

**Dame Helen Winkelmann, Chief Justice of New Zealand**

**Address at Te Whare Runanga Powhiri,**

**Waitangi Meeting Grounds**

**Wednesday 4 February 2026**

*Mihi*

E rau rangatira ma

*To the chiefs gathered here*

tena koutou katoa

*I greet you one and all*

Tena koutou mo nga mihi mahana ki a matou taku iwi, Ngāti

Kaiwhakawā i te rangi nei

*thank you for your kind words of welcome to my tribe of Judges  
today*

Tena koutou i o koutou mate

*I acknowledge your dead*

Ko Hinewhare Harawira tera, ko Joe Everitt tera

Ko wai atu ko wai atu,

*and the many others*

No reira ratou ki a ratou tatou te hunga ora ki a tatou

*let the dead be to the dead and the living to the living*

E mihi nui ana ki te heamana o mua o te poari o Waitangi, Pita  
Tipene tō mahi i ngā tau

*A big thanks to the former chairman of Waitangi National Trust  
Board, Pita Tipene for all your work over the years*

Ki te heamana hou, Tania Simpson, tēnei te mihi ki a koe

*To the new chairman, Tania Simpson, greetings to you*

Tēnei te mihi, tēnei te mihi, tēnei te mihi.

### Speech bullets

1. Thank you again for your warm welcome to this beautiful place. Every year I come here with my tribe of judges. Judges from all the courts of New Zealand - the Supreme Court – Te Koti Mana Nui, the Court of Appeal, the High Court , the District Court, the Family Court and Youth Court, Disputes Tribunal, the Employment Court, the Environment Court, te Koti Whenua Māori, the Coroners Court and the Court Martial Appeals Court. All of them represented here.

2. This year we are joined by many representatives from our brothers and sisters in the tribunals division. It is a complicated thing about the relationship between courts and tribunals, but the most fundamental thing is that they share the work with us in administering justice for New Zealand – and I acknowledge them.
3. I also acknowledge, in particular, that we have some Australian visitors with us, not just our First Nations representatives with us on the mahau, but also Malcolm Schyvens who is the Chair of the Council of Australasian Tribunals and David Wenitong who is a First Nations representative from Queensland Mental Health Review Tribunal. They have come here to see how we do things.
4. I am also delighted to acknowledge today, Justice Amokura Kawharu. As has been mentioned, her hapu are Ngati Rahiri and Ngati Kawa. This rohe is her ukaipō. Her swearing in this month will be an historic occasion as she takes the judicial oath as the first Nga Puhi High Court judge.
5. So why does this tribe of judges come to Waitangi each and every year? We come here to show our respect for the foundational document of our nation – Te Tiriti - the document which is the source of the legitimacy of Constitutional Government in New Zealand. As one of the three branches of government – the judicial branch - it is

right that we come here to mark and acknowledge the importance of the signing of Te Tiriti at this place on 6 February 1840.

6. It is a great pleasure for me personally to come back to the north because I think of myself as a woman of the north. When my forebears made their way to Aotearoa, they found their homes in the north. My Tarara ancestors in Takahiwai and my German Scots Jamaican ancestors in Whirinaki in the Hokianga.
7. Waitangi is a place of great beauty – of course. But there is also magic at work at this time of year here. William Colenso tells us that on those two days, the fifth and sixth, the cicadas were singing loudly. And as we stand here it feels like there is a very thin veil that sits between the present and the past that you could reach through it and be there. It feels as if we look across to the Treaty House, we will see plain suited Anglican Missionaries jostling for position with Bishop Pompallier to be close to Lieutenant Hobson. That if we look to the water we will see the waka skimming toward the beach below, with the kaihautū standing in the centre and calling the chant. Or toward the path leading up from the beach, to see the Rangatira, Kawiti, Patuone, Nene and Heke striding up to the tent in which the discussions will commence.

8. This year, I have brought my first mokopuna to Waitangi – my grandson Cy. He is only 5 months old so he has had to bring his mother and father with him. My moko has his own connection to Te Tiriti – his Tipuna, the White family were present when Te Tiriti was signed at Mangunu Mission in the days after 6 February. His great, great, great, great, great grandfather, Francis White, was the blacksmith at the Mission. My grandson's parents have brought him here, not because of that history, but because Te Tiriti is both our history and our future.
9. I pay respect to the work of the **Waitangi National Trust Board**. I acknowledge your important work protecting the site and its taonga, promoting understanding of Te Tiriti o Waitangi, and sustaining this as a place of belonging for all New Zealanders.
10. In my mihi I acknowledged te Heamana Hou Tania Simpson and te Heamana o Mua Pita **Tipene**. Pita, some years ago, you and Waihoroi Shortland told us of your hope that the judiciary would use this time to do work that advanced the vision of the Treaty. Your hope was that when we stood before this house we would lay out our Kaupapa, and maybe in return, receive some honest feedback.
11. We listened and we have acted. Every year, judges now come to this place to listen, to do some work and to learn.

And I pause here to pay my respects to my forebear, Dame Sian Elias, who really forged the way. We come here every year to listen, to do work, and to learn. We come here to listen, in particular, to the korero on the pae – what the Chief District Court Judge has sometimes called getting our report card. We have listened and we have acted in response to your honest feedback.

12. In that spirit, I will briefly tell you something of how we are spending our time at Waitangi. Yesterday we met with iwi leaders and representatives who are working with us in partnership on the District Court project Te Ao Marama. This is a new model of justice. . It is a model supporting iwi to work with judges to understand the circumstances that have led up to a person or a whānau being called into court. It is a model that recognises that the individuals we see in courts cannot be understood without knowing about their whānau, their community. Without understanding what was described yesterday in our korero as the tragedies of everyday life, that inflict harm on our people, particularly on our young people.

13. This model, Te Ao Marama, calls upon the strength and wisdom of the community to address those harms so that our fathers, our mothers, our sons, our daughters, our

mokopuna, our whānau will no longer cycle through our courts. The courts are inviting the community in.

14. Six years ago, the Chief District Court judge and I stood on this marae and said this was our intention – to build this partnership. Progress to date is that in 8 centres, iwi are in a waka hourua, a double hulled canoe, working with judges to heal and to rehabilitate offenders, victims, and their whānau.
15. This is Te Ao Mārama. It is a work in progress. It is part of a broader vision – that the courts should be part of the community – as they should always have been. More than that – that the courts should play a role in building and strengthening communities. In the past that has not always been the role that the courts have played.
16. Today we are with you, to pay our respects, communicate our good intentions, and to hear your words to us.
17. Tomorrow we are holding a wananga at the learning centre. At that wananga judges will hear the story of Te Tiriti from a legal perspective. At one level, the story of Te Tiriti is a story about the law. It was after all a legal document, in which promises were exchanged. Māori were guaranteed tino rangatiratanga and continued enjoyment of their lands, and other taonga. They were also guaranteed the rights and

privileges of British citizens. That bundle of rights and privileges includes the protection of the law.

18. The story that the judges will hear is of how in the late nineteenth, and for most of the twentieth century, the Treaty was largely put aside by the law – in one case it was described as a simple nullity. In that same case the courts said of tikanga, that reference to Māori customary law in a statute could not conjure into being that which did not exist. You may have heard of that case – *Wi Parata*.

19. But the narrative the judges will also hear is of how, over time, the law – both legislation and the common law – has begun to find space for and engage with the Te Tiriti. In the 1980s a wise white-haired judge – a man- judges were almost all men in the 1980s – described Te Tiriti as a document of constitutional significance. Another said that Te Tiriti was so woven through the fabric of our society, that it was necessary context to how statutes should be interpreted where they bore upon the operation of Treaty principles.

20. Today the courts and tribunals are regularly called upon to consider the implications of Te Tiriti – in so many contexts and ways that I will not attempt to summarise.

21. But there is one event that occurred last year, 2025, a historic year that I do want to highlight. 2025 was the first



year that tikanga was taught as a compulsory course at our law schools. This will mean that the lawyers of the future will be grounded in the concepts and methodology of that body of law and custom.

22. Today then Te Tiriti is undoubtedly part of the fabric of our law. It is woven through it in strong golden threads, but also flows through the law, shaping and building new patterns. It was at work in the Nelson tenets litigation – where a history of breaches of Te Tiriti finally resulted in judgment in favour of the claimants, and late last year, settlement.

23. I conclude by saying this. Te Tiriti was a gift to this Nation – it continues to be a treasure. There is much to be done to secure the hopeful vision of a prosperous and fair society expressed in that document signed on 6 February 1840. It is not the work of one generation. But it is work we do for the next generation, and the generation after that, our mokopuna. Now and in the days to come.

24. No reira, e nga mana, e nga reo, e nga karangaranga maha, tena kotou, tena koutou, tena koutou, tena tatou katoa.