

Judge Sarah Reeves' speech to the Federation of Māori Authorities National Conference

28 September 2014

Tēnā tātou katoa. Good morning everyone.

Thank you to the FOMA Executive for the opportunity to speak to you this morning, as it turns out, very early in the morning! The kaupapa I have been asked to address is "the Law, my journey for our people". This seemed to be an invitation for personal reflection on my career and aspirations for our people, so that is how I have approached my task this morning.

I would firstly like to congratulate FOMA for their acknowledgment and celebration of the role of women in leadership and governance at this 2014 conference.

I am an uri of Te Ātiawa. My marae are Muru Raupatu at Bell Block and Waikawa Marae near Picton. My tipuna were part of the diaspora of Taranaki Māori in the 19th century, finally settling on Aropaoa Island in Queen Charlotte Sound. My grandmother Pirihiira was bought up in Waikawa, part of the extended Watson or Tahuaroa whānau. After WW1 she married Darcy Reeves, a returned soldier from a local Pākehā family, and they moved to Wellington, settling in Newtown where my father Paul was born and grew up.

Dad's story is well known, and so I won't go into the details of that other than to say that his story is also my story, as I am a product of the same values that influenced and motivated him in his life.

I had as normal an upbringing as you can expect with a father who kept on getting unusual jobs, and that's a testament to my parents' low key approach. But there were some surreal moments; such as meeting various royals, and the only car accident I have ever been involved in, which was with Bishop Desmond Tutu, who Dad was delivering to Rotorua airport. Thankfully no one was hurt, and I think the poor woman driving the other car was more shocked to see two men wearing long purple robes get out of the other car.

I think it was Dad who suggested that I might like to give law a go. By that stage it was evident I would not follow him into "the family business". My first year at Auckland University coincided with the Springbok tour. In my second year I was into law school and my classmates included Annette Sykes, John Tamihere, Mark Milroy, Paul Majurey and Frances Eivers. Ahead of us were Denise Clark, Prue Kapua, Louis Bidois, Sharon Opai and Charl Hirschfeld.

When I left law school in the mid-80s I was recruited by a big commercial law firm. Those were the days of LA law – power suits, big hair and fast cars. I was admitted to the bar at the High Court in Auckland in 1985, and because Dad was the

Governor-General at the time he could not go into the courtroom or he would have usurped the authority of the judge. I have an abiding vision of him standing on a bench outside the Court and poking his head through a window so he could hear what was going on.

In those days Māori lawyers, let alone Māori women lawyers, were thin on the ground. Māori judges were definitely a scarce commodity, however I spent a couple of years practising in Henderson when Judge Mick Brown was still sitting as a judge. Mick was a pioneer for many of the initiatives we now see in the Youth Justice area – restorative justice, and court sittings on marae – and a real character in the courtroom. One day he was sentencing a cocky young fellow, and he reached the penultimate moment; “And I sentence you to six months imprisonment...” at which point the young man pipes up, “Sweet... I can do that standing on my head...” And without missing a beat Mick said... “And another six months to get you back on your feet again...”

I spent seven years in private practice, and then my husband and I decided to do something completely different and we got jobs in Rarotonga. We worked for the back office of large British bank based in Hong Kong. This was during the run up to the hand back of Hong Kong to the People's Republic of China, and our job was to establish and administer trust structures to receive the assets of wealthy Chinese prior to their migration to either Canada or Australia.

We had a fantastic five years in Rarotonga and subsequently I worked as a corporate lawyer for about 16 years in areas as diverse as banking, commercial real estate and local government. Eight of those years were spent overseas; in Rarotonga, Hong Kong and Singapore.

I really recommend living and working in an overseas context. It broadens your horizons, it allows you to experience and work in different cultures. These experiences can enrich and widen your perspectives, and of course connect you to the global stage. So for anyone who asks me, I say take those opportunities if they present themselves. Te iwi Māori will still be here when you get back.

At the end of the day we wanted our children brought up in New Zealand with access to whānau, friends and a kiwi lifestyle. When we came back from Singapore in 2006, my husband said “it's your turn”. I spent nearly five years at Auckland City Council and then subsequently at the Auckland Council as Deputy General Counsel. I managed a team of lawyers who looked after council's property, commercial and construction legal work. We were involved in a number of large complex capital projects including the Art Gallery redevelopment, the Aotea Square redevelopment, and the Victoria Park Tunnel. During that time I learned the value of giving accessible, fit for purpose and timely legal advice.

I believe there are some big challenges and big opportunities in the relationship Māori have with local government. Local government is the branch of government that touches our everyday lives and environment, and as iwi become bigger players

in regional economies, as here in Whanganui, local government must engage and share decision-making with Māori communities. I congratulate the New Plymouth City Council for their foresight and courage in making the recent decision to create a Māori ward. I hope this is a sign of things to come.

Occasionally rangatahi studying or thinking of studying law ask me for advice. I say to them that settlement of our historic Treaty grievances is now in sight. In the post-settlement era, for the next phase of our development, commercial and particularly environmental lawyers are what we need. Māori engagement with environmental and resource management issues is going to be huge in the next 10 to 20 years. We will need lawyers who can combine knowledge of te reo me ona tikanga, and the Treaty, with the practice of environmental law.

After 15 or so years as a corporate lawyer, you can imagine my surprise to have the opportunity to join the Māori Land Court. I had to think hard about what I could offer; would my experience be of value? And I think a lot of us, particularly women, struggle with what is often called "imposter syndrome". Am I good enough? Can I do the job? Do I have the right experience for this role?

The key is to recognise opportunities and have the courage to take them. Believe that you have the capability to rise to the challenge. Don't be afraid to close one door and walk through the next one.

And that is what I did. I've been a judge for nearly four years now. I'm grateful that my father got to see me become a judge. He gave me three pieces of advice. The first was to keep up with developments in the law. The second was to focus on the role of the law in our evolving society, and the third was to take nothing for granted and always test for yourself what someone else says you should do.

I try and remember those things as I go about my work. I also try to keep at the front of mind my judicial oath "to do right by all manner of people without fear or favour".

I am currently the judge for Te Waipounamu in the Māori Land Court. I am also presiding over a number of urgent inquiries in the Waitangi Tribunal, which has never been busier. The rapid pace of Treaty settlements has created challenges for the Tribunal, and the number of the applications in the Māori Land Court continues to rise as well.

Just before I wind up, I want to make a few brief comments about the Court and the Tribunal.

For Te Kooti Whenua Māori this is a time of uncertainty. We await confirmation of the details and programme for the Government's review of Te Ture Whenua Māori Act, and so now is not the time for comment from the judiciary.

However, I welcome FOMA's engagement with this issue. And it is appropriate that those who run the entities that potentially will be impacted have input. With the focus

of the recent review on increased productivity of land, let's not forget the many trusts and incorporations that already do a great job and are success stories that have been celebrated this weekend.

For the Waitangi Tribunal, a time of transition also approaches. Completion of the district inquiries is in sight. In July a new strategic direction was announced which will see the Tribunal's inquiry programme progress in two broad transitional phases. Firstly, from 2014 to 2020 the Tribunal will complete the final six district inquiries and address the remaining historical claims not included in district inquiries, and progress kaupapa claims. Secondly, from 2020 to 2025 the Tribunal will substantially advance and complete kaupapa and contemporary claims. And this week, the Chairperson of the Tribunal initiated the new kaupapa inquiry programme by appointing a panel and commencing the inquiry for the claims concerning military veterans.

For our wahine toa, full engagement of the intellectual, social and cultural capital of mana wahine is necessary for te iwi Māori to fully achieve our aspirations for our people and our whenua. Even more of us need to step forward as participants and leaders. In the words of Sheryl Sandberg "Lean In". So I say to our Māori women, prepare yourselves and take your seat at the table.

Personally, being able to serve by assisting Māori to achieve their aspirations for their whenua and presiding over claims by Māori under the Treaty of Waitangi is a great honour. It is a role and responsibility that I do not exercise lightly, and I hope to continue that service for some time to come.

Tēnā koutou katoa.