in 1980 to serve Māori from all iwi and hapū affiliations. The Te Whānau o Waiparera Tiriti o Waitangi claim provides a comprehensive first-hand account of much of the development of Hoani Waititi Marae. In essence, the marae was built to provide a central place to strengthen city based whānau with a deeper sense of their cultural identity and learn about the marae and protocols and te reo Māori (New Zealand Waitangi Tribunal, 1998). Although the accounts highlight the difficulties in bringing together whānau from different iwi loyalties, Hoani Waititi Marae became, as Dr Pita Sharples describes (New Zealand Waitangi Tribunal, 1998, p. 39):

*...a formal focal point for belonging... and a place we could continue our cultural ways.... So, they set about building [Hoani Waititi Marae], which could be like a takawaenga, an intermediary marae, for the many thousands of Māori that live in the city.*

At the same time, fundraising efforts were underway to build a marae. This coincided with the strong presence of a Māori community in Te Atatū, who were actively engaged in many cultural activities such as performing in kapa haka. Many rangatahi were coming to the attention of the police, causing trouble and being disruptive in school (Black, Thom, et al., 2023). What began as a series of hui between the police, kaumātua, whānau, and the rangatahi as reconciliation hui, became the basis for kaupapa Māori restorative practices,

known today as Te Whānau Awhina. This approach seeks to encourage rangatahi to take responsibility for their actions and then weave them back together (Black, Thom, et al., 2023). Overall, while the purpose of the marae aims to provide a place to learn te reo Māori and tikanga practices, it has become a place to belong and begin the journey of identifying as Māori.

#### He kaitiaki rōpū – governance structure

Hoani Waititi, like the other marae in this research, is governed by an elected committee of board members, with a chairperson, seven trustees and the marae manager.

#### He kaupapa - our vision, mission and values

Hoani Waititi Marae aims to provide a centre for Māori, language, culture, and practice.

#### He tangata – the people and services offered on the marae

A number of services and activities are offered on the marae. These include: marae experiences; tikanga Māori programmes; Te Whare Tū Taua, which teaches the ancient art of weaponry using taiaha and other cultural learning; Patua te Ngangara, which aims to help whānau deal with the effects of meth (P); Te Whānau Awhina, which is a restorative justice programme and Whānau Ora Kaiarahi/Navigators help and support whānau with a range of issues (Black, Thom, et al., 2023).

#### Launch of Te Kōti Rangatahi o Hoani Waititi Marae

Kōti Rangatahi was launched at Hoani Waititi Marae on 10 March 2010, although it is well known that Judge Mick Brown convened Youth Court at the marae prior to the establishment of this Kōti Rangatahi initiative. Some members of the judiciary based at the Waitākere District Court favoured using the marae to support whānau appearing in court. The role of a marae kaumātua in the courts was established to ease this process.

## Collaborative book chapter

The development of Hoani Waititi Marae and the establishment of Kōti Rangatahi within this urban marae context provide an important foundation for understanding the broader discussion that follows. Early observations and engagement with kaumātua, whānau, and youth justice practitioners in these settings contributed to a collaborative book chapter examining marae-based justice initiatives.

The following text appeared in a book chapter that took over 18 months to complete. The editorial process included many iterations before the final chapter was approved. However, it also included a hui at the University of California in Los Angeles for all the book's authors to meet each other and provide constructive critique and recommendations for improving each other's chapters. The book-writing process was collaborative, and everyone was made to feel at ease with each other throughout this stage of sharing our initial drafts. We were also provided with an opportunity to share our insights with members of the public and the academic community. After some months of refining, the book was published in 2021 – *Reppin': Pacific Islander Youth and Native Justice* (Camacho, 2021).<sup>2</sup>

The rationale for including this chapter in my thesis was that, although it adopted a broader lens, it closely reflected the realities I had observed in Te Kōti Rangatahi o Mātaatua. While this chapter emerged from the extensive groundwork undertaken across multiple marae settings, I engaged with marae kaumātua, tangata whenua, and youth justice professionals, and observed the rangatahi and their whānau in these environments. These early experiences were instrumental in shaping the direction of my doctoral research and refining my focus on Te Kōti Rangatahi o Mātaatua.

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<sup>2</sup> This publication and the others that appear in this thesis are written to meet the requirements of the editors, reviewers and international audiences, where American English is used and translations appear in parentheses.

The rangatahi described in the vignettes could easily have been those standing in any other whare tipuna where a Kōti Rangatahi was held. Their life stories and the circumstances of their whānau were not uncommon. However, it was critical to understand how whakapapa connections to tīpuna through the Mātaatua waka and environment of the marae shaped tikanga, especially when compared to the tikanga practices of urban pan-tribal marae. Recognising both the commonalities and the nuanced differences between marae settings was essential for understanding the experiences of rangatahi, their whānau, and those involved in the operation of Kōti Rangatahi. While many of the challenges faced by rangatahi – such as disconnection from cultural identity, systemic disadvantage, and intergenerational trauma – were shared across contexts, the way these were addressed varied significantly depending on the cultural foundations of the marae. In particular, marae grounded in whakapapa connections to tīpuna through the Mātaatua waka offered a depth of relational accountability and cultural specificity that shaped the tikanga and processes of the court in distinct ways. This chapter contributed to the thesis by demonstrating how tikanga was not a fixed set of practices, but a living, adaptive framework that responded to the whakapapa, kawa, and values of each marae community. It highlighted the importance of place-based knowledge and relationships in shaping how justice was understood and enacted for rangatahi Māori.

Since this book chapter was published, the landscape of youth care, protection, and justice in Aotearoa continues to shift; some of these changes were highlighted in Chapter Two. An updated reflection on these changes is provided at the end of this chapter, drawing on my noho wahangū experience.

This book chapter was published in *Reppin': Pacific Islander Youth and Native Justice* and is presented without the published abstract and with formatting changed to maintain consistency with the thesis layout. The following text is cited as:

Black, S., Kidd, J., & Thom, K. (2021). Kōti Rangatahi: Whanaungatanga justice and the 'magnificence of the connectedness.' In K. L. Camacho (Ed.), *Reppin': Pacific Islander youth and native justice* (pp. 33-54). University of Washington Press.

## Kōti Rangatahi Whanaungatanga Justice and the “Magnificence of Connectedness”

Stella Black, Jacquie Kidd, and Katey Thom

It was a brisk but sunny May morning in 2015 when we were invited to attend Kōti Rangatahi, a marae-based Youth Court held at Hoani Waititi Marae. Marae are culturally significant meeting places for Māori, the Indigenous population of Aotearoa New Zealand. This marae opened in 1980 in the Western urban area of Tāmaki Makaurau (Auckland), the largest city of Aotearoa, in response to the many dispossessed and landless Māori who found themselves away from their whenua (land) bases. We also came to learn that Hoani Waititi Marae was named after a prominent rangatira (leader) from Te Whānau-a-Apanui. This rangatira viewed education and the maintenance of Māori identity as essential to Māori success. Drawn together by our passions in health, social justice, and inequality research, we now gathered at the waharoa (gateway) of the marae. We were particularly interested in what was taking place on this marae and how its community uplifted Māori youth who had found themselves before the court. This experience would become our first of many observations of Ngā Kōti Rangatahi of Aotearoa.

As people arrived and waited with us to be welcomed onto the marae through the formal process of a pōwhiri (welcome ceremony), the air was thick with nervous energy. Men in suits appeared, and made-up women chatted among themselves, projecting an air of self-confidence. Others seemed disinterested in Māori cultural protocols given their busy preoccupations with their electronic devices. We recognized, as well, lawyers and youth advocates in the crowd. Others evoked friendlier dispositions, as with the rangatahi (Māori youth) and their whānau (family). Later, we learned that government social workers had accompanied the young people and their relatives. Staff from nongovernmental organizations also helped rangatahi to complete their family group conference plans.<sup>3</sup> One lady we spoke

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<sup>3</sup> This research did not include youth service perspectives from nongovernmental organizations.

with was advising a teenager on how to get his driver's license. Another man was a youth mentor who had been working closely with a male rangatahi over several months. They told us how they hoped that the young people would each receive a 282 sentence of discharge without conviction that day.<sup>4</sup>

As the minutes counted down to the start of the pōwhiri, we introduced ourselves to a Pākehā (non-Māori) mother and her son. She gushed about how positive Kōti Rangatahi had been for them. They initially hesitated to come to the marae because they were not Māori, but she was grateful that the marae tangata whenua (local people) had embraced them.<sup>5</sup> We also watched Whaea Ada,<sup>6</sup> a female elder, move deliberately and swiftly among those waiting, as if she was gathering pipi (clams) by the handful and placing them in her basket. Though small in stature, Whaea Ada instructed everyone to gather closer to ensure we could all hear the judge, who was about to join us. Such was her mana, or authority, that adults and youths alike knew she meant business. The judge was well known for tirelessly advocating for the inclusion and normalization of Māori beliefs and practices in an otherwise Pākehā-dominated legal system.

We share our impressions of Kōti Rangatahi at Hoani Waititi Marae to invite further exploration and understanding of marae-based youth justice in Aotearoa. To do so, our chapter is structured into four sections, all of which include passages taken from notes and reflections. In the first section, we contextualize Māori and Pākehā justice, address the co-option of Indigenous concepts by white settler states, and explore the development of Kōti Rangatahi as a judicial initiative. In the second section, we foreground our interviews and observations in a kaupapa Māori (Māori practices, values, and worldviews of being Māori) methodology and demonstrate how the concept of whanaungatanga (relationships) underpins the interactions between Māori youth, their elders, and the wider community, thus showing

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<sup>4</sup> Section 282 of Oranga Tamariki Act 1989 gives the court the power to discharge a charge in the Youth Court.

<sup>5</sup> As the study progressed, we did not meet another non-Māori rangatahi participating in Kōti Rangatahi.

<sup>6</sup> Pseudonyms have been used in this chapter to protect the anonymity of the research participants.

how Ngā Kōti Rangatahi promote the development and maintenance of relationships. In the Māori language, whanaungatanga best encapsulates this process, one that has been theorized as a “dynamic and innovative” system of relationships (Pihama et al., 2003). Whanaungatanga also includes connections to one another, our ancestors, whānau (family, both deceased and living), and the environment. Historically, Māori have primarily formed whanaungatanga connections by way of their genealogies, but for many contemporary Māori, colonization has fractured these vital relationships and identities. Therefore, we recognize whanaungatanga as a foundation from which to restore and strengthen a sense of belonging for Māori youth who may otherwise feel excluded and disconnected.

In the third, findings section, we draw on the expertise of the kaumātua (elders) and youth justice stakeholders to explicate whanaungatanga justice as an Indigenous justice model. Elders represent numerous marae connections across Aotearoa, and the youth justice stakeholders often assume the roles of coordinators, judges, lawyers, lay advocates, police officers, and social workers. We then show how three Māori principles have informed this collaborative effort to understand and practice whanaungatanga justice in the Kōti Rangatahi. We do this by focusing on the following three themes that came out of our research: (1) marae setting and pōwhiri (welcome ceremony) as an engagement process; (2) the whakawhanaungatanga (whaka means to cause; in this case, to cause a relationship to happen) circle as a way of sharing pepeha (the detailing of a genealogy); and (3) Kōti Rangatahi as a whānau-for-whānau (family-for-family) approach. In the fourth and final section, we explore some of the challenges related to valuing whanaungatanga justice. The chapter thus intentionally and frequently employs te reo Māori (language) and te ao Māori (worldview) and concludes by envisioning how whanaungatanga justice can shape criminal justice procedures.

### **Māori Justice and Pākehā justice**

Prior to colonization, Māori had their own customs, laws, and traditions that worked to reconcile and restore the relationships between the wronged and the wrongdoer. In Aotearoa,

the first law is tikanga, which guides collective social expectations and responsibilities among Māori (Mikaere, 2007). Tikanga Māori is a complex system of relational values and laws that interact with one another. Although we mainly focus on whanaungatanga in this chapter, other interconnecting tikanga principles include mana (authority), manaakitanga (generosity and care), noa (ordinary), tapu (restrictions), utu (reciprocity and restoration), wairuatanga (spirituality), and whakapapa (genealogy). As with whanaungatanga justice, tikanga differs significantly from the white settler system of Aotearoa that is rooted in both the Westminster model and the Tiriti o Waitangi, or the Treaty of Waitangi (Black et al., 2017).

The lesser-known Tiriti o Waitangi was signed by representatives of the British Crown and some Māori chiefs in 1840 to assert Māori authority and to enable the monitoring of each political entity. But history indicates this did not happen. The Tiriti had little positive effect for the Māori until breaches were lodged against the Crown in the very judicial system that had stripped away Māori land and fractured social structures and language bases (See *New Zealand Māori Council v Attorney General* 1 NZLR 64 (1987). Known as the Lands case). Such protest crystallized in the Māori social movements of the late twentieth century with some Māori leaders striving to assert Māori authority and to reset the terms of engagement between Māori and the Crown. The words of Sir Apirana Turupa Ngata of Ngāti Porou, commissioned as the first Māori lawyer in 1897, are instructive in this regard. A politician and scholar, he fashioned the now popular whakataukī, or proverb, “E tipu e rea, ko tō ringa ki ngā rākau a te Pākehā, hei ora mō te tinana, ko tō ngākau ki ngā taonga a ō tīpuna Māori, hei tikitiki mō tō māhuna.” The proverb encourages Māori to “use the tools (modern technology and knowledge) of the Pākehā” and to “hold fast and retain the treasures handed down by your ancestors and display them with pride.” In essence, Tā Apirana urged Māori to embrace Western philosophies in order to advance, while also ensuring to retain, their cultural identity. However, critics have argued against embracing a Pākehā justice system that has provided little “justice” for Māori. Many also oppose the integration of Māori traditional customs and

laws by the Pākehā structures that retain power. The use of Māori concepts and practices by state agencies has even been described as artificial, lacking the requisite Māori knowledge and underlying cultural meanings (Tauri & Webb, 2012). A criticism of Ngā Kōti Rangatahi concerns the question of who is perceived to wield power, Māori or the state. One study found that the Pākehā justice system, which dogmatically focuses on impersonal administrative tasks, resulted in a detached form of interaction that often overshadowed the Māori spiritual aspects central to maintaining connections with one another and the world (Waititi, 2012). Māori scholars asserted that only a separate Māori justice system that understands the realities of Māori offending and the impacts of colonization can achieve justice (Jackson, 1987). Other colonial governments similarly indigenized their criminal justice systems, leading to the oppression of Indigenous communities (McCaslin & Breton, 2008).

Presently, Māori make up roughly 12.5 percent of the national population over fifteen years of age. But Māori tāne (men) have made up half of the adult prison population in New Zealand for the last thirty years, whereas Māori wāhine (women) have accounted for 62 percent (Ministry of Corrections, 2019). The patterns of Māori overrepresentation in apprehensions, arrests, prosecutions, and imprisonment often begin in childhood (Cleland & Quince, 2014). In fact, Māori youth are three times more likely to be known to the police before they turn fourteen and six times more likely to be apprehended than non-Māori children (Spier, 2016). Although the latest data indicates that most children and young people are dealt with outside the court system, this trend does not hold true for Māori youth (Ministry of Justice, 2018a). Research shows that many youth who progress to court appearances will be Māori with complex problems (Ministry of Justice, 2018c). Some of the issues that influence Māori youth offending include state care trauma, abuse, victimization, and disadvantage related to income, housing, employment, and education (Gluckman, 2018a).

A systemic bias about and a targeted approach to Māori therefore exists at all levels of the Pākehā criminal justice system. This carceral frame mirrors the colonial discourse experienced

by other Indigenous peoples (Cunneen, 2006). Colonialism has left an indelible scar on the minds and bodies of Indigenous people around the world. Aboriginal and Torres Strait people, for example, account for just over a quarter of the total Australian prison population despite being only 2 percent of the nation's makeup. In Canada, the First Nations community makes up just over 4 percent of the national population but represents 28 percent of the prison population (Zinger, 2018). American Indians are also more likely to be incarcerated after appearing in federal or state court in the United States (Rolnick, 2016). As Eileen Baldry and Chris Cunneen argue, racism, victimization, and disempowerment constitute the strategies and techniques of colonial patriarchy in white settler states, particularly for Indigenous women (Baldry & Cunneen, 2014). If "justice" is to be realized for Indigenous peoples, then transformation must come by way of their laws, remedies, and languages.

Regardless of the criticisms, intergenerational patterns of Indigenous incarceration exist and continue to cause intergenerational harm to Māori familial networks. To pit proponents of Indigenous sovereignty against advocates using the Indigenous tools within this Pākehā system does not help the very rangatahi (youth) and whānau (families) who need support most. In Aotearoa, much debate took place among rangatira; only when one kuia insisted that the focus should be on rangatahi who were constantly getting into trouble was the use of marae and tikanga supported as an alternative legal process (Thom, 2015). For example, Indigenous problem-solving, peace building, and restorative practices based on customary law are used globally. The Afghani observe jirga as a process of consensus building (Wardak, 2003); the Kānaka Maoli of Hawai'i practice ho'oponopono, an 'ōiwi (native) form of reconciliation (Walk, 2012); the Haundenosaunee (Iroquois) honor the Deganawida or Tekanawita the Peacemaker (Buck, 2016); the Navajo or Dine apply Hozhooji Naat'aani as peace planners to achieve harmony (Bluehouse & Zion, 1993); and the ubuntu or botho (deep respect for humanity) operate as a parallel legal system in Africa (Rautenbach, 2015). The degree to which common law and Indigenous law are applied in each jurisdiction and locale differs. They all offer

contrasting models, whether an integrated or separate legal system of justice, for the inclusion of Indigenous elders, customs, and languages.

### **Ngā Kōti Rangatahi**

Although legislation has long existed to enable judges to hear criminal cases on marae in Aotearoa, this discretion has rarely been taken up (Keating, 1999). During the 1950s, for instance, tribal and Māori committees operated on marae as quasi-judicial bodies. Although they aimed to resolve local offending and improve Māori welfare, they were largely ineffective because they had little authority in the Pākehā justice system (Hill, 2009). Along with the authorisation and support of rangatira (leaders) and kaumātua (elders), Māori judge Heemi Taumaunu in 2008 made a concerted move to utilise marae as a Youth Court setting. Although Māori communities debated the intrusion of Pākehā law on marae, they ultimately could not ignore Taumaunu’s judicial initiative to increase marae-based care for disconnected Māori youth and their families (Taumaunu, 2014b).

The first Kōti Rangatahi was held at Te-Poho-o-Rawiri marae, Gisborne. Fifteen Kōti Rangatahi now operate throughout the country, with fourteen in the North Island and one in the South Island. In 2010, two Pasifika Youth Courts were also set up in South and Central Auckland to offer Pacific youth an environment in which the processes of “law, culture and faith” are brought together (Ministry of Justice, 2016).<sup>7</sup> As in the Pasifika court that has a Pasifika judge, Māori judges often preside in Kōti Rangatahi, although non-Māori judges are called upon to provide cover when required. Māori judges are pooled from the more than forty Youth Court judges who primarily work out of twenty-two main centers in Aotearoa (The District Court of New Zealand, 2019). The emphasis on Māori judges sitting in Kōti Rangatahi allows the

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<sup>7</sup> For the Kōti Rangatahi and Pasifika Youth Court judges, elders, and youth speaking about these court processes.

rangatahi (youth) and the whānau (families) to observe and practice Māori notions of connectedness and justice on the marae.

Youth justice professionals also play a critical role in promoting Kōti Rangatahi. Some of them are employed by the Ministry for Children, formerly known as the Department of Child, Youth and Family. This government agency is charged with caring for our most vulnerable children.

Each rangatahi is first appointed a youth advocate; for continuity, the advocate represents the same young person if subsequent offending occurs. A social worker assesses the needs of the rangatahi while the youth justice coordinator works with other youth justice stakeholders, the youth, and families to facilitate the family group conference (Cleland & Quince, 2014, p. 114).

A rangatahi is also entitled to help from a court-appointed lay advocate; this may take place after a charge has been laid before the Youth Court. The lay advocate provides support for the young person and their whānau and ensures the court is aware of any relevant cultural matters. A police prosecutor presents the case against a rangatahi in the Youth Court.

During the proceedings, the judge is guided by the kaumātua (male and female elders) on marae kawa (protocols). In this setting, kaumātua are valued for their expertise in te reo Māori (Māori language) and mātauranga (Māori knowledge). As Hoani Waititi is a pan-tribal urban-based marae, its kaumātua panel includes a diverse range of elders who represent different iwi (tribal community groups) and hapū (sub-tribal group made up of extended families) throughout the country. In this manner, as a prominent kaumātua based in the Kōti Rangatahi of the Bay of Plenty stated, “[It’s about] promoting with these young people a magnificence of the connectedness of their whakapapa. You might have heard me say, ‘he toto rangatira e rere ana kei a koe.’ [You are the descendant of chiefs.] You know you have to take them out of that desolate world they’re in. They are much more.” As this elder illustrates through his use of the noun “magnificence,” te ao Māori philosophies of whanaungatanga (relationship) and whakapapa (genealogy connection) practices underpin the Kōti Rangatahi initiative. These

philosophies also expose rangatahi to the “magnificence of the connectedness” in learning who they are and where they come from.

A recent report by a chief science advisor attributed the creation of a direct prison pipeline for young Māori to their cultural disconnections, marginalization in society, ongoing experiences of trauma, and state care (Gluckman, 2018a, p. 7). In 2017 alone, Māori made up 64 percent (n = 1,197) of all youth charged for property- and robbery-related offenses. Overall, 600 youth received sentences; of this number, 36 acquired an adult conviction for the serious offenses like murder and manslaughter (Ministry of Justice, 2017). In the same year, 349 rangatahi opted to attend Kōti Rangatahi, meaning that 40 percent of Māori youth in the Pākehā criminal justice system preferred the genealogy, reconciliation, and justice of Kōti Rangatahi (Ministry of Justice, 2018b) . The numbers were low because Māori youth have been limited to only fifteen Kōti Rangatahi marae locales. In fact, a press release from the former minister of justice and minister for social development indicated that rangatahi who attended Kōti Rangatahi committed 14 percent fewer offenses and were 11 percent less likely to reoffend (Flavell & Adams, 2016). In light of these small but positive results, more Māori communities have been calling for their own marae Youth Courts.

### **A Kaupapa Māori Methodology**

As mentioned earlier, a kaupapa Māori methodology informs our exploration of the underpinning Māori customs, laws, and traditions in Ngā Kōti Rangatahi. This approach affirms Māori voices, philosophies, and practices (Hudson et al., 2010). This process also involves the consultation of communities prior to the formalizing of the research and seeks their feedback during the data analysis to ensure that their voices are accurately represented (Hudson et al., 2010, p. 14). Ultimately, a kaupapa Māori approach strives to honor the voices of those living their contemporary realities over and beyond Western scientific theories that do not value community-based knowledge in Aotearoa (Eketone, 2008, p. 336). As a kaupapa Māori study, our research depends on kaumātua support for success. For instance, the elders of Stella Black,

the principal author, provided valuable research assistance for our team. Their guidance helped us to navigate tikanga customs, particularly during the marae engagement processes. By following a kaupapa Māori methodology, we observed Māori elders, youth, and families and youth justice professionals. Although we did not speak directly with the rangatahi and whānau, the ethnographic nature of our research allowed us to interact with court participants. Our research also took place in three other marae locales, but for the purpose of this chapter, we focus on Hoani Waititi Marae, a sacred and urban meeting place in West Auckland. Early consultation occurred at each of the four marae sites. With our elders' direction, we followed the kawa (protocols) of each marae. Generally, this involved a mihi whakatau (informal welcome) that began with a karakia (blessing), mihi (greeting/introductions), and kaupapa (a presentation about our purpose) and ended with a karakia (blessing). Our gatherings also included the sharing of kai (food). In every site, the elders of the marae asked, "Whose research is this and who are you?" In the end, we received unanimous support to proceed with our research project (Black et al., 2017, p. 41). The close connection we forged with the tangata whenua at Hoani Waititi Marae has especially enabled our ongoing research.

At Hoani Waititi Marae, we collected observation data over eight months, enabling us to become familiar with the setting, learn the protocols for each marae, build rapport with the communities, and solidify emerging ideas. Overall, we interviewed a total of nine individuals, with Stella Black conducting most of the interviews. Two group interviews and one individual interview were conducted with elders; one comprised six kuia (female elders), and another concerned two male kaumātua who were crucial to the running of the marae. Other participants included an education officer, marae managers, and youth workers. We also wrote field notes during and soon after our observations.

Afterward, we adapted a basic coding framework that was also used in a wider study comparing two specialist criminal courts in Aotearoa (Thom et al., 2018). These codes included

a description of participant roles and practices, the cultural and legal models that influenced them, and the challenges that they faced. We then read a selection of the transcripts and compared their emerging ideas and analyzed these points before we merged them into the different NVivo “trees.” Stella Black, in particular, completed the same exercise across the merged NVivo database as a secondary check of analysis, and codes were brought together into categories. We then identified themes across the data as well as discussed, tested, and in some cases redefined the data (Braun & Clarke, 2006). Jacquie Kidd, our secondary author, and Stella Black then ensured the accurate coding and analysis of cultural interpretations.<sup>8</sup>

In presenting our research findings to Hoani Waititi kaumātua, we drew extensively on the direct quotes of the participants and analyzed their words within the context of Ngā Kōti Rangatahi. By doing so, we highlighted the distinct perspectives among the different professional groups. In order to illustrate our three themes, we included our field notes and personal reflections. As per our kaupapa Māori methodology, we also invited the elders at Hoani Waititi to provide feedback about our findings (Hudson et al., 2010). Seven kaumātua attended. We discussed the long and reflexive process of developing whanaungatanga justice, a Māori concept grounded in the data and expressed in the philosophy of Ngā Kōti Rangatahi. We also delivered several presentations at national and international meetings. In our ongoing engagement with the marae kaumātua, we confirmed the magnificent connectedness of whanaungatanga. As we demonstrate, we found that whanaungatanga flourished on the marae, thereby deeply connecting the tikanga relations between rangatahi and kaumātua alike and supporting the healing process for their whānau.

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<sup>8</sup> We are aware that post-analysis feedback from marae kaumātua would be essential to add another layer of collective analysis to the data.

## Research Findings

Three themes surfaced that provide a glimpse into the whanaungatanga justice practiced by the youth justice stakeholders. The first theme focuses on the marae setting and the pōwhiri process. The second theme, the whakawhanaungatanga circle, or establishing connections, refers to Māori cultural values that the marae implemented in Kōti Rangatahi, creating a sense of connection and equality among all parties. The third theme, a whānau-for-whānau approach through whakapapa, describes how the whānau established a sense of belonging for rangatahi and their whānau. Two of the themes begin with our personal accounts, and the last one ends with a vignette drawn from our observation and interview data. We then conclude our chapter by considering several challenges faced in implementing whanaungatanga justice in Ngā Kōti Rangatahi.

### Theme 1: Marae Setting and Pōwhiri

Waiting at the gateway of Hoani Waititi Marae, we huddled around to listen to the judge explain for those unfamiliar with the pōwhiri process what would happen. He outlined the marae kawa (protocols) that would be observed at this marae. This was helpful as each marae has its own kawa. The judge then pointed out that it is customary for the pōwhiri to take place entirely in te reo Māori (the Māori language). He explained, as well, that the pōwhiri would begin with the kuia (female elders) performing the karanga (call) and inviting us onto the marae atea (courtyard) before entering into the whare tipuna (ancestral meetinghouse). Speeches would then ensue, concluding with the joining of both the manuhiri (guests) and the tangata whenua (marae hosts).

As we stood ready to enter, the high-pitched lament of the first karanga (call) pierced the air and reverberated across the marae atea (courtyard). We saw the kuia standing at a distance in front of the whareniui (meeting-house). Her call welcomed us into the heart of the ancestral meetinghouse, aptly named Ngā Tūmanako, or The Dreams. As part of the visiting party, the

wāhine (women) followed closely behind Whaea Ada as she replied with an equally powerful call. The interchange made our hair stand on end, and we were again reminded that the pōwhiri was a tapu (sacred) process. As such, the aural vibrations of the energy that surrounded us actively operated at a wairua (spiritual) level. Over the following months, we came to realize that these formal exchanges in te reo (Māori language) became the first set of dialogue to transform rangatahi from “offender to rangatira.” Rangatahi then effectively began to view and reshape themselves into rangatira or leaders.

As we removed our shoes and entered Ngā Tūmanako, we were struck by the majesty of this beautifully sculptured wharenuī. Intricately carved poupou (wall pillars) and patterned tukutuku (lattice work) panels lined the walls, symbolically representing the multitude of links via waka (canoe), iwi (tribal), and spiritual connections. A karakia (blessing) then signaled the beginning of the speeches as the kaumātua (male elders) on each side delivered their whaikōrero (speeches), paying due respect to, among other things, the land, the wharenuī, the dead, and the living. Herein came the second set of counternarratives that changed the labels of the rangatahi (youth) from haututū (troublesome) or hīanga (mischievous) to that of taonga (precious beings). After the speeches, the hosts and guests then came together to share hā (breath of life) through hongī (the pressing of noses). In this manner, the reciprocating of the breath of life between everybody represented a change in their relationships with one another. As one elder of Hoani Waititi Marae stated, “Welcome, you are now whānau, which means you are now free to go help clean up in the kitchen.” In essence, he indicated that a deeper relationship now existed between manuhiri (guests) and tangata whenua (hosts). Unlike the impersonal and detached forms of Pākehā justice, the pōwhiri unites strangers as a family. But this invitation comes with kin obligations and responsibilities.

In the Kōti Rangatahi setting, many rangatahi did not know which marae they came from, did not understand their whakapapa (genealogy), and did not comprehend the pōwhiri ceremony. This is not surprising given their colonial history and carceral environment. And unlike the

Youth Courts of the Pākehā criminal justice system, Kōti Rangatahi is not a quick process. Much time is set aside for the purpose of fostering whakawhanaungatanga or becoming connected with one another. Beginning with the pōwhiri, the participants in this study acknowledged that marae-based justice, over time, sought to create a respectful and welcoming space within the community. As one elder explained, this “isn’t a Pākehā court. You meet at nine o’clock . . . and then work out what we’re going to do when we get there. This takes them [the youth justice professionals] out of their comfort zone.” In fact, the participants suggested that the youth were respectful on the marae and that they overcame any anxieties after being embraced with aroha (love) during the pōwhiri. Participants commented, as well, that the youth quickly adapted to the marae environment and, in some cases, formed an affinity with the kaumātua.

Participants also described the marae as an equalizing environment in that the same Māori customs applied to everybody, including Pākehā and other non-Māori. This was particularly noted during the pōwhiri when the community gathered. As a child youth and family manager noted, the “young people, their whānau, the professionals, the judge . . . there’s no separation so you’re all sitting in the same level.” The way interactions with the youth are carried out can readily foster an inclusive environment. As one elder stated, “The way that we deal with the kids is like we’re talking now. It’s not a stand over, I’m a rangatira, I’m this and I’m that, it’s ‘bro,’ that’s how we talk to them. To me it’s that interactive way that the marae communicates with people that puts people at ease.”

Several interviewees noted that the marae became a place where the rangatahi could just be themselves. For example, a police youth aid officer explained that they were not labeled as “offenders” through their time in the Kōti Rangatahi. This distinction was acknowledged in the karanga (the call at the pōwhiri) and the whaikōrero (the speeches held at the pōwhiri), as noted by the police youth aid officer: “When they come on to the marae . . . we don’t call them offenders . . . they’re called ngā rangatira, ‘haere mai ngā rangatira’ when we refer to them in our whaikōrero, we don’t call them offenders. I call them like our taura, our students o ngā

mātāwaka, actually, you're not offenders, you're ngā uri a ngā tīpuna, you're the descendants of our ancestors."<sup>9</sup> One kuia commented that having Kōti Rangatahi on the "marae is the best thing." By bringing the youth into the wharehau (meetinghouse), rangatahi were able to establish connections to their tīpuna or ancestors embodied in the carved posts on Hoani Waititi Marae. The marae thus became a place without prejudice, therefore enabling Kōti Rangatahi stakeholders, elders, and the wider community to restore the respect and status of rangatahi.

## Theme 2: Whakawhanaungatanga Circle

At Hoani Waititi Marae, the kawa (protocols) utilized on Kōti Rangatahi days differ from its usual kawa in that everyone is invited to form a circle for the purpose of introducing themselves, usually in te reo Māori. The time this takes varies depending on the number of people in attendance, but the process can be anywhere from twenty to forty-five minutes. Each person introduces themselves with a mihi (greeting) and pepeha (the detailing of a genealogy), sharing their genealogical links to waka (canoes), maunga (mountains), awa (rivers), moana (oceans), iwi (tribe), hapū (subtribe), marae (meeting place), tīpuna (ancestors), and whānau (family). Each person then recites their pepeha in an individualized and unique way that honors their lineages. Demonstrating the diverse protocols of the marae, one kuia fluent in te reo also admitted at a marae we attended that she was not used to sharing pepeha, as this was not a tikanga practice on her marae, but because she was a guest like us, she followed the protocols of Hoani Waititi Marae. Another kuia sang a waiata (song) that traced her lineage connections. As each person took turns and shared their genealogies in te reo, some struggled to recall or pronounce their pepeha. However, nearly all conveyed "ko

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<sup>9</sup> Our translations include rangatira (leader), whaikōrero (speech), taurira (student), ngā (plural), ngā mātāwaka (descendants of many waka or tribal affiliations), ngā uri (smaller tribal grouping), and ngā tīpuna (ancestors).

wai au, nō hea au,” or “who I am, where I come from,” as a way to identify the genealogies that bind one person to another.

In our observations, the participants powerfully expressed whakawhanaungatanga (to cause a relationship to happen) during the whakawhanaungatanga circle. During these exchanges, their offering of aroha (love) became most evident in the sharing of their personal stories. The following observations from our field notes exemplify their whanaungatanga justice and connectedness:

*A visiting international Professor made a connection with a youth advocate; after realizing they grew up around the corner from each other in a large city of America. (Field notes, September 2015)*

*A vivacious kuia [female elder] who was passionate about rugby league encouraged a rangatahi [youth] to join the local club. What ensued was a lot of jokes, laughter and cheerfulness among the kaumātua, judge, and the police. Humor came naturally and was often utilized to balance the seriousness of a court proceeding. (Field notes, October 2015)*

*A lay advocate spoke about the impact of suicide in his whānau, it brought home the very real impacts rangatahi face and the role everyone has in providing support. (Field notes, May 2016)*

As these exchanges reveal, it was not uncommon for people to trade stories about how they were drawn and connected to one another. Their personal insights about suicide left those gathered in somber silence. On other occasions, humor, as noted above, was utilized to balance the serious nature of a situation or as demonstrated in the previous example, to ease nerves. As one experienced social worker disclosed, “I’ve seen them [the youth] engage a lot more in the marae setting, whether it’s communicating by talking. There’s humor, I think that helps a lot to engage somebody, for them to engage and feel like they’re part of it.”

Speaking in front of a large group of people also proved to be a daunting task for many attendees at Kōti Rangatahi. As the participants realized, not only the rangatahi became nervous when they shared their pepeha. Adults, too, appeared anxious during this protocol session. A social worker noted, “It’s cool for our young people to know that as their social workers or as their mentor or their lawyer or whatever, that we’re trying to speak te reo too. And sometimes we sound real fresh and that’s okay, and if we’re not embarrassed it’s even better because then we’re reaching them not to be embarrassed.” For the rangatahi who had never before appeared on a marae, neither the judge nor our hosts at Hoani Waititi required them to share their pepeha during the whakawhanaungatanga circle. Yet the rangatahi often did because they tended to follow the lead of the preceding speakers. As we learned, this tactic and other strategies that involved assistance of a key worker were often observed in the rangatahi court at Hoani Waititi Marae to help rangatahi recall their pepeha.

Indeed, the whakawhanaungatanga circle connected each person in attendance to their ancestors and other people and places. Establishing linkages was often a profound experience for Māori and non-Māori alike because it meant relating to someone who knew more about their lineage or finding common ground. Their personal stories reminded us about the purpose of Kōti Rangatahi, namely, to help rangatahi in their struggle with their everyday lives by connecting them to their own sacred identities.

### Theme 3: Whānau-for-Whānau Approach

After the completion of the pōwhiri at Hoani Waititi Marae, Rewi and his whānau patiently waited outside for his case to be called. He and his family were then invited into the wharenuī (meetinghouse). Rewi, a young Māori and the subject of our closing vignette, then delivered his pepeha before introducing his whānau and other supporters. He also acknowledged his koro (grandfather) and relatives for traveling three hours to assist him at this marae in West Auckland. The judge asked if he “deserves that kind of care, that his aging koro would travel

that far just to support him in Kōti Rangatahi.” Rewi did not answer; he just shuffled from foot to foot as he looked down at his feet. His lay advocate and lawyer then provided their updates. Afterward, the kaumātua spoke to Rewi. As the kuia (female elder) began to talk, Rewi leaned in to hear her: “Rewi your koro and whānau are here to support you, and everyone is helping you to learn your pepeha, so that you know ‘ko wai koe, nō hea koe’ [who you are and where you come from].” Another kaumātua then turned to Rewi and said, “When I saw you during the break, you appeared lost, and you asked for an orange juice, and we didn’t have that in our wharekai [eating house] to give you. I believe you are in the right place here in Te Kōti Rangatahi, but I challenge you to look around you and take in what the marae has to offer you here and now because it can fill you up and sustain you for life.”

Before closing, the judge queried if anyone had anything more to add. Rewi’s grandfather then stood and was brought to tears. He declared, “He’s a tutu (rebellious) boy, easily distracted, but we all really love him,” then grabbed Rewi, and as they embraced, Rewi snuggled into his koro’s chest. There was joy in the meetinghouse. And as Rewi completed his very last appearance in the Kōti Rangatahi, he received a 282 or discharge without conviction. The community then invited Rewi to hongī (sharing of breath) and kihi (kiss) all the members of the Kōti Rangatahi panel. The police prosecutor shook Rewi’s hand and wished him well, as did the court supervisor, the court registrar, the judge, and, finally, the kaumātua (elders) and kuia (female elders).

In the second theme, we focused on the power of the whakawhanaungatanga circle to establish connections between oneself and others. In the vignette about Rewi, observational data further demonstrates how relationship building and holistic well-being underscore marae-based justice. The vignette also describes how Ngā Kōti Rangatahi is a whānau-for-whānau approach led by kaumātua. In this respect, Kōti Rangatahi did not duplicate the impersonal features of the Pākehā justice system. Rather, kaumātua are viewed as the cultural experts who model cultural values and practices. The kaumātua who took part in this research ranged

in age from their fifties to eighties and represented many tribal affiliations. In addition, the kaumātua had diverse backgrounds and a wealth of experiences as academics, factory workers, managers, and teachers. Some worked closely with whānau in a range of social services and programs.

Regardless of how culturally disconnected rangatahi might be, one Ngāpuhi (Northland tribe) kaumātua stated he could always establish whakapapa (genealogical links) for the rangatahi by relating their connections to their ubiquitous tīpuna, Chief Kupe (Walker, 2004, pp. 34-37).<sup>10</sup> As this elder explained, chief Kupe traveled from Hawaiki to the land we now call Aotearoa. He further clarified, “A lot of people say pepeha is the identity, tikanga, when you learn tikanga, pepeha is the first thing you learn; yes, and that’s the identity. Identity, it comes from whakapapa, tātai whakaheke go right back, and that’s where I take our young people, back to Kupe.” As a participating youth justice coordinator reported, the genealogical links of the youth became enhanced by way of their whakapapa knowledge: “Through whakapapa, that’s how we operate. We practice by whakapapa first and foremost.” Another participant added that their practice was based on whakapapa, which is key to whanaungatanga and making connections: “I think it’s all about connection. I think that’s the one word that encompasses everything of what this [Kōti Rangatahi] is all about. Connection and all its forms, connection to whakapapa, to your lineage, connection to your urban marae, and connection to your community through community work and different things.”

Within the Kōti Rangatahi setting, the kaumātua thus established numerous whakapapa connections with the rangatahi. By addressing questions of “Who am I?” and “Where do I come from?” rangatahi expressed emotional reactions, created new friendships, and renewed their ties with the kaumātua, meaning that they felt comfortable among the elders. Over

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<sup>10</sup> Māori oral history records that Kupe was a great explorer who traveled to Aotearoa from his homeland in Hawaiki.

several months, we even witnessed transformations in the demeanour of some young people, from being shy and withdrawn to being more confident about their journey of self-discovery and cultural identity. Such interactions embody what we mean by whanaungatanga justice, that is, as a kaumātua said, “whānau being used to help whānau.” As one social worker put it, “I think it’s really a family atmosphere, and I can say that the kai [food] the marae is providing is really . . . you know, it breaks the ice of the family to share everything . . . release your ideas and feelings and be really connected to the others.”

As we have shown, these three main themes demonstrated whanaungatanga justice in action within the Kōti Rangatahi setting. The marae space both enabled and represented many layers of connectedness across temporal and spatial planes. In the pōwhiri process, we heard the narratives that upheld the power of the youth as future leaders. We also saw how the marae required the youth justice professionals to “walk their tikanga,” meaning that they had to put aside their superiority and engage at a relational level with rangatahi and their whānau. The whakawhanaungatanga circle also rightly proved to be a challenging arena for adults, let alone for rangatahi. Yet this forum powerfully motivated the youth to learn and practice their genealogies. Traditionally, Māori are an aural and oral society, where ancestors repetitively recited whakapapa history and ancient karakia (incantations). It makes sense that a similar process could be used in this pan-tribal marae setting. Knowing that we can connect to one another, the last vignette offers a model by which we can operationalize whanaungatanga justice as a whānau-for-whānau approach led by kaumātua.

### [Resourcing and Valuing Whanaungatanga Justice](#)

Despite the clear value of Ngā Kōti Rangatahi, participants raised concerns about the limitations in resources to support tikanga values within this court setting and the marae more generally. For instance, the marae hosts spoke about the difficulty in ensuring enough people were available to welcome, engage, and feed their guests. Quite often, marae-based health and social services called on their staff to fulfil many of the roles for Kōti Rangatahi. As a result,

some staff lost time and productivity with their core businesses. And whenever the marae lacked additional services, the hosts heavily relied on the tangata whenua (locals) and their resources to ensure optimum manaakitanga (hospitality). In some situations, Kōti Rangatahi even struggled to have basic support whenever several of the marae kaumātua were unavailable because they needed to attend tangihanga (funeral).

Another issue raised during the interviews relates to the financial short- fall in meeting the cost of manaakitanga or the generosity for Kōti Rangatahi. The Ministry of Justice would pay a set amount to each Kōti Rangatahi marae, and each marae would determine how to best use these funds, such as with the preparation of food. As one participating elder noted, “we always make sure there is reasonable kai because we know our kids are always hungry” while also noting that funding does not fully cover the cost of hiring the marae and catering. This meant that the marae usually “ran at a loss.” Another participant added that catering for the rangatahi court differed from catering for other marae purposes. For example, a marae may collect koha (e.g., gifts like food or money) during a funeral or hui (gathering) from attendees as a form of reciprocity. Only one marae in this research collected koha before the Kōti Rangatahi pōwhiri; this kawa (protocol) was not followed in the other marae sites. Thus, the marae that participated in this research faced challenges in balancing their financial shortfalls despite receiving nominal financial assistance from the Ministry of Justice. A kaumātua had the following to say about the lack of adequate investment in Kōti Rangatahi:

*If it fails, a kid fails, and then they'll say, “We sent them down to the marae, they went through the Kōti Rangatahi, and they still failed.” They don't look at what were, the lack of resourcing that were here, what was the lack of support It's a real unbalanced way of thinking the system's got.*

They want to use the things that work, but they don't want to invest in it because it's going to show that they're inadequate to actually deal with it. Like we can, we can do a better job than the system can.

As these sentiments illustrate, some marae participants felt that the government disregarded the mana (authority) of the marae and its people. Over the span of this kaupapa Māori study, the kaumātua panel went through some changes in membership, but there was a core group of four kaumātua who provided consistency in Kōti Rangatahi. Many elders agreed with the sentiments expressed by a kaumātua who noted, “i tāku wairua kei konei,” meaning “my spirit is within this work.” However, one kuia (female elder) said she felt her contribution within Kōti Rangatahi was “not valued” and left in order to use her skills elsewhere. Across the entire research project, this sentiment was echoed by other elders who agreed it was difficult to balance the needs of the rangatahi with the financial difficulties. The kaumātua suggested that the government could strengthen the kaumātua panels as well as offer stipends to acknowledge their leadership roles on the marae.

## Conclusion

Kōti Rangatahi is an Indigenous innovation spearheaded by Māori judges, rangatira (Māori leaders), and kaumātua (elders) as a culturally appropriate approach to meet the needs of rangatahi and their whānau. In our study, we found that whanaungatanga served as a foundational tikanga value and justice principle that can be applied by the elders and youth alike. Within the context of Ngā Kōti Rangatahi, we conceptualize these acts of “whanaungatanga justice” as a culturally appropriate way to welcome rangatahi and their whānau and to support their dialogue and healing. Whanaungatanga justice occurred between the rangatahi through core relational skills that took place on the marae, within the pōwhiri, and in the whakawhanaungatanga circle. Participants especially indicated that the marae setting provided an “ahua,” or atmosphere, that was safe, respectful, and comfortable. In contrast to the hierarchical and detached forms of Pākehā justice, participants suggested that the marae represented a neutral setting that encompassed a spiritual space of equal participation and infinite potential.

The whānau-for-whānau approach that characterizes whanaungatanga justice places the elders as part of the collective and enables them to draw on their mātauranga (knowledge) to help the youth connect or in some cases reconnect as Māori, even when their genealogical links to the marae were not evident (Dickson, 2011). In our study, we found that the kaumātua or elders were very skilled in establishing the whakapapa connections of the rangatahi regardless of where they came from. This was done by referring to far-reaching traditional accounts, including oral stories and the visual records within the wharenui (meetinghouse) and whakairo (carvings). We also observed that the participants accepted Māori justice as a way to care for the future generations of rangatahi.

If we are to engage disconnected rangatahi and their whānau, then we must advance a collaborative mindset and approach from the outset (Becroft & Norrie, 2015, July 13 - 14). By doing so, we can uphold the kōrero (voice) and mātauranga (knowledge) of the kaumātua, the rangatahi, and tāngata whenua (local people) across the different marae. Whanaungatanga justice should also keep all Māori out of the Pākehā criminal justice system and connect them to te ao Māori (Māori world) where their tikanga or culture prevails. This can happen if whanaungatanga justice occurs through the pōwhiri engagement process and related Māori protocols of connecting the genealogies of the old and young. Like the conciliatory processes of other Indigenous youth examined in this anthology, whanaungatanga justice represents a magnificent tikanga value that can and should be used in every legal process in Aotearoa.

### **Noho wahangū**

The insights shared by the kaumātua in the other Kōti Rangatahi marae locations have continued to shape my doctoral journey. Though many kaumātua have since passed, their kōrero tuku iho lives on in these pages and are a testament to their mātauranga, aroha mō ngā rangatahi, ngākau nui, wairua and the mauri they shared in the Kōti Rangatahi space endures in our memories. Their presence also remains woven through every chapter, guiding the kaupapa forward. I want to mihi again to acknowledge the contribution of the kaumātua in

each of the Kōti Rangatahi marae investigated in the research project. Each provided a unique perspective of what tikanga is in their respective marae settings. Each of the Bay of Plenty Kōti Rangatahi initiatives based in the provinces provided a mix of urban and rural demographics aligning with the makeup of the varying hapū and iwi to their marae and whenua. Te Kōti Rangatahi o Te Arawa is an initiative supported and endorsed by the koeke from across the rohe, which includes rurally based whānau as far away as Te Urewera. In Tauranga Moana, the honour of hosting Kōti Rangatahi when this research took place occurred at Huria marae, hosting alternated yearly between Huria and Maungatapu marae. Tauranga Moana, like the rohe of Te Arawa, includes urban and rural marae. While this thesis primarily focuses on Te Kōti Rangatahi o Mātaatua, where possible the wider learnings have been included to strengthen the wealth of knowledge, pūrākau and insights that were shared by all who participated. The insights in Chapters Three and Four go some way to sharing some of these learnings. Most importantly, an examination of other Kōti Rangatahi locales also visited during this research provided a lot of comparative data for exploring what is tikanga in Ngā Kōti Rangatahi.

Hoani Waititi Marae was the third marae to embrace having rangatahi court. There are now 16 in total, with the last one launching in Hawkes Bay in 2020 on Te Aranga Marae. Hoani Waititi Kōti Rangatahi has accumulated 16 years of experience in this space. During my time throughout this doctoral journey and while conducting other research at Hoani in these judicial spaces, I have observed the depth and breadth of the work that a wide range of kaimahi and marae kaumātua are invested in.

Blank-Penetito (2019) also explored Te Kōti Rangatahi o Hoani Waititi Marae and found similar findings to our research that whanaungatanga carries many deeper cultural meanings underlying a sense of responsibility and obligation to our rangatahi whether they are of our uri or not (pp. 48-52). This master's thesis also supports our findings that Kōti Rangatahi provides

a space on the marae where kaumātua can encourage rangatahi and their whānau to embrace their Māori identity (Blank-Penetito, 2019).

A challenge identified in our research related to the lack of resourcing – this was also mirrored in Blank-Penetito’s (2019) findings of being constrained by the system (2019, p. 69). A positive change that has taken place since both of these publications is that the kaumātua panellists are recompensed for their time and mātauranga – although our research found that some kaumātua would tautoko this initiative even if that were not the case. As one kuia noted, “he tāku wairua he konei; my spirit is within this work” implying they would do this work for aroha (Black et al., 2021, p. 50). However, I agree with Blank-Penetito that the solutions for rangatahi Māori and their whānau can be found in our hāpori but especially on our marae. As highlighted in this chapter, the marae setting – in particular, this pan-tribal urban marae – can be used to make a whakapapa connection for any rangatahi that appear there.

The power of the pōwhiri discussed in this chapter may be considered tokenistic if the mātauranga knowledge is not translated and shared with rangatahi and non-Māori alike. The potentiality of our cultural spaces and practices on our marae cannot be underestimated; in this space, the tāngata whenua, particularly our kaumātua, carry the heavy burden of making these engagements culturally meaningful and above reproach so as not to be considered tokenistic. In terms of the requirement for rangatahi to learn their pepeha being tokenistic, as suggested by Blank-Penetito’s (2019) research, in my observations of Te Kōti Rangatahi o Hoani Waititi, there were kaumātua who shared that they were not brought up with the process of reciting their pepeha, but there was a willingness to adapt to the tikanga of Kōti Rangatahi. The kaumātua understood they were modelling tikanga practices – the sharing of whakapapa and whanaungatanga practices were therefore deeply meaningful rather than tokenistic. In my whānau, my own Tūhoe kuia would agree the sharing of pepeha or whakapapa connections were largely an unnecessary practice because you were generally known. My aunty shared that whakapapa knowledge is a real taonga and the practice of

sharing ko wai au, no hea au was viewed as being whakahīhī or being a show off. The reality today, however, is that many who have moved away from their whānau are not known (Black, Thom, et al., 2023) and within Kōti Rangatahi, many do not know who they are as Māori.

As a pan-tribal urban marae, Hoani Waititi Marae provides an excellent overview of the complexities amongst not only the rangatahi and their whānau but also all the youth justice stakeholders involved. It is for this reason that it was important to include this work in this thesis. A West Auckland kōti has to adapt to diversity amongst their rangatahi and whānau as the majority do present with little cultural knowledge and connectedness. Years of experience working with whānau involved in the criminal justice system has led them to creating a whakapapa database to aid them in making whakapapa connections not only for the rangatahi in kōti, but also for the adults appearing at the marae for other Ministry of Justice and Corrections programmes (Black, Thom, et al., 2023). Exposure to the marae and learning “ko wai au” and their culture is the magnificence of whanaungatanga. The makeup of the kaumātua panel for Te Kōti Rangatahi o Hoani Waititi has changed a lot since this research was conducted, with many elders having passed away. The kaupapa and the intent in supporting the rangatahi and their whānau through this marae-based court process aligns with the desire of Hoani Waititi himself, who saw cultural connection as the transformation element (Black, Thom, et al., 2023).

There are a number of reasons why rangatahi and whānau have become less familiar with their marae and cultural spaces. In my case, the great urban migration that forced many like my mother and father to relocate for work, for an education, for a better future mirror some of the stories from rangatahi and their whānau. The biggest difference in my whānau story is that we were able to maintain those thin ties and connections to our marae whānau and hapū. For many appearing in Kōti Rangatahi, this is not the case and therein lies the challenge for the Kōti Rangatahi initiative is how to fill that gap so that the learnings are meaningfully understood and felt by all in attendance, including the stakeholders.



Figure 9 Te Tipuārangi o te Pepe Ao Uri - the development of the butterfly  
Note: Adapted image using Adobe Express

## Chapter 4 Aramahi Methodology Tuatahi

### Tūāmua Prelude

*\*E kui, in my dreams I speak fluent te reo Māori with you and koro. In my dreams, my mokopuna mō āpōpō speak fluently to me and my heart is full. Then I wake up. Aue e kui, aue.*

In this prelude, I share one of the many dreams I have had speaking with my nanny and koro, asking them lots of questions about themselves, about Maungapōhatu and about life in general. Over the years, I've asked my aunties and uncles questions. It's the nohi, curious part of me, wanting to know more about the way things were and, in some cases, still are. Sometimes, their responses depended on the timing, sometimes they depended on their mood to recall and share their stories, but at other times, it was because they just didn't have the information. I recall Aunty responding to my whakapapa query, saying that that information was not something she knew and when I asked why, she shrugged and rolled her eyes while saying, "others had that knowledge – they all had different parts." That aligned with

what I knew about each of my mother's siblings, that there was an acceptance amongst them that each held different parts of the big picture. The uncles shared stories that some knowledge was so tapu that only special ones were entrusted with its safekeeping. Over the years, this protective measure has become problematic as our hapū and whānau rangatira have passed away, many taking their knowledge with them. I present this reflection as a way of speaking to the unsaid, the hidden, and the unknown knowledge that can contribute to the persistence and prevalence of disconnection to understanding who we are as Māori. In highlighting the reality of not knowing what we do not know, we are forced to feel our way in the dark for the light switch. This reality requires a type of fearlessness, time, patience, cautious care and trust in yourself and others that will help you find the light.

In this chapter, you are invited to feel your way in the dark, too, meaning feel our fear and trepidation as we all embarked on learning how to conduct this research. Presented in this chapter is the first of two methodology papers, which details the challenges in obtaining ethics and the required approvals to conduct this research. The noho wahangū reflection section provides some insight into how the process played out in all four initial Kōti Rangatahi marae locales and my personal learnings both as the researcher on the ground for the research project and while conducting my doctoral research.

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## Researching Ngā Kōti Rangatahi – Youth Courts on Marae: Koia te Hāngaitanga?:

### That's the right way?

#### Introduction

##### Background

Despite the decline in youth offending and appearances in court over the past decade, rangatahi (Māori youth aged 14–16 years old) continue to be over-represented in the youth justice system (Spier, 2016). Rangatahi figure disproportionately higher than non-Māori youth in offending, apprehension, prosecution, convictions and remand rates (Cleland & Quince, 2014; Cunningham, 2011; Ioane et al., 2016; Ministry of Justice, 2012). Although there are various theories and factors explaining the status of Māori youth offending, these are beyond the scope of this paper. For more information about Māori youth offending see Cleland & Quince, 2014; Cram, 2011; Department of Corrections, 2007; Walker, 2004).

In an effort to curb the trend of successive generations following a pathway to prison, a judicially led initiative was discussed with the kaumātua (elders) of Te Poho-o-Rawiri marae in Gisborne. Discussions centred on offering rangatahi an alternative to mainstream Youth Court by having their Family Group Conference<sup>11</sup> (FCG) plans monitored on a marae (Taumaunu, 2014b). Spearheaded by Judge Heemi Taumaunu of Ngāti Porou/Ngai Tahu (tribal affiliations), robust debate took place amongst Ngāti Porou kaumātua (East Coast elders) and rangatira (leaders). The discussions focused on how tikanga (beliefs and practices), kawa (protocols) and te reo (language) could be incorporated if these cases were heard on the marae. Although

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<sup>11</sup> A Family Group Conference is a formal meeting between the whānau, social workers, police and relevant professionals. Its aim is to create a plan about the care and protection or criminal offending of a child or adolescent. The process has four main stages, which includes a meeting where professionals inform the family of the concerns they have, followed by private family time, where the family alone develop a plan that addresses the concerns that have been raised. The plan is then presented to the professionals who should support it if the concerns have been addressed and it does not put the child at risk. The meetings are facilitated and co-ordinated by people independent of casework decisions in the agency working with the family.

there were doubts about the appropriateness of having the Pākehā law in a space where tikanga and Māori legal traditions prevail, support to proceed was reached. The first rangatahi court was launched at Te Poho-o-Rawiri marae in 2008. The initiative is approaching its tenth anniversary, and to date there are 14 Kōti Rangatahi established on marae throughout Aotearoa New Zealand.

The marae is a central feature of Māori society; it is a place to gather together, where customs are observed, te reo (Māori language) is spoken, and traditions are practised. The marae represents an area of belonging, tūrangawaewae (domicile by birthright) to a tipuna (ancestor) (Mead, 2003). The marae is a culturally and spiritually significant location and has been a site of resistance to the impacts of colonisation. It represents a place to retain and maintain pre-colonial ways of living and being Māori. Arguably the use of the marae locale may be viewed as the natural forum to apply a holistic approach to resolving disputes and restoring balance and well-being for rangatahi, whānau (family) and the broader community.

Each marae has its unique tikanga and kawa. Tikanga are 'standards, principles, or norms', and 'beliefs and practices' that Māori utilised to govern themselves long before the Pākehā legal system arrived here (Spiller, 2005; Te Aho, 2007). Tikanga is referred to as the first law of Aotearoa New Zealand (Mikaere, 2007). Much like Western legal concepts that are established through precedent, tikanga too has been established over time. Marae kawa is described as the 'ritual or liturgical actions', or 'rules of engagement' observed in different contexts, most commonly it refers to the marae protocols observed during a pōwhiri (ceremonial welcome) (Marsden, 2003, p. 70).

Existing literature presents a mixed picture of Ngā Kōti Rangatahi. A Ministry of Justice (2012) evaluation provided a comprehensive description of the court processes and suggested positive early outcomes for rangatahi and their whānau. In contrast, Waititi's (2012) research found negative experiences for rangatahi in having a dominant and adversarial Youth Court system transplanted onto marae, which he found limited their potential to feel the wairua

(spirituality) of the marae or whakamā (shame) and remorse leading to a restorative and healing outcome. Dickson (2011) doubted the efficacy of dealing with rangatahi who do not whakapapa (have genealogical links) to the marae, its hapū (sub-tribe) and iwi (tribal people). This, he believed, means that the programme may miss the essential component that could provide a specific and meaningful connection between rangatahi and their culture. From a slightly different perspective, Cleland and Quince (2014) assert that a review of FGC processes are overdue, and recommends more investment in cultural training for legal professionals, and the expanded use of marae for FGCs to strengthen the rangatahi court initiative.

Our research project aimed to add to the existing literature by deepening knowledge about the cultural and legal contexts of Ngā Kōti Rangatahi. Like Waititi, we aimed to work in a kaupapa Māori way within a physical space that is occupied by Māori, the marae, but that also involves the temporal spaces of the Pākehā legal system and the conventions (both Māori and Pākehā) that accompany academic research in Aotearoa New Zealand. This paper provides a reflexive account on working together as a diverse team and traversing these complex spaces to create a project that stayed true to the principles of kaupapa Māori research.

### **Kaupapa Māori research methodology**

The concept of a specifically kaupapa Māori research methodology was developed by Linda Tuhiwai Smith as a way of disrupting the social construction of Māori by the dominant Western culture, enabling Māori to become researchers, rather than the researched (Smith, 1999). Kaupapa Māori research requires that researchers are embedded in the Māori world through meaningful relationships and shared aspirations; that research processes take full account of tikanga (beliefs and practices) and kawa (protocols); that ownership of the research and its findings remain with the people of the research community; and that it places Māori aspirations at their core (Barnes, 2000; Bishop, 2005; Cram et al., 2006). This paper draws on the collective experiences and reflections of a multidisciplinary research team in meeting the

requirements of a complex research site during the creation of a kaupapa Māori research project.

### **Ko wai mātou—who are we?**

The process of forming a research team happened in serendipitous and non-linear ways and was not fully formalised until the project was developed enough to be subjected to external reviews by ethics committees and funders. Until that point, the ‘team’ involved people who were interested in the general area or were known to each other. Inclusion of experts was also weighed against those who would be willing to forgo their power as experts and were open to working in a kaupapa Māori way. This meant they were not invested in joining the team with any individualised ulterior motives but recognised that this knowledge is based on a Māori worldview that is founded on mātauranga Māori (knowledge) that belongs to Māori (Walker et al., 2006).

Our final team consists of the six women who have authored this paper. SB (Ngāi Tūhoe) is a researcher with an academic background in legal studies and at the time was an aspiring Ph.D. candidate (she is now an actual Ph.D. candidate working in the research space we describe in this paper). JK (Ngāpuhi) has a focus on community-focused research and kaupapa Māori methodologies. KT is a Pākehā health sociology researcher with a focus on therapeutic interventions in the criminal justice system. AM is a tauīwi (foreign) colleague and criminologist who had worked with KT and SB on other specialist courts research. We also knew we needed the voices of other Māori academics to join SB and JK, so we approached TM (Ngāi Tūhoe) an eminent sociologist, and KQ (Ngāpuhi, Ngāti Porou, Ngāti Kahungunu) a legal scholar. The key driver for the research by each team member is social justice.

As the formation of the research team progressed, support of a kaumātua (elder) was sought to provide cultural guidance and protection. In practical terms, the kaumātua would enhance the mana (status) of our team and our kaupapa (purpose), and they could draw on their

networks within the Māori world. Unfortunately, illness prevented our chosen kaumātua from being involved throughout the whole of the research.

We discussed as a team how we could fill the vital kaumātua void. Two Māori members of the group offered to ask their mothers to provide this support, but in the end, SB approached kaumātua within her whānau:

*I asked my newly retired Ngāi Tūhoe uncle to support me in my mahi (work). He had te reo (the Māori language), and I knew he had had some experience working with troubled youth. He was overjoyed to be asked and willingly made himself available. He supported the team during the consultation phase described in this paper. (SB)*

### Using our networks

This section outlines the initial stages involved in getting to know the right people, and they were getting to know us while we all assessed whether research of the rangatahi courts could move forward. The following is not a linear sequence of events as often several things were happening at the same time or there was little to no movement for months. In particular, it is important to note that the possibility of developing a research project, creating the research team, and the development of relationships—albeit serendipitously—with a range of influential people at varying levels occurred concurrently. Kōrero (discussions) began with a variety of people over a period of five years before the project commenced.

Our team had a shared passion for mental health, addictions and social justice, particularly for Māori, so we were excited by the research possibilities that could come from these courts.

Three of the team members came to know judges who were working in specialist courts, and it was through these relationships that we were able to get our metaphorical foot in the door. A book launch involving one member of the research team provided the first real opportunity to kōrero (speak) one-on-one with a judge about our interest in researching Ngā Kōti Rangatahi.

Despite being tongue-tied because of the mana (authority and prestige) of this man, it did lead to the door being pushed open a little wider for our imagined project. This meant that we received a karanga 'hoki mai ki te marae' (a call to come to the marae) from the Ngā Kōti Rangatahi liaison judge to attend, meet and observe a session of rangatahi court.

A short time later we were informed by the judge that our request to conduct research had been presented to, and received favourably by, the kaupapa Māori group (this group comprises all the sitting Ngā Kōti Rangatahi judges; it is important to note that all the Ngā Kōti Rangatahi judges are themselves Māori). We took heart from this even though we were advised to undertake further discussions with the Ministry of Justice before we went any further in our development of a research question.

### **Kanohi kitea/the face that is seen**

Thankfully, we were already engaged in research broadly covering specialist courts, and one of our team already had a relationship with a member of the judiciary who happened to be the Acting Principal Youth Court Judge at the time. We were able to piggyback on that funded project, allowing for two members of the team to meet kanohi kitea/kanohi-ki-te-kanohi (the face that is seen/face-to-face) with the judge and staff within the Ministry of Justice's Research and Evaluation Unit for the purpose of whakawhanaungatanga (building relationships). We frankly had no clear idea of what we wanted to research or how we were going to do it, let alone whether we would be welcomed by the marae communities. However, we took the opportunity to talk about our research aspirations and to gauge the judge's interest. It also meant the Ministry staff could engage with us informally, in person, rather than at a distance over email. This process is a critical element of a kaupapa Māori approach.

*We found a disconnection between what is happening on the ground in the courts and 'Wellington' (Wellington is the capital city where the government ministries are located). So meeting with Ministry staff in person allowed us to*

*share insights on the courts and how they were working which they seemed to enjoy, and we then got details on how to get through the raft of approval processes with this detailed information in mind. This meant the Ministry staff had a clear idea of our intentions, and that can sometimes get lost in writings. It also meant that the next time we emailed or called, we kind of knew each other that little bit better, so we often got great buy-in. (KT)*

This allowed us to understand the extensive administrative requirements that we would need to fulfil as a part of obtaining the relevant departmental approvals to proceed. A collateral effect of our approach up to that point meant that we had established rapport with individual people, and we were able to keep building on this as the project developed. We hoped doing so would make the ongoing processes as painless as possible. What did help in this early stage, was the excellent reputation of one of our team members; leveraging off that made establishing rapport in person and manoeuvring over the first obstacles in the informal approval process much easier.

### **Collaborative development of the research questions**

We learnt from those early meetings in Wellington that we would have to apply for ethics approval before we could talk to anyone else about our potential project. This was a requirement of the Ministry of Justice, and we needed Ministry approval before going back to the judge. However, for this to happen, we needed to know what our research question would be. We still had no clue. A tūturu (authentic and true) kaupapa Māori research project would have been born from the Māori community at the centre of the inquiry. This would have dictated that the tangata whenua (people who belonged to the land) of each of the Ngā Kōti Rangatahi marae have tino rangatiratanga (sovereignty) to determine its kaupapa (purpose) including what and how research would or would not take place. However, because we were looking at a Pākehā legal initiative that had been inserted into an exclusively Māori space, we had to apply a more flexible approach. We were in the bizarre position of trying to do kaupapa

Māori research backward in this space. We had to be tika (correct) regarding meeting all of the approval requirements and tika in working in a kaupapa Māori way. Since none of us had prior established networks within any of the potential marae venues (that we knew of) or within the rangatahi court space, our starting point had to be with the judge. Though not ideal, it was still considered tika because he was a rangatira (leader) of the rangatahi court initiative and because he is viewed as such from within Māoridom.

At this point, we found that the only way forward was to obtain a research question from the judge that we also thought would be culturally relevant. The task of crafting the research question with the judge took place over a lengthy process of correspondence. We initially began our discussions by raising several questions with the judge: Could we conduct the research? Would it be supported? Were there any concerns? Which marae sites could be involved? Was there a particular research question that needed to be investigated? After several months of to-ing and fro-ing, we were happy to receive a research question suggestion from the judge. The team then refined and narrowed the scope of the judge's question that sought to explore 'what is tikanga in rangatahi court settings?' We were given guidance about who should be approached for permission to access court records and statistics. Overall, we were buoyed by the generous support of the judge for the research.

### **Firming up the research questions**

Once we had our rangahau rōpū (research team) and kaumātua, we then had to move quickly to put together a funding application to meet the deadlines of the relevant funder. KT reflects:

*This led to the sub-optimal situation where we crafted the research questions around previous kōrero and correspondence with the judge and brought it together with research designs from already funded projects. We prioritised getting funding at this point, which required attention to funder requirements (e.g., research aims, methods, dissemination) before we conducted any*

*consultation. It felt incredibly uncomfortable to do so, particularly as it led to me, a Pākehā with little reo, bringing together diverse information from the team and shaping it to fit the funding requirements ... but we were so pressured by the funding deadline and the need to secure resources to allow us all to get this project off the ground.*

To improve this unsettling situation, we positioned our funding application tentatively, making it clear that if the funding were approved, we would consult with marae communities to identify Kōti Rangatahi we could work with (in practical terms, such as distance) and would work with (if they allowed us to). This meant if we could secure the funding, we could then start a more thorough process of consultation with the marae communities, including putting the judge's question to them.

### **Koia te hāngaitanga?: That's the right way?**

Academic and governmental department approval processes

We were happy to secure funding but were unsettled by finding out we needed ethics approval before any of the funding could be released, and there were no alternative funding streams that would support the work of developing the research. This meant that we could not start any consultation with marae, or with government organisations before drafting an ethics application with specific research questions and methodology. Without this initial approval, none of the subsequent organisations could talk with us. However, we were still unsure about which marae would be involved.

*Again, we reverted to the sub-optimal position of relying on the details given in our funding application that were a mish-mash of the research question crafting with the judge and methods detailed in previously funded research. It felt unsettling but we felt like it was something we had to do. (KT)*

We submitted an application to the academic ethics committee that was based on our best guesses about the way the research would work, expecting that we would subsequently have to submit requests for amendments. Then we began the formal processes of obtaining a raft of approvals from three governmental departments because Ngā Kōti Rangatahi bring together a number of professionals from health, justice and police sectors.

All three departments had diverse application requirements and forms, and most had their own internal review processes that introduced different interrogations to our institution's ethics committee. All the researchers, including two external interview transcribers, were required to provide information on their own and their families' backgrounds that had to be verified by a member of the NZ Police, Justice of the Peace, or member of the judiciary. For many members of the team, this process was time-consuming and difficult. However, the process that followed was just as time-consuming. It took multiple iterations to ensure all the required forms had been correctly filled out by each member and then appropriately verified. As most of us had our forms checked at their local police station, there was variance in how this occurred that added to the delays. Throughout this approval processing, no concerns were raised about the scope of our project. Rather a kaupapa Māori research approach was welcomed by most departments. Finally, seven months after beginning the process with one government agency and five months with another agency, we had all the Pākehā approvals needed to start.

## **Marae approval processes**

### **Choosing the marae sites**

One of the processes that ran alongside obtaining ethics and departmental approvals involved identifying where this research would be conducted. We were confident we already had a relationship with one Kōti Rangatahi marae site that we had visited earlier and which provided a perfect pan-tribal, urban-based setting that would be useful for future comparison between

sites. The oscillating kōrero amongst the research team weighed up the practical pros and cons of working at different marae sites, including consideration of travel distance for attending court, the judge's concern that we choose somewhere that had sufficient numbers of young people attending, and our existing relationships with communities.

We needed at least one more site but, surprisingly, the established links within our research team failed to make meaningful connections to any other Kōti Rangatahi marae. We felt hamstrung by the ongoing Pākehā approval processes, being unable to enter into further discussions with other judges or approach other marae sites. To move forward, we were forced to move beyond meeting the requirements of the Pākehā system that we had so fervently tried to honour; it was time to engage in the kaupapa Māori process of engagement and consultation. We decided to personally approach three Kōti Rangatahi marae from SB's home region to gauge their interest in our research. We now had four potential marae sites; we thought this would also allow us to get comparative insights from outside the urban areas of Aotearoa.

### Getting past the marae gatekeepers

The term gatekeeper carries with it connotations of negative abuses of power when studying minority groups (Smith 1999). However, it also recognises the role of cultural mediators or brokers as the holders of power and control who are viewed as guarantors and are legitimate and credible members of their communities (Eide and Allen 2005, McAllum 2005, Christopher et al. 2011).

In recognition of both Pākehā and Māori processes, our first step was to seek permission from the presiding Māori judge in the area. Approval and support were quickly provided, which enabled SB to start contacting the key people at each area via email to request a meeting. Each of the marae contacts held varying managerial roles with each marae. SB then met with each of the marae contacts kanohi-ki-te-kanohi to kōrero about the research, to discuss our

proposed research design, and to gauge feedback on the risks and benefits of involvement in this study.

Three of the marae contacts embraced the research, due mainly to the team's commitment to whakawhanaungatanga (fostering relationships). In one case the marae contact expressed uncertainty as to whether the research needed to be progressed to a meeting with the full community, as in their opinion the research would be supported. Regardless, SB was insistent on meeting with the marae communities, particularly their kaumātua. In contrast, another marae contact and members of her staff undertook a thorough interrogation of our research question and design, and credibility of our research team. Only when all of these questions were fully and satisfactorily answered openly and honestly was a softening achieved, and approval granted to proceed to a full meeting with kaumātua.

### **Kaumātua hui/meeting the elders**

Taking our research to each marae kāhui kaumātua (elders' group) as the mandated decision-makers provided another significant step in progressing this project. Weeks of planning and preparation were put into liaising with each site, both in person and by email. For the team, this meant preparing to present ourselves, including learning our pepeha (formal genealogical greeting in te reo Māori) and introducing our project. At the outset, we did not know how we would be received or what the protocol at each site was going to be, but we had to be prepared for anything and remain true to who we were and what we believed we could offer by conducting this research.

*To be fair I did not believe I had much to offer, as a learner of te reo I felt under-equipped in this space. This weighed heavy on my mind that perhaps we just may not be the right people to do this research. (SB)*

*I worried about how I could support SB. I am of Māori descent and identify pretty strongly with my Māori side, but I look and sound white! I wanted to be*

*able to convey that I was a safe person to share this journey with, and that I would look after SB and the research. I worried that I would be judged on my appearance and not on my heart. (JK)*

Three meetings were held on marae and one in the rūnanga (tribal authority) boardroom. Each of these hui generally included the following process: karakia (prayer), mihi whakatau (greetings); sharing of pepeha (genealogy/links); manaakitanga (hospitality); and sharing kai (food). SB then led the presentation or discussion of our research at each site. This process raised anxieties for some of us:

*I really wondered about my ability to contribute at all in this space. Here I was, a Pākehā confronted by having to recite my little pepeha (I only knew where I grew up and a vague conception my ancestors came from Scotland), knowing my privileged existence, and taking a back seat while watching SB be questioned about our project. My feelings were underpinned by the sub-optimal way the research had developed, which I helped push ahead. I was in awe of our Māori team members who brought strength to this process and lifted SB. I have no doubt that the preparation coupled with our honesty, smiles, humility, particularly on SB's part, led to the acceptance of the project. (KT)*

*As a British person, I feel a certain sense of shame entering a marae given the actions of my tīpuna and was concerned that my very presence on the team might jeopardise the research. Learning my pepeha and demonstrating my respect for the marae and their people and tikanga became paramount for me in my desire to not let down my Māori colleagues. (AM)*

The process varied widely at each meeting. At one site we were invited to gather around the kitchen table:

*It reminded me of the times in the kitchen of my marae being grilled for the latest gossip from my aunty. On reflection, I do not recall pulling out the information sheets about our study because they said 'oh [marae contact] will sort it. (SB).*

This informal part of getting to know each other included stories, laughter, hugs and kisses like we all were already whānau (family). The kaupapa (purpose) did become secondary to getting to know each other. In these circumstances, it felt inappropriate to formalise the relationship and break the spirit of the occasion by discussing formal Pākehā ethical and research governance processes.

The concept of really getting to know us was mirrored in another hui, where the only question posed was, 'what benefit would this research be for us [to the marae]?' In contrast, another hui spanned three hours and included robust discussions about questions such as: 'whose research question is this?' and 'who are you?'

*I was already a bundle of nerves before speaking to this group of well-known and respected kaumātua rangatira (leaders) in Māoridom. So the posing of these two questions early in my presentation of our kaupapa very nearly floored me. I felt so out of my depth but felt I needed to respectfully ask if I should address those questions first or continue with the presentation where those questions would be answered. (SB)*

In response, we outlined the whakapapa (genesis) of the research and our early discussions with the judge. In this context, our honesty about the limitations of our Māori knowledge and fluency in te reo was balanced alongside our prior research work within the health and NGO sectors, criminal justice and prison arena. At each site, but particularly in this hui, the discussions ended only when all the kaumātua questions had been thoroughly addressed, and they were satisfied we were genuine in our approach.

*They were just figuring us out; no amount of work or preparation could have prepared any of us beforehand. It relied on each of us just being who we were, being open to being criticised but letting our passion for this kaupapa shine through. (SB)*

Overall, all hui ended with favourable support. We were provided with written and verbal support from the marae contacts for each site. The research project has progressed as planned and is in the process of being reported back to each marae community for their input and approval. The kaupapa Māori process we utilised was equally as rigorous as the Pākehā process because responsibility and accountability were placed on the shoulders of all researchers.

### **Strengths of this approach**

The core strength of our approach to this research stemmed from the value placed on engaging over an extended period (five years) with a wide variety of interested parties from the judiciary, marae, community organisations and government departments. What became clear when engaging with the judges and Ministry of Justice staff is that research in this space would have been impeded if the time to form relationships and talk *kanohi kitea* with them had not been taken. While face-to-face meetings facilitated building rapport, they helped serve a broader purpose reflective of the core principles of kaupapa Māori research. One team member reflected on how *kanohi kitea* is a cultural imperative that involves presenting herself or laying bare her *ahua* (character) and genuine desire to conduct this research appropriately. For the department representatives, it was probably more about checking we had the 'right attitude'. These hui were necessary for affirming that our research within these environments was not opposed.

The *kanohi kitea* hui with the marae contacts served a different purpose; we needed to meet and satisfy the queries presented by the gatekeepers first. This meant first establishing

whether our research team would be welcome to present our research to the marae kaumātua as the final decision-makers in each of these locales. In three of the four early hui with the marae contacts, these discussions were an informal part of building rapport but still included elements of negotiation and caution determining whether we could proceed to meeting with the kaumātua.

The positive experiences of the consultation hui with kaumātua related to the way the non-Māori research team members embraced learning and sharing their pepeha, particularly of our English colleague. The extra effort of this colleague in her pronunciation and extensive pepeha was genuinely appreciated by the kaumātua at each hui. The support of our research kaumātua in doing the mihi whakatau (initial greetings) also brought a level of mana (prestige) to our project.

It is noteworthy that the collective expertise, experience and cultural perspectives of each member of our research team were indispensable in terms of building a strong foundation upon which the root of this research seed began, was nurtured and grew.

### **Challenges of this approach**

One of the first challenges in conducting this research related to issues of positionality and power; this meant we needed to be clear about how this research came into being. Although an ideal kaupapa Māori research project would have been born from the Māori community at the centre of the inquiry, the marae setting involved two worldviews: the Pākehā legal perspectives and a Māori worldview. Each operates differently according to legal conventions and tikanga Māori. We could not access those marae communities without appearing to go through the back door, perhaps jeopardising our standing within the Pākehā processes. To manage this, we approached the Māori judge, who in effect straddles both paradigms. In essence, the origin of this research met the first standard of kaupapa Māori methodology.

The next challenge was to take this research to the key marae contact. At times we were thoroughly interrogated over 'whose research is this?' during the consultation phase. Although all our questioners were ultimately reassured by the involvement of the judge in the process, in hindsight, we should have ensured that SB had additional support from the research kaumātua and other team members during the initial consultation discussions. We should have insisted on a parallel path of robust consultation with the marae communities, which we now realise could have been easily carried out before securing funding and approvals if we were not so attentive to the Pākehā protocols.

As mentioned above, in the more challenging hui we were permitted to conduct our research only by answering all questions with open humility and honesty. This experience demonstrates the potential impact of the kaupapa Māori process on researchers, which is an essential feature of research that needs to be taken into account. Even laying ourselves bare might not have been enough, so being rejected by a potential research site was a real possibility and would have felt very personal. The support of kaumātua and colleagues is invaluable when this happens.

On one occasion during the consultation with kaumātua, we suspected that support for the research might not have been in their hands when they said, 'the judge is the boss'. However, during ongoing engagement it became evident that they did have the power to make decisions on the marae, including whether to accept or refuse to take part in research. Recognising the cultural intricacies of power and working respectfully with each party is an integral part of kaupapa Māori research.

### **Would we do anything differently?**

There are aspects of the development of this kaupapa Māori project that we would do differently in the future. Though there were strengths in forming a multi-disciplinary team from diverse professional and cultural backgrounds, this also presented challenges because

not all of the team members were familiar with Māori protocols. This could have been overcome had the project had strong kaumātua support from the inception of the study to support the non-Māori team members. Instead, one of the research team had to take on the additional responsibility of providing some of the cultural training to prepare for marae-based consultation.

There were two issues relating to the involvement of our research kaumātua. Firstly, not having our kaumātua in place at the inception of the project meant we lacked the mentorship and cultural guidance and support that would have helped us during the proposal design and early consultation with marae phases. This type of research work demands kaumātua leadership from within; their involvement also ensures the tangata whenua (people) and their taonga (treasures) are not exploited in any way (McNeill, 2008). As interest in Ngā Kōti Rangatahi continues to rise worldwide, the kaumātua of each marae must be prepared to set their research agenda and kawa. Secondly, the value of kaumātua expertise cannot be underestimated. The involvement of our kaumātua who gave of their time and expertise is invaluable. As researchers, it is important to consider how we care for the needs of our research kaumātua both physically (e.g., travel, accommodation) and financially. This raises issues about how a research team is developed and funded so as not to be exploitative and represents a fundamental shift in priorities for institutions. We now have the confidence to push our institutions and government agencies to be flexible in their rules to allow us to be able to achieve early consultation with kaumātua at our sides.

## Conclusion

In developing a kaupapa Māori research methodology to explore Ngā Kōti Rangatahi where tikanga and Pākehā law co-exist, we had an opportunity to examine that intersection and to learn how to navigate meeting the requirements of each. Our test came in developing a sound methodology that was tika in meeting the institutional approval processes and equally tika in meeting the rigorous kanohi-kitea engagement and consultation processes with the marae

contacts and kaumātua communities. Each of the methods was time-consuming but equally important; one was precise to the point of being pedantic in its written requirements. The other was based on tikanga principles that mirrored the very dynamic and fluid diversity between each marae, iwi, hapū, whānau and their communities. As Māori researchers, we were fully aware of our reciprocal responsibilities and duties in carrying out this research. Similarly, the respectful way our non-Māori colleagues moved past their guilt and embraced this kaupapa Māori approach demonstrated their sense of accountability. Additionally, as we developed our understanding of conducting research that is tika, we became more aware of the institutional barriers (time, funding and support) that preclude this happening. In the future we would push-back and elevate the equally important process of early marae engagement. Although our project would have been strengthened with a team inclusive of Māori researchers fluent in te reo and kaumātua from the inception of the project, the kaupapa Māori methodology developed by this diverse group of researchers enabled us to navigate the demands of both worlds without compromising the integrity of either

## Noho Wahangū

Over the years, whilst revitalising my te ao Māori knowledge, including my te reo journey, I have learnt in many wānanga, heard pūrākau from learned kaumātua, and read articles about the importance of sleep to us as Māori. It was not lost on me that while undertaking this doctoral journey, and in fact during my kairangahau career, that many of my learnings have come to me in my dream state. Over time, I have learnt to noho wahangū about my moemoeā dream. Sometimes, my dreams are clear messages or lessons for me to understand. The literature mirrors what I have learnt – that wairua travels across time and space for the purpose of giving us the tools to live in an awakened state as Māori (Haami et al., 2025). I have not always taken the time to noho wahangū, focusing on deeply reflecting, being still, and critically thinking about my dreams. I either have ignored or not understood them, but when I have taken the time, it is these moments when there is clarity in understanding, growing awareness or even a light bulb moment. Despite being hōhā with me for taking so long, I feel your presence, Nanny, most acutely. \*Ka arohanui ki a koe e kui.

The opening chapters of this thesis have outlined the ways in which Māori have lost so much under the tyranny of our colonial oppressors. Lost, stolen or taken by force, there exists a pāmamae or deep-seated pain and trauma that underpins the unsaid, the hidden, the unknown and lost knowledge that has left many of us in varying states of disconnection, isolated in the dark. There is a journey to rediscovery or, as the kuia at Hoani Waititi casually stated, “whakawhanaungatanga is not just about connection – it is about reconnection.”

The insights I gained from the contributions of my tauwiwi, Pākehā, and Māori co-authors in this chapter signified a real turning point in my own transition from researcher to kairangahau. Being part of a wider bicultural research team informed how I could activate my tino rangatiratanga, authority and self-determination, in how I would engage with the kaumātua and other participants. So, what began as an embedded research study within the wider project, became a separate rito o te harakeke offshoot of the flax bush. I mihi to my academic

colleagues – they were essential connectors that eased the arduous process we had to navigate with each government agency within the New Zealand Police, the Ministry of Justice and the Ministry of Social Development. Being able to meet with people in the upper echelons of those spaces certainly helped with the approval processes but it was by no means an easy or straightforward process.

Despite the strength of the wider academic team, my role as the kairangahau on the ground, meeting in person and building key relationships with each marae was equally important. I view these hui a little differently today. They were crucial for me in establishing my own mana motuhake relationships with each marae rangatira. I acknowledge from a te ao Pākehā perspective, we saw them as gatekeepers, when in reality, they were performing their kaitiakitanga role by questioning our team as to our intentions. The role as kaitiaki was to protect and shield the rangatahi and their whānau, the marae, the kaumātua, hau kāinga and whānau whānui that would attend Kōti Rangatahi. Consultation and engagement were tika and pono to who we were and what we wanted to do. What I mean by this is that we knew they truly had the power to deny access to their marae space if they had any concerns after meeting me, regardless of what the Kōti Rangatahi judge wanted. I was also mindful that Ngā Kōti Rangatahi is already an intrusion into our sacred marae spaces and that this began as a judicial initiative, laws, policies and processes.

I cut my teeth as a kairangahau working on both research projects and now believe it could have been easier had I been able to focus solely on my doctorate. But I learnt so much in the process of being careful and respectful in the te ao Pākehā spaces that I came to realise that within te ao Māori spaces, much of what I do is naturally connected to how I live my tikanga on the daily. Doing kaupapa Māori research backwards is an example of the reality of doing research with Māori; it is not linear; it is not straightforward and tidy. For me, it was quite often feeling my way in the dark, following my intuition, which I understand has meant

trusting in my tīpuna. Doing what feels right in my ngākau and my puku will usually be the right thing to do.

The meeting with the kāhui kaumātua of Te Kōti Rangatahi o Mātaatua was three hours long and included thoughtfully critical questions about whose research question this was and who were we to do it. Had I not been able to share the whakapapa of my doctoral query and the journey up to that point, it would have been a little harder to obtain support. However, I do believe my own whakapapa links to the Mātaatua waka would have made turning down my request to conduct my doctoral research with them less likely.

In closing, I want to reiterate how pivotal the entire research team has been in supporting the development and growth of the research project. I agree that the involvement of kaumātua throughout would have been a great support to me throughout this journey. I am grateful to my Uncle Tawa who supported us during our hui with the varying marae kaumātua. Equally, I am grateful to my whānau, who stepped in when uncle became unwell to fulfil that role in supporting me. The reality of not having kaumātua support mirrors some of the challenges in accessing kaumātua who have the requisite mātauranga Māori knowledge, skills, and experience to support varying kaupapa.

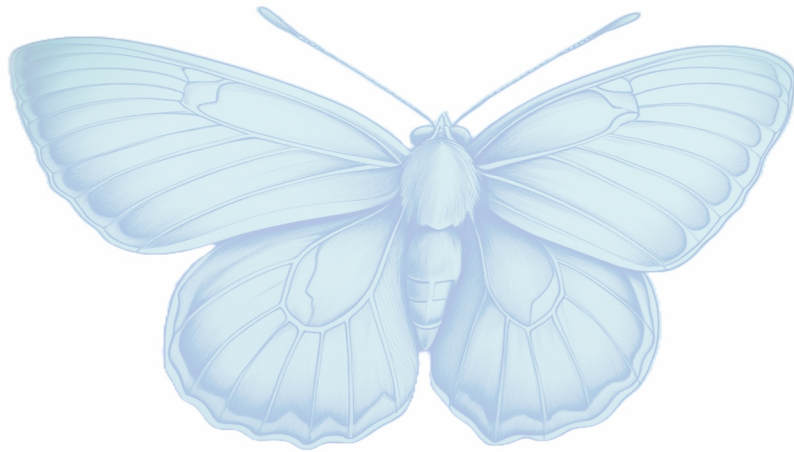


Figure 10 Ngā Parirau Papaki o Te Pepe Ao Uri — the beating wings of the butterfly.  
Note: Adapted image using Adobe Express.

## Chapter 5 Aramahi Tuarua Methodology

### Tūāmua Prelude

*\*E kui, I glimpsed the wāhine climbing the maunga in search of the kiekie grass and harakeke. I wondered where you were. I saw them collect the few precious grasses for a special whāriki they were tasked to make. I wondered who was it for – Rua? I watched them prepare the kiekie, and wondered where are you? Finally, they start to weave the whāriki, sitting on the mahau of Tanenui-a-rangi. I assumed this because the light outside is better to see. Where are you, e kui? Time passes. The hands of each kuia moving swiftly with skill and deliberation; they appear as if in a trance as their hands move quickly shifting and shaping the strands to their will. It's a magical sight, and I wonder where are you, e kui. Time passes, it is done, and I again I wonder where are you, e kui.*

This moemoeā came to me one night after struggling to write this prelude. Throughout this research, I have heard, seen, and connected with whānau supporting their rangatahi through Ngā Kōti Rangatahi. Although there have been some amazing exceptions with entire whānau attending Kōti in support of their rangatahi, most frequently it has been the case that a māmā, sister, and sometimes both grandparents are present. It struck me that this duty often falls

upon the shoulders of specific wāhine within our whānau. It was also not uncommon to see grandparents raising mokopuna and struggling to cope with their behaviour. This moemoeā represents the resilience and strength within our whānau, hapū, and iwi, who are well connected, yet for some whānau at certain times, this support is unattainable. The struggle, loneliness and despair felt by those bearing the weight of supporting their rangatahi through their turbulent youth is a real challenge. The absence of a nanny in those raranga tasks and spaces mirrors the situation of our whānau who are not in present at our marae, wānanga, whānau, hapū, and iwi spaces.

This moemoeā will become clearer as you read the contents of this chapter. For now, you are invited once again to adjust the lens of your camera to focus in on my doctoral methodology and the development of the first strands of a whāriki analysis framework.

The content of this chapter includes the abstract and text that first appeared in the journal *Ethnographic Edge* (Black, Kidd, & Thom, 2023). The article represents a unique blend of academic exploration and Māori cultural traditions. It captures the intersection of personal narrative, Indigenous pūrākau, and the innovative application of kaupapa Māori principles to address modern challenges of conducting research within Te Kōti Rangatahi o Mātaatua. The article presented in this chapter compares the pūrākau of the heroic ancestress, Wairaka, with rangatahi reflections drawn from my observations of Te Kōti Rangatahi o Mātaatua. This comparison explores the tikanga Māori values of whakapapa, tikanga, mana, wairua, tapu, mauri, and te reo Māori as a framework for deeper analysis and understanding.

This chapter is not just an academic exercise for this thesis. It also represents a heartfelt tribute to my tīpuna Nanny Aniteweweni, and her wisdom, skill, knowledge, aroha and quiet, unassuming strength, determination and leadership. Drawing inspiration from our ancestors, the article weaves our journeys and connections with the pūrākau shared by kaumātua, creating a vivid tapestry that resonates with cultural pride, responsibility, and innovation. The article challenges Western academic conventions while honouring Māori heritage, offering a

model for analysis that aligns with the cyclical, overlapping, and interconnected nature of te ao Māori. This article exemplifies the transformative power of cultural narratives and traditional principles in shaping research methodologies and addressing contemporary issues. It reminds readers of the enduring relevance of pūrākau and the collective journey towards understanding tikanga and supporting rangatahi in their personal and cultural growth through Te Kōti Rangatahi o Mātaatua. The chapter then ends with a noho wahangū reflection of this second methodology paper.

This journal article was published in *Ethnographic Edge* and is presented without the published abstract and with formatting changed to maintain consistency with the thesis layout. The following text is cited as:

Black, S., Kidd, J., & Thom, K. (2023). Te Pepe Ao Uri Whāriki: The development of pūrākau analysis framework. *Ethnographic Edge*, 6(2), 27-42.

## Te Pepe Ao Uri Whāriki: The development of pūrākau analysis framework

### Introduction

The pūrākau of Wairaka introduced in the abstract sets the scene for the pūrākau methodology used in this rangahau. First, but not most importantly, we learn of the role of wāhine Māori to act quickly and decisively to save her people. Second, as the daughter of a rangatira, Wairaka had mana by birthright, but her heroic actions enhanced her mana. Third, unlike other wāhine on the waka, Wairaka would have had a deeper understanding of mātauranga Māori, the consequences of breaching tapu, and the necessary steps to overcome such a discretion. Lastly, Wairaka is a revered tipuna and having the kaumātua endorse our rangahau and conduct ourselves in the same vein as Wairaka, placed a heavy burden of responsibility upon us to honour the voices, perspectives and pūrākau shared with us. These ideas permeate this paper and provide a solid basis for developing a pūrākau analysis tool.

This article does not conform to the conventions of academic journal writing. It may also be argued that in outlining the methodology of this rangahau, it also attempts to answer the research query, “What is tikanga?” we have deliberately stopped trying to compartmentalise and think linearly so as not to confuse the non-Māori reader with te ao Māori concepts that are often cyclical and overlapping. As I undertook this rangahau in observing, interviewing, and trying to make sense of the pūrākau, I was constantly in a state of noho wahangū and reflexivity throughout my doctoral journey, as such these reflections are also interwoven into this paper and throughout this process of engaging with each pūrākau I have slept on, dreamed about, mulled over, regurgitated, questioned, challenged, been lost, confused or ignored my inner voices. I now accept my inner voices as my tīpuna guiding and prodding me in an endeavour to whakamānawa and whakamana those who shared their pūrākau. I feel privileged and burdened by my role in re-sharing these pūrākau and sharing myself in the process.

As I have grown in this awareness throughout my journey, my writing has changed, although I still feel the internal battle of conforming to a Western academic requirement. I am still learning to resist this urge; my writing offers several digressions throughout. Sometimes, I honour the kaumātua who participated in this rangahau by sharing their pūrākau. At other times, I have chosen to articulate the little voices of my tīpuna (noted by an \*) that have gnawed at my inner being, guiding and pushing me to think more laterally, critically, and creatively while undertaking this rangahau. I thank them every day. To aid the reader, I have structured this article in two parts. In the first part, I introduce myself, explaining ‘ko wai au, nō hea au’, stating my positionality before providing a brief background to this rangahau kaupapa and methods used to engage with the rangahau participants. In the second part, I detail the development of an analysis framework called Te Pepe Ao Uri (Blue Butterfly) Framework to analyse two pūrākau: (1) Wairaka and (2) Manawa, the latter is a de-identified pūrākau about a rangatahi who appeared in Kōti Rangatahi o Mātaatua. The framework examines the learnings while exploring “he aha te tikanga, what is tikanga?”

### **Ko wai au**

Ko Tūhoe, Whakatōhea, Te Whānau-a-Apanui, Ngāti Whakaue ngā iwi. I whānau mai ai i Tauranga Moana, i tipu ake ai au i Arataki, Mauao. My tribes are Tūhoe, Whakatōhea, Te Whānau-a-Apanui and Ngāti Whakaue. I was born in Tauranga and grew up in Arataki, Mount Maunganui. Both my parents were Ngāi Tūhoe; my father was born and raised in Rūātoki, and my mother was born and raised in Maungapōhatu. They married and moved to Mount Maunganui as part of the urban trend that saw many Māori relocate to the towns and cities for work and other opportunities (Walker, 2004, pp. 197-199). They were both fluent te reo speakers and were raised with clear understandings of marae kawa and tikanga. As a child, visits to our hapū marae for tangihanga, ahurei, hui, and other events were normal. In 1983, my mother died of cancer when I was fourteen. She was our matriarch and the key link to maintaining our connectedness to whānau whānui, hapū and iwi. Although the strength of these

connections lessened, I had a solid foundation and a strong sense of Tūhoetanga tuakiri. However, like many other Māori children of the urban wave, many of the other cultural markers of being Māori, such as fluency in te reo Māori, kawa, tikanga and te ao Māori, were not my day-to-day reality. I will no doubt continue striving to learn until the day I die. My story is not unique. Many like me are in wānanga trying to reclaim and re-establish ground. It is this very perspective, that I bring myself, my pūrākau, my understandings and my lived experiences to this rangahau. Throughout this rangahau, I have struggled to decolonise my thinking, which has meant continually and consistently doubting that I have the pūkenga or ability to bring justice to the kōrero pūrākau shared with me adequately. In this way, I have attempted to use a deliberate decolonising technique to throw out the Western lens that constrains my attitude and thinking and replace it with my tīpuna glasses to feel, think, process, react and interact with the pūrākau being shared with me.

## Pūrākau

Pūrākau are Māori stories or narratives also known as pakiwaitara, kōrero tuku iho or kōrero paki. For many Indigenous peoples worldwide, their narratives comprise long-preserved accounts of our histories, told through oral traditions that pass down information from one generation to the next. For Māori, oral traditions include waiata, speeches, whaikōrero, mihimihi, and recited whakataukī, pepeha, tauparapara, and karakia. The Māori oratory skills of a kaikōrero shares pūrākau that are engaging, dynamic, creative, humorous or emotive in their skill to contextualise mātauranga for a specific occasion (Sullivan, 1984). Storytelling is a way of sharing a “narrative of history and an attitude about history” (Smith, 2019, p. 19). To illustrate, I share the following pūrākau by a kaumātua of his dedication and responsibility in being part of the kaumātua panel in Te Kōti Rangatahi o Mātaatua. He shared:

*“Last year, there was a tangi ... It was pissing down with rain, and my wife and I went to the whakaruruhau. They didn’t come out of the whare mate; they spoke from under the whare mate. [My wife] said to me, ‘What if it doesn’t stop*

*raining? What are you going to do?’ So, when they finished, I took my shoes and socks off, coat, shirt, singlet, nothing on top, just my pants. And I did a big kanikani hard out, “Oh, ko Tūhoe tenei, ko hiahia kua mate koutou, matuku koutou ki te ua? (Oh Tūhoe, have you allowed your tikanga to die? Are you scared of the rain?). Blah, blah, blah au. I thoroughly enjoyed myself; I had a great time.” And I heard them from inside the whare mate, “ko mate mātou ki a koe.’ [you are killing us!] ... [My wife] had to come out in the rain and sing with me. They put a towel on her head so she wouldn’t get wet... I dried myself, and we went in, and some of my cousins said, “E hoa kua mate mātou e whakamā ki a koe” (we are suffering out of shame because of you). You know you’re the only bugger in this wide world who would have the bloody gumption to tell us off. I said, “You know you fellas have got a bloody reputation to protect; it’s just been shot down... I’ve actually walked the talk. It’s made me highly unpopular in some circumstances, but “hei aha”. You know, ko te mana o ngā mahi o te tēpu, that’s what drives me”.*

While the pūrākau is humorous, it speaks to the history and politics of the Ngāi Tūhoe people, who are well renowned for their fierce resistance and insistence on maintaining their tino rangatiratanga. Put simply, his pūrākau makes the point that tikanga values and principles must inform action and application, or as this kaumātua eloquently put it, “you must walk the talk”.

### **Te Moana-a-Toi ki rāwhiti**

I have written about the extensive and exhaustive process we went through to engage with Ngā Kōti Rangatahi kaumātua using kaupapa Māori methodology to guide our observation and interviewing methods, behaviour and processes (Black et al., 2021). Our engagement with the kaumātua of Te Kōti o Mātaatua ki Wairaka Marae differed in how they lived and demonstrated their tikanga principles every day. The following provides some context for this observation.

Te Moana-a-Toi ki rāwhiti/Eastern Bay of Plenty rohe offers geographically diverse landscapes from the white sandy coastlines, but its mountain ranges provide challenges of isolation and access. Many iwi Te Tiriti o Waitangi settlements since 2004 have changed the economic background for the iwi and hapū within this rohe, so that Māori are significant stakeholders across several industries, predominantly agriculture and forestry, holding an asset base worth over \$8.6 billion (Bay of Connections Māori Economic Strategy and Te Puni Kōkiri, 2014). There are 18 iwi, 160 hapū and 224 marae within the rohe (Bay of Plenty Regional Council Toi Moana, 2023). It is not surprising then that the region has the second highest proportion of proficient te reo speakers, who describe their whānau as doing well and are well connected to their culture and spirituality and regularly attend their marae (Ministry of Social Development, . 2016; Te Rōpū Rangahau Hauora a Eru Pōmare, 2015). Despite the region's cultural richness and economic prosperity, the area suffers from high deprivation, low median income levels, high unemployment amongst the region's school leavers, rising addiction and mental health issues and high crime rates. The ongoing impact of colonisation through land confiscation has fragmented social structures and limited home ownership options for whānau, hapū and iwi. The brevity of this description in no way captures all the complexities and diversity amongst and within each iwi and hapū; it merely offers some context to understanding pūrākau across time.

### **Kāhui kaumātua**

My doctorate focuses on the voices of seven kaumātua on the Te Kōti Rangatahi o Mātaatua panel. Several other rangatira and marae kaumātua were present during the pōwhiri supporting the paepae as whaikōrero and kaiwaiata and were at times also kaimahi or ringawera in the kitchen preparing the kai. While many other kaumātua supporting rangatahi and whānau as manuhiri were also observed during this rangahau. One kaumātua involved in this rangahau described the participants as Kāhui Kaumātua. To provide context about the kaumātua involved in this rangahau, all had whakapapa links to Te Moana-a-Toi/the Bay of Plenty and beyond.

The kaumātua ranged in age from their 50s to 90s and had varied employment backgrounds, including teaching, academics, factory workers, nurses, managers, health, and prison educators. Some declared they were retired but were busy studying or were active cultural advisors or members of different boards, trusts and committees. All shared interesting accounts about where they were raised and how they raised their own families.

The diversity amongst the kāhui kaumātua was apparent as they shared their whakapapa stories of connectedness. During their kōrero, the significance of pūrākau-a-iwi became apparent as kaumātua, and Māori Kōti Rangatahi participants shared their pūrākau, pepeha and detailed their many connections in sharing their whakapapa to tīpuna, whenua. Some also shared details of significant events such as battles, migration and romantic pūrākau about their tīpuna. Pūrākau- a-iwi, on the other hand, had the power to memorialise specific events or people, such as the incredible feat that Wairaka undertook to save the waka Mātaatua and her people. She is venerated as the heroine by her descendant, but this pūrākau also provides other mātauranga Māori lessons. While pūrākau-a-iwi work to strengthen collective identities for Ngāti Awa and Tūhoe descendants, those of Whakatōhea credit their tipuna Muriwai, who was the sister of Toroa as being the heroine ( Hayes , 2003 ). During the Kōti Rangatahi o Mātaatua pōwhiri interactions between visiting kaumātua from Whakatōhea, the mana of their tipuna was asserted with diminishing the mana of Ngāti Awa. The variations in each pūrākau-a-iwi can be shared on the marae ātea, each giving testament to the differing perspective of the other kaumātua, iwi, hapū and whānau within each locality. I agree with Hayes (2003); what I observed in these interactions was a deep respect and acknowledgement of each ancestress, and, as Edwards maintains, the credibility of each pūrākau were an example of “rearranging experience’ that enables each iwi to maintain their mana while retaining social harmony (Edwards, 2009, p. 32).

## Developing an analysis tool

Fundamental to creating a tikanga analysis tool, came listening and observing the kāhui kaumātua use the pūrākau of Wairaka. In this way, they demonstrated how to walk your tikanga talk. At this point, I would like to introduce you to my nanny. The following pūrākau is drawn from numerous kōrero with my aunties and uncle over the years about my grandparents. It is their pūrākau, as I have come to understand it, and illustrates my role as researcher and whānau participant, listener and storyteller, analyst and interpreter, insider and outsider. My Nanny Aniteweweni, also known as Matekoraha, was married to my koro Heemi Tawa. Together, they had many children; my mother, Teiria, was one of their daughters. I never had the opportunity to meet them; they both passed away before I was born. Nanny Aniteweweni was a self-taught whāriki weaver, though my aunties are reticent to explain why, there were suggestions that there may have been some jealousy. It is unclear if the wāhine were specially chosen and taught the art of weaving within a Whare Pora, but I suspect they were as Best got a lot of our pūrākau wrong (Best, 1898). Whatever the case, I have heard many stories of nanny possessing her own talents and special spiritual gifts, though again, my aunties have always downplayed these accounts, preferring to highlight her role as a humble, respectful, and loving wife, mother and kaitiaki alongside koro of the whenua and people of Maungapōhatu. Although there are many more stories to be shared about my grandparents, in particular, how they remained behind in Maungapōhatu after Rua Kenana and most people left after the 1916 police invasion, this paper focuses on my nanny's skills and determination as a self-taught whāriki weaver.

No doubt, her obvious gifts were factors in her being able to join the other wāhine in gathering and making kiekie whāriki (grass mats). In the Mihaia book, Judith Binney et al. (1979) recounts a memory by the kuia Akukura and the other women collecting the only kiekie called Maungapōhatu hair to make a whāriki. The harsh conditions in Te Urewera, particularly in Maungapōhatu, make growing kiekie and harakeke difficult. Nanny wove at least three whāriki

and appears in the Mihaia book (Binney et al., 1979, p. 206). One of these whāriki is woven with the words of one of her favourite song by Patti Page, called “Butterflies” (Merrill, 1953). Today, kairaranga whāriki weavers have been astounded by her expertise in weaving English words into whāriki. It is clear she was gifted in making this whāriki, no less because nanny was not a proficient speaker or literate in English. The fact that there are no spaces between each word attests to this. Weaving words into a whāriki is done backwards and from the bottom side up, as if weaving in the words that are reflected in a mirror. In this way, when the whāriki appears right side up and laid out on the floor, the butterfly and words appear on the top side. The difficulty and skill of weaving whāriki is not lost on me. For this reason, I have taken inspiration from my nanny in developing an analysis framework that applies the intersecting strands of a whāriki. In doing so, I highlight the challenges of working on the underside to weave with my self-reflections and inter-weaving foreign worldviews into what is ultimately learnings from a Māori space as a te ao Māori taonga. While doing this research, I have felt guided by my tīpuna, including Nanny Aniteweweni, others are unknown to me by name, but have appeared to me in different ways and offered sparks of inspiration. Where this has occurred to influence my critical thinking and analysis, I have also tried to represent these voices throughout my writing.

### **Te Pepe Ao Uri**

In honour of my Nanny Aniteweweni and inspired by her whāriki, I have named this analysis framework that weaves together the pūrākau. I use the term whāriki and framework interchangeably. I have called this framework Te Pepe Ao Uri, which is the Māori name for the *Zizina Otis labradus*, more commonly known as the Blue Butterfly found in many Aotearoa gardens (Arter-Williamson, 2008). This butterfly, however, is unlikely to be found in Te Urewera. Te Pepe Ao Uri, like most butterflies’ metamorphoses from larvae to pepe (butterfly). This butterfly is described as unremarkable; it is small and largely unseen travelling long distances and flying close to the ground. I should clarify that Te Pepe Ao Uri butterfly is unlikely to have

been the butterfly nanny used as her inspiration. Rather, I have chosen this name to recognise the song she loved. But I feel comforted that she approves and imagine her encouraging me, “*Āe, moko ka pai*” \*.



*Figure 10 Common blue butterfly (Zizina Otis Labradus) (Vause, 2021)*

The whenu strands of the seven te ao Māori guiding principles have long informed my rangahau practice and became fundamental to developing a flexible yet robust analysis framework. The te ao Māori principles for kaupapa Māori, Māori centred or diverse projects can be found in many writings, teachings and adapted in varying models and frameworks (Kara et al., 2011; Strauss-Hughes et al., 2022; Wilkinson et al., 2020; Wilson et al., 2021). Each tenet is briefly described here and illustrated in the next section.

**Whakapapa**

Is more than genealogy and heritage; it is based on mātauranga Māori and establishes our connection through our creation pūrākau to lo or our waka voyaging pūrākau. These accounts strengthen our tuakiri and ways to connect to each other through whanaungatanga across time, space, and realms.

<b>Tikanga</b>	Are a collection of values, customs, rituals, and practices that are tika and draw on many other tikanga principles such as aroha and manaakitanga, kotahitanga, being pono and māhaki. Tikanga is a system of laws that is mindful of holistic wellbeing, as seen in the whare tapa whā model with the four cornerstones: whānau, hinengaro, tinana and wairua (Durie, 1994).
<b>Mana</b>	All people have mana, some have prescribed mana by virtue of their whakapapa (lineage), while others attain mana by virtue of their deeds. Mana acts as an important collective and individual regulator in avoiding whakamā (shame) impacting on an individual, whānau, hapū or iwi.
<b>Tapu</b>	The concept of tapu (sacred, restrictions) is another ancient form of behaviour regulations that are put in place to protect and keep people and places safe through the observation of noa practices to manage living (Mitchell & Olsen-Reeder, 2021).
<b>Wairua</b>	For Māori, a core belief in wairua as the unseen spiritual dimension or hau (breath of the divine spirit) is the “source of existent being and life” ( Marsden , 2003 , p . 47 ) . Wairua can be a feeling, perception, conscious thoughts and out of body spiritual journeying while asleep (Barnes et al., 2017; Ngawati et al., 2022; Smith, 2019). Pere (1982, p. 12) translates wairua as meaning wai for water and rua two, or two waters in that two energy forces act to influence the other, physical and spiritual. Te ihi, te wehi, and te wana are felt as vibrations of energy where the physical, spiritual realm influences the physical domains.

**Mauri** Life force or essence, described as the glue that “holds the fabric of the universe together” in that it binds and unites people together despite diversity (Marsden, 2003, p. 44).

**Te reo Māori** Ko te reo mauri o te mana Māori (The language is the life force and mana of Māori) this whakataukī by Sir James Henare (New Zealand Waitangi Tribunal, 1986). The language is a living force, which acts to strengthen distinctive dialects and identity as Māori. Without the language, the mana and mauri of the tāngata whenua are diminished.

### Using ngā Pepe Ao Uri Whāriki to analyse the pūrākau of Wairaka

In this section, I invite you to return to the opening pūrākau of the Ngāti Awa ancestress Wairaka to demonstrate how Te Pepe Ao Uri has been utilised in this rangahau, particularly in shaping and guiding the pūrākau analysis methodology and kaupapa Māori theory.

**Whakapapa** Simpson (2006, p. 1) describes Wairaka as a beautiful and courageous puhi likely her status as the first-born daughter of the rangatira, Toroa. Her knowledge of karakia, given her status as a puhi enabled her to lift and diffuse any breach of tapu.

**Tikanga** The heroism of the ancestress within this pūrākau in saving the waka and all those aboard the Mātaatua waka despite being a wāhine, demonstrates that there are circumstances where the tikanga values and practices of doing what is tika with aroha and being pono prevail despite the tapu safety restrictions imposed to protect.

**Mana** The heroism and the mana of Wairaka are memorialised in this pūrākau and adapted for modern learning. This pūrākau has provided learnings of leadership and the agentic power of a wahine for modern

educational settings (Barrett, 2018; Berryman & Tait, 2016). Other Indigenous women have used this pūrākau to illustrate how “Indigenous women need to respond, change and adapt to the places in which they live” as a process of decolonisation to empower women (Fredericks et al., 2012, p. 76).

### **Tapu**

Traditionally, there are examples of wāhine mediating the restrictions between tapu and noa during the pōwhiri, birth, death and battle (Mitchell & Olsen-Reeder, 2021, p. 87). The tapu put in place by the tohunga of the Mātaatua waka forbidding women from paddling and controlling the waka would have been put in place to protect those aboard and ensure their safe journey. Mead (2003) offers a tikanga Māori model to assess the Māori stance on an issue, the first of the five tests asks, if a breach of tapu will have a positive or negative outcome, Wairaka would have understood this and how such a breach could be rectified.

### **Wairua**

In these circumstances, the anxiety and fears of the wāhine and children aboard would have been heightened. Wairaka would have used the ihi to pray and act, the wehi to push through her fears or doubts to achieve the wana a lifesaving outcome. Wairaka, recited a karakia pleading for the assistance of the atua to save the waka and those aboard.

### **Mauri**

The memorialisation of the heroic deeds of Wairaka continues to symbolise her presence and mauri as a living force that continues to inspire those who hear of her feats and her people who take pride in being her descendants.

## Te reo

The everyday use of te reo would have differed from what is spoken today, and no doubt the underlying meanings, colloquialisms and mana would have conveyed several messages with multiple meanings and learnings. The now famous words declared by the ancestress, “kia Whakatāne au i ahau”, are forever memorialised as accounts of her heroism are shared.

## Manawa’s pūrākau

*We now turn our attention to an observation of a rangatahi appearing in Te Kōti Rangatahi o Mātaatua. As a closed court, this research did not include the direct narratives from rangatahi and their whānau; instead, I draw on the observations data to illustrate these experiences. Rangatahi and whānau have been de-identified to protect their privacy and confidentiality, and short pūrākau created to outline the nature of their engagement within Te Kōti Rangatahi.*

*Manawa, who found himself in the Youth Court on a charge of burglary and theft of a car, is invited to deliver his pepeha before introducing his whānau and other supporters. He acknowledges his sister and aunt, who have taken the time to travel three hours to support him in Kōti Rangatahi.*

*The judge asks, “If he deserves that kind of care, that his sister would travel that far just to support him?”*

*Maia, Manawa’s sister, reports positively, “He’s been going well - he even made me brekkie that morning.” There are nods of approval in the wharenuī.*

*The lawyer points out that Maia has paid the reparation, and the judge asks if Manawa should also be cooking her dinner?*

*The wharenuī erupts with laughter.*

*After the lay advocate and lawyer provide their updates, the kaumātua then speaks to Manawa.*

*The kuia begins, “Manawa, you caught my eye when I saw you out there. I wondered why you are here? What I see outside is not the same as inside.*

*Your [sister] makes sure that you are properly dressed. Everyone is helping you to learn your pepeha to know ko wai koe, nō hea koe.*

*You need to turn and lead! Like a page, turn a clean page. Forget what you were. Make a better life. Kia kaha koe (be strong).”*

*Then the kaumātua turns to Manawa and says,*

*“When I welcomed you, there burned in you an ambition to make a mark on life. I believe you are in the right place, Te Kōti Rangatahi.*

*First, you have a duty to yourself, challenge yourself, and use your gifts and talents first for you, then for others.*

*You are a role model to your teina, but you also have a role in supporting your tuahine. Restore the faith by ensuring your debt is paid, and you have a duty to do everything in your power to stay on the right path.”*

*Before closing, the judge asks if anyone has anything more to add,*

*Maia stands and is brought to tears as she declares, “He’s a good boy, really, I love him.”*

**Whakapapa**

Manawa like all rangatahi appearing in Kōti Rangatahi, is required to learn and share their whakapapa by learning their pepeha.

<b>Tikanga</b>	Manawa must be willing to appear at Kōti Rangatahi and participate in the pōwhiri and marae kawa that model the core tikanga values and beliefs outlined in these principles. Entering te ao Māori spaces opens the potentiality for rangatahi to truly embrace who they are meant to be as Māori youth.
<b>Mana</b>	By learning his pepeha, it is hoped rangatahi like Manawa are exposed to an environment and given an opportunity to learn and deliver more confidently “ko wai au, nō hea au” and be exposed to other positive aspects of their culture. On the marae, they hear kōrero from the kaumātua, being connected or learning more about their whānau and other life lessons. By connecting with his cultural identity, he has the potential to embrace his Māoritanga.
<b>Tapu</b>	Appearing on the marae and taking part in the tapu or sacred protocols of the pōwhiri, that are made noa or ordinary again during the sharing of kai. Manawa experiences first-hand what steps are required during the ceremony and how to connect with those present throughout his time in Kōti Rangatahi.
<b>Wairua</b>	Manawa’s pūrākau is touching, and the deep love shared between him and his sister is moving. This pūrākau exemplifies the spiritual aspects that are felt and move not only those involved but for others too. The love and concern for her brother and the words of encouragement by the kaumātua are powerful and heartening. During the sharing of his pepeha, Manawa’s te ihi moment was evident as he confidently shared his pepeha. Maia’s te wehi reaction came when she pointed out to the judge that he had cooked her breakfast. She no doubt was apprehensive about the court proceedings and wanted to make sure

the judge knew he was making an effort at home. The te wana moment, of which there are many in this vignette, came when the judge lightened the mood by using humour.

**Mauri**

Uplifting the mana, wairua and mauri of Manawa and his whānau within the sanctuary of the marae, where the law of tikanga prevails and is guided by the wisdom of the kaumātua is the ideal setting to offer rangatahi like Manawa an alternative pathway that will keep him out of the hīnaki that is the criminal justice system.

**Te Reo**

Manawa had not been raised in the rohe, where a high proportion of Māori, including rangatahi, speak te reo Māori fluently. He had been raised elsewhere and was staying with Maia in another town. In this setting, Manawa can truly experience the marae kawa in action, using te reo Māori during the pōwhiri and learning his pepeha during Te Kōti o Mātaatua.

**Kia raranga/Weaving process**

At the beginning of the development of Te Pepe Ao Uri as a pūrākau analysis framework for this research, I aimed to find an approach that would honour the varying voices of those sharing their pūrākau. The diversity amongst the iwi, hapū, and whānau that reside within the rohe of Mātaatua was evident during the observations and interviewing processes. It was imperative to find a way that would whakamana and honour the differing perspectives.

Outlining my positionality and introducing a pūrākau about my nanny as a way of weaving together the different voices alongside my own is an honour and privilege that keeps me grounded and humble during this rangahau. I attempted to write about this methodology methodically, detailing the linear progression at each stage. However, doing so in reality became a real struggle that I am sure my supervisors will attest to. I had to lean into and trust

the voices of the kaumātua who took part in this study. We had already been issued a wero to emulate their ancestress, Wairaka, so the expectation and burden were high. Then, I had to learn to tap into and trust those inner voices of nanny and other tīpuna, my whānau, supervisors and other supporters, including trusting in my intuition. That meant discarding my expectation of good article writing to outline how this framework developed. Ngā Pepe Ao Uri has been useful in weaving the ethnographic observations, kaumātua kōrero and my reflections. The pūrākau shared by the different kaikōrero adds to the colour and richness of Te Pepe Ao Uri and will be further explored in a future article. Weaving these pūrākau with the seven te ao Māori principles, Te Pepe Ao Uri provides a useful analysis framework, as illustrated below.

If we look at the concept of whakapapa in both pūrākau, each provides useful insights and learnings grounded in a collective and holistic understanding that we are linked to deities, people and landscapes across oceans, time, space and realms. These understandings strengthen our identity as Māori, as rangatahi, as tama and hine. Wairaka was the first-born daughter of a chief. She was puhi, being of high rank and knowledgeable in mātauranga Māori. As such, she would have observed and acted in accordance with this knowledge and tikanga expectations, observing traditional customs and values. She would have weighed the consequences of her breaching tapu to handle the waka as necessary to save her people. She no doubt had the skills and abilities to diffuse the breach. Her actions were not taken lightly, and she called on the atua to aid her not in becoming a man but in having the strength of a man. In contrast, Manawa's pūrākau is like many other rangatahi appearing in Kōti Rangatahi. Some are reluctant marae-based court participants because they are unfamiliar with marae kawa and have little to no knowledge of their whakapapa. It was, therefore, up to their whānau to support the rangatahi, who, during my observations, were generally the mothers, nannies, aunties, sisters, cousins and sometimes girlfriends that would encourage and support them throughout Kōti Rangatahi. Tāne supporting rangatahi were their koroua and sometimes their fathers. The role of wāhine in supporting their whānau today, is not unlike Wairaka, in that they, too, are often

courageous and brave in making a stand and walking alongside their rangatahi, even when they may not want the help. Some wāhine are also not confident in marae spaces because they are disconnected, and some are unfamiliar with the legal system. However, they support their rangatahi in the Kōti Rangatahi, hoping for a better outcome. Both kaumatua encourage Manawa to keep learning about his whakapapa and, in so doing, are building his cultural capital. They impart these words to encourage him to take responsibility and accountability in having a duty to himself and to his sister.

Tikanga acts as a system of laws about doing the right thing that are fluid and context specific. Tapu restrictions are put in place to protect and safeguard people in certain situations, but the concepts of aroha and manaakitanga allowed Wairaka to act to save her people. Her concern was holistically focused; she acted to save her whānau, and she was mindful that a karakia was necessary given her mātauranga Māori learnings in asking for protection in the breaching of tapu. On the other hand, the pūrākau of Manawa and his sister show the potential for rangatahi to walk their tikanga on the marae in participating in the pōwhiri ceremony. In this setting, they experience being part of a collective that have pūrākau about their ancestors voyaging to these shores like Wairaka. Here, they learn about the feats or skills of their tīpuna or the Kōti Rangatahi kaumātua make a whakapapa connection, even if they are not from the area, by drawing on ancient pūrākau in a modern context. Both kaumātua, in Manawa's case, imparted great words of wisdom, imploring him to be a leader using his skills and talents to have a better life by staying on the right path and forgetting his old behaviours.

If mana is a regulator of behaviour in that doing anything that enhances or diminishes the mana of an individual or collective, then the pūrākau of Wairaka and Manawa provide interesting learnings. Wairaka used her mana or agentic power and leadership to act decisively. Today, Wāhine can learn from her example of being brave in doing what is tika. For Manawa, his journey of discovery and cultural identity is in its infancy and in no way can a few short months in Kōti Rangatahi be the end goal. However, exposure to the marae, its kawa processes and the

words of wisdom relayed from the Kōti Rangatahi kaumātua may spark some interest in his journey forward. The kaumātua used the word “duty” when talking to Manawa. That implies he has a responsibility to uphold not only his mana but the mana of his sister and that he has a duty as a teina to support his tuahine. The mana of the wāhine supporting rangatahi in this court setting was evident; Maia chose to drive three and half hours to support her brother through Kōti Rangatahi o Mātaatua when it would have been possible to seek a transfer of his case closer to where they live. During my observations, it was evident during the interactions with the judge and kaumātua panel that sacrifices had been made, particularly by the mothers, grandmothers and other significant whanaunga wāhine. Often because dad was not in their lives or could not take time off work, although several koroua did attend when possible. The depth of their love and hope for their rangatahi was often inspiring as they provided honest feedback on the lack of support services or their frustrations about the lack of progress being made their rangatahi to comply with their conditions. The latter proclamations were not made lightly. Sometimes, they had reached the end of their tether and needed more support or an alternative option. I provide these latter insights in this research to highlight some of the ways in which these wāhine were mana empowering in that they were pono speaking out of aroha to effect a change in the system or the rangatahi.

This point has already been made but is worth making again; the pūrākau of Wairaka teaches us that being tika is doing the right thing. There may be consequences, but the goal is to use these restrictions to restore balance and harmony. Within a whānau, hapū or iwi collective, all members have a responsibility to observe tapu restrictions and noa practices unless, like Wairaka, doing so is more harmful. Wairaka used her leadership status and puhī status to do the right thing. For Manawa, appearing on the marae was a new experience and unfamiliar experience. He and many other rangatahi and their whānau feel some trepidation and anxiety about being Māori and not knowing how to be Māori in a pōwhiri situation. The above vignette was after three months in Kōti Rangatahi o Mātaatua. So, by this stage, Manawa was an old hand

at what to do and how to act. He had mastered his mihi and pepeha and was comfortable speaking with the judge and kaumātua. This was Manawa's last appearance before getting a discharge without conviction.

Wairaka lived when the te ao Māori principles were accepted norms, including the existence of wairua as an unseen spiritual dimension that influences the physical dimension. In this way, her pūrākau is insightful for examining the aspects of spiritual vibrations or energy as we look at te ihi, te wehi and te wana as the positive energy that triggered her action, her emotional reaction pushing the fear aside to achieve te wana saving those aboard. Manawa and most other rangatahi likely felt this same way when going to the marae pōwhiri for the first time and delivering their pepeha. Some rangatahi were observed being very anxious about speaking publicly and doing so in te reo Māori. At the start of the Kōti Rangatahi journey, some rangatahi read their pepeha but were usually able to confidently share their learnings after a few appearances. From a te ao Māori worldview, recognition of wairua and the spiritual realm takes for granted that much of the marae kawa that takes place during marae pōwhiri is acknowledged in the karanga, whaikōrero, karakia and practices that move the ceremony between the sacred to safe spaces. Each space is influenced by a different atua. For example, the god of war, Tūmataunga, oversees the marae ātea open courtyard space because this is the area where much of the divisive kōrero can take place. As discussed earlier, during the whaikōrero, visiting kaumātua would honour their tipuna Muriwai respectfully, where the offence is not intended or taken. The mana of all those gathered honouring their respective tipuna is upheld in this space on the marae. By the time the Kōti Rangatahi begins in the wharenuī after karakia, this is the space influenced by Rongomaraeroa, the Atua of peace. By now manuhiri would have come together with the tangata whenua during the harirū and hongī and had a kai together in a show of kotahitanga or the Kōti Rangatahi kaupapa. The kōrero that takes place in the whare is respectful as a space that operates under the ture of tikanga and is influenced by a Pākehā legal system. In Manawa's case, wairua feelings were observed during his interactions with his

sister. There was pause for laughter, reflections, encouragement, and aroha. During his appearance, there was an uplifting of wairua and mauri as he delivered his pepeha, introduced his sister and engaged with the judge and kaumātua.

The whakataukī, “mauri ora, mauri mate”, means living life force and crossing that life force through te ārai to the spiritual realm. Like many tīpuna who have passed through te ārai, they are remembered in their pūrākau. In this way, Wairaka continues to have a presence and mauri as her pūrākau inspires her descendants and many others. Uplifting the mana and mauri of Manawa and his whānau within the sanctuary of the marae, where the law of tikanga prevails and guided by the wisdom of the kaumātua is as the kaumātua stated you are in the right place Te Kōti Rangatahi”. All those privileged to see Manawa’s growth, discovery, and maturity during his short time in Kōti Rangatahi could see sparks in his mauri ora journey.

The use of te reo is a key te ao Māori principle. Of course, this was not an issue in the time of Wairaka, but her enduring words “kia Whakatāne au i ahau” are an excellent example of the language having mauri and mana. For Manawa, his learnings may only be for a short time in Kōti Rangatahi, and perhaps this will be lost soon after discharge. However, it is the wairua feelings he experienced, the interactions with the kaumātua, the memory of their words of encouragement, and perhaps the funny judge that made the regular appearance less daunting that will stay with him and his sister. Appearing in Kōti Rangatahi is an opportunity for them to connect or re-connect to their Māori culture and identity.

## Conclusion

The development of Te Pepe Ao Uri has been challenging, and I have had to find a way to analyse, re-share and re-tell their pūrākau, voices and perceptions. I did this by constantly reflecting on my learnings and experiences through the process of noho wahangū that enabled me to access the voices and guidance of my tīpuna, my Nanny Aniteweweni. I thank my aunties for giving their permission for me to acknowledge her creative brilliance as inspiration that I

see as my guide in undertaking this research. Te Pepe Ao Uri is a framework that captures the aho strands representing the varying storytellers, including the rangahau participants focusing on the kāhui kaumātua, my tīpuna as analysed through my perspectives and understandings. The whenu strands represent the seven te ao Māori principles widely modelled as guiding principles. As my doctoral questions seek to explore what tikanga is in Te Kōti Rangatahi o Mātaatua, I quickly came to realise that in answering this question, I would be using tikanga principles to conduct this research, including during the analysis of the pūrākau. As an analysis framework, Te Pepe Ao Uri became a way of speaking to each of the te ao Māori principles in the context of each pūrākau while trying to get to the essence of what is going on. The process has not been easy when writing as an academic exercise, but once I gave up on these limitations restricting my voice and cyclical thinking, it was somewhat easier to document the development of Te Pepe Ao Uri. In a future article, I will speak to the findings in this rangahau, but for now, I wanted to privilege the pūrākau of Wairaka and Manawa in closing with my analysis learnings. Both pūrākau highlight the mana, power, and authority of wāhine to draw on te ao Māori principles to effect change because it is tika, the right thing to do. Moving forward, both pūrākau demonstrate that fearless leadership is needed to keep rangatahi on the right path and that Kōti Rangatahi o Mātaatua is a cultural resource that utilises the best of our cultural processes to support whānau, but particularly these wāhine toa to care for their rangatahi.

### **Noho Wahangū**

My dream looking for my nanny, who was absent in the whare pora, represented how I imagined how she would have felt being excluded from that learning space. As outlined in this chapter, she was a skilled innovator and leader in her own right. *\*Ae e kui, I know I get it now.*

The article “Te Pepe Ao Uri Whāriki: The development of pūrākau analysis framework” serves as a deeply personal and culturally significant exploration, merging academic inquiry with Māori storytelling traditions. As I reflect on its content and essence, the richness of its purpose

and methodology resonates profoundly. Pūrākau grounds this thesis, whether the pūrākau are my own, my tīpuna or the kaumātua, rangatahi, and whānau who were observed during Kōti Rangatahi o Mātaatua. The use of pūrākau has enabled me to capture the mauri, mana, tapu, and wairua within the pūrākau not only as a storytelling process but as a powerful analytical framework. The kaupapa Māori approach utilised in this research disrupts the linear conventions of Western-centric analysis methods. It embraces the cyclical, layered nature of te ao Māori concepts of land, place and time (King et al., 2023). For example, the pūrākau shared of Wairaka illustrates her leadership, agency, and cultural values. At the same time, Manawa's pūrākau offers a modern, poignant reflection on cultural reconnection, resilience, and support of his whānau but also the potential of the system provided by Te Kōti Rangatahi. The whakataukī, "Kia whakatōmuri te haere whakamua, I walk backwards into the future with my eyes fixed on my past", anchors mātauranga Māori knowledge systems and experiences in different temporalities and literal places and spaces (King et al., 2023; Rameka, 2016).

The article bridges ancestral wisdom with contemporary challenges. The whāriki and the process of raranga weaving offer a metaphor for analysis that creatively makes sense. Te Pepe Ao Uri Whāriki is a framework that honours the multifaceted voices involved and emphasises the interplay between individual reflection and collective identity. This weaving highlights the seamless integration of personal narrative, Indigenous methodology, and cultural pride. I thank my supervisors for constantly encouraging me to resist the pressure of conforming to Western norms and to pave a new path that genuinely reflects Māori ontology and epistemology. This experience reminded me that I am my Nanny's mokopuna; we are leaders, and if we are not invited and included, we can and will do what is tika. Just as my nanny did. My nanny's skill in weaving English words into a whāriki as a second language amazes me. So, just as the words run together without separation, I have perceived this as a beautiful, deliberate error, demonstrating to me that as you learn from your hapa, the lesson is to carry on. As it is with making the same mistakes, I have learnt and grown. In this vein, I, too, would

like to correct two hapa. I have used the kupu aho, which are the weft crosswise whenu or strands, but for a whāriki, the kupu is different. I have learnt from a skilled Ngāti Awa whāriki weaver that the correct terms are whenu matau, which are the first strands going from left to right of a whāriki. The second hapa relates to the use of the kupu aho in the conclusion; the kupu should be hiki mauī or whenu mauī, meaning the strands going to the left. This correction is important, as Chapter Eight introduces the hiki or whenu mauī as the leftward strands, which are woven together with the hiki or whenu matau rightward strands. It should also be noted that the shades and colours within the whāriki framework I have created in this thesis represent the kaumātua who have contributed their pūrākau to the making of the whāriki.

Whether our pūrākau are old or new, they remind us of their transformative potential of seeing, hearing, and sharing to preserve our cultural taonga. Today, they can inspire localised whānau, hapū, and iwi solutions that support rangatahi by returning to our marae spaces and the tikanga practices there. This chapter has become a living document of my journey to cultural reclamation and empowerment by navigating the complexities of decolonisation in my practices and balancing the different worldviews and laws each adheres to. I have invited readers to reconsider the power of pūrākau and their role in highlighting the importance of tikanga. These narratives showcase the enduring relevance of mātauranga Māori wisdom, as exemplified by the Kōti Rangatahi o Mātaatua kaumātua. Their efforts can help one rangatahi at a time to address modern challenges by fostering a deeper understanding of who they are. The pūrākau methodology can weave together past, present, and future in a way that informs and profoundly inspires.

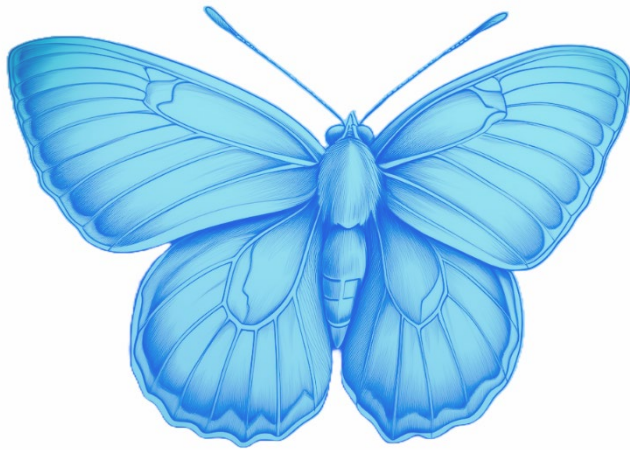


Figure 11 Te Pepe Ao Uri – Hei Aha?  
Note: Adapted image Adobe Express.

## Chapter 6 The Judge has his tikanga – we have ours

### Tūāmua Prelude

*\*E kui, I'm feeling nervous again. This time, it's just me and my hunōnga. Uncle hasn't been well, so my hunōnga is stepping in as my kaitaiki and my supervisors are unable to be there. Sitting in the rūnanga boardroom again, the kaumātua greet us warmly. This time, everyone knows us, as we've attended Kōti Rangatahi. Everyone is genuinely interested in hearing about my rangahau. After the formalities of the mihi whakatau and whakawhanaungatanga, I present my kōrero. They appreciate hearing about the other Kōti Rangatahi – the concept of whanaungatanga justice made sense with each adding their whakaaro. Then a rangatira joined the hui a little later, and upon hearing the kōrero about what is the tikanga of Te Kōti, he shared these words, "the judge has his tikanga and we have ours." This sense-making session was a poignant moment where I clearly heard the kaumātua articulate that two laws exist in the Kōti Rangatahi setting. I had heard and seen enough from all those present*

*to acknowledge the tension in navigating and balancing the requirements of both whare and the tikanga of each.*

This prelude marked some of the key challenges identified by kāhui kaumātua about the full operation of tikanga Māori on the marae, particularly when it becomes a subjugated part of a Pākehā legal process. However, in speaking to the kaumātua about my initial findings, their kōrero also spurred me to reconsider some of the advice I had been given. When I started this research, I was advised not to focus on the dichotomies between the mainstream Youth Court setting and Kōti Rangatahi, as this would not be constructive. I have largely done that, attending Youth Court only once throughout this research. However, it became clearer to me that I could only shine a light on these differences between the two worldviews by taking these uncomfortable steps. One process is regulated by Pākehā law, and the other is governed by tikanga. I needed to fully understand this to explore the impact and effects of the subjugation of tikanga by examining the complexities that reinforce the divisions. I also realised that my search for understanding tikanga was not just about identifying practices or protocols – it was a philosophical journey. To truly understand tikanga, I needed to explore the deeper layers of te ao Māori: the ways we think, the ways we know, and the ways we relate to each other and the world. This meant engaging with mātauranga Māori, whakapapa, and the metaphysical dimensions that underpin our tikanga. It became clear that the question “what is tikanga?” is inseparable from the question “what is the Māori worldview?”

This findings chapter explores the insights of four kaumātua of Te Kōti Rangatahi o Mātaatua, as they share their insights of what tikanga is and how it is enacted or limited within this setting. The colours represent the diversity of experiences and calibre of the kaumātua in Te Kōti Rangatahi o Mātaatua, who shared of their mōhiotanga and mātauranga, contributing to māramatanga. Some of the analysis and discussion accompanies the kaumātua pūrākau section and is expanded upon in the rapunga whakaaro section weaving together the complexities of a te ao Māori knowledge system for understanding the tikanga system of laws.

This chapter has been drafted for submission to a journal, so it includes all the elements of a publication including some unavoidable repetition.

## Introduction

This chapter privileges the knowledge of the kāhui kaumātua in understanding the philosophical underpinnings that have shaped and informed the incorporation of tikanga in Te Kōti Rangatahi o Mātaatua. Kaumātua are generally accepted as being the holders of te ao Māori knowledge that guides and protects whānau, hapū, and iwi, particularly on our marae. Kōti Rangatahi kaumātua have a range of te ao Māori knowledge, skills, and personal interests they draw upon in supporting the rangatahi and their whānau through this court process.

Kōti Rangatahi kaumātua have varying experiences and mōhiotanga (knowing, knowledge, and methods of knowing) of te reo, te ao Māori, and whakapapa (McLachlan et al., 2023, p. 8).

Māori knowledge is captured in whakapapa kōrero; creation and other pūrākau, waiata, whaikōrero, whakataukī and in whakairo and raranga (McLachlan et al., 2023). Traditional forms of knowing are evident in whakapapa, which may be considered an epistemological template, as the creation pūrākau guides understanding of the knowledge system (Barlow, 1991). Whakapapa guides how we think, learn, store, and use knowledge (Smith, 2000).

Whakapapa knowledge is fundamental to all facets of te ao Māori; it connects us, organises us, outlines our obligations to atua, te taiao and to our whānau, and it provides a structure for organising knowledge and responsibilities. Whakapapa mirrors the cosmological transition from te kore to te ao mārama, moving from potentiality to darkness and into the light to gain understanding (Rameka, 2015). Through this process, mātauranga emerges and evolves into māramatanga, a state of enlightened holistic awareness of connectedness grounded in whakapapa. Rangiwai (2021a) similarly describes three types of Māori knowledge: mōhiotanga knowledge as experiential; mātauranga knowledge as acquired; and māramatanga knowledge as emerging. Te ao Māori knowledge systems are cyclical and layered, deeply rooted in

whakapapa and preserved in taonga tuku iho – pūrākau, kōrero, and artifacts, ensuring their relevance today.

Several te ao Māori concepts reflect a dualistic framework to understand the natural world, our origins, and our inter-connected relationships between each concept (Marsden, 2003; Whatahoro, 2011). Celestial/terrestrial realms distinguish the heavens from the earth (Camp, 2021; Harris et al., 2013; Whaanga et al., 2020). Metaphysical/corporeal emphasises the intangible versus the physical, often used in philosophical discourse (Mika, 2020). Ira atua/ira tangata speaks to the divine and human elements, acknowledging the sacred origins of knowledge and its manifestation in human experience (Mead, 2003; Mika, 2015). For this chapter, however, I focus on the concepts of kauae runga and kauae raro, which are deeply rooted in Māori epistemology (Whatahoro, 2011). Kauae runga refers to the upper jaw and is associated with the uppermost heavens or celestial realm of the atua where higher knowledge is fixed and manifests as māramatanga (Witehira, 2013). Whereas kauae raro is the lower jaw and relates to the mundane terrestrial world of humans, where earthly knowledge manifests as mōhiotanga knowledge (McLachlan et al., 2023; Witehira, 2013).

This paper highlights the challenge faced by kaumātua of Te Kōti Rangatahi o Mātaatua in engaging with rangatahi in ways that enable the meaningful transfer of mātauranga, so that rangatahi can truly understand and connect with the knowledge being shared. If this can be achieved, then the potentiality of moving rangatahi from te kore to te ao mārama while engaged in the marae kawa and tikanga in a meaningful way can be achieved. The paper outlines the fundamental differences between tikanga as the first law of Aotearoa and Pākehā settler law based on the Westminster system, before closely exploring the philosophical underpinnings of tikanga in the specific context of Te Kōti Rangatahi o Mātaatua. This paper is led by SB (Ngā Tūhoe, Whakatōhea, Te Whānau-a-Apanui, Ngāti Whakaue) and co-authored with JK (Ngāpuhi) and KT (Pākehā). The findings have been generated from my doctoral study,

which used a kaupapa Māori, qualitative approach. The study methodology and tikanga practices have been fully described elsewhere (Black, Kidd, & Thom, 2023; Black et al., 2017).

This paper draws on the creation pūrākau and the Kōti Rangatahi kaumātua pūrākau to understand the different facets of tikanga: as lived and practiced, as guiding principles, as known in a knowledge system, based on whakapapa and whanaungatanga relationships. These pūrākau offer more than narrative – they provide a framework for understanding the structure of the universe and our place within it. Marsden (2003) explains that the development of theory in te ao Māori is grounded in these epistemological understandings and cosmological narratives, which inform the ontological and metaphysical beginnings. While this paper explores both what tikanga is in Te Kōti Rangatahi o Mātaatua, it does not look at the development of state and common law in relation to tikanga, as these have been extensively researched by Te Aka Matua o te Ture | Law Commission (2023).

### **Fundamental differences between tikanga and Pākehā law**

Tikanga Māori and Pākehā law have different whakapapa and kaupapa, underlying philosophy, belief systems, and practices. Tikanga existed long before the arrival of the settlers to Aotearoa. The Pākehā legal system has its roots in the Westminster legal system of England, with statutes created by Parliament and judge-made common law (Coates, 2015, p. 2). Pākehā law has a written tradition that is largely rigid and is validated, enforced, and reinforced by the three branches of a Pākehā system – the legislative, executive, and judicial branches. Tikanga has an oral tradition developed over centuries. It is flexible and is grounded in core values that prioritise the interconnections between all things, and care for those relationships (Gallagher, n.d). The Pākehā system is mainly based on being adversarial, looking to punish wrongdoers, which is considerably different from the tikanga approach, which aims to seek reconciliation and healing of all parties harmed. While the Pākehā system looks backwards at punishment for acts committed, tikanga is future focused towards the restoration of mana and relationships (Quince, 2022). This means that the Pākehā system may be insular, focusing on the needs of

individuals or corporate entities rather than considering the holistic needs of the collective, the environment, and the spiritual realms.

### Describing tikanga

Tikanga literally translates as the correct way of doing things, according to Māori values. Ngā tikanga tuku iho are defined as customary values, practices, standards, principles, or norms that Indigenous Māori used to regulate behaviour and maintain harmonious collective living prior to colonisation (Spiller, 2005; Te Aho, 2007). Tikanga includes ideas, thoughts, and beliefs built from generation to generation (Mead, 2003). For individuals, it can be a deeply personal tikanga practice. For example, some whānau have strict tikanga practices around the use and laundering of tea towels or for the burial of the whenua and pito (placenta and umbilical cord). At a hapū level, on my marae, discussions have ranged from considering sacred places where photography and videography are prohibited, to removing bird bones from a cave within the jurisdiction of the hapū. These discussions demonstrate the flexibility of tikanga as it develops to accommodate new circumstances, such as technology, and allows for the education of younger hapū members.

Tikanga has also been conceptualised as a system of laws for the social organisation of tāngata, rangatira, and whenua (Jones, 2016; Law Commission, 2001). Coates (2015, p. 4) describes tikanga as a self-contained legal order that influences and impacts “...rules, values, principles and processes dictating how customary practices are identified, how disputes are resolved, and how rules and protocols can change or be developed over time.” Tikanga guides behaviours by defining right from wrong, and tikanga-based procedures are established by precedent over generations that are held to be ritually correct and valid (Mead, 2003; Sykes, 2021). In this way, there is some similarity in the use of a precedent to guide the development of tikanga and common law developed in the courts. However, unlike the latter setting, the adaption of tikanga is a collective endeavour.

Testing and changing existing tikanga, or implementing new tikanga, has traditionally been a matter of extended kōrero among hapū, undertaken carefully and over some time. However, changes can be undertaken immediately if the circumstances are serious, such as in the context of imminent death, so long as someone with the appropriate mātauranga expertise manages and oversees it (Mead, 2003). In these cases, the matter will likely be reviewed and discussed by the whānau or hapū afterwards. For example, tikanga discussions and decisions led to short-term adaptations during the COVID-19 epidemic to minimise the threat of becoming sick and to protect the whakapapa of the collective (Keelan et al., 2021; Pihama & Lipsham, 2020). These adaptations included closing marae during the lockdown phase of pandemic management and changing the imperative for face-to-face hui to incorporate a safer virtual process of connection. With the reduction of the threat to life, these tikanga changes have largely been reversed although some adaptations remain such as specified ope timings for tangihanga, which have continued to ease the burden on tangata whenua to manaaki manuhiri.

The flexibility of tikanga is a strength for Māori because of its focus on doing what is right for the people. However, it also represents a vulnerability in terms of the potential for powerful outside forces to influence or enforce its development. Within the legal environment, Māori lawyer Annette Sykes described the distorting impact of colonisation and dispossession that saw Māori knowledge, law, and philosophy redefined and misrepresented. She particularly noted the assumption made in several court cases that tikanga could be judged in a Pākehā court, instead referring to tikanga as co-opted “window dressing” that looked good on the outside but lacked substance (Sykes, 2021, p. 19). She advocates for “a tikanga system of justice based on our values that work for our people” (Sykes, 2021, p. 28), which is not achievable through an unequal blend of Pākehā and tikanga processes.

Māori scholars have voiced similar concerns in the context of Ngā Kōti Rangatahi. Dickson (2011) was concerned about the misuse of tikanga through Pākehā court authority, and the

effectiveness of working with rangatahi who do not whakapapa to the Kōti Rangatahi marae. Although Dickson observed some urban Kōti Rangatahi were taking measures to connect young people back to their own marae, he asserted that the mana and authority for decisions made about the rangatahi should reside with kaumātua from their own hapū. Waititi (2012) observed that marae-based Youth Courts can mirror the adversarial nature of Pākehā courts, which risks alienating rangatahi from the healing potential of marae and whakapapa. These earlier concerns were also highlighted in recent research with Te Kōti Rangatahi o Hoani Waititi, which found that although tikanga was essential, inserting it into the youth justice system rendered it tokenistic and therefore ineffective (Blank-Penetito, 2019). Similarly, research with Ngā Hau e Whā marae in Christchurch found that more emphasis is needed on developing Māori-focused solutions, led by the lay advocates and marae kaumātua (Jessep, 2022).

Other scholars have raised similar concerns about the co-option of tikanga within Ngā Kōti Rangatahi, suggesting that it has been reduced to a monitoring court constrained within a mono-cultural legal system (Tauri, 2005, 2014; Waititi, 2012). These scholars have argued that while Māori justice practices remain subjugated within a Pākehā criminal justice system, with artificial Māori concepts and practices being implemented by state agencies without the requisite Māori knowledge and understanding, we will continue to fail Māori (Tauri & Morris, 1997; Tauri & Webb, 2012).

These concerns reinforce and extend those expressed in Moana Jackson's (1988a) foundational work on developing a parallel Māori and Pākehā criminal justice system. He asserted that rangatiratanga, as guaranteed in Te Tiriti o Waitangi, meant that any such system "would need to be adapted within a Māori perspective" (p. 278), with hapū rangatira having authority over what happens with their young people.

## Tikanga precedent set in pūrākau

In the Mātaatua rohe, this sacred karakia illustrates our whakapapa lineage and origins, aligning them with the growth and development of a rākau.

<i>Te pū</i>	<i>Root, origin</i>
<i>Te more</i>	<i>Tap root</i>
<i>Te weu</i>	<i>Rootlets</i>
<i>Te aka</i>	<i>Creeper, vine</i>
<i>Te rea</i>	<i>Growth</i>
<i>Te waonui</i>	<i>Great wood</i>
<i>Te kune</i>	<i>Conception and form</i>
<i>Te whē</i>	<i>The sound</i>
<i>Te kore</i>	<i>Chaos, void</i>
<i>Te pō</i>	<i>The darkness</i>
<i>Ki ngā tāngata Māori</i>	<i>Connection of people</i>
<i>Nā Rangi rāua ko Papa</i>	<i>Sky Father, Earth Mother</i>
<i>Ko tēnei te timatanga o te ao</i>	<i>Creation of the world has begun</i>

This karakia follows that sacred path, from Te Pū through growth, sound, and form to Te Waonui and the people who walk within it. It reminds us that the creation of all things did not happen by chance. They were created. Ngā atua are not merely symbolic figures within Māori cosmology; they are the original practitioners of tikanga, and their actions became the first expressions of tikanga that continue to guide Māori life.

A helpful analogy for understanding tikanga as precedent can be likened to the atua cutting a track through the ngahere. Ngā atua not only walked the track but created it simultaneously by cutting through the brush, shaping the landscape, and leaving behind clear tracks. The actions of the atua become markers on the track for tāngata to follow. Today, tāngata can choose to follow those tracks, learning from the terrain they navigate and adapting the tracks to the kaupapa or context while always being guided by the original track created by the atua. This section examines the creation pūrākau, exploring the blueprint left by ngā atua as the first practitioners of tikanga in the spiritual and earthly realms.

### Ngā atua as the first tikanga practitioners

Our creation pūrākau are not myths or fables. They are whakapapa accounts of our ancestors, providing the blueprint for Māori ways of living and connectedness to the spiritual and physical worlds (Hakopa, 2019; Mikaere, 2002; Walker, 2004). There is much debate amongst scientists, philosophers, religious leaders, and astronomers about the cosmogony of the universe, including the “Big Bang” theory (Chadwick et al., 2017, p. 210). Across the South Pacific, particularly in Polynesia, Micronesia and parts of Australia, Indigenous peoples have pūrākau showing the varying elements of the celestial realm with its hierarchical nature that is modelled for the terrestrial realm (Chadwick et al., 2017, p. 231).

In broad terms, the Māori creation pūrākau outlines the three stages of coming into existence, which Marsden (2003) describes as a “three worldview.” The three worldview begins with te kore the void or nothingness and a space of potential where all things were developed and created. The next phase is te pō, the dark, which depicts a period of darkness and ignorance within the spiritual realm that gave way to the overwhelming love story between Ranginui and Papatūānuku and produced many children. The third phase, te ao mārama or the world of light, depicts the earthly realm of humans and a state of reality. There are important variations in iwi accounts, in both the nuance of the three worldview, and in the pūrākau that follow the emergence of te ao mārama. All variations of creation pūrākau contain important lessons for

the understanding of Māori beliefs and attendant tikanga (Rangiwai, 2022). These deep whakapapa accounts are the key to understanding the Māori worldview and belief system, as conveyed in the whakataukī, *ka mua, ka muri*. This whakataukī is often translated as walking backwards into the future, meaning that in order to walk confidently into the future, it is necessary to understand and learn from the past (Rangiwai, 2022).

The first lover of Ranginui (then named Rangi-a-watea) was Wainuiātea who was the atua of space and light – together they produced 72 offspring, all atua wāhine. Later, Ranginui fell in love with Papatūānuku, and they had 72 atua tāne in an act of perfect balance (New Zealand Waitangi Tribunal, 2022). However, in their mutual passion, Rangi and Papa remained locked together in te kore as there was no light with their children trapped between them in te pō, the dark space of becoming (New Zealand Waitangi Tribunal, 2011).

The children became restless in this perpetual state of darkness, so they began scheming about how they could leave their world. After considering and rejecting several plans, Tāne Mahuta (atua of forests and birds) proposed that they should separate their parents to gain more freedom, and eventually, most of the children agreed. Tāne Mahuta, with help from other siblings, prised his parents apart, and this action became the first hara (crime, sin, offence) and was the beginning of understanding the effect of offence and consequence. One brother, Tāwhirimātea (atua of wind and storms), disagreed with the separation. His dissention was the beginning of debate, discussion, and independent thought (New Zealand Waitangi Tribunal, 2011).

The separation resulted in Te Ao Mārama, the world of light. Importantly, the separation of Ranginui and Papatūānuku reinforced the connection and balance between them. The following excerpt about the creation narrative by Ngāti Awa tohunga Wiremu Pākehā to Ngāi Tūhoe rangatira Pou Temara highlights the importance of whakapapa between ngā atua and all their children.

*Kotahi tonu te atua o te Māori – ko Ranginui e tū nei, ko Papatūānuku e takoto nei. Ahakoa e rua rāua, kotahi anō rāua. Ki te kore a Papatūānuku, kāhore hoki a Ranginui, ki te kore a Ranginui, kāhore hoki a Papatūānuku. Ki te whakahua i a Ranginui, kai roto hoki a Papatūānuku i te mahara. He pērā anō te kōrero mō Papatūānuku. Koia I kīia ai kotahi anō rāua. Ko ngā mea katoa kai waenganui i a rāua, kotahi anō, i heke katoa iho i a rāua; ngā whetū, te rā, te marama, ngā kapua, te ua, te hukarere, te hau, ngā mea katoa e kite nei tāua, e rongo nei tāua. Tae noa ki ngā mea o te ao, katoa, ngā manu, ngā kararehe, ngā ngārara, rākau, te moana, te whenua, ngā awa, katoa i haere katoa mai i a Ranginui rāua ko Papatūānuku.*

*There is only one god of the Māori – Ranginui who stands above, and Papatūānuku lying here. If there is no Papatūānuku, Ranginui cannot be, if there is no Ranginui, Papatūānuku cannot be. If you mention Ranginui, you are conscious of Papatūānuku, and the same applies to Papatūānuku. That is why they are one. Everything between them is one, they all come from them; the stars, the sun, the moon, the clouds, the rain, the snow, the wind, everything that we see and feel. Even to the things of the world, everything, the birds, the animals, the insects, the trees, the sea, the land, the rivers, everything – all comes from Ranginui and Papatūānuku. (New Zealand Waitangi Tribunal, 2011, p. 24)*

This creation narrative highlights the interconnectivity of whakapapa in te ao Māori, underpinning our beliefs about who we are and where we come from, as discussed in the next section.

## The first expressions of tikanga

The next phase for understanding tikanga is demonstrated by the divine actions and behaviours of ngā atua as the blueprint for human behaviour. As mentioned in the pūrākau above, after the separation of Rangi and Papa, their children became atua of all that can be seen, felt, and done; “this is the whakapapa of the universe” (New Zealand Waitangi Tribunal, 2011, p. 24). For example,

*Tānemahuta became the god of forests, birds, and knowledge, Tūmatauenga was responsible for the art of war, Tāwhirimātea was given oversight of the weather and winds, while Rongo was the god responsible for cultivation and peaceful pursuits. Their siblings Tangaroa, Haumiatiketike, and Rūaumoko became respectively the custodians of the oceans, fernroots, and earthquakes.*  
*(New Zealand Waitangi Tribunal, 2011, p. 24)*

The realities of the Māori world in the earthly realm came to reflect what was seen and felt in the realm of ngā ira atua (New Zealand Waitangi Tribunal, 2011). So, from birth to death, our daily lives are reflected in the pūrākau of ngā atua, in the way we love, betray, trick, die, grieve, or fight. For example, in the world of the atua, dissent arose among the siblings and we can see that echoed in contemporary life. After their parents’ separation, Tāwhirimātea was so enraged with his siblings that he destroyed the forests of Tāne and lashed out at Tangaroa (Walker, 2004). Tāwhirimātea was unable to defeat Tūmatauenga, who was forced to fight alone without the support of his siblings. In turn, Tūmatauenga sought utu by negating the tapu status of Tāne’s children by allowing them to be used as everyday items, such as spears and snares, that could trap and kill Tane’s children. He did likewise to Tangaroa’s children, turning them into nets and canoes. These pūrākau help show the whakapapa of anger and violence, the utu or cost that must be paid for such transgressions.

The pūrākau also speaks of the deep mamae experienced by Rangi and Papa. Such was the grief by their separation that the tears from Rangi fell as rain, hail, and snow, while the tears of Papa covered her with frosts and mists that evaporated skyward towards her lover (New Zealand Waitangi Tribunal, 2011). Seeing the mamae and pain his mother was experiencing, Tāne tried to help by turning his mother away. However, this caused his mother more heartache, so he restored their view of each other, declaring:

*Ka aro te hā o Papa ki a Rangi, ka aro te hā o Rangi ki a Papa, ka whānau ko te aroha.*

*The breath of Papa drifted up towards Rangi and his breath descended down towards Papa and it is from that act that aroha was born. (Te Aka Matua o Te Ture | Law Commission., 2023, p. 31)*

Temara (New Zealand Waitangi Tribunal, 2011, p. 91) maintains that concepts of “love, affection, consideration, goodwill, and charity” are vital aspects of whakapapa relationships that bind whānau, hapū, and iwi to each other and to their whenua, underpinned by tikanga beliefs and customs. The emergence of humanity and human experiences amongst the atua provide the blueprint for human behaviour. The first expressions of tikanga between people, place, spaces, and across time were modelled by the atua.

### [Whakapapa provides social structure and order](#)

Prior to colonisation, whakapapa provided a pragmatic societal structure and a framework for accountability and responsibility to kin. However, whakapapa also established moral and ethical obligations to others and the environment, ensuring cohesion and order (Quince, 2007). Traditionally, Māori lived communally and tribally on their whenua, organised by whānau and hapū (extended whānau). It was an ambilineal or ambilateral society, meaning that many roles were not gender specific. Our creation pūrākau, starting with Ranginui and

Papatūānuku, attest to the different but equally important roles of tāne and wāhine (Quince, 2022).

Over time, these whānau and hapū groupings came together to create iwi with whakapapa lineage to a waka or a significant ancestor, while the mana and autonomy was still held within hapū clusters (Winiata, 1967, p. 34). Tikanga values and practices established healthy boundaries and regulated acceptable and unacceptable behaviours, but ultimately tikanga allows Māori to “practice what we believe in as Māori” (Kruger et al., 2004, p. 20).

Kaumātua and kuia have always held special roles through whānau in acknowledgement of their age, wisdom, and skill (Winiata, 1967). For example, child rearing was shared amongst the wider whānau collective, but decisions and overall guidance were made by the kaumātua, not the natural parents (Herewini, 2018). Many kaumātua and kuia also held status as ariki, rangatira, tohunga and spiritual advisors within hapū and iwi as repositories of te ao Māori tikanga (Winiata, 1967, p. 36). The next section draws on the kōrero from Te Kōti Rangatahi o Mātaatua, with reference to the creation pūrākau and whakapapa stories that inform their guidance.

### **Kaumātua and kuia kōrero**

Throughout the project, kaumātua and kuia shared their kōrero with the research team formally during the Kōti Rangatahi sessions, informally during conversations over kai, or during one-on-one interviews. These were almost universally shared through stories from their lives and whakapapa, pūrākau from oral traditions, and extensive metaphors. The use of te reo Māori and humour were woven through their kōrero.

### **Hinengakau**

Hinengakau shared many stories about her upbringing and life that illustrated the translation of tikanga values into everyday actions. Below is a snippet of her kōrero.

*I'm lucky, I had good parents. There was no violence, no abuse. We were never in want for anything even though there was not much money. But my parents made sure we had a lot to eat... My mother used to go out and when she had to go to Auckland, would come back where her dad was up there, and her stepmother and they'd come back with bags of clothes from the second-hand shop... In those days, they had the bags of bacon bones and pork bones that they had from the factories. There was nothing that we were in want of. Of course, my dad, he had pigs, a couple of pigs and that was for the table. He'd bring these little piglets up and when they were ready, they were made into bacon because in those days there were no fridges, so they were salted and tunutunu and put into the fat. We also had a house cow for milk, butter, and cream, and chickens, and we had a creek just alongside our place where we got a lot of the watercress and herrings and whatever came up the river. We had a good life... we had no time to even think about breaking into people's homes and stealing and doing all the things that's happening now because we were too busy down the river even getting fish or watercress or whatever. That was our play times... During the day you were at school, and you don't have time to go and do that. We would collect the pinecones and make spinning tops and get flax and make a whip out of that... That's why I say you might come from a good life, you might come from a good family, but there's always something that makes them go the opposite way to how they were brought up and it's not their fault. It's like having violence in the family and the kids are the ones, the babies are the ones that get it and it's not their fault. I wouldn't even say it's the parent's fault either because where did that start from? From their parents... [or] nannies they went through the same system. So, it goes right back for some, it goes right back. I've seen that happening in my parent's time... My dad, he saw this happening with one of his mates..., bashing his wife around and he*

*told him off. Cut that out. We've even taken some of his kids off him and brought them to us to look after... we took about four or five of them and lived marae style until they could get back on their feet again. This is what was happening at that time. I think a lot of our whānau at that time, they were brought up by the koros and the nannies for different reasons. There's always different things that were happening at that time in their lives. Some of that, thankfully it's not all happening now, but we've got to start from somewhere if we're going to be looking after the youth when they come into court. You can use some of it, what we can say to them, some of it could be used as your own experience.*

While Hinengakau's kōrero provides many learnings, I highlight a distinctly Ngāi Tūhoe tikanga imperative called matemateāone that expresses our relationships to each other and the whenua. Matemateāone is a concept that encapsulates tikanga values, practices, and worldview grounded in identity and belonging that carries a deep sense of responsibility, obligation, and accountability (Te Awekotuku & Nikora, 2003). Hinengakau's pūrākau illustrates the normalcy of life without money, which did not leave her whānau in a financially deprived state where they were unable to feed or clothe themselves or maintain a roof over their heads. Hinengakau paints a picture of a simpler time, and although it is not the traditional pā setting that her parents and grandparents are likely to have enjoyed, there are remnants of that time in her pūrākau. Her memories are rich with accounts of living with the land, shown in her descriptions of the practicalities of growing their own māra kai, having farm animals and being able to hunt and fish. While her parents adapted their skills to resource cheap clothing or meat deals from the city, she and her siblings kept themselves busy with free, simple play activities.

Hinengakau was grateful for her happy upbringing, free of violence, but she was cognisant that this was not the case for many tamariki who today are being raised by their grandparents at

varying times, if not full time. She recalls that her home was overflowing with other whānau. The normalcy of showing aroha, manaakitanga and tautoko to others in need, without judgment and blame, is indicated. The responsibility of helping other whānau Māori even when the whakapapa familial obligations were not present was a tikanga based example of aroha, compassion, and manaaki for her father's workmate.

The reasons underlying the violence or whatever was lacking in this whānau were not the point of her pūrākau. Assisting the father and his whānau to maintain their mana and dignity through their struggles was the point, allowing them time to "get back on their feet again." Her father's intervention was the tika thing to do, although it could easily have had little effect or not been welcomed. The matter-of-fact way in which Hinengakau shared this account indicates that her father's actions were not extraordinary. In terms of the violent behaviours, Hinengakau's father first provided a practical solution to ease the likely pressure. It no doubt also served as an opportunity for his mate to observe the tikanga principles of tapu and noa modelled at home as it would have been on the marae.

This was not an isolated memory for Hinengakau. The inclusion of other people at their table and the marae style of living was normal, with the house full of people, all being raised and cared for in the same way, as whānau. Her childhood was not that of a closed nuclear family, although they had their own house. This is matemateāone.

#### Awa

In this pūrākau, Awa takes us back to traditional ways of understanding and valuing the roles of men and women that result in strong whānau bonds in contemporary, everyday lives.

*I reira ka tīmata tōku whakaaro he rerekē mātou o Ngāti Manawa, nē? I te wā moe tuatahi māua ko tāku hoa rangatira. Ka hoki māua ki te tētahi tangihanga mura ki te marae o Painoaiho. Tae atu māua ki reira, ka kata taku hoa. "Kite ana koe ki te aha?" "Titiro, titiro, look" she said... "He aha tēnā?" "Look" she*

said, and I said “āe, kei te titiro au, waku whanaunga kei te horoi i ngā rīhi, nē?  
And what was comical for her, nē, was these six-foot rough men with big  
beards, swandris and big bush boots, with tea towels that didn’t even cover  
their hands wiping the dishes and washing the dishes.

I tērā wā karekau he kīhini, kei waho kē, nē? Kei ngā “coppers” nē, e horoi ana  
ngā rīhi. Anā, ko ngā tāne o Ngāti Manawa ko rātou ngā kaitunu kai. Ehara ko  
ngā wāhine. I pātai au ki taku Pāpā, “he aha i pēnā ai? Tōna whakahoki mai, “e  
hoa, ko koe tētahi Māori tino koretake katoa.” “He aha ai?” “I heke mai koe i  
tētahi koroua whakatūhia te wahine, nē, tōna hoa rangatira, hei tino rangatira,  
nē? Titiro au ki a ia, kāore au i tino aro i te tika o āna kōrero. Ka kī mai ki au “he  
tohu aroha ki te wahine, nē? Tuarua, ko ngā tāne o Ngāti Manawa e  
whakawhānau ai i ngā pēpi, ehara ko te wahine. Ka tae ki te wā ka tata te  
whānau, ka haere te tāne me te wahine ki te wai o Rangitāne.

Tuarua, ko ngā tāne o Ngāti Manawa e whakawhānau ai i ngā pēpi, ehara ko te  
wahine. Ka tae ki te wā ka tata te whānau, ka haere te tāne me te wahine ki te  
wai o Rangitāne. Nā te mea, he nui ngā tamariki o ō mātou whānau i tērā wā.  
Tō mātou whānau, ko aku tuakana, aku taina, tekau ma toru mātou. He  
whānau iti noa tēnā. Ko te momo āhua o ō mātou whānau, rua tekau, nuku atu  
ngā tamariki. Anā, ka mōhio koe, nē? Ki te kore koe e ū ki ō mātua i te wā  
whānau mai koe, kāore he wā i waenganui i ō tuākana [laughter] nē? Koina.

Ko ērā mea kātoa, mau katoa ki roto i ahau. Ka puta, ka tipu, ka puta te aroha  
ōku, ki ngā tamariki, ki ōku whānaunga. Ka tae mai te kaupapa nei, koiane  
tōna tikanga, te atawhai i te tamariki nā mātua.

[It was then when I first thought that we of Ngāti Manawa are different, aye?

When my wife and I were first married, we went to a funeral at Painoaiho

*marae. When we got there, my wife laughed. [I asked] “what are you looking at?” “Look, look, she said...” “What is it?” “Look” she said and I said “yes I’m looking, my relative washing the dishes?” And what was comical for her, nē, was these six-foot rough men with big beards, swandris and big bush boots, with tea towels that didn’t even cover their hands wiping the dishes and washing the dishes.*

*At that time, there was no kitchen, it was outside. [Kei ngā “coppers”] aye, washing the dishes. and the men of Ngāti Manawa are the ones who cook the food. It is not the women. I asked my father, “why is it like that?” His response was “my friend, you are a totally useless Māori.” “Why?” “Your grandfather, from whom you descend, held his woman in the highest regard.” I looked at him, but I didn’t truly understand the true message he was conveying. He said “it is a sign of love to women.”*

*Secondly, Ngāti Manawa men are the ones who [help] birth the babies, not women. When they are nearing the time for the baby to be born, the man and woman go to the water at Rangitāne. He would erect a lean-to there, and that’s where they would birth the baby. They would stay there for two weeks. As the Pākehā would say, “so that the bonding could take place... with the fairies.” So that [the child] would be totally enveloped in love, aye? Because we would have families with lots of children in that time. In our family, there were 13 of us kids. And that was a small family [at the time]. The usual make up of our families was more than 20 children. And you know aye? If you didn’t fully bond with your parents, well there wouldn’t be much time between you and the [next] sibling! That’s it.*

*All of these things I still hold with me. You emerge, you grow, and this love of mine will disperse to my children and to my relatives. And when this kaupapa*

*came about, that was its custom, the kindness shown to children by their parents.*

In this pūrākau, Awa reflects on how whānau once operated under the guidance of tikanga – values and practices passed down through kōrero tawhito and pūrākau of old. Central to this tradition was the recognition of wāhine as the bearers of whakapapa, mana, and mauri. Awa also highlights the role of tāne in demonstrating their deep aroha, respect, and value of wāhine. The story of taking the newborn pēpi to the awa specifically to nurture the bonds with and between pēpi and parents was a traditional tikanga ritual. Although Awa shared this light-hearted story with laughter, he emphasised how he was raised within his whānau and hapū to love and appreciate his role as a tane to protect the mauri and mana of wāhine as rangatira in their own right. He demonstrates how, from a te ao Māori perspective, a complementary balance exists, seen in the creation pūrākau between Rangi and Papa, or te pō and te ao or wahine and tane.

## Moana

In this pūrākau, Moana discusses the complexity of ways of knowing, understanding, and utilising mātauranga through te reo. He highlights difference, not only between Māori and Pākehā methods, but also important nuances within te reo Māori and the tikanga associated with it.

*For me there is two, two languages: e rua ngā reo, two Māori languages, that's today's reo and yesterday's reo and I'm sorry – I can't talk about today's reo but I've been brought up in yesterday's reo... for me when I was brought up by the old people and I went to kura... The vision our Māori had were open vision and they can see wide but the ... Pākehā visions now, they're focused on one thing and when they do something they sort of narrow it right down. Us, we don't, it's open, now this is why we're so different, different to Pākehā, and ...I don't think*

*we can ever change... because no matter if you were brought up in a Pākehā world, you can't understand what I'm talking about. That heart is still good, the ngākau is still good, the wairua of the Māori... it is always embedded in us. So that's why I say tikanga Māori is so important... I've experienced a lot of tikanga going on different marae – there's too many made-up tikanga. Too many people trying to make up their own way instead of following our tūpuna's values, and this is what we're all about. It's our tūpuna and that's why I talk, I talk in the court, I talk comfortably to people... I don't hide things because those things are embedded into me. I saw it with my own eyes and the old people talk to me. The last person that taught me was my great-great grand uncle and he was, he was a tohunga, and he taught me... When I was learning ... from dad, my people, from the old koroua, I took a notebook with me. They growled me. They said, "You don't take notebooks, you learn this straight." [Now] because I can understand Māori, ... when they stand there and they start telling me something in Māori, I go back the next day and I can repeat it exactly word for word because my mind is Māori. But I wrote it down and they said, "Why are you writing it down?" and I said, "In a few years' time, it will change because my children will not be like me, they will talk Pākehā" ... My kids are learning, because I put it on paper and on the computer... and our kids are picking it up very good.*

The important themes to come through in this pūrākau relate to the intergenerational complexity of te reo me ōna tikanga – the Māori language and the values and actions that go with it. As has been previously discussed, tikanga remains an unwavering foundation in te ao Māori, but its expressions may change over time and for a specific context. For Moana, the changing of how mātauranga has been learned and expressed over recent decades is a source of some frustration. However, he was also cognisant of the need to adapt how that

mātauranga Māori knowledge is captured, recorded, and shared with his children to use now and into the future.

With Kōti Rangatahi, he raises important points about recognising that te reo Māori me ōna tikanga are not static, one-size-fits-all cultural practices, but instead are dynamic, multidimensional and open to potentiality. Moana criticised the development and adaption of tikanga on some marae as made up, asserting that mātauranga Māori knowledge and evidence can be drawn from our cultural artefacts found on the pakitara walls of the whare tipuna or heard in ancient pūrākau. Moana was privileged to have been brought up in a time when he could learn from his koroua based on his existing te reo me ōna tikanga knowledge. He was cognisant that his upbringing and privilege were not the same for his children; he recognised the need to capture, record, and share his mātauranga learnings for his children to learn “our tūpuna’s values” now and into the future.

## Ripeka

In this pūrākau, Ripeka focuses on the many layers of whakapapa and how they are conveyed in Kōti Rangatahi to enhance the connection of rangatahi with their whānau and whenua.

*Pai ki au te Kōti Rangatahi nei. Kei te rongoa ake ahau i tētahi anō i te Kaiwhakawā Tumuaki, Te kaiwhakawā, e mea “he pēnā ngā tamariki ki te haere ki te kōti a te Pākehā. E kore koe e whakaaehia ki te waiata, ki te kōrero i te pepeha, te whakapapa mai ki ahau, nā te mea kei runga koe i te marae iāiane, kei te whakaae au kia mahi. Kia mōhio ai te tamaiti rā. Koia nei ngā mea e mea ana, “you get emotional.”*

*Koia rā mea... i ngā marama... te tāima kua tae mai a [lay advocate]. Kātahi anō a [lay advocate] nei nā ka whāngainga ngā kōrero katoa e pā ana ki te marae ki tana tauira. Āe. Kua rongoa atu i ngā tauira e tū mai ana, “ko Maungapōhatu te maunga, ko Tūhoe te iwi.” E kore wērā e kōrerohia i roto i te*

*kōti Pākehā. Ka whakaaro au, nē rā, engari kua mōhio koe āiane ki te whakapapa, ki te karanga, i tō pepeha, ki te kōrero i tō pepehā te whakapapa, nō hea koe.*

*Koinā te mea nui i ngā kōrero, ā, ko wētahi ra, ā, kāre i noho ki te... Ko te whakapapa noho, te mau, ā, ko te waiata i muri iho, koia ra te ako haere a [Lay advocate]. Ka whai tū koe ki te whaikōrero i tō pepeha, he whaikōrero tēnā kei te tū hoki koe ki runga, āna whakaotihia mā te waiata. Kua waiata mai rā ngā tamariki rā.*

*Koinā te tū i runga i te marae. Koia rā anō te kōrero a te kaiwhakawā ake. E kī ana ia nei nā kāore te tino mōhio ki ngā ture kaha piki mai mātou ki te waharoa, he aha ngā tikanga o reira? Kāore hoki e taea e ahau te kōrero engari mā te mea tāne tērā hei... hei whakatakoto. Āe, i ngā tikanga.*

*I like this Rangatahi Court. I heard from the chief judge – the judge said, “For the children who go to the Pākehā Court, you would never be allowed to sing, to say your introductory speech, to recite your genealogy to me, but because you are on the marae now, I will allow it.” So that the child knows. These are things that I say, “you get emotional.” These are the things... in the months... the time when [lay advocate] came. [Lay advocate] shared all the stories about the marae with his student[s]. Yes. Then we heard the students stand and say, “Maungapōhatu is the mountain, Tūhoe is the tribe.” You’d never hear anything like that in the Pākehā Court. I thought, you know now how to recite your genealogy, how to welcome people on, how to say your introductory speech, and where you are from. That is the most important thing in these discussions, and some days, you don’t... You lay down the whakapapa, then sing afterwards, that was [the lay advocate’s] teachings. You recite your pepeha, and do your whaikōrero, then you stand up and complete that with a song. Those children*

*sing [now]. That is what you do on the marae. That is also what that judge said. They were saying that many didn't know the rules before they gathered at the entryway – what is the proper way of doing things there? I can't speak on that as that is for the men to convey. Yes, it's tikanga.*

In this pūrākau, the potential for Kōti Rangatahi is outlined. Kōti can provide rangatahi with an opportunity to learn and deepen their cultural knowledge, connectedness, and identity by being immersed in marae kawa, te reo me ōna tikanga on the marae. However, it must be more than a perfunctory process if it is to have a profound emotional impact on rangatahi and whānau.

For those who have never been to a marae, let alone their own marae, this can be a frightening prospect for rangatahi and sometimes their whānau. The lifelong importance of ihi, wehi, and wana feelings cannot be overlooked. These powerful feelings come with the positive energy or vibrations that people feel during specific events or at significant places. In this instance described by Ripeka, it refers to experiencing the vitality and energy that emanates during one's first pōwhiri, where feelings of awe and inspiration well up in response. Barriers to experiencing this were evidenced by the rising nervous energy observed in rangatahi, and by their whakamā about being part of a process that feels foreign to them and their whānau. In my observations, whakamā was seen as hanging back, bravado, lowered head, and ignoring others.

Ripeka spoke of the power of rangatahi learning their pepeha, being in a court process where reciting their pepeha was valid and celebrated, particularly when the rangatahi mastered it so well that it flowed. With the help of the lay advocate, the deeper learning of marae kawa enabled rangatahi to get to the point where pepeha was not only performed but also well understood in grounding their cultural identity. This, along with the seemingly small act of learning the waiata tautoko, demonstrated how arming rangatahi with these tikanga skills

empowers them to feel comfortable within themselves and about their culture and heritage, and to access the strength of tikanga, as is their right.

### Rapunga whaakaro

Rapunga whakaaro refers to the process of searching, contemplating, and developing an understanding of what tikanga is, where it comes from, how it is understood, and who it affects. To understand tikanga within this context, I first drew on the kōrero shared by the kāhui kaumātua, using Rangiwai's (2021) te ao Māori knowledge system. These tikanga learnings were then contextualised using Marsden's (2003) te ao Māori theoretical framework, grounded in cosmological narratives and epistemological understandings, that inform the ontological and metaphysical beginnings. In this way, I found it necessary to draw on both te ao Māori and philosophical concepts, such as epistemology (ways of knowing), ontology (ways of being), and metaphysics (the unseen or spiritual dimensions of existence), to inform *my understandings of tikanga*.

### He taonga tuku iho

Philosophical terms are not foreign in te ao Māori – they are embedded in our own knowledge systems, particularly in the interwoven processes of mōhiotanga described as experiential knowledge, mātauranga as acquired knowledge, and māramatanga as emergent insight (Rangiwai, 2021b). These three stages reflect how knowledge is lived, learned, and realised in te ao Māori. These stages reflect the dynamic and relational nature of Māori ways of knowing, where understanding arises not only from what is taught, but also from lived experience and the reflective synthesis of both. This aligns with the view that knowledge is embedded in relationships, between people, whenua, atua, and te taiao and is expressed through language, observation, and sharing pūrākau (Henry & Pene, 2001).

As Smith (2000, p. 235) notes, whakapapa is central to Māori ways of thinking, learning, storing, and debating knowledge. These knowledge processes are not separate from tikanga;

rather, they reveal the whakapapa-based foundations through which tikanga is understood, enacted, and embodied within Te Kōti Rangatahi o Mātaatua. Our creation stories emphasise the centrality of whakapapa, detailing the evolving states of existence that shape our knowledge systems. Māori epistemology is a deeply relational, spiritual, and contextual system of knowledge that is grounded in whakapapa, tikanga, and the lived experiences of Māori communities. Cosmologically, tikanga is rooted in our creation stories, which detail the origins and evolving states of existence. These stories provide a framework for understanding the structure of the universe and our place within it. Ontologically, tikanga affirms that existence is relationally defined through whakapapa – our genealogical connection to whenua, and our interdependence with atua, tāngata, and te taiao. This relational framework establishes the foundation for how being is understood in te ao Māori. Metaphysically, tikanga is grounded in whakapapa kōrero, pūrākau, and whakataukī, which speak to the unseen dimensions of existence and the spiritual principles that guide Māori ways of knowing and being. These narratives express the values and ethics that underpin tikanga and its application in everyday life as a structured and interconnected system.

A key theme emerging from the kaumātua pūrākau is the significance of mōhiotanga – experiential knowledge – in guiding rangatahi. This thesis has highlighted how the kaumātua have done this in Kōti Rangatahi, but further examples can be drawn from Hinengakau’s kōrero on whānau resilience in highlighting that despite not being financially or materially well off she had a happy full childhood. Awa’s insights into the complementary roles of tāne and wāhine remind us that we are descendants of Pāpā and Rangi. Moana’s reflections on the use of modern te reo and the adaption of tikanga speaks to the reality that a lot of the younger generations do not have the requisite mōhiotanga or mātauranga to ensure tikanga is upheld. Moana is clearer in highlighting the role of kaumātua who he describes “live their tikanga” or embody tikanga. For example, knowledgeable kaumātua can and should draw on the learnings of our whare tīpuna to share kauae runga knowledge with each rangatahi, whether through

whakapapa, pūrākau of tīpuna, or teachings grounded in the marae. These spaces represent the wider universe and function as the universities of old, offering knowledge that can be adapted to any situation. Ripeka's observations highlighted that Kōti Rangatahi can strengthen the cultural identity and connectedness of rangatahi as to who they really are as Māori, which can empower them. So too can learning a waiata tautoko and being able to fully participate in the pōwhiri and its kawa strengthen their resilience in our marae spaces. Kaumātua exemplify the living transmission of tikanga, where knowledge is passed on through kōrero, pūrākau, waiata, and everyday actions and interactions. As such, it is essential that rangatahi see the tikanga integrity of the kaumātua.

#### [Ngā kāwai toro: Categorising tikanga – six tikanga categories](#)

As the whāriki nears completion in readiness to cast off and complete the whāriki in a process called tāpiki whiri, this stage can represent the active continuation of learning and growing. In the context of a whāriki, ngā kāwai toro or the extension of the strands can represent the threads of knowledge, values, or principles that are woven together to form a cohesive whole. While separating tikanga into different aspects of its genesis and utility is not consistent with usual te ao Māori approaches, it has been useful in this research to more fully appreciate the many ways in which tikanga interacts within the context of Kōti Rangatahi. As tikanga can and often does sit within many categories, I have depicted these categories as filling the space in between the strands as fluid imperatives that strengthen and bind the entire whāriki together.

The tikanga imperatives identified in the kaumātua and creation pūrākau have been categorised into six tikanga categories that include: tikanga tūāpapa foundational, tikanga whakahaere functional, tikanga whakakotahi unified and collective, tikanga whakamana me tikanga haumaruru status and safety, tikanga whakaora healing and tikanga tawhito, noting that the tikanga imperative can and often do fit in more than one category. Further explanations of each category appear next and are illustrated in the table below.

Tikanga tūāpapa encompasses the foundational tikanga of whakapapa and whanaungatanga, which was highlighted by all kaumātua as a key tikanga principle that connects ngā atua, ngā tāngata, and te taiao. Acknowledging the interconnectedness of these elements is fundamental to understanding ko wai au, no hea au as markers of cultural identity, belonging, and collective responsibility to people and places.

Tikanga whakahaere are functional tikanga comprising kia tika, manaakitanga, aroha, and tautoko aspects that guide ethical and respectful interactions. Functional tikanga helps to build meaningful relationships and supportive environments that have the ability to nurture resilience and confidence among rangatahi and whānau, potentially leading to transformation, healing, and growth.

Tikanga whakakotahi relates to the unified and collective approach to tikanga by seeking kotahitanga or consensus. Hinengakau highlighted collective solidarity and cohesion as vital for the Kōti kaupapa. This is not to say that there will not be disagreements or differing opinions – rather, Te Kōti Rangatahi o Mātaatua is kaupapa focused. Being kaupapa focused means the whānau collective looks towards working together for the common good, which is essential for addressing intergenerational issues that keep rangatahi off the pathway to prison.

Kotahitanga, led by the Kōti Rangatahi kaumātua, is a unique space that balances the application of tikanga and Pākehā law. There is a respectful reliance on our leaders to demonstrate their responsibility of caring for the collective.

Tikanga whakamana, tikanga haumaruru relates to the authoritative and protective tikanga, which includes mana, tapu, and noa. Awa's pūrākau reminds us of the balance of roles between tāne and wāhine by highlighting the mana of both genders in nurturing and protecting their whānau. The dynamics of mana, tapu, and noa are pivotal in understanding tikanga norms and values.

Tikanga whakaora include the healing tikanga of wairuatanga, mauri, and the peace and restoration tikanga found in hohou rongu and utu. Restorative tikanga focuses on maintaining balance and harmony between the physical and spiritual worlds and the environment we live in. It calls for accountability and ethical behaviour between people and looks for the collective well-being of the community.

Tikanga tawhito, or ancient tikanga, is largely accessible in modern times through kaumātua pūrākau and their kaumātuatanga interpretations. Te Kōti kaumātua are a dwindling wealth of knowledge; their insights are a taonga. Kaumātuatanga emphasises the wisdom and teachings of kaumātua, integrating kauae runga into kauae raro for today's realities. This connection to tawhito wisdom is essential for cultural continuity and understanding the significance of tikanga in modern contexts without further compromises. The following image depicts the lower rightward tikanga imperatives or the hiki matau strands that were developed during the analysis phase of this doctoral research (Black, Kidd, & Thom, 2023). At the top left are ngā kāwai toro – the extended strands with the tikanga categories sitting in between the strands (see Figure 14).



Figure 12 Ngā Kāwai Toro — the extended strands  
Note: Commissioned graphic artwork, 2025.

## He pūnaha tikanga: System of tikanga

The preceding analysis has illustrated that tikanga operates as a multidimensional structured system, weaving together foundational, functional, collective, protective, healing, and ancient strands. To further clarify how these strands interact with key aspects of Māori knowledge and being, the following table provides a structured overview. This framework demonstrates how each tikanga category connects with mātauranga Māori (ways of knowing), cosmological origins, whakapapa (nature of being), and wairua (metaphysical dimensions). Together, these relationships reveal the interconnectedness of tikanga within te ao Māori, affirming its role as both a philosophical and practical guide for living, as illustrated in the following table (see Table 1).

<b>Ngā kāwai toro: The Extended Tikanga Strands</b>	<b>Mātauranga Māori Epistemology</b>	<b>Mātai Tuarangi Cosmology</b>	<b>Whakapapa Ontology</b>	<b>Wairua Metaphysics</b>
	<i>Ways of knowing</i>	<i>Creation pūrākau</i>	<i>Ways of being</i>	<i>Beyond the physical</i>
<b>Tikanga tūāpapa Foundational</b>	Provides the structure for mātauranga, connecting atua, tāngata and taiao.	Rooted in creation pūrākau from te kore, te pō to te ao mārama.	Whakapapa and whanaungatanga form the base of identity and being.	Embeds spiritual relationships between ira tangata and ira atua.
<b>Tikanga whakahaere Functional</b>	Guides practice through values like manaakitanga, aroha, and tika.	Informed by atua in dealing with a hara, through utu and hohou rongo processes.	Living ethically being tika, honouring whanaungatanga relationships and whakapapa.	Reflects unseen values mana, tapu, pono, such as integrity and balance.
<b>Tikanga whakakotahi Unified and Collective</b>	Knowledge is shared and co-created within whānau and hapū.	Mirrors the unity of the cosmos, from atua to tāngata.	Strengthens collective tuakiri identity, belonging, and interdependence.	Expresses shared wairua and mauri as a collective responsibility.
<b>Tikanga whakamana me tikanga haumaruru Status and Safety</b>	Regulates access to mātauranga through kawa sacred protocols.	Reflects the cosmic laws of tapu/noa set by ngā atua.	Protects the sacredness of being through mana, tapu, mauri and noa.	Upholds spiritual boundaries and tapu or sacred knowledge.
<b>Tikanga whakaora Healing</b>	Shows the transformative power of mātauranga, mōhiotanga and māramatanga.	Aligns with cosmic cycles of disruption and restoration (e.g., the separation of Rangī and Papa).	Aim to restore balance and harmony in being.	Uses wairuatanga and mauri to restore spiritual and emotional wellbeing.
<b>Tikanga tawhito Ancient</b>	Represents ancestral mātauranga and epistemic authority.	Anchored in kauae runga – knowledge from the upper realms.	Connects present being to ancestral and cosmological origins.	Channels sacred wisdom from tīpuna and atua.

*Table 1: Rapunga whakaaro o te ao Māori — seeking a Māori worldview*

## Conclusion

This paper has explored the coexistence of tikanga Māori and Pākehā law within Te Kōti Rangatahi o Mātaatua, highlighting the tensions that arise. The words of a rangatira, “The judge has his tikanga, and we have ours,” capture the dual legal realities that kaumātua and rangatahi must navigate.

Through the pūrākau of the kaumātua and the analysis of the creation pūrākau, this chapter has shown that tikanga is not static or merely symbolic. Tikanga is a living, evolving system of knowledge and practice, grounded in whakapapa. From a te ao Māori perspective, ngā atua are more than cosmology, they are the first tikanga practitioners and the first to express what tikanga is. Like the tikanga tracks they created, their markers continue to guide ethical behaviour, social order, and holistic well-being.

The six forms of tikanga identified work across categories, defying simple classification. They include (1) tūāpapa (foundational), (2) whakahaere (functional), (3) whakakotahi (unified and collective), (4) mana me te haumaruru (status and safety), (5) whakaora (healing), and (6) tawhito (ancient). Tikanga functions as an integrated system of mātauranga Māori, whakapapa, and wairuatanga within te ao Māori. It affirms a relational ontology grounded in whakapapa and epistemology that is layered and evolving, expressed and understood in varying ways by varying audiences. These ways of being and knowing are inseparable and shape how justice should be understood and practiced. As Māori continue to reclaim and assert their own knowledge systems, the role of kaumātua as kaitiaki of tikanga remains vital. Their leadership ensures that tikanga is not disregarded or reduced but upheld as inherent and authoritative.

## Noho Wahangū

As I reflect on the kōrero shared by the kāhui kaumātua in this chapter, the phrase “the judge has his tikanga, and we have ours” continues to resonate deeply. It speaks to the dual realities

that exist within Kōti Rangatahi and the ongoing negotiation between two legal systems – one grounded in relational, flexible, and future-focused values rooted in whakapapa and oral tradition. The other is rigid, adversarial, and individualistic principles derived from the Westminster legal system. This tension is not just theoretical; it is lived and felt by those who work within and alongside the court.

One of the most significant learnings from this chapter is the reaffirmation that tikanga is not a static or symbolic concept, but a living, evolving system of knowledge and practice. The kōrero of the kaumātua and the creation pūrākau of ngā atua illustrate that tikanga is both inherited and adaptive. The analogy of the atua cutting a track through the ngahere – laying down the first pathways in how to live – remains a powerful metaphor. It reminds us that tikanga is not only a guide for behaviour but a framework for ethical relationships, social order, and spiritual well-being.

The six forms of tikanga identified – tūāpapa, whakahaere, whakakotahi, mana me te haumarū, whakaora, and tawhito – are not fixed and can fit within more than one category. Tikanga can move fluidly across these categories, reflecting its layered and contextual nature. Tikanga can be embedded and embodied across multiple categories, hence, it is depicted as existing in between the strands, holding firm the structure of the whāriki. Tikanga is both complex and simple. This is evident in the way kaumātua draw on their mōhiotanga to connect with rangatahi. Whether it's a kuia using her love of rugby league to build rapport, or a kaumātua inviting a young man to train in his home gym, these interactions show that tikanga is not just about knowledge – it's about knowing how to actualise tikanga values and practices to relate to, uplift, and guide rangatahi.

The practical application of kauae runga and kauae raro was another key insight. In Te Kōti Rangatahi o Mātaatua, kaumātua and lay advocates in particular intentionally and actively share kauae runga kōrero to help rangatahi understand the deeper meaning behind tikanga. For example, explaining why wāhine sit during whakawhanaungatanga or using the pūrākau of

Wairaka to inspire kōtiro to see themselves as strong and resourceful. These moments are not incidental – they are deliberate acts of cultural transmission that affirm identity and belonging.

However, several challenges remain. The most pressing concern, as raised in the literature and echoed in this chapter, is the co-option of tikanga by the state. While this risk appears less pronounced in Te Kōti Rangatahi o Mātaatua due to the strength and calibre of the kāhui kaumātua, it is a vulnerability that cannot be ignored. As these kaumātua pass on, it remains to be seen whether the next generation will maintain the status quo or push the initiative further. The sustainability of tikanga-based justice depends on the continued presence of knowledgeable and respected kaumātua who can uphold its integrity.

It must also be acknowledged that Te Kōti Rangatahi o Mātaatua is somewhat unique in its strong kaumātua support. Many kaumātua attend even when not on the panel, and they report back to their hapū, ensuring transparency and accountability. In this context, tikanga breaches are unlikely to go unnoticed or unresolved. The mana of the kaumātua allows for immediate correction, reinforcing the authority of tikanga in real time. This dynamic will be explored further in the next chapter.

These reflections prompt deeper questions for my own practice and research. How do we ensure that tikanga remains grounded in whakapapa and not reshaped to fit colonial expectations? What does it mean to uphold tikanga in spaces where Māori do not hold full authority? And how can we support the next generation to not only learn tikanga but also live it?

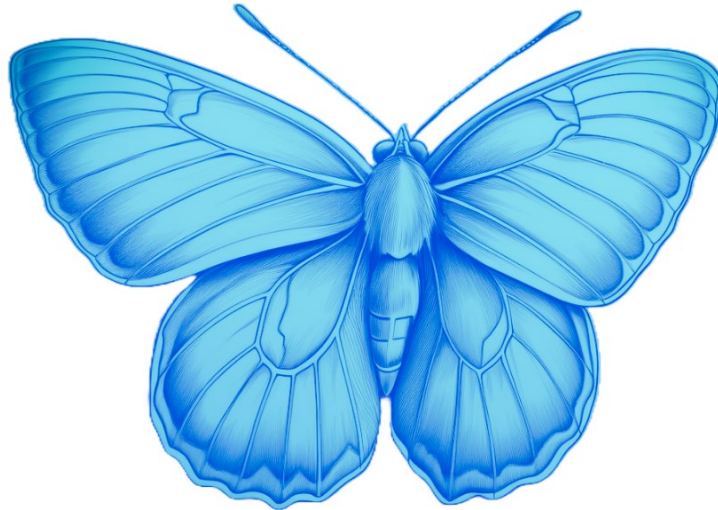


Figure 13 Te Pānga o Te Pepe Ao Uri the butterfly effect.  
Note: Adapted image using Adobe Express.

## Chapter 7 Te Pānga Pepe Ao Uri the butterfly effect

### Prelude/introduction

*\*E kui, you worked on your whāriki, doing it backwards and from the bottom side up to create an image and words of an English waiata. I'm in awe, e kui – you were gifted. I've learnt that doing of kaupapa Māori research is just like that, e kui – it's intuitive, it's natural, it's wairua mahi and tīpuna led. I imagine, it's like working backwards and upside down, trusting in the process to get the result. \*Āe e kui, mahi ā wairua. I know you have guided me through this doctoral journey, and you have been frustrated with the lack of progress and numerous start-stops. The problem is with writing what is embodied in our thinking and ways of being. This way of being is at odds with writing about the process in a linear way. Te Pepe Ao Uri was introduced in Chapter Six, but it makes no sense without weaving in the corresponding strands. \*Ae, e kui, I know you're happy to finally see the weaving together of strands. E kui, I've called the completed whāriki Te Pānga Pepe Ao Uri, the butterfly effect, as a*

*way of showing that even the smallest tikanga learning within te Kōti Rangatahi  
o Mātaatua has the potential to connect rangatahi to the beauty of being  
Māori.*

The metaphor of the whāriki provides the foundation for this chapter. What has been gathered across earlier chapters now comes into view as a whole, not as separate strands, but as an interconnected weaving. The insights presented here do not follow a linear progression; rather, they emerge through the careful layering and interlacing of kōrero, observation, and reflection. This chapter weaves together the many strands gathered throughout my research with Te Kōti Rangatahi o Mātaatua: the kōrero, observations, reflections, and the voices of kaumātua and whānau. Each strand is essential, just as each thread is vital to the strength and beauty of a whāriki. I draw on these insights, as well as relevant academic literature, to deepen my analysis and situate my findings within the wider context of Māori justice and tikanga.

Te Pepe Ao Uri and the hiki matau or rightward strands of the whāriki detail the seven tikanga imperatives that guide this research (Black, Kidd, & Thom, 2023). Here, I complete the whāriki by bringing together with the hiki mauī strands leftward strands, showing how tikanga is lived and felt within the unique setting of Te Kōti Rangatahi o Mātaatua. At the heart of this work are the pūrākau of kaumātua, whose wisdom and guidance illuminate the enduring relevance of tikanga and its power to support rangatahi and whānau navigating the justice system.

As the kairangahau leading both the research project and this doctorate, I have felt your presence, e kui, and the guidance of our kaumātua every step of the way. This chapter is both a reflection and a tribute to their legacy, as well as a practical exploration of how tikanga can create positive, far-reaching change. I end this chapter with a noho wahangū reflection, returning to the richness and diversity of experiences shared by kaumātua, each colour in the whāriki representing their unique mōhiotanga and mātauranga, and the māramatanga that emerges when we weave them together.

## **Te Pānga Pepe Ao Uri the butterfly effect: Tikanga learning in Te Kōti Rangatahi o**

### **Mātaatua**

In this paper, all the different elements of this research are woven together to complete Te Pepe Ao Uri Whāriki framework to identify and highlight what is the tikanga of Te Kōti Rangatahi o Mātaatua. I do this by drawing on the kaumātua pūrākau, my whānau pūrākau, my experiences and observations of Te Kōti Rangatahi o Mātaatua, with material from the wider Kōti Rangatahi project, and literature. These elements, along with my reflections and ongoing conversation with my tīpuna, have generated Te Pānga Pepe Ao Uri, which reveals the effects of everyday practices of Te Kōti o Mātaatua; whanaungatanga, manaakitanga, rangatiratanga, wairuatanga, whakapapa, kotahitanga and kaitiakitanga. I write this chapter as a letter to my tīpuna who guided me throughout this doctorate. In this way, I aim to uphold the mana of the varying kaumātua and marae whānau who shared their perspectives in and around the whare tipuna. As described in the previous chapter, kaumātua are rangatira within their hapū and iwi as holders of mātauranga Māori and tikanga. So, with that in mind, this writing begins with an exploration of Māori society in past years and the changes that have occurred over time, before focusing on the tikanga learnings for Te Kōti Rangatahi o Mātaatua.

### **Tikanga is learnt and lived**

Māori society was structured by collective groups according to whakapapa to the whenua, and by arrival and settlement after waka arrived (Winiata, 1967). Traditional leadership at a whānau level was overseen by a kaumātua, while rangatira held an important leadership role within the hapū, and ariki were the highest whakapapa ranking of the waka and iwi. In addition to these leadership roles, the other pivotal role of traditional pā living was that of the tohunga, who was a ritual expert whose function had great influence over the holistic wellbeing of tāngata. The collective harmonious living that traditionally governed Māori society was

facilitated by a system of tikanga laws and values for everyday practices that are informed by mātauranga Māori (Jones, 2016; Mead, 2003).

Structures within the pā layout on iwi whenua included the central marae ātea and whare tipuna also called wharenuī and whare rūnanga, which were fenced off from the whenua where the māra and other sources of kai were found (Winiata, 1967). The construction of the whare tipuna was done under strict tapu conditions because this work is done with powerful spiritual and psychic energy. Therefore, the whare tipuna imbues the same mauri (life force) of the natural resources from which they came; “Thus, the whare tupuna becomes the mauri of the tribe” (Melbourne, 2011, p. 171).

Although there are variations between iwi, one interpretation by Royal (1998) of the whare tipuna is that it symbolises entering into te ao mārama the world of enlightenment. The roof symbolises Ranginui, the floor Papatūānuku, and the pou holding up the roof is Tāne separating his parents. The doorway is Hinenui-i-te-pō and representative of the metaphorical transition from te pō to te ao mārama (Royal, 1998, pp. 59 - 60). The pōwhiri ceremony is a demonstration of the metaphorical transitioning through time and space starting at the waharoa in a state of te korekore, then moving across the marae ātea into a space of te pō. Then going inside the whare tipuna transitions into te a mārama.

Several other structures might be found in the pā. Whare wānanga were schools of learning for a specific kaupapa, and each had a respective atua (Te Ratana, 2012). These whare could be symbolic, although physical structures were also built in some areas. Whare wānanga created places, spaces, time, practices and systems where whānau would meet for instruction, discussions, seminars, and thinking (Mahuika & Mahuika, 2020, p. 369). A range of kaupapa could be taught in a whare wānanga, including oral histories, philosophy, waiata, rituals, karakia, genealogies and more (Mahuika & Mahuika, 2020, pp. 369-370). What took place in each whare was considered tapu with strict kawa observed and enforced to protect the sacred knowledge imparted there.

Of particular interest to this doctoral work is the *whare pora*, where the ancient and esoteric art of weaving was learnt by *wāhine* (Melbourne, 2009, p. 79), although Mead (2003) suggests that it was not a building but a collective of weavers who would protect the traditions and *mātauranga* of weaving. *Hineteiwaiwa* is the guardian of *harakeke* and *raranga* (Tapiata, 2024). The end products of the *whare pora* ranged from *whāriki*, *kete* and footwear, to fishing nets and other food traps (Melbourne, 2009, p. 80). Similarly, another type of *whare wānanga* is the *whare whakairo*, where the art of *whakairo* and *tā moko* were taught predominantly to *tāne*. *Whare whakairo* were placed some distance from the *pā*, due to the *tapu* of this *mahi* of retaining *hapū* and *iwi* historical accounts (Melbourne, 2009, pp. 84-86).

The *pā* structure described here, albeit with many variations across *iwi* and *hapū*, remains similar to contemporary *marae* and continues to be an expression of *tikanga* Māori. *Marae* throughout Aotearoa represent the preservation of the cultural and intellectual expressions of *mana*, *tapu*, *ihi* and *wehi* – their *tino rangatiratanga* (Melbourne, 2011, p. i). The contemporary challenge for many *hapū* is how to operationalise the *marae* when many *whānau* live and work away from their *tūrangawaewae*.

In this study, a further challenge is found in how to maintain the strength of the *mauri* and *tikanga* of *marae* when *Kōti Rangatahi* are held there. In particular, issues relate to *tikanga* that rubs up against the traditions of the Western legal system with varying results, and the involvement of *rangatahi* and their *whānau* who attend *Kōti Rangatahi* outside their own *iwi* and *hapū*.

## Insights and learnings from my tīpuna



*Figure 14 Typhoid camp, Maungapōhatu.  
Note: Sister Annie Henry Collection (Henry, n.d.)*

E koro, e kui, I often look at this photo of the two of you with Koro Paetawa looking after the tamariki at the typhoid camp (Henry, n.d.). The aunties and uncles have lots of stories about their upbringing and memories of their mummy and daddy. It's always so cute hearing kaumātua talk about their parents so affectionately. By all accounts koro, you were a quiet, unassuming, humble man; it was nanny who added the flavour and spice to your relationship. I am proud to be your mokopuna and feel your aroha and guidance in my life every day, ngā mihi ki a kōrua.

You raised your tamariki with the same values as you, to show humility, aroha and manaakitanga to all and to be good kaitiaki of the whenua. E koro, e kui, you both raised your children on Te Mapou pā in Maungapōhatu. They are recorded as being part of the handful of tamariki attending school. The main street is all but gone now, and most of the houses are destroyed, but our Heemi Matekoraha whānau stopped your wharepuni, pātaka and the

wharepuni from being demolished. We relished hearing these stories of how you brought up our tamariki.

Everyone had roles and jobs to do, from clearing the whenua, working in the māra, cutting the firewood, starting the fire or looking after the younger ones. Uncle is the pōtiki. He still talks about his sisters being his mummies. Learning how to parent and raise healthy pēpi and tamariki was done by the collective, and the lessons began with the tuakana looking after their teina. I recall uncle getting really mad with us (me and my cousins) once because we weren't moving fast enough to do something he wanted done. We were all 40-plus year-old parents and grandparents, and it was strange being yelled at, but he said we needed to listen to him because he was our pāpā. I remember thinking that was an odd comment, but on reflection, I can see from the way he was raised that this thinking was tika. The problem is not all of us were raised with that whakaaro.

Listening to the Kōti Rangatahi kaumātua share stories about their upbringing and the changes that occurred throughout their lives made me reflect on your experiences too, e kui, e koro. I know pā life was physically harder. There was no electricity, plumbing and other modern appliances and technology we have today. Yet, Mum and her siblings shared so many happy pūrākau about their upbringing. Pā life required everyone to live by tikanga for the benefit of the individual and the collective.

In traditional and contemporary Māori society, our collective organisation has included whānau, hapū and iwi, with membership and appropriate behaviour regulated by tikanga. Whakapapa places an overarching responsibility upon those who are kin, to care for each other through whanaungatanga, manaakitanga, and tautoko with aroha (Walker, 2004).

Everyone has a role to play; our creation stories detail the dynamics among our first parents. Papatūānuku, Ranginui and their children mirror the dynamic relationships of whānau, hapū and iwi (New Zealand Waitangi Tribunal, 2011; Walker, 2004). Within the whānau, the tuakana and teina have different social positions, responsibilities and freedoms (Winiata, 1967).

I am grateful for the whakapapa knowledge and the sense of whanaungatanga I enjoyed growing up. I had cousins who lived around the corner. I knew the occupants of every second house along the route to primary school. It was not the pā of your time, but there was still a great degree of social connectedness and community. My girls did not experience that sense of whānau and hapori belonging growing up in Auckland. Yes, they had friends from school and sports clubs, but they were not a collective network. We only saw whānau during the holidays or for special occasions a few times a year. Then, we moved to Mount Maunganui, and my youngest started getting into trouble in high school. The teacher couldn't relate to her, and the Pākehā education system did not value her. So, a collective whānau decision was made to allow her to live with my sister and her husband in another town. The opportunity would expose her to the beauty of our culture by learning te reo Māori and allow her to be immersed in kapa haka. I can recall her saying, *"Oh Mum, yeah, I was a hōhā, aye! Aunty and I had the meanest clashes, but I loved my time there. I learnt so much, made so many friends, and doing mahi with uncle was cool as!"* E koro, e kui, I am grateful I had whānau to help me with my kōtiro. They were challenging years for all of us, but she had all the love and support wrapped around her. It was not an easy decision, and I felt like a failure for not being able to meet her needs, but we were not connecting and communicating well. She wanted and needed more that we could not fulfil. Letting her go to whānau to enjoy those cultural experiences saved us all a lot of heartache. I'm grateful to my sister and her husband.

E koro, e kui, it is different today for many Māori. We no longer live on the pā with our whānau whānui and generations of support surrounding us from birth to death - although I am hopeful that this is changing. E kui, I wonder how you would have dealt with knowing someone was hurting your mokopuna. I imagine you with your rākau protecting your whānau and the hapū. I've heard some pretty inspirational stories about you being a rākau woman defending the pā while the men were away.

## Learnings from Ngā Kōti Rangatahi

Most kaumātua in Kōti Rangatahi were adept at identifying when a virtual rākau was needed with rangatahi, directing their kōrero for a breach of tapu, or for not following tikanga values like aroha, tika, pono, manaakitanga or in upholding their mana accountabilities. Skilled and knowledgeable kaumātua who knew the whānau and their whakapapa could deliver a strong but mana empowering message directed at the pakeke of the whānau. I recall the kaumatua warning his peers that their admonitions had to be well targeted so that their growling never fell on the wrong neck. He was good at backing up his kōrero with a pūrākau. One example was when a kōtiro found herself in Kōti Rangatahi for committing an offence while intoxicated. When her mother arrived in Kōti Rangatahi drunk, this kaumatua demanded she leave the whare tipuna. Later, he explained to the judge that he took that action in order to uphold the mana of the whare tipuna and the tāngata whenua. The point of his pūrākau was about identifying the source of the issue for that kōtiro. Her mother's behaviour was not her fault, so any words of admonishment from the kaumātua panel needed to be appropriate and well targeted.

In contrast, e kui, there are times when this wānanga approach is not used, so the virtual rākau is as bad as a hit with an actual rākau. This is because it hits at the wairua and mana of the rangatahi, resulting in or adding to a state of whakaiti or whakamā. The marae is where rangatahi should feel the ihi, wehi, wana emotions during their first encounter on a marae. While wānanga preparation for the pōwhiri and tikanga of Kōti Rangatahi can alleviate some of the stress or whakamā, feeling the raw emotions during that first encounter cannot be recreated if the experience was negative. I saw whānau told off for coming onto the marae ātea during the speeches, and another whānau being told to sit somewhere else in the whare kai because the kaumātua table was only for them and pakeke. Being excluded in this way is damaging.

For rangatahi, being vulnerable does not come naturally. Trust must be earned and not expected. Believing in the value of the te ao Māori paradigm is foreign for many rangatahi and their whānau. Going onto a marae can be a new experience for rangatahi, and the first pōwhiri experience is the first opportunity for Kōti Rangatahi to prove it is different from the Pākehā courts. In that moment, the manifestation of tikanga needs to be evident to demonstrate Kōti Rangatahi offers a better, more respectful and grounded approach and that being Māori can be a source of pride. You only get one first chance to make a lasting positive impression. Rangatahi need that opportunity to feel the feels, to feel the energy and vibrations of the pōwhiri, to hold onto that nervous energy and to have a degree of trust that Kōti Rangatahi was at least worth a try.

All attendees at Kōti Rangatahi, from the kaumātua, tangata whenua, youth justice professionals, service providers, whānau and rangatahi themselves, should view the tikanga imperatives of mana, mauri, and tapu as vital. Mana motuhake gives rangatahi the self-determined right not to attend Kōti Rangatahi. This may mean they are free to reject a culture that has had little influence in their lives, possibly for generations. This is a reality of colonisation, that whānau may or may not know when that cultural connection was lost and why scars remain on their tuakiri, awe wairua, and whatumanawa. Understanding their perspective and respecting their mana status must be done without the negative influences of judgment, stigma and labelling. Viewing rangatahi as tapu or sacred beings is an approach that seeks to truly understand the raru going on for them and that many factors contribute to their offending. For example, if they have no father, if mum is a “druggie” or “drunk” or if they were physically or sexually abused from a young age. Overwhelming them with “must do’s and must not do’s” will not penetrate their ngākau, nor will it shift their mauri.

E kui, you are a staunch advocate for being tika in our marae spaces, but you also pushed the boundaries when the kuia excluded you from learning how to weave whāriki. So, you taught yourself, and through sheer determination, you showed them up with your passion and

natural skills. Am I wrong, e kui? You don't reply; you simply smile and chuckle to yourself. My sisters have those raranga skills, Nan. They can deconstruct a woven piece and figure out how to make it by putting it back together. Auē, I wish, I wish, I was that clever. *"E moko, you are!" you a hōhā. "You're not listening to me! You are a weaver of people, kia tere haere tonu, hurry up carry on!"*

On reflection, I was always nervous each time I went to a Kōti Rangatahi pōwhiri. I saw people lining the roads. Some spilt out onto the footpath, while others stood nearer the entrance gateway to the marae, and others took refuge in their cars. Over time, I saw these locations as a sign of their levels of connectedness to te ao Māori. The whānau in the cars only emerged when the time for the pōwhiri got nearer or if they saw someone they knew, such as their lawyer, lay advocate or key worker. It wasn't always clear who was who, although the lawyers were usually better dressed. The crowd seemed to form natural cliques; the lawyers congregated while the whānau cowered towards the back. Some of the whānau were well-known and respected community members, or they were known because of their whakapapa linkages within the region. Some were fluent te reo Māori speakers and held multiple roles within their whānau, hapū, iwi and hāpori. I wondered if their role in this setting was heavier in that they could be asked to be a kaikōrero at the last moment on behalf of a rōpū they didn't know. The older woman taking the group on to the marae would stand closest to the waharoa, and those most familiar with the pōwhiri processes would be close to her. One time, as I introduced myself to a nanny supporting her grandson, she divulged that her moko had not met his lawyer yet and was unsure what would happen. *Ka aroha e kui!* I immediately went to find the lawyer I had met a couple of minutes before and told him about this kuia and her moko. As he was filling in for his colleague, he was grateful for the introduction. Pursing my lips shut, I mentally rolled my eyes and left them to kōrero. The relief in the eyes of the kuia was heartbreaking, while her moko was giving off the impression that he wasn't worried or

didn't care. I strongly suspect this was not the case. *Ki ōku nei whakaaro e kui, he aha te mea nui ki tēnei kaupapa – he rangatahi kē.*

E kui, I'm amazed that you added kupu Pākehā to your whāriki. I often reflect on the way you taught yourself how to weave and on top of that you wove a whāriki in a second language that you were less familiar with. Ki ōku nei whakaaro, these taonga are a representation drawing on your mātauranga and mōhioanga, bringing that higher learning into the practical space of learning by doing. "Auē, e moko", your face screws up, again you appear annoyed and impatient with me. With a wave of your hand, you swipe away my compliment, and I realise that between Koro's smiley silence and your grumpy reactions, I can see I am finally starting to get it. The mātauranga Māori represented on our marae represents the differing states of existence from te kore to te ao mārama. While our whare tipuna are full of symbolism representing and acknowledging our connectedness to atua within the spiritual realm, the challenge for the kaumātua is bringing these learnings to life for rangatahi and whānau who are new to these spaces. I can see those now, in the way you built the wharepuni, e koro, and you wove your whāriki, e kui. The most magical learnings for me in Kōti Rangatahi came when the kaumātua were able to translate those higher learnings in a practical and relatable way for rangatahi. I often recall Judge Taumaunu encouraging everyone in Ngā Kōti Rangatahi to "make it a teachable moment" (Observation fieldnotes, December 2015). I have deliberately changed his words to use the kupu wānanga to "wānanga moments", as a way of intentionally and consciously advancing mātauranga Māori (Royal, 2012).

However, the power of colonisation means it is sometimes easier to become part of the system that Kōti Rangatahi has been set up to reject or at least avoid. The more I spoke to the kaumātua and the other Māori practitioners working in this space, the more I could see the challenges they face daily, including being perceived by some as a kūpapa of a Pākehā system that does not serve us. I see the challenge of being criticised for being complacent and complicit within the system. But I also see them feeling the need to be present for rangatahi

and whānau, to at least give them a small choice in their pathway through the legal system. I see the need and opportunity to be there for those wānanga moments.

There are opportunities to push back against the rigidity of the system, characterised by the racism, the ageism, discrimination, judgment and negative attitudes. My research has highlighted that Kōti Rangatahi tikanga should expect and demand more by all involved. Ngā Kōti Rangatahi cannot simply rely on any one or few people, such as the lay advocate, youth mentors, kaumātua or Māori judge, to learn and apply tikanga or to translate the higher learning into everyday spaces. In the Kōti Rangatahi context, everyone can and should wānanga with rangatahi. Youth aid officers and youth advocates may come to know the rangatahi well throughout the turbulent years of their youth and can have a positive impact in their lives. Whereas the lay advocate and other members of Kōti Rangatahi, including the kaumātua, only have a finite period in which to make a tikanga imprint on the hearts and minds of rangatahi. These powerful wānanga moments are brief, but they have the potential to make a point that resonates with rangatahi. For example, during a hikoi in the ngahere, a rangatahi learnt that littering was like putting a smoke butt out in Pāpātuanuku's face. Or lay advocates that took the opportunity to wānanga with their rangatahi about their whakapapa while completing their community hours cleaning up the urupā where many of their tīpuna were buried (Observation fieldnotes, September 2015). Wānanga moments can occur for the youth justice professionals – as they learn about marae kawa, they can model tikanga in action on the marae and throughout their time with rangatahi and whānau.

### **Tikanga in Te Kōti Rangatahi o Mātaatua.**

In this section, I present the metaphorical weaving of the corresponding mauī leftward strands to Te Pepe Ao Uri Whāriki. E kui, I feel your awenga, power and presence with me. Maybe you are just a little proud that I have finally arrived at this point. I feel your wairua working through my fingers as they tap away at my keyboard. You will help me in these last steps as I bring you into my writing where I have so often ignored your presence; I feel like I am floating as the

words are pouring onto this page. There are so many starting points in creating this whāriki in describing what tikanga is in Kōti Rangatahi o Mātaatua. I hear you say it does not matter where I start, “*haere tonu, haere tonu.*” I choose to start with an image of your whāriki, to guide my hand.



*Figure 15 Nanny Aniteweweni’s Butterfly Blue Whāriki.*

*Note: Butterfly image top right and wording below says LONEWETWODOES, which is from the chorus of the song by Patti Page, Butterflies. The lyrics are – When we’re all alone, we two? Does your heart go floating, off the ground.*

The concepts I touch on in the following section are not distinct from each other. They blend, touch and strengthen each other, providing a tight weave that is strong, beautiful and functional. Tikanga has structure and order, but not in a strict timeline. It is flexible and shaped by context, so it can be hard to define in a fixed way, but when you see or experience it, you know what it is and how it feels. Te Kōti Rangatahi is set up for a very specific context within the specific kawa of the marae, tikanga, hītori, pūkenga and mātauranga Māori, with the kaumātua exemplifying the beauty and utility of our culture for rangatahi and whānau. However, significant questions have been raised about the tikanga of Kōti Rangatahi, especially here the boundaries between tikanga and the legal system are blurred, absent, or negatively affect the mana of the marae and rangatahi for whom this initiative is designed to support.

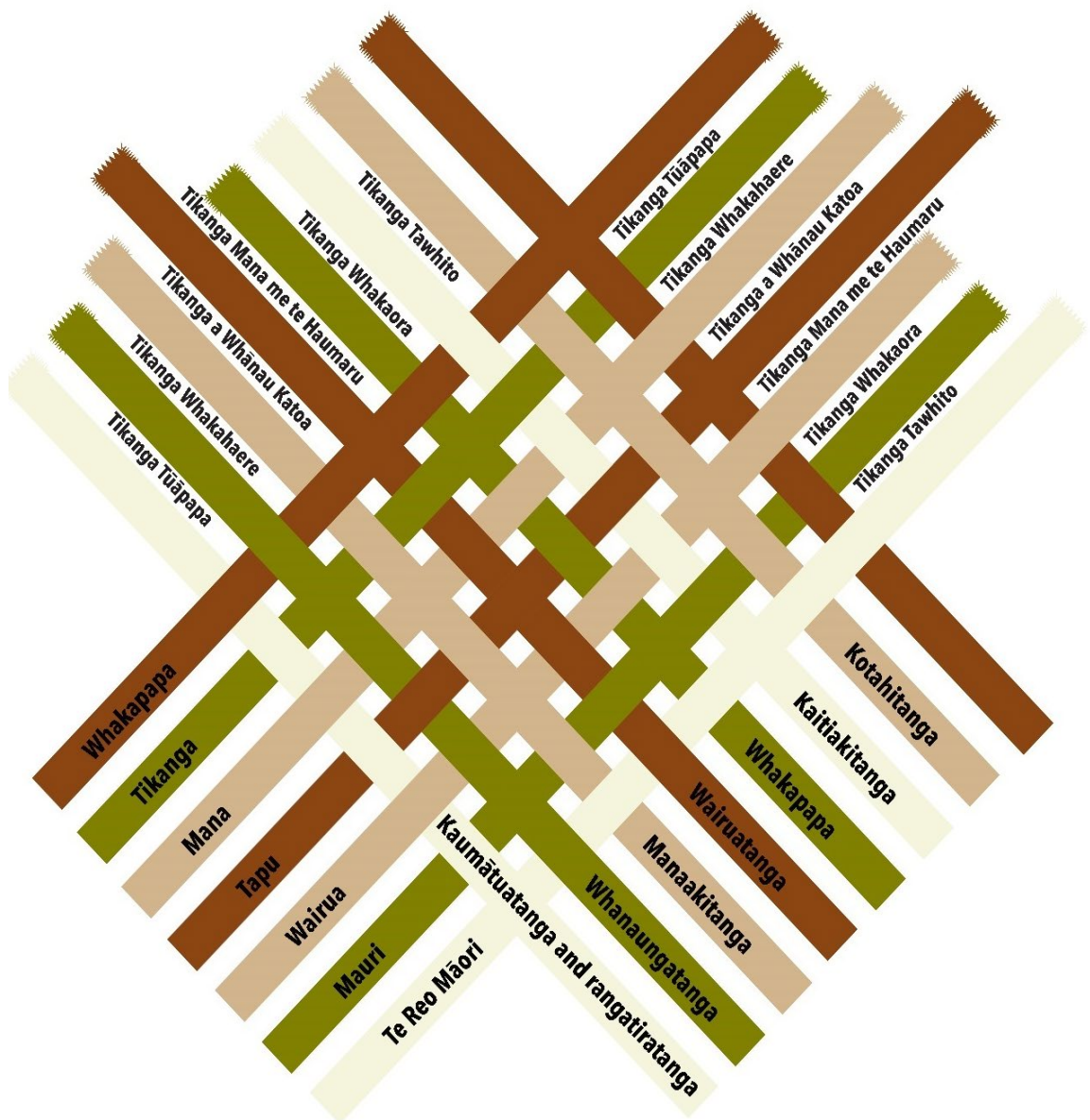


Figure 16 Te Pepe Ao Uri Ngā Hiki Mauī— the leftward tikanga strands. Commissioned graphic artwork, 2025.

Hirini Moko Mead (2003) developed a mātauranga Māori framework of five overarching questions for testing a tikanga Māori position on complex issues, describing the development of tikanga in this novel setting as an extension of the practical implementation of tikanga. Although the detailed tikanga findings from this research appear in a separate publication, I reintroduce them in this image and introduce a visual aid for ngā hiki mauī representing the leftward tikanga stands specific to Te Kōti Rangatahi o Mātaatua.

## Kaumātuatanga and rangatiratanga

The kaumātuatanga of Kōti Rangatahi o Mātaatua is now well established, with kaumātua clear about their role of using a ngākau Māori approach to provide guidance and direction in a way that preserves the mana of each rangatahi and their whānau. More importantly the role of the kaumātua in this setting has the potential to holistically heal the spiritual, psychological and emotional wellbeing of rangatahi and whānau. Skilled kaumatua shared their learning from the atua pūrākau or pūrākau relevant to each rangatahi. Being able to translate mātauranga Māori learnings for everyday practical use was invaluable. The kupu kaumātuatanga sits alongside rangatiratanga in recognition of the status of Te Kōti Rangatahi kaumātua as knowledgeable, often holding higher-level leadership and guidance roles within their hapū and iwi. Kaumātua of this ilk have mana and are respected.

## Whanaungatanga

I have written on the magnificence of whanaungatanga to connect rangatahi and give them a deeper sense of identity and belonging (Black et al., 2021). Judge Taumaunu has described Kōti Rangatahi as whanaungatanga justice, grounded within a te ao Māori paradigm as quite distinct from Pākehā legal theory and concepts (Black et al., 2021). In essence, whanaungatanga is explicitly practiced through the whakawhanaungatanga processes before or during the official Kōti Rangatahi session. Some Kōti Rangatahi marae are doing this better than others. My observations are that those experiencing more meaningful engagement and results within Te Kōti Rangatahi were those whose marae kawa of whakawhanaungatanga were followed, even if it had to be in English. Whanaungatanga was also the means of being more explicit in actualising of the collectives' responsibility in caring for our own. This expectation of care within whānau, hapū, and iwi collectives has changed so much in three generations from my koro and nanny's time. My uncle was cared for by his older sisters – the

tuakana/teina model was the first way of learning how to be a parent and how to collectively care for one another but especially the young.

In Māori society, this collective obligation constitutes not just the nuclear family but also the hapū and iwi. A sense of kotahitanga enabled the collective wants and needs to be met, creating a feeling of comfort and security. The urbanisation of Māori as an impact of colonisation due to land loss led to Māori whānau becoming siloed and the support systems within pā eroded away (Walker, 2004). The tikanga imperative of whanaungatanga is more important than ever to preserve our whakapapa and tuakiri and promote social cohesion, especially for our rangatahi who may not even know who their father is, let alone where they whakapapa to.

In some areas, whānau, hapū and iwi are utilising their whenua to build housing, with mounting evidence that papakāinga facilities with built-in shared social spaces for the young and old contribute to more productive relationships and stronger communities (Tait-Wall et al., 2022). In this instance, a return to traditional pā living presents some exciting prospects for reviving traditional hierarchies of leadership, including tuakana/teina roles for practical day-to-day activities and kaumātua mātauranga to support and guide whānau, hapū and iwi. I observed the dynamism of kaumatua and rangatahi collaboration many times in Kōti Rangatahi, with the kaumātua working at the higher level of ensuring the mana, tapu and wairua of all are protected and kept safe and the rangatahi doing the mahi of learning to trust and know their foundations in te ao Māori.

### [Manaakitanga](#)

Manaakitanga goes beyond mere hospitality to guests; it implies a deeper sense of selflessness, caring, nurturing, aroha and compassionate support to others. Mana is the core concept in manaakitanga; the way in which you care for others is a testament to your mana and the mana of your collective (Royal, 1998). In a wider sense, manaakitanga in Kōti

Rangatahi is about making the rangatahi feel valued, listened to and using aroha and empathy to avoid judging or stigmatising them further. Kaumātua are the role models of ngākau Māori; they can draw on their whakapapa knowledge for each rangatahi to share pūrākau about their tīpuna that can lift their wairua and mana.

### Wairuatanga

Kaumātua were cognisant of their role in protecting the wairuatanga of rangatahi not just through the observation of kawa, tikanga and karakia rituals, but also in relation to the unknown factors leading to rangatahi appearing in Kōti Rangatahi. As one kaumātua asserted, the focus is understanding the circumstances leading to their offending or bad behaviour so a rangatahi is not harshly dealt within Kōti Rangatahi. This is especially true if their hara can be traced back to factors far beyond their control. So, when kaumātua show compassion and empathy in trying to learn what is going on to cause some rangatahi behaviour, this is aroha in action. Wairuatanga demands kindness, enabling rangatahi to be held accountable for their actions and yet striving to make positive changes in their lives. The concept of aroha is key in how rangatahi feel and respond in Kōti Rangatahi.

The Kōti Rangatahi kaumātua are largely encouraged by the judges to share positive words of encouragement aimed at keeping rangatahi striving to learn their pepeha, as well as building up their self-confidence and knowledge about being Māori. Aroha ki te tangata is a key principle of tikanga that overlaps with hūmārie and manaakitanga, which you lived by koro and nanny. These values can be seen in kaumātua practices of handing down the skills of tika, pono, aroha, and manaakitanga for all.

### Whakapapa

Many of the kaumātua have good knowledge about the whānau appearing in Kōti Rangatahi. Having this deeper whakapapa knowledge enables them to tailor their kōrero, knowing that rangatahi behaviour is potentially linked to the environment they are being raised in. The

request of the kaumātua for the drunken mother to leave the whare tipuna during Kōti Rangatahi court hearings illustrates how manaakitanga for the rangatahi sits alongside respecting the whare tupuna. Although this action may appear extreme, the Kōti Rangatahi kaumātua are adept in evaluating when tikanga has been breached. Prior knowledge about the whānau enabled the breach to be dealt with in a way that upheld the mana of the whare tipuna and the tangata whenua. But whakapapa obligations carry an added responsibility of caring for our own, so the kaumātua acted with the hope that the drunk māmā will feel the whakamā of her actions and one day will come back one day to the marae sober. When that occurs, she will be embraced and welcomed.

### Kaitiakitanga

Tiaki is to care, so to be a kaitiaki is to be guardian or steward who cares for atua, tāngata and whenua alike. Kaitiakitanga was a key tikanga imperative observed within Te Kōti Rangatahi o Mātaatua. The kaumātua of Kōti Rangatahi o Mātaatua are staunch advocates of the observance of marae kawa and tikanga, as observed when the pōwhiri was stopped after the manuhiri broke the kawa by walking onto the marae during the whaikōrero. Or when the kaumātua demanded the drunk māmā leave the whare tipuna. We look to our kaumātua to lead the way in holding strong to our tikanga, to uphold the mana of our sacred spaces and to keep everyone safe and protected from physical and spiritual harm. Just as I imagine my kuia and koro were kaitiaki of Maungapōhatu, of whānau and manuhiri, they were humble holders of knowledge and kaitiaki of people, places, and taonga. In this way, the kaumātua in Kōti Rangatahi o Mātaatua are cultural conservators of kawa and tikanga, as these keep everyone safe. So, kaitiakitanga should mean that when rangatahi are brought into their care and protection of Kōti Rangatahi, those rangatahi become taonga to be cared for.

## Kotahitanga

Kotahitanga is a te ao Māori concept of unity and togetherness. It is not so much a tikanga imperative observed in Te Kōti Rangatahi because the kaumātua kōrero and observations indicated there are tensions between adhering to the judge's tikanga as opposed to the tikanga of the kaumātua. There are Māori legal practitioners and scholars who oppose the operation of Pākehā law on our marae (Jackson, 1988; Sykes, 2021). If Kōti Rangatahi is not a satisfactory solution, do we stop supporting them, or use them as the foundation and motivation for creating a truly holistic tikanga-led approach? If a truly separate Māori judicial system is the dream, the tāngata whenua led by their kaumātua have now gained 17 years of hands-on marae justice experience.

## **Te Pānga Pepe Ao Uri the butterfly effect – utilising or creating whare wānanga spaces**

This paper builds on and completes the whāriki analysis framework in Chapter Six. This section describes the completed whāriki pattern called Te Pānga Pepe Ao Uri to explore the butterfly effect of tikanga in Te Kōti Rangatahi o Mātaatua. The name is appropriate for signalling the simplicity despite the complexity of the interconnectedness within a te ao Māori worldview. Tikanga is both influenced by and influences other tikanga imperatives, highlighting the interconnectedness within te ao Māori. As a marae-based judicial initiative, the marae is the perfect locale for helping rangatahi reach their limitless potential, by introducing them to the marae, its kawa and tikanga values and practices. This diagram depicts some of the spaces, places, and temporal complexities discussed in this thesis although there are variations between iwi and hapū. The marae represents our universe and are our natural whare wānanga or universities – from the waharoa, to the paepae, to the whare kai and kāuta to our urupā, there is so much learning. Figure 21, symbolises the cosmological narrative with Ranginui in the rafters, Papatūānuku on the floor, and the poutokomanawa representing their separation

by their son Tāne Mahuta, while also depicting the spiritual transition from te pō outside the whare tipuna to te ao mārama upon entering inside (Keane, 2013).

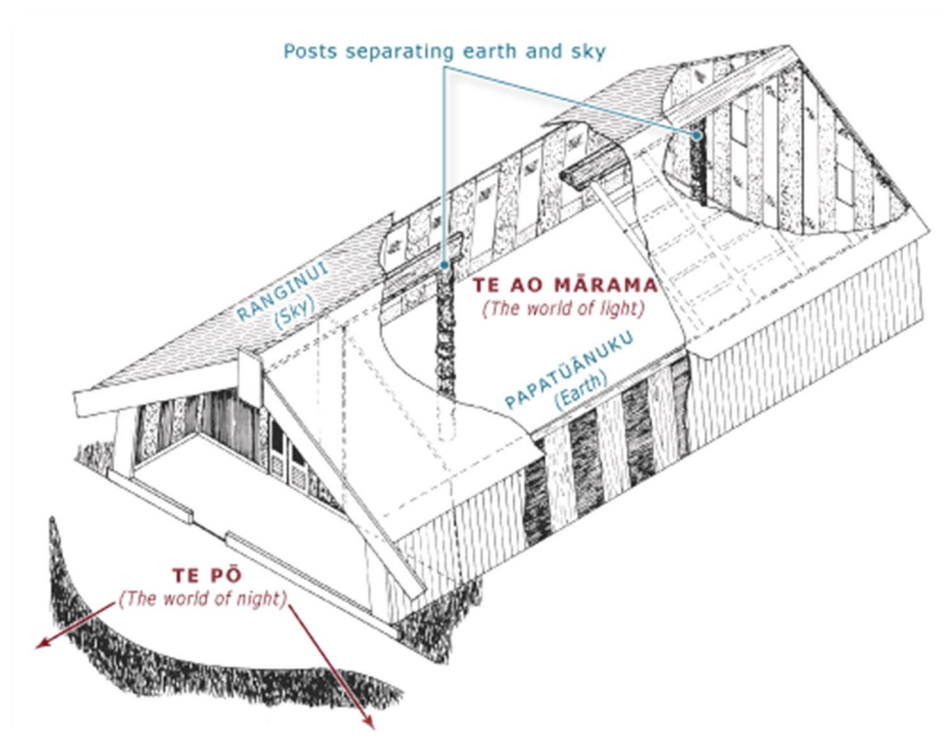


Figure 18 Wharenui me ngā Atua

Modern whare wānanga are repositories of mātauranga knowledge and tikanga implementation. The physical structure of the whare tipuna where Kōti Rangatahi are held is symbolic of our connectedness to Papatūānuku and Ranginui, and a reminder of their separation by their son Tāne. The pōwhiri ritual that draws rangatahi and their whānau into the whare provides a metaphorical illustration of our creation story in the moving across the marae from a state of te kore, to te pō and entering into te ao mārama. The physical structures reinforce the importance of whakapapa and the interconnectedness or, as the kaumatua articulated, we learn of the “magnificence of the connectedness” between all things animate and inanimate (Black et al., 2021). It is significant that the whare tipuna for Te Kōti Rangatahi o Mātaatua is named after the heroine Wairaka who saved the Mātaatua waka and those

aboard from drowning (Black et al., 2021). Rangatahi are welcomed into this inspiring space and connected to their powerful tīpuna in that first tikanga action.

Each whare wānanga is a place where mātauranga Māori learning was taught and hands-on skills learnt in mastering the pūkenga of that whare. The whare tangata is the first whare that offers a pēpi a safe, nurturing and protected environment. Traditionally, many tapu restrictions were observed to protect the māmā and pēpi ensuring their safety and wellbeing during the early stages of life. In the context of Kōti Rangatahi, the principles of protection and nurturing, as seen in the whare tangata, are applied to rangatahi. Just as māmā and pēpi are cared for in a safe and sacred space, rangatahi are supported in environments that protect their mana, mauri, and wairua, allowing them to be reborn, grow and develop in a culturally affirming space.

In the whare wānanga, tikanga directs how the teachings, learning and tapu mātauranga knowledge is safeguarded. These learnings are vital to strengthen the observance and adherence to tikanga, and are shared through the principles of mana, wairua, and tapu. They serve our most vulnerable and disconnected rangatahi and whānau beyond the physical space of the marae complex.

The next two whare wānanga houses are the whare pora and the whare whakairo, which both nurture the creative potential of people who are so inclined. The tikanga learning here highlights the tapu nature of mātauranga Māori, which is shared with rangatahi for them to develop reverence for our artefacts, te reo, cultural spaces and tāngata. It also strengthens their whakapapa knowledge and understanding of our connectedness within te taiao, and their duty too as kaitiaki of te taiao to manaaki.

The final whare for Te Kōti Rangatahi o Mātaatua comes from a kaumātua who saw the demise of the whare tapere, resulting in the loss of knowledge about the roles and responsibilities of tāne and wāhine in strengthening the bonds of whānau and hapū. This kaumātua viewed the

whare tāpere as a key learning whare to educate tāne and wāhine about the roles and responsibilities each holds. He saw the influence of colonising our gendered views as destructive to the makeup of whānau.

In Te Kōti Rangatahi o Mātaatua the sharing of pūrākau touches the hearts of the rangatahi. Learning that the kaumātua knew their koro or nanny can lead to great pride for rangatahi. Hearing that their tīpuna were expert gardeners or marae orators are motivating reasons to learn more and to make their tīpuna proud. Through these engagements with kaumātua, rangatahi develop a deeper connection to their cultural identity.

The brief interactions in Te Kōti Rangatahi when rangatahi are exposed to tikanga and pūrākau for the first time can have far reaching consequences. As they learn about their place in the whānau, hapū and taiao, they also learn the value of upholding the mana of their tīpuna and all those who are connected to Wairaka. As their learning grows, so too does a sense of accountability to further uphold their mana, the mana of their whānau, and the mana of their hapū and iwi. With this learning comes a deep sense of aroha and manaaki whānau, including their parent/s, siblings and grandparents. It is, therefore, crucial to reconnect rangatahi with their whakapapa, enhancing their sense of belonging and identity.

As with the small fluttering's or small tikanga, actions in Te Kōti Rangatahi o Mātaatua can ripple through rangatahi lives in unknown and unexpected ways that may not be realised until much later. This is the power of Te Pānga Pepe Ao Uri.

### **The limitless potential of Te Kōti Rangatahi o Mātaatua**

The tikanga of Te Kōti Rangatahi o Mātaatua can have a significant impact on rangatahi, not just within the interactions on the day, but also before and after it. However, this research has shown that there is a need for enhancing and protecting the tikanga, and for recognising its limits.

One of those limits was identified by Dickson (2011), who was critical of Kōti Rangatahi being conducted on a marae to which the rangatahi may not whakapapa. This limits the potential for rangatahi to fully engage with pūrākau because they may question its relevance to their lives. This is a significant issue if the Kōti Rangatahi kaumātua do not have the requisite mātauranga or whakapapa knowledge to make a deeper connection that makes their words meaningful for the rangatahi. Kaumātua who have a higher level of mātauranga Māori can use the learnings within the whare tipuna to demonstrate to rangatahi that they have whakapapa links to tīpuna and atua. With this knowledge, even disconnected rangatahi can see their part in the collective and their role in showing the same manaakitanga and aroha to others.

A further limit on the power of tikanga comes with the close relationship between Ngā Kōti Rangatahi and Pākehā courts. As discussed in Chapter Six, there were tensions between the two approaches at times. However, there was evidence from within te Kōti Rangatahi that some youth justice practitioners who were passionate about this initiative were intent on preserving and enacting tikanga. This small group of staunch professional insiders had whakapapa connections to the marae and were also the ones who were the most vocal during the hapū hui kōrero about Kōti Rangatahi mentioned in Chapter Two. However, this was not always observed, particularly where the Kōti Rangatahi professionals were shaky in their own knowledge and commitment to this initiative, thus creating a situation where the tikanga of the marae can be unintentionally undermined.

The kaumātua in this study were clear in their commitment to actualise the limitless potential of te Kōti Rangatahi. These recommendations have been formulated from their kōrero and with their guidance, and while they are grounded in Mātaatua, they can be applied across all Kōti Rangatahi.

- Ngā Kōti Rangatahi need to move beyond mere procedural adherence to tikanga and instead embody a holistic and integrated intersectoral approach. This can be achieved through kaitiakitanga, which can be practised by everyone involved in Ngā Kōti

Rangatahi. This means Ngā Kōti Rangatahi itself acts as guardian and caretaker of our most precious taonga, our rangatahi. Kaitiaki accept responsibility for their role in the cultural wellbeing of rangatahi, meaning tikanga is not performed robotically, but it acts as a measure of what is tika.

- Kaumātuatanga should be prioritised and valued. This results in protecting the tapu of rangatahi and nurturing, much like the care provided in whare tangata and whare kohanga, to ensure their mana, mauri, and tapu are respected and upheld. Well-established kaumātuatanga has a positive effect across all the areas of Kōti Rangatahi. Utilising their time, energy, skill, and knowledge through wānanga moments can ensure all involved are united in their purpose and intention within te Kōti Rangatahi o Mātaatua. The power of kaumātuatanga was observed when they knew the whakapapa of the rangatahi and could share personal stories about, for example, how their grandfather was an expert gardener or was a skilled orator on the marae ātea.
- The knowledge shared, and the learning obtained through the respectful and consistent use of the whakawhanaungatanga processes by all in attendance is powerful as I saw at Hoani Waititi – discussed in Chapter Three. Te Kōti Rangatahi o Mātaatua did not invite all in attendance to share in this process, limiting the opportunity to strengthen the social and cultural ties of rangatahi with everyone in the whare. For the magnificence of connectedness through whakawhanaungatanga to be felt, it must be practised.
- Both practitioners and rangatahi should be actively engaged in learning the practical application of tikanga, embracing every opportunity as a potential wānanga moment. Just as weaving demands patience and skill, the processes of te Kōti Rangatahi o

Mātaatua must be approached with mindfulness and intention, ensuring the transmission of tikanga is both meaningful and enduring.

- As a practical graduation of their progress through Kōti Rangatahi, rangatahi should transition to assisting the tangata whenua in the preparation of the marae and learning of the waiata tautoko. Working and sitting alongside the marae whānau, they can learn the practical factors involved in pōwhiri and see and apply manaakitanga. Where possible, they will hear more informal pūrākau about their tīpuna and whānau, which will strengthen their understanding of “ko wai au, nō hea au.” As such, they start to understand that as the rangatira mō āpōpō, they have to learn the practicalities of being on the marae, and what better way to do this than alongside the tangata whenua including the kaumātua.
- Experiencing wairuatanga should be a goal for a rangatahi of their first pōwhiri experience – creating an environment where the ihi, wehi, and wana experiences should not be dismissed. Preparing rangatahi and their whānau for entering onto the marae also provides opportunities to deepen their cultural understandings and spiritual connections.
- Whakapapa learning should continue to be provided through the use of pūrākau in the whare tipuna, for example, why wāhine sit during their pepeha. Learning about the strength, courage, and aroha of tīpuna is inspiring and should feature in every Kōti Rangatahi sitting as a wānanga moment. Although not a tikanga imperative, the environment of our marae spaces can offer a glimpse into our hītori by reflecting on how our tīpuna lived and were regulated by tikanga, and the reasons for this. For example, explaining the role of tuakana and teina has many modern-day applications for rangatahi.

- Opportunities to enhance whanaungatanga and wairuatanga through relational and cultural games and performing arts should be offered whenever possible. The lay advocate of te Kōti Rangatahi o Mātaatua informed everyone prior to coming onto the marae that the rangatahi had been practicing the waiata tautoko. The benefit of participating in pro-social activities that require active engagement cannot be underestimated. If more formal activities are unavailable, then at the least learning the waiata tautoko with the marae tangata whenua may offer many benefits.

## Conclusion

Weaving both whenu strands together in this whāriki has produced Te Pānga Pepe Ao Uri, The Butterfly Effect. The colours represent the rich pūrākau data provided by the kaumātua. The ripples envisaged in te Pānga Pepe Ao Uri emulate a traditional pā, in that tikanga learnings can be obtained in varying where wānanga spaces. The kaumātua in this rangahau shared their memories of times past when where wānanga were used to develop and nurture appropriate behaviours, hone natural skills or talents, and nurture future leaders and experts of tomorrow. Kaumātua recognised the opportunity not only in Te Kōti Rangatahi o Mātaatua but also for all Kōti Rangatahi marae locales observed during this research, which provided them with the opportunity to support, encourage, and share their knowledge with rangatahi. The completed whāriki, Te Pānga Pepe Ao Uri, symbolises the potentiality for transformation and growth that can be achieved when tikanga is practised and lived beyond Kōti Rangatahi o Mātaatua.

## Noho wahangū reflection

Chapter Five provided a starting point for creating and understanding what the tikanga guiding this research is, particularly in analysing the data – pūrākau kaumātua. Chapter Six drew on the kōrero from the kaumātua, grounding their pūrākau in demonstrating how tikanga is lived and follows the tikanga precedents established by the atua. This chapter's strength lies in understanding how the historical context, personal reflections, and the implementation of cultural practices are woven together in a unified and compelling pūrākau.

Tikanga has to be lived to be well understood, especially in how it impacts or influences other tikanga values and practices. For example, the lack of manaakitanga may be viewed as disrespectful to the mana of the manuhiri. However, the sharing of a humble kai when that is all the kai in the pātaka enhances the mana of the host and manuhiri in a display of unconditional aroha. The tikanga concepts of manaakitanga, whanaungatanga, and kaitiakitanga extend far beyond theoretical constructs – they become living, dynamic forces that have the potential to resonate deep within the rangatahi psyche given the right environment, supports, and hapori.

The metaphor of the butterfly effect is particularly striking. It illustrates how small, intentional actions rooted in tikanga can set off ripples of change, fostering reconnection to cultural identity and strengthening resilience. What stands out is the focus on integrating traditional knowledge into modern frameworks – by drawing from the wisdom of the atua and tīpuna as carved into the pou, or woven in the pakitara of the marae, to create modern-day wānanga moments.

This chapter underscores the power of connecting rangatahi to their whakapapa and cultural roots. The tangible impact of this approach is evident in the way rangatahi begin to see themselves within the wider web of relationships, potentially giving them both purpose and pride. However, the chapter also addresses the challenges. It acknowledges the delicate

balance required to uphold tikanga within a system influenced by Western legal principles.

This critical perspective encourages ongoing reflection and adaptation, ensuring tikanga remains a central, unifying element rather than a token gesture. Ultimately, “Te Pānga Pepe Ao Uri” invites us to envision a justice system where cultural identity is not just acknowledged but actively celebrated. It reminds us that through the thoughtful application of tikanga, we can create spaces where rangatahi feel valued, inspired, and empowered to take ownership of their futures.



and whānau in our most sacred cultural spaces – our marae to reach their full potentiality. The name of the completed whāriki is called Te Panga Pepe Ao Uri Tikanga Whāriki, depicting the temporal, spatial, physical, spiritual strands - intersecting, connected and layered ways of living according to tikanga. In this space rangatahi and whānau are woven back to the essence of who they are as Māori.

This letter is my way of honouring both my kuia and koroua who have helped guide and shaped my approach to this thesis in a quiet, staunch and powerful way. It is filled with gratitude; the kōrero and memories shared with me feel like my own memories. I have dreamed them and have felt guided and directed by you. This letter is a koha for the immense legacy you have given me.

## A Letter

E aku, Nanny, aroha, e aku, Koro, aroha

I never got to meet you in this life, but I've come to know you through the stories Mum and her siblings have shared – the way you laughed, the way you held the whānau together, the way your presence still lingers in the folds of our whakapapa. I've written this thesis with you in mind, imagining what it would be like to sit with you and to tell you what I've found. This is my way of reaching back and honouring the legacy you left behind.

This journey began in silence – noho wahangū. I sat with the stories, with the whenua, with the echoes of your lives. I remembered how Mum said you both carried yourselves with quiet strength – how you didn't always need to speak to be heard. That's how I started this work. I listened. I let the wairua guide me. I didn't want to write something cold or clinical; I wanted to write something that felt like home.

At the heart of this thesis e Nan, e Koro: He aha ngā tikanga o Te Kōti Rangatahi o Mātaatua? He aha ngā tikanga o te Kōti Rangatahi o Mātaatua, ā, he aha te rapunga me te whakaaro o te ao Māori? What is tikanga, and what are the philosophical underpinning of Te Kōti Rangatahi o Mātaatua? The aim is to explore how tikanga is enacted, interpreted, and protected within this space and how it offers a pathway of restoration and reconnection for rangatahi Māori.

I learnt that tikanga is not just a set of rules. It is a living, breathing system of values, responsibilities, and relationships. It is how we care for each other, how we restore balance, how we remember who we are. Tikanga is whakapapa, manaakitanga, wairuatanga, and aroha in action. It is the way we live as Māori.

To understand tikanga, I had to go back to the beginning – to the creation pūrākau. I learnt that our behaviours mirror those of our atua. Rangi and Papa, forever reaching for each other, remind us of the power of love and connection. Their children, Tāne, Tāwhirimātea and Tūmatauenga show us that conflict, grief, and restoration are part of our whakapapa. These

stories are not just myths. They are blueprints for how we live, how we relate, and how we heal.

But I also had to learn about the hītori, the history that has shaped our pain. The killings of Völkner and Fulloon were not just tragic events. They were turning points. The Crown's retaliation was swift and brutal. Ngāti Awa, Ngāi Tūhoe, and Whakatōhea lost vast tracts of land. The mamae of those losses still lingers today. I heard it in the voices of the kaumātua. I saw it in the whakamā of rangatahi who didn't know their pepeha. I had to look back at the history that shaped us – the pain of colonisation, the loss of language, the suppression of tikanga. It was hard to face. But in that pain, I found something powerful: Te Kōti Rangatahi o Mātaatua is not just a court. It's a place of return. A space where our tikanga is not only remembered but lived. Where our young people are seen not as broken but as descendants of greatness.

I visited three marae – Hoani Waititi, Huria, and Taharangi. Each one had its own heartbeat. But Mātaatua... Mātaatua felt like being embraced by the arms of Wairaka. There, whakapapa wasn't just spoken – it was felt in the air, in the karanga, in the way kaumātua looked at the rangatahi or directed their words not at the rangatahi standing before them but at their whānau sitting around them. Our whakapapa was seen in the gentle acknowledgement to the kuia and koroua supporting their rangatahi; their mamae so clearly etched in their faces as their eyes were near glistening as they tried to hold back their tears until they heard the aroha in the reo shared by the kaumātua. It reminded me that justice, for us, is about remembering who we are and where we come from.

I saw many rangatahi appearing in Ngā Kōti Rangatahi as they shared their pepeha, voices trembling. The judge, the kaumātua, the whānau, they all listened, and something shifted. That's what whanaungatanga and aroha do. They create a space where people feel seen, where accountability doesn't come from fear but from connection. That's what justice looks like when it's wrapped in aroha.

I saw the impact not just on rangatahi but on everyone who attended. Judges, lawyers, and social workers were all changed by the experience. The marae became a place of transformation for young people and professionals, too.

Doing this research wasn't easy. The university had its rules and expectations. But I kept thinking of you, Nanny – how you'd weave with patience and purpose. That's how I approached this work. I created a framework inspired by your weaving – Te Pepe Ao Uri Whāriki, which consists of seven strands of tikanga: whakapapa, tikanga, mana, tapu, wairua, mauri, and te reo Māori. I used these strands to analyse stories, not like a scientist, but like a weaver – carefully, respectfully, and with love.

But there were tensions I couldn't ignore. In the courtroom, the judge has his tikanga, and we have ours. One kaumātua said that to me, and it stayed with me. Our kaumātua carry sacred knowledge, yet they don't always have the power to act on it. They guide with wisdom, but the final decisions still rest with the state. That's a hard truth – one we need to face if we want real change. And yet, I also saw the quiet resistance: the way kaumātua held space with dignity, the way tikanga persisted even in the shadow of state authority.

These moments reminded me that while the system may not yet fully reflect our values, our people continue to embody them. The presence of kaumātua, the sound of te reo, and the rhythm of karakia are acts of reclamation. They are declarations that our ways are not only valid but vital. Yet there is hope. I saw it in the small things, like a karakia before court, a hongiri after a hearing, and a waiata that brought tears to a mother's eyes. These moments ripple outward – that's the butterfly effect, Te Pānga Pepe Ao Uri. One small act of tikanga can change everything. I witnessed rangatahi, who came in angry and left with their heads held higher. I saw whānau who felt lost find their way back to each other.

I drew a lot of inspiration from you by using your skills as a weaver to make your whāriki, the development of Te Pepe Ao Uri Whāriki made sense, and it would have been wrong not to

have used in all the way through this thesis. The matau rightward strands – whakapapa, mana, tapu, wairua, mauri, te reo – are the collective threads that are the foundational tikanga values seen in the beginnings of the mauī strands. Some of these are the same tikanga imperatives, while tikanga imperatives are distinct. The kāwai toro strand extension affirm tikanga is not just a set of rules —it is a philosophical system, a spiritual guide and a practical ethic for living in harmony with others and the environment.

So, what does this all mean? It means that Te Kōti Rangatahi o Mātaatua is more than a legal innovation; it is a cultural renaissance. It is a space where our stories, our values, and our ways of being are not only acknowledged but centred. It shows us that justice, when grounded in tikanga, can be transformative, restoring not just individuals but entire whānau and communities. It can remind us that healing is possible – when we return to who we are.

There is a richness and colour of the whāriki that comes from the stories of the kaumātua who shared their memories of growing up in pā communities where everyone was cared for. From the kuia who reminded us that tikanga is not just about rules, but about love. From the rangatahi who stood, trembling, and found their voice. From the observers who saw transformation happen in real-time. These stories are the hues and textures that give the whāriki life.

The kaumātua play a vital role in this process. They are the translators of kauae runga into kauae raro. They take the wisdom of the atua and make it real for the rangatahi. They speak of whakapapa, of mana, of aroha. They remind the young people that they are not broken. Instead, they are descendants of greatness. The kaumātua are guides and anchors, and they hold the cultural integrity of the space. They ensure that the court is not just a place of accountability but a place of belonging. Their presence affirms that tikanga is not a relic of the past – it is a living, breathing force that continues to shape our future.

And so, I end with my vision for the future as depicted at the beginning of this chapter: a living pā, a place where tikanga is not just practised but protected. A place where rangatahi can learn their whakapapa, where whānau can heal, and where our values can hold professionals. A place where kaumātua are not only respected but also resourced. A place where our reo is spoken without fear. A place where our mokopuna can stand tall in who they are.

This pā is not just a dream – it is a blueprint. It is already being built in the hearts of those who carry the kaupapa – in every karakia whispered before the court, in every pepeha spoken with trembling pride, and in every kaumātua who shows up, again and again, to hold the space.

We must continue to build it – together.

This is the butterfly effect – Te Pānga Pepe Ao Uri. One small act of tikanga can ripple outward, creating lasting change. We need to build that pā not just for the court but for all of us.

This is what I found. This is what I carry. And this is what I offer back to you – with all my heart.

Aroha mutunga kore,

Me te ngākau whakaiti, me te aroha nui – nā tō moko.

## He Kuputaka Glossary

### A

Ahipara – place name

Aho – weft crosswise whenu or strands

Ahua – character

Ahurei – name of festival organised by Tūhoe iwi

Ahuriri – place name

Amo – bargeboard support – upright supports of the lower ends of the maihi of the front of a meeting house

Ao – world

Aotearoa – Māori name for New Zealand

Āpōpō – tomorrow

Aroha – love

Aroha mutunga kore – love without end

Aroha tetahi ki tetahi – loving each other

Aramahi – methodology

Atu – away

Atua – ancestor, supernatural being

Aukati – ban

Awa – river

Awe wairua – psyche

### E

Ea – state of satisfaction

### H

Hā – breath of life

Haere – go

Hapori – community

Hapū – subtribe

Hapū hui – subtribe meetings

Hapū kaupapa – subtribe points of discussion

Hara – offence

Harakeke – flax

Harirū – meet and greet

Hau – breeze, wind

Hau kāinga – home atmosphere

Hauora – health/well-being

Haumia-tiketike – god of fernroots

Haututū – troublesome

Hawaiki – place name

He – wrong, mistake, incorrect

Hīanga – mischievous deception

Hīnaki – trap, net, snare

Hine – girl

Hinengākau – pseudonym meaning heart and feelings of the girl

Hinengaro – mind

Hine-nui-te-pō – atua of death

Hinepukohurangi – name of the mist maiden

Hineteiwaiwa – the guardian of harakeke (flax) and raranga (weaving)

Hiki mauī – leftward strands

Hiki matau – rightward strands

Hītori – history

Hoa – friend/companion

Hoani Waititi – a marae in West Auckland

Hōhā – nuisance

Hongi – greeting by pressing noses

Horouta – ancestral canoe of the East Coast

Hui – gathering

Hunōnga – related by marriage, brother-in-law

Hūpē – mucus

Huringa – change

Huria – name of a marae in Tauranga Moana

I

Ihi – power, excitement

Ihirangi – table of contents

Ihu kurī – busybody, literally “dog nose”

Ingarangi – England

Ira atua – genes or whakapapa to atua, supernatural

Ira tangata – genes or whakapapa to human beings

Iwi – tribe

K

Kāhui kaumātua – elders’ group

Kai – food

Kaiārahi – navigator(s)

Kāingaroa – place name

Kaikaranga – caller in pōwhiri

Kaikōrero – speaker, narrator

Kaimahi – worker(s)

Kāinga – home

Kairaranga – weaver

Kairaranga whāriki – carpet weavers

Kaitāia – place name in northern New Zealand

Kaiti – place name in Gisborne, New Zealand

Kaitiaki – guardian(s)

Kaitiakitanga – guardianship

Kaiwhakautu – respondent

Kanohi – face

Kanohi kitea – the face that is seen

Kanohi ki te kanohi – face to face

Kapa haka – Māori performing arts

Karakia – blessing, incantation, chant, can be considered a prayer

Karanga – ceremonial call

Kaumātua – elders

Kaumātua hui – meeting the elders

Kaumātua kōrero – discussions with elders

Kaumātuatanga – emphasises the wisdom and teachings of kaumātua

Kaupapa – purpose

Kaupapa Māori – kāwanatanga – governance

Kawa – protocol

Kawerau – place name in Eastern Bay of Plenty

Kete – basket

Ki – to/for

Kia raranga – to weave

Kia tika – to correct

Kiekie – plant

Kiekie whāriki – grass woven mat

Kitea – seen/discovered

Koeke – standard, elder rank

Koha – gifts like food or money

Korakonui – place name in Maungapōhatu

Kōrero – speech/story

Kōrero paki – entertaining talk

Kōrero tuku iho – oral tradition

Koro – koroua – elder man

Koru – spiral pattern

Kotahitanga – unity

Kōti – court

Kotirani – Scotland

Kōtiro – young girl

Ko wai au, nō hea au? – Who am I, where am I from?

Ko wai koe? Nō hea koe? – Who are you? Where are you from?

Ko wai mātou? – Who we are?

Kui – nanny

Kuia – elder woman

Kūpapa – neutral collaborator

Kupe – name of chief

Kupu – word

Kura – total immersion te reo school

## M

Māhaki – modest

Mahau – veranda or porch area of the whare

Mahi – work

Mahi tahi – work together

Māmā – mother/easy

Mamae – pain

Mana – authority, prestige

Manaaki – hospitality

Manaakitanga – caring, support

Mana motuhake – self-determination

Manawa – heart/spirit

Mana whenua – manuhiri – visitors

Mānuka Tūtahi, Te – place where Mātaatua made landfall

Māori – Indigenous people

Mara – plant/garden

Marae – tribal meeting place

Marae ātea – courtyard

Marae kawa – marae protocols

Marae tangata – meeting house side

Māramatanga – understanding/enlightenment

Mātawaka – whakapapa group or tribe

Mātaatua – name of a waka

Matatā – place name in Eastern Bay of Plenty

Mātauranga – knowledge

Mātauranga Māori – Māori knowledge

Matemateaone – Ngāi Tūhoe concept of deep and profound affection for whakapapa, whenua, and responsibility

Mauao – Mount Maunganui

Māui-tikitiki-a-Taranga – legendary ancestor, known for his many feats

Maunga – mountain

Maungapōhatu – place name in Te Urewera

Maungatapu – name of marae located in Tauranga

Mauri – life force

Mihi/mihimihi – greeting

Mihi whakatau – initial greetings

Mō – for/about

Moana – sea

Moemoeā – dreams

Mōhio – to know

Mōhio pakeke – adult knowledge

Mōhiotanga – knowledge

Moko – grandchild

Mokomoko – name of chief

Mokopuna – grandchild(ren)

Mokopuna mō āpōpō – children of tomorrow

Motu – island

Muriwai – significant to Whakatōhea, sister of Toroa

N

Ngā – plural article

Ngā atua – the gods

Ngā Hau e Whā – name of youth court in Christchurch

Ngahere – forest

Ngā Kāwai Toro – the extended strands

Ngapera – name of my nanny

Ngā Pōtiki – an ancestor

Ngāi Tūhoe – my tribe

Ngāti – tribe prefix

Ngāti Awa – tribal group of Whakatāne and outlying areas

Ngāti Kahungunu – tribal group of East Coast

Ngāti Porou – name of iwi

Ngā Puhī – tribe in Northern New Zealand

Ngāti Whakaue – my tribe

Ngāti Whātua – tangata whenua of Auckland

Ngākau – heart/mind

Ngā tikanga tuku iho – traditional processes

Noa – free from tapu

Nohi – busybody/curious

Noho puku – sitting on things and observing

Noho wahangū – deep silence and reflection

Nukutere – one of the early waka

O

O – of

Ōhotu – name of my marae

Ope – group

Oranga Tamariki – Māori name for the Ministry for Children

Ōritetanga – equal rights and privileges

## P

Pā – fortified village

Pāeke kōrero – speakers alternate

Paepae – bench/place

Pae tapu – male orators

Paewhiti – parent to Tūhoe Pōtiki

Paimārire also spelt Pai Mārire – Christian faith developed by te Ua Haumēne in Taranaki, then established in Waikato and parts of the Bay of Plenty.

Pākehā – non-Māori

Pakeke – adult

Pakitara – window

Pakiwaitara – tale

Pāmamae – grief

Papa – shortened name of earth mother

Papakāinga – home village

Papaki Parirau – flapping beating wings

Papatūānuku – earth mother

Pāpuni – dam or block

Pātai – question

Pātaka – storehouse/pantry

Patu – club

Patua te Ngangara – Methamphetamine tikanga Māori programme

Patupaiarehe – fairy folk

Pepe – butterfly

Pēpi – baby

Pepeha – personal introduction

Pēpi – infant

Pinaki – name of place in Maungapōhatu

Pipi – clams

Pito – navel/source

Pono – truthful

Pono ki te kaupapa – accountable to each other

Pōtiki – descendant of Toroa

Pōtiki-mai-tawhiti – name of ancestor

Pou – post/authority

Pou Temara – Ngāi Tūhoe iwi leader

Poupou – wall pillars

Pōwhiri – welcoming ceremony. I have whānau use the term pōhiri but have used this spelling for consistency.

Puao-te-Āta-tū – name of report

Puhi – feathers, also smoke signalling

Puhi – brother of Toroa

Puhi Kai Āriki – brother of Toroa

Pūkenga – expert/skill

Puku – belly

Pūrākau – myth/story

Pūrākau-ā-iwi – stories of the tribe

Pūtauaki – name of mountain

R

Rāhiri – grandson of Toroa

Rākau – stick

Rangatira – chief

Rangatiratanga – chieftainship

Rangahau – research

Rangahau kaupapa – thematic research

Rangahau rōpū – research team

Rangatahi – youth

Rangatahi Māori – Māori youth

Rangi – shortened name of sky father

Rangihau – name of Tūhoe rangatira

Ranginui – name of the sky father

Rangitaiki – name of river

Rapunga whakaaro o te ao Māori – Māori philosophy

Raranga – weaving

Raru – issue/problem

Rauhanga – resourcefulness

Rauhī – nurse

Raupatu – confiscation, confiscated land

Raupo – bullrush reed

Rautahi – name of marae

Reo Māori – Māori language

Ringawera – helper

Rito – centre shoot of the harakeke flax bush

Rohe – district/region

Roimata – tear

Rongomaraeroa – the atua of peace

Rōpū – group

Ruaihonga – son of Toroa

Rūaumoko – god of earthquakes

Rua Kenana – name of well-known prophet

Rūātoki – place name in Eastern Bay of Plenty

Rūnanga – tribal authority

T

Tā – sir

Taha hinengaro – mental health

Taha tinana – physical health

Taha wairua – spiritual health

Taha whānau – family health

Tahinga-o-te-rā – grandson of Toroa

Tahora – place name

Taiaha – weapon

Taiao – environment

Tainui – name of the iwi or tribe with whakapapa connections to the waka Tainui

Taiohi – young person, teenager

Tairāwhiti – East Coast region

Tai Tokerau, Te – Northland

Takawaenga – mediator

Tākitumu – name of an early waka

Tamakaimoana – name of my sub-tribe

Tāmaki Makaurau – Auckland, New Zealand

Tā moko – Māori tattoo

Takawaenga – an intermediary marae

Take – issue

Tama – boy

Tamaiti – child

Tamariki Māori – Māori children

Tāne – man

Tāneatua – half-brother of Toroa/place name in Bay of Plenty

Tāne Mahuta – atua of the forest

Tāne-nui-ā-Rangi – name of the whare in Maungapōhatu

Taniwha – mythical creature

Tangaroa – atua of the sea

Taonga – treasure

Taonga tuku iho – inherited treasures

Tapu – sacred

Tapuhi – midwife/nurse

Tāngata – person/people

Tāngata whenua – host people

Tangi – funeral rites

Tangihanga – funeral

Taranaki – region in North Island, New Zealand

Tarawera – name of river

Tātai whakaheke – to whakapapa by going right back

Tāwhirimātea – atua of wind and storms

Tāwhito kōrero – ancient talk, discussions, narratives

Tauira – example/model

Taiwi – non-Māori

Tauparapara – chant

Taupō – lake/region

Taura here – the binding ropes became a term for tribal members living in the cities to retain

and maintain their identity

Tauranga Moana – city in Bay of Plenty, New Zealand

Tautoko – support

Tauutuutu/tu mai atu mai – reciprocal speaking order (marae protocol)

Tawera marae – marae in Rotorua

Tāwhaki – ancestor known amongst Eastern Bay of Plenty tribes for gathering the three kete of knowledge

Te – the

Te aka – creeper, vine

Te ao Māori – the Māori world

Te ao mārama – the world of light

Te ao Pākehā – the Western world

Te ārai – the path to the spiritual realm

Te Arawa – iwi confederation of the Rotorua tribes

Te ihi – energetic forces and vibrations

Teina – younger sibling

Te wana – energetic forces and vibrations

Te wehi – energetic forces and vibrations

Te Kooti Arikirangi Te Tūruki – name of prophet

Te Kōpaki Pēpi Ao Uri – the cocooned butterfly

Te kore – nothingness/void

Te Koti Rangatahi – The youth court

Te kune – conception and form

Te Mapou – name of marae

Te maunga – the mountain man

Te Moana-a-Toitehuatahi – the sea of Toitehuatahi refers to the Te Moana-a-Toi or Bay of Plenty region

Te more – Tap root

Te Rūnanga o Ngāti Awa – legal entity supporting the aspirations of Ngāti Awa

Te Pepe Ao Uri – the blue butterfly

Te Pō – darkness

Te Poho-o-Rāwiri – name of a marae in Gisborne

Te Pū – root, origin

Te rea – growth

Te reo – the language

Te reo Māori – the Māori language

Te reo me ōna tikanga – language and its customs

Te taiao – the environment

Te Teko – place name in Bay of Plenty

Te Tini o Toi – another name for Toitehautahi

Te tipuārangi – the development

Te Tiriti o Waitangi, Te Tirit – the Treaty of Waitangi

Te Tohu o Te Ora – Ngāti Awa health service

Te Ua Haumene – name of leader of Paimārire

Te Urewera – national park

Te Waipounamu – South Island

Te waonui – great wood

Te weu – rootlets

Te Whaingā i Te Tika – name of report

Te whakanoa – the process of lifting tapu

Te Whānau-a-Apanui – iwi

Te Whānau Awhina – Māori restorative practices

Te Whare o Toroa – the house of Toroa

Te Whare Tapa Whā – four-sided health model

Te Whare Tū Taua – name of tikanga Māori programme

Te whē – the sound

Tiaki – care for

Tika – correct/right

Tikanga – correct procedure

Tikanga mana me ta haumarū – tikanga of status and safety

Tikanga Māori – Māori customs

Tikanga tāwhito – ancient customs

Tikanga tūāpapa – foundational customs

Tikanga whakahaere – functional customs

Tikanga whakaora – healing customs

Tikanga a whānau katoa

Tinana – body

Tino – very/genuine

Tino rangatiratanga – sovereignty

Tipua – guardian spirits

Tipuna or tīpuna – ancestor or ancestors, tipuna rather than tupuna used throughout this

thesis, unless it is a quote or reference, although I have heard both in the Eastern Bay of Plenty

Tohunga – expert/priest

Tohutoro – references

Toroa – captain of the Mātaatua waka

Tuahine – sister of a male

Tuakiri – identity

Tūāmua – prelude

Tuarua – second

Tūhoe – iwi name

Tūhoe Pōtiki – the grandson of Paewhiti and Toroa

Tūhoetanga – sense of Tūhoe iwi identity

Tukutuku – woven lattice work usually found between the pou within a whare tipuna

Tūmānako – hope

Tūmatauega – god of war

Tunutunu – roast, cook

Tūpuna – ancestors

Turakina – name of a Māori girl's college

Tūranga-nui-a-Kiwa – Gisborne region

Tūrangawaewae – a place to stand/domicile by birthright

Ture – law

Tūtāmure – name of ancestor

Tūtemaungaroa

Tutu (tutū) – insubordinate, mischievous, disobedient, rebellious

Tūturu – authentic

Tūwharetoa – central North Island iwi or tribe

Urewera, Te – home to the Ngāi Tūhoe, it is remote and rugged with forests, lakes and mountains

Uri – descendants

Urupā – cemetery

Utu – cost; reciprocity

W

Waerea – protest chant/call

Waha – mouth

Wahangū – reflection

Wāharoa – gateway

Wāhine – women

Wāhine toa – strong women

Wāhi – place

Wāhi tapu – sacred place

Waiata – song

Waitara – place name in Taranaki

Waiata tautoko – support song

Waiho mā te whakamā e patu – let shame be the punishment

Waikaremoana – place name in Te Urewera

Waikato – region in central North Island

Wairaka – Toroa’s daughter

Wairua – spirit

Wairuatanga – spirituality

Waka – canoe

Wānanga – seminar/tribal school

Wero – challenge

Whai kōrero – whai whakaaro – to consider

Whakaaro – thought

Whakahāhoretanga me te whakaoranga – tikanga in the shadow of colonisation

Whakahīhī – being a show off

Whakairo – carving

Whakamā – shame

Whakamama whānui – research background

Whakamana – to empower

Whakamārama whānau – whakanoa – to lift tapu

Whakapapa – genealogy

Whakapiki wairua – uplift spirit

Whakapinga – conclusion

Whakaramarama whānui – general explanation

Whāriki – woven mat

Whakaruruhau – shelter

Whakatāne – place name in Eastern Bay of Plenty

Whakatau – informal welcome

Whakatōhea – whakawhiti kōrero – dialogue

Whānau – family

Whanaungatanga – building relationships, sense of connection

Whānau ora – family health

Whānau Pani – name of my subtribe

Whānau whānui – extended family

Whāngai – to nurture/adopt

Whānui – broad

Whare – house

Wharekai – dining hall

Whare mate – mortuary

Whare Ngā Tūmānako

Wharenui – meeting house

Whare rūnanga – council house

Wharepuni – sleeping house

Whare pora – sewing house

Whare tipuna – ancestral house

Whare wānanga – university/learning house

Wehi – fear/wonder

Whakahīhī – pride

Whakaiti – humility

Whakatāne – place name in Eastern Bay of Plenty

Whakatauākī/whakataukī – proverb

Whakatakinga – introduction

Whakawhanaungatanga – relationship building

Whakawhiti kōrero – debate, discussions

Whatumanawa – seat of emotions

Whenu – strand

Whenu matau – strands from the right

Whenu maūi – strands from the left

Whenua – land

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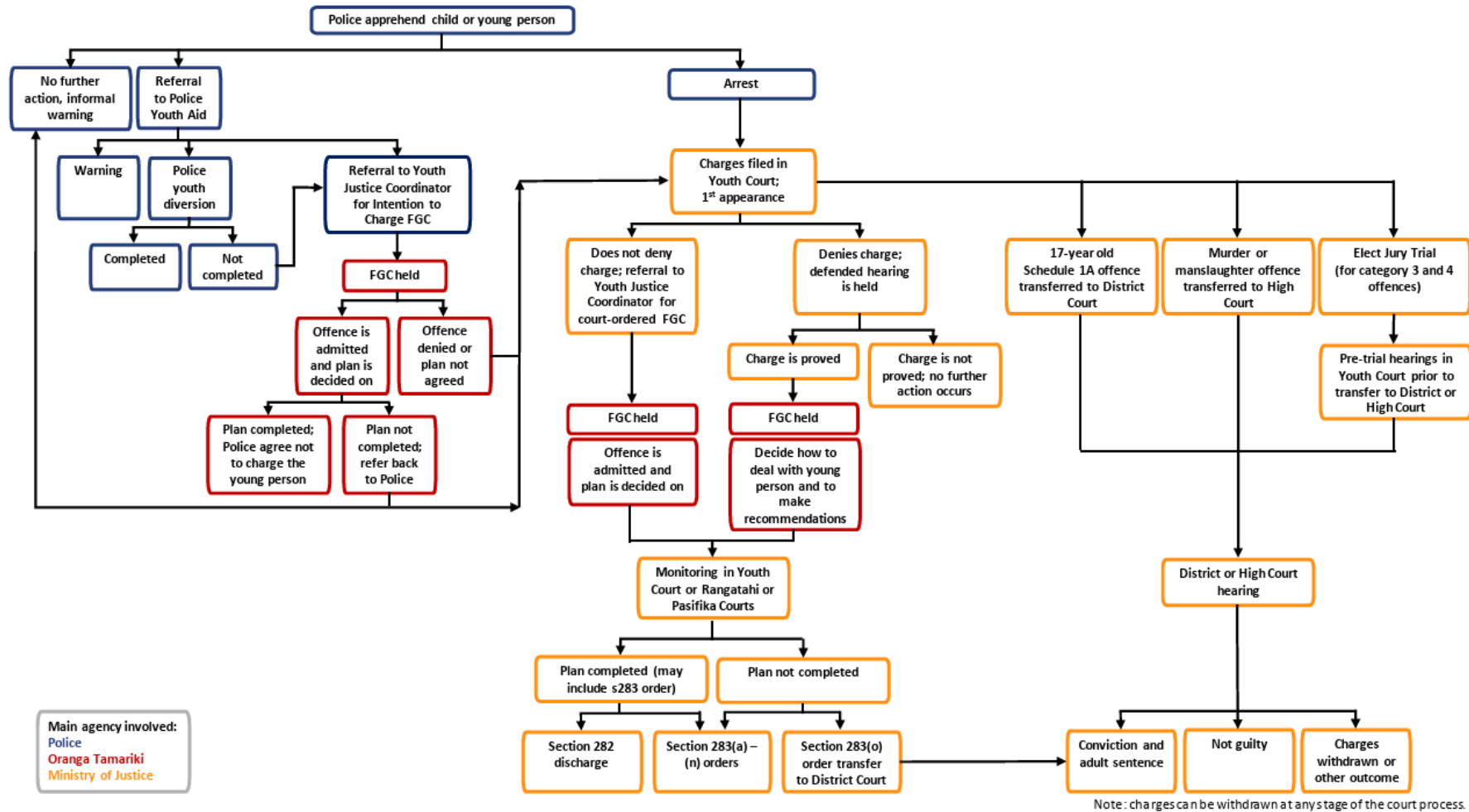
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## Appendix A Youth justice roadmap



## Appendix B

### Ethics approval letter

**Research Office**  
Post-Award Support Services



The University of Auckland  
Private Bag 92019  
Auckland, New Zealand  
Level 10, 49 Symonds Street  
Telephone: 64 9 373 7599  
Extension: 83711  
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[ro-ethics@auckland.ac.nz](mailto:ro-ethics@auckland.ac.nz)

#### UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE (UAHPEC)

08-Aug-2017

**MEMORANDUM TO:**

Dr Jacqueline Kidd  
Nursing

**Re: Application for Ethics Approval (Our Ref. 019588): Approved with comment**

The Committee considered your application for ethics approval for your study entitled **Te Kōti Rangatahi o Mātaatua: A Site of Limitless Potential?**.

Ethics approval was given for a period of three years with the following comment(s):

1. The committee would like to thank the applicants for their careful and considered responses to the committee's questions and seeking clarification.

The expiry date for this approval is 08-Aug-2020.

If the project changes significantly you are required to resubmit a new application to UAHPEC for further consideration.

If you have obtained funding other than from UniServices, send a copy of this approval letter to the Activations team in the Research Office, at [ro-awards@auckland.ac.nz](mailto:ro-awards@auckland.ac.nz). For UniServices contracts, send a copy of the approval letter to the Contract Manager, UniServices.

The Chair and the members of UAHPEC would be happy to discuss general matters relating to ethics approvals if you wish to do so. Contact should be made through the UAHPEC Ethics Administrators at [ro-ethics@auckland.ac.nz](mailto:ro-ethics@auckland.ac.nz) in the first instance.

Please quote Protocol number **019588** on all communication with the UAHPEC regarding this application.

*(This is a computer generated letter. No signature required.)*

## Appendix C Tools

### Rārangi uiui

#### Karakia tīmatanga

#### Whakawhanaungatanga/Introductions

- Ko wai koe? Nō hea koe?
- Whakamāramahia mai tō huarahi me tō taenga mai ki Te Kōti Rangatahi?

#### He aha te tirohanga whānui o te ao Māori ki Te Kōti Rangatahi o Mātaatua?

- He aha ngā āhuatanga o te ao i tō tupuranga ake? (*Whakahau: ko ngā tikanga tuku iho*)
- He aha ngā awenga matua o tō tirohanga whānui ki te ao, tēnā whakamārama mai. (*Whakahau: whakatupuranga, awenga o ngā mātua/kuia/koroua*)

#### ‘He aha ngā tikanga o Te Kōti Rangatahi o Mātaatua?’

- He aha ngā momo mahi i runga i te marae, ā, he aha te take i mahia ēnei mahi i tō tipuranga ake – he tikanga ēnei?
- I te ao hurihuri, me pēhea e whakarauora ēnei tikanga? (*Whakahau: he kōrero mō te hononga ki te ao wairua e kōrerohia i ngā karakia, mōteatea, waiata, haka, pūrākau, kōrero matawhaiaro*)

#### Ngā hītori i waihangatia ngā tikanga o te rohe.

- Tēnā, whakamārama mai te tipu haere o āu mahi i runga i te marae i a koe e tipu ake ana, he aha te take i pēnā ai? (*Whakahau: tamaiti mai, taiohi mai, pakeke mai – hei mātua, hei kuia/koroua*)
- Kei te pīrangi au ki te mōhio i ngā kōrero tuku iho o Mātaatua, te whakatūnga o Wairaka Marae, me ētahi o ngā whakawhanaketanga i roto i ngā tau. Ki ō whakaaro, kua waihanga ēnei āhuatanga i te tikanga?
  - *Haerenga waka (he kawenga mā runga waka, ngā wāhi motuhake o te iwi me te hapū, ngā hononga e mau tonu ana, kua motukia rānei);*
  - *Ngā whakaaweawe o te taenga mai o te Pākehā – raupatu whenua, hāhi, whakaaro takitini ki te whakaaro takitahi) i wero atu ki ngā tikanga heke iho i whakahaere i ngā āhuatanga o te noho ki te pā, te noho ā-whānau me te whakatipu tamariki*
- Tēnā, whakamārama mai ngā hua me ngā mate o ngā kōrero o runga e hāngai ana ki te iwi, hapū, whānau, marae? Ā, he aha i pērā ai?
- Tēnā, whakamārama mai ngā rerekētanga o ēnei rā (hei tauira, ngā Whakataunga Tiriti) he aha ngā hua me ngā mate o ngā kōrero o runga e hāngai ana ki te iwi, hapū, marae, whānau?

#### Te pūtake

- He aha te pūtake o Te Kōti Rangatahi o Mātaatua i Wairaka Marae?

#### He kupu whakakapi

- He kōrero atu anō?

#### Karakia whakamutunga

## Participant interview schedule

### **Karakia timatanga**

#### **Whakawhanaungatanga/Introductions**

- *Ko wai koe? Nō hea koe? Who are you? Where do you come from?*
- *Tell me about your background and how you became involved in Te Kōti Rangatahi?*

#### **What is the prevailing te ao Māori worldview in Te Kōti Rangatahi o Mātaatua?**

- *I'm interested in finding out how you saw the world when you were growing up?  
Prompts: description of traditional way of life and normalised practices)*
- *What do you think influenced your thinking about how you saw the world, can you describe that for me? (Prompts: up-bringing, influence of parents/grand-parents).*

#### **'What is the tikanga of Te Kōti Rangatahi o Mātaatua?'**

- *What kinds of things did you do on the marae and why did you do them when you were growing up – are these tikanga practices?*
- *What do you think can help us today to maintain those tikanga practices? (Prompts: (could include information about localised spiritual connections and their influence on tikanga as recounted in local karakia (incantations), moteatea (chants), waiata (songs), haka (dance), pūrākau (stories/myths), personal accounts)*

#### **Explore the history that has shaped local tikanga?**

- *Can you describe how your role on the marae has changed throughout your life, and why? (Prompts: as a child, young person, whānau head – parent and grandparent).*
- *I'm interested in exploring the history of Mātaatua, the establishment of Wairaka and some of the developments that have occurred over time. Do you think these occurrences have shaped tikanga?*
  - *waka haerenga (waka journey, iwi/hapū settlements, relationships/connections established or severed);*
  - *impact of colonisation – raupatu (land confiscation, religion, collective to individual) that may have challenged traditional methods of regulating Pā (village) life, whānau structures and raising a child*
- *Describe the impacts discussed above on iwi, hapū, whānau, marae and why?*
  - *Describe the more recent changes (e.g. settlements) what has been the impact on iwi, hapū, marae and whānau?*

#### **Rationale**

- *What is the rationale of Te Kōti Rangatahi o Mātaatua at Wairaka Marae?*

#### **Concluding comments**

- *Any further comments?*

### **Karakia whakamutunga**

## Te reo participant information sheet

**Kairangahau:** Stella Black, Ngāi Tūhoe, Ngāti Whakaue, Whakatōhea, Te Whānau-a-Apanui

**Kaitiaki Rangahau:** Geoff Rameka, Tūwharetoa, Dinny Snowdon-Rameka, Frances Svebakk

### He karanga, he tono

Tēnā koe, ko Stella Black tōku ingoa, nō Tūhoe ahau. Kei te whai au i taku tohu kairangi i Te Whare Wānanga o Tāmaki Makaurau, ā, kei te tono atu ki a koe ki te uru mai ki tēnei kaupapa rangahau.

### Te pūtake

Ko te aronga o tēnei kaupapa rangahau, he tiroiro he aha te tikanga e ai ki Te Kōti Rangatahi o Mātaatua, i te marae o Wairaka, ki Whakatāne. Ka ruku atu ki ngā kōrero o Te Kōti Rangatahi o Mātaatua mō tana hītori, pāpori, tōrangapū, ohaoha me te ahurea, ka whakamahuki tēnei kaupapa i ngā mōhiotanga e pā ana ki te takenga mai me te waihangatanga o te tikanga. Koinei e whakamārama ai e muru pēhea nei Te Kōti Rangatahi i te waipuke o te rangatahi Māori i Ngā Kōti o te rohe. E haere ake nei te kaupapa rangahau mō ngā tau e whā, mai i te tau 2017 ki te 2021. Nāu anō te mana ki te uru mai; ehara i te mea me uru mai koe. Kāore te Tāhū o te Ture (Ministry of Justice) i te whakahaere tēnei kaupapa rangahau.

### He aha rā ngā mahi?

Kei te tono atu ki a koutou te hunga kaumātua, te hau kāinga, te tangata whenua e tautoko ana i Te Kōti Rangatahi o Mātaatua ki te uru mai ki tētahi uiui kanohi-ki-te-kanohi. Māu anō e tohutohu mai ki hea, āhea hoki e tū ai te uiui. Ka kotahi hāora me te hāwhe rānei, ka rua hāora rānei te wā e hiahia ana. I runga i tō whakaaetanga mai, ka hopu te uiui mā runga mihīni hopu reo, ā, ka patopatohia te uiui, hāunga ngā kōrero whakapapa me ngā kōrero tapu kāore e taea. Ina hiahia koe, ka hoatu ngā pātai uiui ki a koe i mua tonu i te uiui kia āhei koe ki te whakarite. Ehara i te mea me whakautu ngā pātai katoa, ā, ka taea e koe te whakamutu te uiui i te wā e hiahia ana, ka taea hoki te tono kia whakaweto te mihīni hopu reo me te kore whakamōhio mai he aha ai. Ka haramai a Stella ki te kite i a koe i te wā o Te Kōti Rangatahi, ka whakarite rānei kia kite anō i a koe ki te wānanga i ngā take kua kōrerotia. Ka whakaū ia i te whakapākehātanga, te tika o te whakatakoto, me te hāngaitanga o tōna mārama ki ō kōrero. Ina hiahia koe, ka noho muna ngā ingoa o ngā tāngata me ngā wāhi anō hoki. Ki te kore koe e hiahia, ehara i te mea me noho muna ngā wāhanga o tō kōrero. Ka mahi tahi tāua ki te whakamārama, whakarerekē, whakatika, whakatōroa rānei i ngā kōrero. Ka taea e koe te tango ngā kōrero whakamōhio i a koe ā muri i te uiui.

## Te whakapuaki i ngā kitenga

Ka whakamahia ngā kōrero uiui ki tētahi tuhingaroa, he tanga mātauranga, he whakaaturanga ki te marae, ki ngā hui ā-motu me te ao whānui hoki. Ka tuku atu ki a koe he pūrongo e whakarāpopoto ana i ngā kitenga o te kaupapa rangahau.

### Te noho muna

Nā te tokoiti o ngā kaumātua o Te Kōti Rangatahi, kāore e taurangitia rawatia tō noho muna. He rangatira ngā kaumātua mō te whānau, te hapū, me te iwi, ā, ka whakanui tēnei kaupapa rangahau i te mana o tō whare kōrero (Sikes, Tolich, Walford).

Nō reira, ka taea e ngā kaumātua te whakarerekē tō rātou ingoa kia noho muna koe puta noa i ngā mahi o te kaupapa rangahau. Ka āhei noa iho a Stella me tētahi o ngā Kaitiaki Rangahau te toro atu ki ngā kōrero o te uiui. Kua waitohu rātou i tētahi puka whakaae.

### Ngā hua me ngā mate

Ki te hāpai i tēnei kaupapa rangahau, ka rangona te reo o ngā kaumātua o Mātaatua me ngā taura here nō wāhi kē atu, ā, ka puta mai ngā kōrero whakamārama mō te tikanga me te wāhi o te tikanga ki te whaakaaweawe i ngā mahi ā te hunga haere ki Te Kōti. Mā ngā kitenga o tēnei kaupapa rangahau e whakapūmau ngā aratohu me ngā ture mō te hunga whaipānga e mahi ana ki roto i tēnei kōti, ā, mā konā e whaihua pea ngā rangatahi me ō rātou whānau. I runga i te whakaaro kua tono atu ki ngā pakeke me ngā rangatira o ngā whānau, ngū marae me ngā hāpori, tē taea te kite he mate i te uru mai. Heoi anō, ka āhei koe te kawē mai he kaitautoko i roto i ngā āhuetanga o tēnei kaupapa rangahau. Ina hiahia, ka taea te taki karakia, te tuku mihi whakatau me te kai anō hoki. Ki te ara ake tētahi raruraru i tō urunga mai ki tēnei kaupapa rangahau, tēnā whakapā mai kia kōrero tāua, ā, māku e kimi kaiāwhina mōu. He tangata nō te Kāhui Kaumātua rānei, he kaimahi nō tētehi atu rōpū rānei.

### Ka pēhea e katohia, e tiaki ngā kōrero?

Ka tiakina ngā tuhinga uiui ki roto i tētahi wāhi raka, ā, ka turaki i te mutunga iho o te ono tau whai muri iho i te kaupapa rangahau. Ko ngā kōrero ka rau atu ki te rorohiko o Te Whare Wānanga o Tāmaki Makaurau, ā, me whai kupu muna ki te toro atu kātahi ka whakakore i te mutunga iho o te ono tau whai muri iho i te kaupapa rangahau. Whai muri i te kotahi tau ka whakakore i ngā oro o te uiui.

### He aha e whai ake nei?

Ki te whakaae koe ki te uru mai, ka whakarite a Stella i tētahi wā uiui. I taua wā ka tono atu ki a koe ki te waitohu i te puka whakaae.

### Whakapā mai

Me he pātai āu e pā ana ki te kaupapa rangahau, whakapā mai ki ahau, ki a Stella Black mā runga waea (09) 923 3003, 021 415 441, mā īmēra rānei [stella.black@auckland.ac.nz](mailto:stella.black@auckland.ac.nz). Ka taea hoki te whakapā atu ki aku Kaiwhakahaere, ki a Tākuta Jacquie Kidd (09) 923 3821, ki a Tākuta Katey Thom rānei (09) 923 9579, 027 529 4869, mā īmēra rānei [k.thom@auckland.ac.nz](mailto:k.thom@auckland.ac.nz). Koia rā hoki te Tumuaki o te Kura Nēhi: Ahorangi Tūhono Judy Kilpatrick (09) 923 2897 [alexandra.mccarthy@auckland.ac.nz](mailto:alexandra.mccarthy@auckland.ac.nz).

Me he pātai, he āwangawanga āu e pā ana ki ō mōtika hei kaiwhakauru i tēnei kaupapa rangahau, ka āhei koe te whakapā atu ki te Kaiwhakahaere o te kōmiti matatika mā reta ki: Chair, The University of Auckland Human Participants Ethics Committee, The University of Auckland, Office of the Vice Chancellor, Private Bag 92019, Auckland 1142. Mā runga waea rānei 09 373-7599 extn. 83711.

Ka tautoko te Kōmiti Matatika o Te Whare Wānanga o Tāmaki Makaurau ki tēnei kaupapa rangahau i te August 2020 mō ngā tau e toru, nama rēhita 019588.

## Participant information sheet

**Kairangahau:** Ms Stella Black, Ngāi Tūhoe, Ngāti Whakaeue, Whakatōhea, Te Whanau-a-Apanui

**Rangahau Kaitiaki Support:** Mr Geoff Rameka, Tūwharetoa, Dinny Snowdon-Raemka, Frances Svebakk

### Invitation

Tēnā koe, ko Stella Black, nō Tūhoe ahau. I am conducting this PhD research study with the School of Nursing based at the University of Auckland and I would like to invite you to take part.

### Purpose

The aim of this study seeks to explore what tikanga is in Te Kōti Rangatahi o Mātaatua (youth court) held at Wairaka Marae, Whakatāne. This investigation will shed light on the historical, social, political, economic and cultural understanding of Te Kōti Rangatahi of Mātaatua, to see how tikanga discourse is established, positioned, constructed and understood. This focus will help contextualise how this initiative is responding to Māori rangatahi overrepresentation in the judicial system within the region. The duration of the study runs for four years, from 2017-2021. Your participation is entirely voluntary; you do not have to take part in this study. This study is not being conducted on behalf of the Ministry of Justice.

### What would it involve?

Kaumātua (elders), hau kāinga (locals), tangata whenua (people) supporting Te Kōti Rangatahi o Mātaatua rohe (Eastern Bay of Plenty region) like yourself are invited to participate in a kanohi-ki-te-kanohi (face-to-face) semi-structured interview. This will take place at a time and venue convenient to you. The interview will take 1 ½-2 hours of your time. With your permission, the interview will be audio-recorded and may only be partially transcribed verbatim, omitting whakapapa (genealogy) or tapu korero (sacred discussions) that may not be appropriate for publication. If you wish, the interview questions can be given to you in advance to allow you to prepare for the interview. You do not have to answer all the questions and you may stop the interview at any time and/or ask for the recorder to be turned off without giving a reason. Stella will see you during the sitting of Te Kōti Rangatahi or she will make time to see you again to talk about the information you have shared. She will confirm the translation, accuracy, her understanding or interpretation of what you have shared. If you wish, Stella will work with you to ensure names are anonymised by replacing these with pseudonyms and places are de-identified. You do not have to anonymise or de-identify any part of your story if you do not want to. Together we can clarify, amend, correct or extend on the information you share. You may withdraw any data traceable to you at any time following the interview.

### **Reporting of results**

Information (including direct quotes) gathered from the interview will be used in a thesis, academic publications, presented back at a marae hui or wānanga and at other local and international conferences. You will be offered a copy of the brief report that will summarise the results of the study.

### **Confidentiality**

It is important to note that given the small group of kaumātua at Te Kōti Rangatahi, your anonymity cannot be absolutely guaranteed. Kaumātua are whanau, hapū and iwi rangatira (leaders), this study wishes to recognise and honour your mana (status and authority) as experts of your story (Sikes, Tolich, Walford).

Therefore, kaumātua participants have the choice to choose a pseudonym if you wish to maintain your anonymity and confidentiality throughout the research process. Only Stella and one member of her Rangahau Kaitiaki Support rōpū at any one time will have access to the interview material. They have been asked to sign a confidentiality agreement.

### **Benefits and risks**

Taking part in the project has the potential to provide new knowledge and insights into the experiences about what is tikanga and how it may be influencing the practices of those attending Te Kōti. This findings will aid in enhancing best practice guidelines for all stakeholders working in this court setting and may benefit present, current and future rangatahi and whānau. The participants taking part in this research are pākeke (senior members) who are leaders and respected members within their whānau, marae and communities. Taking part in this research is not expected to result in any adverse effects. However, you are welcome to bring anyone along to tautoko (support) you throughout the interview or follow-up discussions. Stella will invite you to set the kawa (protocol) for the interview which can include karakia, mihi whakatau and kai. If for any reason you experience any adverse consequences as a result of taking part in the research, I encourage you to contact me to discuss these issues, so that I can help in finding someone to assist you. This may include another member of the Kaumātua Kāhui rōpū or it may be a local professional service.

### **How will the information collected be stored?**

The transcriptions of the interviews will be kept in a locked location and destroyed (shredded) 6 years after completion of the study. Any information stored on computer files will be kept on the University of Auckland server that requires a password to access and will be electronically wiped 6 years after completion of the study. All audio-recordings will be electronically wiped 12-months following the interview.

### **Where to now?**

If you agree to participate in this study, Stella will make a time to conduct an interview. At that time you will be asked to sign the accompanying consent form.

### **Contacts**

If you have any queries regarding this study please do not hesitate to contact Stella Black (09) 923 3003, 021 415 441 or at [stella.black@auckland.ac.nz](mailto:stella.black@auckland.ac.nz). Alternatively contact, Supervisors Dr. Jacquie Kidd (09) 923 3821 or Katey Thom on (09) 923 9579, 027 529 4869 or at [k.thom@auckland.ac.nz](mailto:k.thom@auckland.ac.nz). Head of Nursing School: Associate Professor Judy Kilpatrick 09 923 2897 [alexandra.mccarthy@auckland.ac.nz](mailto:alexandra.mccarthy@auckland.ac.nz)

If you have any queries or concerns regarding your rights as a participant in this study, you may wish to contact the Chair, The University of Auckland Human Participants Ethics Committee, The University of Auckland, Office of the Vice Chancellor, Private Bag 92019, Auckland 1142. Telephone 09 373-7599 extn. 83711.

This study was approved by The University of Auckland Human Participants Ethics Committee on August 2020 for three years, reference number 019588.

Te reo participant consent form

KA PUPURI TĒNEI PUKA MŌ NGĀ TAU E ONO

**Kairangahau:** Stella Black, Ngāi Tūhoe, Ngāti Whakaue, Whakatōhea, Te Whānau-a-Apanui

**Rangahau Kaitiaki Support:** Geoff Rameka, Tūwharetoa, Dinny Snowdon-Rameka, Frances Svebakk

- Kua pānui au i te puka pārongo mō te kaupapa rangahau e kīia nei, ‘Te Kōti Rangatahi o Mātaatua, a Marae Youth Court: As site of Limitless Potential?’
- E mārama ana au ki ngā āhuatanga o te kaupapa rangahau me te take i kōwhirihia au. Kua āhei au ki te tuku pātai, ā, kua mākona i ngā whakautu.
- E mārama ana au he tūao katoa taku urunga atu ki tēnei kaupapa rangahau, kei te whakaae au ki tētahi uiui he kotahi hāhi hāora me te hāwhe, he rua hāora rānei te roa.
- E mārama ana au i te roanga ake o te kaupapa rangahau, ka haere tonu ngā kōrero i waenga i a māua ko Stella.
- E mārama ana au ka taea te whakarere atu, poka noa ina hiahia au.
- E mārama ana au ka taea te tono kia whakaweto te mihīni hopu reo.
- E mārama ana au ka wānanga māua ko Stella i ngā tuhinga o taku uiui, ā, ka āhei au te whakamārama, whakarerekē, whakatōroa rānei i ngā korero kua kōrerohia.
- E mārama ana au nōku te mana ki te whakamahi tōku ingoa me ngā kōrero whakamōhio ko wai au.
- E mārama ana au nā te tokoiti o ngā kaumātua o Te Kōti Rangatahi o Mātaatua, ka taea e au te whiriwhiri tētahi ingoa muna heoi anō, kāore e taurangitia rawatia tōku noho muna. Ka tūtohu au i ngā whakapaunga kaha kia noho muna ngā kōrero whakamōhio i ahau.
- E mārama ana au he tangata atu anō kua waitohungia tētahi puka muna ki te tautoko i a Stella ki roto i ngā mahi rangahau.
- E mārama ana au whai muri ake i te kotahi tau, ka whakakorengia ngā oro o te uiui.
- E mārama ana au ina puta ētahi atu kōrero i te uiui, ka tiakina mō te ono tau kātahi ka whakakorengia.
- Kei te pīrangi au he pūrongo whakarāpopoto (tēnā, tohua mai) **Āe**  
**Kāo**
- Ka whakaae au kia hopu i te oro o te uiui (tēnā, tohua mai) **Āe** **Kāo**

Ka whakaae ahau \_\_\_\_\_ (tō ingoa) ki te uru atu ki tēnei kaupapa rangahau.

Ko tēnei rā \_\_\_\_\_ Tō waitohu: \_\_\_\_\_

Ka taea te whakapā mai ki ahau mā konei:

Īmēra: \_\_\_\_\_ Waea: \_\_\_\_\_

Ka tautoko te Kōmiti Matatika o Te Whare Wānanga o Tāmaki Makaurau ki tēnei kaupapa rangahau i te August 2020 mō ngā tau e toru, nama rēhita 019588.

## Participant consent form

### THIS FORM WILL BE HELD FOR A PERIOD OF 6 YEARS

**Kairangahau:** Ms Stella Black, Ngāi Tūhoe, Ngāti Whakaue, Whakatōhea, Te Whānau-a-Apanui

**Rangahau Kaitiaki Support:** Mr Geoff Rameka, Tūwharetoa, Dinny Snowdon-Rameka, Frances Svebakk

- I have read the participant information sheet for the project entitled 'Te Kōti Rangatahi o Mātaatua, a Marae Youth Court: As site of Limitless Potential?' I understand the nature of the research and why I have been selected. I have had the opportunity to ask questions and have had them answered to my satisfaction.
- I understand that my participation in the study is entirely voluntary and that I am agreeing to take part in an initial interview lasting for up to 1 ½-2 hours.
- I understand that Stella will have on-going discussions with me throughout the research.
- I understand that I can withdraw my participation in the study at any time.
- I understand that I may ask for the audio-recorder to be turned off
- I understand Stella and I will review parts of my transcribed interview and I will have the opportunity to clarify, amend or extend on the meanings shared.
- I understand that I have the right to use my own name and identifying information as I direct.
- I understand that given the small group of kaumātua within the Kōti Rangatahi o Mātaatua I can choose a pseudonym however my anonymity cannot be absolutely guaranteed. I acknowledge every effort will be made to ensure personal information provided remains strictly confidential.
- I understand that a third party who has signed a confidentiality agreement will tautoko Stella throughout this research.
- I understand that the audio recordings of the interview will be electronically wiped 12 months after the interview has taken place.
- I understand that any other information obtained through the interview will be stored securely for a period of 6 years after which it will be destroyed (shredded or electronically wiped).
- I wish to receive a summary report (please circle) **Yes**      **No**
- I agree to the interview being audio recorded (please circle) **Yes**  
**No**

I \_\_\_\_\_ (full name) hereby agree to take part in this study.

Today's date \_\_\_\_\_ Signed: \_\_\_\_\_

I can be contacted at the following:

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

This study was approved by The University of Auckland Human Participants Ethics Committee in August 2020 for three years, reference number 19588.

## Letter of support

### TO WHOM IT MAY CONCERN

The Mataatua Te Kooti Rangatahi has been fully briefed by Stella Black and her research team on their Te Kooti Rangatahi project at Whakatane on Tuesday 13th July 2015.

Our group comprised Koroua and Kuia/elders of 60 plus years. Our involvement in Te Kooti Rangatahi has occurred over three plus years.

Our passion is te ngakau marie/the caring heart that is manifested in the healing way we express our concern for our rangatahi/youth.

A lengthy and vigorous debate was held for some 3 hours during which time Stella's team were grilled as to the waihangatanga/genesis, mana tuku iho/mandate, whanuitanga, hohonutanga me te roatanga/scope, nga hua ka puta/outcomes, whakwhitiwhiti/interaction, whanaungatanga/relationships, and mana motuhaketanga/intellectual property.

Mataatua Kooti Rangatahi is pleased to report that most of our enquiries were comprehensively dealt with - those that weren't were mutually agreed, to be an ongoing work in progress in which the project may provide some insight.

We were impressed with the candid and frank manner in which they explained the academic university language which we found to be quite daunting - most of us would have spent less than three years at secondary school.

Mataatua Te Kooti Rangatahi have great confidence that the wairua/spirit, tikanga/methodology, umanga/professional, pukenga/skills, tohunga/experts of this project team will deliver well in their rangahau/research.

We unreservedly support their research and look forward to working with them over the next 8 months.

***He Kairangahau waahine, he whaangai ma matou kia kiia he uri nga Wairaka  
We have adopted this group of female researchers in order that they emulate our ancestress  
Wairaka.***

## Appendix D – Supplementary information

### Outside the scope of this research

A fuller exploration of the historical events, including the specific impacts of colonisation in Rotorua, Tauranga Moana and West Auckland, is outside the scope of the project. However, it is only tika to acknowledge that tribal warfare and alliances were formed and broken before, during and after the arrival of the early settlers. The memory of these connections is acutely acknowledged during some pōwhiri engagements, the nuances of iwi, hapū and whānau dynamics and politics contextualising that history during the pōwhiri interactions within Ngā Kōti Rangatahi marae, explored in this research project. The following two sections briefly outline two of the Kōti Rangatahi marae sites that were explored in the wider research project. The descriptions are drawn from documentation, literature and kōrero with the marae whānau.

### Te Kōti Rangatahi o Te Arawa in Rotorua



Figure 17 Taharangi Whare, Taharangi Marae, Te Kōti Rangatahi o Te Arawa

### Pepeha

*Ko Te Horohoroinga o ngā ringa o Kahumatamomoe te maunga*

*Ko Pokaitu te awa*

*Ko Ngāti Kea Ngāti Tuara te iwi*

*Ko Te Arawa te waka*

*Ko Taharangi/Tarewa te marae*

*Ko Taharangi te whare tupuna*

*Ko Te Tuihapa te whare kai*

### Rohe/area and its people

The Te Arawa people are descendants of Tamatekapua the captain of the Te Arawa waka that arrived at the shores of Maketu from Hawaiki. Arriving here the people settled throughout the Bay of Plenty as far as Tongariro. Several generations later, an eponymous ancestor Rangitihi, said “ngā pūmanawa e waru o Te Arawa” – referring to the eight beating hearts of his children from whom many hapū were formed including: Pikiāo, Rangiteaorere, Rangitihi, Rangiwewehi, Tahu, Tarawhai, Whakaue, Tapuika, Tūhourangi and Uenukukōpako. Additionally, Ngāti Mākino, Waitaha, Ngāti Tahu/Ngāti Whaoa as well as Ngāti Kea Ngāti Tuara are recognised iwi/hapū. Moving beyond the Rotorua Lakes District region, there are many other iwi/hapū for whom rangatahi are cared for within the Te Arawa Kōti Rangatahi setting, namely Tūwharetoa, Ngāti Manawa, Ngāti Whare, Tūhoe.

### History of Taharangi marae

Taharangi Marae also known as Tārewa Pounamu Marae, is situated on Tārewa Rd, in central Rotorua. The rohe (area) is significant to the hapū of Ngāti Tuara and Ngāti Kea. The marae was originally developed by Raharuhi Pururu upon whenua that was gifted from his mother and aunt.

Taharangi Marae includes three whare (houses): the whare tupuna, named Taharangi was built in 1903; the wharekai and wharepuni (sleeping house) were built sometime later.

Horohoro is the main ancestral home of Ngāti Tuara and Ngāti Kea hapū, but during the early 20<sup>th</sup> century the impact of colonisation resulted in many hapū members leaving the area to find work. Additionally, the influenza epidemic reduced the population further, and the rangatira (leaders) decided the whare tupuna Kearoa should be moved to where the people were living. In 1919, Kearoa, which was located at Horohoro, was dismantled in sections and then transported by bullock wagons and re-erected alongside Taharangi. However, under Sir Apirana Ngata's Māori land development scheme much of the land around Horohoro changed barren wasteland to fertile farming land, enabling many whānau to return home. As such, Kearoa was returned to Horohoro.

By the 1960s, Raharuhi had retired to his farm at Horohoro and built a house north of the marae in 1953. His son Patu Raharuhi had begun developing the marae. Taharangi was being used extensively to accommodate the whānau and hapū members. After his father's death in 1957, Patu set to work upgrading the buildings of the marae. He began working on a new dining hall to be constructed next to Taharangi. It was named Tuikahapa, after Taharangi's wife. During this period, Patu initiated an important development to provide the marae with geothermal steam. Work was undertaken to redirect steam from a local ngawha (geothermal source) to the wharekai where it heated the water through a heat exchange. Patu, also worked with lawyer Ross Russell, who created a trust to manage the affairs of the marae after his death. The trustees were Patu, his wife, his sister Hepora and her husband Bob Young. The kaupapa (purpose) of the trust was to ensure the marae could be used to benefit all Māori within the rohe.

The everyday functions of the marae complex are governed by the Taharangi marae committee.

The Te Rūnanga o Ngāti Kea Ngāti Tuara office is located in one of the buildings on the marae. The rūnanga comprises up to seven trustees which was established in 2007. It provides leadership and strategic oversight of the commercial, political, social, and environmental interests (Te Rūnanga o Ngāti Kea Ngāti Tuara, 2020).

The marae continues to be a busy community hub at the time of this research it was providing a range of services including: social and health – Whānau Ora navigation, environmental, educational, and justice services offering a Te Pae Oranga Iwi Community Panel, youth services and supported bail. Much of the marae mahi takes place under the mantel of Te Roopu a Iwi o Te Arawa Charitable Trust also known as Maatua Whangai (see <https://maatua-whangai.co.nz/>). The Trust was originally formed and mandated by the koeke (elders) of eight hapū of te Arawa in 1988. The focus of the Trust primarily aimed to provide care for tamariki (children) and rangatahi (young people) within their extended whānau, hapū or iwi. The very concept of Maatua Whāngai, being based on the concept under the social welfare system that refers to the feeding parent or foster parent (Walker, 2006, p. 4). In line with its original kaupapa and the ongoing work being undertaken at Taharangi marae, the establishment of the Te Arawa Kōti Rangatahi became a natural choice.

### Vision

Taumata kē atu – Whānau thriving today, tomorrow and into the future.

### Mission

Tautoko te iwi, awhinatia te katoa, whakahokia ki tō tatou iwi.

### Values

Ahurea, whakamanawa, hononga & iwi.

Of the vision, mission and values, at the heart of it, the Trust aims to empower whānau by inspiring and supporting transformation creating hope, strength and resiliency. At the core of its values is respect of the mana of each person to choose their own pathway by providing the assistance to effect positive and beneficial change.

### The kaimahi

There are several kaimahi and whānau members working at Taharangi marae at any one time., some also work in an office based in the Rotorua township, where counselling and Whānau Ora Paearahi services are undertaken. The Trust has trustees and staff members (Te Roopu a iwi o Te Arawa Charitable Trust, 2020). Staff members include the general manager, a counsellor and parenting programme facilitator, supported bail coordinator, youth mentor, Whānau Ora Paearahi, financial mentoring coordinators, and financial administrator.

### Launch of Kōti Rangatahi o Te Arawa

The Te Arawa Rangatahi Court was launched at Te Ao Marama marae on 2 December 2011 and officiated by Reverent Tom Poata (Bruce, 2011, December). A large gathering of Te Arawa kaumātua welcomed a large contingent of kaumātua from other iwi and a range of stakeholders. Speeches were given by local youth justice professionals including Judge Bidois (Rangiwewehi), Chantell Walker (Ngāti Whakaue, Child, Youth and Family Social Worker), New Zealand Police Superintendent Wally Haumaha, Principal Youth Court judge, Judge Becroft and Ministry of Justice staff Wendy Robertson and Warren Morgan.

In line with its original kaupapa and the ongoing work taking place at Taharangi marae, the establishment of the Te Arawa Kōti Rangatahi in 2011 at this marae became a natural choice. The first sitting of the Te Kōti Rangatahi o Te Arawa began in February 2012, with Judge Louis Bidois presiding. As this marae provides youth justice services, it is possible that a rangatahi may have their Family Group Conference heard at this marae, before appearing in Te Kōti Rangatahi.

## Kōti Rangatahi o Tauranga Moana



*Figure 18 Huria Marae, Te Kōti Rangatahi o Tauranga Moana*

## Pepeha

*Ko Mauao te Maunga*

*Ko Tauranga te Moana*

*Ko Takitimu te Waka*

*Ko Ngāti Ranginui te Iwi*

*Ko Tamateapōkaiwhenua te Tangata*

*Ko Ngāi Tamarāwaho te Hapū*

*Ko Hūria te Marae*

## History of Huria marae

Maharaia Winiata (1967) described the community around Huria marae in the 1950s as a modern village. At that time Huria or Judea comprised three groups of people living at Huria, Te Reti and Matahoroa - all were from the Ngai Tamarawaho hapū. The marae complex included the whare tupuna named Tamateapōkaiwhenua, a two-story dining hall, communal bath and sanitary building, while on land nearby, there were two churches, one of a Christian faith and the other of the Ringatū faith. A short distance away, the urupa can be found on the small island of Motuapae. Modern homes built on 12 sections surround the marae. Matahoroa is owned primarily by the Piahana whānau. Sections here are larger than Huria or Te Reti so have larger kumara, potato and maize gardens. Te Reti caters for the remainder of the hapū members; living on 15 blocks of whānau lands it makes up the biggest settlement. Winiata (1967) goes on to detail the external relationships with other the other main iwi within Tauranga Moana, Ngāiterangi who descend from the waka Mātaatua. Grievances between the iwi stem from the Māori land wars that resulted in the confiscation of lands. The land loss led to a decline in living standards and economic growth, and this inspired active redress from some outstanding rangatira (leaders).

#### Governance and activities/services, and kaimahi

Me Hoki Whakamuri Kia Anga Whakamua – We Must Look To The Past In Order To  
Forge The Future

Huria Trust (formally Huria Management Trust) was formed after a hapū hui led by the kaumātua of Ngāi Tamarawaho in 1986 (Huria Trust). As an umbrella organisation, Huria Trust strengthen tribal activities, by establishing the infrastructure to up-skill and build capacity. In 1993, the Trust became a Private Training Establishment (PTE) and with this came opportunities to obtain government contracts. The Trust has been instrumental in completing construction of its Kohanga Reo (Te Reo Early Childcare centre) and the rebuild of the whare tupuna, Tamateapōkaiwhenua II,

in 2004. In 2010 Huria Trust also provided financial assistance and administration to establish the now, Ngāi Tamarāwaho Tribal Authority Trust (PSGE).

Today, the Trust offers a range of kaupapa Māori services from Huria marae including: whānau ora services, Taurite Tū physical and mental health wellbeing, disability information and advocacy support, kaumātua programme, antenatal services, a nurse led clinic, physiotherapy, and rongoā Māori (traditional Māori healing). Apart from the regular hapū and iwi kaupapa the marae complex is utilised for a number of oranga (wellbeing) initiatives including, He Rourou Kai, which support for whānau struggling with homelessness, marae visits and a book club. The Trust has four Board of Trustee members, a Chief Executive Officer and Operations Manager with a number of personnel who undertake all the services as outlined above and operational support.

### Vision

The mission of the Trust is to support whānau in their journey to self-empowerment while the vision is drawn from the whakatauākī of Dr Miharaia Winiata who was instrumental in rebuilding the whare tupuna at Huria Marae:

*'Inā aro atu te oranga ki ngā mea pai, ka rere te wairua ka taea ngā mea katoa/'When our lives are attuned to good things, when life is clear and the spirit flows freely, all is possible'.*

### Mission

*Whakapūmautia te tangata i tōna ake mana*

Kōti Rangatahi o Tauranga Moana was launched in 2015.