

**LIFTING THE VEIL OF SILENCE ON RACISM WITHIN CRIMINAL JUSTICE
FOLASAITU JULIA IOANE AND SIR KIM WORKMAN**

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>>RINGA HĀPAI: (Te reo Māori). Tēnā tātou ano. Welcome everyone, welcome to this session of lifting the veil of silence of racism within the criminal justice sector. Like to welcome Tā Kim Workman and Whaea Professor Julia Ioane and welcome 168 participants who have joined us this morning. No pressure you two, but you have double that amount of ears listening to you both this morning. But great to welcome you both.

I'm not going to take up anymore of your time, but to say welcome and to all of those who have joined us this morning, there is at the top of the chat list the, both Tā's bio and Whaea Julia's bio. So if you're not quite sure on their magic mahi that they're doing, please just have a look at the top of the chat.

So I'm going to hand over straight to you Tā Kim and say, again, welcome, great to have you and Whaea Julia on session this morning. No reira, tēnā kōrua. You're on mute tā.

>>TĀ WORKMAN: Kia ora. Tēnā koutou ki ngā tangata e huihui mai nei. Ko Takitimu te waka, ko Wairarapa te Moana, ko Tararua ngā maunga, Ko Kahungunu ki Wairarapa me Rangitane o Wairarapa ōku iwi, ko Ngāti Hine waka me Ngāti Moe ōku hapū, ko Kohunui me Pāpāwai ōku marae, ko Kim Workman tōku ingoa. No reira, it's a great honour and privilege to be here.

Last week Prime Minister Jacinda Ardern and Ministers Kelvin Davis, Jan Tinetti and Aupito William Sio launched the Aotearoa New Zealand histories curriculum, Te Takanga o te Wā at Sylvia Park School. History lessons are expected to include the arrival of the Māori, early colonisation, the Treaty of Waitangi and the evolving identity of our nation. It's a history that for many years has been hidden from our mokopuna, hidden beneath a veil of silence. This morning I want to talk about a tiny but significant part of that history; the role of the criminal justice system in colonisation and the perpetuation of systemic racism within the system.

A close examination of Police history in New Zealand shows primary reliance on a policing style common to all colonising nations. Colonial Police forces were not created to maintain public peace, to wage a war on crime, or to engage in community crime prevention, and certainly not to become guardians of public safety. They were created by the State as agencies of social control to impose the will of the State upon unwilling

subjects. It was an overtly political role supporting and enforcing the coercive control of the indigenous population.

It would be misguided, for example, to believe that the purpose of imprisonment is and always has been the same for Māori and non-Māori. In addition to the usual reasons for imprisoning citizens, the 19th century view was that the imposition of British law and penal policy on Māori would expedite the process of assimilation by preparing Māori for British citizenship.

Second, it was a means of denying Māori the right to punish and correct according to their own traditions and tikanga.

Third, the imprisonment and arbitrary detention of entire whānau, men, women and children, was a key strategy for dealing with Māori who resisted the unlawful actions of the State and who were perceived by the State as comprising a dangerous underclass or being in rebellion to the State.

From 1845 onwards the colonial Government took the view that the welfare of Māori was best achieved through forcing the abandonment of our own customs in favour of English law and the adoption of European skills and knowledge. The saving of the Māori race necessarily involved the extinction of Māori culture.

The attitude of settlers and social commentators of the day was that Māori did not have any system of law. Wakefield summed it up this way: If you were asked for a summary definition of a contrast between barbarism and civilisation, you would not err in saying that the civilised men differ from savages and having their natural inclinations restrained by law, honour and religion.

The colonial policing style dominated from the establishment of the armed Police force in 1856 through to the separation of the Police and military into the permanent militia and the New Zealand Police force in 1886 and beyond. While the military influence abated, the characteristics and style of colonial policing did not entirely disappear but lay inert ready to be resurrected at the first sign of perceived Māori resistance.

Māori see whakapapa connections that others might not. The 1881 Parihaka incident was one of the worst infringements of civil and human rights ever committed and witnessed in New Zealand. In 1916 the Police raided Rua Kēnana's Wairua Tapu movement at Maungapohatu, killing three members after the gathered faith community were depicted as criminal by Government officials.

The 2007 Operation 8 raids where residents in the small town of Ruatoki were searched by armed Police who boarded a bus carrying young children. The Police and the

government, to their credit, have apologised for their actions in all three cases. But coercive policing has survived the establishment of an unarmed Police and remained as a response to a perceived Māori resistance for unlawfulness to this day. The recent establishment of Police armed response teams to target poor marginalised communities unleashed strong criticism from both Māori and the general public, resulting in a claim to the Waitangi Tribunal and a subsequent decision by the new Commissioner, Andy Coster, to abandon the trial.

Let me share my own experience to you, not as a consumer of the criminal justice system, but as a collaborator. I joined the Police in 1958 and between 1960 and 1972 the government abandoned Māori land development schemes in rural areas, pressured Māori to sell their homes, Europeanised Māori land titles and offered one-way fares to move to the city. The housing provided was deliberately pepper-potted so that as far as possible Māori families had no immediate Māori neighbours and no Māori communal facilities were built in the new suburbs. All legislation was reviewed to ensure that existing instances of differentiation between Māoris and Europeans were eliminated.

While the Government's stated intention was to promote equality for all, equality was achieved on Pākehā terms. The world was rapidly changing. In 1945, 26% of Māori were living in urban areas. By 1966 that had increased to 62%. It was the most rapid urbanisation of an indigenous population anywhere in the world. Māori were living in a new world and behaviour they considered normal in a Māori environment was considered threatening and potentially dangerous by Pākehā.

At the same time the Police culture was undergoing a reform of its own. I recall that we were not encouraged to exercise discretion, take risks or be innovative. Our job was to fight crime and the most obvious measure of that was a high offender arrest and conviction rate. It didn't take much for a lock 'em up culture to evolve. The large number of Police on the streets and the lack of efficient communication technology meant that police officers were largely unsupervised. It was not uncommon for a mobile patrol to pick up a couple of policemen off the street and, knowing there was safety in numbers, go looking for a trouble. Cars of young people would be routinely stopped and checked. Any protest or resistance from the victims was likely to lead to confrontation and trumped up charges, obstructing the Police, obscene language, or resisting arrest were common.

Some Police sergeants actively ramped up young constables to make arrests and young policemen competed with each other to see how many arrests they could make over an 8-hour shift. Groups of young Māori workers were disproportionately the target of

attention and were more likely to be interrogated by the Police than Pākehā. Their inhibited and boisterous behaviour, unrestrained laughter, impromptu singing and preparedness to engage in witty repartee with the Police irritated members of the Police who responded by targeting them for special attention.

Between 1954 and 1958 reported Māori youth offending rose by 50%. One of the factors that caused this increase related not to how Māori behaved in this strange and new urban world, but how they were treated by non-Māori. Māori urban migrants were perceived and treated as a potentially dangerous underclass. They were outsiders.

What was the downstream impact of all this on Māori within the criminal justice system? The 1962 Hunn Report confirmed that Māori were more likely to be imprisoned, sent to Borstal or placed on probation, less likely to have court cases dismissed than non-Māori, and more likely to be committed to the Supreme Court for trial. Most Māori came to court with no idea how to plead or defend themselves. About 80% of Māori were not represented by counsel compared to 60% of Pākehā. And about 80 to 85% of Māori pleaded guilty compared to 60% of Europeans.

In 1972, I was a Police Youth Aid Officer and began visiting Kohitere institution at Levin, an institution for boys aged 14 to 15. There were 110 boys in residence. On my first visit the impact of what we were doing hit me. I was met with a sea of brown faces. Of the 110 boys in the institutions, about 90% were either Māori or Pacific. The place was a hellhole. Research since confirms that these children and young people endured physical, sexual and psychological violence as well as secure cells, knock-out savages(?) and electroconvulsive therapy.

The low number of Māori police officers and social workers in the 1960s and 70s had consequences which reached far beyond initial Police-Māori contact. The Department of Social Welfare had developed a comprehensive network of foster parents, family homes and Social Welfare institutions to accommodate children who were removed from their homes.

However, both the Police and social workers lack Māori networks and failed to identify sufficient foster parents within the Māori community. As a result, Māori children were often dealt with by way of formal supervision or removal to an institution, rather than through constructive engagement with their whānau. Those institutions then became a fertile breeding ground for the formation of gangs.

But that wasn't all that was happening. Māori first offenders were labelled as criminals on the basis of Police dealings with older siblings of the same whānau, or indeed

the reputation of the whānau itself, and were more likely to be prosecuted at a young age than Pākehā, even though their offending was not more serious. Offenders were treated as individuals rather than as members of their whānau. Holding hui with whānau to discuss what had happened and work out how to prevent future offending was anathema to most Pākehā police officers who feared losing control of the process. As the supervisory activity of welfare officers grew, more children and families were placed under preventative supervision. By 1971 more than 10,000 families were subject to official oversight.

In October 2020 I gave evidence at a public hearing of the Royal Commission of Inquiry Into Abuse in Care. When I walked into the anteroom I was immediately greeted and hugged by two survivors. I had met them both at Kohitere in 1972 and again 18 years later at Paremoremo Prison when I was head of prisons. It was an emotional moment. I stayed to hear their evidence and my thoughts turned to how their lives might have turned out if we had done things differently.

The consequences over time of the actions and decisions we make today are significant. By the late 1960s Māori children were appearing in the court at a rate three to four times that of Pākehā and by 1990s, half of all children within the youth justice system were Māori.

When I joined the Police I wondered why there were so few Māori in the Police. I wrongly assumed that most Māori would not join an organisation that was almost wholly Pākehā in its make-up and outlook. A closer look revealed some disturbing facts. In 1950 there was only one Māori police officer in the New Zealand Police who had joined in 1920. When in the same year Commissioner Young canvassed the staff about recruiting Māori, he found them almost unanimously opposed.

It was not until 1955 that the Police directed its recruiting efforts toward Māori. By 1958 when I joined, there were 26 of us in a Police force of around 2,500. By 1965 there were 69 or 2.5% of all Police. In the same year, 1958, Commissioner Les Spencer declared that Chinese, Hindus -- I think he meant Indians -- and Pacific Islanders were unsuited to policing and would not be recruited. Apart from Māori, policing should only be done by the "white races", as he called them. The Police continued to oppose the recruitment of Cook Islanders, who were New Zealand citizens, and other Pasifika people until 1968. It was systemic racism of the most blatant kind.

Subsequent Governments rejected the policies of integration in the 1970s and bicultural policies were developed in the 1980s. From 96, under the leadership of Commissioner Peter Doone, the Police actively called for improvement. But the underlying

attitude and bias that underpinned the assimilationist policies prior to the 1970s remain across the public sector and continue to haunt our nation.

The Police have probably done more than any other criminal justice agency to improve its relationship with Māori. It began with the 1996 Responsiveness to Māori strategy, the establishment of iwi liaison officers, of cultural advisory groups, and the support given to iwi crime prevention strategies. Today 24% of the Police are women, 12.3% are Māori, 6.8% are Pasifika and 6% are Asian.

However, those statistics can be deceptive. While there is a far more diverse workforce than was previously the case, it tends to be concentrated in the area of operational activity. Across the criminal justice system, and indeed the public sector, there is a dearth of Māori and Pasifika capacity in such areas as policy development, research and communications. The 2021 Public Service census tells us that 9.8% of policy analysts are Māori, up marginally from 8.8% in 2012. So in nine years there's been a 1% increase.

Given that most of them will be concentrated in Māori policy shops, such as Te Puni Kokiri, in most mainstream public sector agencies the actual percentage in mainstream public sector policy and research groups is very low indeed and it's very difficult for people to be taken notice of.

Within every department there needs to be Māori expertise, people capable of articulating Treaty principles and the collective and individual interests of Māori, including those policies of a strategic nature that relate to Māori as tangata whenua.

The challenge, I think, is to have public sector organisations recognise that there will always be Māori interests in the advice offered to government, even if there's no obvious Māori connection. By virtue of the socio-economic status of Māori and the demographic impact that Māori will have on the New Zealand population now and in the future.

Racism can manifest itself as both action and inaction in the face of need or differential outcomes. Within the context of the public sector in Aotearoa, systemic racism against Māori is a contemporary breach of Te Tiriti o Waitangi. We still have some distance to travel, but there is hope. A team of wāhine Māori public servants recently formed a charitable trust, Te Rau Hihiri, to bring issues facing Māori public servants to the forefront. Perhaps this issue will be one of them. Tēnā koutou, tēnā koutou, tēnei rā koutou katoa.

>>RINGA HĀPAI: Mihi mai rā, mihi mai rā, tēnā koutou katoa. Kia ora e te tā, ngā mihi atu ki a koe mō tō kōrero i tēnei ata. Ngā mihi rawe, ngā mihi nunui ki a koe mō tō whakaaro, mō

tō ahua, mō tō mahi rangatira i waenganui tēnā kaupapa. No reira e te tā, tēnā koe, tēnā koe, tēnā koe.

Look we've got a couple or four questions going up and the magic of chat in terms of some of the comments being made, tā, to your presentation. You know, 60 years of being at the frontline of addressing the racism that has been displayed since the 1800s all the way through to the 2020s. So you know, that is an absolute lifetime of being on the frontline. So ngā mihi atu ki a koe e te tā.

I'm going to leave the questions and now hand over to -- kei a koe e te mareikura e te rangatira Julia, tā hoa atu ahau te tokutoku ki a koe mō tō kōrero rangatira. No reira, tēnā koe, talofa, ngā mihi atu ki a koe i tēnei wā. Kia ora.

>>DR IOANE: Can you all see that? Ka tangi te titi, ka tangi te kaka, ka tangi hoki ahau, tihei mauriora. Ko Vai te maunga, ko Polynesian Airlines te waka, ko Ngāti Hāmua te iwi, ko (Samoan) tōku mama, ko (Samoan) tōku papa, ko Anthony Joseph tōku tāne, ko (Samoan) Julia Ioane tōku ingoa. (Samoan). Talofa lava, kia orana, malo e lelei, bula vinaka, taloha ni, warm Pasifika greetings to you all. Ngā mihi nui e ngā rangatira Tā Kim Workman. I mean who wants to follow Tā Kim Workman after his kōrero? I was put in that position where I was to go first and in my culture respectfully you never go before your rangatira. And then it was like who wants to go afterwards as well.

But I just wanted to just tautoko Tā Kim Workman. Thank you for setting the scene for us this morning. In everything you have said this morning, there's a tinge of sadness and disappointment for me being in this criminal justice field. A lot more recently than you and knowing that what you've said unfortunately continues to exist to varying extents within our CJ system.

So you've seen my bio, basically what I wanted to do is just to really come from a cultural, psychological approach given my background about looking at racism in terms of just the ideas, practises and material that really are ingrained in just our every day lifestyles and functioning. And we see that basically really just in our actions and the behaviours and the structures of our everyday world. People live in worlds that promote the way in which we kind of see the world and then we also, as people, shape, produce and maintain racism through what we prefer, what they practice and how they behave.

I think as a psychologist, and what I've seen through some of the overseas literature, it's almost as if the racism or the biases that exist has kind of gone a bit underground, it's gone a little bit more silent and we don't see it as obvious as how we used to see it in the past. And the challenge is that if we continue to look at it in terms of an individual level we

do absolutely miss those institutional, those systemic and those processes that kind of keep those hierarchies and those divisions.

So I'm going to just really try and be brief because I know that there's a lot of questions that you've got, a lot of pātai that you have. I'm going to come from my lived experiences as a profession, as a psychologist. There's been so many times where I've heard colleagues say to me "I don't see colour in my work" or "I've worked for years" or they'd ring me up to do a consult and they'll say "I've worked for years with Māori and Pasifika so I don't have any problems in working with them." The question is never asked but do they have a problem in working with you, or making assumption that a client, you know, saying his English isn't that great but he doesn't want an interpreter and that's okay. But actually kind of exploring what's more underlying, some of the reasons as to why our people might not necessarily engage, or even putting it to the age-old excuse of oh we can't find anyone that culturally is suitable, and that's probably because we're looking into our own, just into our own little networks.

I often find that in my work, racism is denied, or the significance of it, you know, is actually denied. I often find that, as Tā Kim Workman saying, there's recruitment and even recent recruitment that I've either applied for or I've heard about where their positions might be Māori and Pacific but there's no-one on that panel that is Māori, Pacific, or there's a low number that have applied, and therefore saying we've already advertised for that position, we didn't get many Pasifika people turning up; but then what we don't look at is we don't look at the mechanisms or the pathways that have been put in place for our Pasifika for our Māori to be able to apply.

And often I see this in many of the organis -- sorry, in the criminal justice organisations that I've worked with where there is a Pasifika family or a Māori family and we've got all these professionals involved, but there's no-one with the cultural oversight. It's assumed that everyone already comes to the table with that and there's no-one actually being identified to prioritise that in their mahi. And that's the challenge, it's offered, that cultural oversight is offered when it is available, or when it is required. And the reality is, is that the question is who's making that decision of when it's available, or when it's required, because often it's not the whānau that are making those decisions.

So the reality for me is why does that -- why does this stuff still continue, because Tā Kim Workman spoke about it, and yet I see it even still now at the grassroots level. And I think it's a number of things. You know, it's that insecurity, you know, that exists. We form a group, it's dominant and we alienate those that don't belong. But the reality is, is

that if we were to become really anti-racist we are going to upset people. And as human beings we all don't like that eh, we don't like that fear of not belonging, that fear of being different to the other. But to be anti-racist requires us all to look in the mirror, you know, it requires us to either look at those parts within ourselves that we have chosen to ignore, chosen to hide for decades.

And I remember one non-Māori, non-Pasifika colleague who was in a key leadership role and saying to me "you know what, I think the best thing for me to do is to step aside so that they will have somebody who is Māori with the same -- with skills and experience but actually does have that lived experience." And I thought that's what it does take, it takes somebody who is bold enough to step aside, to ensure that actually Māori are leading the way, or that Pasifika are leading the way within their own cohort.

I think another part, and this is that loss of humanity, that loss of compassion and empathy that can often have with those that we don't necessarily associate ourselves with, particularly if we're only associating with them within the criminal justice space and we have this picture of who these communities are, and therefore we don't want to associate with them, or we think yeah no that's, you know, in the too hard basket, or even that fear.

And often we know that when we are fearful of something or we have issues against something we tend to project it. And I see that happen in meetings that I've been involved in, that fear of losing control is then projected on to families and often, if you think about those families that are coming into the criminal justice system, they are families who are already disconnected, who have already experienced the intergenerational transmission of trauma that Tā Kim Workman referred to, and then here we are as a system re-traumatising our families and so forth.

One of the things that I've always found is that we are all good to have those conversations but we need to address racism, we need to make sure we are not influenced by our biases. But when it comes to the nitty-gritty, when we realise that there is going to be an opportunity where we're going to lose some of that power, or we're going to be guided by something that we haven't been trained in, or something that is a world view that's very different from our own, that's when it becomes too hard, and things have stopped.

And that's what I've seen in my mahi. That's where I always come back to that point of relationships. Relationships is really key to being able to -- really to be able to minimise that risk of losing power, because it is about sharing it, and maybe even being in a

position to hand over that power to the community that you know is going to work best for their own people.

But one of the biggest things that I do see is the silence, is the silence where we actually just don't do anything. And we think that there's a need to be -- to be racist means you've got to make those comments, you've got to say and behave in a certain way. But we don't need to be actively racist, you know, to support those racist systems or to be racist, we can actually just sit there as part of a meeting and just watch the flowers grow and think that's not him, that's not my opinion, that's that person there therefore I'm not being racist. The reality is we're perpetuating that, we are maintaining those racist views.

So I'm going to really -- I wanted to really talk about just an example of some of the mahi that I have done, and this is a combination of different people that I have worked with. And when they come in through the criminal justice system, let's face it, a high percentage of them have first come through our Care and Protection systems. And that's the part that we don't really hear much about when they're in the CJ system.

So let's talk about Charlie. Charlie is a baby, beautiful baby, well-loved, born in South Auckland, had a loving grandfather, parents left him at an early age to be cared for by his koro, and we begin to already start to have some of our own ideas of what we think is going to happen to Charlie. He's raised in an environment where typically in South Auckland, which is where I come as well, which is filled with poverty, it's where the largest number of our Pasifika communities are raised, there's a high rate of gangs, criminal activity and so forth. And we notice that we don't see this. This is Charlie as a baby, happy, everyone loves him, everyone just wants to be around him. But very early on we can see that the cracks are beginning to appear in terms of when he gets to school.

So when he gets to school, let's say, for example, what we're seeing is there's beginning to be learning issues, he's beginning to wag school, he's beginning to show some behavioural problems, and we're not actually quite sure of what's going on but we assume that it's the family. But if we think about the systems and the processes and the policies -- sorry, not the -- the systems and the agencies that are available to the family during those early formative years, what are they and how sustainable are they before they actually reach through to the child going to school?

And what we actually see is these things happen in the school environment and we call a whānau meeting, we call these whānau meetings but where do we have them? We tend to have them at the school, we tend to make it more suitable to us as the professionals but we don't think about accessibility, about the convenience, are they during the day or are

they after hours, we don't think about actually who's attending. Often I've been disheartened coming to these meetings where the large majority are all of us that are working with the family, the professionals and there's only mum with the young person and we make biases and assumptions almost immediately.

Then Charlie gets older and we think okay this is a Care and Protection issue, because there's all these learning issues going on, there's his truancy, we've got to get the Care and Protection services involved. And they go out and do a process, we have all these Family Group Conferences, we undertake these interventions and yet when we think about the interventions that are used, how culturally responsive are they. This is stuff that we already know, I'm just highlighting it again.

But one of my real issues that I often have is that line NFA, no further action. When we can see that there's been a whole myriad of Care and Protection issues but it's no further action because there was no evidence, or there was no response or engagement from the family.

So Charlie continues in his life, then unsurprisingly turns up in the youth justice system and by now Charlie's dropped out of school, he's engaged in substance abuse, he's full on with his offending and more than likely joined gangs. This time the system has responded with having all these reports done, and often these reports take a while but these young people don't stand still and neither do their families, we hold a whānau meeting, again, we tell the whānau what the meeting is about, but we don't actually ask them what it should be about and what they need.

Then we put it in these cultural reports and these reports, and sometimes these reports are great, but do they -- how far do they go? I've often found that I've been asked to come in and do a report when there was a report a couple of years beforehand and the recommendations were not implemented. And I'm saying the same thing again in my report and now it's cost the system more money, to be able to undertake that report.

But again, what we're highlighting here is that it's just the same stuff on a different day. And that's the issue that I continue to see even now, which is really disappointing. Then we think let's put them in custody because they're not safe to be out in the community. The reality is, we've created a pathway where we've made it not safe for them to be, you know, to be in the community.

So this stuff we already know and unsurprisingly where is Charlie now? Inside, in the prison system. And what we know when I've reflected is that we've held all these countless fonos and huis which were not representative nor inclusive of their world views,

we've paid attention to the problem, we've focused on the behaviour but we haven't looked at what were the injustices within the system that led to this. We've said we've consulted, but when we look at who's consulted it's been those that are not of the world view of these whānau or of these families.

Then we've continued with our racist attitudes that I've seen. I've seen -- respectfully I've seen Police actually have a go at a young person and say "you should have done this, you should have done that and you should have been like this." But forgetting that actually there's a history of trauma that comes with these young people and this whānau that we haven't been educated on. By the way, I work very closely with Police, I'm a critical friend of Police, and I think that whilst they've done some really great work, we can all do more, you know, in this space.

And then again, it's that silence of just not doing anything that has led to our young people ending up in these prison cells creating a breeding ground for our gangs and so forth.

This is what I've seen, and the reality is what we don't see is the blessing that I get to see when I'm doing therapy. And I wanted to just add this; this is something to remind us that when we are working in the criminal justice system for this racism there is a person, there is a young person, there is a family that is involved. And this is a poem that was given to me by one of the young people who gave me consent to be able to share this. And I wanted to just share this with you now.

"Here goes my story. It's not great but you can listen. I hope you take your time to hear me out before you end up skipping. When I was a kid I nearly took my own life. I had a lot of ways with a rope or a knife. It's like I didn't know the reason why I used to get a hiding. It's just like now, I don't know why the fuck I'm writing. I've been trying to find someone if they can hear me out. I've been looking and searching but I still don't find no help."

I've just -- I can't read -- you can read those lines in the beginning. "I really hated those days. I guess all that stuff that happened through my years growing up, I guess that's what made me. So who gives a fuck? It's kind of hard to believe what I'm saying is true, but I'm only being honest because I only told you. I know we're here for a reason, but tell me what's mine? Was I here for a purpose, or is this a waste of time? You know life is a game, you gotta learn to play right. Because one wrong mistake, remember you've only got one life."

What I would really like to see for our young people is I want to see them achieving, I want us to be able to have that system of equity where when we have our fonos and we have our hui that they are led by the dominant world view of the whānau and the communities that we serve. That we actually pay attention to the problem but actually what's actually causing it, what are the systems and the structures in place that are causing and reinforcing it. Making sure that when we consult we don't consult with people who have similar views to our own, we consult with those who are going to challenge us and maybe and actually make us feel uncomfortable so we have those courageous conversations.

And when we're feeling that fear and we're feeling that insecurity and that threat of losing power, think back to the fact that you're dealing -- you might be dealing with that young person, you might be dealing with that adult, but how do we actually stop that pipeline of our people coming into the justice system, right from the moment that they are born. And being able to share that power through trust and building the relationship.

And finally, I think for me it's not to remain silent but to actually call it, even if we're not the ones that are actually saying it or behaving in that certain way, being able to actually call it.

And I leave with you this quote by James Baldwin. "Not everything that is faced can be changed but nothing can be changed until it is faced." And rather than lifting the veil of silence let's remove the veil of silence that exists by making sure that we prioritise equity in the mahi that we do, ensure that when we are recruiting that we provide proper and genuine pathways for our people to be actively recruited appropriately and culturally appropriately in safe ways for our communities, and making sure that we have those indigenous world views embedded in the way in which we work with our mahi. Fa'afetai tele lava mo le avanoa.

>>RINGA HĀPAI: Ngā mihi, ngā mihi. Fa'afetai ki a koe e te rangatira, e te kui, e te mareikura Julia mō tō kōrero i tēnei ata, tēnā koe, tēnā koe, tēnā koe. Kōrua ma we have a number of questions and I can't say -- thank you both very much for your experiences both on the ground, in the system, on the system, around the system, I cannot thank you both enough for your sharing this morning.

Now apparently all the comments and the questions will come to you so you can see and perhaps be able to respond to those questions that I'm going to be unable to answer this morning. But I do want to go, before we -- we've got probably another 10 minutes before the end of the session.

So if I could just start asking you both these questions, and I know they deserve a bigger, more in-depth response to them, but to try and get through what has been posed. And firstly from Maringi Ma and just saying "do you think that our criminal justice system will be affected by the Aotearoa history curriculum being introduced into our kura?" Tā, if you'd like to go first.

>>TĀ WORKMAN: Kia ora, I would certainly like to believe that in, you know, the next two decades those young people that are receiving that additional information will be much more ready to receive and talk about their history, the way, you know, the interface between the settlers and Māori, the whole issue of colonisation, the impact of that on the indigenous population.

I have to say that the Police have done a really excellent job, I think, of starting to address it. They have a thing called the all walks(?) which features examples of racism and within the Police and within New Zealand history. So they study in some detail things like the overstayers, response to Dawn Raids, the incident at Ruatoki and those sorts of examples.

But it's still only very sparse and what seems to be needed is a more detailed conversation, I guess, a difficult conversation between those people that have been impacted by that and the Police themselves. Yeah, I think that started --

>>RINGA HĀPAI: I think that's exactly what Julia was talking towards the end of her presentation. Thank you tā. And again, acknowledge that these questions require more in-depth but want to get through a couple. I'm just going to put this one to you, Julia, please. It's from Mereana Te Pere saying "kia ora Tā Kim rāua ko Julia, pleasure to listen to you both today. Julia, for your response please; is a non-racist criminal justice possible in New Zealand" -- there's a couple in there -- and how could -- "do you think Māori restoration practises exist in the system if at all?" Finally to the both that second one, would, in your opinion, that be appropriate? Non-racist criminal justice system, is it possible?

>>TĀ WORKMAN: Yes.

>>DR IOANE: Yes, I'll answer that first part because I think the second part of that question obviously for rangatira. Look, I'm an optimist and I'm always hopeful, okay, that we can achieve that. But to do that really requires us to dig deep within ourselves as people and actually share some of that power, actually get into a space where we don't know what's going on but we trust that system or we trust, you know, the members of our indigenous community that they will lead the way. And that's the hard part, is despite us having a

system, people belong to that system and it is people that make those decisions. So I think I always -- this is probably me as a psychologist -- I always go back to those values; what are the values that embed the way in which we work, what are the values that embed the structures that we have developed for us. But again, I think absolutely we can, but it requires us to have those courageous and those brave conversations.

>>RINGA HĀPAI: Kia ora, ka pai. Thank you. Tā, do you want to add to that?

>>TĀ WORKMAN: Yes, I do. At the moment Commissioner Coster a year ago decided that he was going to research the level of bias within the prison -- within the Police system and set up a project understanding policing delivery to look at the perceived, you know, the problems of bias and systemic racism within the Police organisation.

I was favoured to be appointed as the Chair of the independent panel, because one of the things we discussed was that you have to have difficult conversations to get through this. And so the panel that I Chair, there's ten, people like Rahui Papa, Lady Tureiti Moxon, Khylee Quince, Professor Spoonley, Helen Lei and others have been mandated to challenge the research as it proceeds, to challenge any of the results. In fact we've now ended up managing the research itself, and that will start in a few months.

I think that willingness, I think it's the first time a chief executive of a public sector organisation has stopped just, you know, usually they read the reports and then shelve them and don't do anything with the recommendations. He's doing something different, and I think it's beholden to us -- it's going to be difficult, there'll be opposition, the people that are listening I'll just implore you to support what he's trying to do.

The second thing, Lisa, is about restorative justice and particularly Māori restorative justice. I think there's a real gap in the system, because Corrections have not supported the holding of restorative justice conferences after a person has been sentenced to prison. And they stop doing that in 2009, we were doing those conferences.

There were two things that came out. One was that more Māori prisoners were wanting to have that, 80% of the requests we got were from Māori, and they had no problems with involving whānau and so forth. I don't think we've developed what I would call a Māori restorative approach yet because we've never been given the opportunity.

>>DR IOANE: Can I just add one more thing to that, Lisa, just really quickly because I sit within Police in the Pasifika advisory group to the Commission. And when the group that was being formed that Tā Kim Workman has just referred to, the Commissioner made it really clear to us that it was independent and he had no involvement in terms of choosing who

was going to be on it and so forth, which highlighted to us just the genuine, the authentic approach that Police were undertaking to be able to do that with integrity.

And an example for that is the Pacific Police strategy was launched in 2017, 2018, first time ever that there's been a Pacific strategy within Police. It took two years for that to actually happen. And the reason for that is because it was co-authored, co-written approach with the Pasifika community, and we had to have those courageous conversations. And it took a while, but we got, you know, we got there in the end. And I think that's the sort of processes that needs to happen more is that working together in partnership, all of community by all of government approach to working for our people.

>>RINGA HĀPAI: Ka pai. Ngā mihi atu, look I don't know whether we're going to get cut off in this session because it is coming up towards the end. Just to let you both know that there have been 17 other questions asked of you both that is in the question and answer. I do hope that you are able to answer those for those folk who have taken time to place them there. We've just run out of time to do it live, but finally to say ngā mihi atu ki a kōrua, ngā mihi atu ki ngā whānau i tae mai i tēnei ata i te whakarongo ki tēnā kaupapa. You've had 209 folk listen to you both this morning and as many comments been put in the chat, and like I've already mentioned, the number of questions that have come through to you. Final word, Julia, before we hand to tā to close our session?

>>DR IOANE: Just to say thank you very much for the opportunity to kōrero and talanoa with you today and to be sitting alongside Tā Kim Workman. Thank you Lisa for leading our talanoa our kōrero for today and for all of us, look after each other, it's not easy the work that we do but then we wouldn't do it anyway if it was.

>>RINGA HĀPAI: Kia ora. Tā?

>>TĀ WORKMAN: Kia ora, Lisa, and thank you so much. I enjoyed the conversation. We've got some mahi to do. That should acknowledge also Whaea Linda Smith. I did her masters paper in November of this year to try to get myself upgraded so I knew more about what I was supposed to be talking about and just want to acknowledge her. I'm really enjoying the panel and the work that we're doing, so could I close with a karakia for us?

>>RINGA HĀPAI: Yes please tā, ngā mihi.

>>TĀ WORKMAN: (Closing karakia).

>>RINGA HĀPAI: Ngā mihi atu ki a koutou ki a tātou katoa. Ngā manaakitanga o te ata ki a tātou i tēnei wā. Mauri ora.