

Te Rūnanga Takawaenga

(The Mediation Conference)

He Kupu Whakataki

E akiakina ana ngā tāngata e te Kōti ā-Whānau mā rātou ā rātou tautohetohe e whakatau. Ko te tikanga ko te hīkoi tuatahi te kōrero tohutohu. Engari, ki te mea kāore i tau ngā raruraru i te kōrero tohutohu, ka taea ai te inoi ki te Kōti ā-Whānau māna e whakatau he whakaritenga mō tēnei take. Hei tēnā wā, ko te mea tuatahi e meatia ai e te Kōti ko te tono i ngā taha whai pānga ki te haere ki te rūnanga takawaenga.

He aha oti te rūnanga takawaenga?

Ko te rūnanga takawaenga, he wāhi tērā e āhei ai ngā taha e rua te matapaki tahi me tētahi Kaiwhakawā o te Kōti ā-Whānau o rātou rerekētanga, kia taea ai he whakaaetanga. Ko te Kaiwhakawā te kaiwhakahaere o te rūnanga, māna anō e tiaki ka whai wāhi tēnā, tēnā ki te whakapuaki i ōna whakaaro.

He aha ngā momo take e haere ana ki te rūnanga takawaenga

Ka taea te whakahaere he rūnanga takawaenga i ngā wā katoa kua inoi tētahi tangata ki te Kōti ā-Whānau mō tētahi o ēnei whakaritenga e whai ake nei –

- he **whakatau matuatanga** – e mea ana tēnei ko wai te tangata nōna te tikanga tiaki i tētahi tamaiti ia rā, ia rā, hei āwhea hoki, kia pēhea anō te whakapā mai o tētahi atu tangata hira i te orange o te tamaiti. Mahia ai e tēnei tā ngā whakatau tiaki tamaiti o mua, tā ngā whakatau putanga ki te tamaiti hoki.
- he **whakatau mawehetanga** – e mea ana tēnei i ngā whakaritenga e noho mawehe ai ētahi tokorua.
- he **whakatau utu tiakitanga** – e mea ana tēnei kia utua e tētahi tangata he wāhi noa, te katoa rānei o ngā utu orange o tana tahu, hoa taumau rānei, o mua.
- he whakapuakanga kei te hiahia **tiakitanga, whakangungutanga** rānei tētahi tamaiti – ko te wā tēnei e whakatau ai te Kōti ā-Whānau kei te hiahia tētahi tamaiti i te tiakitanga, te whakangungutanga rānei, nō te mea, hei tauira, kua tūkinotia, kua hapa rānei tōna tiaki .

I ngā take pēnei, **me whakarite e te Kōti** he rūnanga takawaenga ki te mea tētahi Kaiwhakawā kia pēnā, ki te inoi rānei tētahi taha whai pānga kia meatia (tae atu ki te tamaiti, ki te mea kua tonoa e tētahi tangata he whakapuakanga kei te hiahia tiakitanga, whakangungutanga taua tamaiti).

Tū ai te rūnanga takawaenga ki whea?

Tū ai ngā rūnanga takawaenga ki te Kōti ā-Whānau, heoi he āhua ngāwari kē atu, kāore hoki he tikanga ōkawa pērā i tētahi rongonga Kōti. Kei ētahi o ngā Kōti nui he rūma motu kē mō ngā rūnanga takawaenga, kei roto nā he tēpu kaitā hei nohoanga taka noa mō te katoa.

Ko wai mā ka āhei te haere ki te rūnanga takawaenga?

E tika ana kia tae atu te hunga e tautohetohe ana. Ki te hiahia rātou, he pai tonu kia tae atu ō rātou rōia, hei āwhina, hei tohutohu i a rātou.

Ki te mea mō tētahi tamaiti te tautohetohe, otirā kua oti te whakatū e te Kōti he rōia mō te tamaiti, kia tae atu hoki taua rōia.

E akiakina ana ngā rōia kia 'noho mai ki muri' i roto i te rūnanga takawaenga. Ko te hunga i a rātou te taupatupatu, e tika ana mā rātou te nuinga o te kōrero.

Ki te whakaaetia e te Kaiwhakawā, ki te kore hoki tētahi atu e whakahē, ka āhei anō ētahi kaitautoko, ētahi atu o te whānau rānei, te tae atu ki te rūnanga takawaenga. Ki te tae atu ēnei tāngata ki te rūnanga takawaenga, ā, mō tētahi take e pā ana ki te Ture Tiaki Tamariki te tautohetohe, e āhei anō rātou te haere ki tētahi rongonga i te Kōti ā-Whānau i muri mai.

He aha ka tūpono i te rūnanga takawaenga?

Kei tēnā, kei tēnā Kaiwhakawā tōna ake tikanga whakahaere i te rūnanga takawaenga. Heoi, ko te tikanga ia ka whakamātau te Kaiwhakawā kia mōhio he aha oti te take o te tautohetohe, kia kite rānei i te tīmatanga mehemea kei reira ētahi take e taea ai te whakaae tahi.

Kātahi, ka akiakina e te Kaiwhakawā ngā taha e rua kia matapakitia ngā take kei te tautohetohe tonutia, ā, mehemea ka taea, kia whakatauria ētahi wāhi, te katoa rānei. Ka āwhina te Kaiwhakawā ki te tiaki kua whakaarohia ngā whiriwhiringa katoa, ā, ki te mea e pā ana te take ki ētahi tamariki, māna anō e tiaki kei te arotahi ngā kōrero ki ngā hiahia a ngā tamariki.

I mua i te tuhituhinga a te Kaiwhakawā i ngā whakaaetanga, ka hoatu ki ngā taha e rua he wā ki te kōrero ki ō rātou rōia, ki te hiahia rātou.

Ka ahatia tētahi whakaaetanga i whakaritea i te rūnanga takawaenga

Ka taea noa tētahi whakaaetanga i whakaritea te tuhituhi iho i te mutunga o te rūnanga takawaenga, ka taea rānei te whakamahi hei pūtake o tētahi atu whakaaetanga ā-tuhituhi i muri atu. Hei tauria, tērā e kōrero he whakaaetanga mō te mawehetanga, mō ngā whakaritenga tiaki tamaiti rānei.

Tērā anō pea, ka āhei te inoi ki te Kaiwhakawā kia hurihia te whakaaetanga anō he whakatau nā te Kōti. Karanga ai tēnei he **whakatau whakaae**, nō te mea ka taea tēnei e te Kaiwhakawā ki te mea anake kua whakaae tahi ngā taha e rua kia hangaia. Ki te whati tētahi o te tokorua i te whakatau whakaae i muri atu, ka āhei tērā atu te whakahau mā te Kōti te whakatau e uruhi, pērā i ētahi atu whakatau a te Kōti.

Pēhea ki te kore tētahi taha e whakaae ki te haere ki te rūnanga takawaenga?

Ka āhei te Kōti te whakahau kia puta mai ia i tētahi rā kē mā te tuku **hāmene** ki a rātou.

Pēhea ki te kore e whakaritea tētahi whakaaetanga?

Mehemea kei te mārama e kore e whakaritea he whakaaetanga, ka āhei te Kaiwhakawā te whakamutu i te rūnanga takawaenga kia whai wā ake ngā taha e rua ki te hurihuri i ō rātou whiriwhiringa, ki te kimi pārongo ake, ki te rapa whakaritenga rānei mō te wā poto. Ko te tikanga, ka homai e te Kaiwhakawā he tohutohu mō ngā hīkoi kei mua o tēnei take.

Ka taea hoki te kōrero tohutohu hei āwhina kia puta he whakataunga. Ki te mea mō tētahi tamaiti te tautohetohe, tērā e whakatū e te Kaiwhakawā he rōia hei māngai mō te tamaiti, ki te mea kāore anō tēnei i whakaritea. Tērā anō e karangatia e te Kaiwhakawā he pūrongo nā tētahi kaimātai – pēnei i te pūrongo kaimātai hinengaro.

Ka taea rānei kia neke ake i te rūnanga kotahi ngā rūnanga takawaenga?

Ae, kāore he tepe ki te nui o ngā rūnanga takawaenga ka taea te inoi e te tangata. Engari ki te āhua pēnei e kore e puta he whakaritenga i ngā rūnanga takawaenga, ka āhei te Kaiwhakawā te whakahau kia haere tēnei take tautohetohe ki te rongonga Kōti ā-Whānau, ā, māna anō e whakatakoto te tikanga i tutuki ai tēnā.

Ka taea rānei te whakamahi i te Kōti ngā mea i kōrerotia i te rūnanga takawaenga?

Kāo. Kāhore rawa e taea ngā mea i kōrerotia i te rūnanga takawaenga te hauhake anō i muri mai i tētahi rongonga i te Kōti.

Ka riro rānei mā taua Kaiwhakawā anō e whakahaere te rongonga i te Kōti i muri

mai?

Ae pea. Heoi i ētahi wā ka whakataua ngā Kaiwhakawā nāna i whakahaere te rūnanga takawaenga kia kaua e tū hei Kaiwhakawā anō i te rongonga I te Kōti i muri mai.

Kei te hiahia koe ētahi atu pārongo, tohutohu rānei?

Mō ētahi atu pārongo, tohutohu rānei, tirohia te pae tukutuku a te Kōti ā-Whānau (www.justice.govt.nz/family), whakapā atu rānei ki tētahi rōia ā-whānau (www.familylaw.org.nz), ki tētahi pokapū hapori ā-ture, ki te tari tūtata rānei o te Kōti ā-Whānau.

Te Āwhina ā-Ture

Ko te tangata e hiahia ana i tētahi rōia, engari kāore āna moni hei utu, tērā ia e tika ai mō te āwhina ā-ture. Ko te wā tēnei e utua ai e te Kāwanatanga he wāhanga, te katoa rānei, o ngā utu rōia (i ētahi wā tērā e hiahia pea kia whakahokia e koe ētahi o aua moni, te katoa rānei).

Ka taea e koe he pārongo mō te āwhina ā-ture mā te –

- whakapā ki te tari o te Pokapū Ratonga ā-Ture (tirohia ngā whārangi kahurangi a ngā whakahaere a te Kāwanatanga kei mua o te pukapuka nama waea)
- haere ki te pae tukutuku a te Pokapū Ratonga ā-Ture I www.lsa.govt.nz,
- haere ki te kite i tētahi rōia me te matapaki tahi me ia te āwhina ā-ture.

Kei te wātea atu te āwhina ā-ture mō ngā take katoa o te Kōti ā-Whānau, hāunga ia te whakakāhoretanga mārenatanga (te tokorau).

www.justice.govt.nz/family

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