

# The Rangatahi Courts Newsletter

THE RANGATAHI COURTS  
OF NEW ZEALAND

NGĀ KŌTI RANGATAHI  
O AOTEAROA

THE YOUTH COURT  
OF NEW ZEALAND

TE KŌTI TAIOHI  
O AOTEAROA

**Tēnā koutou, e ngā rangatira o ngā iwi o te motu, koutou ko ngā kaitautoko o te Kōti Rangatahi, puta noa i te motu, tae atu rā ki te Waipounāmu.** As National Rangatahi Court Liaison Judge, may I extend warm greetings to all of you who are involved in Rangatahi Courts now operating throughout New Zealand.

In March 2014, two new Rangatahi Courts were established. This issue of the Rangatahi Court Newsletter covers the launches of the two new Rangatahi Courts.

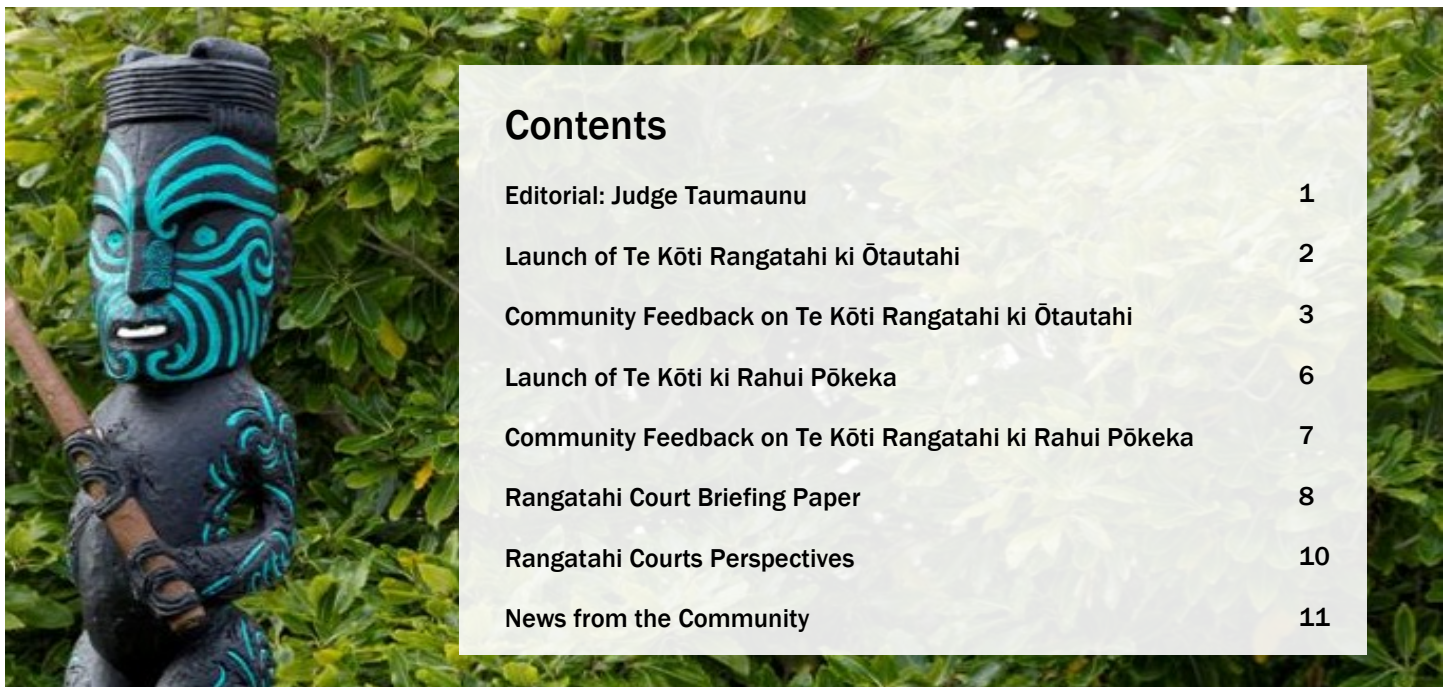
The first Rangatahi Court to be established in the South Island, was launched at Ngā Hau e Whā marae, Christchurch on 22 March 2014. It is appropriate to acknowledge and thank the Chief Justice, Dame Sian Elias, for attending and speaking at the launch of the Christchurch Rangatahi Court. The Chief Justice's attendance was greatly appreciated by all who were present.

The other new Rangatahi Court was launched at Wāhī Pā, Huntly on 28 March 2014. By all accounts that launch was also a great success.

Thank you to everyone who participated in the establishment of the two new Rangatahi Courts at Christchurch and Huntly; to everyone who attended the launches; to those who spoke at the launches; to the kuia and kaumātua of both marae; and to the many stakeholders who played key roles behind the scenes to establish both courts.

Thank you also to everyone who plays a role in supporting the other Rangatahi Courts that are operating throughout New Zealand. It is worth reflecting on that fact that the first Rangatahi Court was launched at Te Poho-o-Rāwiri marae on 30 May 2008. Since that Rangatahi Court commenced 6 years ago, there are now 12 Rangatahi Courts operating on marae throughout New Zealand. Thank you all for your dedication and commitment as you continue to perform your various roles in the Rangatahi Courts. **Kia kaha, kia maia, kia manawanui!**

**Nō reira, ka nui aku mihi ki a koutou, nāku noa, nā Kaiwhakawā Heemi Taumaunu**



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# Te Kōti Rangatahi ki Ōtautahi: Launch of the Christchurch Rangatahi Court

**Te Kōti Rangatahi ki Ōtautahi was launched on 22 March 2014 at Ngā Hau e Whā Marae in Christchurch. This occasion celebrated the first Rangatahi Court to be established in Te Waipounamu, the South Island, at Christchurch's national marae.**



**The wharenui at Ngā Hau e Whā marae**

The powhiri started with Chief Justice Dame Sian Elias and Judge Heemi Taumaunu accepting the wero (ceremonial challenge) and members of Ngāi Tūā huriri, mana whenua in the rohe (region), calling on to the marae a large group from the community, including members of the judiciary, police, Crown ministers, members of the national youth justice community and local community members.

The whaikōrero (opening speeches) touched on the history of Ngā Hau e Whā, which was built as a pan-tribal marae. It was acknowledged that the name Ngā Hau e Whā (the four winds) indicates that the community of Christchurch, and the wider south, represents of a wide range of ngā iwi Māori (tribal affiliations) and that this marae provides a place that all rangatahi to belong to.

The Chief Justice, in her address, raised three main points about the current youth justice climate in Aotearoa New Zealand. First, young people always have and always will get into trouble. But now more than ever, we know about the connections between offending and neurodisability, alienation from whānau, school and community, substance abuse and young people that have been victims themselves of abuse and neglect. This knowledge must be seized upon.



**Chief Justice Dame Sian Elias giving her kōrero**

Second, most young people grow out of their offending behaviour – they are at a transitional phase in their development. However, some young people are irreparably damaged by their circumstances and also by the system. In this respect, it is vital that we, the Youth Justice system “get it right” when we respond to these young people.

Third, it is through socialisation, inclusion and connection, not punishment, that young people learn to obtain respect for others by respecting themselves. As a community we are all invested in growing healthy, respectful and supported young people.

The Chief Justice reflected that the Rangatahi Courts acknowledge a certain kind of alienation for young Māori – alienation caused by intergenerational processes of urbanisation, the loss of tribal connections and the loss of te reo Māori. In this respect, the Rangatahi Court is about fostering a sense of belonging and an attempt to bring Rangatahi “home”.

The Chief Justice concluded her address with acknowledgement that this process is a work in progress, but that everyone wants the Rangatahi Court to succeed.



Principal Youth Court Judge Andrew Becroft spoke about the need for communities to renew their vision and continue to take up the challenges that affect our young people. Judge Becroft identified the Rangatahi Courts as playing a critical role in the evolutionary process of delivering justice in Aotearoa New Zealand and concluded with the reminder:

**Māmā ke te tohutohu tamariki, i te whakatike pākeke**  
it is better to train up a child than to try repair an adult.

# Te Kōti Rangatahi ki Ōtautahi: Youth Justice Community Perspectives

## Members of the Youth Justice Community in Christchurch speak about te Kōti Rangatahi ki Ōtautahi and their involvement in the project...

### Norm Dewes

#### CEO, Te Runanga o Ngā Maata Waka

The launch of the first South Island Te Waipounamu Rangatahi Court can in my opinion be seen as an opportunity to hasten along Tiriti (Treaty) promises. It is important to note that the honour of the Crown and Tangata Whenua needs to be restored. For this simple task to happen the Crown must share its power and authority equally with Tangata Whenua. I say this because the Youth Court and the Rangatahi Court both work under or within the same laws of the land except the actual operations are resourced differently.

The launch day was dignified with the presence of the Chief Justice Dame Sian Elias, members of the judiciary, members of parliament, Te Runanga o Ngāi Tahu, crown agencies, the NZ Police, distinguished Kaumatua and the Community.

What I enjoy most about the Marae is the relationship between the Trustee and the Management. Clear operational boundary lines are drawn which are respected and adhered to. The Marae Trustee consists of stakeholders and community persons. The Stakeholders are the Christchurch City Council, Te Runanga o Ngāi Tahu, Ngāi Tūāhuriri, Te Runanga o Ngā Maata Waka and a Community representative.

This Stakeholder mix clearly reflects the true meaning of Ngā Hau e Whā (The Four Winds). A National Marae for all NZ Citizens, something that not everyone is aware of. The Marae in which the Rangatahi Court will conduct its business is purpose built for young ones. With respect to challenges that the Rangatahi Court faces “there are none”. There may be some initial lessons that will be learnt however the Rangatahi Court will not only be for Māori Youth but for Non Māori as well.

As everyone knows this city has had its fair share of Earthquake and Flooding disasters. These catastrophes have unified people from all walks of life who just want to get on with the job of rebuilding our city and our lives. Cantabrians do this well which is something we can all be very proud of. Under the circumstances the local authorities, Te Runanga o Ngāi Tahu and the Government have done a more than reasonable job in managing the rebuild. We have evidenced good outcomes from locating the Courts at the National Marae. Maybe now is the time to consider locating the Youth Court to the National Marae.

And in closing I just want to say that once we have evidenced the success of the Rangatahi Court this will be the time to celebrate and get excited. Until then I'm optimistic but let's wait and see.

### Chris Rewha Youth Justice Manager

I am the Youth Justice Manager for Christchurch East and have been in the role for the past 7 years. I am excited as are many people in Christchurch to have a Rangatahi Court based in Christchurch. An unintended consequence of the earthquakes is it has required organisations and communities to rethink how they interact with each other and that would be true for most organisations here in Christchurch. I think the Youth Justice and broader Māori community are primed for this challenge.

I have been impressed with the level of enthusiasm for this kaupapa and the willingness of people and organisations to be involved. There will no doubt be bumps in the road but I am confident that we will be able to work things through. It was very affirming for us here in Christchurch to see the level of support from the Judiciary and the Government at the launch.

At our first hui, a kaumatua referred to this process as “te ara hou”. It is a new pathway for us all, for Child Youth and Family, for Police, for Rangatahi and their whānau.



Judge Taumaunu addressing attendees at the launch

# Te Kōti Rangatahi ki Ōtautahi: Youth Justice Community Perspectives

## Allister James

### Youth Advocate, former Chair of the Marae Board of Trustees

Te Kōti Rangatahi ki Ōtautahi (The Christchurch Rangatahi Court) will have its first sitting at the Ngā Hau e Whā Christchurch National Marae on 28 April 2014.

The status of this Marae under the Te Ture Whenua Māori Land Act is that of a Māori reservation held for the common use and benefit of the people of New Zealand. As a National Marae, the meeting house contains carvings and tukutuku panels representative of all tribes.

The Whare where the Rangatahi Court will sit is also stunning in its depiction of Māori creation traditions. It lends itself perfectly as a Rangatahi Court.



The purpose-built whare where te Kōti Rangatahi will sit



The Marae remarkably suffered little or no damage in the Christchurch Earthquakes and immediately after 22 February 2011, it became home to a multitude of community services and agencies displaced elsewhere in Christchurch, emergency housing and relief services. It became home to justice services when the meeting house became the main Christchurch District Courtroom. There was considerable respect displayed within the Marae by those appearing in the meeting house, whether as a defendant, supporter or in a professional capacity.

Youth advocates will be required to work differently in the Rangatahi Court, broaden our cultural awareness and work alongside appointed lay advocates. Christchurch is no different to other centres in New Zealand in that we also have a disproportionate number of Māori appearing in the Youth Court, and many lack a sense of identity as Māori. The majority of the Māori population of Christchurch while born here have their tribal affiliations in the North Island, and there is most often a disconnection with their hapū and iwi.

While we are fairly well resourced with a range of youth services, I believe the establishment of the Rangatahi Court will create new initiatives and developments with more Māori focused rehabilitation programmes, including alcohol and drug services.

The devastating earthquakes in Christchurch have caused significant social as well as physical damage. Many of our whānau are living in poor and damaged housing with resulting impacts on health and education. The earthquakes have provided new opportunities, increased leadership from our younger population and a much more creative style of working. The Rangatahi Court in Christchurch should be seen as part of the social re-building of Christchurch, as we move forward, and it may well take Judge Taumaunu and other participants on a journey different to other Rangatahi Courts given the unique circumstances in Christchurch. It comes at an opportune time with the re-development of Ōtautahi.

## Robyn Wallace

### Interim Kalarahi/CE He Oranga Pounamu

#### *What is your role within He Oranga Pounamu?*

He Oranga Pounamu is a subsidiary of Te Runanga o Ngāi Tahu. Our mandate is to integrate health and social services across the Ngāi Tahu takiwā. My role is Interim Kaiarahi / CE. I am also an Executive member of Te Ngāi Tūāhuriri and represent Ngāi Tūāhuriri as Ngā Hau e Whā Trustee (NHEW). Ngāi Tūāhuriri are manawhenua and Ngā Hau e Whā sits within their takiwa.

#### *How did you (and HOP) come to be involved in Te Kōti Rangatahi?*

HOP became involved when discussion regards having the Youth Court based at Ngā Hau e Whā stalled. Previous to this proposals and promises were made to have Ngā Hau e Whā for Youth Court location. In conjunction with Te Runanga o Ngāi Tahu (TRONT) CEO, Arihia Bennett, I attended a meeting at Ngā Hau e Whā to discuss the situation.

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# Te Kōti Rangatahi ki Ōtautahi: Youth Justice Community Perspectives

As time went by things evolved to the point where it was clear the Youth Court was not going to locate at Ngā Hau e Whā. The discussion then turned to a Rangatahi Court. In discussion with Norm he requested that a meeting be convened at Ngāi Tūāhuriri Runanga in Tuahiwi where Judges Taumaunu, Becroft and Doherty attended to consult with manawhenua and seek their viewpoint on a rangatahi court. Ngāi Tūāhuriri supported Te Kōti Rangatahi at NHEW. The process took some time to ensure all the necessary conversations were had that would lead towards the most suitable outcome possible. My role has been two-fold First, as Ngāi Tūāhuriri representative and He Oranga Pounamu in the iwi/Māori health and social space. Second, focussing on input, process and consultation.



## ***Do you work with other agencies?***

HOP has affiliated providers across Te Waipounamu who work in health and social services. We are the lead provider in the largest Whānau Ora collective. Te Waipounamu Whānau Ora Collective known as Waka Ora has 19 Providers. It is the largest Whānau Ora Collective in the country with the widest geographic spread. HOP works with the Ministry of Social Development, Family and Community Services, Christchurch District Health Board, Ministry of Education, Ministry of Health (and more) to facilitate improved Māori health and wellbeing outcomes.



## ***From your experience, what are some of the biggest challenges for rangatahi in the youth justice system?***

From my limited knowledge having been involved with this te Kōti Rangatahi development is that the greatest challenges within the Justice system is changing the thinking, perception of those working within. Currently there is a lack of consistency in charges as they relate to offences, and a lack of consistency in sentences.

Current statistics show Māori are more likely to be charged for a same or similar offence that non-Māori are not charged for. Statistics also tell us that Māori receive harsher sentences than non-Māori for same or similar offences.

Having appropriate resources allocated to the Rangatahi Court to ensure it is well run will also be a big challenge. We have been clear all the way through the development phase that the court cannot be run properly without the necessary support.

## ***What are you most excited about for the future of Ngā Kōti Rangatahi ki Ōtautahi?***

What excites me most is that there is now a mechanism that is based on tikanga and Manaaki for rangatahi to be heard. There is also an opportunity for whānau and Kaumatua to be involved.

I am hopeful that Te Kōti can make a difference in the lives of our rangatahi, that the court statistics will see a decrease in offending/sentencing and whānau will seek to be the makers of their own destiny without a stigma for just being Māori. However this will not happen overnight and it will require support from the Judiciary.

## **Members of the Judiciary singing a waiata before the conclusion of the launch**



# Te Kōti Rangatahi ki Rāhui Pōkeka

## Launch of the Huntly Rangatahi Court

Friday 26 March 2014

### Judge Denise Clark shares some whakaaro (insights) about the launch



In 2010 a commitment was made by the Judiciary to Waikato-Tainui that Te Kooti Rangatahi would come to Huntly. On Friday 28 March 2014, that commitment was honoured.

In not untypical fashion for Waikato, the morning dawned a little crisp and foggy with the summit of Taupiri maunga appearing to float above a blanket of mist. Waahi Pa Marae was abuzz with activity as the marae whānau prepared for the day's activities, which were ably led by Aotea Maipi.

The launch of te Kooti Rangatahi ki Rāhui Pōkeka was the culmination of a number of hui held over time with stakeholders and tangata whenua. It is an honour and privilege for the Youth Court to have Waahi Pa Marae, home of the Kaahui Ariki, chosen by tangata whenua to host Te Kooti Rangatahi.



Manuhiri being welcomed on during powhiri

The powhiri was due to start at 10.00 am and by then a sizeable group of manuhiri had gathered at the gate - approximately 150 to 200 guests made up of stakeholders, whānau and other supporters.

The call of the kaikaranga rang out and the powhiri started. Principal Youth Court Judge Andrew Becroft, Judge Denise Clark and Acting District Commander Insp. Chris Page were accorded the honour of being seated in the front row of manuhiri in rather sumptuous armchairs.

There were powerful whaikorero followed by the sharing of breath at the hongī and harīru and then speeches of support at the formal opening of "Te Kooti Rangatahi ki Rāhui Pōkeka". Waahi Pa Marae continued to demonstrate wonderful manaakitanga with the ensuing hakari.



A call for "co-management" of Te Kooti Rangatahi by Kingi Tuheitia's spokes-person Tukoroirangi Morgan was a positive sign for the greater involvement of whānau, hapū and iwi in a Court process that is distinctive for its different location and inclusion of tikanga and kawa as being integral to it. Inspired words of support also came from the "local" Honourable Nanaia Mahuta.

There was a real sense of "kotahitanga" (unity), that we were all on one waka and paddling in the same direction. This was reinforced when a kuia remarked after the first sitting of Te Kooti Rangatahi that afternoon, "these are our mokopuna".

This was a special day brought about by the efforts of many. This was a special day for Tainui, who recognised a need and by hosting Te Kooti Rangatahi signaled preparedness to do something about it!

**E tu ake ana a Tainui ki te manaaki i a rātou mokopuna, ngā rangatira mo ngā tau ki mua.**

All photographs from the launch are credited to Isla Trapski: [www.itrap-photography.co.nz](http://www.itrap-photography.co.nz).

# Te Kōti Rangatahi ki Rāhui Pōkeka

## Youth Justice Community Perspectives

### Constable Matthew Davis speaks about his experience of the launch and of youth justice in Huntly

#### Describe your role within the Police - what do you love about your role?

I am currently employed as the Family Violence Coordinator for the Western Waikato (North Area). This covers the towns of Raglan, Ngaruawahia, Huntly, Te Kauwhata and Meremere - as well as most of the rural area in between. I am mainly responsible for coordinating the interagency response to Family Violence (FVIAR Meetings), working with victims of Family Violence to reduce instances of victimisation and ensuring as many of the victim and whānau needs are met by the Police. It is a very challenging role and can be incredibly frustrating, because not everything always turns out well.

However the real satisfaction comes when I help victims (Female or Male) find their feet, get them the right support and then see them really grow as people. Ultimately I am passionate about being in the position where I can facilitate a real difference in people's lives for the better. To see a victim go from strength to strength or an offender make efforts to change their lives is so satisfying - the ripple effect that has in communities is huge.

I used to be of the opinion that Youth Court/Justice System was where the Judges had their say, the Youth listened, punishment was dished out and it ended there. However over the years I have come to see that this view of how Youth Court should be was not entirely right.

#### From your experience, what are some of the biggest challenges for rangatahi in the youth justice system?

I spent a few years as a Youth Worker both outside of the Police and working within the Police. What I have come to learn is that Youth need to be in a place where they know their voice has been heard. That isn't to say that whatever it is they have to say is always right, but I believe it gives them a sense of validation as a person. I think rangatahi (Both Māori and Pākehā) have spent many years being spoken to, but not listened to. I found this to be true back in the UK, it is not something unique to New Zealand. I am not sure if the current system gives enough space for Rangatahi to have their voice heard. I feel that as a judicial society (Police, Courts, CYF etc) we need to reassess how much we are talking and how much we are listening. It may be that if we were to listen a little more, our understanding of Youth Offending might change. I know from personal experience that the more I listen, the more I am in a position to speak into a person's life.

#### What was your experience of the launch and of the Court's first sitting?

I have to be totally honest and was very sceptical about Ngā Kōti Rangatahi ki Rāhui Pōkeka being opened. I think this mainly stemmed from what seemed to me as a Court System that has prolific offenders appear time and time again, with no real change in the persons behaviour. I really thought that this would be a continuation of the same.

However, as the kōrero flowed I started to really capture something of the vision of the Marae Youth Court and even during the proceedings found my view being challenged.

At the close of the event I saw one of local prolific offenders with his whānau. My immediate thought was 'Well if you want a case to test this out - he's the one!' I spent some time talking to his mother, who I have been working with for over a year now. She didn't say much about what she expected. This morning I was able to catch up with her and in the course of our conversation I asked her what she thought of the Court. She told me she thought it was really good. I asked what about it was so good and she told me it was the fact that she was able to have a voice, as was her son. She told me that this alone has made a big difference as they have never felt that they have had a voice before. Interestingly she told me some of his conditions had been dropped and as a result he is actually staying at home more. So this in itself gives me more hope for the Court.

#### What are some of the strengths that the Huntly community, and the Youth Justice community, can be proud of?

Huntly has gained a bad reputation over the years. However one of the biggest strengths I have seen over the past seven years that I have worked here is the sense of community. It may not be what some would say is an ideal community spirit, but it exists and people, in their own way support one another. Another one of Huntly's strengths is that if anyone comes in and says 'We are going to do X Y and Z for you', the community will test you until you prove you are genuine. Once you have done this, they will then keep on testing you. I feel that the Youth Justice System have now recognised that Huntly has a need and is prepared to meet this need in a new and innovative way.

#### What are you most excited about for the future of Ngā Kōti Rangatahi ki Rāhui Pōkeka?

What excites me most about Ngā Kōti Rangatahi ki Rāhui Pōkeka is that it is simply here. Huntly has so often been overlooked. It would be amazing that in say, 5 years time we can look back and say that this was a turning point for many of our At Risk Youth. Personally I would like to see something happen for Families who experience Family Violence. Who knows, maybe Ngā Kōti Rangatahi could lead onto this? Ultimately the only limits it has are those we put on it.



# Rangatahi Courts: Briefing Paper

Six years after the launch of the first Rangatahi Court, marae-based youth justice has never been stronger in Aotearoa New Zealand. The contents of a current briefing paper that provides some background information about the kaupapa and operation of the Rangatahi Court are outlined below.

## Background Information on Rangatahi Courts

*Ka pū te rūhā, ka hao te rangatahi*

*The old worn out net is cast aside and the new net goes fishing*

1. Rangatahi Courts are a judicially-led initiative with the purpose of helping to better link Māori young offenders (aged 14-16) with their culture and the local Māori community. Strong support has been provided to the Youth Court Judges by the Ministry of Justice operations team within the District Court.
2. The background to the Rangatahi Courts initiative is the profound concern with the disproportionate involvement of young Māori in the Youth Justice system.
  - a. 22% of the 14-16 age group are Māori
  - b. 52% of those in that age group apprehended by the police are Māori
  - c. 56% of those before the Youth Court are Māori (over 90% in some areas of high Māori population)
  - d. 65% of young people sentenced to supervision with residence orders are Māori
3. The aim of the Rangatahi Courts is to reduce reoffending by Māori Youth and to provide the best possible rehabilitative response, by encouraging strong cultural links and meaningfully involving local Māori communities in the youth justice process.
4. Although Rangatahi Courts are open to all young people regardless of ethnic background, Rangatahi Courts are designed to deal primarily with Māori young people.
5. Rangatahi Courts are **not** a separate system of youth justice. All young offenders will still be required to appear first in the Youth Court. If they do not deny the offending for which they are charged, they will still be required to undergo a Family Group Conference. At that Conference, a comprehensive plan will be put in place, part of which **may** include provision for regular and consistent monitoring of their progress to take place at the designated marae. It may be that the offending is too serious to be dealt with by a FGC plan in which case a formal Youth Court order will be imposed and the Rangatahi Court process will not be used.
6. In essence, Rangatahi Courts monitor the performance of FGC plans. However, Rangatahi Courts have additional components over and above monitoring FGC plans. Because many of the young people who appear in the Youth Court have lost touch with their sense of identity as Māori, emphasis is placed on the young person learning who they are and where they are from, and learning significant aspects of their Māori tribal history. This is approached by expecting each young person who appears in the Rangatahi Court to learn a pepeha (a traditional tribal saying) and a mihi (a greeting in the Māori language). Many of the young people who appear have never spoken te reo Māori prior to their appearance in the Rangatahi Court and their efforts can result in an intense personal journey of discovery.
7. In this way, the Rangatahi Court is an initiative that works within the current system and processes but at a different venue and with a strong Māori cultural input, especially using lay and community advocates, as provided for in the Children, Young People and their Families Act 1989.
8. For the Rangatahi Courts to reach their full potential it will be vital that culturally appropriate rehabilitation programmes for serious young Māori offenders are available and accessible to the young offenders who have their sentences monitored on the Marae.



# Rangatahi Courts: Briefing Paper

9. The first Rangatahi Court to be established was Poho-o-Rawiri Rangatahi Court, in Gisborne, which first sat on 30 May 2008. There are currently twelve Rangatahi Courts in Aotearoa New Zealand;
  - a. The Manurewa Rangatahi Court was launched on 23 September 2009 in South Auckland with Judge Greg Hikaka presiding;
  - b. The Hoani Waititi Rangatahi Court was launched on 10 March 2010 in West Auckland with Judge Heemi Taumaunu presiding;
  - c. The Orakei Rangatahi Court was launched on 22 June 2010 in Central Auckland with Judge Eddie Paul presiding;
  - d. The Owae Rangatahi Court was launched on 26 June 2010 in Taranaki with Judge Hikaka presiding;
  - e. The Kirikiriroa Rangatahi Court was launched on 7 August 2010 at Te Ohaki Marae in Huntly with Judge Denise Clark presiding;
  - f. The Mataatua Rangatahi Court was launched on 11 June 2011 at Wairaka Marae in Whakatane with Judge Louis Bidois presiding;
  - g. The Pukekohe Rangatahi Court was launched on 30 September 2011 with Judge Hikaka presiding;
  - h. The Papakura Rangatahi Court was launched on 1 October 2011 with Judge Frances Eivers presiding;
  - i. Te Arawa Rangatahi Court was launched on 2 December 2011 with Judge Bidois presiding;
  - j. The Ōtautahi Rangatahi Court at Ngā Hau e Whā Marae in Christchurch was launched on 22 March 2014; and
  - k. The Rāhui Pōkeka Rangatahi Court was launched on 26 March 2014 in Huntly with Judge Clark presiding.
10. Since 2010, there have also been two Pacifica Youth Courts launched in both South and West Auckland. The Pacifica Youth Courts were instigated by Judge Ida Malosi and aim to provide processes and outcomes similar to the Rangatahi Courts for Pacifica youth.
11. The marae is not regarded as a permanent Court. However, Judges have the power to direct that particular cases be heard at a venue other than a Court. This enables judges to direct that some cases be heard on the marae.
12. Rangatahi Courts are not a “soft option” for young Māori. They must maintain the principle that all young offenders be held accountable for their offending.
13. The work of the Rangatahi Courts is being led by the eight Māori District Court Judges who also hold designations as Youth Court Judges. There are a number of non-Māori Youth Court Judges who will also support the work of the Rangatahi Court. With the availability of Judges and agency resources elsewhere, and where local communities are supportive, Rangatahi Courts will be cautiously expanded.
14. In 2012, the Ministry of Justice conducted a qualitative evaluation of the Rangatahi Courts. The evaluation report, entitled “Evaluation of the Early Outcomes of Ngā Kooti Rangatahi” was published on 19 December 2012. The report found that:
  - a. Operational processes guiding the implementation of Ngā Kooti Rangatahi are being delivered consistently across the five sites (with some courts implementing additional strategies considered by the evaluators to be good practice);
  - b. Rangatahi have experienced positive early outcomes, both expected and unexpected. These include, for example, high levels of attendance, feeling welcome and respected, understanding the court process, forming positive relationships with youth justice officials and the marae community, showed improved positive attitudes, established connections with the marae and took on leadership and mentoring roles; and
  - c. Whānau, agencies and marae communities have experienced positive early outcomes including whānau feeling respected and welcomed at Court, understanding the Court process, being supported in their parenting role, developing networks between agencies and families, and feeling that the Court process validates the mana of the young people and their whānau, while still holding them accountable and responsible.

# Rangatahi Courts Perspectives

This section of the Rangatahi Courts Newsletter features different people working within Nga Kōti Rangatahi Ō Aotearoa. In this edition **Graham Stewart** speaks about his role as a Youth Court Supervisor.



**Graham Stewart**

**Youth Court Supervisor, Tauranga Youth Justice  
Child, Youth and Family**

I commenced with the Ministry of Social Development in 1974 as a Residential Social Worker at Eponi Boys' Home in Lower Hutt. This home catered for boys aged 11 to 16 years. It was both a care and protection and a youth justice facility with a population of mainly Māori and Pacific Island descent. I left in 1986 when I was Assistant Principal.

I transferred to a position of field Social Work Supervisor in the Hastings/Flaxmere office and in the early 1990s I developed Waipukurau, Hastings, Flaxmere, Napier and Wairoa as a Youth Justice group. Again, the young people we worked with were predominantly of Māori and Pacific Island descent.

During this time I was fortunate to travel the width and breadth of New Zealand delivering the message of 'empowerment' as it applied to the Children Young Persons and Their Families Act. In the main this was well-received by the various groups.

In 1996 I transferred to Tauranga as a Social Work Supervisor in Youth Justice; a role I held until I developed the role of Youth Court Supervisor for Tauranga Youth Justice - my current position. Young people of Māori and Pacific Island descent are still the main participants in our Court system.

I've worked in the system for many years and have been able to adapt where necessary to what I refer to as our 'Act of Empowerment' (Children Young Persons and Their Families Act 1989). Moving with the introduction and implementation of Te Kooti Rangatahi in Whakatane (11 June 2011) my principles and values are strong, and I have built enduring community and professional links in the Youth Justice arena. I have also supported the long standing belief that we require systems and process that use and respect traditional values of tikanga Māori to positively empower change in the lives of young Māori Offenders.

I am fortunate that my position sees me attend all Youth Courts in Tauranga, Whakatane, and Opotiki and of course, Te Kooti Rangatahi. I am fortunate that Te Kooti Rangatahi process allows me to witness the individual and whānau progress through the process, right from the young person's first appearance. The young people are somewhat vulnerable at the start but it is exciting to follow the progress and development of both them (and their whānau) from a place of uncertainty through to self-assurance and emotional, physical and even spiritual development. It's a privilege to be a part of this journey of transformation from the beginning to the end of the Te Kooti Rangatahi process, and of course from there the progress and development continue for the young person.

I've had three years to observe this process.

**Is Te Kooti Rangatahi a "soft option"?** Absolutely not! Te Kooti Rangatahi is under intense scrutiny from all present. Everyone involved is very much aware of where they fit in the bigger scheme. The marae setting and the scrutiny of kaumātua and kuia make young Māori offenders more respectful and respond more positively.

**Does the young person interact?** From the very beginning when we meet prior to the pōwhiri to the end of the session, they interact with everyone.

**"Does it work?"** Local statistics that I have gathered suggest that it does, with re-offending at a minimum compared to the standard court process.

Having worked within two court systems it is clear to me that Te Kooti Rangatahi cannot be ignored and I believe that the work that occurs within that setting is more appropriate for our young offenders, whether they are Māori, of Pacific Island culture, or Pākehā.



**If you, or a colleague, are involved in te Kōti Rangatahi and would like to share any perspectives, stories or news with the wider youth justice community - we would love to hear from you!**

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# News from the Community

Youth Advocates **Rachael Paul** and **Rebecca Plunket** recently presented at a Judges Hui at Wairaka Marae on 18 February 2014. Their presentation discussed the role of the Youth Advocate in the Rangatahi Court. Discussion dealt with the legal responsibility of the Youth Advocate, but also the development of the Youth Advocate's role in the Rangatahi Court to include knowledge of marae protocol, pepeha, waiata and advocacy in a different language and cultural environment. An outline of the content from their presentation is provided below.

## Advantages of the Rangatahi Court process

### Whānaungatanga (relationship, kinship, the act of expressing relationship)

- Greater inclusion of whānau.
- Greater commitment from the youth and whānau.

### Manaakitanga (hospitality, care, keeping)

- Greater support from community.
- Greater support from those present.
- All those involved are formally welcomed to the marae, all are greeted by the tangata whenua, and all are accorded the same respect.
- When a youth is being reprimanded is it within the safety of the whareniui.
- The process is within the auspices of the Marae within the rohe of Mataatua instilling within the youth and whānau a deeper level of respect within themselves, the marae, the kaumātua and the process.

### Manakohanga (acceptance, acknowledgement)

- Higher level of respect to the process and those involved.
- Greater accountability for the youth appearing, every youth must stand in front of Kaumatua, Kuia, Whānau, Lawyers, Police, Judge and Court Staff and proclaim who they are and who they belong to.

## Outcomes from Youth Advocate Perspective

- Immediately the client and whānau respond in a different manner. They bring their cultural knowledge to the lawyer/client relationship
- When the clients and whānau bring their knowledge they have an identified role within the process. They trust the process. This in turn provides a genuine commitment of ownership of behaviour and acceptance of responsibility.
- Clients and whānau feel included in the process rather than isolated and confused. The physical environment is a significant part of ensuring ownership and the flow on effect of whānau support and engagement by the youth in the services provided.
- Clients and whānau feel like they are creating the outcome rather than being told what to do. Therefore they own the process.
- Support networks in Rangatahi Court are more likely to obtain insight into entrenched whānau behaviour, whereas in Youth Court whānau build a wall to protect themselves. The providers need to see real dynamics of whānau to effect change.
- Role Models – Judge Bidois, Rachel Paul, Kaumatua, Social workers. Maori need to see real Maori role models to demonstrate change is real option for them.
- The main objective, by all participants in the Rangatahi Court, is to prevent reoffending. The statistics that have been provided from Child Youth and Family are that during the period from 31.07.12 to 30.06.13 that 25 youth appeared in Rangatahi Court and of that 25 only 5 reoffended within a 4 to 9 month timeframe.

## Future development

- Regular communication with other Te Kooti Rangatahi to share information.
- Wānanga/training for Youth Advocates as to their participation in Te Kooti Rangatahi, Tikanga Māori and the kawa of the marae.