

Justice and the Children of Incarcerated Parents
Inaugural conference of the International Coalition of Children of Incarcerated
Parents – INCCIP

Rydgges, 272 Fenton Street, Rotorua,
Tuesday 21 March 2017; 11am-12.30pm

‘Embracing the Spirit of Huriawa’

I want to firstly acknowledge the mana whenua of this area, ngā pūmanawa e waru o Te Arawa.

The eight beating hearts of Te Arawa, who each trace their descent to one or more of the eight children of Rangitahi Forever linked, interconnected through genealogy and geography, a confederation of tribal groupings that cares for the land in which this week we come to gather.

It is a unique location for a unique network to meet together for its inaugural conference: the first gathering of the International Coalition for the Children of Incarcerated Parents.

I want to pay tribute to all those who attended the Prisoners’ Families conference in Dallas, Texas in 2015 and who vowed to come together, to stand united for those of our community who are adversely impacted by the stigma of incarceration, who are the forgotten victims of crime, the invisible, neglected, under-represented : the children of prisoners.

I want to especially acknowledge Dr Liz Gordon as President, and Verna McFelin, Founder and Chief Executive of Pillars Ka Pou Whakahou for your bold leadership in standing up for Aotearoa to host this hui, to enable a collective of nations to learn together by working collaboratively on behalf of all our children of prisoners from across the globe.

One week ago, at exactly this time, I was standing at the source of Te Waikoropūpū, the sacred home of the kaitiaki taniwha, Huriawa, a wāhi tapu for the manawhenua ki Mohua.

Huriawa is the protective guardian who watches over Te Waikoropūpū Springs. She is well known for her bravery, her wisdom and her gentle nature as she guards and protects the myriad of waterways that produce Wai Ora : the water of life; purest form

of freshwater.

For the people of Ngāti Tama, Te Atiawa and Ngāti Rarua, the local iwi, Te Waikoropūpū Springs provide a direct spiritual and physical link to their tupuna. These springs – and the atua kaitiaki that watch over them – are at the centre of iwi relationships. If life cannot survive without water, then the health of these springs reflects the wellbeing of the people.

Te Waikoropūpū Springs Water is amongst the very clearest waters in the world. The sacred fresh waters are said to be healing waters, used by tohunga for cleansing and blessing; rejuvenating the damaged mauri.

While I was standing in awe at the waters of Te Waikoropūpū, the people of Ngāti Tama were in the High Court in Nelson, seeking judicial review of the decision of Tasman District Council to allow a company consent to take over 4000 cubic metres of water every week for the next year.

Despite the 2014 Ngāti Tama Settlement Act which had granted the iwi cultural overlay over the springs, the Council came in over top, and granted Kahurangi Virgin Waters the right to take groundwater from the springs for commercial bottling. Legal action appears to be the only avenue left.

The kaitiakitanga – the guardianship – of Te Waikoropūpū is a taonga tuku iho – a treasure from the ancestors – passed down from generation to generation to ensure that the sacred, clear fresh waters are protected for all our tamariki mokopuna to come.

So what does this all have to do with the focus of Justice and the Children of Incarcerated Parents? Firstly, it goes without saying that perhaps the greatest treasure that the ancestors left is those who come after them – their mokopuna – and it is our inherent right and responsibility that we do our very best by them.

For mana whenua, all things have their own life-force, and are inter-related with the natural world. The springs are part of a much wider system which connects from the underground source to the sea, all the small tributaries and all the springs that bubble into the ocean – including through to here, the galaxy of hot-springs, active geyser and boiling mudpools.

Because the physical and the spiritual are inseparable, the health of the entire system is dependent on the maintenance of the power, the spirit and the sacredness of the waters of life, Wai Ora.

I want now to wider the connection to focus on the concept of Whānau Ora – and how that adds to the story of life for children impacted on by the adverse event of a parent in prison.

In our presentation today, I am sharing the time with Tracey Wright Tawha, representing one of our largest Whānau Ora entities in Te Waipounamu, Ngā Kete Mātauranga Pounamu from Murihiku at the very southern most point of the South Island.

Tracey is going to share their experiences about the relationship between Whanau Ora, restorative justice and how that works for the children of incarcerated parents – through their experience in Invercargill, Gore and Queenstown.

My role is to set some of the scene for the broader context of Whānau Ora.

At this conference, we are so proud to welcome delegates from 19 countries and five continents to the land of Whānau Ora: the interconnection and relationships that constitute the wellbeing of families.

You come from universities, research networks, organisations that work with the families and children of prisoners and advocacy groups. Together this network represents the skills and strategies of collaboration; the importance of working together in the best interests of children.

It is a philosophy that underpins what we practice here as Whānau Ora.

Let me try to connect up how this place, this time, this setting – is our best opportunity ever to understand the vital role that whanau and families play in supporting children impacted by incarceration.

Remember Te Waikoropūpū? Well, here in Rotorua, there is a similar story. The Pekehaua Puna, or Taniwha Springs are precious taonga to Ngāti Rangiwewehi, both as the home of the taniwha Pekehaua and as a water resource.

Stories of the taniwha, Pekehaua are central to Ngati Rangiwewehi traditions and identity as an iwi. Life springs forth for the iwi through the river and the underground channels which link to Taniwha Springs.

Taniwha Springs was taken from Ngati Rangiwewehi under the Public Works Act 1928 and vested in the Rotorua County Council. There was no negotiation. In the iwi's 2012 Treaty settlement, the taking of the springs was acknowledged by the Crown as Ngati Rangiwewehi's "*greatest grievance*". Ngati Rangiwewehi has mourned the loss of Taniwha Springs since its taking and considers that the taking was morally wrong.

Yet good things can happen – and here, in November 2015, more than 100 gathered at Tarimano Marae to mark the Rotorua District Council's historic decision to return ownership of the springs to its traditional owners.

It took time, but eventually the Council and the iwi, working together for the best interests of their descendants, reached a resolution in which the people could be in charge of their tribal heartbeat; could have authority over their decisions, while at the same time gaining access to the decision-making and the services and support that both Council and iwi could agree to.

This, in essence, is what Te Pūtahitanga o Te Waipounamu is charged with doing in the best interests of all our whānau. It is about reinvigorating traditional networks, establishing new collaborative arrangements, driven by a Whānau Ora approach. It is about coming together in new ways with old partners; regaining authority over a way of life which seems families in control; taking back the rights and responsibilities to care for their own. Placing whānau at the centre.

What much of the evidence in Aotearoa has shown us is that working in a whānau-centred way has tangible benefits for those who are incarcerated.

A good example of this is the programme evaluation that the Methodist Mission undertook with Ako Aotearoa – looking at the impact of the Storybook Dads programme on literacy and social connectedness between incarcerated men and their tamariki.

They found that by making whānau and particularly tamariki central to behind-the-wire prison delivery, the motivation, confidence and achievement levels of prisoner participants is greatly increased, leading to real and immediate benefits for themselves and whānau.

The importance of whānau (especially tamariki) as a positive motivator for our men in prison is too often underestimated in programme delivery – and is a real opportunity for positive change.

But while it's a strength for our parents in prison to be reconnected to whānau; how does incarceration impact on the lives of all their children?

We know that the heartbeat of our children has been profoundly damaged through the verge of crisis that too many of their families live in.

Data from the *Christchurch Health and Disability Study* shows us that the children of prisoners are far more likely to be imprisoned, to be nicotine dependent, to be diagnosed as having a personality disorder, to be somewhat more likely to have a drug dependence, to have attempted suicide, to be a young parent, unemployed and welfare dependent.

But it's not just – as bad as it is – that the impact of an incarcerated parent leads to such significant disruption for the children.

The Pillars report, *Invisible Children*, also highlighted that the institutions of society remain blind to the effects of incarceration upon whānau and tamariki. It concluded that government virtually never responds knowledgeably and effectively to the needs of whānau. The system has virtually no policies to engage positively with children, many of whom are very angry with the injustice of the system they have directly experienced over many years. No strategies to prevent trauma, to avoid collateral damage or to support and strengthen communities. Arguably an unjust society perpetuating further injustice on those who are most vulnerable.

The specialists and experts in the field will be able to give far more focus to this epidemiology of crime that our children suffer than my presentation can do justice do.

But what I want to do is to focus on two statements made in a study undertaken by Dr Liz Gordon and Lesley MacGibbon, which explore the findings for Māori from data of a study of the children of prisoners.

The report demanded that the agencies of justice to show a more human face, concluding

“At every juncture where the justice system touches the lives of children, it should be fair, educative, compassionate and kind. This should not be too much to ask”.

But it also finished the report with a profound challenge, noting that none of the results I referred to above are inevitable. In the words of the authors:

“The problems are created by the failure of social and justice agencies to acknowledge that their actions, or lack of actions, are at the heart of creating the next generation of

prisoners”.

The study recommends different forms of engagement, local initiatives to improve the engagement and success of young people in their community, could go a long way to depopulating the prison system into the future.

In Whānau Ora, the current of change for new forms of engagement based on old ways of relating, come through the convergence of the nine iwi of the South Island.

Te Pūtahitanga literally means the convergence of the nine rivers from whence life emerged.

Our nine iwi came together, fully inspired by the challenge of taking up their rightful roles as architects for the future, and set in place a framework by which all our interventions and initiatives are bound.

That Whānau Ora is :

- Defined by whānau
- Collective in its nature and intergenerational in its scope
- Strengths based – starting from whānau aspirations as its foundation
- Driven by a focus on self-determination
- And most importantly – that Whānau Ora is not a programme or a service; it is an approach.

That approach is grounded in the notion of Whānau Ora outcomes; our seven pou

- Self-managing
- Living healthy lifestyles
- Participating in society
- Participating in Te Ao Māori
- Economically secure and successfully involved in wealth creation
- Cohesive, resilient and nurturing
- Responsible stewards of their living and natural environments

Within that, we have five key workstreams of commissioning :

- Our investment pipeline

- Whānau Enhancement
- Te Punanga Haumarū
- Capability Building
- Research and Evaluation

I want to draw attention particularly to the first three.

The investment pipeline currently consists of approximately 100 different whānau interpretations of the Whānau Ora approach.

As an example:

- In Picton, we have **Poutama Ahi Kaa** – a series of wānanga to understand the histories and traditions through reo, whakapapa, guardianship – to spread the net of knowledge and leadership wider with rangatahi who can take up the mantle of responsibility;
- In Nelson an initiative to support whānau in low income situations – **Hei Whakatipuranga Whānau** - came out of a conversation with a young mum who had an automatic payment going out weekly to the Ministry of Justice for fines accumulated for not having a licence. A lack of public transport in the area and whānau were using vehicles in emergency situations – focus on safety; drivers licences; budgeting;
- In the eastern suburbs of Christchurch came **Bros for change** – two young men who had been stuck in the justice system, working in a series of camps by working with rangatahi for rangatahi. They work with youth from difficult backgrounds who have genuinely lost their path – to turn lives around through sports, adventure based learning and mentoring.
- **Project Kete** in Dunedin: facilitating long term change for high-end complex Māori male offenders with their whānau. Project Kete works in a marae based environment, taking on a whanaungatanga approach to connect with the men and reconnection with their children and wider whānau.

The diversity is in itself reflective of our approach. In the packs you will see maps of where our initiatives are based. By funding whānau directly we have taken a bottom up approach. This is an important positioning as the literature indicates that transformation cannot be handed down from above. It is a process that **people must do for themselves**.

Fundamentally, emancipatory approaches begin with the premise that those who experience disparity know best what the issues area. Who defines the problems and their solutions is shifted from members of the dominant society to marginalized communities as an effort to claim, share and use power for collective benefit.

In our stories you will see that many of the whānau had already been working quietly on their initiatives as they were convinced it would bring about positive change. The funding mobilises this mindset and capitalizes on the desire whānau already had to bring about change.

The second broad area of work is called Whānau Enhancement. This is about building capability. A recent evaluation of our approach, undertaken by Ihi Research and Development, outlined five broad areas of capability:

- **It is self-directed:** whānau defined the skills they needed to move their initiative forward
- **Building on existing cultural knowledge and life experience**
- **Situated in the context of their own initiative:** right place, right time, right people. The learning is initiated by the whānau
- **Practical and immersed in their activity:** putting down a garden, composting, planting, companion planning all becomes a vehicle for working together
- **Collaborative and relational based.**

This evaluation has been really important for us to understand that there are two critical elements to developing whānau capability. Essentially:

- the commissioning model provides a **purpose** for capacity to be built
- **whānau led their own capability building** in pursuit of their aspirations.

The third pathway that I talked about was Te Punanga Haumarū – creating sites of safety. This is an area of work which Tracey has particular experience with through their focus on **hīkoi to hauora**; creating a physical environment to feel safe to address substance abuse and addiction; and also their work with kōhanga reo as an optimum setting to take a whole of whānau approach to change.

In 2015 we commissioned a research project from Aotahi School of Māori and Indigenous Studies at the University of Canterbury, looking at transition pathways for Māori women post prison.

The study included that there were four key findings underpinning a successful transition for women from prison to the community with reduced risks of reoffending.

1. **Integrated approach:** initiatives that address housing and employment, substance abuse, family reunification address many of the potential triggers for reoffending: in other words a suite of sectors;
2. **Whānau Ora Navigators** are critical in maintaining an ongoing nurturing relationship, brokering access and opportunities – the literature describes this as the criticality of an anchoring relationships for transitioning women.
3. **More than just government :** for transition to be successful, practical, delivery focused initiatives from government must be supported with a positive responsiveness strategy;
4. **Continuity:** the evidence is clear that programme design which allows for continuity between in prison and post release is vital, to enable sustained impact of life planning, skill development, education and other preparation for release approaches.

I want to take us back to the comment from the findings of the Māori data from the study of children of prisoners

Even for the most damaged young people that feature in this study, high quality interventions in health, education and social support can prevent poor outcomes. It is not even that difficult to do, although there is some cost. New initiatives such as Whānau Ora have the potential, if effectively implemented, to offer that community support and the interventions that are needed to help the children.

However there must be voices raised in every community that refuse to accept that a child aged under 10 is already condemned to a life in prison”.

And this is where, finally, I return to my theme: **Embracing the Spirit of Huriawa’.**

You remember her: the protective guardian who is the keeper and kaitiaki, who uses her special powers to dive deep into the land and sea to send messages through the surge. She disentangles tree roots and obstacles to prevent the underground waters from flowing freely. Her children rest at Waikoropūpū while she travels back and forth in her role as a caretaker of the myriad of whānau.

Today, whether we are Whānau Ora Navigators; Researchers and activists; policy makers or practitioners; we must draw on that spirit of Huriawa to guard and protect the precious taonga that all our children represent. We must raise our voices, connect in time and word, to bring together a network of champions which keep all our children safe from harm and free to flourish.