

IN THE WAITANGI TRIBUNAL

WAI 2540

IN THE MATTER The Treaty of Waitangi Act 1975

AND

IN THE MATTER of a claim to the Waitangi Tribunal by Tom Hemopo on behalf of himself and his iwi in respect of the Crown's failure including through its Department of Corrections to meet its obligations regarding reducing the number of Māori who reoffend as part of reducing the disproportionate number of Māori serving sentences.

BRIEF OF EVIDENCE
OF RAWIRI (DAVID) WARETINI JUNIOR-KARENA
DATED 6th May 2016

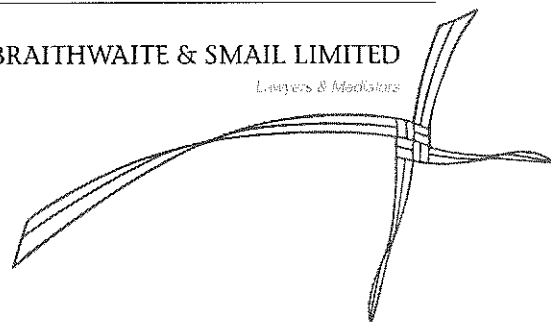
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Waitangi Tribunal

06 May 2016Ministry of Justice
WELLINGTON

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I, **RAWIRI (DAVID) WARETINI-KARENA**, Academic, of Kirikiriroa Hamilton say as follows:

1. My name is Rawiri (David) Waretini Junior-Karena.
2. My Hapu/ iwi affiliations are: Waikato Tainui Waka - Ngāti Māhanga, Ngāti Mahuta, Ngāti Koata, Tainui Āwhiro. Ngatokimatawhaorua / Mamaru Waka. Ngāti Hine, Ngāti Kahu, Te Paatu
3. My qualifications are PhD Philosophy-Indigenous Studies; Master of Arts Degree - Commercial Music; Bachelor of Applied Social Science Degree, Māori Counselling; DIP M Counselling, CATE, NCAL. I received three doctoral scholarship awards:
 - 3.1 28th Māori Battalion Doctoral Scholarship award 2013;
 - 3.2 Te Atawhai o te Ao Doctoral Scholarship Award 2013; and
 - 3.3 The Waikato Tainui Te Kauhanganui INC Doctoral Scholarship Award 2011-2012-2013.
4. My occupation is as an academic. I am a Lecturer / Educator at Waikato Institute of Technology WINTEC in Hamilton. I have been in this position for 12 years. I am also an Adjunct faculty Professor at Te Whare Wānanga o Awanuiārangi in Auckland and Whakatane. I have been in this position for 1 year 5 months.
5. The two organisations I affiliate with are:
 - 5.1 Te Whariki Tautoko Te Koopu Mania o Kirikiriroa *rohe* Māori Counselling & social services National governing body. Position: Chairman; and
 - 5.2 The 28th Māori Battalion Alumni under the direction of Minister of Education and Chairperson Hon MP Hekia Parata. Position: Board member

6. I have personal experience of successful rehabilitation. I also am in contact with others in the same situation

Summary of evidence

7. As a child I was brought up in an impoverished and violent suburban home indicative of the movie 'Once were Warriors'.
8. As a result of domestic violence and child abuse I grew up traumatised. The trauma began manifesting in my behaviour. I was setting things on fire from the age of four, began stealing and shoplifting at the age of five, and became prone to bouts of violence from five through to my teens.
9. I became a state ward at the age of five and was brought up on and off for 12 years in Social Welfare Homes, foster homes and boys' homes. In May of 1987 at 18 years of age I came across a situation similar to my own: a father accused of beating and abusing his son. My own life experiences triggered a reaction where I superimposed my history and demons onto the boy. This led me to kill the father.
10. I was convicted of murder and sentenced to life imprisonment. I served 10 years and seven months in prison. Since release I have spent the last nineteen years studying and teaching in the education field, serving in the Latterday Saint Church, healing wounds and journeys with the family of the man whose life I took, and changing deficit legacies my actions created in my own family.
11. My PhD research into transforming Māori experiences of historical intergenerational trauma investigated contributing factors to my life story that were beyond my control. Those factors included being born into a dysfunctional, volatile and impoverished environment. The research examines Māori deficit statistics and its links to Māori experiences of intergenerational trauma and colonisation. This research gave insight into the after effects of legislative policies that

removed traditional Māori land, language, culture, identity, heritage, protocols and practices.

12. This brief will discuss how barriers were overcome, and why not every Māori in prison is getting access to what works, and finally, discuss systematic issues that are cutting across reintegration efforts.

What works?

13. There were combinations of factors that made a difference in my rehabilitation/reintegration process. What was really important is that I followed certain steps that created the position I now am in. The first step was to acknowledge that there were historical factors both internal as well as external that I needed to address. The best way to explain everything is by sharing part of my personal story.

Plan of Redemption

14. The first few years serving a life sentence was difficult. For the first three years in prison I lived in a world of turmoil. It was in the third year of my sentence in my cell that I began thinking of a dream I experienced in the Remand Wing of the prison, 3 years before. In my dream, I'd been sentenced to life imprisonment and was sitting in my cell looking in the mirror at a broken man with no hope. I felt like a shell, just existing from day to day. It felt as though, mentally and emotionally, I had become numb, and spiritually withered away.
15. I began to review my life and as I journeyed back into my past, tears fell like pools of sorrow and I felt broken with nowhere to go. I remember sobbing and feeling the visual impacts of traumatic memories. It took a while to comprehend, yet as I visualised how I got myself into this predicament, I came to a realisation that regardless of what co-offenders did to entice me, at the end of the day, I chose to act in a manner that did not challenge or question them. Yes there were a lot of extenuating circumstances involved, nevertheless I was the catalyst. It was because of my actions that an innocent man lost his life.

16. Pulling back the veil to recognise the full implications of what I had done was a bitter but necessary pill to swallow. I was finally looking at things I was too ashamed to confront before, I was blinded by my past and by my own pain. On one hand, I had become the thing I hated the most, just like my father, yet on the other hand I was not, rather I had become something much worse. In reality all I wanted was to be loved and understood, yet when I looked in the mirror, I did not like what was looking back at me. I did not like what I had become and I was ashamed of what I saw.
17. The guard came around to turn the lights out so I stood up at the window looking through the bars at the stars. They were shining so brightly and I could hear a whisper of the song: 'When you wish upon a star,' floating across my mind, and I closed my eyes listening to the wind and taking in the cool breeze, wishing that I was free and that this was just another bad dream.
18. After having a moment of quiet contemplation an idea came to me. I stepped back and realised that I could keep looking at the bars and stay stuck in a rut that was entrenched in institutionalised prison life, or I could reach for the stars and begin rebuilding my name and my life one block at a time with a focus of bettering myself and one day heading to the National Parole Board and walking out on my first try. I knew that this had never been done before, but in 1989 I decided to focus on that goal. I began to do karakia to my creators, and to my ancestors, and to the person whose life I took asking for forgiveness, and praying for a second chance to start again. This was about rededicating my life to making a difference.

Making Changes

19. Over the next few days I figured out that I had to work on short term goals to help me achieve my long term goal, so in my cell I took out a note pad and pencil and wrote my goals down. It was a simple plan that I carried during my time in prison. My spiritual goal was to go to church. My mental goal was to pursue an education. My emotional

goals were to seek counselling and my physical goal was to start training at the gym. My environmental goal was to not let other inmates bait me into fighting.

20. I had a terrible school record so going back to get an education was really hard for me. I studied for School Certificate English and Art. The art class I passed with flying colours and some of my work ended up in an inmate exhibition in Santa Cruise, USA. However I only just passed School Certificate English with a 'C' grade. At that time it was the most significant thing I had ever achieved before in education and it made me want to learn more.
21. I also began studying Māori carving and started making bone and wood carvings. It was the first time I learnt about anything Māori. Monte and Glennis Retemeyer were my first tutors who I learnt the basics from them then. A master carver by the name of Mack Bell, from Te Wānanga o Aotearoa, came in to teach mahi whakairo and I began learning everything I could from him. I was like a sponge, fascinated with this part of my culture and quickly became so competent I began training others. I started going to the gym. I did not know it but the gym instructors (who are also prison officers) were watching me come in most days and teach their fitness circuit. One of them, Wayne, came up to me and said, "Keep going, you're doing well". I was startled by this comment. I was 19 years old and that was the first compliment I had ever received in my life, and it made me feel good and made me want to try harder.

New Beginnings

22. In 1992, after 5 and a half years in prison, I applied for the right to work outside on the farms. I was granted the opportunity to work in the forest gangs. We chopped down trees and smashed down the foundations of houses around the prison and in the prison officer village. It was hard labour, but I loved it. I was given the job of driving the tractor as I was the only one in the group with a driver's license. I had not been near anything like this for 5 years, so very quickly I had to teach myself to drive again.

23. After 6 months I moved to Missen House and began studying towards a Certificate in carpentry that was taught by Waiariki Polytechnic in Rotorua. This allowed me to start travelling with the carpentry course to Rotorua and then Auckland. I also started working permanently up at the village, and began working full-time as a caretaker in the local kohanga reo alongside some of the prison officers' wives and children. I found it embarrassing because the kids would ask me questions in Māori and I could not answer them. I began Te Reo classes at the prison school. I ended up working in the village, intermittently from 1992 to 1997. Soon after, the prison officer's village was demolished.

The Tides of Change

24. In 1993 a woman came to our unit to perform a play for us called "Verbatim Act of Murder." Her name was Miranda Harcourt, and this was the first time I had ever heard of her. She played 6 different characters that were all affected by the impact of murder. I was keen to hear what she had to say and when it came to question time I asked her: "what were you hoping to achieve by showing us this play?" Miranda in turn asked me: "How would you answer that?" I remember saying, "What you are highlighting to me is that it's kind of like a pebble being dropped into a bucket of water and it creates ripples. All these characters you are playing have been affected as a result of those ripples. The stone that was dropped causing those ripples was the act of murder."
25. The next day I was called in from work for a private interview with her for her television documentary: "Verbatim Act of Murder." I realised it was going to be broadcasted national television. Even with my face obscured, you could tell it was me. I used that same analogy I spoke of the night before, but with a lot more elaboration. Here I was just a few years before not being able to admit to myself that I had committed murder. Now I was talking about it on national television. I remember talking about the stone dropping into the water and creating ripples.

26. The interview made me realise the wider connotations of my own situation. That although I was focused on a man who in my own mind had demonised, I did not comprehend that he was a father, a son, a friend, a brother, a nephew. So this whole ripple created a situation where a son would grow up not knowing his father, a mother would never again tell her son: "I love you", siblings had lost their brother and uncles and aunts had lost a nephew. On the other side of the coin my own family suffered as well. My mother never left her home for 6 years unless she wore black with a veil over her head. My brother was bullied at school for being related to me.
27. My father went into denial blaming everyone else but himself. He was killed in a work related accident before he and I were able to clear the air. My own family became stigmatised, they became "those people". I thought that I was all alone in my pain, but later realised that not only am I connected to my family, but everything I do, had an impact on them as well. I also realised, that I had trampled on the mana or integrity of my family name. This had a detrimental impact on my whakapapa. In gaining this new level of understanding I was devastated, because of the agony I had caused.

Alternatives to Violence Project Waikato

28. In 1994 a programme came to the prison called AVP, Alternatives to Violence Project. It was a 3 day experiential program. I went along to this program despite not wanting to participate. However as I saw the programme unfold, I realised how amazing it was. This programme was constructed in such a way that we very quickly got to know each other, and learnt to trust and work together. It built enough trust that allowed inmates to let down their barriers. It enabled me to view others opening up in a way that I had never seen before. I witnessed hardened criminals share their life stories while shedding tears, sharing their pain, and their trauma. I saw other grown men with tough reputations unmasking themselves in a way that gave me permission to do the same. This was true transforming power and provided me with what I was looking for. It was a gentle process that gave me permission to share my story, and emotionally expose myself with all

my vulnerabilities because a safe space to engage in dialogue had been created that allowed me to do so knowing that I would not be laughed at, or judged.

29. I found the programme to be such a healing process and gained a realisation about how much of an impact it could have in healing others. I decided that I wanted to be a part of its journey and help to take this concept to other units in Waikeria prison and around the country. I became the first inmate facilitator of the AVP Alternatives to Violence Project in New Zealand and went on to join a team that facilitated hundreds of workshops, training hundreds of inmates and people in the community in the transforming power of alternatives to violence.

Learning My Cultural Identity

30. It was New Year's 1995 and I decided to start up a kapa haka group. Our unit moved from Missen house to Hillary house which was a minimum security prison. All the units were asked to perform for the church groups that participated in the church services during the year. The prison hosted a lunch to thank the churches for their past work and for their continued support and participation.
31. I went to see what all the other units were doing, and noticed they were only practicing haka. I went back to my unit and joined forces with the Pasifika inmates to create some good cultural performance dynamics. We came up with an eclectic mix of Māori and Samoan dance with an introduction, a waiata, a haka and then split the ranks up the middle to come through the centre to line up and perform a Samoan slap dance. It was the best performance of the day, and the beginning of a competitive streak that would flow throughout the Waikeria prison units creating an annual cultural festival. I went on to found a multi-cultural group I named Kotahitanga Toa. We won the cultural festival every year until I was released. At this time I also did wānanga with Herewini Jones Mahi tahi program. It was through these wānanga that my understanding of Māori culture, cultural values and principles grew. It was in this place where I realised the importance of

my Native language and tikanga. My knowledge has grown immensely since this time.

Becky Fox-Vercoe

32. It was 1997 and I was celebrating my 10th year in prison. I was performing both kapa haka and band music at a family day outing. These are events that allowed inmates and families to intermingle in the prison. It was here that I met Becky Fox Vercoe. Her younger brother was in Hillary House and we both worked together on the rubbish truck. As part of the entertainment I made fun of one of the prison guards while performing.
33. We began talking and one of her comments to me was: "I hope you don't drive with alcohol again". Apparently Becky was amused by my antics and asked someone what I was in for and that was the answer she received. Her brother told her the truth and we became friends from there.
34. Becky very quickly became a mother figure to me as I had never really been brought up in a family. I brought myself up and was a product of the entire judicial system. One day she asked me: "How long do you have in prison?" I told her: "At least another four, or five years" as I did not have a release date. Becky encouraged me to write to the National Parole Board and query the process.

National Parole Board

35. According to the practice of that time, all life sentences started from the day an inmate was convicted and sentenced in the dock. Because of that policy my original 444 days that I served in remand were not taken into consideration as prison time. However, because I began serving time in remand before that policy came into effect, I had extenuating circumstances. So I wrote to the National Parole Board and they took my query into consideration.

36. Two months later I received a letter from the National Parole Board. Upon receiving my request they accepted that I had legitimate grounds and returned to me all the time I served on remand which in turn allowed me to apply straight away for an application to be released from prison. This resulted in the National Parole Board granting time back for every eligible inmate in New Zealand which progressed so rapidly I was totally surprised.
37. I was given a date to appear before the National Parole Board in October 1997. I began writing submissions and gaining references from everyone I worked with over my 10 years and 7 months of being incarcerated. Becky, who was a Senior Lecturer at Waikato Polytechnic, wrote on my behalf as well as her husband Drew, who was a Lecturer from Waikato University. Becky's brother, Derek Tini Fox also wrote on my behalf. At the time he was the Mayor of Wairoa, a television presenter for 'Marae' and the editor for Mana Magazine. His partner at the time, Atareta Pōnangā also represented me as my lawyer. In my submission I gave a detailed account of all the work I had done to rehabilitate myself, my achievements and the places I had been. The National Parole Board also sent a psychologist to Hillary House to write a report about me, and he too gave a detailed account based on the interviews with him.
38. I travelled to Paremoremo maximum security prison in Auckland to appear before the National Parole Board. It was the most nerve-racking experience I ever encountered and yet I had prepared as thoroughly as the parameters had allowed me to. My mother, Becky, Elaine Dyer the Coordinator for AVP Aotearoa, Drew Vercoe, Derek Fox and Atareta Pōnanga came in to represent me and speak on my behalf. I had to settle my spirit so I started singing to myself and inviting a calmness to fall upon me.
39. The only query the National Parole Board had to me was that I had spent over 22 years within the judicial system and wanted to know how I would cope being returned to society after so long. I shared my story about looking through the bars at the stars and how I formulated my redemption plan. I shared about the growth of my journey and

what I had done to overcome my past. I worked hard not to become institutionalised and continued to expand my world to the degree that I had accomplished rebuilding my life and my reputation with my family and was going to work towards doing the same in my community. These people liked my answer and the amount of work I had done and acknowledged that I had a strong support network.

40. They decided to put their faith in me and send me home for a weekend and then invited me back on December 1. Upon returning to the National Centre in December I was granted permission to be released. It was here that I learnt about security status categories for those sentenced to life imprisonment. The category statuses ranged from "A" to "E". I found out that "E" and "D" status meant that the likelihood of a 'lifer' reoffending is high so release from prison is not likely to occur in the near future. I also found out that most inmates with a life sentence usually fall into the "C" category. This means, the likelihood to re-offend is low. However this came with heavy restrictions and an automatic stand down for 1 or 2 years. The "B" category meant that the likelihood for that inmate to re-offend is minimal. It still carried heavy restrictions and yet only the exceptional inmates received this ranking. I became the first "A" category lifer in New Zealand with a likelihood of re-offending at 0 percent.
41. In summary. I was able to change my life and circumstances because I developed a plan that helped me to improve my life in prison. The plan made me look at education as a means to learn to read and write properly. The plan helped me to find direction in terms of dealing with psychological trauma I experienced. The AVP program helped me immensely by giving back to others in prison who had similar experiences. The plan helped me to find solace through going to church. The plan also supported me in terms of focusing on my health. The plan helped me by giving direction. I stopped following the crowd and began taking the lead. I became a leader of the prison band, founder of a Kapahaka group and chairman of the cultural festival committee in Waikeria. I found that when I began moving in a positive direction that had huge outcomes for the unit I was posted in, prison staff supported what I was doing.

42. When I was released from prison after nearly 11 years I focused on four things. Reconnecting with my family, finding employment, reintegrating back into society and restoring my (mana) integrity with my whanau and my community. I realised that my actions created deficit legacies that I needed to still address. The first deficit legacy was with the family of the man I killed. The second deficit legacy was with my own family and the impact my actions had on them.
43. The first act I did was to seek out the family of the person whose life I took and apologise to them for the trauma I caused them. (See photo attached with uncle and aunty of the family- Waikato Times September 2000).
44. The second act was figuring out how to change the deficit legacy my actions created for my own family. Piripi Pikari who is a probation officer from Hamilton encouraged me to study for a degree. I decided that I would change the legacy on my family by striving to reach the top in the field of education. This is the reason why I completed a PhD. I figured that a PhD would create a new legacy that my family and future generations could be proud of.
45. The third act I did was campaign against child abuse and domestic abuse through the New Zealand Women's Weekly (November 2000) and White Ribbon (2013).

Why is not every Māori in prison getting access to what works?

46. The Department of Corrections does not have a successful model with successful examples in which to implement with Māori in prisons. The plan I created took tenacity, drive, commitment and discipline to change circumstances that are inherently ingrained. In many ways I engineered my own rehabilitation, while being lucky in coming across some of the right people at the right time. However I think that others could also change their circumstances, but they will need a lot of support and understanding, as I will try to explain.

47. The plan I implemented back in the 1980's is a work in progress I still follow today. It is not a quick fix solution, but a lifestyle change over many years. I have learnt that changes are incremental and based on personal revelations and realizations.
48. I also learnt that although I am responsible for my actions there are things that happened which were beyond my control. One of those things was being born into a destructive and dysfunctional environment constructed by others. In an effort to understand this concept better I conducted research as part of my PhD into four generations of my family. (See attached an intergenerational analysis of four generations of my family). The model I created is based on pūrākau narrative stories one on top of the other. Alongside each generation are corresponding legislative policies that impacted that era. This enabled me to determine the legislative environment each generation was subject to.
49. My Great Grand Father Te Kuri, Te Nahu Waretini-Wetene was born in 1840 into the collective wealth of Waikato Tainui. This was a far different society where the dominant language, culture, economy, and practices were Māori. He was an agricultural gardener who worked on Te Kopu Mania o Kirikiriroa. In 1863 at 23 years of age he fought against the British and Settler Empire at Rangiriri and Orakau pa during the Waikato invasion of 1863-1864. The legislation policies enacted during his generation included; the Native Lands 1862 Act, the Native Schools Act 1867 and the Tohunga Suppression Act 1907.
50. These acts set the environment my Grandfather was born into. My Grandfather Tom Te Wharua Waretini Wetene was born in 1920's. He was brought up by Princess Te Puea. He was taken by Social Welfare at the age of 10 and put into a public school. He only spoke Māori. He was beaten on numerous occasions for doing so. He moved away from Māori culture for Western religion. To this day I have nearly 200 of my own family who as a result of what happened to my Grandfather can't speak their Native language and due to their religion refuse to go onto a marae. My Grandfathers generation were impacted by World

War Two, the rural to urban migration and the Hunn Report 1961 which called for the assimilation process to be sped up for Māori .

51. My father; Raymond Waretini-Karena was born into a time where it was *not* cool to be a Māori. The rural to urban migration and pepper potting process moved our family away from the marae which was the stronghold for learning tikanga kawa, protocols and language. As a result of the Native Schools act 1867 my father undervalued anything Māori. His new marae became the Chartwell pub in Hamilton. In typical once Were Warriors fashion, he put his friends before his family and beat and abused his wife and children.
52. As a result of this, I grew up with no identity, did not know my Native language, culture or heritage. I was not taught tikanga kawa, or Māori principles and values. The world I grew up in was filled with fear, loathing where I suffered severe child abuse that manifested in the form of flashbacks, I was hearing voices in my head, and I would go into trances, the psychological impacts of my history were severe. I learnt in my journey of personal discovery that I was suppressing things and not being true to my authentic self. The more I stepped up and took responsibility for my past, the more the psychological issues would fade to the side. I no longer have any of those psychological episodes.
53. I investigated this history so that I could understand how the environment I was born into was created, and gave me insight into why my father behaved in the manner he did. I had to go back into my history to gain a sense of understanding, so that I could find my own healing and move forward with my life into a brighter future.
54. The most important thing that I want to say in this brief is that this is the type of knowledge base that is missing in the Department of Corrections. Not just in the Department, but across Crown Agencies there is no recognition of the impact of loss of tradition. There is no acceptance that colonisation has left Māori in poverty, not just financially, but spiritually, psychologically, and emotionally. This means that we don't actually get to make decisions on all of the things

that affect our lives. There is a lot of writing about the effects of colonisation, but I hope that my evidence is proof through my life that these effects are real.

55. Yet this history is ignored. The Department is therefore punitive, and just maintains the status quo. My experience of the Department is that it will only take you so far and then lets you go, without really making sure of anything. It also explains why the Department underinvests in Māori solutions and does not consult with iwi/hapū/whānau. There is no understanding of the past, so no real understanding of the need to work with Māori.
56. This brief will now give a concise view on legislative policies and their impacts. The legislative policies such as the Native Lands Act 1862, the Native Courts Act 1864, the New Zealand Settlement Act 1863, the Native Schools Act 1867 and the Tohunga Suppression Act 1907 created intergenerational ripples that still reverberate throughout Māori culture today.
57. The intergenerational ripple effect of these policies created an intergenerational impact and transference across generations. The Native Lands Act 1862, the Native Courts Act 1864, and the New Zealand Settlement Act 1863 created intergenerational impoverishment and subjected Māori to becoming paupers in the land of their ancestors. The Native Schools Act 1867 and the Tohunga Suppression Act 1907 were assimilation policies that subjected Māori to a loss of traditional ways of existing, the near extinction of their native language, and the marginalization of their cultural knowledge, heritage and identity.
58. The underlying premises behind Māori who are incarcerated and imprisoned highlight several familiar themes. They include coming from impoverished circumstances, a lack of knowledge of their cultural identity, lack of an ability to speak their Native language, and a lack of understanding of their cultural heritage.

59. The critique and analysis of these themes advocate that there are psychological and intergenerational traumas across generations that have in no way been addressed by the New Zealand Crown or the Department of Corrections.
60. The critique and analysis of these themes advocate that Māori are born into an intergenerational *minefield* based on harmful legislative policies, war and ideologies of superiority. These mechanisms devastated traditional Māori land, cultural identity, language and heritage. This continues to suggest that Māori culture is already born into a position of disadvantage perpetuated by the power dynamics and societal constructs of hegemony or power of the state.
61. The continued analysis of these themes highlights that while a percentage of Māori have learnt to navigate this intergenerational ripple and minefield, statistics very clearly indicate that a large percentage of the Māori population is still susceptible to histories they have no knowledge of yet plays out in their environment in a manner that inadvertently has disastrous repercussions.
62. If this history for Māori is *not acknowledged*, and acted upon, I cannot see how rehabilitation is possible. It also needs to be recognised that the Department is only one part of a wider systemic mechanism that practices historical, political and ideological amnesia. The ripple effect of this practice can be tracked right back to the New Zealand Crown.
63. I have created a Māori counselling framework that does everything I have described. It is called He Kakano Ahau - *I am a seed born of greatness, descended from a line of Chiefs*. I also have many graduates who are proficient and competent in delivering this framework.
64. The framework uses whakawhānaungatanga to establish relations and create a rapport. It then takes participants on a journey back into their history so that they get a sense of what contributed to the environment they were born into. The framework then examines common links they were aware of and those they were not. The

framework then works to build strategies that sets forth a new plan based on what their future plans could be. It then seeks to implement those plans.

65. This highlights that Māori don't get access to what works is because resources that are available (such as myself and others) are underutilised. I am one of the most relevant and up to date resources available. I have considerable life experience in the entire judicial system. I have done 22 years facilitating alternatives to violence workshops in prisons and in the community. I have completed 19 years gaining the qualifications, the training and professional acumen. I have spent 12 years training hundreds of graduates in Māori counselling, general stream counselling, social work, mental health and addictions who work across the country and around the world.
66. There are also two other men besides myself who have similar circumstances. Although I am the only Māori, they too have been convicted of murder, served life sentences and then when released went on to complete PhD's in Psychology. Another who spent 10 years in prison completed a PhD in sociology and criminology and is a professor at a highly esteemed University.
67. I believe that because the New Zealand Crown and the Department of Corrections does not factor in Māori experiences of historical intergenerational trauma into their rehabilitation process, things will not change. I also believe that the Department does not sufficiently value the insight of Māori, including Māori former prisoners as to what works.

Systemic issues cutting across reintegration efforts

68. I would like to share a final example that I think highlights the systemic issues in the Department. It demonstrates how the Department actually works against rehabilitation and reintegration. Those who have successfully reintegrated back into society and are now positive role models are still called "offenders" for the rest of their lives. Those released from life sentences still have to report to a probation officer

for the rest of their life as an "offender" (Please see attached an example of a Probation reporting notice).

69. I advocate a law change to legislative acts that will allow people who have a proven record and who have successfully reintegrated into society to be released from life parole reporting conditions. But even more importantly than this I consider that the Department needs to see people as people, rather than "offenders". Until it does this, the Department is working against rehabilitation and reintegration.

Conclusion

70. I have spent a large part of my brief talking about my own experience of successful rehabilitation. This is because it is a complex and ongoing process. But it is important to note that my experience of the Department sits within a continual practice of historical, political and economic amnesia by it and more generally by the New Zealand Crown. The Department must acknowledge this to do better for Māori, but we cannot ignore that the Crown also needs to face the consequences of New Zealand's past.

Date: 06/05/2016



Dr Rawiri Waretini-Kareha