

Pānui - December 2015

MIHIMIHI

E ngā mana, e ngā iwi, e ngā waka, tēnā koutou katoa.
Ko tēnei he pānui mo ngā tangata whenua, ko te iwi o ngā waka o Kāi Tahu, o Kāti Māmoe, o Waitaha me ngā iwi o ngā Mātāwaka ki roto i ngā rohe o te whānui o Kāi Tahu.

Kia ora

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STAFF PROFILES:

Joy Smith - Manager

Before joining the Law Centre as Manager in 2006, Joy spent 12 years as Executive Officer at Kāti Huirapa ki Puketeraki Rūnaka.

Desiree Williams (Tuhoe) - LLB, BTch(0-8) - Barrister

Desiree joined the Law Centre in 2007 as a Barrister. She has one daughter.

Haines Ellison (Kai Tahu) - LLB, BA (Geog) - Barrister

Haines has been a Barrister at the Law Centre since 2009.

Malcolm Lucas - LLB, BSc (Geog) - Barrister

A Dunedin local, Malcolm joined the Law Centre shortly after graduating from Otago in 2013.

Posala Tioa (Samoa) - LLB, BA (Phil) & BTheol Otago University, BTheol Malua Theological College - Law Clerk

Posala joined our Law Centre as a Law Clerk in 2013. Posala is also a minister at the Congregational Christian Church of Samoa in South Dunedin. Posala and his wife have three school aged children.

Laura Jefferies - Currently studying towards LLB

Laura began working as a Law Clerk in late 2015, working during her studies at Otago University.

Kiri Harmer (Iwi - Nga hau e wha) - LLB, BA (Trad Māori Arts) - Volunteer Law Clerk

Moving from Hastings to Dunedin with her five children, Kiri joined the Law Centre as a Law Clerk in 2013. We are proud to announce that Kiri has recently completed her law degree at Otago.

BOARD MEMBERS

<i>Antony Deaker – Chair</i>	–	Kati Huirapa Rūnaka
<i>Jane Graveson</i>	–	Te Rūnanga o Moeraki
<i>Fiona Curd</i>	–	Kati Huirapi Rūnaka
<i>Tim Vial</i>	–	Te Runanga o Ōtākou
<i>John Dawson</i>	–	University of Otago representative
<i>David Ehlers</i>	–	Webb Farry, Legal Expertise
<i>Natalie Karaitiana</i>	–	Te Runanga o Ōtākou

We would like to say a farewell and thank you to Nicola Taylor and Des Tipa who both stepped down as board members at the end of 2014. Their contributions to the Ngāi Tahu Māori Law Centre over the years have been invaluable.

We welcome to the board Natalie Karaitiana. Natalie was raised in Kaiapoi in close proximity to Tuahiwi and Rapaki. Through her father Douglas Haigh Te Hautapuniuo Tu Korako Pohio, Natalie's whakapapa connects to Otakou, where she lives on whānau land at Te Rauone with her husband Paul Karaitiana.

We also thank Antony for stepping up to the role of Chair. Antony is the manager of Artist Development Agency. Antony provides mentoring and coaching for people starting small businesses, primarily but not exclusively in the arts and cultural sector, as well as mentoring and planning support for individuals, groups and NGO.

The Ngāi Tahu Māori Law Centre provides a free legal service for Māori land law issues to all Māori of any iwi living in the rohe of Ngāi Tahu, and Ngāi Tahu living anywhere in the world. If you have questions or concerns about your Māori Land interests or want to know if you have any Māori Land give us a call on 0800 626 745

Or email: info@ngaitahulaw.org.nz

UPCOMING OUTREACH CLINICS

The lawyers from the Ngāi Tahu Māori Law Centre will be conducting a number of outreach clinics in Te Waipounamu over the coming months. These clinics provide an excellent opportunity to meet with our staff kanohi ki te kanohi.

If you have any questions regarding your Māori land, or if you just want to drop by to meet us in person, then these outreaches are a good opportunity to do so.

The Law Centre staff will be holding the following upcoming outreaches:

- ◆ Invercargill - March 16 - Community Law Southland - 100 Spey St, Invercargill
- ◆ Arowhenua Marae - Early 2016, to be confirmed
- ◆ Christchurch - On enquiry

Outreaches are usually advertised in local community Newspapers and Te Pānui Rūnaka. If you would like to make an appointment to meet with a lawyer during one of these outreaches, please contact our manager Joy on **0800 626 745**, or if you prefer, contact your local rūnaka to find out when exactly we will be available.

If you are unable to make it to an outreach then we are often able to assist you remotely. We frequently assist clients over the phone, by post, and through email. If you are not sure whether you qualify for our free service please get in touch and we will do our best to help you however we can.

If you feel that an outreach clinic is needed to assist whānau in your area, please contact us and we will try to arrange a clinic near to you in future.

WHAKAPAPA WORKSHOP

The law centre is looking at running a whakapapa workshop at some stage in 2016. Our intention is to assist not only Ngāi Tahu but all Māori to connect with their whakapapa and whenua.

We will be giving assistance with whakapapa charting software and using our research skills to search for records of tipuna.

More details will be published closer to the date of the workshop, but at this stage we are keen to hear expressions of interest. Please let us know if you are interested, and if there are any particular aspects of whakapapa work which you would like our help with.

CHANGES TO TE TURE WHENUA MĀORI ACT

In 2013, a review of Te Ture Whenua Māori Act 1993 (TTWMA) was conducted. TTWMA is the fundamental piece of legislation which governs the majority of Māori land issues. Submissions were requested from the general public as part of the review, and an independent panel of experts was brought in to review the Act.

Earlier this year, a 'Consultation Draft' of the new Te Ture Whenua Bill was released. This Bill confirmed many of our fears about the future of legislation governing Māori land. Consultation hui were held across the country, and the overwhelming response was negative. The public shared our grave concerns that Māori land would be lost, and whānau would become disconnected from their whenua.

Our law centre made a submission on behalf of our client base, setting out all the areas which concerned us and requesting further consultation before the Bill went any further. 392 submissions were received in total, and a summary of the submissions is available online. In general, submissions were critical of the proposed changes, and questioned the justification for the review.

Following the consultation, it was recently announced that a number of changes had been made to the proposed Bill, including:

- Removal of forced whānau trusts on intestacy
- Removal of the role of 'Managing Kaiwhakarite'
- Amendment of the language of the Bill to more clearly reflect the principles of the 1993 Act
- Increase of Māori Land Court power to prevent loss of Māori land

We stress that the exact wording of these changes, and any others that have been made, has not been released. Accordingly, we cannot say whether the changes have actually addressed our original concerns with the Bill. In any case, if these were the only changes made to the Bill, then we believe the Bill will still be deeply flawed.

Despite requests from our law centre and several other submitters, it appears as if there will not be a second round of consultation before the Bill is introduced into Parliament. This means that the next opportunity to have a say on the Bill will be at the Select Committee, in 2016. If you would like more information about this process, please feel free to contact our offices to discuss.

Needless to say, the Ngāi Tahu Māori Law Centre is concerned about the impact that these changes may have on our clients. We will be watching closely for any further updates regarding these proposed changes, and will advise when we know more. We welcome your input on this subject, and would be happy to include your thoughts in any correspondence we have with parliament.

LEGAL EDUCATION SERVICES

The Law Centre continues to offer a range of Legal Education services throughout Te Waipounamu. These education services generally relate to Māori land but we offer general legal education seminars by request.

We have developed a number of presentations to provide straightforward legal advice about common everyday situations, such as consumer rights, or dealing with the police. We are also able to develop presentations on specific topics on request.

We have also recently delivered seminars to Otago Polytechnic students, Arai Te Uru Whare Hauora, and to Te Wānanga o Aotearoa in an effort to promote knowledge about Māori land to those in our community.

Our connection to Otago University through Te Roopu Whai Putake - the Māori Law Students group has also been strengthened this year, as we participated in the '21st Birthday' of the organisation.

If you feel that you, your organisation, or someone that you know may benefit from being more informed about Māori land or other general areas of law then do not hesitate to give us a call on 0800 626 745 or an email at info@ngaitahulaw.org.nz to discuss how we can assist you.

NEW SERVICES OFFERED

The Ngāi Tahu Māori Law Centre is expanding the services which we are able to provide. We can now offer assistance with drafting **Wills and Powers of Attorney**.

Our unique understanding of tikanga Māori ensures that we will be able to address your personal circumstances taking into account kaupapa Māori.

These services are user-pays, and are offered at a competitive rate. The first consultation is free, so if you think you might be interested in any of these services, give us a call. If we are unable to help you we will refer you to someone who can.

If there are other legal services which you need assistance with, do not hesitate to get in touch and we can discuss how we can assist you.

HUI A IWI 2015

The Ngāi Tahu Māori Law Centre was excited to have a stall at this very popular event.

It was good to see so many of our clients and hear some success stories which have come from active ownership in Māori land.

If you met us at our stall and wanted to follow up on anything we discussed, please feel free to contact us on 0800 626 745 or an email at info@ngaitahulaw.org.nz.



WILLS AND MĀORI LAND

If you have shares in Māori land, then make sure that you include directions in your Will that instruct what should happen with those shares. It is also important to make sure that your family know where your Will is, and who your lawyer is, so that there are no complications in making sure things are done the way you want them to be.

Your Will applies to your Māori land, so it is critical that you include instructions regarding your Maori land when drafting it.

The Ngāi Tahu Māori Law Centre can help ensure that your will adequately deals with a gift of your Māori Land. Call us on 0800 626 745 if you require assistance with this matter.

MĀORI LAND COURT TRUSTEE TRAINING

We appreciate that those appointed as trustees of ahu whenua or whānau trusts may need advice and assistance when settling into such a role. On top of guidance and advice which we are happy to provide, the Māori Land Court hold trustee training workshops and will often direct that those appointed as trustees attend 'trustee training'.

Trustee training consists of a free two hour workshop organised by the Māori Land Court and hosted by a Court registrar. The workshop provides a great grounding in Māori land trustee duties, and is also a good opportunity for new trustees to ask any questions they might have about trusts, or Māori land in general.

Trustee training workshops are held all around Te Waipounamu, usually coinciding with local sittings of the Māori Land Court.

For more information about these workshops, feel free to contact the Te Waipounamu office of the Māori Land Court on 03 962 4900, or see the Māori Land Court website (<http://www.justice.govt.nz/courts/maori-land-court>) for more information.

MEDIATION

The Law Centre now offers a mediation service with a kaupapa Māori ethos. Mediation is a low-cost option for solving disputes and is perfect when both parties wish to maintain a positive relationship in the future. Mediation is often the preferred alternative rather than dealing with a dispute in court.

The lawyers acting as mediators are LEADR accredited. The mediators have experience with a range of disputes, from employment to family issues.

If you or anyone you know has a conflict or disagreement that you think would benefit from mediation then get in touch with us so we can discuss how we can help.

MĀORI LAND COURT DATES 2016

The following dates have been tentatively set down for Te Waipounamu Māori Land Court hearings in 2016. Note that in order to be heard on these dates, applications often have to be filed with the Court at least two months in advance.

- ◆ Christchurch - 12 February 2016
- ◆ Christchurch - 4 March 2016
- ◆ Invercargill - 14 March 2016
- ◆ Dunedin - 15 March 2016
- ◆ Christchurch - 8 April 2016
- ◆ Christchurch - 6 May 2016
- ◆ Christchurch - 17 June 2016
- ◆ Christchurch - 8 July 2016
- ◆ Invercargill - 18 July 2016
- ◆ Dunedin - 19 July 2016
- ◆ Christchurch - 19 August 2016
- ◆ Christchurch - 9 September 2016
- ◆ Christchurch - 14 October 2016
- ◆ Christchurch - 18 November 2016
- ◆ Invercargill - 28 November 2016
- ◆ Dunedin - 29 November 2016
- ◆ Christchurch - 9 December 2016

Our Law Centre will be attending all of the Dunedin hearings, and travelling to attend some in Invercargill and Christchurch. If you would like to meet with our lawyers when we are in Invercargill or Christchurch please get in touch with us on 0800 626 745 or at info@ngaitahulaw.org.nz to arrange an interview.

Meri Kirihimete me nga mihi nui mo te tau hou

