HERMAN GOLDSTEIN AWARDS 2018







A Prevention Response to Indigenous Maori Youth Offending and Re Offending in Eastern Bay of Plenty, New Zealand



EXECUTIVE SUMMARY

Maori are the indigenous people of New Zealand. They make up 15.6% of the total New Zealand population, but are significantly over-represented in the criminal justice system. Their over-representation can be seen in high proportions of Police proceedings, those in prison, in victimisation and also in New Zealand youth crime statistics.

The over-representation of Māori in the justice system has significant consequences for New Zealand society. Primarily, it significantly reduces whänau (family) wellbeing and diminishes the chances for Māori encountering the criminal justice system to live prosperous and healthy lives.

The specific problem of Maori over-representation in youth offending was particularly notable in Whakatäne, a town in the North Island of New Zealand. For the past 20 years, Whakatäne had a high proportion of Maori youth apprehensions, on average 80% of total Police apprehensions.

Analysis showed that there were many social factors contributing towards this problem – Whakatäne is rated highly in terms of its deprivation levels and a study had showed that nearly a quarter of children in the area possessed two or more of four indicators of poorer life outcomes (such as being abused/neglected, being supported by benefits since birth, having a parent with a prison/community sentence, having a mother with no formal qualifications). Added into this mix was that many felt disconnected from their cultural backgrounds. Yet despite these findings, there was no service available to help these individuals.

Oho Ake was developed in 2010 to address these gaps. Specifically it aimed to address underlying causes of offending within an indigenous (Maori) practice framework.

Oho Ake works with the whole family to identify any social and health needs which impacts on offending. Using a holistic approach, needs are assessed which may involve intergenerational abuse, neglect, addictions, family harm, housing, financial, employment and cultural disconnection. Through Oho Ake, support is provided to address these issues, with the ultimate aim of stopping reoffending. Oho Ake was assessed in 2014 and it has been found that young people's reoffending has either stopped entirely or involvement in OHO Ake has led to a significant gap in further offending. Many of those who have been through OHO Ake had re-entered some form of education and reduced substance abuse and anti-social behaviour.

Oho Ake continues to be monitored. Since 2010 over 150 individuals and their whänau have been through the initiative and it has been rolled out further across New Zealand.

(Word count= 397)

DESCRIPTION

SCANNING

Setting the scene: New Zealand

Aotearoa New Zealand has an estimated (2017) population¹ of 4,844.2 million people and a land mass of 103,483 square miles (268,021 km), similar to that of the United Kingdom (UK). Māori are the indigenous and first people to arrive in New Zealand, believed to be around 1250 to 1300. In 1769 Captain James Cook mapped the whole coastline of Aotearoa New Zealand and in subsequent years (late 1700s) saw European migration to the country. A treaty was developed and signed between the British Crown and Maori Chiefs representing most of New Zealand's indigenous peoples in 1840. This is has now been recognised as Aotearoa New Zealand's founding document, Te Tiriti o Waitangi – The Treaty of Waitangi. It established British law in New Zealand and gave Māori ownership over their lands.

Aotearoa New Zealand is a member of the British Commonwealth and maintains close, friendly relations with the USA and Australia. Aotearoa New Zealand is very well known internationally for its trade in horticultural produce and cattle and sheep farming exports and its nuclear free stance. Aotearoa New Zealand is also well known for its sporting ability – especially in rugby (our national game) – with the All Blacks (men's team) and Black Ferns (women's team) being the current world champions.

¹ https://www.stats.govt.nz/topics/population/

Eastern Bay of Plenty

The Eastern Bay of Plenty is in the North Island of New Zealand. Eastern Bay of Plenty comprises of three main towns - Whakatäne, Öpötiki and Kawerau. The 'Eastern Bay' has a current population of 50,500 people.

The total area has a land mass of 7,500 sq. km (2,895.76 sq. miles). It has over 200km (124.27 miles) of coastline.

The three towns of the Eastern Bay of Plenty are ranked amongst the most deprived areas of New Zealand², with Kawerau and Öpötiki being ranked as the first and second most deprived areas respectively. (Figure 1)

The Whakatäne area is the location where this SARA initiative was carried out. It has seven iwi (Maori tribes) within its borders and over 40% of the Whakatäne population (see also Figure 2) identifies as Maori (compared to approximately 15.6% nationally). Data from 2013 show that about 49% of households in Whakatäne experience the highest levels of deprivation, compared to national proportions of about 20%.³ This means that there are nearly two and a half times as many people that experience the highest levels of deprivation in Whakatäne compared to the national average (Figure 1).

The Problem: Nationally

Nationally Māori make up 15.6% of the New Zealand population (see Figure 2) but are significantly over-represented in the criminal justice system. In 2016/17:

- Māori made up 38% of adults proceeded against by Police, and 46% of people under the age of 20 proceeded against by Police.
- Māori made up 53% of all men starting prison sentences and 65% of all women starting prison sentences.

² Treasury (2016) Characteristics of children at greater risk of poor outcomes as adults. Analytical paper 16/01. Wellington: NZ Treasury. ³ Treasury (2016) Characteristics of children at greater risk of poor outcomes as adults. Analytical paper 16/01. Wellington: NZ Treasury.

Māori also made up 65% of sentenced people under the age of 20 in prison (or 62% of those under 20 in prison on remand⁴ see Figure 3).

Māori are also over-represented as victims of crime. In 2013, 33% of Māori had been a victim of one or more offence, compared to 24% for all people in New Zealand. Māori were also found to have been more likely to be victims of violent interpersonal offences, burglary, and theft and damage offences.⁵

The over-representation of Māori in the justice system has significant consequences for New Zealand society. Primarily, it significantly reduces whänau wellbeing and diminishes the chances for Māori encountering the criminal justice system to live prosperous and healthy lives.⁶

The harm caused to Māori through the erosion of whänaungatanga (kinship ties) is most keenly felt by a small number of whänau (family), who experience intergenerational family trauma and difficulties as a result.

The Problem of Maori overrepresentation in youth offending

The problem of Maori over representation is also notable in the youth population. Maori youth (0-16 years old) are disproportionately represented as both victims and serious offenders. Although Maori youth account for 25% (266,010) of New Zealand's total youth population, they are responsible for 57% of Police proceedings by this age group. Of all youth offenders, over a quarter (28%) are repeat offenders, and of these 63% are Maori. (Figure 4).

Many of these youth coming to Police attention had proceedings against them for Unlawful Entry/Burglary, Theft, or causing injury offences.

The number of young people going through the Youth Court has decreased over the past five years. However the number of Maori young people has increased, for example from 2015 to

⁴ Youth offending Team data (2017) Youth crime action plan. Justice Department, Wellington. New Zealand.

⁵ Ministry of Justice (2016) Cabinet proposal on Oho Ake funding. Unpublished.

⁶ Ministry of Justice (2016) Cabinet proposal on Oho Ake funding. Unpublished.

2016 there was a 9% increase in the proportion of Maori going through the Youth Court compared to 1% decrease of European young people.⁷

The Problem in Whakatäne

These problems of Maori over-representation in the justice system, particularly of Maori youth, are highly concentrated within the Whakatäne area. As mentioned earlier, there is a high proportion of Maori within the Whakatäne area (compared to national statistics), high deprivation levels, and a high proportion of Maori victims, (i.e. in 2017 43.6% victims in Whakatäne were Maori compared 20% nationally). ⁸ Young people in the Whakatäne area are more at risk of both becoming victims of crime and subsequently becoming offenders themselves. To illustrate the scale of the problem, Whakatäne has had a high proportion of Maori youth apprehensions, on average 80%, of total Police apprehensions for the past five years.⁹

Mirroring the national trends, in 2015/16 in Whakatäne, most of the youth coming to Police attention (60%) had proceedings against them for Unlawful Entry/Burglary, Theft, or causing injury offences.¹⁰

At this stage we defined our problem as

"Maori youth over representation in the Criminal Justice System in Whakatäne".

ANALYSIS

To understand this problem of Maori youth over-representation, local Police looked at what the underlying drivers or contributing factors of this problem might be. As mentioned above, the over-representation of Maori in the justice system leads to further problems such as intergenerational family trauma and other adverse outcomes.

This family trauma can include children and young people being repeatedly exposed to family violence, abuse and neglect, alcohol and drug abuse, and mental health related issues, which

⁷ Trends in Child and Youth Prosecutions 2016 Ministry of Justice

⁸ https://svsasva.police.govt.nz/SASVisualAnalytics/report

⁹ Bay of Plenty (July 2017). Strategic Assessment Youth. Unpublished.

¹⁰Ministry of Justice (2018) Youth Crime Action Plan. Youth Justice Key Performance Indicators Report.

then places them at a considerably higher risk of criminality later in life, if these factors cannot be addressed. In fact, it is estimated that childhood maltreatment is a universal risk factor for antisocial behaviour which increases subsequent criminality by about 50%.¹¹

Local statistics back up this finding. Local data from Whakatäne shows significant proportions of offenders coming to law enforcement attention have previously been victims of family violence and child abuse or neglect. A review of over 16,000 child and youth offender records since 2013 indicated approximately 80% of offenders under the age of 17 had evidence of family violence in their homes. Over half of these individuals had been the subject of a Child Youth and Family (New Zealand government department responsible for protecting children) notification.¹²

In addition to the intergenerational harm link to offending, in a study by New Zealand Treasury of children aged 0-14 years in Whakatäne, 24% were found to possess two or more of four indicators that have been associated with having poor outcomes later in life. These indicators include being abused or neglected, being mostly supported by benefits since birth, having a parent with a prison or community sentence and having a mother with no formal qualifications. This is 80% more than the national average¹³. (Figure 1).

Lack of culturally available preventative services

Finally, local Police found that there was a lack of available services within the Whakatäne area to address these underlying factors. This was not adequately addressed by existing services provided to individuals, which usually try to build up an individual's protective factors (e.g. education, employment) or remove risk factors (e.g. substance abuse). Further compounding this is that many Māori are considered "hard to reach" by service providers and do not have access to—or have not been given a reason to repose their trust in—support services.

Whilst there were some services available that are more likely to support young people and their families/whänau to manage difficult life situations, (such as youth services, professional youth mentoring services, alcohol and drug community programmes, strengthening families,

¹¹ Treasury (2016) Characteristics of children at greater risk of poor outcomes as adults. Analytical paper 16/01. Wellington: NZ

¹² Treasury (2016) Characteristics of children at greater risk of poor outcomes as adults. Analytical paper 16/01. Wellington: NZ ¹³ Ibid

permanency establishment, social work support and respite care, family and crisis counselling services, community based programmes), these services tend to focus on one area of need and do not respond to the multi-faceted nature of the young person's needs.

Services also tend to be reactive rather than preventative; they tend to be offered at key crisis points, such as Family Group Conferences or Youth Court before assessments and targeted programmes or services can be accessed, rather than targeting at-risk populations to prevent offending behaviour before it escalates. For example, justice system, care and protection services, forensic mental health services, education and psychological assessment for youth offenders.

Overall, the coverage and uptake of these services is not clear at a granular level where one can articulate exactly who is receiving which service. However coupled with a stocktake of existing initiatives, and our feedback from critical frontline voices, local police were confident that through this analysis they had a reasonable understanding of the gap.

In addition to the lack of general services, local Police found that while the majority of our Maori Youth Offenders had identified themselves as Ngatï Awa and Tühoe tribes (based on Police data), a large number identified as being disconnected from their traditional cultural framework of Whänau (family), Hapü (sub tribe) and Iwi (main tribe).

To elaborate, many Youth Aid Officers had observed and encountered signs and symptoms of cultural disconnection in the routine course of their home visits with families. Often this was through confidential disclosure from families such as 'we hail from such-and-such a place, but we don't really go back there', or 'our Iwi (tribe) is such-and-such, but we have lost all connection since our grandfather died' or similar disclosures.

The local police talked to other New Zealand Police districts to find out how they had addressed the issues of disconnection. However, there was no other Police District across the country that was doing anything to address this.

There was no Tikanga (cultural) based process identified nationally, even though Tikanga has been identified in New Zealand Police's Turning of the Tide Strategy, the Oranga Tamariki Act 1989 and the New Zealand Government Puaoteatatu Report of 1986 as a critical component in addressing Maori offending.

It was clear the current Youth Justice system was not catering for these families with culturally appropriate responses to reconnect them to their whänau, hapü and iwi. What was needed was a response that would simultaneously address the issues of cultural disconnection and mitigate the underlying factors.

At this point, with this information from our analysis we redefined our earlier problem statement as:

"A lack of culturally appropriate responses for young Maori offenders to reconnect them to their tribe and address underlying social factors".

We thought that if we could address this gap by *providing a service to target these underlying* factors and this cultural disconnection, we could then reduce the number of young Maori offenders coming into the justice system in Whakatäne. This became our hypothesis.

RESPONSE

"Governments are not in the business of loving children, that's not their business. They are not in the business of caring for families - they'll have a go at it but will always fail. You, who belong to a whänau, hapü and iwi, well that's your business. You're in the loving business, you're in the whänau business."

Tamati Kruger, Chair, Tühoe Te Uru Taumatua

What is Oho Ake?

To address these issues with a lack of available responses considering cultural disconnection and the underlying factors that predispose a young person towards offending, in 2009/10 Oho Ake was developed. Oho Ake (To awaken) addresses offending by Maori in New Zealand. It aims to reduce the likelihood and severity of future offending, and improve social outcomes of rangatahi (youth) and tamariki (children).

Oho Ake was developed by the Eastern Bay of Plenty Police and Tühoe Hauora Iwi Social Services. It is a collaborative approach that relies on partnerships with community, iwi, and iwi specific social service providers. The initiative uses cultural and Tikanga (customary) informed approach of whakawhänaungatanga (kinship and social relations, see Appendices). The initiative identifies Māori children and young persons who have committed an offence or come to the attention of Police for an incident, or experience other serious consequences for their behaviour. For example, children and young people who are struggling to engage with school, or who are the children of people with mental health needs, alcohol and other drug issues and uses this as a catalyst for intervention with the whole whänau/family.

The initiative aims to foster protective factors that improve a range of social outcomes, assist in cultural reconnection and being a whänau (family) hapü (sub tribe) based service, benefits also accrue to siblings, and to a lesser extent, parents and caregivers. Through this initiative, ultimately the aim is to stop young people reoffending.

How does OHO Ake work?

Police contribute to the intervention by recording information including their observations of youth and their family at the first opportunity or contact point. This may include offences or incidents, such as taking a young person home. In an environment of prevention, a mind-set that every interaction we have with a family/whänau is a prevention opportunity and is encouraged.

Once the referral is accepted, Tühoe Hauora gather background information from other professionals (if there has been previous or current work with the young person) including schools, doctors, specialist services such as Adolescent Mental Health etc. Subsequently, a Mauri ora conceptual framework is implemented which emphasises the importance of whakawhaungatanga (meeting and greeting the young person and whänau in an environment that meets their needs – usually in their homes). During this time whakapapa (connectedness via our tribal and hapü links) is exchanged which provides a foundation of getting to know the young person and their whänau and also provides a basis of being able to work together.

This hui (meeting) can take anything from 2hrs to 2 days if required – the next steps are not progressed until all parties are comfortable with each other and there is agreement to work together to improve the situation for the young person and the rest of the whänau. Issues such as intergenerational abuse, neglect, addictions, family harm or head injuries that may have an impact on how the young person or the whänau view themselves are also noted. Tühoe provide the support, or assist in engaging other support services, to address these underlying issues

Where cultural disconnections have been noted, Tühoe Hauora's social workers and cultural practitioners conduct a more in-depth analysis and cultural audit in their needs assessment with the young people and their families.

Once sufficient information about the young person and their whänau is collected, gaps are identified in the whänau unit (including financial, housing and employment etc.). Another hui (meeting) is then held with the all of the whänau who live in the house (95% of these hui's are held in the home) and anyone else they believe could add value to the conversation. If the meeting does not conclude within one sitting, further hui's are held until everyone feels they have had the opportunity to contribute. Again Tühoe provide the support necessary, or facilitate assistance of other agencies to address these identified gaps. The fundamental approach throughout this process is focused on the strengths of the young person and their whänau, not the negative (which is different from other experiences these whänau have experienced).

Although simplistic in approach, this process is an area of practice that requires expertise both in tikanga approach but also theory and practice models that are conducive to the way in which Maori feel included in the process.

Police receive updates on the individual cases but once the referral is made Police do not get involved unless further requested by Tühoe Hauora. The Police case will generally be closed within three months.

All Oho Ake partners recognise that subsequent changes in young people and their family's behaviour do not occur overnight due to the complex high end needs that many young people

and their whänau present with. The partners expect some "bumps in the road" due to these circumstances, but persevere through these bumps as they arise.

Case Study: "T" aged 13 years

April 2010: "T" first came to the attention of police when truant from school aged 13.

September 2010: T came again to police attention for burglary offending

A home visit and enquiry was undertaken by police and found:

- Drugs and alcohol use
- > Truancy
- Gang associated family
- > Deprivation
- Separated parents and the custodial parent with severe mental health and drug issues
- > Older Sibling Offenders (two killed in drink driving crash)

November 2010: T referred to Tühoe Hauora whose assessment identified his mother suffered from schizophrenia and bipolar disorder. T was living with his mother and his grandfather. Family harm was prevalent in the environment – the grandfather was contributing to this by strictly controlling all finances of both T and others within the household.

Over the first three years T was involved with Oho Ake he committed five thefts, eight burglaries and seventeen truancy notifications. Most of these offences occurred within the first 6 months of T being referred to Oho Ake in 2011 where his mother was hospitalised with her illness and extreme pressure placed on the family.

Tühoe worked with T and his mother to remove them from their unsafe environment; helping them get their own place through Housing New Zealand, which Tühoe helped furnish. They also helped his mother get the support needed to address her mental health problems. Tühoe provided T with a mentor to ensure he went to school and was not truant. They also provided him with assistance in his interpersonal relationships. He then did not offend for a year, until he committed a minor theft at age 15.

Since the age of 15 years T has not come to the attention of police again. He is now aged 21, has a partner and children and is engaged in full time employment as a farmer. He has been influential in getting his peers into farming.

ASSESSMENT

Oho Ake was designed and developed to reduce the likelihood and severity of future offending, and improve social outcomes of rangatahi (youth), whänau (families) and tamariki (child) including younger siblings within Whakatäne.

To determine the effectiveness of the initiative in achieving that aim, the partners together looked at police data, and independent review from 2014 and from the case study, the cost benefit analysis of the intervention for T.

Since 2010, over 150 individuals and their families have been through Oho Ake, (averaging 3 siblings and 2 adults, including other family members living in the household per family). Oho Ake's predominate demographic are:

- ✓ Gang families
- ✓ Living in serious poverty
- ✓ One parent families
- ✓ Multiple families living together
- ✓ Multiple issues including drugs, alcohol and mental health

Results from the 2014 independent review found:

- ✓ 49% of Oho Ake rangitahi (not been in the review less than 2 years) had not reoffended since their original referral.
- ✓ 51% had gaps in reoffending from three months to four years a significant gap in the reoffending rate of this group.
- Positive benefits: The majority of rangatahi had re-entered some form of education or work environment, parents had become more active in their child's life with a

reduction in substance misuse and all benefitted by reconnecting to tikanga and their whakapapa.

✓ A growing confidence in community collaboration.¹⁴

Although the independent review of Oho Ake was positive, Oho Ake continues to be assessed. More recent Eastern Bay of Plenty Police data on youth cases showed a decrease in the numbers of Family Group Conferences (Figure: 5) and youth cases from 2010 to 2017 (Figure 6). This is significant as nationally the youth cohort is decreasing overall. However Maori as a cohort are still increasing nationally.

Costs benefit: Case Study

To determine the cost benefit analyses, information from the case study of "T" was used. The average costs of the thefts and burglaries from New Zealand Treasury Cost Benefit Analysis (CBAx) tool¹⁵ were calculated as costs per offence and multiplied by the number of offences T had committed. These were then averaged over each year T was in Oho Ake i.e. 5 thefts divided by 3 years which resulted in an average potential occurrence of 1.667 Thefts and eight burglaries divided by the three years resulting in 2.667 Burglaries.

Using the same formula, assuming his offending would stay the same and not escalate, 1.6 Thefts and 2.6 Burglaries per year (rounded down to be conservative) over a four year period? These potential offences were then multiplied by the average costs of these offences. This gave a potential saving of \$158,412.64 for T's case (see Figure 7)

Savings were also noted on Impact on school truancies. Using the same CBAx tool, costs each of T's 17 truancy incidents were calculated at \$1,286 per day. T's truancy behaviour stopped within eighteen months of being in Oho Ake. Figure: 7

Oho Ake is now in its 8th year of running. It has been adopted by 3 other iwi social services in the Eastern Bay of Plenty and further afield in Taupö (town in the Central North island of New

¹⁴ Montgomery, K. (2014). Tühoe Hauora, Oho Ake Evaluation. Unpublished.

¹⁵ https://treasury.govt.nz/information-and-services/state-sector-leadership/investment-management/plan-investment-choices/costbenefit-analysis-including-public-sector-discount-rates/treasurys-cbax-tool

Zealand). Oho Ake has also influenced government strategy. It has influenced New Zealand Police's Youth Crime Action plan as a model of practice to:

- 1. Partner with Communities
- 2. Reduce escalation of offending
- 3. Early sustainable exits from the Criminal Justice system, particularly for Maori

Oho Ake has helped identify that early intervention and engagement with whänau (families), and better communication and collaboration with iwi is key to prevent children and young people from offending or re-offending, and reducing disparities for Maori.

Furthermore, New Zealand's Ministry of Justice has prepared and developed a business case and submitted to government to roll this initiative out nationally.

This initiative has been developed in partnership with Tühoe Hauora and the New Zealand Police, and further supported with agency collaboration (Ministries of Education, Health, Social Development, Justice, and the State Services Commission) through the area Youth Offending Team as part of the Youth Crime Action Plan.

This initiative has led to the development of further collaboration between New Zealand Police, Oranga Tamariki (via Ministry of Social Development) and Tühoe Hauora Hui a Whänau, to undertake Iwi led whänau (family) group conferencing.

Oho Ake represents a significant development in collaborative social work practice in Aotearoa where statutory and iwi organisations meet to support whänau. It is possibly the first of its kind in the world to address the over-representation and re-entry of Maori children and their families into the statutory social welfare and justice systems.

(Word count = 3.993)

Agency and Officer Information

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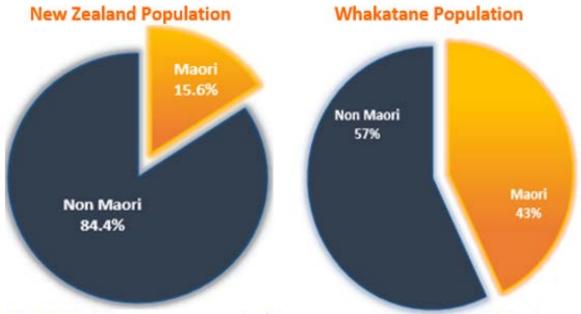
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Appendices

Almost half of all households in Whakatane experience the highest levels of deprivation. Nationally, this proportion is closer to 20%.



Figure 1: Findings from New Zealand Treasury study 15/01 on Whakatäne children



By 2038, Maori are expected to account for nearly 20% of the New Zealand population.

Figure 2: Maori population of New Zealand and Maori population in Whakatāne

Children with two or more key risk indicators are more likely to have poorer outcomes later in life. In Whakatane, 24% of 0-14 year old children possess two or more of these indicators. They

5 x	more likely to be referred to Youth Justice services
4 x	more likely to be on a main benefit for at least 5 years from age 25 - 34
4 x	more likely to have received a prison or community sentence from age 25 -34
Зх	more likely to have achieved no school qualifications

Figure 3: Levels of deprivation in New Zealand and Whakatäne

28% of youth offenders are repeat offenders

63% of those repeat offenders identify as Maori



Figure 4: The proportion of Youth offenders who are Repeat offenders

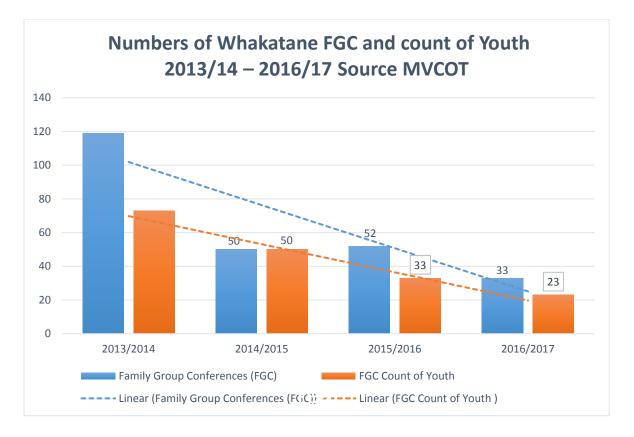


Figure 5: Numbers of formal Family Group Conferences including Court Ordered and Youth involved in these Whakatäne.

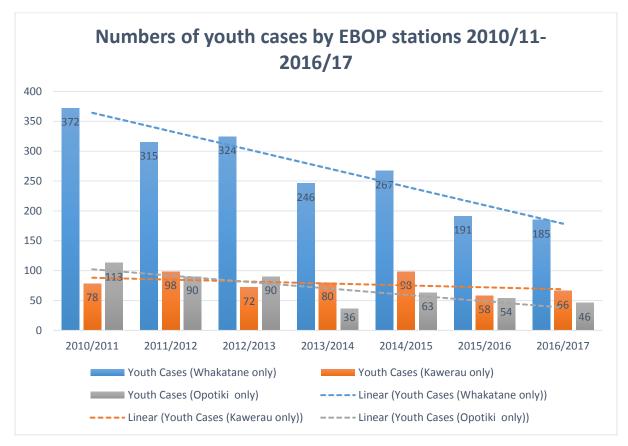


Figure 6: Number of Police Youth Cases 2010 to 2017

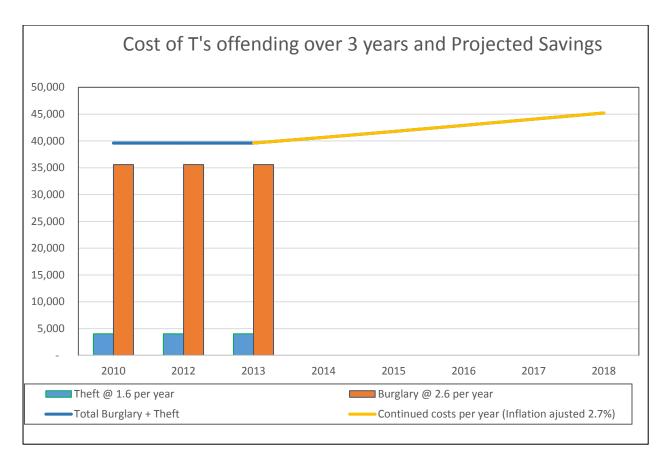


Figure 7: Cost of T's offending over 3 years and project

Case Study: "T" Cost savings

Ministry of Justice costs per crime

3 Years of Offending by T:

Theft x 5 @ \$2519.23 = \$12,596.15

Burglary x 8 @ \$13,681.69 = \$109,453.52

Continuation of his offending would average out his offending at 5 thefts divided by the 3 years of his offending which equals 1.6 theft per year. Eight burglaries divided by 3 years equals 2.6 burglaries per year.

T has not re-offended for 5 years. However, because 2018 is only a part year, in determining costs we averaged potential savings from 2014-2017 (i.e. 4 years).

4 years x 1.6 potential thefts @ \$2519.23 = \$16,123.07

4 years x 2.6 potential burglaries @ \$13,681.69 = \$142,289.58

Total cost of his continued offending to end of 2017 would be = \$158,412.64

Appendix 1:

TIKANGA BASED INTERVENTION PROCESS ©

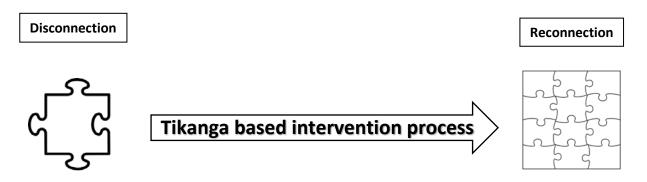
By Joshua Kalan, Police Iwi Liaison Officer, Eastern Bay of Plenty

Fig. 1. 'The Cultural Continuum'



The most 'successful' Māori have the 'cultural capital' and skills to effectively operate in both Māori and Mainstream societies. Some can only operate effectively in one society and not the other. Conversely, those who feature heavily in the New Zealand Justice system lack the skills and 'cultural capital' to effectively operate in either. These will often 'opt out' and form their own subculture outside of mainstream based on commonly held values and activities (e.g. crime; gangs). A tikanga based intervention process seeks to equip people with the cultural capital and skills to effectively engage in both worlds.

Fig. 2. The Cultural Disconnect



A lone jigsaw piece is disconnected and aimless, a law unto itself. It will only realise its potential in relationship to others. It will only find its meaning, purpose and identity within the context and accountability of its own social and cultural framework. Likewise many Māori youth offenders, sometimes whole families, are products of generational disconnection and cultural disruption. This cultural disconnect and disruption contributes to crime. The reasons are varied, but historically include land alienation, urbanisation and assimilationist policies.

A tikanga based intervention process addresses this disconnection by reconnecting Māori with their cultural values and framework, equipping them with the awareness and skills to reconnect with their cultural identity. A tikanga based intervention process addresses the fundamental but crucial issues of 'Who am I? Where am I from?' and 'Where am I going?' and gives disconnected people something to be proud of and a destiny to live up to.

A basic tikanga based intervention process will at the very least reintroduce and reconnect a person to their Iwi (tribe), hapū (clan, or sub-tribe) and marae (ancestral gathering space). It may address cultural needs such as initiating a te reo Māori journey and cultural awareness while addressing more 'felt needs' and 'cultural capital' such as opportunities for further education and employment goals, drivers licence and budgeting. The difference is in the delivery (tikanga based process) and the practitioners, who work from a tikanga informed practice framework.

Tikanga Defined

"Generally speaking, tikanga are Māori customary practices or behaviours. The concept is derived from the Māori word 'tika' which means 'right' or 'correct' so, in Māori terms, to act in accordance with tikanga is to behave in a way that is culturally proper or appropriate. The basic principles underpinning tikanga are common throughout New Zealand. However, different iwi (tribes), hapū (sub tribes) and marae (Māori community meeting places) may have their own variations."

Victoria University, retrieved at www.victoria.ac.nz/maori-at-victoria/ako/teaching-resources/tikanga-tips

...I think for too long the monocultural approach of the law in the New Zealand justice system has prevented genuine involvement from the Māori community. In fact hapū-iwi involvement is what the law demands. It's what the legislation specifies for youth justice. We've been very slow to develop it...

Former Principal Youth Court Judge and current Children's Commissioner, Andrew Becroft

retrieved at https://e-tangata.co.nz/news/andrew-becroft-gidday-judge-howre-you-going

Fig 3. Cultural Disconnection vs Cultural Connection

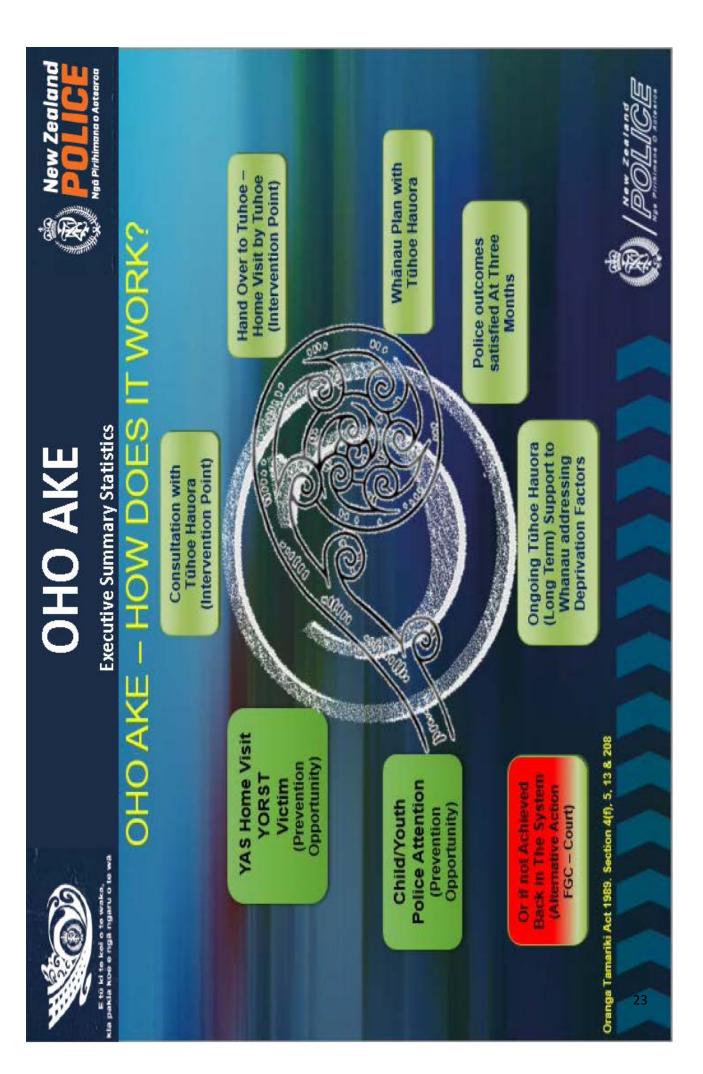
Cultural disconnection is a common factor among Māori youth offenders. The absence of a strong cultural identity leaves a void – an identity crisis - to be filled by a pseudo-identity based on crime or popular youth subcultures or gangs.

Disconnection from cultural identity

- No sense of cultural identity or responsibility
- Identity based on mainstream, media, youth subculture identity crisis.
- Disconnection to others influenced by peers
- Disconnection to Iwi framework ignorance and indifference
- Future is left up to chance
- Cannot fully engage in Māori society but can only successfully engage in mainstream society with mainstream cultural capital (education; employment; English language etc.)
- Beliefs and behaviours shaped by media and the peer group
- Accountable to nobody influenced by peers
- Peers shape the pathway to adulthood susceptibility to crime
- Detrimental to community and society
- Whole families, generational disconnection, subcultures (e.g. gang culture)

Connection to cultural identity

- Strong sense of cultural identity
- Strong sense of cultural responsibility
- Connectedness to others our families, our communities our Hapū and Iwi.
- Connectedness to Iwi framework Who do I belong to?.
- Connectedness to Iwi histories Who am I? Where am I from?
- Connectedness to Iwi futures Why am I here?
- Responsibility and pride
- Meaning and purpose
- Cultural beliefs and values which influence behaviours
- Accountable to whānau, hapū and Iwi
- Clear and strong pathway to adulthood
- Contributes to the betterment of the community and society





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0000000 OUR VALUES 🤰 PROFESSIONALISM 🥬 RESPECT 🥬 INTEGRITY 🥬 COMMITMENT TO MÃORI & THE TREATY 🥬 EMPATHY 🥬 VALUING DIVERSITY

LOOKING AFTER OUR PEOPLE

WELLNESS AND SAFETY