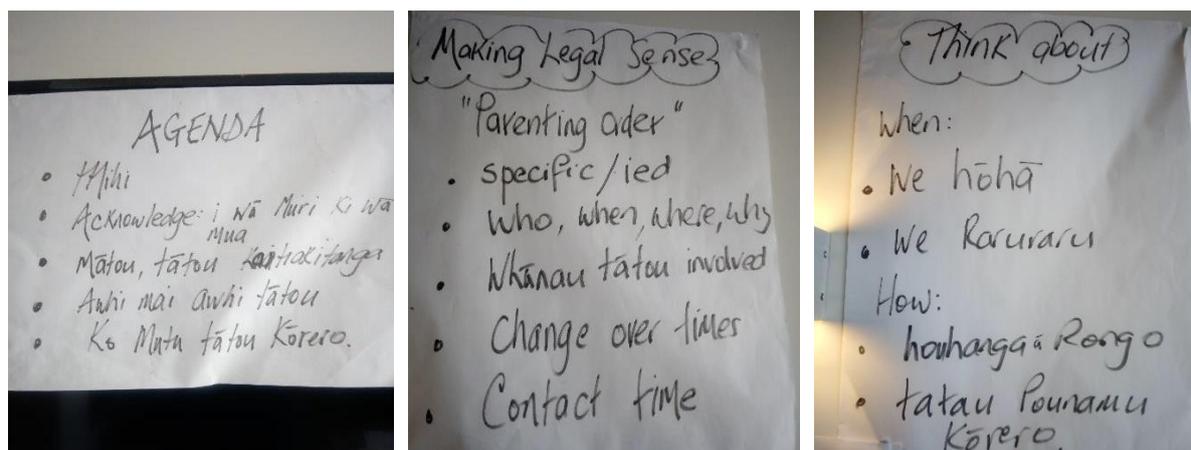


Hui-a-whānau

With over 80 mediators around New Zealand, FairWay can find the right fit for each family. In this case study, an experienced mediator used a hui-a-whānau approach for parents of a young child who were referred to Family Dispute Resolution by Oranga Tamariki.



Background

Under the supervision of Oranga Tamariki, the parents shared care of their child. Oranga Tamariki contacted FairWay when they were planning to discharge the parents from its care. The social worker believed that Family Dispute Resolution (FDR) would be a great option for the parents to get a plan in place to find a way to continue to parent together and to help resolve any issues that may arise in the future.

A senior FDR Provider discussed the case in depth with the Oranga Tamariki social worker before agreeing to take on the matter.

FairWay discussed the FDR process, roles and responsibilities with the social worker and agreed that there needed to be a focus on planning and safeguarding arrangements for the family once they were discharged, and it was agreed that FairWay would regularly provide the social worker with updates around the timeframes of mediation.

Preparation

FairWay engaged with both parents prior to the mediation. When considering different mediators, we discussed the option of a hui-a-whānau approach, with a Māori FDR Provider. The parents were very receptive to this approach.

FairWay made arrangements for Ngarongo Ormsby to undertake the mediation. Ngarongo met with both parents individually with their support whānau and their social worker from Oranga Tamariki. Email responses from the parents following the initial meetings stated that

they believed he was a great fit for the whānau and that they were happy with a Māori mediator conducting a tikanga based process.

One of the parents agreed to undertake Preparation For Mediation (PFM) before their joint mediation meeting. At the mediation, Ngarongo noticed how much of a difference this had made:

“The strategies they learned during their PFM experience were highly successful for this parent. In the mediation, I couldn’t help noticing how positive responses occurred when they applied the strategies, rather than the normed approach that gets reactive and impulsive retaliatory behaviours,” explains Ngarongo.

Mediation

Ngarongo used a family dispute resolution approach based on duality theory, where two worldviews merge into one in a seamless manner. He used an eclectic mixture of techniques:

“I used a combination of FairWay’s solution-focused and strength-based strategies, combined and integrated with the notion of hui-a-whānau. For this family, it was important to base the mediation in traditional Māori values based on kupu reo bodies of knowledge, such as kaitiakitanga (guardianship). The focus of the mediation remained on empowering parents with the coaching and tools they needed to move forward, but the style of mediation was respectful of te reo (language), kaupapa kōrero (discussion), tikanga (principled procedures), kawa (ways of doing), and the role of mātuatanga (parenting) and whānautanga (family),” explains Ngarongo.

To help keep the parties focused on what they wanted to achieve and what they needed to think about, throughout the mediation Ngarongo drew on posters:

- The first poster set a simple agenda for the mediation including a mihi, acknowledgements, mātou, tātou, and kaitiakitanga.
- A second poster entitled ‘making legal sense’ centred around practical arrangements that needed to be considered in any agreement.
- The third poster centred around the parents own relationships when hōhā (irritated), when in raruraru (conflict), how they would houhanga ā rongo (make peace), and about tatau pounamu kōrero (lasting arrangements).
- The fourth poster focused thinking on ahau, mātou, rātou, tātou, (me, us, them, all of us), and ngā kākano maumaharatanga (remembering good seeds).
- The fifth poster outlined other parenting considerations such as special occasions, education, ūkaipō ki te whānau (family of origin) and hei awahi manaaki (ways of looking after).
- The final poster was a waiata - He aha te mea nui o te ao (What is the most important thing in the world?), He tangata, he tangata, he tangata (the people, the people, the people).

Throughout the mediation, Ngarongo focused the parents on their shared hopes for the children.

“The meeting commenced with a simple mihi whakatau (welcome) and karakia (incantation). Nothing too overwhelming. The next process employed was the pepeha as a means for each parent to recite and affirm the child’s kinship relationships to waka, iwi, maunga, moana, awa, hapū, whānau, parents name and then the child’s name. This was very important as it helped to tune the parents in and they began discussing the things that were important to them, and also jointly discussing the needs of the child.”

The parents wanted to plan for the transition from Oranga Tamariki. Both parents wanted a clear, written agreement that both could understand easily, and they agreed that their child had already experienced a lot of change, so they wanted to establish a routine and stability.

They both affirmed that their current care arrangements (four days with the father, and three days with the mother) were working fine and their social worker also agreed with this statement in discussions prior to the mediation. However, their mother wanted to have more time with her child, and the father was open to discussions about changing the care arrangements. Through the mediation, the parents discussed a variation to their current model and they agreed to a rotative process of four days one week followed by three days the next week, providing a fairer distribution of nights and days.

The parents discussed a wide range of parenting matters including how to manage special occasions, such as Christmas and school holidays. They agreed on which Kohanga Reo their child would attend, which hahi (church) they would be raised in, and on consistent parenting in each household. Arrangements for travelling outside of the district and overseas were agreed to, with provisions and terms negotiated by both parents.

Closing the mediation

At the end of the mediation, Ngarongo sung the very meaningful Harakeke waiata:

“Hutia te rito

Hutia te rito ō te harakeke

Kei hea te kōmako e kō

Kī mai ki ahau;

He aha te mea nui

He aha te mea nui o te Ao

Māku e kī atu,

He tāngata, he tāngata, he tāngata, hei.”

He explained the significance of the harakeke (flax bush) and the rito (centre shoot) which were relevant to the parents and their responsibilities as kaitiaki of their child. The notion of

damaged rito was symbolic of the child, and encompassing the inner and outer protection layers of the flax as the whānau. Ngarongo modified the last sentence of the waiata which read, what is the most important thing in the world? He tamariki, he tamariki, he tamariki, hei. Ngarongo followed the waiata with a karakia.

After the mediation

Shortly after the mediation, Ngarongo circulated a written mediated agreement outlining the parents agreed arrangements which both parents signed.

Within two weeks of beginning the FDR process, both parents had agreed a plan for the care of their child and they were discharged from Oranga Tamariki.

About FairWay



FairWay is a nationwide provider of Family Dispute Resolution, with over 80 accredited mediators around New Zealand.

Many families are entitled to 12 hours of fully-funded Family Dispute Resolution services.

Please get in touch with Ngarongo and the Family Dispute Resolution team to find out more.

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