This is an accessible word version of the report titled:

**Final notes from a wānanga on an Aotearoa without prisons – Thursday 19 May 2022, 10.30am – 3.00pm**

The report is 14 pages in length.

This accessible version is 19 pages in length.

Pages 1 to 3 of the report

<accessibility note begins> These pages contain black text on a white background. The Ināia Tonu Nei logo is in the header of each page inside a black box. The word ‘INĀIA’ is coloured white. The words ‘TONU NEI’ are coloured red. There are small words in black inside ‘INĀIA TONU NEI’ but these are too small to be read. There is a red puhoro flowing horizontally between ‘TONU’ and ‘NEI’. The words ‘We lead, you follow.’, are on top of the puhoro under the word ‘NEI’. Two of the headings (‘online’ and ‘Table 1’) are in blue. The website address is in blue. <accessibility note ends>

**Final notes from a wānanga on an Aotearoa without prisons – Thursday 19 May 2022, 10.30am – 3.00pm**

**Attendees**

*Facilitator/co-host –* Te Huia Bill Hamilton, National Iwi Chairs Forum Pou Tikanga Technician

*Co-host* – Rikirangi Gage, Kaitiaki, Ināia Tonu Nei

*Online* – Carwyn Jones, Justice Joe Williams, Te Maiora Rurehe, Camille Dougherty Ware, Linda Te Aho, Annette Sykes, Jody Hamilton, Felicity Curtis, Ihaia Don Hutana (joined during workshop 3)

*Table 1* – Callum Katene, Harry Tam, Helmut Modlik, Krystal Haimona, Dee-Ann Wolferstan, Erin Judge, Tihema Baker, Brad Ayers and another participant

*Table 2* –, Denis O’Reilly, Eygene Ryder, Jordan Anderson, Arapera Blank-Penetito, Benesia Smith, Choyce Maere, Anne Waapu

**Opening comments**

Rikirangi opened the wānanga, setting the foundation for working together by drawing on the experience of those in the room and those who have gone before us.

Bill outlined that he is facilitating in his capacity as technician for Pou Tikanga and they also work on justice sector reform. He acknowledged Ināia Tonu Nei for picking this kaupapa up from Hui Māori, having the foresight to begin the conversation and for involving Pou Tikanga. This is a kaupapa which Moana Jackson made a huge contribution to. Today is about continuing that kōrero in good faith. Bill noted there was an attempt to have officials in the room and there are a few who are here in the minority. He outlined the programme for the day and that notes would be developed for participant’s feedback.

**Whakawhanaungatanga**

Bill initiated a round of whakawhanaungatanga which included asking participants to outline what they were hoping to get out of the day. Many participants were involved to support and contribute to the kaupapa, to listen and learn, to record the korero and to identify options and develop next steps. In addition to that some also noted:

* Callum Katene is chairperson of Ngāti Toa who is working closely with Ara Poutama
* a participant noted the district court is responsible for most of the people in prison
* Erin Judge’s role involves corralling six government agencies to paddle their waka together and she is grateful to be in attendance at this wānanga to listen
* Helmut Modlik noted incarceration is modern
* Denis O’Reilly noted there are whānau taking responsibility for offenders and many kaimahi involved in the kaupapa but there needs to be more clarity and a shared purpose
* Brad Ayers noted the outcome of the wānanga will help inform development of the Long-Term Insights Briefing (LTIB)
* Anne Waapu noted the kōrero has been going on for decades; that we are picking up the whakapapa of resistance and need to draw a line in the sand and push forwards. She also noted the opportunity provided by the LTIB
* Linda Te Aho noted there are many prisons within Waikato Tainui rohe and acknowledged the leadership of King Tūheitia who has visited prisons and witnessed the inhumane conditions of women with babies in prison
* Annette Skyes outlined some immediate decaceration strategies that could be endorsed such as amendment of the Bail Act and repeal of three strikes legislation. She noted the covid environment has resulted in people in remand being in cells for 23 hours a day. She also suggested:
  + establishing a kaupapa Māori based forum to progress decolonisation
  + further direction could be taken from existing reports (e.g. the *Roper Report, He Whaipaanga Hou,* Waitangi Tribunal, *Hui Māori Report*)
  + the rōpū make a media statement
* Justice Joe Williams noted how long it is taking for change to occur and that a different vision is being pushed regarding how the criminal justice system should operate in the District Court which is a key part of the system. He also noted that Māori need to remember their own power, like was exercised in the 19th century, and iwi should be walking into court rooms, offering alternative options and holding judges accountable for their decisions (e.g. to not grant bail). Iwi don’t need the systems permission to do this.

**Moana Jackson: Why did Māori never have prisons?**

A snippet from the following video was played (8.55 – 13.37) of Moana Jackson talking about why Māori never had prisons<https://www.youtube.com/watch?v=2vtpA_PbDJU>

Carwyn reflected on the 2019 Hui Māori where tangata tiriti and tangata whenua groups discussed prisons as an institution. There was common ground between the groups that prisons were not working but differences in how the response was framed. Tangata tiriti focused on how to reform prisons whereas tangata whenua started from the point of there having been a different system in place before prisons. Bill noted that today is about how to get rid of prisons, not about how to reform them.

**Workshop 1 – where are we now and how did we get there**

Bill asked the different rōpū to spend 20 minutes discussing “where we are now and how did we get there”. The value this exercise provides is in helping to identify key points for change.

*Online*

The online rōpū made the following key points:

* colonisation, deprivation of our authority and denial of our first law has resulted in a broken system which doesn’t work for anyone
* the system has been ignoring the advice, reports and mahi that already exist, for example the *Roper Report* and *He Whaipaanga Hou*. The *Roper Report* recommended habilitation centres that were more akin to whare manaaki which deal with mental illness and related harm
* indigenous peoples around the world agree that incarceration is the result of racism
* the way we think about prisons today is still relatively new. The current system is based on the old English system. The settlers came to Aotearoa with a mindset that their thinking and model is superior. Those in power still have this mindset. They may talk about co-governance but it is their thinking which drives the actions. We need new models and alternative ways of thinking
* there is a perpetuation of the thought that the system is better than anything Māori can come up with and we are still perpetuating the same old English model. Any changes made to it is like putting lipstick on a pig
* some thought the numbers in prison are on the rise while others noted incarceration rates for young people are going down, which highlights the need for quality data for decision-making
* there is a denial of alternatives to prison, limited alternatives to probation, and limited investment in any real alternatives even though the evidence for alternative approaches is clear
* the bureaucracy has a stake in keeping the current system because they are funded by it
* we need better influences/supports in our rohe for Māori who are from other iwi
* our own tikanga isn’t working properly
* there are varying views on whether iwi/whānau can get involved in the court system. There are things we can do now, including using the current system, to push alternatives. We could force a process so that Māori cannot be sentenced without iwi being in court. Others noted having iwi walking into the court room does not guarantee a tikanga process
* the Covid environment requires that only the offender appears before the judge without the support of their whānau and/or kaumatua
* the right to our mana motuhake is being circumvented by the current system. The reality is that the mana motuhake of the iwi can only take place in the vacuum of law and often means that it occurs without support
* remand bail has increased because of judges being risk averse.

*Table 1*

Table 1 made the following key points:

* the first prison in Aotearoa opened in 1840. For 100 years, there were equal rates of imprisonment between Māori and Pākehā. Then, in the 1950s, urban drift began. It resulted in separation from traditional leadership structures, and exposed Māori to law enforcement in the cities
* data shows that Māori women make up 64 percent of the prison population. Māori are referred to as “overrepresented” in prisons; this needs to be flipped to “prisons overburden our people”. There has been some positive progress. In the 1980s, there were 10,000 Māori in the youth justice system. Now, there are 1,000
* the system is heavily influenced by Christianity and based on hopelessness. The first penitentiaries used to say above the door “abandon all hope ye who enter here”
* we need to look at the whakapapa of the system:
  + look at the Sentencing Act; what is the legislative purpose of sentencing and how can it be changed?
  + look at the Corrections Act, its purpose and what should be happening
* we are in a system designed to oppress and brutalise and it is working as intended. This is easier than healing (of which there is no system for). We have high rates of recidivism, because there is no healing of the first offence:
  + there is systemic brutalisation of the ill and traumatised, based on this idea of “correcting” them
  + it is a blunt mechanism
  + because it is a system, it is about producing an outcome. It’s not about people
* there are three groups of people within the system:
  + the group it works for
  + some are disadvantaged by it and hard to reach
  + some become hard to reach and won’t change
* article 3 of te Tiriti made Māori citizens of New Zealand, but there is no requirement for the public service to focus on Māori. In the past, we’ve needed legislation to be pushed by Māori Ministers and require Chief Executives to involve Māori – this comes down to political will. There is political will keeping this system in place. Changes don’t get implemented by governments due to fear of the public perception. Political will needs to be overcome if any change is to be made
* newer reports are carrying the same messages shared by John Rangihau and Moana Jackson several decades ago
* a multi stranded approach is required
* youth justice and section 7AA of the Oranga Tamariki Act 1989 are working well.

Page 4 of the report

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* “Racism” “Disadvantage”
* “Harsh” “Brutal”
* System, punish, correct
* System “Act”
* Christian, Impacts – Abandon Hope
* “Political will??” Disconnect
* “3 strikes”
* “Institutionalisation”
* “Urban drift”
* Adoption, Victorian system
* Treaty 1840 - 1914

*Table 2*

Table 2 made the following key points:

* we have an effective system for colonising where people that don’t match the white ideal are suppressed and anyone who is different is treated differently. It is based on neoliberalism, capitalism, a patriarchy paradigm and the doctrine of discovery “white is right”. Eugenics underpins everything. There is racism underpinning all legislation, practice, and public communications (media). It perpetuates intergenerational harms through families, reinforces or amplifies poverty and continues to decimate the unity of communities
* the system doesn’t make sense, is inherited from our colonisers, was developed incrementally through social distain, and is anti-effective/non-effective for (true) justice and healing of hara. There are layers of unhealed trauma seeping through generations and expressing itself as behaviours and we respond with labels of criminality and punishment. The system takes a solely punitive approach and has the wrong incentives. It should be aiming to become redundant
* prisons are sadly addressing the Māori housing, and employment issues and men are seeing it as a “men’s refuge”
* the table shared a parallel metaphor of a failing hospital – if the prison system was viewed in the same way as a hospital we would be in life or death situations and people would be outraged
* there are two approaches that could be taken: browning the current system (trying to make a wrong system righter) versus power and resource transfer. Budget announcements show all investment is on building and reinforcing the system, which is at the wrong end, rather than on building whānau and communities. There are a lot of people clipping the ticket and the incentives are wrong
* justice requires a just society and a connected community. A story was shared about being taken onto the ātea for a process of justice before going through a process of whakanoa
* in response to Justice Joe’s kōrero to take power into our own hands and act via whakawhanungatanga, the table noted whanaungatanga and coming to whānau truths isn’t a cuddly thing, it’s hard

Pages 5 and 6 of the report

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* how we protect the community from predatory people and those people from themselves was discussed.

Where are we now…

* Doctrine of discovery. “White is right”. Racism underpinning all leg, policy, practice, public comms (media), eugenics
* Browning of a white system vs power and resource transfer
* Making a wrong system righter
* Justice requires Just society. A connected community. Neoliberalism. Capitalisms, our ongoing colonisation continues to decimate the unity of our communities
* Layers of trauma, unhealed, expressing itself as behaviour we respond to with labels of criminality and punishment
* “right of passage”
* “Men’s Refuge”
* How do we protect community from predatory person and them from themselves? – prison is our current default
* Inherited systems from our colonisers
* Perpetuate intergenerational harms through families
* Reinforces poverty, in fact amplifies it
* An effective system for colonising
* Suppression of ppl that don’t match the white ideal
* A anti/non-effective system for (non) justice and healing of hara
* Parallel metaphor
* Offrailing hospital
* It’s all punitive, all stick, there’s no carrot, there’s no healing either
* Whanaungatanga isn’t a cuddly thing, it’s hard
* In regard to Justice Joes ITN kōrero to take power into our own hands and act via whakawhanaungatanga
* Coming to whānau truth and calling in is hard
* Up shit creek
* Budget day
* Prison industrial complex
* Incentives are wrong
* Māori housing
* Employment
* “I’d like to be redundant”
* HNH, PTAT, Rope

*Common themes*

Bill noted the common themes include the impact of prisons being inhumane and there are structural issues that could be used as levers.

**Workshop 2 – where do we want to be (what does an Aotearoa without prisons look like)**

*Online*

The online rōpū made the following key points:

* we need to reinstitute our rangatiratanga with the support of hapū
* an interim strategy is a range of habilitation centres like they have overseas. It is about healing people and relationships in a localised way (rather than on a larger scale). This is happening internationally and prisons are being closed. This model starts from the premise that people should not be in prison and being deliberate about reducing numbers, like what they have done in Canada with indigenous youth. We need to have a clear goal about this too
* in situations of family violence where a protection order is in place there are no alternatives for men to see their children. We need community based and marae based facilities
* homelessness is an issue because without housing we can’t provide alternatives, particularly for children. The housing crisis has meant there is limited ability to give effective support
* Waikato is trying to create alternatives and has created the Mokopuna Ora initiative which is an alternative to Oranga Tamariki. Waikato is now trying to get Crown funding. They are not joining up with Oranga Tamariki as they don’t like their model
* Waikato came up with a model which was a housing complex for women who would normally be in prison and provided a place for them to bring up their children. The Crown decided not to provide funding because they saw it as a breach of the Bill of Rights Act because it was only for people of Waikato descent. There have been several meetings with the Crown and it is unsure where things are at. Waikato intends to go ahead with it anyway. We have to fund things ourselves and then hit the Crown up, we can’t just wait for Crown funding
* Corrections is seen as wanting to take over successful community driven initiatives
* we need specialist programmes for particular offenders where whānau and whakapapa values are reinstituted in them
* investment is key and accepting there will be mistakes
* the community, particularly the Māori community, needs to take back control. We have been engaged in a process of reconstructing our community capacity since the 1980s (Treaty settlements is an unsatisfactory part of this). If we don’t take up this space the state will and they should not be addressing these problems. When the Crown funds Māori who aren’t iwi (e.g. navigators which are state employees) they undermine iwi. Iwi need to be relevant in this space/to the people or we die. Solutions need to be for offenders but also for what we are trying to construct by 2040. In the USA all the services are provided by first nations for their own. If you want change you need to be the change
* right now the system is open and highly sensitised to mana Māori and there is an opportunity to ensure mana Māori is embedded. The Crown has not realised that iwi are entities in their own right that predate it. We need to decolonise ourselves to recognise our mana
* research and data is important in informing our approach. The research shows that one of the pathways to prison is minor driving offences. Waikato is subsidising rangatahi to get their licences. It is a small investment but is really effective
* the charge rate for Māori under 25 has plummeted and no one knows why. The thinking is this is the effect of kura kaupapa where rangatahi have achieved strong personal Māori identity. For Māori men aged over 25 the rates are going up
* truancy rates which contribute to the conveyor into the system are increasing in the current environment.

From this kōrero the following key statements were made back to the wānanga:

* we don’t want our people in prison and will take a staged approach which focuses on rangatiratanga and initially includes habilitation centres (healing, whānau and other relationships, localised approach)
* we will invest in ourselves to get where we want and need to be
* we will focus on rangatahi/youth justice as a matter of principle
* tikanga and te reo are at the heart of what we will initiate
* we are taking control back into our community by focusing on reconstruction, and this reconstruction must include economic and social development - we are leading this ourselves and not letting others step in to do it (particularly the state)
* we assert our authority and exercise our powers in this space - we are governments in our own right
* our initiatives may be small or they may be grand - and they will all make the difference
* we must acknowledge the role that the education system will play in helping achieve this goal.

*Table 1*

Table 1 made the following key points:

* we want equity of outcomes – Māori should be no worse off. Not everything will be equal, but equal opportunity needs to be provided
* Ngāti Toa have an initiative called Mauri Ora, which is about leveraging informal networks to integrate people into formal support structures, e.g. drawing on whānau connections to help

Page 7 of the report

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* people get access to housing. It’s based on early interventions, creating an inter-connected eco-system designed to support people where any door you enter through is the right door – this contrasts heavily with the siloed approach of the justice system. It’s tino rangatiratanga in action
* we want to be in a place where Māori have power. That’s what the current system is all about: creating powerlessness:
  + we need to draw on the diversity of Māori, and recognise the power in this
  + we need to address the determinants of powerlessness, such as inter-generational trauma and distress. This is still not well-understood
* service provision by Māori has improved over the years
* even if we achieve equity, there will still be people who commit the worse offenses, i.e. sexual, murder, manslaughter. What do we do with these people? If we don’t have prisons to put them in, then what?
* what are the traditional ways of addressing serious harm like this?
  + build a community – people who committed these harms were accountable to their communities
  + we know that punitive measures don’t work. We need to provide evidence-based support
  + we need to balance rehabilitation with separation for the safety of others – which doesn’t mean prison
* invest in addressing the social determinants that create serious offenders.

2040

* Social determinant (drawing of money bags)
* Diversity (drawing of people in blue and red)
* Equity (drawing of scales)
* Opportunity (drawing of glasses)
* No prisons (drawing of person in prison)
* Tikanga, matauranga (drawing of stairs)
* Equitable (core) (drawing of figures on different size boxes)
* Mauri ora, tikanga, eco systems (drawing of a circle)
* Hard to reach (drawing of a person next to a house)
* Disadvantage
* Social determinant
* Education, evaluation (inside drawing of a book)

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*Table 2*

Table 2 noted:

* the construct can either have a potentiality or pathology focus and we do not want a pathological construct. We want people to be held to account but not pathologised
* the difference between tikanga and the law was noted. The law doesn’t look at the underlying causes, it wants people to hit rock bottom
* returning our people to their communities (the communities closest to them) so people can live in a connected way, where everyone is supported to live their best lives, where potential is maintained and grown and people are in a space where they don’t’ need to commit crime. This will allow for quickly identifying ways for healing, together
* everyone having good wellbeing which is supported, with access to good health care and education
* being the decision makers and having the power-base returned to be closest to the community
* whānau and hapū recognising their own power and authority, taking responsibility, having the capacity to deal with issues and having the resources to enable their own solutions for healing and wellbeing
* tikanga being the common practice which drives and informs behaviour and whanaungatanga being seen as part of the solution (but acknowledging this can be hard for some whānau). This would involve drawing on our own systems of tupuna knowledge, practice and solutions which are driven by love and not punishment and where balance (utu) is restored
* the potential of section 27 was noted. However, if we had our own system of tikanga, we wouldn’t need to use s27 or sentencing. This could include replacing prisons, so they no longer exist, with healing wānanga (where people can tell their story surrounded by people to help them communicate) or sentencing people to their land
* needing an intergenerational healing journey and having a place for people to heal and recover, a mechanism ‘to hold people still’ even if they don’t want to be, rather than using the current prison system. This could be establishing and resourcing our own habilitation or healing centres e.g. Ohu in Ruatoria is a safe place
* an example was shared of the good work happening in E Tū Whānau. These values are permeating through the community.

Pages 9 to 11 of the report

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Where we want to be

* Whakawhanaungatanga as base but is hard
* Whānau to have capacity to deal with issues, resources to enable
* Underlying target how to live best lives achieve balance, utu, restoration
* What’s the device to ‘hold people still’ if prison was what it was at time?
  + Help people recover
* Tikanga (reach just below, pick up) vs law (reach bottom, then try .. pick up)
* E Tū Whānau values permeating
* S27 – sentence people to their land or to 6 yrs of wānanga
* Don’t want to be using s27 or sentencing
* Systems of tikanga that puts parameters around
* Let person tell their story – circle around them to communicate
* Everybody’s wellbeing to be good & supported, education etc …
* Holding to accounting but not about pathology
  + Maintain potential
  + Healing centres (Crown sometimes thinks prisons)
    - Ohu – e.g. in Ruatoria a safe place
* Positivity vs pathology
* Decision making living in communities that are connected
* Returns to communities closest to that who’s harmed
* Sort own shit out driven by love not punishment
* Be in space where people don’t have need to commit crime

*Reflections*

Bill noted the beauty of rangatiratanga is that there does not need to be a national solution and different iwi can have different solutions. The importance of whānau to the solutions and building their capability and capacity was noted as a theme, alongside the importance of tikanga.

**Workshop 3 – how do we get there**

Bill noted the outcomes from the wānanga will be developed, themes identified and ideas for action and these will be fed back to participants. We want the next discussion to be about actions.

*Online*

The online rōpū made the following key points:

* constitutional change will provide the power to set up our own system
* iwi need to take charge and be the kaitiaki they claim to be. This will require reconstructing or revitalising kin based networks and rebuilding Te Ao Māori to be relevant for 2040. The reconstruction process will involving reclaiming the power iwi had prior to the land wars where the settler government was not able to do anything without iwi consent. Part of the reconstruction process is to walk into court rooms and challenge sentencing decisions because iwi can provide another solution. This type of action won’t be able to be ignored
* developing local solutions which the Crown should invest in. These models may also be able to be shared with other iwi in a tikanga way. State funding will flow once they see solutions are working
* having an independent research base which includes the impact of programmes on incarceration rates and the impact of broader initiatives
* taking a social investment approach to prevention and pathway to wellbeing, such as kōhanga reo, kura kaupapa and other proven effective pathways that engage with rangatahi before they commit crime. This should be framed positively and not in an economic savings way. This will build a new generation of tikanga strong people who avoid harm
* having an approach for hardened criminals/recidivists which includes finding out their perspectives and resourcing them to develop solutions. This may include the need for secure facilities (e.g. for the big meth importers who need to be disincentivised)
* being prepared for some approaches to work and others to not work and learning from this
* setting up a Māori Law Commission to revitalise tikanga (as per *He Whaipaanga Hou)*
* developing a decolonisation strategy which shows the value of alternative processes. This is about building community confidence, skill and mana, decolonising our thinking and taking responsibility for the hard stuff
* having a focus on decarceration
* addressing racism against Māori processes, such as prison psychologists who don’t view these processes as changing behaviour or iwi as credible public authorities with a voice and community mandate.

*Table 1*

Table 1 made the following key points:

* we need to focus on what we going to do tomorrow, what we will do in a month’s time and what we’ll do by 2040
* the Crown has broken it so the Crown needs to fix it. This could include indigenising parts of the system (i.e. service provision)
* some will continue what they’re doing now:
  + Ngāti Kahungunu:
    - partnering with agencies for their initiative Te Paerewa, which is about access to wellbeing, intervention, and prevention
    - they call it a “papakāinga response”, providing housing, health and mental health services
    - they are reframing the way we look at systems, e.g. changing “custody” to “care”
  + Ngāti Toa:
    - acquiring the land under prisons through their Treaty settlement. They will become landlords, partnering with Corrections
    - this is one way they are slicing off parts of the system “by stealth” and indigenising them
* we need to reach that third group of people affected by the system – the “hard to reach” people. We need actions that penetrate into communities and empower people to do their own thing – this is tino rangatiratanga:
  + with a focus on rehabilitation, it becomes pro-social and encourages others to follow the lead
  + people are ready, but the system is not
* people think of the justice system as a pipeline, but it’s actually a circle; people in it just go round and round. We need to change it so that the people already in it have many ways to get off, and others don’t get on in the first place
* officials working in the system need to deal with the politics at play, so others can focus on their own initiatives
* there is a strategic, national level conversation that needs to be had. We need to “change the way we do business” – focus on healing and restoration. Te Ao Mārama is an attempt at this. We need a system we can be proud of
* the iwi approach works – not just for our own people, but to spread the korowai for the entire community
* an example of a game-changing, circuit-breaker action to take:
  + in Ireland, no politician wanted to go near the issue of abortion. To address it, a citizens assembly was held. It was live-streamed to the public so there was widespread investment. The citizens assembly met, debated the issue, developed a set of actions which then went to referendum. The referendum passed – because the general public were involved and empowered, rather than the politicians
  + perhaps we need to frame up this vision – an Aotearoa without prisons, and the actions needed to get there – in a similar citizens assembly
* we need to remove the RoC\*RoI <footnote 1 begins> A measure of risk of reconviction currently used by Corrections comprised of risk of conviction and risk of imprisonment <footnote ends> parameters.

*Table 2*

Table 2 noted the following key points:

* they framed the kōrero around grabbing the keys, being the driver, and being able to drive. This is about all our people mobilising themselves, being unified in the belief that we have solutions (kotahitanga, aroha), owning what you’re going to do and doing it. There are lots of Māori who want to make change but they don’t know how or aren’t being as impactful as they could be
* a multi-pronged approach is needed with tactics and a strategy about how to stop a system that isn’t working. This needs to be mapped out strategically for impactful sequencing
* some immediate actions could include reforming the Sentencing Act, Bail Amendment Act, three strikes law, and developing decarceration strategies. There will be politics around this
* guerilla tactics could be used to work towards dismantling the system. As Justice Joe mentioned this could involve mobilising the people to take the fight to the courts
* constitutional change is needed
* we stop ourselves because of a lack of belief and trust in ourselves and we have colonised minds. We need expertise able to unpack and rebut shitty crown logic and decolonisation chambers. We also need community empowerment, to conscientise the critical mass, narrative transformation for the public away from the ‘othering discourse’, to mix sociology with law enforcement, to liberate our minds and thinking from the stories we have been told and release the shackles
* we need alliances/coalition and aligned thinking, to create our own accountability mechanisms and investment (which the Crown has a lot of)
* if every Māori was registered on the Māori roll and voted we could have 17 seats which could cause a lot of change
* the idea of mana whenua acquiring land under prisons was raised. This could lead to parallel committees inside and outside prison that could focus on how people in prison are being treated
* gangs are symptoms of much deeper problems – land loss, loss of language, poverty, and poverty of the spirit.

Pages 12 to 14 of the report

<accessibility note begins> These pages contain black text on a white background. The Ināia Tonu Nei logo is in the header of each page as described above. The headings are in blue apart from one in black (‘progressing action/next steps’). There is a photo at the top of page 12 showing a piece of butcher paper with green text. Some of the words are in boxes with lines connecting ideas. <accessibility note ends>

How do we get there?

* Immediate actions
  + Sentencing Act
  + Bail Amendment Act
  + 3 strikes
  + Decarceration strategies
* Grab the keys, be the driver, be able to drive
* Mobilse the people, take fights to the courts
* Guerrilla tactics towards dismantling it
* Multi-pronged approach
* Accountability mechanisms
* Our own independent justice system “CA”
* Expertise, able to unpack and rebut shit Crown logic
* Community empowerment
  + Conscientising of critical mass
  + Narrative transform
  + “othering” discourse
  + Sociology // with law enforcement
  + Liberate our mind from the stories we have been told
* Politics
  + Flip contingency Crown-Māori politics by mobilising towards 17 Māori MP sector
  + Political pedagogy
* Alignment
* Alliances
* Investment
  + Coalition
  + Mapped strategically for impactful sequencing
* Constitutional change
* Why do we stop ourselves?
  + Belief
  + Trust
  + Colonised minds
  + Decolonised chambers

*Common themes*

Bill noted common themes included the need for other sectors to be involved.

**Progressing action/next steps**

Bill noted we are at the point of identifying actions. There are things already in motion which we can build on and a number of ideas have been put forward that we could flesh out. Jody has developed a directory of rangatiratanga initiatives which we could build on and strengthen. Many of these are kaupapa Māori rather than rangatiratanga however could be changed to have Māori as decision makers.

The wānanga expressed ideas about what is important to effect change. These are rangatiratanga, tikanga, whānau capacity and capability, kotahitanga, the vision of constitutional transformation (which includes strengthening rangatiratanga, developing relationships and restoring the Crown’s honour) and the importance of shared values. We need to polish these ideas. There is precedence behaviour and not getting change unless we protest, an example being tamariki uplift. Joe has given us some radical thoughts. He has said to turn up at court and tell the judge that before you sentence someone you have to deal with us.

We have levers for change such as people in high places who want to contribute to this mahi, such as judges, and we need to identify them and work with them. We have unrealised power and authority that we don’t use. Benesia has talked about us having the resources and that we don’t need to wait. We have resources including people, knowledge, skills, information, leadership, connections, systems, technology, whenua, and funds. We have a belief that if we get it right this will benefit everyone in our communities.

Bill noted the iwi chairs are running kotahitanga and rangatiratanga strengthening workshops, initially trying to get iwi to whakakotahi. One iwi may have an initiative that others could support. Rangatiratanga is expressed at the regional/local level and we don’t need a national response.

*Final reflections from participants*

Bill asked participants to reflect on whether the wānanga had achieved what they hoped it would. Some noted they would like to see action and others that they had taken lots of notes of the kōrero. Specific reflections included:

* Carwyn Jones noted he had heard lots about the importance of connection to the big picture items such as the constitution and decolonisation and there is a real need to start taking practical steps towards these. He noted examples of iwi/hapū asserting rangatiratanga by having check points to keep their people safe. There could be lessons from this when reasserting rangatiratanga in the justice space. They didn’t wait for government approval and just went ahead and did it. This action went smoothly as the kawanatanga side thought it was helpful however there can be issues when that is not the case, for example with the Whānau Ora Commissioning Agency trying to access vaccination rates. This showed mistrust of rangatiratanga. That power dynamic needs to change
* Ihaia Don Hutana noted his involvement in setting up the Tenei Au programme in Hawkes Bay Regional Prison and would like nothing more than to be redundant. He questioned the disproportionate influence prison psychologists have before the parole board compared to programme providers. He noted difficulties in dealing with hard core offenders who are meth dealers
* Callum noted they are a small iwi trying to help their people and wanting to spread this korowai across the community. It was good to get a bigger perspective and he is concerned about the Crown’s direction and political will required to make changes
* a participant noted the wero from Ihaia regarding Mangaroa. He thought it was timely to connect and it was reassuring to hear people are talking about the same thing. He thought a national perspective also needed to be brought through alongside the local iwi and community level. His table spoke about Te Ao Mārama which is complimentary. Bill was thanked for his comment about having the right people in the right places to affect change
* Harry Tam noted: it was good to get an update since Hui Māori; how to get people clean so the patch can be pealed is still on the agenda; and he learned there is much movement already and that can be built on
* Eugene Ryder noted there have been a lot of hui and calls to action and we have the same voices in the room but those who should be listening aren’t
* Denis O’Reilly noted the wheels of justice move slowly, the work is unrelenting and we need to look at indigenous models
* Anne Waapu noted she had said at the beginning of the wānanga that this was another step on the long whakapapa of activism. She read out a quote from Martin Luther King “the arc of history always curves towards justice”, but this requires the work and willingness of the people. The room has done some of this work, retold stories and transmitted experience and knowledge
* Benesia Smith noted this is part of an ongoing journey and is interested in how we stay connected, continue the kōrero, shape up a work programme, build momentum and continue to work together.

Bill thanked participants for their time. He noted the tono for today of taking action rather than just talking and hoped that when we get together again we can report progress. He noted the notes would be synthesised and we should keep in touch and see how we can help each other.

Rikirangi also thanked participants for attending. He liked the idea of iwi leaders, Ināia Tonu Nei and others joining up with a strategy to create a wave of change and transformation in the community. He then closed the wānanga.