

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 ESTHER PETERS

12 February 2026

Phoenix Law Limited

Barristers and Solicitors

200 Willis Street

PO Box 27400

Wellington 6141

Phone: (04) 384 1304

Email: mason@phoenixlaw.expert

And: boatwright@phoenixlaw.expert

Counsel Acting: Janet Mason

Counsel Assisting: Arabela Boatwright

RECEIVED

Waitangi Tribunal

12 Feb 26

Ministry of Justice
WELLINGTON

I, **Esther Peters**, Author and Developer, of Pōkeno, state as follows:

A: Overview

1. I provide this Brief of Evidence (“BoE”) in support of the Wai 3011 claim filed 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. My evidence speaks to Issue 3 of the Inquiry’s Statement of Issues. For completeness, it is as follows:

What are the Crown’s duties and obligations under te Tiriti/the Treaty in relation to creating conditions for wāhine Māori to participate in and hold leadership and decision-making roles within the wider community and the non-governmental sector?

3. I whakapapa to Ngāpuhi, Ngāi Te Rangi, Te Rarawa, and Ngāi Tahu.

B: Mana Wāhine Leadership In Community Initiatives

4. I am the author and developer of the Reintegration Rehabilitation Reduces Reoffending (“RRR”) Model in Aotearoa. The RRR Model was developed as a kaupapa Māori, community led response to the failures that I have observed within the criminal justice and reintegration systems, particularly for wāhine Māori. These failures include the lack of culturally appropriate and grounded reintegration pathways, the overreliance on punitive and risk focused approaches, and the absence of meaningful, whānau centred support for people transitioning from prison back into their communities.
5. The RRR Model is grounded in mana wāhine, lived experiences, whānau centred support, and collective responsibility. It draws on my own experiences, as well as those of whānau and communities affected by incarceration, to offer an alternative model of reintegration that prioritises dignity, accountability, healing, and long term wellbeing. Central to the RRR Model is the understanding that wāhine leadership, informed by lived experiences and tikanga Māori, is a strength that can contribute to more effective and sustainable outcomes for individuals, whānau, and communities.

6. In 2021, I actively approached Ara Poutama Aotearoa, also known as the Department of Corrections (“Corrections”), to present the RRR Model and explore opportunities for partnership or recognition as a community provider. This engagement was undertaken in good faith, with the intention of contributing a kaupapa Māori solution to an area of recognised need within the criminal justice system. Despite this, the Crown declined to pursue the initiative, citing the existence of other providers in the space as the reason for decline. There was also no acknowledgement of my role as a wāhine Māori leader or of the distinct kaupapa Māori foundations that the RRR Model has.
7. Rather than supporting or resourcing the kaupapa Māori leadership that I was exercising, the Crown’s response shifted toward mechanisms of assessment, surveillance, and risk management. This included the preparation of an internal Corrections intelligence report that focused on my leadership role, communications, and credibility as a provider, rather than on the outcomes, intent, or potential of the kaupapa itself. This particular use of “intelligence” by the Crown reflects an approach that treats wāhine Māori leadership as a risk to be managed, rather than as rangatiratanga to be supported.
8. My experience reflects a broader pattern whereby wāhine Māori leadership within the non-governmental sector is scrutinised, constrained, and delegitimised by Crown systems, rather than actively protected and enabled. The Crown’s policies favour Crown aligned models of service delivery and marginalise kaupapa Māori initiatives that sit outside conventional funding and contracting frameworks. This approach fails to recognise mana wāhine as a legitimate and necessary form of leadership and decision-making, thus undermining the exercise of rangatiratanga guaranteed to wāhine Māori under te Tiriti.

C: Prejudice

9. The Crown’s actions and omissions have caused me, and other wāhine Māori leaders, significant prejudice. Despite undertaking a leadership role in an area that has a strong need, I was excluded from meaningful decision making,

denied equitable access to support, and was subjected to heightened scrutiny of my past rather than the forging of a partnership.

10. The absence of Crown support, coupled with restrictive funding and contracting environments, placed undue pressure on the sustainability of wāhine Māori led initiatives such as the RRR Model. This reflects a systemic failure to create the conditions necessary for wāhine Māori to participate in and hold leadership roles within the non-governmental sector, as required by te Tiriti.
11. The Crown has placed considerable reliance on intelligence, compliance, and enforcement frameworks, rather than trauma informed wāhine approaches. This further perpetuates the inequitable treatment of wāhine Māori, and has the effect of marginalising lived experiences, and leadership, and reinforcing structural barriers that wāhine Māori face when seeking to contribute solutions for problems in their own communities.
12. This prejudice is an ongoing one. It has limited my ability to exercise my rangatiratanga, constrained the development of kaupapa Māori solutions, and has had broader impacts on the whānau and communities who stand to benefit from wāhine Māori leadership.
13. The prejudice we have experienced arises directly from the failure of the Crown to uphold its duties of partnership and active protection.

12 February 2026



Esther Peters