

## Mana Ōrite Relationship Agreement

**Between:** Ināia Tonu Nei (ITN)  
**And:** Justice Sector Leadership Board (JSLB)  
**Commencement Date:** 13 November 2020

### 1. PURPOSE

This agreement embodies the intentions of ITN and JSLB to establish and maintain a mana ōrite relationship. The purpose of this mana ōrite relationship is to create a future that benefits both Māori and all New Zealanders by transforming the justice system whereby Māori are no longer affected by the impacts of institutional racism, whānau and communities are empowered, and the system focuses on healing and restoration. It is agreed that neither Māori nor the Crown can do this alone and so this mana ōrite relationship is a necessary foundation for justice system transformation.

### 2. MANA ŌRITE

ITN and the JSLB have chosen to describe this relationship as a mana ōrite relationship, where by both parties recognises each other's capability, authority and role in this relationship. Their respective views and differing accountabilities will be heard, considered and afforded equal influence. This means the parties acknowledge and accept each other's unique perspectives, knowledge systems and world views as being equally valid to decisions made under the relationship established by this agreement.

### 3. RELATIONSHIP PRINCIPLES

Both parties honour the following principles in the conduct of the relationship:

- **Mana Ōrite:** We will respect, consider and hear each other's views while affording equal explanatory power on all matters of discussion and decisions.
- **Toka Mauri:** We will be conscious of the voices that are not present in the room. They will guide us, and we will continue to reach out to these groups to test our direction.
- **Aroha:** We will continue to strengthen our relationships through respect, integrity, empathy and commitment to the kaupapa and aroha for each other.
- **Rangatiratanga:** We will work as one to navigate towards our common purpose while respecting the autonomy and independence of hapū, iwi and Māori.
- **Kaitiakitanga:** We maintain a shared culture of respect, guardianship, care and protection for our kaupapa. We recognise that this relationship is a taonga that we have the moral obligation to protect and feed.

*Te amorangi ki mua, te hāpai o ki muri - The leader at the front and the workers behind the scenes.*

For a sustainable and transformational change to occur, the principles of this relationship must be carried out at all levels. The mahi of the leaders is as important as the workers behind the scenes.

4. SIGNATORIES



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Dee-Ann Wolferstan



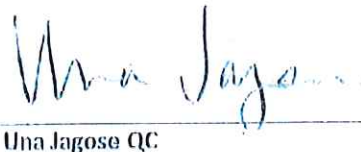
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Andrew Kibblewhite



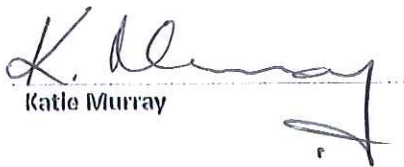
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Rikdrangi Gage



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Una Jagose QC



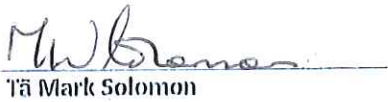
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Katie Murray



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Andrew Coster



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Tā Mark Solomon



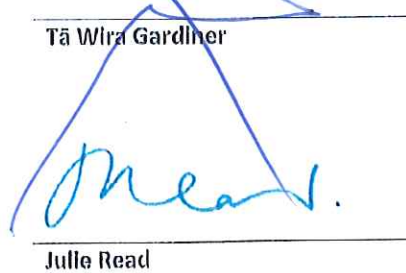
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Jeremy Lightfoot



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Tā Wira Gardner



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Julie Read



## 5. WHAKAPAPA

The parties of this agreement acknowledge the journey of each party (and whom they represent) to this point and look to understand what has been to inform the journey to come.

### Te Riu Kawanatanga:

In 2018, the Government established and launched Hāpaitia te Oranga Tangata, Safe and Effective Justice Programme, to develop long-term solutions to keep people safe, allow communities to thrive and build a new justice system. As part of the Hāpaitia te Oranga Tangata programme, the Minister of Justice invited people to come together at a Criminal Justice Summit, with the purpose of hearing ideas for a new direction for the criminal justice system.

### Te Riu Māori:

Māori who attended the summit were frustrated at the lack of Māori voice at the summit and called for an intentional space to discuss a Māori response to the reform of the justice system. The Minister supported the action and made a commitment to enable Hui Māori to take place. A volunteer group, Te Ohu Whakatika, was formed from those in attendance at the summit to design and convene a Hui Māori.

Hui Māori was held in Rotorua in 2019. Over 200 Māori with extensive criminal justice experience gathered for this hui and empowered by the theme *Ināla Tonu Nei – we lead, you follow* - the hui culminated in a strong call to establish a mana ōrite relationship model with the Crown.

Through Hui Māori the Crown were also privy to the work of generations of Māori, who have relentlessly advocated for and provided significant kōrero, research and evidence towards reform and transformation of the justice system and more broadly, constitutional transformation.

This mana ōrite agreement and relationship goes some way to acknowledging these voices and the significant contribution of those who came before us - *Nā rātou e ārahi ana i a mātou*.

## 6. TE WAKA HOURUA

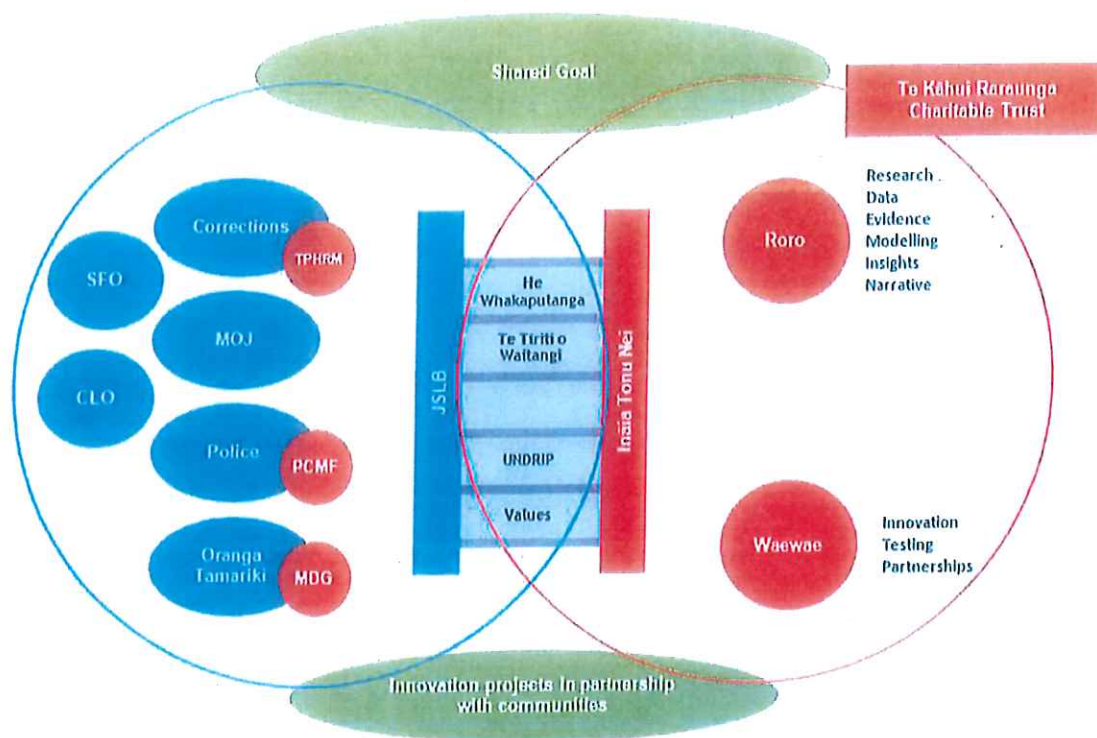
Te Waka Hourua is often used as an analogy to represent the relationship between Māori (one hull) and the Crown (the other hull). Individually each hull can function on its own, however the stability, speed and strength of the waka is only realised when the two sides are lashed together and work as one.

This analogy is about true partnership and achieving a shared goal by harnessing resources, knowledge and experience on both sides to navigate the stars, to paddle the waka, to read the winds and seas and arrive safely at the desired destination. For those on the waka, the journey is often just as important as the destination.

The relationship between JSLB and ITN to date has utilised this model in aid to visualise the potential challenges and opportunities for the journey ahead, to harness the change in tides that will enable the Crown and Māori to become more effective together.

This relationship will look to operate within the context of each party's current relationships, while also looking to strengthen its ability to transform the system by including others along the way. The current relationships that exist include the Māori advisory and leadership groups connected to Ara Poutama, NZ Police and Oranga Tamariki.

As this mana ōrite relationship moves forward, the parties must be mindful of these groups and how they can be utilised to strengthen the waka and its ability to navigate the waters of change.



## 7. WORKING TOGETHER

While navigating this relationship both parties agree that this mana ōrite relationship is underpinned by the understandings that:

- Te Tiriti provides for the exercise of kāwanatanga by the Crown in exchange for active protection of te tino rangatiratanga of tāngata whenua, and
- Māori are best placed to identify what works for Māori and must have a lead role in decision-making, in design and in delivery of responses for Māori.

ITN acknowledges;

- accountabilities to Ministers, Departments and constraints of the constitution,
- JSLB's commitment to progress the Māori/Crown relationships, and
- JSLB's commitment to strengthening their agencies' Māori capability.

and JSLB acknowledges;

- ITN is accountable to Māori and brings leadership, knowledge of the justice system, Māori knowledge and experience, and
- ITN is well placed and qualified to identify solutions that work for Māori.

Both parties acknowledge that this mana ōrite relationship is in addition to, and not a substitute for, the broader relationship between Māori and the Crown.

In carrying out any actions or activities associated with this agreement the parties will engage with each other on a mana ōrite basis, which includes the voicing and hearing of puku kōrero, engaging in free and frank/straight up discussions and debate.



## 8. HOW WILL WE OPERATE

**Confidentiality:** The parties will:

- work openly and in good faith; raising and responding to queries or concerns from the other party regarding privacy or confidentiality;
- treat all information supplied with due care and diligence;
- respect and comply with the tikanga that each party sets for their information; and
- proactively alert each other to any issues or concerns regarding privacy and confidentiality or involving public (media) comment in regard to this relationship or associated joint programmes or work.

**Intellectual Property and Sharing of Information:** To act transparently and in good faith, honouring the intellectual property of each party, while also sharing information to the extent possible, to ensure that the kaupapa of this agreement is achieved effectively.

**Evaluation and Review:** This agreement records a commitment to a mana ōrite relationship. The parties acknowledge that over time the nature and focus of the relationship will evolve to reflect changing circumstances. The parties will meet for this purpose every two years or otherwise as agreed. The parties will conduct all review processes in a manner that reflects the principles of this relationship agreement.

**Amendments:** The parties may at any time amend this agreement to reflect changing circumstances as necessary. This will be through a mutually agreed process.

**Joint Work Programme Schedules:** As this mana ōrite relationship develops, a joint work programme will be appended as a schedule to this agreement. Schedules will be mutually agreed and will include the operational detail to support the programme. All schedules can be changed as and when necessary through a mutually agreed process.

**Funding:** Mutually agreed and reasonable meeting and travel costs for ITN members will continue to be met by the Ministry of Justice. This will include attending scheduled meetings with the purpose of progressing this agreement and the associated joint work programme. This arrangement will be reviewed in conjunction with the relationship review every two years.

Individual initiatives under the joint work programme schedules will specify any additional funding and resource arrangements as required.

**Disputes Resolution:** Any issues or concerns arising out of this agreement shall be resolved through tikanga based kanohi ki te kanohi discussion with the Chair of JSLB or the identified person from ITN in the first instance. If issues escalate, the parties commit to a process that respects the Principles of this Agreement.