



Expert Mechanism on the Rights of Indigenous Peoples  
 7<sup>th</sup> Session: Continuation of the Study on Access to Justice  
 8 July 2014

Ngā mihi nui, kia koutou katoa

Warm greetings to you all

New Zealand welcomes the continuation of the Expert Mechanism's study on access to justice and thanks them for their comprehensive report. There continue to be a number of pressing challenges in achieving access to justice for indigenous peoples, and the situation in New Zealand is no exception. The Expert Mechanism's report sets out a comprehensive overview of the limitations of contemporary juridical processes, and provides useful guidance on areas where progress can be made; notably in restorative justice, ~~and~~ justice for indigenous women, youth and persons with disabilities.

As the report notes, New Zealand has a well-established restorative justice system through the Waitangi Tribunal, a process underpinned by the founding document of our country, the Treaty of Waitangi. As of this year over 50 % of iwi (tribes) have signed deeds of settlements, reflecting significant efforts on the part of the Crown and numerous indigenous groups over the past three decades. From 2015 the Tribunal will begin to shift its focus from historical area based claims to contemporary claims of breaches of the Treaty – an important step towards acknowledging the continuing need for reconciliation and redress in New Zealand Aotearoa.

New Zealand agrees that over-representation of Māori in the criminal justice system as both victims and offenders is a serious problem, and significant progress has been made in this area. Many policies that are currently in place draw on the approaches recommended by the Expert Mechanism in this and previous reports, taking into account the multiple social and cultural factors which are part of the underlying problem.

A new set of Government initiatives announced in April use a holistic approach in attempting to tackle interlinked issues of crime, vulnerable families and victims of crime in partnership with indigenous community leaders. In a number of regions around the country, a Community Justice Panel, made up of Māori leaders and elders, meets with offenders to agree on a way to repair the harm they have caused, and to deal with factors that are leading to their offending. The process is facilitated by the local restorative justice provider and applies restorative principles, focused on repairing harm.

Justice sector agencies have also been working collaboratively to co-ordinate their frontline activities in local communities and ~~more recently~~ to strengthen their activities with Māori leadership. One such example is the E Oho Rangatahi, a Hamilton based initiative designed for youth offenders. Each programme has 12 participants who are

Kirikiriroa

selected after referral from youth workers, Child Youth and Family and Police youth aid. The programme is hosted, and funded, by the local Māori wardens on Kirikiriroa marae. The young people attend three noho marae (weekend stays) over a 3 month period. While attending the programme the youth offenders examine, among other things, the impact of the crime on the victim.

Tēnā koutou, tēnā koutou, tēnā koutou katoa.

I thank you. *Thank you m. chris.*