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Researching Ngā Kōti Rangatahi—Youth Courts on Marae: Koia te Hāngaitanga?: That's the right way?

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Abstract

This paper[i] focuses on the preliminary work spanning five years before conducting research of Ngā Kōti Rangatahi.[ii] Our research project involved exploring the cultural and legal contexts of Ngā Kōti Rangatahi, which are youth courts that take place on marae (culturally significant tribal meeting places). Literature that reports and theorises kaupapa Māori research generally focuses on researching Māori issues in a Māori environment by Māori researchers. Our research differs because we aimed to work in a kaupapa Māori way within a physical space that is occupied by Māori,[iii] on the marae, but that also involves the temporal spaces of the Pākehā legal system and the conventions (both Māori and Pākehā[iv]) that accompany academic research in Aotearoa New Zealand. Drawing on our extended experience, this paper offers reflections from the research team about how we negotiated the uncertainty in our process, illustrated by the question mark in our title Koia te Hāngaitanga?: That's the right way? Meaning on one hand, we had to meet the largely inflexible written orthodox requirements of the legal, ethical and academic processes. On the other hand, we had to adapt to the fundamental tikanga (beliefs, practices) and kawa (protocols) of each marae. Though the latter may have been less structured and rule-like, it was by no means less demanding or rigorous in determining how marae consultation and engagement should be carried out. This paper offers insights into the

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[i] Tēnei te mihi e ngā rangatira, ngā kaumātua, ngā tangata whenua hoki, ka nui te hari mo tō tautoko, tēnā koutou. Tenei te mihi e te kaimahi whānui i te kaupapa, tēnā koutou. Tēnei te mihi e te whānau, ngā kaumātua ko Tawa Heemi, rātou ko 'Snow' Rameka, ko 'Dinny' Rameka, ka aroha hoki.

[ii] Ngā is the plural form of te meaning the, for the purpose of this paper ngā refers to a sample of Kōti Rangatahi marae sites researched in this project (n=4).

[iii] Māori are the indigenous people of Aotearoa New Zealand.

[iv] We struggled to find the right word to describe the legal system. It is based on the Parliamentary system which was introduced at the time of European settlement and is largely consistent with the systems in place in the UK and Australia. We considered western and dominant as descriptors, but ultimately decided to use Pākehā, the Māori term to describe non-Māori peoples. This was a political as well as a pragmatic decision as we grappled with privilege, domination and colonisation in our research space.

strengths and challenges we faced in developing a uniquely kaupapa Māori methodology for conducting research within a marae domain when it is occupied by a rigid mono-cultural legal system.

Keywords

Māori, indigenous, youth court, kaupapa Māori methodology

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 (Cunningham 2011, Cleland and Quince 2014, Ministry of Justice 2012; Ioane, Lambie, and Percival 2016)[v].

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[vi] (FCG) plans monitored on a marae (Taumaunu 2014). 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 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 wellbeing for rangatahi, whānau (family) and the broader community.

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[v] 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 and Quince 2014, Cram 2011, Department of Corrections 2007, and Walker 2004.

[vi] 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

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 pākeha 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, 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.

Kō 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, Eketone, and Gibbs 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 tauiwi (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 Kahungungu) 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[vii]

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.

[vii] 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).

> 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 became 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 was 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-Maori 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 kaumatua 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 under-estimated. 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.

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