

CULTURAL SUPPORT GUIDELINES:

Te Korowai Kākahu o Te Pokapū Whakatau Tautohe o Aotearoa



NEW ZEALAND
DISPUTE RESOLUTION
CENTRE

Te Pokapū Whakatau Tautohe o Aotearoa

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Te Korowai Kākahu o Te Pokapū Whakatau Tautohe o Aotearoa

Te tautoko ā-Ahurea | Cultural support

Te Pokapū Whakatau Tautohe o Aotearoa | The New Zealand Dispute Resolution Centre kua whakahoahoa, kua waihangahia tētahi ara tūhono ki te whakatau i ngā heitara me ngā raruraru, ōtirā te huarahi whakamua ki te whakawhanake, ki te tūhono i ngā kāhui e hiahiatia ana te whai i tētahi pūnaha Māori, e hāngai pū ana ki ngā tikanga Māori. Nā, ko te ingoa o tēnei ara tūhono ko Te Korowai Kākahu o Te Pokapū Whakatau Tautohe o Aotearoa.

Te Korowai Kākahu o Te Pokapū Whakatau Tautohe o Aotearoa | The New Zealand Dispute Resolution Centre's (NZDRC) well respected complaint, conflict management and dispute resolution services have been designed and developed to incorporate, for those parties who wish to adopt it, a wrap-around tikanga-based, Māori cultural support framework that we have called Te Korowai Kākahu o Te Pokapū Whakatau Tautohe o Aotearoa.

Ka whakakanohi tēnei pūnaha i te whakaaro o te mahi ngātahi ki te hunga whaipānga, ki te whakatakoto i tētahi ara hou. He ara rikarika, he ara whai mana ki te whakatau i ngā heitara me ngā raruraru, ōtirā te huarahi whakamua. Ka haere ngātahi ngā whakapono Māori, ngā mātāpono Māori, ngā uaratanga

me ngā akoranga ka ahu mai i te mātauranga Māori. Ko te whaingā matua kia pai ake ngā putanga iho mā te tūkanga arotake me te ratonga ringa tūhono.

The framework symbolises us working together in collaboration with our stakeholders to establish unique pathways for guiding and supporting parties to complaint, conflict management and dispute resolution processes as we journey together using Māori beliefs, principles, values and practices that derive from traditional knowledge (mātauranga Māori) for improved outcomes for parties.

Inā hoki, te nui o ngā horopaki huhua e kitea ai te nuku atu, me te nuku mai o ngā tikanga ki tēnā rohe, ki tēnā whaitua. Ehara i te mea he ōrite ki ngā waahi katoa, e kao! Ahakoa tēnā, ā, ahakoa ngā rerekētanga kei reira tonu ngā tikanga motuhake mō ngā iwi katoa.

A tikanga-based approach recognises that tikanga is not static and can vary in form and application across different rohe (regions). Notwithstanding, there are key tikanga principles that are universal in nature.

Ka whakamana tēnei ara tūhono ki te whakatau i ngā heitara me ngā raruraru, ōtirā te huarahi whakamua i ngā mātāpono o Te Tiriti o Waitangi.

"Mā re whakatau, ka mōhio, mā te mōhio ka mārama, mā te mārama ka mātou, mā te mātau ka ora."

"With discussion comes knowledge, with knowledge comes understanding, with understanding comes wisdom, with wisdom comes wellbeing."

Nā, e manawa kairoke ana mātou ki tēnei rautaki me ōna pānga ki ngā mātāpono o Te Tiriti o Waitangi, arā, te whakamarumarū, te whakaurunga me te whakahono.

A tikanga-based approach to complaint, conflict management and dispute resolution services further recognises the principles envisaged in Te Tiriti o Waitangi (the Treaty of Waitangi). This framework affirms our commitment to Te Tiriti o Waitangi and its principles, including those of partnership, protection and participation.

He aha tēnei mea te tikanga? | What is tikanga?

He mea tāheke tēnei mea te 'tikanga' i te mātauranga Māori me Te Ao Māori. He momo pūnaha te 'tikanga' e tūhono ana i ngā uaratanga me ngā mātāpono Māori. Inā hoki, te huhua o ngā momo whakamāramatanga mō tēnei mea te 'tikanga' pērā i te 'customs,' 'practices,' 'customary law' me te 'lore.'

"Tikanga" can be described as a system of values and principles that stem from mātauranga Māori (traditional Māori knowledge) and Te Ao Māori (the Māori world). Tikanga has been interpreted with a wide range of meanings including, customs, practices and customary law and lore.

"Tikanga" literally means "the right way of doing something". Therefore it was traditionally used in the Māori world to regulate social behaviours, conduct and actions.

Ngā uaratanga ā-tikanga me ngā mātāpono

Tikanga values and principles

Toitū te reo, toitū ngā tikanga

The Māori language and customs will endure

Pono: Ko tētahi o ngā tikanga o te kupu 'pono' ko te 'honesty.' Ko te ngākau tūwhera me te tika. Ka ahu mai te 'pono' i te taiao, i ngā hautipua, i ngā Atua Māori.

Pono: means to be true, honest, genuine or sincere. Pono can derive from natural, supernatural and divine sources.

Tapu: Ko te tikanga o te kupu 'tapu' ko te 'sacred.' Ko tētahi wahanga nui o te 'tapu' ko te 'rāhui.' Ka tiaki te rāhui i te taiao, i ngā rauropi, i ngā mea katoa.

Tapu: means sacred. It can often be used to enforce restrictions, predominantly to preserve or protect the sanctity of something.

Noa: Koinei te kōaro ki te 'tapu.' Ko te 'noa' te kauhanganui ki te 'tapu.' Nā, ka ea tēnei i ētahi wā mā te kaitahi, mā te karakia anō hoki.

Noa: means to be free from tapu or restrictions. Noa provides balance to tapu and can often be achieved through

partaking in a meal or the reciting of karakia (prayer or incantation).

Mana: Ko ētahi o ngā tikanga o te kupu 'mana' ko te 'prestige,' 'authority' me te 'power.' He 'mana' tō te tangata ahakoa ko wai. Me whakamahi i ngā tūkanga me ngā tikanga katoa mā tētahi āhuatanga e whakamana ana i te tangata.

Mana: means prestige, authority or power. Every person has mana. Processes and protocols should be used and applied in a mana-enhancing way.

Aroha: Ko ētahi tikanga o te kupu 'aroha' ko te 'compassion,' 'empathy,' 'charity' me te 'love.' Ka kitea te whakatinanatanga o te 'aroha' ki roto i te manaakitanga. Ka ea tēnei mā te mahi kai, mā te manaaki i te tangata.

Aroha: means compassion, empathy, charity or love. Aroha can be expressed through manaakitanga, the act of caring or to give hospitality.

Wairua: Ko ētahi tikanga o te 'wairua' ko te 'spirit,' 'soul,' 'essence' me te 'atmosphere.' Ko tētahi wahanga nui a te Māori ko te hononga o te ao 'wairua' ki tēnei ao kikokiko. Ki ō te tirohanga Māori ka haere ngātahi, ka tūhonotia ngā mea e rua.

Wairua: means spirit, soul, essence or atmosphere. Māori are innately and inherently connected to the physical and spiritual worlds and see both as being interconnected.

Whakapapa: Ko te 'genealogy' tēnei. Ko te 'whakapapa' tētahi tūāpapa, tētahi momo pūnaha ki roto i Te Ao Māori. Mā te 'whakapapa' ka tūhono i te tangata ki tētahi waahi, ki tangata kē, ki te hunga kua riro, ōtirā, ki te ā-mohoa nei.

Whakapapa: is genealogy. Whakapapa provides an organisational structure within Te Ao Māori. Whakapapa can define relationships between place and people, as well as the past and present.

Whanaungatanga: Ka puta i te 'whanaungatanga' te whakaaro o te honohono. He honohono tautau-ā-moa ki te honohono e pakari ai te herenga tanagata. Mā te 'whanaungatanga' e mana ai te herenga tangata ki tōna tihi taumata.

Whanaungatanga: is the concept of building connections and relationships. Whanaungatanga can enhance one's sense of belonging.

Māramatanga: Ko te 'understanding' tēnei. Ka kitea te pito mata nui o tēnei mea te ako ki roto i tōna 'māramatanga.' Ka tūhonotia te 'māramatanga' i ngā whakaaro auaha, i ngā whakaaro pāhekoheko, me te huhua o ngā tirohanga kē atu anō hoki.

Māramatanga: means understanding. Māramatanga recognises the value of learning, innovation, transformation and diversity of perspective.

Kaitiakitanga: Ko te 'guardianship,' 'custodianship' me te 'stewardship' tēnei. He mana tō te 'Kaitiakitanga,' ā, he mana anō tō te 'ownership.' Nā, ko ētahi rautaki e ea ai tēnei ko te tuku taonga, ko te tuku tangata, ko te tuku waahi, te whenua rānei, otirā, ngā rauemi whai rawa.

Kaitiakitanga: is guardianship, custodianship and stewardship. Kaitiakitanga is independent of 'ownership' and can be exercised over taonga (things of value), people, areas (including land) and resources.

Mauri: Koinei tētahi ngao e tūhonotia ana i te ao wairua ki te ao kikokiko. Nā, ko Te Reo Māori tētahi taurira e whakatairanga ana i te ahurea Māori me tōna mana motuhake.

Mauri: is the life force or energy that binds all things within the physical and spiritual worlds. Te Reo Māori (the Māori language) is seen as an expression of mauri as it is a key identifier of Māori heritage and culture.

Whakapono: Ko ētahi tikanga o te 'whakapono' ko te 'faith' me te 'religion.' Nā, i te nuinga o te wā ka kitea te whakatinanatanga o te 'whakapono' ki roto i ngā mahi taki karakia. He rautaki hei whakarikarika, hei whakaohoho anō hoki i te ao wairua, e whai hua ai te kaupapa, ahakoa te kaupapa.

Whakapono: can mean 'faith' or "religion". Whakapono is generally expressed through the reciting of karakia (prayer or incantation) to invoke spiritual guidance and protection.

Utu/Tāutuutu: Ko ētahi tikanga o te 'Utu/Tāutuutu' ko te 'reciprocity,' te 'repay,' 'respond,' 'avenge' me te 'reply.' Ko te kura huna kei roto i te whakaaro o te 'utu' ko te whakaora i tētahi tūāhuratanga e kitea ai, e rangona ai anō i tōna kauhangānui.

Utu/Tāutuutu: means reciprocity, to repay, respond, avenge or reply. Utu is a means of restoring balance to society.

Koha: Ko ētahi tikanga o te 'koha' ko te 'gift' me te 'generosity.' Mā te tuku koha ka kitea te whakatinanatanga o te whakaute, o te humārie. Nā, he rautaki tuku pūtea anō hoki.

Koha: means gift or generosity. The giving of koha shows respect and gratitude and is distinguished from a fee or payment.

Ka pehea te whakatinanatanga o tēnei mea te tikanga?

How can tikanga be applied?

Mā te whakātu, ka mohio, mā te mohio ka marama, mā te marama ka matau, mā te matau ka ora.

With discussion comes knowledge, with knowledge comes light and understanding, with light and understanding comes wisdom, with wisdom comes wellness.

Ka rerekē te whakamahinga o te ara tūhono ki te whakatau i ngā heitara me ngā raruraru, ōtirā te huarahi whakamua. Kei te āhua me te wairua o te kaupapa te mana nui e hua mai ai ngā tikanga e tika ana mō taua horopaki. Mā konā, ka whakatau mehemea he hui kanohi ki te kanohi, he hui mā te waea, mā te pāhotanga mataora, te aha rānei. Mā te āhua me te wairua o te hui e mōhio ai i te ahunga pēhea o te hui, te waahi, me te momo rautaki whakawhiti kōrero mō te hui.

Nā, ki te whakaae mai koe ki tēnei kaupapa ki 'Te Korowai Kāhahu' ka tūhonoti i a koe ki tētahi kaitautoko nō te kāhui ahurea, ki te tauawhikura, ki te manaaki i a koe me te kaupapa arotake, te tautoko rānei i te tūkanga o te ringa tūhono, ki tētahi taiao Māori e rangona ai i te mana motuhake o te ahurea Māori.

Ka mahitahi te Kaiarotake/ringa tūhono ki a kōrua/koutou ko o kaitautoko ki te kimi

i te whakaaetanga ki tēnei tūkanga, tēnei ratonga ringa tūhono anō hoki.

Mā ngā tikanga, mā ōna mātāpono tēnei tūkanga, tēnei ratonga koe e tautoko. Kia ahahia? Kia kitea te māramatanga mā te tirohanga Māori. I konā putaina ai ngā hua, ngā whakatau. Mā te kōrero ngātahi, ka whakamana, ka whakarangatira i ngā kahui tangata e hua ai ngā putanga iho. Tērā pea ka whai waahi atu ki te hui 'CMC' ko:

- Ngā taonga tuku iho a ngā tīpuna pērā i te mihi, te karakia, te pōwhiri, te whakatau me te waiata.
- Ngā taonga tuku iho a ngā tīpuna pērā i te mihi, te karakia, te pōwhiri, te whakatau me te waiata.
- Te whakatau ngātahi; me te huhua o ngā tāngata e āhei ana te piri mai ki te mahitahi ki tēnei arotakenga me te ringa tūhono.



The application of tikanga to a complaint, conflict management or dispute resolution process will vary depending on the parties, the circumstances, and whether the meeting takes place by telephone, video conference or in person – so the purpose (kaupapa) of the meeting and how and where the meeting takes place will influence how we work (mahi).

If you wish to adopt Te Korowai Kāhahu, we will provide a dedicated support person from our cultural support team to help and assist you throughout the process in a culturally responsive and respectful way.

Our team will work with you and your support person to agree on the structure and protocols of and for your process.

In adopting a Māori world view, a tikanga-based process can involve and allow for consensual decision-making, based on kōrero, ensuring the mana of the parties remains intact and any hui (Case Management Conference (CMC), facilitation, mediation or hearing) might incorporate and allow for:

- traditional customary practices such as mihi, karakia, pōwhiri, whakatau and waiata;
- collective or communal decision-making; and
- multi-party participation in and attendance at the CMC/facilitation/review/mediation/hearing.

Kua waihangahia e Te Pokapū Whakatau Tautohe o Aotearoa i tēnei ara tūhono ki te whakatau i ngā heitara me ngā

raruraru, otirā te huarahi whakamua, kia whai waahi atu ngā tikanga Māori ki ngā wahanga katoa o tēnei kaupapa. Ko tētahi hua, ka whai waahi atu te kāhui tangata ki te whakauru i ngā tikanga tuku iho ki roto i ngā whakatau, kia kitea te tirohanga Māori, otirā, te mātauranga Māori.

NZDRC's conflict management and dispute resolution services have been designed to allow for tikanga principles in the processes we use for all processes and this allows participants, with the assistance of the practitioner and our cultural support team, to develop a traditional approach making use of tikanga and mātauranga Māori.

A kāti hā, i te karanga a te kaitono, ka takaia e Te Pokapū Whakatau Tautohe o Aotearoa i te korowai aroha ki ngā tāngata katoa. Ahakoa Kaitono mai, Ringa Tūhono mai, Kaiarotake mai. Ka piri mai ko ngā Kaitautoko Māori ki te tauawhikura i te kaupapa e kitea ai, e rangona ai i ngā mātāpono Māori, i te whakapono a te Māori, i ngā uaratanga, otirā, te mātauranga Māori hei orange mō te ara tūhono ki te whakatau i ngā heitara me ngā raruraru, otirā te huarahi whakamua.

When requested, NZDRC's team will, with the assistance of our cultural support team, draw from their own broad range of practice experiences and tikanga and wrap a cloak around all parties to complaints, conflicts and disputes and support them using Māori beliefs, principles, values, and practices that derive from traditional knowledge (mātauranga Māori) for improved outcomes for them.

He pātai ou? Want to know more?

Kua honotahi a NZDRC ki a Tūhono kia ea ai ngā ēnei mahi.

www.tuhono.nz

Mo te roanga ake o ngā pitopito kōrero, tēnā whakapā atu kia NZDRC i runga i te nama waea 0508 DISPUTE (0508 347 7883) mā te imera rānei registrar@nzdrc.co.nz.

NZDRC has formed a partnership with Tūhono to deliver our cultural support services.

www.tuhono.nz

For more information and to get your journey started, please contact the NZDRC team on 0508 DISPUTE (0508 347 7883) or by email to registrar@nzdrc.co.nz.

Tūhono...

Wi Pere Mita

Ringa Tūhono, Roia, Kaiako

Rongowhakaata, Te Aitanga a Mahaki / Te Whānau a Kai, Waikato / Tainui

Max Matenga

Kaiako, Kaitiaki Ahurea

Te Whānau a Kai

Haimona Te Nahu

Ringa Tūhono, Roia, Kaiako Ngāti Porou,

Rongomaiwahine, Te Arawa

The Tūhono Team

Wi Pere Mita

Mediator, Lawyer, Trainer and Assessor

Rongowhakaata, Te Aitanga a Mahaki / Te Whānau a Kai, Waikato / Tainui

Max Matenga

Trainer & Cultural and Language Advisor

Te Whānau a Kai

Haimona Te Nahu

Lawyer, Mediator

Ngāti Porou, Rongomaiwahine, Te Arawa



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