

IN THE WAITANGI TRIBUNAL

**Wai 2700
Wai 3011**

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF the Mana Wāhine Kaupapa
Inquiry

BY Paula Ormsby, on behalf of
herself, the Wāhine Toa Chapter
of the Mongrel Mob Kingdom,
and Priority Whānau, including,
Māori women and their children
associated with other gangs

BRIEF OF EVIDENCE OF MATILDA KAHOTEA

12 February 2026

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Waitangi Tribunal

12 Feb 26

Ministry of Justice
WELLINGTON

I, **Matilda Kahotea**, Director, of Tāmaki Makaurau, state as follows:

1. I provide this Brief of Evidence (“BoE”) in support of the Wai 3011 claim, led by Paula Ormsby. My BoE sets out evidence that supports the claim that the Crown’s actions and legislation breach te Tiriti o Waitangi (“te Tiriti”) in ways that have prejudiced wāhine Māori.
2. I am of Ngāti Pūkenga descent. I am the founder and director of the Ngā Kete Wānanga Solutions, a kaupapa Māori organisation focused on providing a 12 week rehabilitation programme for Māori.
3. My evidence speaks to issue 1 of the Inquiry’s Statement of Issues, which is as follows:

What are the Crown’s duties and obligations under te Tiriti/the Treaty concerning the exercise of rangatiratanga and tikanga by wāhine Māori in relation to their status, roles, responsibilities, practices, values, and beliefs?

A: Rehabilitation Programme

4. Ngā Kete Wānanga Solutions was established in response to the persistent over representation of Māori within addiction, criminal justice, and social harm statistics, and the demonstrable failure of Crown services to produce equitable or lasting outcomes for Māori. The programme was developed as a kaupapa Māori rehabilitation model that centres tikanga Māori, mātauranga Māori, and wāhine Māori leadership as the foundation for healing and change.
5. The rehabilitation programme operates as a 12-week residential model that prioritises restoration of mana, reconnection to whakapapa, and strengthening of whanaungatanga. Rather than focusing solely on the individual person or their behaviour, it focuses on addiction and harm as symptoms of deeper intergenerational trauma, colonisation, dislocation from whenua and culture, and systemic exclusion from meaningful support.
6. All aspects of the programme are underpinned by Tikanga Māori and involve wāhine Māori. Participants of the rehabilitation programme are supported to engage in kōrero, reflection, and collective responsibility, rather than be

subjected to punitive or deficit-based approaches. This reflects the understanding that wāhine have of hauora, which locate individual healing within whānau and collective contexts.

7. For the programme, wāhine Māori played a central and authoritative role in its design, governance, and delivery. This control of the programme's foundations enhanced the rangatiratanga of those wāhine involved to know that it was derived from their lived experiences. Tikanga, matauranga, and leadership inform how care, boundaries, and accountability are enacted. Wāhine are the kaitiaki of tikanga, whānau wellbeing, and inter-generational knowledge transmission that is crucial to the survival of whakapapa.
8. The programme also responds to the specific needs of participants who have been involved in gangs or long-term offending. A culturally safe environment is created where individuals are treated with dignity and respect, and where change is facilitated through relationships, listening and trust rather than coercion or surveillance. This approach has proven effective in engaging individuals who have been disengaged from, or actively harmed by, mainstream state systems. The programme has had a success rate of 52 people completing it.
9. Despite strong community support and evidence of positive outcomes for participants, Ngā Kete Wānanga Solutions has faced significant barriers arising from Crown regulatory frameworks and institutional practices. These include funding instability, regulatory standards that privilege Western clinical models, and a lack of meaningful engagement with the kaupapa and tikanga underpinning the programme.
10. In my view, these barriers reflect a broader Crown failure to recognise and actively protect kaupapa Māori solutions. By imposing frameworks that do not align with tikanga Māori, the Crown constrains the ability of wāhine Māori to exercise rangatiratanga over rehabilitation initiatives designed by Māori, for Māori.

B: Wāhine Grassroots Initiative

11. Alongside my mahi as the director of Ngā Kete Wānanga Solutions, I also organised and led a hikoi from te Tai Tokerau to Pōneke. I became heavily in this hikoi because of hearing kōrero from whānau who are most affected by state policies yet least heard in their design.
12. In 2023, I led a hikoi from te Tai Tokerau to Pōneke to engage in kōrero with gang whānau and to raise concerns about proposed Crown anti-gang legislation. The purpose of this hikoi was not a mere protest alone, but a way to listen to whānau, gather their perspectives, and ensure their voices were carried into public and political discourse.
13. Throughout this hikoi, I engaged with whānau across multiple regions from te Tai Tokerau to te Tai Rawhiti, who all spoke about the impacts that violence, addiction, poverty, and disconnection have on them. As well as the harm caused by the policies, it was solely focused on the further enforcement and punishment of people who are gang related. Many of the whānau that I spoke with expressed that they had never been meaningfully consulted about policies that directly affect their lives, relationships, and futures.
14. A central concern raised during these kōrero was the impact that non-association conditions have on whānau. It was explained that invasive, controlling conditions risk severing whakapapa and undermining tikanga based restorative justice which leads to accountability and healing. From a Te Ao Māori perspective, these measures are not mere legal restrictions but represent an attack on whanaungatanga continuity and collective responsibility.
15. My role within this initiative was again grounded in tikanga based leadership, including listening, facilitating kōrero, and holding space for whānau to speak openly about harm, responsibility, and change. This approach reflects the mana that wāhine Māori exercised through manaakitanga, relational accountability, and the prioritisation of whānau wellbeing over punitive responses.
16. The hikoi demonstrated to me that many people who are involved in gangs or harmful behaviour are seeking pathways to change. The pathways that are

being sought are ones that are grounded in dignity, cultural safety, and trust. Whānau expressed that they do not need to be spoken at by agents of the Crown, but instead be listened to and engaged with as partners in solutions that will benefit all.

17. Despite the constructive intent and tikanga-based foundation of this work, Crown engagement has been limited and dismissive. Policy development has continued to privilege enforcement-focused approaches, with little recognition of the insights and solutions offered by wāhine Māori working directly with affected communities.
18. In my view, this reflects a failure by the Crown to recognise and actively protect the exercise of wāhine Māori rangatiratanga at the grassroots level. The marginalisation of wāhine-led initiatives undermines Māori self-determination and disregards tikanga-based approaches that are effective precisely because they are grounded in lived experience, whakapapa, and whānau relationships.

C: Prejudice

19. The actions and omissions of the Crown have caused prejudice to me, and to wāhine Māori more broadly, in multiple and compounding ways. In particular, the Crown's failure to recognise, support, and partner with wāhine-led grassroots initiatives has limited our ability to exercise rangatiratanga over solutions developed by and for our own communities.
20. Through my grassroots work and leadership, I have sought to create tikanga-based spaces for kōrero, listening, accountability, and healing, particularly with whānau affected by gang involvement, addiction, and social harm. However, the Crown has continued to prioritise enforcement-focused and punitive policy responses, while failing to adequately engage with or resource wāhine Māori initiatives that are grounded in whanaungatanga and lived experience. This has constrained the effectiveness and sustainability of our work and placed the burden of community care disproportionately on wāhine Māori.
21. Regulatory decisions and agency actions that have contributed to the closure, defunding, or delegitimisation of kaupapa Māori rehabilitation and community

initiatives have disrupted pathways to healing that wāhine Māori have worked to build and maintain. As wāhine Māori leaders, we are often left to manage the consequences of these decisions at the whānau level, carrying emotional, cultural, and practical responsibilities for community wellbeing without adequate Crown support.

22. The Crown's continued privileging of Western models of rehabilitation, risk management, and public safety over tikanga-based, whānau-centred approaches marginalises wāhine Māori knowledge systems and leadership. The abysmal social, cultural, and economic indicators for Māori tell us that these models do not work, yet they are continually imposed on us. They reinforce colonial hierarchies of legitimacy, where Māori ways of knowing and leading are treated as secondary or insufficient, despite their proven effectiveness within our communities. As a result, wāhine Māori authority is undermined, and our roles as decision-makers, practitioners, and leaders within our own cultural frameworks are diminished.
23. The cumulative impact of these actions is the erosion of wāhine Māori rangatiratanga, increased harm to whānau who are denied culturally appropriate and relationship-based support, and the perpetuation of inequities that the contemporary application of te Tiriti was intended to address. The prejudice experienced is not limited to individuals, but is structural and inter-generational, affecting the ability of wāhine Māori to fulfil our responsibilities to whānau, hapū, and communities.
24. The Crown has failed to meet its obligations under te Tiriti to actively protect the exercise of tikanga and rangatiratanga by wāhine Māori, including at the grassroots level. This failure has resulted in significant and ongoing prejudice to wāhine Māori leadership, community wellbeing, and Māori self-determination.

12 February 2026



Matilda Kahotea