

VEILLARD-CYBULSKI AWARD 2016

“The Rangatahi Court background and operating protocols”

by Judge Heemi Taumaunu

1. Judge Heemi Taumaunu's pioneering work, “The Rangatahi Court: background and operating protocol”, which led to the creation of the Rangatahi courts, is particularly interesting and innovative, based on the idea of a justice “ by Maori for Maori”.
2. The problem addressed is of very high importance. Since Maori young people were overwhelmingly disproportionately represented in the Youth Courts and detention facilities, the need for a different approach was clear. Judge Taumaunu has changed the experience of monitoring the mandatory Family Group Conferences for young Maori offenders.
3. The action of the Rangatahi courts has proven to be very effective and useful. An extensive evaluation has been carried out which endorses the effectiveness in terms of changing behaviour, not only of the young offender but also of their whanau and community. Incorporating Maori language, protocols and customs into the marae hearings have reflected the strengths of the Maori culture. Individual and cultural identities have been enhanced as well as the respect for the judicial process by the young person and his whanau. Moreover, more and more Maori communities request and support Rangatahi courts which have increased in number since Judge Taumaunu first drew up the protocols. They have been extended to Pasifiki courts too. This acceptance by the Maori community is a testament to the approval of it by the Maori people.
4. It is known that many countries struggle with the disproportionate numbers of ethnic minorities coming before their youth courts and their subsequent disproportionate numbers in detention. So the jury has given weight to an individual – Judge Taumaunu – who pursued an idea which was outside the usual proceedings for youth offending in his country. He introduced a system which has been found to work extremely well for Maori children and their families who become participants rather than outsiders in proceedings. The system has a future life and is being adopted elsewhere.
5. In sum, Judge Taumaunu showed leadership skills in devising and over several years pursuing, introducing and monitoring a refined aspect of the juvenile justice system that took into account the needs of Maori children to learn who they are and where they have come from so that they can change behaviour and realise their potential and respect and new understanding for cultural identity. It is a system that promotes dignity and the taking of responsibility for offending by the young person who is aided by his whanau (family) and community. The family and community gain in standing and dignity too. It is inclusive. It reflects child friendly justice guidelines of participation, dignity, best interests of the child, protection from discrimination and the rule of law.