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The Portrayal of Maori Offenders
by the Media

A thesis

Submitted in partial fulfilment for the degree

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By

HEATHER FARR



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Abstract

In this study I examine the dominant discourses represented in the print and internet media reporting of offending by Maori. The purpose of which is to analyse the dominant discourse and subject positions associated with offending by Maori. Foucault Discourse Analysis was utilised whereby the data was collected through articles printed in the New Zealand Herald and the Dominion Post. This study suggests that there are multiple and complex factors relating to Maori offending, whereby reporting about Maori offending is presented from a mainstream worldview.

Contents page

Abstract.....	2
Contents page.....	3
Acknowledgements.....	5
Figures and Tables.....	6
Chapter 1: Introduction.....	10
Historical overview of Maori lore and law.....	10
Pre-contact period notions of Maori lore.....	10
Imposition of a new Colonial Law.....	11
1900-1990.....	14
The contemporary impact of colonisation on Maori Offending.....	17
Contemporary Maori offending statistics.....	19
Maori Incarceration.....	19
Community based offending.....	23
Contributing factors to the over-representation of Maori in the criminal justice system.....	27
Socio-economic status of Maori.....	27
Health inequalities.....	29
Social determinants of health.....	29
Social Determinants of Health and the Maori offender.....	31
Cultural disconnectedness and the Maori Offender.....	33
Mono-cultural systems and institutions that are discriminatory and racist.....	35
Maori and the media.....	41
Socially constructed cultural assumptions by the media.....	46
Stereotyping, characterising and profiling of Maori as criminal offenders: Social representations theory.....	54
Summary of literature review.....	57
Structure of thesis.....	60
Chapter 2: Methodology.....	62
Introduction.....	62
Research approach.....	62
Methods.....	62
Sample.....	62
Research Procedure.....	64

Categorising the data into sets of information for analysis	64
Foucault Discourse Analysis.....	70
Limitations	77
Chapter 3: Dominant Discourses identified in newspaper articles	79
Punitive Discourse	79
Introducing the Punitive Discourse.....	79
Analysing the Punitive Discourse	80
Summary of the Punitive Discourse.....	84
Victim Discourse	85
Introducing the Victim Discourse	85
Analysing the Victim Discourse	85
Summary	88
Institutional Discourse	88
Introducing the Institutional Discourse.....	88
Analysing the Institutional Discourse	89
Summary	98
Cultural Discourse	98
Introducing the Cultural Discourse	98
Analysing the Cultural Discourse	99
Summary	104
The myth of one nation discourse	105
Introducing the myth of one nation discourse.....	105
Analysing the myth of one nation	105
Summary of the myth of one nation.....	109
In summary of analysis chapter	109
Chapter 4: Concluding Comments	112
Summary of Main findings relative to psychology.....	112
Future research opportunities.....	117
References.....	118
Appendices.....	130

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Figures and Tables

Table A: Number of Maori Sentenced Prisoners from 1999 - 2014

Year	Number of Maori Sentenced Prisoners
1999	3,939
2000	3,753
2001	3,795
2002	3,534
2003	3,780
2004	4,467
2005	4,638
2006	4,833
2007	4,659
2008	4,386
2009	4,908
2010	4,803
2011	4,707
2012	4,488
2013	4,317
2014	4,275

TABLE B: Top four offences Maori offenders are incarcerated for

Year	Acts intended to cause Injury (% is comparison to total population of offenders who are in prison for this offence)	Unlawful entry with intent/burglary Break and enter	Traffic and vehicle regulatory offences	Offences against justice procedures, government security and government operations
1999	618 (60%)	720 (60%)	783 (62%)	273 (54%)
2000	594 (63%)	744 (59%)	705 (59%)	240 (45%)
2001	639 (63%)	684 (63%)	654 (52%)	297 (60%)
2002	582 (59%)	666 (61%)	678 (59%)	246 (55%)
2003	567 (58%)	702 (53%)	642 (43%)	279 (43%)
2004	696 (64%)	819 (57%)	870 (53%)	435 (49%)
2005	768 (62%)	819 (56%)	864 (52%)	513 (50%)
2006	855 (66%)	837 (58%)	858 (53%)	585 (52%)
2007	855 (63%)	765 (62%)	780 (67%)	579 (58%)
2008	930 (67%)	735 (53%)	633 (52%)	600 (48%)
2009	999 (68%)	771 (55%)	759 (65%)	762 (56%)
2010	996 (65%)	792 (61%)	612 (57%)	801 (58%)
2011	1023 (67%)	756 (61%)	552 (62%)	834 (66%)
2012	1014 (67%)	756 (63%)	477 (58%)	729 (59%)
2013	1020 (67%)	678 (60%)	432 (59%)	723 (61%)
2014	948 (69%)	705 (67%)	366 (51%)	801 (62%)

TABLE C: Middle band of offences for Maori imprisoned offenders

Year	Sexual Assault and Related offences	Robbery, extortion and related offences	Theft and related offences	Illicit Drug offences
1999	171	264	387	273
2000	132	216	375	321
2001	153	183	369	354
2002	138	165	372	309
2003	159	210	381	354
2004	129	180	408	393
2005	150	231	492	318
2006	129	231	498	300
2007	132	246	492	291
2008	135	240	423	234
2009	153	276	384	228
2010	162	276	378	291
2011	141	198	444	261
2012	165	222	456	234
2013	183	192	420	231
2014	156	207	411	213

TABLE D: Top four offences for Maori offenders with community based sentences

Year	Acts intended to cause injury	Unlawful entry with intent/burglary	Traffic and vehicle regulatory offences	Offences against justice procedures, government security and government operations
1999	2697 (49%)	1248 (51%)	4809 (47%)	2670 (41%)
2000	2490 (47%)	1386 (58%)	4122 (44%)	2706 (41%)
2001	2466 (52%)	1173 (56%)	4314 (50%)	3174 (48%)
2002	2166 (54%)	1182 (57%)	3438 (50%)	2610 (59%)
2003	2043 (52%)	1032 (54%)	3081 (45%)	1674 (47%)
2004	1947 (44%)	1011 (57%)	3061 (44%)	1758 (46%)
2005	2259 (52%)	924 (50%)	3231 (45%)	1767 (45%)
2006	2403 (48%)	984 (50%)	3465 (43%)	1956 (43%)
2007	2829 (40%)	1038 (42%)	4056 (38%)	2322 (39%)
2008	3984 (47%)	1413 (49%)	5367 (41%)	3219 (38%)
2009	4386 (47%)	1446 (45%)	5859 (41%)	4230 (41%)
2010	4425 (48%)	1596 (53%)	5736 (39%)	5046 (46%)
2011	4455 (50%)	1452 (49%)	6012 (38%)	4665 (46%)
2012	4218 (48%)	1524 (53%)	6156 (41%)	4731 (56%)
2013	4110 (51%)	1419 (55%)	5619 (40%)	3621 (52%)
2014	3723 (48%)	1209 (54%)	5070 (40%)	3426 (51%)

TABLE E: Middle band of offences for Maori offenders who received a community based sentence

Year	Abduction, harassment and other related offences against a person	Fraud, deception and related offences	Illicit drug offences	Property damage and environmental pollution
1999	180 (37%)	972 (30%)	1293 (44%)	339 (43%)
2000	195 (40%)	1056 (35%)	1245 (46%)	336 (41%)
2001	195 (42%)	1113 (39%)	1197 (53%)	384 (51%)
2002	198 (46%)	1170 (40%)	1017 (50%)	297 (48%)
2003	192 (42%)	1029 (45%)	822 (45%)	231 (42%)
2004	201 (42%)	903 (45%)	711 (46%)	237 (43%)
2005	204 (45%)	678 (40%)	639 (43%)	222 (40%)
2006	165 (34%)	687 (42%)	612 (38%)	273 (42%)
2007	246 (37%)	621 (30%)	729 (35%)	303 (36%)
2008	336 (42%)	768 (36%)	993 (35%)	405 (40%)
2009	405 (42%)	738 (32%)	1245 (33%)	453 (41%)
2010	396 (40%)	777 (33%)	1449 (41%)	468 (44%)
2011	393 (46%)	717 (29%)	1260 (37%)	459 (42%)
2012	372 (42%)	984 (36%)	1374 (40%)	495 (46%)
2013	345 (42%)	732 (29%)	1149 (42%)	477 (49%)
2014	411 (43%)	909 (35%)	1014 (38%)	405 (45%)

Figure 1 Table All Source Information

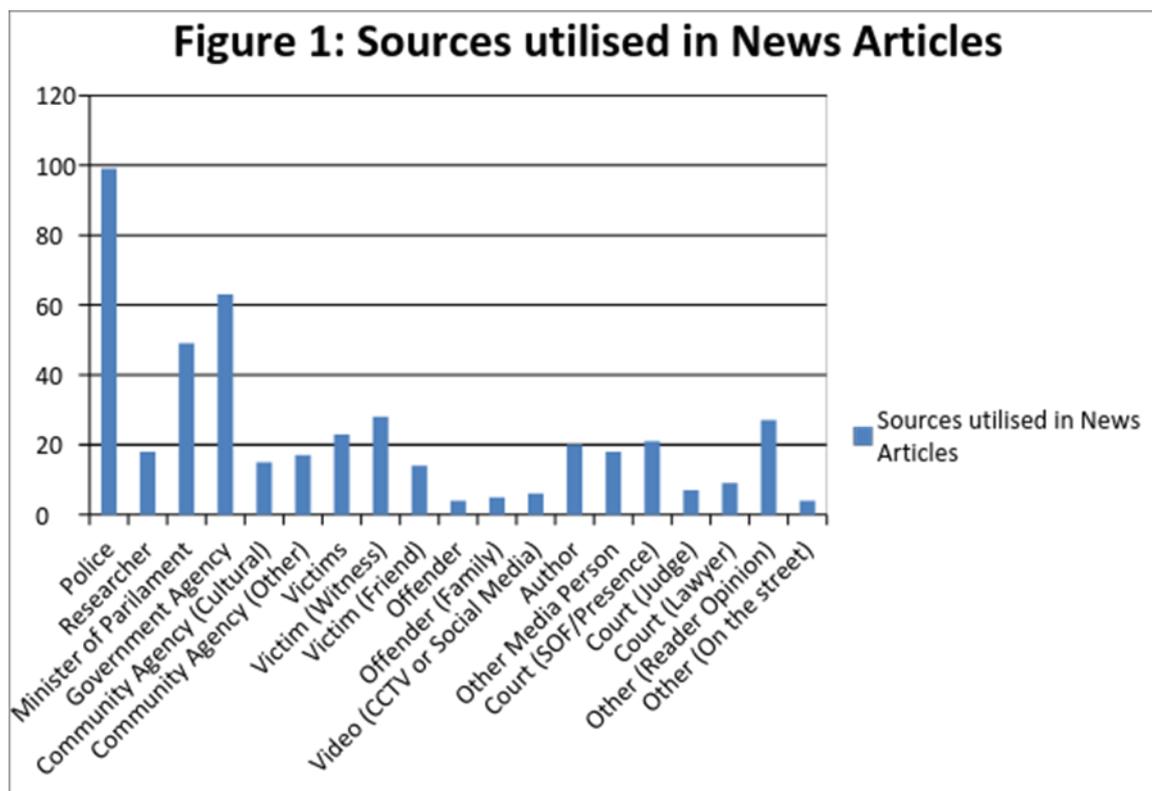


Figure 2: Key themes identified in the articles

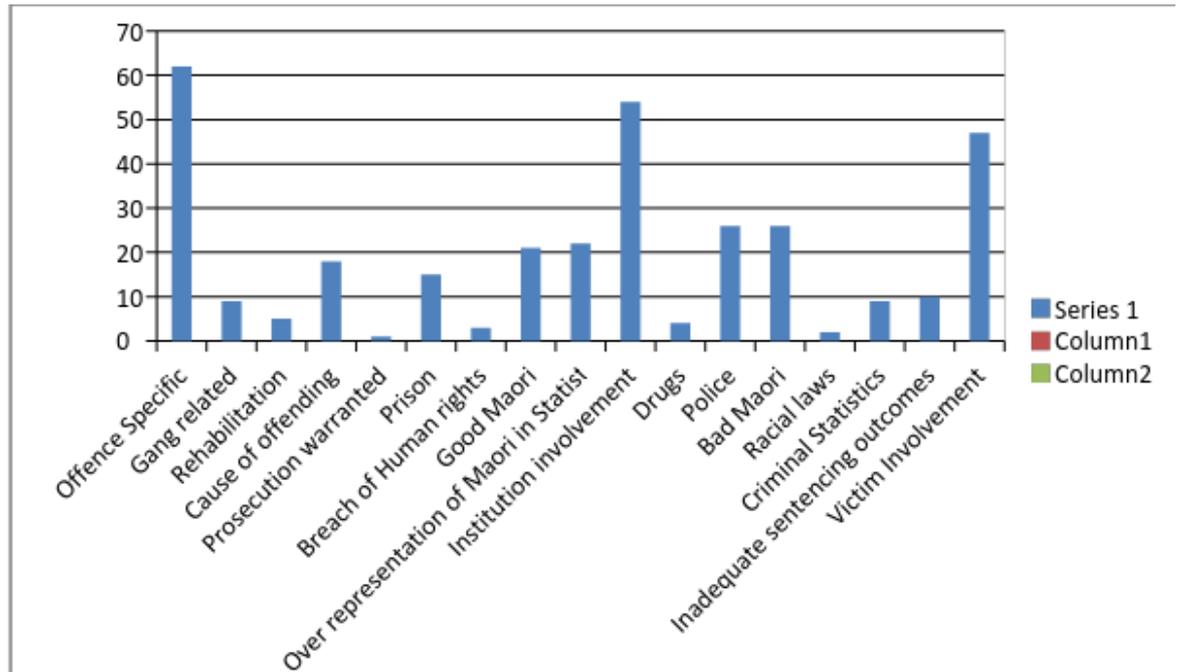
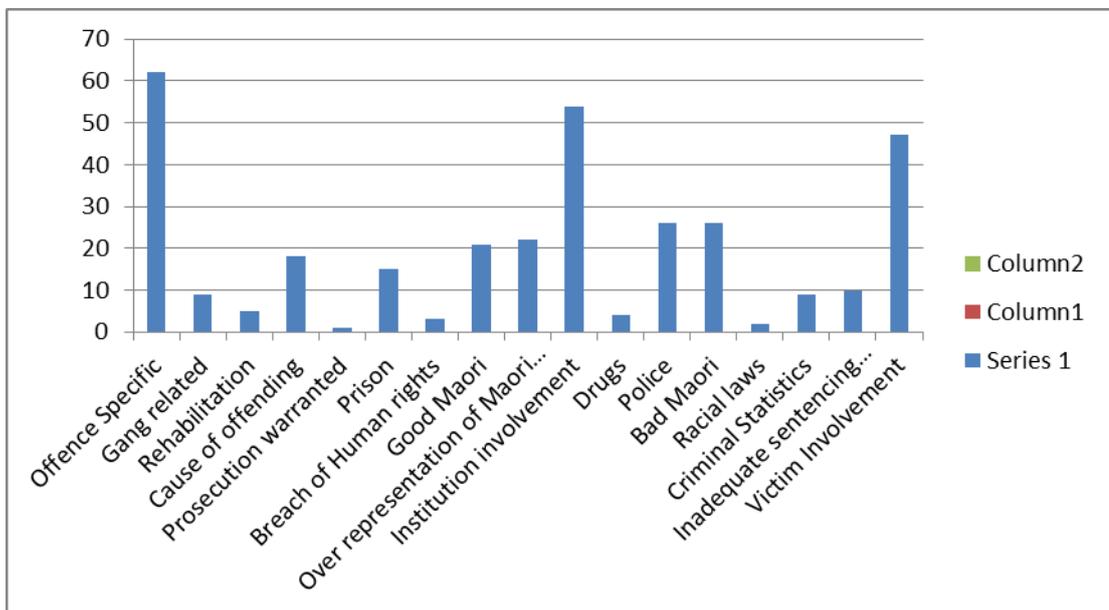


Figure 3: Key Themes – Final Review.



Chapter 1: Introduction

When we think about Maori criminal offending or offenders, our thoughts and discussions are influenced by the discourse provided by items in daily newspapers or nightly news programmes. News items that focus on Maori offending is not surprising considering Maori make up a large proportion of imprisonments and Maori men in particular are convicted six times more than non-Maori men. This thesis will examine the dominant discourses within newspapers about Maori criminal offenders. This thesis will also consider how such discourses affect society's perceptions of Maori more broadly as a result of how Maori offending is reported in the print media. To also understand the contemporary prevalence of Maori offending compared to non-Maori, I will reflect upon the social, historical and institutional factors within New Zealand society that have contributed to a contemporary understanding of criminal offending by Maori.

Historical overview of Maori lore and law

Pre-contact period notions of Maori lore

When it came to customary law and lore, Maori had a sophisticated system of justice based upon concepts such as mana (prestige), tapu (prohibition), rahui (restricted access), utu (repayment either hostile or friendly) and muru (a form of utu usually seizure of personal property). There were also banishments (social exclusion) from whanau and hapu collectives, which made those people who were banished, vulnerable to enemies and subsequent death. For example the concept of utu (restitution based on an offence committed against another person) included repayment commensurate with the nature of the offence, such as restitution with food, items of value or war. The social constructs of Muru and Utu would be applied. Muru, the right to plunder to appease offences would be exercised or utu, to appease a breach of tapu and/or taking of mana (Mead, 2003). These Maori notions of justice for the basis for Maori tikanga, or correct ways of practising.

Mead (2003) highlights the role of Tikanga as a Maori traditional system of social control, influencing and defining how Maori behave and are expected to behave. In this instance, Tikanga determined the application of justice

when an injustice was identified. The role of Tikanga to address “criminal” types of behaviour can be best described as an offence caused by another, impacting not only on the individual, but on the whanau and community.

Despite the sophisticated social system of customary lore developed by Maori over hundreds of years, early Pakeha understanding of Maori customary methods of social control and law were described as “magical” (Firth, 1973), or as “uncivilised and deviant”(McCreanor, Rankine, Moewaka Barnes, Borell, Nairn and McManus, 2014). When Firth (1973) talks about “magical” what he means is a monocultural reflection of superstitious encounters that did not provide validity from his non-Maori view. This was also identified by early missionaries like Samuel Marsden (Alley & Hall, 1941) who claimed that, Maori farmers would utilise elaborate rituals, including symbols of fertility and prayers to elicit “God’s” support in times of planting and harvest. This early misunderstanding of Maori practices was emphasised by anthropological writings of Te Rangihiroa or Sir Peter Buck (1954) who claimed that missionaries would often undermine Maori spirituality as uncivilised superstition, and these missionaries felt the need to civilise Maori through a more sophisticated notions of spirituality via Judeo-Christian teachings, these teachings were believed to be superior, given the colonial assumption that Maori were primitive. According to McCreanor, Rankine, Moewaka Barnes, Borell, Nairn and McManus (2014), early settlers attitudes toward Maori was one of cultural and spiritual superiority . This positioning of early settlers as superior to Maori provided an impetus to the colonisation of Aotearoa by the British Crown.

Imposition of a new Colonial Law

With the increasing contact between Maori and Europeans for trade, a formal agreement of cooperation, settlement and the imposition of law was entered into via the Treaty of Waitangi. In 1840 the Treaty of Waitangi was signed between Maori and an early British colonial contingent which allowed Pakeha the right to live in Aotearoa and set up a colonial governance structure. From a Maori perspective the Treaty of Waitangi, allowed Maori to continue to live and maintain their rangatiratanga (ultimate authority) over their lands, resources and social structures. Maori also saw the Treaty of Waitangi as a

way for British colonials to govern British settlers who Maori considered at the time to be unruly.

For Pakeha (British settlers), the Treaty of Waitangi was used as a tool to impose a colonial system of governance over all peoples of Aotearoa and a mandate to process of colonisation (Jackson, 1988). New Zealand history provides examples of land and resources systematically removed from Maori ownership through various means, including, colonial laws which ensured land confiscation to support Pakeha settlement. British governance also meant Maori cultural practices and social systems were undermined and in some cases outlawed as exemplified by the Tohunga Suppression Act (1907), where Maori practices of religion were outlawed by this new colonial governance structure (Bull, 2004). Such encounters between Maori and this new colonial force formed the basis of historical and contemporary dispute between Pakeha and Maori. Jackson (1988) highlights colonisation as the first injustice imposed upon Maori, where Maori models of religion, whanau and social control were considered inferior, in comparison with introduced Pakeha social systems and institutions.

Despite the imposition of a new colonial system of law and order, Maori identified benefits in this legal system to address social order for Maori and non-Maori. Prior to the signing of the Treaty of Waitangi, there were significant concerns shared by Maori and non-Maori in terms of two cultures engaging each other, especially in Kororareka (known as Russell today). These concerns revolved around the lack of understanding of ritual encounters (Salmond, 1983), the imposition of missionary teachings and religious institutions that challenged Maori creation narratives and social engagements (Firth, 1973). During this early period of contact between Maori and Pakeha following the signing of the Treaty of Waitangi, there was a systemic devaluation of Maori leaders and leadership (Smith, 2012), the New Zealand Land Wars of the 1860s, and the introduction of foreign diseases which contributed to Maori depopulation in the late 1800s (Durie, 2003). By the late 1800s and with a depressed and oppressed Maori population, Pakeha perceived this as Maori submission to British law, and Maori ceding their rights to exercise leadership and mana from a traditional Maori perspective.

This colonial thinking was in direct opposition to what Maori perceived as the intention and guarantees of Te Tiriti o Waitangi.

The implications of the signing of Te Tiriti of Waitangi have been explored by many writers that need not be covered in this thesis (Bull, 2004; Jackson, 1988; and Rumbles, 2009). Suffice to say that the implications for Maori by the signing of the Treaty of Waitangi is eloquently summarised by Salmond (1983) whereby “the full implications of the Treaty were not explained at the time, and its Maori translation was in some parts misleading; and that its promises have not been honoured” (Salmond, 1983, p. 18). In essence, there has been a significant loss of Iwi and Maori authority as a result of consistent Crown transgressions of the Treaty of Waitangi. Maori have never genuinely been involved in the establishment of Governance structures and subsequent governance roles (Jackson, 1988). As a result, Aotearoa has a monocultural legal system that privileges the worldviews and needs of Pakeha, and devalues Maori approaches of governance, social control and social structures.

The creation of a Westminster style government structure in Aotearoa has ensured assimilation practices of Maori to Pakeha ideals. This included the legal and illegal acquisition and redistribution of Maori land and resources to Pakeha with to the long term detriment of iwi and hapu. For example, the Suppression of Rebellion Act (1869) provided the means for Maori to be held in custody without trial; the Maori Prisoners Act (1879) gave authority to the postponement of trial and prisoners could be held in custody indefinitely; the Disturbed Prisoners Act (1869) where Maori were identified to oppose land acquisition were legitimately labelled as criminals; New Zealand Settlement Act (1869) provided for the confiscation of land; and the West Coast Settlement Act (1880) where Maori were arrested without warrant in Taranaki if suspected of fencing and ploughing land (Bull, 2004).

In summary, the impact of a new Colonial system and subsequent enforcement strategies has been detrimental to Maori pre-colonial systems demonstrated with the erosion of Maori religious and social controls (Jackson, 1988). What is evident was that colonial laws were developed to satisfy colonial needs, and assert colonial and monocultural values. The colonial

legal system helped legitimatise the process of colonisation, Maori land confiscation and the subsequent denigration of Maori ways of being. Consequently Maori have been impoverished for close to 200 years and this impoverishment is a significant contributor to negative health outcomes for Maori today (Walker, 1990). The impact of colonisation upon Maori historically provides a context to understanding Maori offending today. This is highlighted by the following statement, “Colonisation generated broad social inequalities leading to deprivation, the deprivation causes the crime, causes the inequality, causes the deprivation” (Bull, p. 2, 2013). In essence, colonisation provides a context to understand the contemporary Maori experience and a vehicle to destabilise Maori systems of well-being.

1900-1990

With the onset of colonisation, a process of assimilation is evident in colonial engagement with Maori in the early 1900’s. Webster (1988) describes the experience of Maori as being “doomed to extinction in the face of civilisation” (Webster, 1988, p.5.). Turner (1999) supports the assimilation sentiments of the early colonial government by acknowledging that the attitude of the time was one where Maori were seen as “primitive peoples” who would eventually become “absorbed by the superior races” (Turner, 1999, p. 415). Morrow describes the intention of assimilationist policies to endure Maori culture was replaced with “European behaviours and sensibilities” (Morrow, 2014, p. 87.)

This assimilation based thinking is clearly evidenced with the imposition of the Native Schools Act (Simon, 1988) where Native Schools were introduced as a vehicle to civilise, assimilate and encourage Maori to participate in selected education determined by the colonial government. Simon (1988) provides examples of assimilation including the exclusive use of English in Native Schools, to ensure that Maori were educated to be suitable for labouring or domestic employment and to teach Maori to be law abiding citizens. Maori saw the Native Schools as a means to increase their children’s opportunities in the new colonial state, including the ability to master the English language (Simon, 1988).

The Second World War saw an increase in Maori migration from rural to urban areas with men drafted for the armed forces or employment opportunities (Metge, 2004). Over this time period, employment opportunities in the rural areas lessened, and moving to the city for employment remained a consistent factor for Maori migration. The impact for rural Maori communities was the loss of leaders and contributors to community and Maori development (Anaru, 2011).

The early 1950's and 1960's saw the largest migration of Maori from rural to urban city centres for employment (Morrow, 2014). This Maori movement saw the Department of Maori Affairs implement the policy of "pepper potting" (Morrow, 2014; and Anaru, 2011). The underlying assumption of this urban policy was for Maori to be offered housing alongside Pakeha in predominantly Pakeha communities. Pepper potting was to encourage integration and continued assimilation of Maori into Pakeha society. It was also aimed at reducing the concentration of Maori in specific suburbs (Morrow, 2014). Jackson (1988) likened this period of housing policies as an attempt to undermine and redefine Maori whanau, emphasising the role of the nuclear family as a better alternate to extended Maori whanau support systems.

Assimilation policies and concerns for transforming Maori were evident in the production of the Hunn Report (Morrow, 2014). The Hunn report was produced to consider the impact of migration by Maori to urban areas and identify strategies to modernise Maori. The Hunn report identified potential government policies to address Maori urban migration. Firstly, the Hunn report recommended a policy of assimilation which endorsed Maori to be absorbed by European culture to form one nation. The second policy presented was akin to segregation, with apartheid or separatist assertions. The final policy presented was a policy of integration, whereby Maori would have a choice to be integrated into European culture and seeking to "detrribalise" Maori, where Maori culture was symbolic rather than an active culture (Morrow, 2014). Jackson (1988) likens these type of assimilationist policies as a process to cultural denigration (the demeaning of cultural ideals by acts of omission or commission) and cultural deprivation (the implementation of policies that are culturally bias). Wirihana and Smith (2014) liken the

colonial methods of assimilation as “psycho social dominion”, that is, the strategies employed such as land purchase, land confiscation, warfare and legislation that contribute to the loss of spirit and soul of a culture.

While social and government policies reflected an intention of assimilation by Maori into Pakeha communities, Maori families and communities sought the development of Maori based institutions and support systems within these new urban environments. With the deliberate spread of Maori families/housing amongst non Maori communities, Barcham (1998) and Walker (1995), saw the establishment of Maori based social institutions as a vehicle for Maori to remain supported by Maori in the new urban environment. Joan Metge (2004) identified increased Maori participation in sports clubs, Maori church ceremonies and the Maori Women’s Welfare League over this time period. Metge (2004) identified Maori involvement in formal associations of this nature were dependent on Maori participation, that is, where there was a high representation of Maori within an association, Maori would participate. Walker (1995) likens the newly formed Maori social institutions as enhancing Maori identity and in an urban environment demonstrated the ability for Maori to adapt and transform from Maori rural cultural practices to urban Maori practices. While social and government policies sought assimilation and integration, urban Maori sought to challenge colonial attempts of assimilation by retaining Maori cultural practices within their new urban environments.

The 1970’s saw the development of Maori language and culture implemented into the education curriculum. While the Hunn report (Morrow, 2014) espoused sentiments of integration, the re assertion of Maori in the urban environment embraced a new concept of biculturalism (Walker, 1990). Walker (1990) described biculturalism as the foundation of a new nation based on two cultures. Biculturalism in the education sector allowed for the development of Te Whare Wananga and the Kohanga Reo movement to revitalise Maori language (Anaru, 2011) and Maori culture (Walker, 1990).

The early 1980’s saw the development of ‘re-iwi-isation’, a term coined by Barcham (1988, p 305), emphasised the re assertion of Iwi to develop by Maori for Maori control of resources. This was first established at Hui

Taumata - Maori Economic Conference in 1984 (Barcham, 1988). The Labour government of that time implemented the Runanga Iwi Act (1990) which allowed Iwi to develop their own resources, the little they had remaining, in accordance with accountability standards implemented by the government. While this Act was later repealed in 1990 by the then National Government, the impact was the development of Iwi with strong structures and a passion to assert by Maori for Maori institutions.

Re-Iwi-isation was promoted with the implementation of the Treaty of Waitangi Amendment Act (1985). This Act allowed for Maori to backdate claims under the Treaty of Waitangi back to 1840 and legitimised the role of Maori and Iwi (Barcham, 1998). For Maori this reinforced their claim as tangata whenua, and therefore re strengthened Maori assertions to re value and revitalise Maori culture (Turner, 1999).

The consequence of colonisation and the historical experience of Maori from the 1900's to today reflects a relationship of Pakeha colonial domination and Maori subservience (Walker, 1990). Assimilation was a colonial tool continually employed by the colonial government to achieve economic aspirations for Pakeha only (Mahuika, 2015). The impact for Maori has been a significant gap in social and economic indices, including employment, housing, education and income, compared with Pakeha (Walker, 1990). As a result of Maori poverty, land confiscation, economic degradation and cultural destruction over the past 180 years, Maori are consistently highlighted within the most negative of health statistics within Aotearoa today. As a result, Maori offending is rooted within colonisation and poverty and should be seen this way beyond the individualising of Maori as inherently criminal and incapable of contributing positively to society. It is this social, political and economic history of colonialism that the contemporary over-representation of Maori as criminal offenders should be considered.

The contemporary impact of colonisation on Maori Offending

The impact of colonisation for Maori has been significant, with the systematic devaluation of pre colonial Maori systems of well being. With this in mind, extensive research has been completed in the area of Maori offending by Marie Danette (2010), Simone Bull (2004), Moana Jackson (1988) and

Rangihau (1988). Danette (2010) synthesises the over representation of Maori in criminal offending correlated to the “lack of involvement” by Maori in decision making at a National level and that the first “injustice” Maori were to face was colonisation. This notion is supported by Jackson (1988) where contemporary Maori offending could be better explained by the increased marginalisation of Maori culture, customs and practices.

The second theme emerging from the literature supporting the impact of colonisation as rationale for Maori offending today is the historical implications associated with the role of the government in achieving dominion status in 1907 (Rumbles, 2009). This pattern of thinking suggests that the enforcement of law and order supported the “over- policing of Maori”. Rumbles (2009) research suggests the implementation of laws to facilitate the appearance of law and order. In doing this, statistics were specific to Maori and developed a pattern of focus on “Maori offending” (Rumbles, 2009).

The final theme emerging from the literature is the consistent pattern of the increase in offending recorded by Maori. Rumbles (2009) identified a 130% increase in offending by Maori between 1906 and 1911. Bull (2004) highlighted this increase in reporting specific to offences including: dog taxes (increase of offences from 461 – 636 from 1896 – 1897); conscription (increase in offences from 655 – 2145 from 1908 – 1920); a 99% increase in alcohol related charges between 1910 and 1911; offences against the person increased by 69% and offences against property increase from 105%. What this literature review will identify is a consistent pattern of increased Maori offending rates dating back from 1897 to 2014.

The inability to consider the link between colonisation, ethnic differences and structural disadvantage is highlighted by Morrison (2009). Ethnic disproportion is identified in all aspects of contemporary Maori offending, including, the collection of statistics and how this is reported about by the media and institutions, and offending strategies for Maori employed by institutions without meaningful consultation with Maori (Morrison, 2009). Research suggests that Maori offending is influenced by colonial assimilation

policies where Maori offending, causes and reporting about Maori offending are generated and defined by non Maori (Webb, 2012).

The following section titled “Contemporary Maori offending statistics” will outline the key areas of contemporary offending that Maori are involved with and the subsequent increase in Maori offending from 1999 to 2014. What is evident is the pattern of offending has continued to increase and there has been no significant change to address Maori offending.

Contemporary Maori offending statistics

Since I have now established the influence of colonialism on Maori today, it is inevitable that Maori have high rates of offending, prosecution and incarceration as reflected in the following statistics.

Maori Incarceration

In 2017, the Department of Corrections recorded 6,914 sentenced male prisoners and 2708 remand male prisoners. There are 529 sentenced female prisoners and 243 remanded female prisoners. The current percentage of Maori prisoners is 50.3% (Department of Corrections, 2017).

Statistics New Zealand compiles the Annual Sentenced Population for the latest Calendar Years (Statistics NZ, 2017). In 2014, 4,275 Maori offenders were recorded as sentenced prisoners. This has increased from 1999, whereby Statistics NZ recorded 3,939 sentenced prisoners recorded as Maori. Table A demonstrates the continuing pattern of Maori incarceration.

Table A: Number of Maori Sentenced Prisoners from 1999 - 2014

Year	Number of Maori Sentenced Prisoners
1999	3,939
2000	3,753
2001	3,795
2002	3,534
2003	3,780
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2009	4,908
2010	4,803
2011	4,707

2012	4,488
2013	4,317
2014	4,275

What this table demonstrates is there has been a consistent and increasing pattern of Maori offenders sentenced and incarcerated for 15 years.

Statistics NZ (2017) has provided a list of offences that Maori offenders are incarcerated for. There are 18 areas of offences covered. Table B covers the top four areas where Maori offenders are sentenced at a greater rate in comparison to the other offences.

TABLE B: Top four offences Maori offenders are incarcerated for

Year	Acts intended to cause Injury (% is comparison to total population of offenders who are in prison for this offence)	Unlawful entry with intent/burglary Break and enter	Traffic and vehicle regulatory offences	Offences against justice procedures, government security and government operations
1999	618 (60%)	720 (60%)	783 (62%)	273 (54%)
2000	594 (63%)	744 (59%)	705 (59%)	240 (45%)
2001	639 (63%)	684 (63%)	654 (52%)	297 (60%)
2002	582 (59%)	666 (61%)	678 (59%)	246 (55%)
2003	567 (58%)	702 (53%)	642 (43%)	279 (43%)
2004	696 (64%)	819 (57%)	870 (53%)	435 (49%)
2005	768 (62%)	819 (56%)	864 (52%)	513 (50%)
2006	855 (66%)	837 (58%)	858 (53%)	585 (52%)
2007	855 (63%)	765 (62%)	780 (67%)	579 (58%)
2008	930 (67%)	735 (53%)	633 (52%)	600 (48%)
2009	999 (68%)	771 (55%)	759 (65%)	762 (56%)
2010	996 (65%)	792 (61%)	612 (57%)	801 (58%)
2011	1023 (67%)	756 (61%)	552 (62%)	834 (66%)
2012	1014 (67%)	756 (63%)	477 (58%)	729 (59%)
2013	1020 (67%)	678 (60%)	432 (59%)	723 (61%)
2014	948 (69%)	705 (67%)	366 (51%)	801 (62%)

What this table demonstrates is that Maori offenders were consistently arrested and sentenced to Prison for traffic offences between 1999 and 2010. While this decreased for the general population after 2010, Maori remained consistently imprisoned for this type of offence. Webb (2012) and Morrison (2009) have challenged Police profiling methods and suggest institutional bias is present including targeting Maori offenders for specific offences. This data suggests that Police profiling may provide some explanation for the

consistent incarceration rates of Maori offenders for traffic and vehicle related offences.

Maori imprisoned offenders have consistently increased for offences against justice procedures. This includes a breach of Community Based sentences, failure to appear before the Court and failure to abide by Police Bail. Tauri (2012) and Morrison (2009) challenge institutional methods and strategies to address Maori offending. This data demonstrates that the consistent response for Maori who are non compliant with institutional imposed obligations will be imprisonment. This data is inconsistent with popular public strategies to be tough on crime. The two key areas Maori are over represented in offending and imprisoned for includes vehicle and traffic regulations and offences against justice procedures. These types of crimes are systemic, rather than an immediate risk to public safety. These types of offences would suggest that institutions are ‘tough on compliance’ rather than ‘tough on crime’.

The offences for acts to cause injury and unlawful entry with intent and burglary are the offences committed by and over represented by imprisoned Maori offenders.

It is of interest to note that the lowest offending area recorded for sentenced Maori offenders between 1999 and 2014 included: homicide related offences; dangerous or negligent acts: abduction, harassment and other related offences against a property; prohibited and regulated weapons and explosives offences; property damage and environmental pollution and public order offences.

The middle band of offences Maori imprisoned offenders are outlined in Table C. Maori imprisoned offenders were sentenced for offences including sexual assault and related offences, robbery extortion and related offences, theft and related offences and illicit drug offences.

TABLE C: Middle band of offences for Maori imprisoned offenders

Year	Sexual Assault and Related offences	Robbery, extortion and related offences	Theft and related offences	Illicit Drug offences
1999	171	264	387	273
2000	132	216	375	321
2001	153	183	369	354

2002	138	165	372	309
2003	159	210	381	354
2004	129	180	408	393
2005	150	231	492	318
2006	129	231	498	300
2007	132	246	492	291
2008	135	240	423	234
2009	153	276	384	228
2010	162	276	378	291
2011	141	198	444	261
2012	165	222	456	234
2013	183	192	420	231
2014	156	207	411	213

It is to be noted that the middle band offences are significantly lower in Maori representation in comparison to Table B. It is also in these middle bands that the highest concern for public safety is conveyed. What this data demonstrates, Maori involvement in Robbery, extortion and related offences is higher than other ethnic groups. However, when looking at theft related offences, Maori consistently sit within the middle bracket, an offence that is consistent with other ethnic groups. When looking at offences such as sexual assault and illicit drug use, Maori participation in this type of offending is lower than other ethnic groups.

If we gauge this information and rank the offences most likely to be committed by Maori offenders, it would be ranked as follows:

1. Acts intended to cause injury
2. Unlawful Entry with intent/burglary
3. Offences against Justice procedures, government security and government operations
4. Traffic and vehicle regulatory offences

While Maori were recorded as having a high participation in robbery, extortion and related offences, this number was significantly lower when compared with the numbers of offenders, for example, in 2014, 207 offenders were recorded as Maori out of 288 offenders. This total of 288 then needs to be considered against the total imprisonment population of 7626 offenders.

What can be drawn from this table is that the Statistics NZ (2017) generated an alternate view of Maori rates of imprisonment. Maori offending is

specific, relating to violence and unlawful entry/burglary. If this is the offence base, then social, familial and deprivation factors can be seen as a primary influence in Maori offending. However when considering the offences of justice procedures and traffic/vehicle regulations, colonisation and institutional influence, can be considered as contributing factors in Maori offending.

These findings are consistent with the research completed by Bronwyn Morrison (2009) who identified disproportionate rates of Maori rates of arrest and imprisonment, whereby Maori women were 5.5 times more likely to be arrested and 10 times more likely to receive a sentence of Imprisonment in comparison to non Maori. Maori men were 4 times more likely to be arrested and 7 times more likely to receive a sentence of Imprisonment (Morrison, 2009). Morrison (2009) challenges the disproportionate rate of Maori apprehension and arrests for offences such as drugs, violence and offences against justice.

Community based offending

The community based sentences facilitated by the Department of Corrections (2017) indicated that there are currently 35,922 people serving a current community based sentence. The current percentage of Maori serving a community based sentence is 44.2%.

Statistics New Zealand compiles the Annual Community Sentences Offender Population for the latest Calendar Years (Statistics NZ, 2017). In 2014, 19,791 Maori offenders were recorded as community based offenders. This has increased marginally from 1999, whereby Statistics NZ recorded 18,030 community based offenders recorded as Maori.

Statistics NZ (2017) has provided a list of offences that Maori offenders receive a community based sentence for. There are 18 areas of offences covered. Table D covers the top four areas where Maori offenders are sentenced at a greater rate in comparison to the other offences.

TABLE D: Top four offences for Maori offenders with community based sentences

Year	Acts intended to cause injury	Unlawful entry with intent/burglary	Traffic and vehicle regulatory offences	Offences against justice procedures, government security and government operations
1999	2697 (49%)	1248 (51%)	4809 (47%)	2670 (41%)
2000	2490 (47%)	1386 (58%)	4122 (44%)	2706 (41%)
2001	2466 (52%)	1173 (56%)	4314 (50%)	3174 (48%)
2002	2166 (54%)	1182 (57%)	3438 (50%)	2610 (59%)
2003	2043 (52%)	1032 (54%)	3081 (45%)	1674 (47%)
2004	1947 (44%)	1011 (57%)	3061 (44%)	1758 (46%)
2005	2259 (52%)	924 (50%)	3231 (45%)	1767 (45%)
2006	2403 (48%)	984 (50%)	3465 (43%)	1956 (43%)
2007	2829 (40%)	1038 (42%)	4056 (38%)	2322 (39%)
2008	3984 (47%)	1413 (49%)	5367 (41%)	3219 (38%)
2009	4386 (47%)	1446 (45%)	5859 (41%)	4230 (41%)
2010	4425 (48%)	1596 (53%)	5736 (39%)	5046 (46%)
2011	4455 (50%)	1452 (49%)	6012 (38%)	4665 (46%)
2012	4218 (48%)	1524 (53%)	6156 (41%)	4731 (56%)
2013	4110 (51%)	1419 (55%)	5619 (40%)	3621 (52%)
2014	3723 (48%)	1209 (54%)	5070 (40%)	3426 (51%)

What this table demonstrates is that Maori offenders received a community based sentence in two key areas of unlawful entry with intent/burglary and offences against justice procedures, government security and government operations. In terms of Unlawful entry, Maori offenders have consistently committed this offence between 1999 and 2014. In terms of offences against justice procedures, Maori rates of non compliance with community based sentences, Court or Police imposed sanctions have increased since 1999. The pattern of offending by Maori subject to a Community Based sentence has been consistent in the area of Acts intended to cause injury and traffic/vehicle regulations between 1999 and 2014.

If we are to look at the data in terms of Maori and Non Maori, community based sentences are imposed at an equal rate if not similar rate as Non Maori

for offences of unlawful entry and offences against breaches of justice procedures.

The middle band of offences for Maori offenders who received a community based sentence are outlined in Table E. Maori community based offenders were sentenced for offences including abductions, harassment and other related offences against a person, fraud, deception and related offences, property damage and environmental pollution and illicit drug offences.

TABLE E: Middle band of offences for Maori offenders who received a community based sentence

Year	Abduction, harassment and other related offences against a person	Fraud, deception and related offences	Illicit drug offences	Property damage and environmental pollution
1999	180 (37%)	972 (30%)	1293 (44%)	339 (43%)
2000	195 (40%)	1056 (35%)	1245 (46%)	336 (41%)
2001	195 (42%)	1113 (39%)	1197 (53%)	384 (51%)
2002	198 (46%)	1170 (40%)	1017 (50%)	297 (48%)
2003	192 (42%)	1029 (45%)	822 (45%)	231 (42%)
2004	201 (42%)	903 (45%)	711 (46%)	237 (43%)
2005	204 (45%)	678 (40%)	639 (43%)	222 (40%)
2006	165 (34%)	687 (42%)	612 (38%)	273 (42%)
2007	246 (37%)	621 (30%)	729 (35%)	303 (36%)
2008	336 (42%)	768 (36%)	993 (35%)	405 (40%)
2009	405 (42%)	738 (32%)	1245 (33%)	453 (41%)
2010	396 (40%)	777 (33%)	1449 (41%)	468 (44%)
2011	393 (46%)	717 (29%)	1260 (37%)	459 (42%)
2012	372 (42%)	984 (36%)	1374 (40%)	495 (46%)
2013	345 (42%)	732 (29%)	1149 (42%)	477 (49%)
2014	411 (43%)	909 (35%)	1014 (38%)	405 (45%)

If we gauge this information and rank the offences most likely to be committed by Maori offenders, it would be ranked as follows:

1. Unlawful Entry with intent/burglary
2. Offences against Justice procedures, government security and government operations
3. Acts intended to cause injury
4. Traffic and vehicle regulatory offences

What can be drawn from this table is that the statistics demonstrate that Maori rates of community based offending is specific, relating to violence and

unlawful entry/burglary. This type of offending was consistent with the imprisonment rankings identified for Maori offenders. Again, the influence of social and institutional factors remains a key area to examine and to provide an understanding about Maori offending.

This data provides rationale consistent with Rumbles (2009) view of the over policing of Maori and the actual offences that Maori are being largely penalised for are offences against justice procedures and traffic/vehicle regulation. If we compare this data from Statistics NZ (2017) and the presentation of data from the Department of Corrections (2017), the consistent message is that Maori are over represented in imprisonment. The presentation of data from an offence perspective provided by Statistics NZ (2017) provides insight into the actual offences being committed by Maori and a better appreciation of what could contribute to Maori offending and what alternate solutions could be created. Again, a social and institutional role is considered to have a significant influence for the Maori offender, with offences specific to violence and burglary requiring specific types of interventions. Offences against justice procedures and traffic/vehicle regulations suggests that systemic issues are present alternate strategies need to be implemented by institutions to minimise this type of offending.

While the Department of Corrections (2007) has identified multiple risk factors and an identified pathway for Maori offenders, what Statistics NZ (2017) data suggests is that there is also an institutional influence affecting the Maori offender. Bull (2004) suggests that when addressing Maori offending that multiple theories (trajectory, risk, deprivation and colonisation) be considered to address Maori offending. This data provides the opportunity to consider Maori offending is not a Maori problem, when social and institutional factors are taken into account. Being Maori is an insufficient explanation for offending. What this data articulates is there has been no change for Maori offenders and therefore no current strategies in past 15 years have created any change for Maori offenders or Maori offending rates.

Contributing factors to the over-representation of Maori in the criminal justice system

In the above section, I presented the statistics of Maori offending but there is a narrative the statistics fail to explore. There have been multiple considerations of offending and over representation of Maori in the criminal justice sector (Danette, 2009). What will become apparent is the reasons for high rates of Maori offending are complex, diverse and a direct result of colonialism (Morrison, 2009; Department of Corrections, 2007). Explanations for the high rate of Maori offending are a result of the low Maori social and economic demographic (Andrews & Bonta, 2010), Maori instability in family structures (Bowlby, 1971, as cited in Andrews & Bonta, 2010), the evolution and influence of “Maori” gangs, generational offending patterns (Blackburn, 1993), and the impact of colonisation on the Maori culture (Jackson, 1988). With this in mind, the next section will focus on reviewing three areas of Maori offending. Firstly, the socioeconomic status of Maori will be reviewed (Bull, 2004). Secondly, the impact of health inequality and the social determinants will be reviewed to consider their impact on Maori offending. The third section will consider how cultural disconnectedness has affected Maori involvement in offending. Finally, the consideration of mono cultural processes being exercised by governing bodies which discriminate and marginalise Maori (Waitangi Tribunal, 2005).

Socio-economic status of Maori

The current Maori population in Aotearoa is 734,200 (14.9% of total New Zealand population) who self-identify as Maori, an increase of 1.5% from 2016 (Statistics NZ, 2017). The median age for Maori males and females is between 22.9 and 25.9 years. The median age of New Zealand Maori is important to note as this indicates that Maori are a younger population.

Maori in employment increased over the year ending June 2017 by 7.6%.

While the New Zealand unemployment rate decreased over the 2017.

Statistics NZ (2018) identified Maori unemployment at its lowest rate in nine years, with an increase of employment for Maori aged between 20 – 29 years.

Despite this improvement, Maori unemployment rates remain twice the national average. Statistics NZ (2017) provides statistics and comparison for

“jobless homes” and identified that children raised in these homes are at an increased risk of disadvantage and poverty. In the 2017 quarter, Statistics NZ (2017) identified that one in ten homes were identified as “jobless households”, with a high representation of single parents and limited educational achievement evident. Maori were more likely to be a member of a “jobless household” and people with disabilities were over represented in these indices. Maori who identified as beneficiary dependent were recorded by the Ministry of Health (2013) at 30.4% in comparison to non Maori (13.8%).

In terms of education for Maori youth, only 45.1% of Maori over the age of 15 years would leave school with a Level 2 Certificate or higher (Ministry of Health, 2013).

Statistics NZ (2017) provides an outline of household net worth whereby Maori have a lower individual net worth in comparison to European households. For the year ended June 2015, the median net worth of New Zealand households was \$289,000, however Maori net worth was estimated at \$23,000. The Ministry of Health (2013) identified that Maori were more likely to live in rental accommodation (49.5%) or in overcrowded accommodation (18.6%). The Ministry of Health (2013) recorded that Maori were more likely to live in areas recorded as having a higher deprivation rating at 23.5% in comparison to 6.8% deprivation conditions for non Maori.

Maori life expectancy rates identified the gap between Maori and non Maori has decreased to 7.1 years (Statistics NZ, 2017). This demonstrates an improvement from 8.2 years in the period of 2005-07 and 9.1 years during the period of 1995 – 1997. The life expectancy for a Maori female is 77.1 years in comparison to 83.9 years for non Maori females. For Maori males, the life expectancy rate is 73.0 years in comparison to non Maori males of 80.3 years. In terms of Maori health, Maori cardiovascular disease mortality was more than twice the rate of non Maori, cancer mortality rates were 1.5 times higher than non Maori and diabetes was twice the rate of non Maori (Ministry of Health, 2013). Maori suicide rates between 2010 -2012 were twice as high as non Maori and Maori adults were 1.5 times more likely to report or experience an anxiety or depressive disorder.

Health inequalities

The low socio-economic status of Maori as presented leads to health inequalities between Maori and non-Maori and compromises Maori ability to flourish. The social environment that one is born within affects their social, familial, educational and health outcomes. This social environment is also impacted by its macrosocial influences, that is, the political economy, social histories, culture and social institutions (Marmot, 2015). This forms the basis of the social determinants of health.

Social determinants of health

A dominant narrative about Maori in newspapers is that health outcomes are a result of individual lifestyle choices. However, health outcomes and inequalities are not reducible to individual lifestyle choices, but a direct result of the social determinants of health (SDH). SDH posits that the conditions people are born into, nurtured, live, work and grow is influenced by inequities in power, money and access to resources (Marmot, 2013).

Poverty, social inequality and the ability to access satisfactory health, education and welfare options is an increasing concern in New Zealand. Marmot (2015) describes social injustices evident when a family's inability to access to health services culminates to affect children's development through illness, poor nutrition and limited access to education. The impact of health inequalities creates social gradients of access to health services consistent with social hierarchies (Marmot & Bell, 2016). What this means is that a person's ability to access effective health care is dependent on their position within social hierarchies (for example, lower, middle class or working class). It can therefore be assumed that social gradients, social disadvantage and poverty are interlinked (Marmot, 2015).

In terms of Social Determinants of Health, more often than not the individual is blamed for their individual social position and therefore, blamed for their inability to access adequate health services. While this is a simplistic argument, this suggests that people are not influenced by the context with which they live and work in (Braveman, Egerter and Mackenhaupt, 2011). Wolff (2011) highlights three psychosocial factors contributing to a person's health, ones position in the social hierarchy, having a sense of control over

one's life and social support systems to access more choices. What is clear is that a person's health is influenced by the individual, their environment and their ability to access greater resources. Marmot and Allen (2014) purport the close association between social conditions and health are cumulative with an individual's social and economic inequality.

Social advantage or disadvantage affects generations (Braveman et al, 2011) and the most profound effect is seen in a child's intellectual and social development (Marmot 2015). Racial or ethnic differences are sometimes used to explain poor health outcomes, however, this denies the advantaged or disadvantaged position that an ethnic group may be born into (Braveman et al, 2011). Institutions are not designed to appreciate cultural variance and institutional bias can be seen in mono cultural methods of health delivery and access to health services (Came, 2014). The Ministry of Health (2013) has embraced cultural services to increase health access for Maori, however, Came (2014) has found that in only providing information to encourage healthy choices is insufficient to change long term health outcomes. Institutional change is needed to address Maori health as policies are consciously or unconsciously drawn from a non Maori or colonial value base (Came, 2014). SDH are political. Poverty, inequality and an unequal distribution of wealth and income is reflected in political priorities (Marmot & Allen, 2014). Given politics reflect a four year pathway and a requirement to win votes, transformative or long term policies to address the underlying factors associated with SDH remain out of reach (Carey and Crammond, 2015). Given this, poverty, social inequality and social injustice will continue to grow.

For Maori, the impact of negative social indices, having the worst health outcomes in the general population, lower educational rates and the experience of poverty (Lancet, Editorial, 2012), leaves little doubt that there are multiple complex issues relating to Maori outcomes. Institutional reports outlining the gaps between Maori and non Maori attribute the Maori position as a cultural deficit, whereby Maori are described as “work (ing) less, (having) lower earnings and lower degrees of labour market attainment (Chapple, 2000). Cultural preferences and blame remains a common response to addressing Maori social determinants of health. While age, education, and

literacy provide some explanation to Maori experiences of poverty (Chapple, 2000), poor performance in a non Maori world remains a consistent comparison by which Maori are measured by. The social and cultural context is dismissed in the pursuit of economic outcomes. The resulting fact is the perception that the “poor get poorer”, with a preference to blame rather than considering the institutional factors underlying social inequality (Carroll, Casswell, Huakau, Howden-Chapman and Perry, 2011).

Social Determinants of Health and the Maori offender

It is at this juncture that it is important to consider the multiple impacts that increase the likelihood of a Maori child becoming a Maori offender. In addition to SDH, clear trajectories and risks have been identified for a child or individual who may become involved in offending.

The Department of Corrections (2007) identified developmental pathways that increase a child or young person’s risk of becoming involved in criminal offending. These developmental pathways are both psychological and social perspectives including, individual characteristics of the child or young person, family structure and processes, educational participation, the experience of interpersonal violence and the ability to access social, health and education services.

The individual characteristics of a child were identified as a factor in determining a child’s potential risk of becoming involved in criminal behaviour (Department of Corrections, 2007). This includes the child’s personality, temperament and the presence of developmental disorders such as conduct disorder, alcohol or drug abuse. Each of these factors was identified as potential indicators in the development of early onset anti social behaviours.

Secondly, a child’s lack of participation and achievement in education was identified as a risk factor. School absenteeism, lack of educational qualifications and an early school leaving age were contributing factors in criminal behaviour (Department of Corrections, 2007).

A potential risk factor identified for a child’s involvement in criminal behaviour was the structure of the family a child is born into and familial

processes. Familial factors can include a lack of family stability, being born and raised by single young mothers (Department of Corrections, 2007), and family income and living standards (Danette, Fergusson and Boden, 2009). The Department of Corrections (2007) identified that children raised by young single mothers were at risk due to limited access to paid employment, unstable home environments, welfare dependence and limited educational qualifications. The risk of a child's exposure to criminal behaviour in later life increased when parent/s were involved in criminal activities, limited standards of parental care and supervision, and harsh discipline was present (Danette et al, 2014). Fergusson (2003) identified that Maori children being raised in disadvantaged homes (socially and economically) were more vulnerable of becoming involved in criminal behaviour.

The presence of interpersonal violence in the family home was identified as a potential risk factor contributing to a child's risk of criminal behaviour in later life. Fergusson (2003) identified that young Maori were exposed to physical punishment and interpersonal violence in the home. Lower maternal care and supervision characterised by parental alcohol use and criminal involvement attributed to a Maori child's increased risk of becoming involved in crime. Given this exposure and the instability of the young Maori child's family home, Maori children were identified as at greater risk of child abuse, maltreatment and injury (Department of Corrections, 2007). Fergusson's (2003) research identified when socio economic factors were assessed, a child's risk of criminal offending was increased as a result of these intra familial factors.

Finally, a Maori families inability to access effective health, social support and education was identified a contributing factor in criminal vulnerability (Department of Corrections, 2007). With multiple socio economic and intra familial factors identified, access to effective social support services was limited and Maori families were at greater risk of exposure to violence and re victimisation.

Danette, Fergusson and Boden (2014) identified that Maori were exposed to more "adverse psychosocial outcomes in adulthood". This research pathway has been well evidenced with Maori over representation in the mental health

sector, (including diagnosis of anti social personality disorder, substance use and cannabis dependence), criminal offending, childhood socio economic factors (Fergusson, 2003), family living standards, family socio economic status (at birth) and average family income (Danette et al, 2014). This view of socio economic deprivation is shared by the Waitangi Tribunal (2005), trajectory, and risk theorists (Bull, 2013).

Poverty, social and material deprivation are contributing factors to an individual's long term health and wellbeing. Poverty places restraints on all aspects of well being, linked to overcrowded and poor housing, poor nutrition, impacting mental health and the care of children (Marmot & Wilkinson, 2011). With limited access to resources, crime and criminal behaviour are concomitant to limited access to support systems and resources.

What this suggests is that lower socio economic status, poverty, developmental or life course risk factors (Bull, 2013) cannot fully explain the difference in criminal trajectories between Maori and non Maori. Again, this suggests that offending by Maori is far more complex than an individual's socio economic status.

Cultural disconnectedness and the Maori Offender

The risk of Maori engaging in and over representation in criminal offending is often linked to cultural identity (Fergusson, 2003), cultural inferiority (Morrow, 2014) or cultural biological deficits (Bull, 2013). However, as demonstrated by Fergusson (2003), this type of cultural stereotyping is deceptive once socio economic disadvantages are accounted for. Despite Fergusson's (2003) research, definitions of cultural identity and ethnicity continue to provide an emphasis in explanations about Maori offending and are the focus of this section.

The Department of Corrections has identified cultural deficit as a cornerstone of Maori offending, and rehabilitation is often centred on increasing a Maori offender's cultural identity (Danette et al, 2014). What is problematic with this type of stereotyping is the assumption that the attributes of Maori offending and cultural identity is more often or not defined by Non Maori and within the parameters of the criminal justice sector (Danette, 2010). This cultural praxis has been challenged by Tauri (2012) whereby increasing

cultural identity and indigenisation is an institutional response to be seen to be addressing the “Maori problem” with insufficient resourcing and outcomes to address Maori over representation. The influence of institutions in determining cultural identity in Maori offending has been challenged, institutions championing Maori sentiments in the rehabilitation of Maori offenders without sufficient evidence research or substance to support this type of rehabilitative cultural campaign (Durie, 2007). It is a sentimental approach with limited evidence of impact or demonstrated historical change to Maori offending rates.

This type of cultural campaign and indigenisation can be seen internationally as a response to indigenous over representation. Cowlshaw (2012) has openly challenged main stream methodologies to address Australian Aboriginal experiences where mainstream values are at odds with Aboriginal values of community and relationships to the land. Aboriginal communities are encouraged to move away from family and cultural bases to demonstrate independence and individualism (Cowlshaw, 2012). This cultural comparison has been seen in Maori history with migration from rural to urban environments (Webb, 2012). The re-definition of Maori culture in this environment was Maori success to assimilate to non-Maori values (Morrow, 2014). Robert Webb (2012) explains these cultural definitions for Maori including, groups of Maori who were able to adjust to both Maori and Pakeha society and the second, being Maori groups with insufficient coping skills to assimilate were presumed to be at a greater risk of offending. Again, it is in the definition of culture and by whom, that Maori offending is determined. To assimilate or not to assimilate? The stereotype and sentimental rhetoric is maintained, to remain cultural is to remain at risk of becoming an offender or over represented in negative social indicators.

Cultural identity and cultural deficits are an insufficient explanation for Maori over representation in crime. It can therefore be argued that there are additional variables influencing Maori and Maori offending (Danette et al, 2014). As I have outlined, these variables include generational experiences of colonisation, poverty, urbanisation, the devolution of the Maori family and leadership, colonial policies asserting assimilation and the continual degradation of Maori as a culture and as a people.

Mono-cultural systems and institutions that are discriminatory and racist

The experiences of Maori in Aotearoa are further exacerbated by mono-cultural systems and institutions, where Maori are marginalised and profiled as the ‘inferior other’.

In this section I will provide an over view of the key statutory bodies involved in the management of offending, the New Zealand Police, the Department of Courts and the Department of Corrections. Each body has a statutory function to exercise the law, its enforcement, the legal consequences and the monitoring of sanctions (Blackburn, 1993). I have included this section to provide a greater context to the creation of a Maori offender. We have considered social determinants of health and a history of colonial degradation experienced by Maori. To understand the contemporary Maori offender, is to understand how the offender is influenced and defined by the statutory bodies who manage crime and criminals.

Morrison (2009) suggests that two major explanations for over representation of Maori in the criminal justice sector can be attributed to “differential thesis and discrimination theses”. Differential thinking suggests that the disproportionate ethnic representation is as a result of differential association or offending theories. Discrimination thesis purports the presence of indirect and direct discrimination within the criminal sector (Morrison, 2009).

The term institutional racism was first introduced into the New Zealand framework of addressing Maori over representation within the Department of Social Welfare (Rangihau, 1988). Institutional racism is considered as the outcome of mono cultural structures “rooted in values, systems and viewpoints of one culture only” (Rangihau, 1988). Macpherson’s (1999, as cited in Morrison, 2009) research from London as a result of the racially motivated murder of Stephen Lawrence and the subsequent failing of the Metropolitan Police Service, defined institutional racism as:

“The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes attitudes and behaviours which

amount to discrimination through unwitting prejudice, thoughtlessness and racists stereotyping which disadvantage minority ethnic people”.

Morrison (2009) suggests that the use of indirect discrimination within the New Zealand criminal justice sector can include ”neutral legislation, policies and decision making criteria”, whereby direct discrimination can include “process related factors” targeted at reducing offending with specific offender ethnic groups.

The purpose of this section is not to evidence or directly implicate the presence of indirect or direct discrimination within the governing bodies of the criminal justice sector when working with Maori who offend. However, to not consider the potential impact of institutional bias and racism as a possible explanation for Maori over representation in criminal offending would disserve the identification of a potential pathway for greater awareness.

New Zealand Police

The New Zealand Police was established in 1840 by Governor Hobson having the power to identify and select men to act as Police. In 1846 the ordinance “for the establishment and maintenance of a constabulary force was passed”, where the primary functions of the Police was identified as: to preserve the peace, prevent robbery and other felonies and the apprehension of offenders (New Zealand Police, 2014).

The key functions of the New Zealand Police include: keeping the peace and maintaining public safety; law enforcement and crime prevention; community support, national security and emergency management. The New Zealand Police operates and enforces the legislative requirements of the Policing Act (2008) and the Arms Act (1983) (New Zealand Police, 2014).

The Police practice of recording ethnicity details has been questioned by the Waitangi Tribunal (2005). A review of the completion of ethnicity details indicated that some Police officers would record ethnicity based on offender self identification (Rumbles, 2009) or the officer’s knowledge of the person, family or physical appearance (Morrison et al, 2008, as cited in Morrison, 2009). This could be attributed to human error and prejudice (whether

conscious or not), held about Maori peoples (Waitangi Tribunal, 2005; and Maxwell and Smith, 1998, as cited in Webb, 2009).

The Police practice of profiling, combined with the practice of stop and search enquiries has been identified as an area of controversy when relating to offenders of Maori descent. Profiling is a common tool in the prevention of crime, however, Rumbles (2009), identified profiling implicating ethnicity as a factor for enquiry. This could lead to an increase of Police presence in neighbourhoods where specific ethnic groups may reside. A clear example of this practice was evidenced in the research completed by Fergusson et al (2003, as cited in Webb, 2009) where Maori cannabis users were three times more likely to be arrested than non Maori in the Christchurch area.

In terms of Maori involvement with the Police, young Maori are 1.6 – 2.4 times more likely than non Maori to have official contact with the Police or a criminal conviction (Waitangi Tribunal, 2005). Maori are four to five times more likely to be apprehended, prosecuted and convicted than non Maori, (Morrison, 2009).

The New Zealand Police have identified a need to review their practices when working with Maori and have sought to address this with a commitment to the appointment of Maori, Pacific and Ethnic wardens (New Zealand Police, 2012). The role of the Police warden is to build relationships with Maori and ethnic communities to increase trust and communication with the New Zealand Police. The re valuing of community based Policing and the matching of ethnic Police wardens in these communities appears to be a valuable contribution by the New Zealand Police (New Zealand Police, 2012).

The Courts of New Zealand

The Courts of New Zealand is the statutory body for the enforcement of criminal law, resolution of civil disputes, upholding the rights of the individual, ensuring government bodies function with their legal requirements and as a vehicle for explaining the law (Courts of New Zealand, 2014). The Court is one of three branches of the New Zealand Government working alongside yet independent of Parliament (Legislature) and the Executive (Cabinet, Ministers and Government Departments) (Courts of New Zealand, 2014).

Research suggests that Maori Providers hold an assumption that the Court and its systems are primarily mono cultural and disadvantage Maori (Te Puni Kokiri, 2010). However, when considering the Sentencing Act (2002), Section 27 specifically enables the sentencing Court to review evidence and advice from a cultural context that may affect the nature of the offending and offender (Te Puni Kokiri, 2010). The assumption derives from an underlying distrust or scepticism (Waitangi Tribunal, 2005) for Maori participating with Government systems. Again this assumption may be as a result of human error and unconscious or conscious prejudice when working with Maori (Rangihau, 1988; and Waitangi Tribunal, 2005).

In terms of Maori involvement with the Courts of New Zealand and offending, Maori are 11 times more likely to be remanded in custody while awaiting sentencing and 7.5 times more likely to receive a custodial sentence than non Maori (Morrison, 2009).

The Courts of New Zealand are administered within the auspices of the Ministry of Justice (Ministry of Justice, 2012). The Ministry of Justice has proposed the key areas of performance for its sector in the document titled “Delivering Better Public Services: Reducing Crime and Re Offending, Result Action Plan”. This document includes the commitment by the Courts of New Zealand to develop initiatives for the “smarter efficient and modern justice services” with a focus on hard to reach youth and Maori youth over a ten year period (Ministry of Justice, 2012). This targeting of offending appears to be a more considered long term strategy coordinated with other stakeholders committed to reducing re offending in New Zealand.

Department of Corrections

The Department of Corrections was formed in 1995 when the Ministry of Justice was divided into two separate agencies. The Department has the statutory authority in the management of offenders with the Prison Service and Community Probation Services. The Department of Corrections has four key priorities – public safety, reducing re-offending, better public value and leadership (Department of Corrections, 2014).

Research completed by Danette (2010) suggests that Department of Corrections has identified and based programmes identifying cultural identity

as a means of reducing the risk of re offending for Maori. However, there has been no research or evidence available that shows that increasing a Maori offender's knowledge of culture can directly influence the decision to not offend (Ministry of Justice, 2009, as cited in Danette, 2010). This point can be highlighted with specific reference to the Waitangi Tribunal (2005) document titled, "The Offender Assessment Policy Report" that states: "(a) history of scepticism within the Department whether Maori offender treatment needs differ from non Maori and therefore scepticism about the value of Maori culture based intervention".

The Waitangi Tribunal (2005) made specific reference to the Department of Corrections for using "selective aspects of Maori culture to explain Maori offending" and criticised the lack of consultation with Maori by the Department with the implementation of the ROCROI (static risk assessment and calculation tool). The Waitangi Tribunal (2005) outcome identified that the Department of Corrections was clearly aware of their responsibilities to consult with regard to the Treaty of Waitangi, however failed to do so. This was again identified in a later Waitangi Tribunal report titled "Tu Mai te Rangi"(2017) whereby the Department of Corrections was found to had failed in their commitment to Maori with no specific plan to address Maori over representation in Prisons, had not prioritised a commitment to reducing re offending for Maori and lacked meaningful consultation with Iwi and Hapu.

Again, as noted with other government departments, the opportunity for the over management of high risk Maori offenders could be attributed to Probation Officer judgement and human error (Waitangi Tribunal, 2005). Nick Wilson (2011) completed research relating to desistance pathways for psychopathic offenders. The sample group was made up of 12 inmates of which 11 self identified being of Maori descent. The research highlighted the need for a change in the management of offenders by Probation Officers to reduce their risks of re offending (Wilson, 2011). Given this sample was primarily Maori, it could also be suggested that the management of Maori offenders needs to be changed to reduce risk of re offending.

Despite these criticisms, the Department of Corrections has acknowledged and made valid attempts to address offending by Maori. This includes the development of the Framework for Reducing Maori Offending in 1999, Treaty of Waitangi Strategic Plan 2001 – 2003, Maori Strategic Plan 2003 – 2008 and the Maori Interventions Pathway in 2004 (Department of Corrections, 2014). Te Piriti Special Treatment Programme is based at Paremoro Prison in Auckland. This programme works specifically with child sex offenders and has achieved a clear balance of Maori Tikanga values interwoven with intensive cognitive behavioural therapy (Nathan, Wilson & Hillman, 2003). The significance of this programme model has demonstrated Maori men had a significantly lower rate of sexual re offending of 4.41% (Nathan et al, 2003). Given its success, this could be utilised as a model for addressing offending by Maori in the future.

Offence measurement and institutions

The classification of Maori as offenders and the higher rates of offending by Maori have been suggested to be as a result of the way that offending is measured (Fergusson, 2003). What this suggests is current institutional methods of conviction and police practices contribute to the classification of offenders.

Firstly, Webb (2009) suggests that Police practices are disproportionate and arrest rates are disproportionate to the actual offending. Webb (2009) identifies that Maori experience arrest three times more than non Maori. Morrison (2009) takes this evidence further with her research identifying that Maori women are 5.5 times more likely to be apprehended and 10 times more likely to receive a custodial sentence than Non Maori. Ironically, this is confirmed by the Department of Corrections (2007) whereby it was identified that Maori offenders were more likely to be arrested for traffic and drug offences in comparison to serious tariff offences. Police practice and monocultural bias within institutions may be a contributing factor to the current over representation of Maori offenders.

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crime, however, Rumbles (2009), identified profiling implicating ethnicity as a factor for enquiry. This could lead to an increase of Police presence in neighbourhoods where specific ethnic groups may reside. A clear example of this practice was evidenced in the research completed by Fergusson et al (2003, as cited in Webb, 2009) where Maori cannabis users were three times more likely to be arrested than non Maori in the Christchurch area.

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Rumbles (2009), views institutional over policing of Maori as a means of presenting Maori offending as a Maori issue, rather than as a consequence to legislative or institutional influence. This pattern of thinking suggests that the enforcement of law and order supported the “over- policing of Maori”.

Rumbles (2009) research goes further to suggest that it was the implementation of laws to facilitate the appearance of law and order. In doing this, statistics were specific to Maori and developed a pattern of focus on “Maori offending” (Rumbles, 2009). This view is supported by the work of Simone Bull (2004) whereby legislation was imposed to address assimilation practices, land acquisition and managing “disorderly Maori behaviour”.

Maori and the media

This thesis will examine the dominant discourses within newspapers about Maori offenders. This thesis will also consider how such discourses affects society’s perceptions of Maori and Maori offending. In this section I will cover a historical review of media portrayal of Maori. This will provide an overview of discourses portrayed in the media (whether conscious or unconscious) about Maori.

The perception in general society is that when one reads the newspaper with reference to Maori, the article is often associated with criminality. This perception is not a new phenomenon but is part of the colonial project where the marginalisation of Maori is perpetuated and reinforced by the media. To

support my assertion I will consider the historical role of the media to construct Maori as inferior, deviant and criminal.

Historical review of media's negative characterisation of Maori

Early Contact period writings

Early contact between Maori and settlers came from a colonial assumption of European superiority. The construction of this colonial assumption derived from the indelible belief that colonialism was a statement of superiority. Maori were depicted as stylised and created figures rather than as real people (Hokowhitu, 2003), belonging to a mystical, unconscious physical realm and described as physical, savage and barbaric (Hokowhitu, 2004). These early accounts of colonial superiority perpetuate the images and messages reported about Maori, comparisons and references continually swaying between the civilised European and the uncivilised Maori. This propagated image of Maori was to reinforce authority and dominance, and the need for the uncivilised savage to be maintained as an inferior other.

The depiction of Maori from early settler or traveller accounts produced images of Maori were romanticised (Hokowhitu, 2004), where comparisons were made between the noble savage as naïve and untainted from the perceived corruptions of modern Europe (Hokowhitu, 2004). This opinion shifted, once Maori began to demonstrate an imagined military threat (Wall, 1997) or refused to sell land to settlers (Hokowhitu, 2004). The reporting and portrayal of Maori shifted to describe Maori as uncivilisable and inhumane (Wall, 1997),

Depictions of Maori can be seen through text books generated through early settler schools in New Zealand. Again the assertions of colonial superiority are depicted in the effort to naturalise Maori to European ways. Hokowhitu (2004) identified images of Maori in school texts being described as angry brown men who were responsible for the death of the Moriori, referred to as barbaric, and evidenced with the demonstration of haka as immoral and depraved. This colonial imagery was purposeful to assert colonialist ideals, superiority and propagate messages of assimilation. This was clearly

identified by Hokowhitu (2004) with commentaries about Maori participation in sport provided by the London Times: “It is a tribute to our colonising faculty. The colonising race that can imbue aboriginal inhabitants of the colonised country with a love for its national games... Wherever the Englishman goes he carries the bat and the goalposts” (quoted in Hokowhitu, 2003, p. 270-271). The romanticised image is depicted when Maori behave in accordance with colonial assertions, however, colonial superiority is always maintained with The Daily Telegraph: “the Maoris have certainly progressed since Captain James Cook found the finely painted and neatly tattooed ancestors of our visitors eating each other in the bush (quoted in Hokowhitu, 2003, p. 270-271).

The tension between colonial superiority and assimilation strategies for Maori continued in the reporting of Maori in the 1900’s to reinforce colonial systems of administration (Hokowhitu, 2004). The typecasting of Maori remained exploring Maori savagery and use of violence, now accruing to be considered an inherent quality of all Maori. The description of European men as controlled and protective, in comparison to the Maori man, as physical, childlike and unsophisticated. The civilised European is always presented in comparison to the unintelligent Maori savage (Hokowhitu, 2003).

The savagery and comparison of Maori men and women with animals shifts through different representations of Maori including ‘boys and girls stark naked and the women with only a rough garment around the loins run up the pole as readily as monkeys’ (quoted in Hokowhitu, 2003, p. 195) or in the sports arena as the noble savage. Hokowhitu (2003) goes on to explore representations of Maori portrayals as sportspeople akin to this underlying premise of savagery with Maori assimilated through war exploits, sports aptitude and physicality.

Contemporary portrayals of Maori

Contemporary portrayals of Maori in the media are still perpetuated with underlying colonial assumptions maintain othering practices of them and us (Nairn, McCreanor & Moewaka Barnes, 2017). Wall (1997) identifies four distinct categorisations of Maori by the media, Maori as the comic other, Maori as the primitive natural athlete, Maori as a radical political activist and

the quintessential Maori. These stereotypes are generated to maintain Maori as the inferior party in the relationship and maintain ongoing methods of assimilation. The Maori as the comic other is where Maori are characterised as simple, cheeky and funloving complicit with the image of comedian, Billy T James. The underlying social constructions of this character can co exist with the continual reference of Maori as deviant, benefit dependent and lazy. The second stereotype, Maori as the primitive natural athlete, again premises Maori as a savage, with undertones of violence and animalistic. The third stereotype conveyed by Wall (1997), Maori as a radical political activist when Maori seek redress for historical grievances and therefore pose a threat to national identity. The final stereotype, the quintessential Maori emanates qualities of the romanticised Maori heritage, a rural people regaining their Maoriness with qualities of spirituality and family (Wall, 1997). These types of categorisations serve to maintain acceptable colonial representations of Maori.

Nairn, Moewaka Barnes, Rankine, Borrell, Abel and McCreanor (2011) bring to light the absence of a Pakeha discourse evident in the media. This practice of othering suggests that Pakeha are depicted as “normal” with behaviours consistent with mainstream ideologies. In comparison to Maori, media constructions include the labelling of Maori as criminals, activists and as a potential threat to mainstream values and ideals (Nairn et al, 2011). This continual preferencing of mainstream views consistently perpetuates the media as contributing to the socialisation process where Maori are reported about with underlying racial stereotypes (Gregory, Borell, McCreanor, Moewaka Barnes, Nairn, Abel, Taiapa & Kaiwai, 2011). This process is eloquently highlighted by Harding (2006, as cited in Nairn, McCreanor and Moewaka Barnes, 2017): “there is only one way to run this (advanced democratic tolerant) society: media aim to provide balanced accounts and we (the settlers) have made patient efforts to civilise the natives”.

Maori media as a counter measure

The media has been identified as a factor in the socialisation process with the ability to expose readers and viewers to colonial assumptions and stereotypes

about Maori (Gregory et al., 2011). The challenge for Maori is the use of by Maori for Maori media strategies to counter these mainstream discourses.

Maori television emerged as a response to mainstream media, initially with Aotearoa Television Network in 1996, and later the emergence of Maori Television in 2004 (Smith & Abel, 2008). Maori Television's primary function is to promote cultural revitalisation of Te Ao Maori. With the advent of Maori television, the opportunity to explore alternate discourses of nationhood can be seen with their portrayal of Anzac history and ceremonies (Smith & Abel, 2008) and presenting alternate views of Waitangi Day celebrations, rather than the repeated conflict demonstrated by mainstream media (Gregory et al., 2011). The emergence of Maori Television is often contested within a space of decolonising the national mind (Smith & Abel, 2008) and the restrictions placed on broadcasting that regulate and constrain Maori representation.

Rankine, Moewaka Barnes, McCreanor, Nairn, McManus, Abel, Borrell and Gregory (2014) highlight the strengths of Maori Television in the ability to convey news with accuracy and maintaining audience interest. The ability of Maori Television to bring an alternate view of nationhood can be seen, with a different lens and alternate perspectives being portrayed. The opportunity to explore and revitalise Maori culture can be asserted through this mode of media (Rankine et al., 2014).

Media television and newspaper representations of Maori remain consistently negative (Rankine, et al, 2014) with non Maori structures as preferred sources to discuss Maori issues. This can be seen in the newspaper portrayal of the foreshore and seabed conflicts (Phelan, 2009). Phelan (2009) examined editorial discourses demonstrated in the New Zealand Herald and the Dominion Post where this conflict resonated themes of national suffering and threat, alongside of Maori privilege and opportunism. The nationhood construction is clearly articulated with the quote "resentment about two standards of citizenship is growing. Fair minded people saw sense and justice in resolving past blatant land property injustices.. Many such people, however, resent the emergence of an hereditary Maori elite access to exclusive scholarships, privileges and political representation..there must be

fears taxpayers will eventually fork out again” (quoted in Phelan, 2009, p. 229). Miller (2011) likes this type of newspaper reporting as the inability of the media to consider their own “cultural blind spots and to recognise the necessity to understand cultural and historical factors to provide comprehensive coverage of cultural topics.

Socially constructed cultural assumptions by the media

Media analysis

Media analysis is concerned with the construction of reality, this being premised on two key principles (Maneri & ter Wal, 2005). Firstly, the media is concerned with maintaining a shared perception of society at the exclusion others (Maneri & ter Wal, 2005). Secondly, the media’s use of selection, framing and filtering techniques to construct newstexts are designed to reinforce these values. Privilege is determined by who has the ability to speak and who does not. In the area of crime and criminal behaviour, the media generates specific discourses associated with crime, intertwined with influence of mainstream values, social and legal institutions (Yar, 2012).

The selection or choice of news worthy topics is always considered within a social context (Gajevic, 2007), that is, what is relevant, popular or considered of interest is reported. Selection of topics is unbalanced. The most popular topics include crime, race, policing, riots and violence (Fox, 2013). Again, the notion of moral panic or the ability to elicit a discourse of fear can contribute to media selection (Galeste, Fradella & Vogel, 2012). In making this choice, other news or information is excluded. A consequence of this unbalanced selection is the creation of a parallel Maori news broadcasting process to engage with Maori specific topics of interest (Te Kawa a Maui, 2005). A further issue relating to selection is the unidirectional model of communication evident in the media (Yar, 2012). This means that the topics that are chosen by a few, however messages are communicated to many. It is on this basis that selection can be manipulated by institutions working alongside of the media, and therefore in the selection of topics can be manifested by powerful groups (Fox, 2013).

The media’s role in constructing reality can be seen in the creation of moral panic (Fox, 2013) where criminal behaviour is targeted to elicit fear from

readers or audiences. Moral panic serves the purpose of generating public opinion, influencing public policy and reinforcing safety messages from formal agents of social control (White and Perrone, 2015). Because news is communicated within a social context (Gajevic, 2007), social institutions have been seen to report specific developments or changes dependent on newsworthy issues produced by the media (Maneri & ter Wal, 2005). The interdependent relationship of social/legal institutions and the media is purposeful in constructing definitions of crime and disseminating discourses about crime, criminal behaviour and offenders.

Media representation and its influence in denouncing Maori attempts to seek a political voice have been well documented (Phelan & Shearer, 2009). A pattern emerges internationally whereby media representation of offending by people of indigenous culture is over reported. This is evident where indigenous thoughts and behaviours are considered or perceived as threats to nationality (Crawford, 2011) or perceived radicalism or assertion of cultural independence (Phelan & Shearer, 2009). Media influence in the development of cultural mores becomes more explicit in the reporting of culturally based offending and support the maintenance of a “dominant ideology” (Dodson, 2009).

Chetty (2011) asserts that the development of public discourse is manifested and created within the interests of government officials and political elitists. An interdependent relationship between the media and political interests can be made visible: The development of frames that assert the dominant ideology (Dodson, 2009), the influence of economic resources provided by media sponsorship, how specific framing is influenced by social and political interests (Chetty, 2011) and the choice of media sources (Maneri & ter Wal, 2005). The impact of socially constructed discourses by dominant ideologies on offending by Maori, creates the opportunity for a mainstream response to Maori offending and therefore, limiting the opportunity to consider alternate strategies. This has been evidenced in other fields examining the media’s presentation of cultural discourse, including the assertion of structural domination when reporting about race relations (Phelan & Shearer, 2009), the perception of indigeneity correlating with criminal behaviour (Gargett, 2005; and Maneri & ter Wal, 2005) and the role of the

media in creating prejudicial ethnic beliefs and attitudes (Maneri & ter Wal, 2005).

The interdependent relationship between the media and socially powerful groups implies the opportunity for topics of public interests to be manipulated (Altheide, 2009). While the role of the media has been criticised in presenting political and commercial interests (Dodson, 2009), the influence of the media in policy development and offending can be demonstrated. Fox (2013) asserts the influence of popular sentiment versus evidence based policy in the treatment of sexual offenders. This included the public assertion (noted in letters to the editor) that sexual offenders are perceived as untreatable (Fox, 2013). This characteristic of the media in constructing risk anxiety in relation to sexual offending is evidence of how policy is created to serve public opinion through media distortion of sexual offences. ‘Tabloid Justice’ (Fox, 2013), therefore has the ability to influence crime policies, and in turn, lead to policies influenced by moral panic, rather than based on empirical or evidenced based research (Galeste et al., 2012). It can then be assumed that mainstream strategies to address Maori offending is created by sentiment rather than through evidenced – based, Maori –for - Maori research methods.

The creation of Moral Panic

The term “moral panic” was first identified (Young, 1971, as cited in Galeste et al., 2012) and later attributed to the work of Cohen (1972, as cited in Galeste et al., 2012) as “a condition, episode, person, or group of persons which emerge to become defined as a threat to societal values and interests” (Cohen 1972:9, as cited in Galeste et al., 2012). When reporting on crime, moral panic can be generated by the media if they portray social order as being compromised. Fox (2013) asserts that moral panic in the media operates to describe events or circumstances disproportionately, and brings to light potential political undertones. What this suggests is the media can influence or lead the general public to focus on disproportionate representations of crime and therefore shape public agenda (Altheide, 2003). Moral panic can influence how crime is perceived and may be used to propose specific misguided policies to address crime and criminal behaviour. When undertones of moral panic is generated to report about

offences Maori are involved with, this has the potential for indigeneity to be correlated with crime or criminal behaviour.

The creation of moral panic in crime reporting can generate a discourse of fear (Altheide & Coyle, 2006). Ferraro (1995, as cited in Altheide & Coyle, 2006) asserts that fear is self-perpetuating and promotes a sense of disorder. Moral panic then provides the opportunity to construct subject positions or “othering” (Altheide & Coyle, 2006). “Othering” has been defined as the social process where the dominant group identifies and excludes an inferior group (Altheide & Coyle, 2006). This was seen in the reporting of Aboriginal involvement in the Redfern Riots (Gargett, 2005). While the media creates the subject positions (victim or perpetrator), the general public inevitably choose the victim subject position. The impact for crime and understanding of criminal behaviour is as a result of fear, victim pathology and the potential to further label criminals (Altheide & Coyle, 2006). Given the high number of Maori offenders, the impact for Maori is an isolated representation of actual behaviour, normalised within a context of fear.

Moral panic and the discourse of fear have potential implications in the development of social policy, public awareness of social issues and reporting of criminal behaviour (Altheide, 2003). The creation of victim pathologies and subject positions provides the opportunity for the exploitation of fear as a vehicle to implement self-serving public policies or dominant strategies (Altheide, 2003). This has been evidenced in the reporting of the Columbine shootings. Altheide (2009) asserts the coverage of this event was framed within a construct of legitimising a “war on terror” and as a means of enforcing further strategies of social control. Another example is the reporting of Maori defined as “radical activists” as a threat to maintaining social order (Phelan & Shearer, 2009) and finally, policies supporting incarceration as a means of “getting tough on crime” (Altheide & Coyle, 2006). As a reader, the examination of reports on crime and elucidating the inferences of moral panic requires careful examination of potentially distorted statistics, and examining criminal behaviour proportionately (Fox, 2013). For example, media reporting of crime is selective with a predominance of reporting crimes that occur infrequently (homicides, shooting or brutal

physical assaults) in comparison to more frequent crime such as theft or burglary (Altheide, 2003). Because crime is associated with moral panic, one of the consequences is for all offenders to be associated with the egregious though infrequently committed offences.

The influence of the media to inform public views and the relationship with the development of social and political agendas is well documented (Altheide & Coyle, 2006). The media has a tendency to amplify social problems such as crime, which can result in policies designed to alleviate social fears rather than a programme designed to address specific offending behaviours (Altheide & Coyle, 2006). Garland (2000, as cited in Fox, 2013) identified policy as constructed to assuage public opinion in response to moral panic. Policy and political stances are therefore influenced by public opinion. An example of this is the imposition of “tough on crime” strategies (Altheide & Coyle, 2006) or the “Three strikes” legislation (Altheide, 2003). The implication being, the role of the media in policy development is a reactive response to social agendas, rather than a long term consideration of researched crime prevention or rehabilitative strategies.

The role of the media in cultural prejudice and negative cultural reporting

The role of the media in re-presenting cultural information from a mainstream lens has been discussed earlier. When reporting on cultural issues, Barclay and Liu (2003) identified reporting would begin with the exclusion of minority reporting, or minority concerns perpetuated as a threat to social order or reporting about cultural groups who shared dominant values. This section brings attention to cultural reporting in the international context and affects all indigenous groups.

The media has a position to naturalise and maintain values associated with race relations from a dominant space and inadvertently normalising or naturalising underlying ideologies of race. An example of this was evident in the reporting of the Redfern Riots in Australia. In this instance, sources of information were sought from representatives of institutions but eye witness accounts were not considered. From this example, race relations were reported within a space of us and them (Gargett, 2005). While this may be

one construction of the event, the use of framing led to the exclusion of reporting systematic maltreatment of Aboriginal people living in this community. In this example, how the story was framed, journalists, editors and social institutions demonstrated their ability to restrict how information is portrayed and how dominant discourses were utilised to maintain specific views about race relations. Loto, Hodgetts, Chamberlain, Nikora, Karapu and Barnett (2006) found Pacific Island people were unable to influence how their experiences were authored and Pacific Island people were framed as benefit dependent, lazy, drug and alcohol users and violent. Given these examples, there is the opportunity to challenge that reporting of Maori offending comes from a mainstream worldview and could inevitably have a detrimental effect on race relations.

Maneri and ter Wal (2005) identified that the key media worthy themes for news stories are conflict, tragedy, and deviance. When a threat is perceived, crime reporting creates otherness in the representation of order and socially accepted norms intertwined within frames of national identity (Crawford, 2011). In this framing, there is the opportunity for assimilation strategies to be implicitly expressed as acceptable standards of social norms. Again the reporting of the Redfern Riots, explicitly highlighted how colonialist strategies reinforced Aboriginal people as deviant (Gargett, 2005). Loto, Hodgetts, Chamberlain, Nikora, Karapu and Barnett (2006) reinforces this message of deviance challenging media reporting of Pacific Island issues from a position of benevolence and mainstream institutions were there to provide oversight and management. This view has also been asserted by Phelan and Shearer (2009) where Maori worldviews or representations within the media are created within structural (or mainstream) dominant ideologies. The implication for Maori is the association of criminal deviance with culture, and the selection of media topics that portray these implicit mainstream colonialist views.

The social construction of dominant ideologies underlying media reporting can also be explored by the voices heard by the media or the key actor's representative in definitions of social realities (Chetty, 2011). The difficulty in favouring some voices over others by the media is the underlying assumption that the same actors or voices have the ability to define social

problems, provide judgement and assert dominant strategies for resolution (Chetty, 2011). In his exploration of the role of the Police, Chetty (2011) presents the construction of the Police as victims in the Redfern riots. By positioning the Police in such a manner, it can then be assumed that the perpetrators of violence are Aboriginal. Chetty (2011) takes this construct further, suggesting the Police are a reflection of, and protector of mainstream ideals of social order. It could therefore be concluded that Aboriginal behaviour in the riots was outside of social order, and again, reinforces the link between indigeneity with crime. The difficulty with this position is that while there are a number of voices, the media continually choose the one which is inconsistent with a Maori or cultural worldview.

When there are threats to social order, the media will employ news reporting and writing to construct and reinforce messages associated with national identity (Crawford, 2011). The promotion of national identity interwoven with messages of unification, identity formation and creating a community of interest, reveals underlying messages of inclusion, exclusion and the rejection of difference (Crawford, 2011). When cultural assumptions are constructed and reported by the media, it becomes obvious that mainstream values are perpetuated, and therefore, it can be deduced that cultural assumptions are written from a mainstream perspective. Candlin (1997, as cited in Gajevic, 2007) emphasises this point identifying that identity is authored by others, for others. In the media reporting of Maori crime, crime and criminal behaviour are authored by non Maori. Dominant ideology is again perpetuated by those in a position of power (Gajevic, 2007) and those who are able to author or tell the story.

Media and Government interface

The creation of social norms and maintenance of mainstream ideologies has been discussed. This section considers how media constructed social norms provide consent for the imposition and maintenance of agents of social control. In the subject of crime, deviance is considered an action that does not fit within agreed social norms (Yar, 2012) and perpetuates moral panic with crime being perceived as a threat to social values (Galeste et al., 2012). When threats or violations of social norms are expressed in the media, this provides

validation for the existence of institutions to maintain law and order (Altheide, 2003). Formal agents of social control (such as the Police) become normalised and demanded by society (Altheide, 2009). The exercising of social control methods are then perceived within a frame of social order and maintenance of mainstream ideologies. The media's framing used to report Police activity has been explored by Gargett (2005) where criminality was used as rationale to present the Police as victims and as representatives who maintain mainstream ideology. Mainstream values of social order justify police actions to address offending; social order justifies methods of social control and the Police as a statutory institution justifies methods of control as a safety mechanism. Western ideologies defend and define social control.

The media provides an active role in the maintenance of social order and social control. Te Kawa a Maui (2005) proposes the media as a vehicle for producing and justifying social and political order (Dodson, 2009). The media portrays behaviours, social norms and imports meaning. The effect of this demonstrates the media's interdependent relationship with social and statutory institutions (Te Kawa a Maui, 2005). The implicit assumption that can be drawn here is that statutory institutions demonstrate their ability to protect the general public through the media (Te Kawa a Maui, 2005).

The role of the Police

The relationship between the Media and Police is intertwined within social constructions of safety, societal order, protection and enforcement of social norms. The interdependence in this relationship can project images of policing and justification of the Police role as maintaining social order (Mawby, 2010). White and Perrone (2015) identify common media images of the police as a hero – being a “crime fighter”, police violence is portrayed as being necessary to maintain order, and the belief that the Police are able to operate outside of the law to enforce the law. Mawby (2010) has explored the nature of the Police engaging with the media and identified three factors associated with Police reporting – protect public reputation and image, facilitate control and apprehension of criminals and promote the interests of the Police. The Police sit in an advantageous position of authority, being a lead voice in the media and able to construct definitions of criminal identity.

It is unusual to see in the media any challenges of police conduct or action, what is expressed is the justification of Police action to maintain law and order (Gargett, 2005). On the other hand, media representations of offending implies a break down in social order, identifying the offender as bad and the offence as immoral and maintaining stereotypes associated with youth and minority groups (White and Perrone, 2015). The police shape and manifest media representations of social order.

Stereotyping, characterising and profiling of Maori as criminal offenders: Social representations theory

Given the analysis of what has contributed to the development of and the characteristics of the Maori offender, it is at this juncture that we consider how the Maori offender is socially constructed through societal representation and social attitudes. It is at this point that I introduce social representation theory as an important consideration as it provides a collective understanding of an object (Howarth, 2006), an awareness and a guideline for the interpretation of events, behaviours, values and ideas (Maury, 2007). Jodelet (1991, as cited in Howarth, 2006) considers social representations as embedded in everyday lives, whether conscious or unconscious, and manifest how individuals interpret their social realities. Social representations therefore provide individuals with a means of defining and categorising their social world. It is in this categorising process that offending by Maori can be explored and understood. When we categorise, this becomes a means of communication and therefore actively influences how we participate in the social world. This is relevant in the area of Maori offending as social representations can explore the inclusion or exclusion of participants in how offending by Maori is defined and constructed. When there is the ability to categorise, there is also the opportunity to unveil what is unsaid. An example of this is the presentation of statistics relative to Maori over representation, yet does not qualify the offence. An assumption that can be made in this type of reporting is that all Maori in prison are there for high risk or high media profile offences or 50% of the total Maori population are offenders.

Social representation theory provides a way to understand how Maori offending is reported about. The first principle of social representations theory is that knowledge is socially created and provides a shared construction

of reality by a social group (Jodelet, 1989, as cited in Maury, 2007). This principle asserts that knowledge or an understanding of a social concept is shared and interrelational. We can therefore assume knowledge and understanding can be co-created within a group's perceptions, beliefs and values. In applying this principle to offending by Maori, knowledge about offending is created from people who have the right to have a say about offending. When completing a library search for articles relating to offending by Maori, there were two articles that provided an understanding of offending by Maori from the Maori offenders view. In essence, any knowledge about offending by Maori is created by non Maori.

The second principle of social representations asserts that knowledge is manifested within the shared groups opinions, information and beliefs (Moscovici, 1980). This principle asserts that knowledge creation is manifested by members of a social group. When you are not a participant of a social group, then opinions, information and beliefs about you are formed by others. What has been demonstrated in this literature review is the reporting of Maori offending is dependent on agent representation, that is, a generic view of offending is provided from the Department of Corrections and the Police. The reporting of offending is therefore selective in its source information and consistently generates themes consistent with fear.

Social representation theory provides the opportunity to consider the opinions, beliefs and practices manifested. Howarth (2006) encourages an analysis of the social representations present allows one to explore how representations are used to react, reject or reform influence action. The analysis of social representations can occur with an assessment of texts relevant to the object being investigated. In assessing and analysing texts, the researcher is able to explore collective opinions, information and belief systems about the object of interest. Social representations are shared by individuals in a similar social group, collectively produced, and expressed in a mass social communication process (Maury, 2007). Markova (2008) suggests that the media is a means of mass communication, and providing the opportunity to maintain specific views, practices and beliefs. In the area of offending, specific views could be perpetuated by agencies with a vested interest in offending. If the media is a means of mass communication and a vehicle for maintaining social

representations, then knowledge creation for Maori offenders and the general public is highly influenced by values and beliefs inherent in the institution of the media.

It is at this juncture that it is important to consider the text of interest and the role of the media in how Maori offending is portrayed. For us to gain a fuller understanding of Maori offending, it is important to analyse and understand how this is communicated to the general public.

Summary of literature review

This literature review has identified the multi faceted and complex factors that have contributed to Maori offending. While Morrison (2009) purports the consideration of the opposing views of differential theories associated with criminal behaviour and the presence of institutional racism, what is clearly evident is there are many factors influencing Maori offending.

There are multiple historical implications to consider when trying to understand Maori offending. The impacts of colonisation and subsequent policies and legislation to support assimilation need to be considered alongside of the impacts these have had on Maori culture. The imposition of a colonial legislative system impacted Maori systems of religion (Bull, 2004), whanau and Maori methods of social control (Jackson, 1988). The social impacts continued post signing of Te Tiriti with the loss of land, Maori depopulation with introduced diseases (Durie, 2003) and the devaluation of Maori forms of leadership or representation in the new colonial system (Jackson, 1988). Policies, legislation and practices implemented by the new colonial government supported methodologies to either incorporate colonial approved Maori practices (Turner, 1999; and Brooks,1997) or to assimilate Maori people (Morrow, 2014). This pattern of undermining a culture can have detrimental effects with the continual assumption that colonial practices are superior to Maori. This has been evidenced in New Zealand history with references to Maori as the primitive people and the assumption of colonial and European superiority (Turner, 1999). The social and psychological impacts of colonisation and assimilation for Maori can be seen in the continued negative social indices reflecting Maori over representation in offending, incarceration, poor health and educational participation. Wirihana and Smith (2014) review international indigenous experiences of colonisation and the trauma associated with colonial policies including the removal of children from aboriginal families and confiscation of land for colonial settlement. The impact of historical trauma and psycho social domination (Wirihana & Smith, 2014), continues to affect Maori ability to participate in a society that continually perpetuates a colonial superiority and authority.

The contemporary responses to Maori offending continues with a pattern of colonial superiority with a lack of participation for Maori in National level decision making (Danette, 2010; and Waitangi Tribunal, 2017), the practice of over policing Maori (Rumbles, 2009) and the consistent pattern of Maori offending increasing since 1906 (Bull, 2004; and Statistics NZ, 2017). The top four offences Maori received a term of imprisonment or a community based sentence included:

1. Acts intended to cause injury
2. Unlawful Entry with intent/burglary
3. Offences against Justice Procedures, government security and government operations
4. Traffic and vehicle regulatory offences

(Statistics NZ, 2017)

While Maori over representation is continually presented and reported in the form of prison statistics, when looking at specific offences Maori are arrested for, the immediate risk and safety offences are associated with violence and theft. The secondary offences Maori are arrested for are systemic, including offences against justice procedures (for example breaches of community based sentences, bail conditions or failure to appear before the Court) and Traffic and Vehicle regulations. These systemic offences would suggest that the need for compliance supersedes the need to understand causal or contributing factors associated with Maori offending. Rumbles (2009) asserts that that the over policing of Maori is associated with endorsing offending as a cultural issue. However, when looking at sentencing and arrest rates, Maori are disproportionately represented (Morrison, 2009).

The contemporary Maori offender therefore needs to be understood within a historical and systemic framework. Criminal theories and practice models (Andrews & Bonta, 2010) consistently seek for the offender to be understood within their normative context, that is an understanding of the offenders' history, social, familial and psychological influences. All of these factors contribute to identifying appropriate interventions and supports to reduce the offenders risk of re offending. While the Department of Corrections (2007) has identified multiple pathways in the creation of a Maori offender, including, temperament, personality, familial factors, parental care and supervision, lack of education and the presence of interpersonal violence, in knowing these factors, this has not had an immediate impact on addressing or decreasing Maori over representation. Given these complexities another layer of analysis of the Maori offender needs to be considered. Coming from a health perspective, social determinants of health asks for consideration Maori lack of access to resources, education, housing, employment cannot be isolated to cultural or individual factors alone. Current systemic or institutional responsiveness to address Maori needs to be continually challenged.

The reporting of Maori offending by the Media contributes to the continual thinking of risk and public safety. While the media is concerned with maintaining a shared perception of society, the use of framing and filtering techniques can endorse the way that Maori offending is perceived by the general public. This literature review has considered the medias role in socially constructing reality, the creation of moral panic when reporting about offending and the interdependent relationship between the media and institutions. It is in this role that Maori offending is portrayed and dominant discourses can be identified, including a discourse of fear (Altheide, 2003), cultural prejudice and the maintenance of mainstream values.

The construction of cultural inclusion and exclusionary methods can be seen in cultural reporting by reporting from a space of us and them (Gargett, 2005) or how news reports are framed or authored (Loto et al., 2006). Reports about Maori offending can be generated within this space to support underlying dominant discourses of assimilation and generalise Maori offending as a Maori only issue.

In this study I examine the dominant discourses represented in the print media reporting of offending by Maori. The purpose of which is to analyse the dominant discourses and identify key subject positions associated with offending by Maori.

Structure of thesis

The structure of this thesis has begun with an overview of Maori history, linked with pathways associated with Maori offending and the multiple factors associated with understanding Maori offending. The structure of this thesis will continue with a focus on the dominant discourses represented in the print and internet media reporting of offending by Maori. The purpose of which is to analyse the dominant discourse and subject positions associated with offending by Maori.

The methodology section will provide the research approach and methods employed to explore dominant discourses. This will include a review of the newspaper dailies that were chosen, how the news articles were reviewed, categorised and selected for the final analysis. The final reading of the articles were then broken down into the key themes with the final analysis completed with the analysis criteria established by Parker (1992) and Willig (2013).

The methodology section will then provide an overview of the key theoretical bases that this thesis has employed to explore dominant discourses associated with Maori offending. Firstly, this thesis utilises Foucault Discourse Analysis as a guiding theoretical framework for analysing the data. The principles of Foucault Discourse Analysis include governmentality, power and knowledge and geneology. Foucault Discourse Analysis considers and examines the use of language and text as a means of identifying the primary and underlying discourses evident, it is in these discourses that images and interpretations are made about people and their behaviour. The next section of the methodology will introduce the key principles of media analysis. The purpose of this section is to provide an overview of the knowledge base and tools utilised by the media to assert their world view. The principles that are defined include framing, constructing reality, selection of topics and source's of information. The methodology section concludes with an overview of the relevance of this

type of research within the parameters of kaupapa Maori psychology and the potential limitation's.

The analysis section provides definition of and in depth examples of the key discourses identified. The five discourses include that have been identified are the punitive, institutional, victim, cultural and the myth of one nation discourse. This section analyses the findings against the theoretical areas identified in the literature review and utilising the framework employed through Foucault discourse analysis.

The final section of this thesis provides an overview of the findings and identifies future research opportunities.

Chapter 2: Methodology

Introduction

In this study I examine the dominant discourses represented in the print and internet media reporting of offending by Maori. The purpose of which is to analyse the dominant discourse and subject positions associated with offending by Maori.

Research approach

My research approach draws on discourse analysis to consider how newspaper articles portray Maori offenders. In particular I draw upon Foucault Discourse Analysis to deconstruct the text and language as a means of understanding portrayals of Maori offending. I will argue for the importance of Foucault's Discourse Analysis later on in this chapter. For now however I will consider my data collection approach and research procedure before arguing for my analytical framework.

Methods

Sample

The current study analysed news articles printed by the New Zealand Herald and The Dominion Post over June 2015 to June 2016 which referred to offending by Maori. This timeframe was chosen to provide a 12 month view of offending of articles representing the public portrayal of offending by Maori.

The New Zealand Herald was chosen because it has the largest circulation of New Zealand's daily newspapers (144,157, n.d., NZ Herald). The Dominion Post daily circulation was selected with 98,000 copies sold (Wikipedia, n.d). The Dominion Post was also chosen as it is located in Wellington and has the core value of providing a platform for the dissemination of information of government or political interest (Wikipedia, n.d.). These two newspapers were chosen given their wide subscription, and the Dominion Post being focussed on political decision making at national and international levels.

Database

The newspaper articles were collected through the database “newztext”. This database was chosen given the ease of accessibility through the Waikato University Library. The database “newztext” provided 1281 relevant articles relating to the key word “Maori” for the New Zealand Herald and the Dominion Post over the period of June 2015 to June 2016.

This search was further refined and specified between the newspapers to identify those articles relating to “Maori” and “Offending”. In relation to the New Zealand Herald, a total of 441 articles were located relating to offending by Maori. This search was further refined where this article search reflected the key word Maori was linked with conviction (28 articles), crime (57 articles), criminal (39 articles), gang (29 articles), offender (41 articles), police (149 articles), prison (61 articles), arrest (25 articles) and offending (12 articles).

In the “newztext” search, the Dominion Post identified a total of 298 articles relating to the key words of “offending” and “Maori”. This search was further refined where the key word Maori was linked with conviction (16 articles), crime (40 articles), criminal (29 articles), gang (28 articles), offender (31 articles), police (111 articles), prison (25 articles), arrest (10 articles) and offending (8 articles).

A second review of the total articles was completed to ensure that there was no repetition of articles for each newspaper.

A third review of the articles was completed whereby offence specific articles and those under 10 lines were withdrawn. This was completed as there was insufficient information for an analysis to be completed. I chose to withdraw articles relating to youth offending as the offending had not occurred in the past 12 months, however, provided a context with which to understand offending by Maori. There was some consideration for these articles to remain in the assessment as this provided the context of children in state care as a possible contributing factor of offending, however, given previous articles had been excluded for not having a current offence, it was decided to exclude this information. Articles relating to offenders returning from

Australia or detained at Christmas Island were removed for the same reason, not all offenders detained or relocated to New Zealand were subject or committed an offence in the June 2015 – 2016 time period.

Once the articles had been edited in this manner, there was a significant overlap of articles between the key search words. Once repeated articles were identified, this reduced the sample size to a final number of 80 articles. All articles were recorded and analysed.

Research Procedure

I completed an analysis of news paper topics to determine the focus of reporting. Over a third of newspaper articles in my data set were articles reporting an identified offence with specific reference to a suspected offender of Maori descent. Similarly 54 articles involved government agency intervention, strategies or roles in offending by Maori. There were 47 articles reflecting the victim's view of the offending. Figure 2 (Key Themes identified in the articles) presents all the themes identified in the analysis of newspaper article topics.

While topics such as crime, race, policing, riots and violence were identified in the literature review as being commonly reported, the articles reviewed in this analysis identified topics relating more to a specific offence, to victims, and about government institution response to offending. The least reported topics were prosecutions being appropriate for the offence, methods of intervention/policing or imprisonment rates being a breach of human rights and laws being racially focussed. While it could be assumed that gang involvement would be a commonly reporting topic, only nine articles were related to gang involvement and offending. Twenty two articles related to the over representation of Maori in negative statistics related to offending and imprisonment rates.

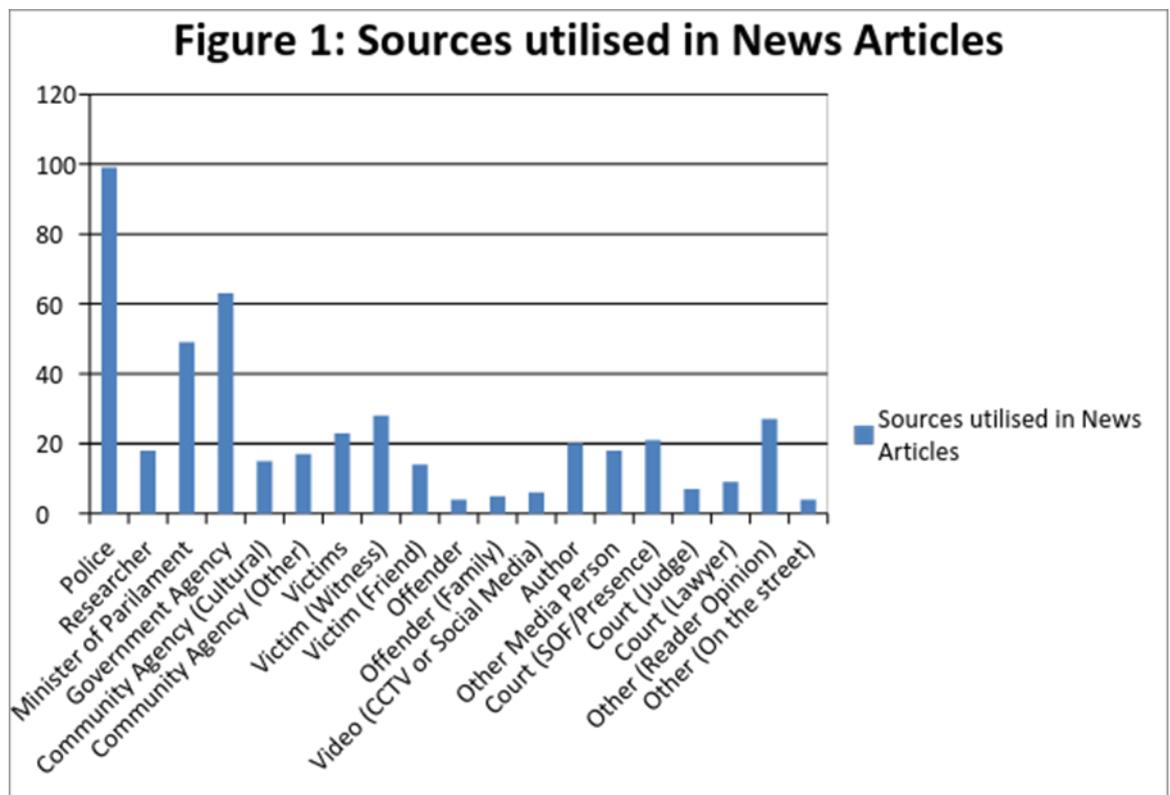
Categorising the data into sets of information for analysis

The newspaper articles were analysed in two phases. First, I read the articles to become familiar with each story, recorded the newspaper, date of publication, name of the reporter and a short summary of the key issues covered. The articles were then further refined to only include those with an

explicit focus on offending by Maori and specific key word searching. This refined the article sample to 80.

A second reading was completed to identify the key sources utilised by the writer. A total of 447 sources were identified across the 80 articles. In this initial review, all sources were identified and tabulated as follows:

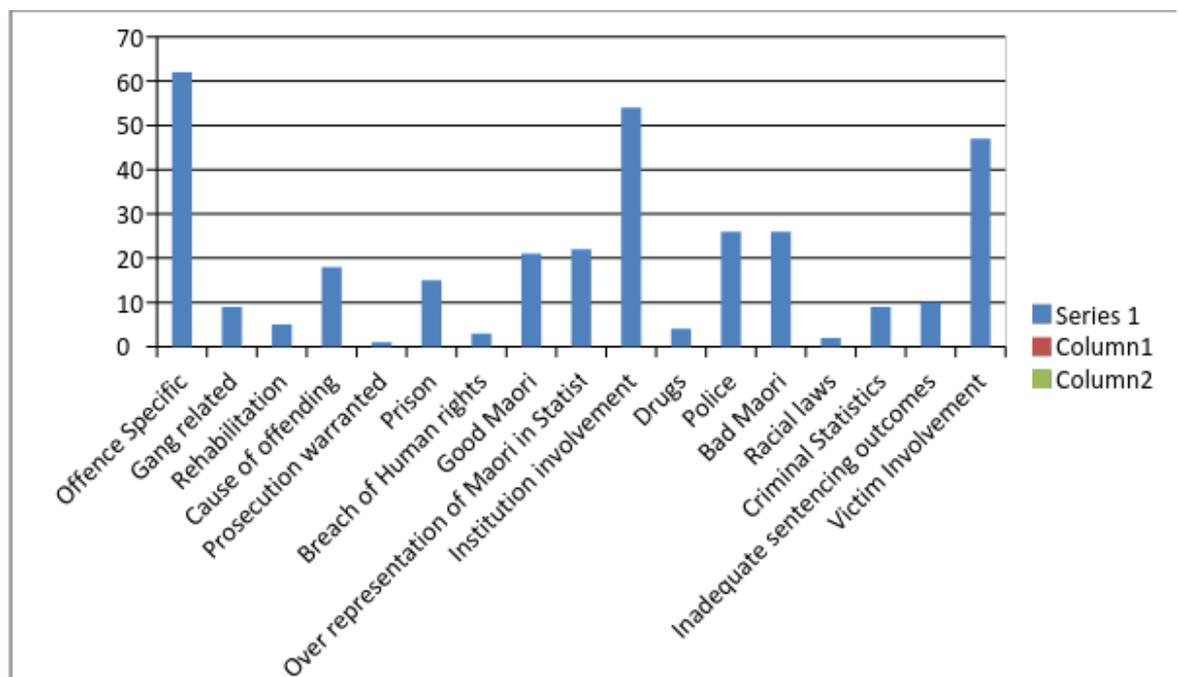
Figure 1 Table All Source Information



The source information was further refined to identify commonalities. Source information was linked into key themes, for example, all Court source information (Judges, Summary of Facts and Lawyers), were linked together as one “Court” source. This was also completed for the following source information – victims, community agency, offender and media.

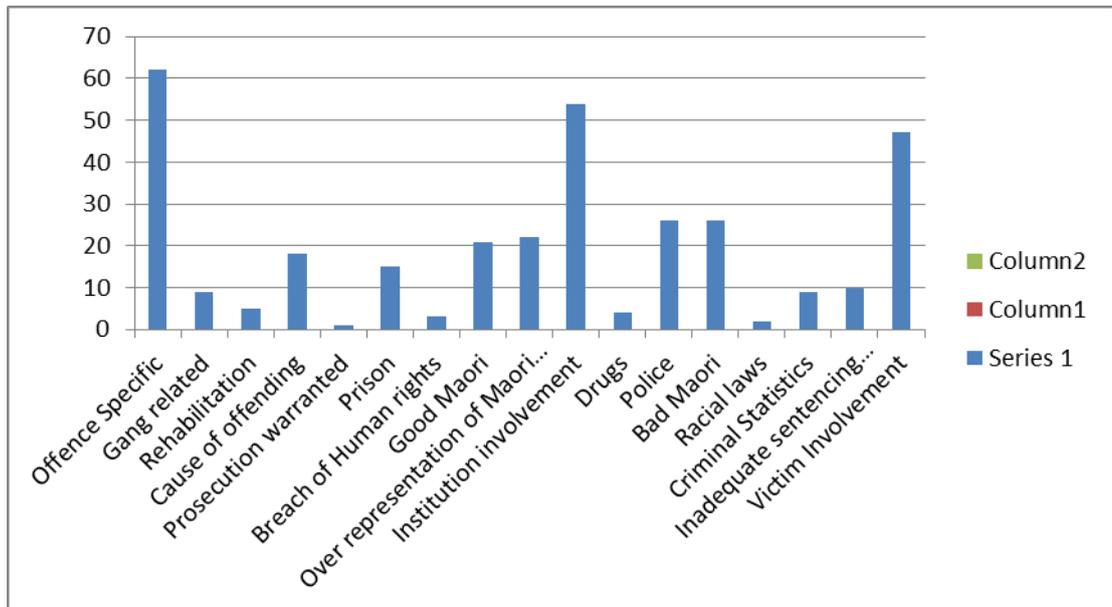
A third reading was utilised to identify the key themes resonating in the 80 articles reviewed. A total of 33 themes were identified throughout the articles and this has been outlined in Figure 2: Key themes – initial review

Figure 2: Key themes identified in the articles



The themes were then grouped based on their similarity. For example, causes of offending could include lack of parenting and abuse/neglect sections and Police Initiatives could include subsections such as race based policy/police, police initiatives and arrest patterns. This reduced the key themes from 33 to 17 identifiable themes. This has been outlined in Figure 3: Key Themes – Final Review.

Figure 3: Key Themes – Final Review.



The key discourses were chosen based on the number of times the key themes were repeated across the articles sampled. The focus of this research is Maori offending and the discourses chosen were based on the number of times these themes were identified across the articles. The five discourses selected are as follows:

- (1) Punitive Discourse
- (2) Victim Discourse
- (3) Institutional Discourse
- (4) Cultural Discourse
- (5) One Nation Discourse

A full definition and review of each discourse is provided in the Analysis section of this research.

A fourth reading was completed and frames were identified according to the criteria established by Parker(1992) and Willig (2001). This was facilitated by the systematic application of the criteria adopted by Parker (1992) and Willig (2013) to identify subject positions and highlight elements of meaning construction evident in the text. In this application, Willig (2013) identified six key sections with key questions and these are outlined as below:

- (a) Discursive Analysis: How is the discursive object constructed through language? What type of object is being constructed?
- (b) Discourses: What discourses are drawn upon? What is their relationship to one another
- (c) Action Orientation: What do the constructions achieve? What is gained from deploying them here? What are their functions? What is the author doing here?
- (d) Positioning: What subject positions are made available by these constructions?
- (e) Practice: What possibilities for action are mapped out by these constructions? What can be said and done from these subject positions?
- (f) Subjectivity: What can be potentially felt, thought and experienced from the available subject positions?

In this part of the analysis I focussed on the relationship between the news text and context. Foucault Discourse analysis identifies dominant discourses in constructing an account of reality and therefore identifies specific subject positions (Willig, 2013). This is valuable in the context of offending by Maori as Foucault Discourse Analysis provides the opportunity for the exploration of each dominant discourse which has been reported about by the newspaper articles. This final analysis provided the opportunity to reflect social, cultural and political discourses (conscious or subconscious narratives) portrayed about Maori offending.

Media Analysis - Framing

Framing has been identified as a key principle in Media analysis. Framing provides an opportunity to convey messages from a certain perspective (Chetty 2011) and to provide a reflection of societal views of offending by Maori (Maneri and ter Wal (2005).

My analysis identified 62 newspaper articles concerned with reporting a specific offence (that is, offence described and offender details presented). The second concentration of articles (54) were primarily concerned with how key institutions (For example - New Zealand Police, Community Corrections

and the Department of Courts) performed their statutory roles in the management and administration of offenders. The final cluster of articles identified in this analysis, were 47 articles where the offending was explained from the victims viewpoint. The principle of framing would draw the reader's attention to perspective of offending by Maori as illustrated by institutions and victims. It can therefore be concluded that the reporting of Maori offending constructed by the Police, institutions working alongside of offenders and victims.

It is at this point that I identify those themes and texts that were not reflected as often in the articles in the framing process of my data set. This included only five articles pertaining offender rehabilitation, 18 articles relevant to causal factors associated with offender and finally, 9 articles associated with gang involvement or association. Again, using the principle of framing, the reflection of Maori offending generated by print media to society is from a place of safety versus intervention, causality or rehabilitation of offenders.

How articles are framed provides the opportunity for generating information from a particular perspective (Gajevic, 2007) and maintains socially constructed ideologies (Chetty, 2011). This was demonstrated in this analysis with the sources of information used to report on the offending. This included the Police (99 articles), victims and witnesses of the offending (65 articles), and government agencies (63 articles).

Foucault Discourse Analysis asks the reader to consider how definitions of reality are created within complex relationships between individuals and institutions. Out of these relationships it is possible to determine the level of power generated between those subjects who possess a voice and those subjects who do not (Diaz-Bone et al, 2007). What this analysis clearly identified was the voices who determine definitions of offending by Maori are institutions and victims.

For comparison purposes, an offender was used as a source of information for reporting in 9 out of 154 articles, this included any members of the offender's family spoken to by the reporter. Researchers who specialised in criminal offending or affiliated with a tertiary research institution were used as sources in 18 of the 154 articles. Likewise, community agencies directly involved

with offender rehabilitation were utilised as sources of information in 32 articles.

Foucault Discourse Analysis

I will draw upon Foucault Discourse Analysis to critically examine the language and text used in print media, as a means of identifying the dominant discourses associated with Maori offending (Weedon, 1987, as cited in Brooks, 2002). The primary goal of Foucault Discourse Analysis is deconstruction, that is, to utilise and assess the text to see how subject positions are constructed to create images or interpretations of people and their actions. By employing Foucault Discourse Analysis, I searched for the dominant discourses evident in the text. These meanings are related to journalistic/media representation and socially constructed frameworks, social interpretations and underlying assumptions about Maori offending. Foucault Discourse Analysis seeks to reveal power positions which may suggest a form of social inequality between Maori and non-Maori as reported by certain elements of the media. By identifying dominant discourses, I have an opportunity to explore alternate discourses beyond deficit characterisations of Maori. The importance in exploring the power dynamics within media discourses relates to the detrimental impact this can have on minority groups like Maori.

This section begins with an overview of Foucault discourse analysis, key principles and an outline of discourse analysis criteria identified by Parker (1992) and Willig (2013). This is to provide a succinct framework for how the analysis will be conducted in this study. The next section provides a background to the sample used in this study and the newspapers chosen. This is followed by identifying the database and the methodology employed to complete the discourse analysis. The final section considers the limitations of this study.

Foucault Discourse Analysis

Foucault Discourse Analysis considers knowledge creation as subjective and influenced by the power relationships present (Parker, 1992). Knowledge is therefore created within the nature of power, the unconscious and conscious systems that operate within social structures. This would suggest that current

literature and research available in the area of offending by Maori could be predetermined within those institutions directly involved with offending.

Foucault Discourse Analysis provides an alternative map to understand how language contributes to the creation of ideologies (Foucault, 1972, as cited in Brooks, 1997). A discourse is defined as a the exploration of a body of text, words or actions regarding a specific subject area pertinent to a specific social phenomena, which in turn creates knowledge and explanations to describe and interpret the social world (Powers, 2013). If we use Maori offending as the social phenomena we are interested in, Foucault Discourse Analysis is concerned with how text creates definitions of and ways of describing or creating knowledge about Maori offending.

This section will consider the key principles and assumptions underlying Foucault Discourse Analysis. A brief summary of Foucault's underlying principles of governmentality, power and knowledge, and genealogy will be presented. Foucault is concerned with the understanding of power within a social and historical context, influenced by multiple actors and agencies. It is in understanding the social construction of Maori offending across the principles of Foucault Discourse Analysis, that we are able to understand how offending by Maori is reported about and manifest ideologies.

Foucault Discourse Analysis: Governmentality

Governmentality is best described as “the whole range of practices which constitute, define, organise and instrumentalise the strategies and tactics individuals in their freedom can use in dealing with each other” (Bang, 2014, p.181). The principle of governmentality is concerned with the role of institutions to negotiate conduct, ways of behaving and constructing norms or practices within a society (Johnson, 2014; and Powell & Khan, 2012).

If we start simply, an institution is given the power through government management to administrate offenders. The institution defines suitably agreed terms of conduct and will penalise those who do not comply with societal rules and regulations. Utilising Foucault Discourse Analysis, to understand Maori offending is to understand the confines of these institutions, their structure, norms and practices. It is when you understand the institution,

that you will see what discourses are present and how these contribute to the social construction of offending by Maori.

The concept of governmentality is best described as a social contract with all people co existing in a society (Bang, 2014). It is in this social contract that the general public become “accustomed to order” (Bang, pg. 2014) without consideration of or questioning the validity of political positions. Foucault (1983, as cited in Bang, 2014), asserts the requirement for continual political re analysis and that it is in this social contract, that society accepts the right of institutions making decisions on their behalf without question or understanding the rationale associated. It is in this passive, sometimes conscious, acceptance of authority where institutions create practices, norms and behaviours, socially constructed and accepted ways of being. This includes the participant’s acceptable ways of behaving, towards one another, co existence and rights. It is when these socially constructed rights are being challenged, that political re analysis needs to occur (Bang, 2014). This form of Foucault’s political analysis asks one to take into account “how to govern oneself, how to be governed and how to govern others” (Foucault, 1994, cited in Bang, 2014, p.181.) – this form of re analysis, continually asks for a review of the people being governed, the multiple needs present, and implementation of change when societal needs are no longer being met. Foucault (1983, as cited in Bang, 2014) suggests, that without political analysis and reanalysis, the status quo is maintained. At this point I bring you back to the over representation of Maori in offending, and whether or not this is a good time for political re analysis to be exercised.

Foucault Discourse Analysis: Power and Knowledge

Foucault Discourse Analysis is concerned with the definition and the use of power within the discourses that operate within social relationships. Diaz-Bone, Buhrmann, Roriguez, Scneider, Kendall and Tirado (2007) define discourse as a means of understanding the world and providing a definition of reality created within complex relationships between individuals and institutions. It is in understanding discourses that you are able to understand social relationships and how power is exercised within these relationships.

Powell and Khan (2012) suggest that an analysis of power in any discourse needs to consider how power is created and maintained. Firstly, a historical account (or genealogy) of the relationship between the discourses is considered. This would suggest that the researcher must consider the historical actions which contributed to contemporary responses. The literature review has provided a historical overview of Maori offending, with consideration of the impact of colonisation, a timeline of political and social influences, social determinants of health and offending statistics for Maori.

Secondly, an analysis of the division of power and knowledge between dominant discourses is required. In terms of discourse analysis and offending by Maori, the key questions to consider include: Whose interests are present in the continuation of this discourse? What autonomy and responsibilities are enhanced or reduced with this discourse? Whose voice is being heard and whose voice is being left out? (Powers, 2013). Finally, technologies of welfare consider how individuals conduct and evaluate their own behaviours, contribute and maintain constructs of power. Powell and Khan (2012) liken this process to case management strategies employed in the social work sector – that the role of the professional and consumer is intertwined in a continual dynamic power relationship governed by legislation and policy. In terms of offending by Maori, one must take into account, the power relationship between the Maori offender, the provider and the role of the state. Powers (2013) identifies key questions to explore technologies of power and welfare at play. This would include: What social agents are mobilised in order to control the deployment of the discourse? How are the social agents trained and by whom? Are some voices heard more than others? Here the primary goal is to assess the underlying justifications utilised for regulation and the assertion of methods of power. It is only in understanding the power of institutions, that one is able to understand the complex relationship present when assessing offending by Maori. Discourse analysis in the area of crime and criminal behaviour can be assessed within many institutions, a historical context and is able to co-exist with other discourses.

Foucault Discourse Analysis: Genealogy

Foucault Discourse Analysis examines the origins of a discourse within social and historical influences. To understand a discourse, is to consider how the discourse was created, the power relationships influencing the discourse over time and how power relations contributed to the maintenance of the phenomena (Powers, 2013). In terms of offending by Maori, the relevance of genealogy is to understand offending in terms of its historical development, the legislative changes over time and the colonial based influences at different stages affecting this.

Discourse analysis considers the social history that contributed to the creation of the discourse (Powers, 2013), how the discourse has evolved and changed with time (Willig, 2013) and creates definitions of reality in multiple ways (Lavoie, 2012). Discourse analysis is therefore interested in the historical conditions, the direct and indirect narratives utilised to maintain the discourse across time and the impact of the discourse within institutions (Powell & Khan, 2012). As Maori have inherited a social history that differs in perspectives from institutions of power, the two inevitably arrive at different definitions of reality.

In terms of offending by Maori, genealogy would ask the researcher to consider the social and historical influences that have contributed to the development of their specific discourses, as therein would be the nucleus of offending that is specific to Maori. Key considerations would include what historical contexts have influenced the development of the discourse? What other discourses and or events provide ideas that influenced the functioning of the discourse? What words in the discourse have a linguistic and social history for assessing the role of the discourse? What other discourses were affected and how? (Powers, 2013).

Principles of Media Analysis

This research is tasked to identify media how Maori offenders are portrayed in print media. To understand these representations, it is important to review the key components of media analysis. This section introduces the four key tools utilised by newspaper articles to convey media messages.

Framing

The media has been considered to be a reflection of society. Maneri and ter Wal (2005) expands on this analogy describing the media as a mirror providing a view of society from a certain angle and alternatively, having the ability to distort one's view. Framing, or how perspectives are articulated, (Chetty, 2011), provides the opportunity for the media to privilege some views at the expense of others. This includes methods of symbol making and highlighting what can be said about an issue at the exclusion of others. The process of framing provides an explicit means of sharing information with the general public, and implicitly, asserting information from a particular perspective (Gajevic, 2007). Framing can therefore be considered as a primary role in socially constructing, maintaining and reconstructing ideologies (Chetty, 2011).

Constructing reality

Media analysis is concerned with the construction of reality, this being premised on two key principles (Maneri & ter Wal, 2005). Firstly, the media is concerned with maintaining a shared perception of society at the exclusion others (Maneri & ter Wal, 2005). Secondly, the media's use of selection, framing and filtering techniques to construct newtexts are designed to reinforce these values. Privilege is determined by who has the ability to speak and who does not. In the area of crime and criminal behaviour, the media generates specific discourses associated with crime, intertwined with influence of mainstream values, social and legal institutions (Yar, 2012).

The media's role in constructing reality can be seen in the creation of moral panic (Fox, 2013) where criminal behaviour is targeted to elicit fear from readers or audiences. Moral panic serves the purpose of generating public opinion, influencing public policy and reinforcing safety messages from formal agents of social control (White and Perrone, 2015). Because news is communicated within a social context (Gajevic, 2007), social institutions have been seen to report specific developments or changes dependent on newsworthy issues produced by the media (Maneri & ter Wal, 2005). The interdependent relationship of social/legal institutions and the media is purposeful in constructing definitions of crime and disseminating discourses about crime, criminal behaviour and offenders.

Selection of topics

The selection or choice of news worthy topics is always considered within a social context (Gajevic, 2007), that is, what is relevant, popular or considered of interest is reported. Selection of topics is unbalanced. The most popular topics include crime, race, policing, riots and violence (Fox, 2013). Again, the notion of moral panic or the ability to elicit a discourse of fear can contribute to media selection (Galeste et al., 2012). In making this choice, other news or information is excluded. A consequence of this unbalanced selection is the creation of a parallel Maori news broadcasting process to engage with Maori specific topics of interest (Te Kawa a Maui, 2005). A further issue relating to selection is the unidirectional model of communication evident in the media (Yar, 2012). This means that the topics that are chosen by a few, however messages are communicated to many. It is on this basis that selection can be manipulated by institutions working alongside of the media, and therefore in the selection of topics can be manifested by powerful groups (Fox, 2013).

Sources of Information

Despite the professional value of journalism to demonstrate objectivity, the media is intertwined in powerful social relationships from who the media seeks information from. Sources of information are indelibly linked with social, economic and power relationships that exist outside of media institutions, and therefore, institutional actors are perceived as “credible” news sources given their position (Maneri & ter Wal, 2005). In the area of crime and deviance, there are multiple institutions which are involved with offenders and therefore have the ability to provide so called credibility to methods of social control and policing. Newsmaking is highly influenced by the social institutions represented in the social construction of the media.

Summary

If we are to embrace Foucault Discourse Analysis as the vehicle for this research, it is then necessary to consider the historical context that offending by Maori sits within. It is at this point in the literature review that I bring the reader to an overview of Maori offending in New Zealand and provide an analysis of the key institutions and influences.

Kaupapa Maori psychology

I also recognise the usefulness of a Kaupapa Maori psychology perspective in analysing the media content. Kaupapa Maori offers me another lens to deconstruct the nature of Maori reporting by mainstream and Pakeha controlled media, to highlight institutional racism, discrimination and bias that affects Maori health, wellbeing and flourishing.

Kaupapa Maori research locates itself within a space of critique, challenging inequalities and reflects how institutions impact on Maori assertion of self (Smith, 2012). Kaupapa Maori research asserts the voice of the marginalised and indigenous group. Tauri (2012) challenges research being completed about Maori or indigenisation of institutions in the appearance of being culturally responsive. The ability to complete this research from a Maori frame and as a Maori woman, provides opportunity for the increase of Maori research in the area of Maori offending.

Limitations

There are limitations to all research and the first limitation identified in this research is that only two newspapers were reviewed for this time period and therefore the articles reviewed cannot be generalised to encompass a national view of offending by Maori. Further to this, these articles were gathered from “newstext” and not from the actual newspaper articles. Future research could encompass whether or not there was any preference in the placement of articles and whether or not articles included pictures to attract or detract the reader. Future research could include interviewing journalists and their perceptions of how Maori are portrayed, or to extend research about Maori offending, interviewing offenders about how they perceive their offending. Despite this limitation, these newspapers reflect a large readership population and often reflect the general storytelling of most mainstream media outlets.

A second limitation identified was that the articles were only selected over a specific timeframe (12 months). It could be considered that there was more articles appraising Maori offending with the Waitangi Tribunal Claim against the Department of Corrections or the then government 2015 policy to include profiling of gangs. Future research could consider an alternate timeframe and

determine whether or not government policy or legislation changes have a direct reflection in the reporting of offending by Maori.

Finally, Foucault Discourse Analysis has been criticised as a research methodology with insufficient methodological clarity and the potential for insufficient analysis of the text (Stevenson, 2004). Despite these challenges, Foucault Discourse Analysis provided an alternate view to understanding the construction of knowledge associated with offending by Maori. Again, given the limited research and examination into the area of offending by Maori, this research increases the knowledge about and provides greater awareness in addressing offending by Maori.

Chapter 3: Dominant Discourses identified in newspaper articles

In this chapter, I present and discuss the dominant discourses identified in my analysis of the media articles and group those dominant themes that have emerged. The structure of my analysis chapter will be presented according to the five dominant themes. The first theme is a ‘Punitive Discourse’ relating to notions of punishment and imprisonment. The second theme I have titled the ‘Victim Discourse’, and this section considers the experiences of victims as reported within news papers. The third theme for this chapter considers the ‘Institutional Discourse’, reflecting institutional administration and interventions for offenders. The fourth theme is ‘Cultural Discourse’, reflecting about the overrepresentation of Maori in the reporting of offending and imprisonment rate. The final theme considers media items relating to the ‘One Nation’ rhetoric, where Maori offending is written against a backdrop of mainstream Pakeha ideologies of nationhood. Within this chapter structure, each theme will draw upon examples of media items to illustrate the dominant arguments about how Maori offending is reported.

Punitive Discourse

Introducing the Punitive Discourse

The first dominant discourse that I identified in this research was the punitive discourse. This discourse resonated themes of imprisonment, where news items focused on the need to get tougher on crime by increasing prison sentences, and challenging a perceived leniency of sentences handed down by the Judicial system. These news articles promoted a sense of fear about the potential risk of any offender to their victims and the general public. The findings in the punitive discourse were consistent with previous media studies whereby amplified fear provides a rationale for increased social control of offenders and tougher sentencing. Punishment, social control and order were deemed the most appropriate means to addressing offending behaviour. Any deviation from a punitive strategy was deemed as inappropriate as social order was being compromised thereby heightening a sense of moral panic (Altheide, 2009).

Analysing the Punitive Discourse

The findings in this analysis are consistent with previous research whereby strategies, or policies about crime and criminal behaviour are implemented as a reaction to social agendas (Fox, 2013) or as a direct response to social crimes and immediate threats to public safety (Altheide & Coyle, 2006). What was evident in the articles reviewed is that any type of offending was linked with themes of offending or offenders sitting outside of social expectations of order and control. The articles highlighted punishment and imprisonment as the most appropriate strategy to address all types of offending.

Penalty and punishment was the most consistent theme permeating through the articles reviewed. This was highlighted in the articles with the following quotes reported “I am a strong advocate for the status quo: when you offend we will lock you up and in the most serious cases, we will throw away the key” (Plowman, 2016) or “genuine justice” (Author Unknown, 2015 July) or “Just how bad do criminals have to be or how often do they have to commit serious violent crimes before we sentence them to preventative detention?” (Author Unknown, 2015, July). These types of quotes were reflected throughout the articles with a focus on the need to punish offenders. Themes of penalty and punishment were highlighted in the article titled “TPP subverts Pharmac ” (Author Unknown, 2015, July). This article questioned the accountability of the Judiciary in the deaths of victims by offenders subject to sentences of Parole or Supervision. The article highlights the need for “genuine justice” and implies Judges are appointed based on their liberal views rather than addressing the severity of the offence. The article goes on to suggest that rehabilitation is unachievable for serious offenders and imprisonment is the only suitable sentencing outcome. This theme of punishment is consistent with research completed by Galeste, Fradella & Vogel (2012) whereby societal values and interests are threatened and a sense of disorder is created. The response of imprisonment as the most suitable method of social control is endorsed with themes of being ‘tough on crime’ (Altheide & Coyle, 2006) and openly challenging a Judges application of the law by not recommending imprisonment. Using this article for comparison, the text socially constructs the Court as being complicit with ‘soft’

applications of the law and should endorse tougher sentencing strategies. The offender in this instance is framed and compared with the highest sentence available in New Zealand, Preventative Detention. The underlying social construction is, all offenders meet the criteria for the harshest sentence available to the Court to be imposed, and the general public are at risk if a lower sentencing tariff is employed. In highlighting only Maori offenders in this article, an underlying and harmful assumption is identified, that is, only Maori are offenders, and therefore imprisonment rates are relative to this supposition. The text brings to light the social construction of the need to punish offenders as more important than the need to address any social inequities or causal factors associated with offending by Maori. Punishment and imprisonment is seen as a means to alleviate societal fears, rather than address the offending behaviour, the offender or the circumstances surrounding the offence.

The theme of punishment was again demonstrated in the article titled “Conviction for mum who took baby to bed” (Sharpe, 2015). The article summarises how an infant died of sudden death syndrome while co sleeping with the mother. The article provides a review of the sentencing notes from the Judge, whereby the necessity for prosecution was based on the offender’s perceived “criminal nuisance” by not providing a safe sleeping environment, and the failure of the offender to accept or abide by professional advice. This is highlighted with the following quote in the article - “if you choose to not take advice and have a baby in bed with you and baby died, you can and will be prosecuted”. Prosecution and punishment is endorsed, with article sources provided from medical professionals and Plunket Nurses. The text brings to light the social construction of professionals (health professionals and the Court) as the expert and providing advice to the care needs of children. Inadvertently, the Maori offender is constructed as a nuisance and unable to care for a child. Prosecution and sentencing is therefore justified. The framing of the article and the priority message is conveyed – if you do not conform and listen to the agents of institutions, you will be punished and prosecuted. The source that is not heard in this article is the Maori offender and the mother of the child, whether this is purposeful is unknown, however, the media practice of ‘othering’ can be seen in this article (Altheide & Coyle,

2006). The naming of the offender as Maori can generalise and create social perceptions that this type of offending is a Maori issue and not an issue for Non Maori. Maori parental practices are brought into question and endorse western parenting ideologies. This type of assimilationist strategy is consistent with policies such as ‘pepper potting of Maori families within non Maori communities during the 1960’s. The naming of the offender as Maori can maintain dominant views or assumptions about Maori offenders, Maori inadequacies as parents and underlying ideologies associated with race relations. This demonstration of othering is endorsed with professional intervention, and punishment is framed as a Maori parenting issue.

The second theme identified in the punitive discourse was the inappropriateness of culturally or community based strategies to address offending or offending behaviour. The articles represented supporting and opposing views associated with the Police initiative implemented in the Counties Manukau area which recommended unlicensed Maori drivers be referred to an Access Driver Licensing programme, rather than an immediate fine imposed. Statistics NZ (2017) identified traffic and driving regulations as one of the offences Maori received fines, a community based or a prison sentence. The Counties Manukau area has a high population of Maori (Winnard, Lee and Macleod, 2015) and this Police initiative was identified as a race based policy to address licencing based offending. The first article associated with this theme was titled “Police using their brains a good idea” (McIvor, 2015). The article identified the Policing strategy as positive, with the opportunity to implement a preventative strategy versus issuing infringement notices. The author shows insight about a population based strategy quoting “What on earth is wrong with trying to keep Maori out of the Court system?”. The text socially constructs the need for alternate strategies, to reduce offending patterns associated with driving infringements. More importantly, the text constructs the need to address the cause of the offence rather than penalising the offender. The framing of this article encourages the reader to consider alternate strategies to reduce offending through prevention and rehabilitation. An initiative of this nature provides the opportunity for reduced Court involvement, addressing the immediate needs of driver licencing and the imposition of fines on a community with a low

socioeconomic status. This initiative identified that the imposition of fines was not an effective means of addressing a minor offence.

The opposing view demonstrated in newspaper articles about the Manukau policing strategy was easily identified with quotes about the prevention strategy as a “classic case of racial bias” (Author Unknown, 2015) and asserting “race based policing has no place in this country” (Author Unknown, 2015). These articles socially construct an expectation that all offenders deserve the same punishment. However, there is also an underlying position or assumption unveiled in these articles, there is one punitive strategy to address all offending – there is no role for a community or culturally based strategy to address offending or to address Maori offenders. Statistics NZ (2017) identified traffic and vehicle regulations as the fourth highest offence that Maori offenders received a term of imprisonment or a community based sentence between 1999 and 2014. The data for this offence show that rates of arrest and sentencing has not changed significantly over the same timeframe for Maori in comparison to non-Maori. As identified in the literature review, there have been consistent challenges to Police profiling methods targeting Maori offenders (Webb, 2012; and Morrison, 2009) and traffic or vehicle regulations do not demonstrate an immediate risk to the general public. Employing a community or cultural based strategy to address offending appears to be consistent with Foucault Discourse Analysis principle of political re analysis, where the Police have assessed the needs of their community and employed an alternate strategy to a specific offence pattern, that is, unlicensed drivers. The general public and the negative reporting of this strategy can be seen as a perceived threat to social order and responses maintain dominant strategies (such as imprisonment) to address offending. This is consistent with the research completed by Crawford (2011) where media reporting is utilised to maintain dominant ideologies and reject any strategies (cultural or community based) that are different. The challenge here is that current strategies being employed have had no impact for changing Maori offending behaviours or sentencing rates over a 15 year period (Statistics NZ, 2017). Traffic and vehicle regulations do not pose an immediate risk to the general public and therefore applying the principle of political re analysis could be considered valuable. What these articles

demonstrate is that mainstream strategies of fines, community based or prison sentences are not working for Maori and have not worked for some time. This is consistent with the research completed by Bull (2004), Tauri (2012) and Morrison (2009) whereby the law enforcement is imposed for the appearance of law and order.

The final theme associated with the punitive discourse was that offenders or prisoners were not deserving of human rights or privileges experienced by law abiding citizens. This theme resonated with quotes reported such as “If I had my way, I would feed them (offenders/prisoners) mung beans and water”(Plowman, 2016), “If I catch him, he’ll know about it”(Author Unknown, 2015 June) and “Who cares about crims? Many people come out of prison worse than when they went in” (Author Unknown, 2015, August). Here criminals are ‘Othered’ as less than law abiding citizens, and this othering is associated with the social construction of when you offend, you are to blame, you lose your rights and privileges and deserve consequences. The framing is easily understood - when you exist outside of societal or human morals and norms, you deserve to be treated inhumanely. This was clearly quoted when making comparison between the role of the SPCA and Prisons/prisoners with the statement “Animals don’t have a choice about where they end up” (article titled “Animal cages no comparison to prisons) or an article titled “Thief ‘herded like cattle” (Strangman, 2016). By becoming an offender, you have the right to be dehumanised. Whether consciously or unconsciously, the interpretation is created in the reporting of offenders (Howarth, 2006) formed by a specific social group of non-offenders and non-Maori.

Summary of the Punitive Discourse

The punitive discourse resonated themes of penalty deserved of all offenders and the expectation that punishment of offenders would be of the highest form available. Punishment was closely linked with the rights of the victim, this being the next discourse that was identified in this analysis.

Victim Discourse

Introducing the Victim Discourse

The second dominant discourse identified in this analysis was the victim discourse. This discourse echoed themes of victims' rights, the presentation and risk of the general public as potential victims and reports about offenders specifically from the experiences of the victim. Underlying the victim discourse was a continual reference to the need for public protection from offenders, public safety and the potential risk of being a victim. These findings were consistent with creation of victim pathologies and the use of fear as a motivating factor in the reporting of criminal behaviour (Altheide, 2003), the media's role in the disproportionate representation of crime (Galeste et al., 2012) and the active positioning of the general public as potential victims (Altheide & Coyle, 2006).

Analysing the Victim Discourse

The first theme identified in the victim discourse was the assertion of victim rights. One of the common social constructions in the articles was the perception of the general public as a potential victim. This was clearly identified in the article titled "Car chased around waterfront" (Weekes & Hunt, 2016). In summary the article describes offenders fleeing from the Police in a stolen vehicle through a busy city area. The offence is not clearly explained, however, the perceived risk is highlighted with quotes reported by bystanders stating "It was miraculous nobody was hurt", "People were jumping off bridges" and "It is a miracle that no one has been killed. I hope they lock him up: he's an idiot". The text socially constructs the risk and danger to innocent bystanders, heightening the level of potential fear to the general public. The subtle inference from the text endorses the role of the Police in maintaining law and order by chasing the out of control car. The potential victim's voice is continually authored throughout the article, fear focussed by the actions of the offenders and the potential risk continually referred to. No person directly involved in the offending or who was allegedly harmed or harmed (for example the person who was required to jump out of the way) was interviewed. What is evident is that potential victims exercise authority in the description of the offending, supported by the Police being sought by the author for further comment. The Police reporting of the incident was contrary to reports stating that the incident occurred for one to two minutes with an estimated speed not exceeding 50kmph. Chetty (2011) outlines how media reporting and the expression of dominant ideologies can be

found by the voices heard and their definitions of reality. Using this article as the example, the key voices are those of the “potential” victim with clear expression of potential threat to public safety. This finding is consistent with the research completed by Fox (2013) whereby reports on crime can reveal themes of moral panic to increase readership. The naming of the offenders as Maori in this article normalises and provides permission for the reader to generalise offending as an issue belonging to an “other” group, that is, offending is an issue for Maori. Using this article as an example, the potential victim’s voice is favoured to define the offending and create a judgement about the offending behaviour. The underlying social construction remains, the general public are all potential victims and any report about Maori offenders is generated in a space of fear. The distortion of the victims reports increases anxiety and perpetuates moral panic associated with offending (Altheide, 2003). This type of anxiety and victim reporting was utilised in many of the articles reviewed and reporting about offending appeared to sensationalise the offence and heighten the potential risk to the general public (Altheide, 2003).

In this next example, I draw upon two articles identifying the parallel role between the victim and institutional discourse. The institutional discourse reflects the roles of key government agencies in the management and administration of offenders. The institutional discourse will be introduced in the next section, however, I have included this with the victim discourse as key institutions have parallel roles in representing the offender and the victim. The two articles provided a review of victim statistics and institutional roles in providing support to victims. The first article titled “Big drops in incidences of crime” (Sacheva, 2015) reviews the outcomes of the New Zealand Crime and Safety Survey which measures changes in household and personal crime. The article identified the key findings in this research including 76% of New Zealanders did not experience or were not victims of crime, and a small group of the New Zealand population were repeat victims. The common denominators identified for ‘repeat victims’ were Maori aged between 20 – 29 years and victims living in deprived socio-economic areas such as the East Coast. The article goes on to emphasise the role of the government in reducing offending, including supporting the role of the Police and how Police strategies are designed to “put(ting) victims first”. This article socially constructs the victim as the primary voice in all offending and the support being provided by institutions, however, fails to consider that only 24% of the total population are actual victims, with repeat victimisation experienced by four isolated minority groups. Why this is an important point to consider is the distortion of article reporting about offending which suggests that all people are potential victims. Altheide (2003) challenges the reporting of

crime utilising statistics as these can distort how information is reported to the general public. In this example, the New Zealand population is currently 4,793,700 (Google, n.d.) and therefore 24% of New Zealand's population (1,150,488) have been victims of crime. The omission of repeat victim statistics highlights the potential perceived risk to the greater general public. However, if we were to hypothesise that each victim was re-offended against say four times, the number of victims of crime would reduce to a total of 287,622 people. In using only part of the statistics to frame the risk of being a victim, increases reader misrepresentation of being a potential victim. To demonstrate how the reporting of statistics can provide a skewed perception, the second article I have chosen to demonstrate victim representation is titled "So if crime is dropping, how much safer do you feel?" (Author Unknown, 2015, October). This article identifies how 3% of New Zealand adults experience 53% of crime. Again, if we break down this data, the current New Zealand population is 4,793,700 and 3% of the population is 143,811. This provides a very different representation of the actual victims experiencing crime in New Zealand today. However, the reporting generated in these articles emphasis a focus on being a potential victim, rather than a true reflection of being an actual victim. Altheide (2009) articulates the construction of the general public's perception of crime is generated by the media. Any distortions in reporting can influence the public's assessment of crime, the experiences of victims and the reader's personal safety (Altheide, 2003). Utilising these two articles as examples, the reporting of victim statistics fails to consider the impact of offending and re-victimisation experienced by a small proportion of New Zealand society. It is at this point we consider why this type of statistical information is misrepresented. One of the reasons could be to endorse the roles of institutions who maintain public safety and to demonstrate a political response to the general public's fear of crime and criminal offending.

The third theme identified in the victim discourse, illustrated a potential risk for the general public with the portrayal of offenders as "normal" or having an appearance similar to non-offenders. This was highlighted in the article titled "Police nab well dressed burglar on 13 charges" (Author Unknown, 2015 November). This article begins with a summary of a well dressed Maori man scoping out premises prior to committing burglaries. The social construction created in this article is an underlying assumption of how an offender should look. The opposite framing that could be inferred by the reader is the possibility that any well dressed Maori could be a potential offender. A second article titled "Sex attacker looks like a school boy" (Bath, 2016) reinforced this underlying assumption with the victim's disbelief of the

appearance of the offender quoting “he looks like a lovely boy. But he is capable of carrying out incredibly horrible and unwelcome attacks”. The underlying social construction of these two articles identified is a contrived perception and assumption of what offender’s look like, Maori and not well dressed. The social perceptions generated by these articles are consistent with the findings of Gargett (2005) and Manteri and ter Wal (2005), that is, indigeneity and offending are correlated with criminal behaviour and prejudicial beliefs and attitudes can be formed. Examples of what a Maori offender should look like were clearly outlined in the article titled “Best stand up to lifes thugs” where the Maori offender is described as a “fat boy waddling ... who probably hasn’t worked for years”. The social construction is clear, Maori offenders or any offender should look a particular way. In terms of this analysis, the generalisation is created – any Maori person could be an offender.

Summary

The victim discourse resonated themes of victims rights and reported the potential for all people to be a victim. This type of framing was inconsistent with statistics provided in two key articles which identified 76% of the general public would not experience any type of offending. The reporting of offending from a victims view point was a consistent framing tool utilised in the newspaper articles, with underlying tones of fear and the endorsement of institutions in the management of offenders. There is a clear link between the victim discourse and the institutional discourse, and this will be discussed in the next section.

Institutional Discourse

Introducing the Institutional Discourse

The third dominant discourse, the institutional discourse, highlighted the roles of key institutions involved in crime, criminal policy and the administration of offenders. This included the New Zealand Police and the Department of Corrections (Community Corrections and Prisons Systems). The application of the institutional discourse operated in conjunction with themes of public protection, sentencing outcomes, institutions serving the greater public good, rationalisation for intervention strategies (including imprisonment) and the reinforcement of the role of institutions in the management and administration of criminals. The institutional discourse worked alongside of themes identified in the victim and punitive discourses which I have argued already. These findings are consistent with the research completed by Dodson (2009)

and Chetty (2011) which demonstrate an interdependent relationship between the media and powerful institutions. The analysis of articles in this research has demonstrated the framing of crime and criminal behaviour employed by the media is highly influenced by government agents (Chetty, 2011).

Analysing the Institutional Discourse

The first article I have chosen to review to reflect an institutional view of offending is titled “Maori bias colours CYF decisions” (Blank, 2015). While this article did not reflect a current offence, the article was chosen to remain in the final analysis, as it provided a context and understanding of the creation of a Maori offender consistent with the pathways of offending identified in the literature review. Child Youth and Family (now known as Oranga Tamariki) is the institution designated with the role of assessing the potential risk or abuse of children and young people (Oranga Tamariki, n.d.). The article is a summary of interventions provided by Child Youth and Family (CYF), the Services contribution to “structural racism” and how this is socially constructed with Maori children in the care of the State aged between 0 – 17 years. The article provides statistics where Maori children represent 26.5% of the total NZ child population, but Maori children account for 58% of the children in State care. For Youth offenders, Maori teenagers constitute 68% of the population of Youth Justice Residences. The author goes on to question whether or not “unconscious bias” is prevalent in decision making about the over representation of Maori children in CYF. The article questions the role of this institution in helping ‘create’ the Maori offender and reflects a systemic bias associated with shifting Maori children into State care, underachievement of Maori in education and the over representation of Maori in Prisons. Drawing upon Foucault Discourse Analysis principle of governmentality, the article questions the role of institutions in negotiating ways of behaving and strategies of social control (Johnson, 2014). This article suggests that the role of one institution, CYF, has a role in the creation of Maori offenders through state care and structural mainstream policies of intervention for Maori children and young people. The consequence of these types of strategies is the increased rate of Maori children in care, in youth residences and contributing to Maori adult offending rates. Maori children in state care are there as a result of care and protection needs, abuse or youth

offending and even the over indulgence of a Pakeha patriarchy about what is necessary for Maori. These were identified by the Department of Corrections (2007) as contributing factors in a child's risk of becoming an adult offender. Intertwined with the care and protection needs of a child or young person is the experience of being in care, the potential presence of developmental or personality disorders and reduced participation in schooling or education achievement (Department of Corrections, 2007). Rangihau (1988) coined the term "institutional racism" as a result of Maori over representation in the Department of Social Welfare as a result of monocultural values and systems being employed that were unable to meet the specific needs of Maori, including Maori children in state care. The Department of Corrections (2007) identified that Maori children were at greater risk of maltreatment or child abuse, and therefore, at most risk continuing on a criminal pathway. This assumption has been identified by Webb (2012), whereby colonial or monocultural policies or strategies to address Maori are generated by non Maori. Again, I use the research completed by Statistics NZ (2017) to demonstrate that Maori over representation is generational, is not reducing and therefore we can assume that institutional strategies are not addressing or reducing Maori offending. It can then be concluded that over representation of Maori in both institutions, CYF and the Department of Corrections are influenced by other factors, whether systemic or social determinants of health or socio economic factors or colonisation (Danette et al, 2014). The tragedy is the continued implementation of non Maori strategies that have a demonstrated history of not address Maori offending (Statistics NZ, 2017). If we apply the Foucault Discourse principle of political re analysis, this provides the opportunity to explore alternate strategies, alternate cultural or community responses to address Maori offending and Maori children in the care of Child Youth and Family. The current strategies are not working.

One of the clear messages identified in this research was the role of institutions in determining appropriate interventions for Maori offenders. An example of this is the supposed 'race based' strategy employed by the Counties Manukau Police to not penalise Maori with no driver's licence. This is what I consider to be a sensible approach at an institutional level. This key theme echoed issues of power, agency and an institutional determination of

appropriate strategies in the management of offenders. The first article I have reviewed is titled “Gangs costing NZ \$35 M a year” (Davison, 2016) highlighted the imposition of government policy to target gang members and their families. The article outlines clear targeting of gang members with the use of data from three government institutions, Child Youth and Family, WINZ and Social Services. Given the high proportion of Maori involvement in gangs, this policy socially constructs the assumption that Maori offenders involved in gangs demand a different level of intervention/strategy being applied and condoned. Given the perceived risk of gangs to the general public, this higher level of intervention, classification and intrusion is rationalised with reporting identifying frames of risk, social order and safety to the general public. The perception and social construction of Maori offenders is clear - “all gang families as criminals”. Ironically, framing the offender and the perceived risk in such a way endorses racially based strategies to infiltrate gangs and Maori families. Altheide and Coyle (2006) have identified the tendency for the media to magnify crime and criminal behaviour as a means of increasing readership, with gang intervention or gang based crime as sensationalised and immediately visible as a perceived risk to the general public. The political agenda to impose and authorise the use of multi institutional data is justified by providing “tailored support systems” to gang families identified as being at risk to the general public (Altheide & Coyle, 2006). The principle of Governmentality (Johnson, 2014) is actioned and constructs a normalised approach or practice for addressing gangs and their families. The use of multi institutional data is endorsed because of a perceived threat to society and the creation of otherness (Crawford, 2011), that is, gangs and gang family members are different to the reader. The amplification of fear outweighs the rights of the gang members or families (Altheide & Coyle, 2006). The principle of governmentality is again demonstrated, that there is no questioning about the validity or rationale of this political strategy (Bang, 2014) as offending risk is directly correlated with gang involvement.

The opposing view to institutional over policing of gang families is the rationalisation of institutional non intervention. The question unveiled in this review was - If gang families are such a threat to public safety and are not

working with any institutions – what happens then? This question is answered in the article titled “The short lives of Nia and Moko “In my 19 years..as a Judge of the Coroners Court, I have never had to endure such horrendous evidence – Dr Wallace Bain in 2009, on Nia Glassies death” (Carville, 2016). One of these children’s parents was a high ranking gang member, known to institutions and yet there was no formal involvement from any government or community based agency at the time that this child died. The article highlights the similarities of situation and risk factors present for both children despite eight years between their deaths. The article outlines how two Maori children in the care of non biological caregivers were denied medical attention, came from single parent families who were living in poverty. These key risk factors, poverty and being in the care of non-biological caregivers, were identified in the article as contributing factors in the deaths of these children. The article outlines how Nia Glassie was involved in a preschool centre, with concerns expressed about her presentation, however, no further action taken was taken by the professionals. A notification was made to Child Youth and Family days before Moko Rangitoheriri died with concern about his mother resuming her care giving responsibilities. The children’s lack of involvement with formal institutions and the failure to report concerns meant formal institutions did not have sufficient data to identify these children as at risk or institutions did not believe the families were sufficiently risky or dysfunctional enough to target service delivery. The previous article, titled “Gangs costing NZ \$35 M a year” (Davison, 2016), highlighted the resources and information sharing employed by institutions to address at risk gang families with the underlying political assumption that all gang families and their children are at risk and require monitoring. Despite the high level of gang monitoring, these two children fell through the cracks. What the text from these articles identifies is that the research, reports and data collection regarding at risk families is endorsed and completed, however the role of the institution is to administer and talk about the risk – the role of intervention or the delivery of interventions is in question. Is it the role of the institution to monitor or intervene when a risk is identified? If we are to compare this with the previous article titled “Gangs costing NZ \$35 M a year” it is easy to assume that intervention would be expected with the level of information available.

However, this over policing of data (Rumbles, 2009) reinforces Tauri's (2012) questions regarding institutional effectiveness for addressing Maori needs. If an institution has sufficient information to target interventions for at risk families, why were these children not identified? This is a continual recommendation made by the Commissioner for Children (n.d.) and the Coroners Service (2017). These services have legislatively reviewed a child's death and made recommendations to institutions of the need for consultation between institutions and sharing of information for at risk families. The use of targeted interventions and shared data was identified as a recommendation in the death of James Whakaruru (Office for the Commissioner of Children, n.d) and Nia Glassie (Coronial Services, 2017), whereas the Coroners report identified the lack of intervention from agencies who were involved prior to Moko Rangitohirere's death (Coronial Services, 2017). Despite these recommendations, it is sad to identify that one of the child's parents has gang association and affiliation, yet was not identified as a child at risk or requiring targeted intervention.

The reporting and framing of this article (titled 'The short lives of Nia and Moko "In my 19 years..as a Judge of the Coroners Court, I have never had to endure such horrendous evidence" – Dr Wallace Bain in 2009, on Nia Glassie's death', Carville, 2016) challenges the role of institutions in the management of serious offending and the investigation of the care and protection of Maori children. The presentation of statistics and information reported in this article frames the appearance of law and order being facilitated (Tauri, 2012) and again, reports on this type of offending being a Maori issue (Rumbles, 2009; and Morrison, 2009). The reporting of identified risk factors for the families in this article (titled 'The short lives of Nia and Moko "In my 19 years..as a Judge of the Coroners Court, I have never had to endure such horrendous evidence" – Dr Wallace Bain in 2009, on Nia Glassie's death') is consistent with information and risk factors identified by the Department of Corrections (2007), that is, single parenting, family instability, family income, lack of parental supervision, lack of schooling and living standards. However as the article alludes to, over an eight year period, there has been no significant change in institutional strategies to address the increasing deaths of children in New Zealand. While

the data and information identifying risk are collected, the lack institutional consultation remains prevalent. The Waitangi Tribunal (2005; and 2017) has consistently challenged institutional lack of consultation at a national level to address Maori over representation in social indices. International research completed by Cowlshaw (2012) challenges the use of mainstream methodologies and strategies that are inconsistent with Maori values and practices. Given there has been no significant change for Maori social indices, it can then be asserted that mainstream approaches to disparities in Maori offending have proven ineffective since Rangihau's (1988) original report which criticised the mono-cultural nature of the Department of Social Welfare 30 years ago. The lack of consultation by mainstream institutions with Maori to address negative over representation (Waitangi Tribunal, 2015; 2017) provides evidence that non Maori strategies remain the dominant ideology in addressing Maori over involvement in criminality and crime statistics.

The common theme permeating through institutional interventions are the barriers associated with institutional values and the service delivery which affects Maori. This was evidenced in the article titled "Enough reports, let's do something" (Author Unknown, 2016 April). The article summarised the experiences of Wellington Rape Crisis working in an environment where New Zealand has the third highest rate of sexual assault in the world in 2014. The article reviews how Wellington Rape Crisis provides support for victims and the apparent 'disconnect between high level policy making and the day to day services'. The article challenges institutions and their continual need to research or review service delivery strategies, rather than implementing previous recommendations identified in earlier evaluation or management reports. This article ('Enough reports, let's do something') frames the gaps in service delivery stating 'But there's a tension between the pressures on agencies like Rape Crisis – to meet demand, build community capacity and reach marginalised individuals and communities – and broader government responses which focus on evaluating what already exists, examining current processes and going through a lot of consultation'. In essence, institutions, such as the Ministry of Justice and the Ministry of Social Development, define intervention measures, funding, evaluation and review, therefore,

institutions administer or broker identified needs. This article brings to light the difficulties and barriers that are experienced by community based agencies. Agencies, such as Rape Crisis, have identified the ongoing changes and needs for their clients, however, experience a disconnection between the contractual requirements of institutions and service delivery. The inflexibility of institutional contracts for service providers demonstrates an environment unable to meet the changing needs of communities and therefore in opposition to the principle of political re analysis. The importance of reducing barriers and flexibility in service delivery is to provide better and more responsive services to people in need.

What is socially constructed in this article is how institutions, regulate how interventions are implemented, reviewed and administrated. Tauri (2012) and Morrison (2009) criticise the way institutions creates barriers for service providers, in the form of management and administration of service contracts. Powell and Khan (2012) highlight the tense relationship between institutions and providers in the exercising of power governed by legislation and contractual relationships. The overzealous regulations imposed on organisations like Wellington Rape Crisis, where over administration employed by institutional contracts act as a barrier to service delivery. The ability for a service provider to deliver services to their community is dependent on the service providers compliance. Some of the underlying questions associated with this aspect of the institutional discourse is whether or not are interventions are fiscally or outcome driven? Are institutions receptive to the ever changing demands of service delivery, consumers (including offenders and victims) or is institutional oversight administrative and compliance driven? What is clearly evident from this research is that institutional interventions are reported and have identified underlying ideologies associated with institutional bias (Rangihau, 1988), discrimination within agencies (Morrison, 2009) and the lack of political re analysis (Johnson, 2014) applied.

The endorsement of institutions in the performance of their role was a common theme in the articles. The most common institution reflected in the articles was the role of the Police in maintaining public protection, law and order. This research is not designed to criticise the functioning of the New

Zealand Police, but to demonstrate how the Police is socially constructed by the media and in turn, constructs their role when working with Maori offenders. The first article I have chosen to illustrate this theme is titled “A shoot out, a siege and a surrender” (Wall, 2016). This article outlined Police involvement with a cannabis operation where four Police officers were shot. The reporting of the incident has underlying tones of cultural sensitivity, with the Police explicitly making reference to historical poor Police responses in the Urewera area. This construction in the article (titled: a shoot out, a siege, a surrender) is clearly outlined in the statement made by the Police Commissioner “I think this is an example of how we engage with whanau, with iwi”. The article finishes with the actions of a former Police officer engaged in the negotiation process “getting back to grassroots and dealing with whanau” as a “proud Maori and a proud Police officer”. The social construction of this article highlights the role of the Police to work alongside of Maori offenders and to seek resolution. What is not discussed in the article is any detail of the offence, framed initially with a review of cannabis being grown in the community and the acceptance and normality of a Police drug raid occurring. A second article outlining the same Police incident was titled “Officers praised for text book outcome” (Tapaleao, 2016). The article reports the role of the Police and their management of a high risk situation. The framing of the article is to endorse the role of the Police in the management of public safety with the statement from a former Police National Adviser - “It’s protect life and property, no matter what they’ve done and who they are... I’ve heard all sorts of stories about the fact that he was Maori and therefore treated differently. No that’s not the case. There’s nothing unusual and spectacular about this – you do what you do. It was textbook stuff, to be honest”.

These two articles outline the same offence and Police incident, yet were framed and constructed in very different ways. While cultural responsiveness and engagement with whanau, hapu and iwi was the key message in the first article, the second article asserts cultural sensitivity as standard Police practice and the Maori offender or their whanau did not receive any special treatment. These two statements are peculiar and suggest cultural strategies within the Police are dependent on who the source of information is and how

this is reported. Mawby (2010) describes the interdependent relationship between the media and the Police, where the primary goal of reporting was to protect the Police's public reputation. By conveying these contradictory frames, a clear message is unveiled, the Police as a representative of mainstream ideologies has difficulty in maintaining public support and promoting culturally responsive strategies to address offending. As seen earlier in the punitive discourse, there is continuous conflict between finding alternative strategies to address Maori offenders and maintaining public perceptions. Again the social construction of this article reinforces the role of the Police, the necessity to maintain law and order and seek resolution – culture is an adjunct to standard Police practices. The framing does not challenge Police action but an inferred justification of the Police response (Gargett, 2005).

The role of the Police as the public protector was seen in the article titled “We need help they are going to shoot me” (Weekes, Tait & Priestley, 2015). The article outlines the Maori offender and a group of associates who fled from the Police, rammed and then stole a Police car. The article goes on to highlight the offending history of the Maori offender, his current sentence of Parole and an application made by the Department of Corrections to the Parole Board to recall the offender to Prison. Police intervention is conveyed and the reader is reassured with the calmness of the Police in addressing high risk situations (including being shot at) with the statement made by the Police officer approaching a random residential home stating “Sorry to bother you but we’ve just been shot at. Do you mind if we use your phone?” The social construction of this article aligns the Police with the general public – we are all at risk, however, the Police are trained to address this. The sense of reassurance is generated in opposition to the senseless act of the offender. This provides a clear example of reporting to elicit fear (Galeste et al., 2012) and reinforcing the role of the Police in protecting the general public (White and Perrone, 2015).

The final theme associated with the Police/institutional responses included a heightened sense of fear conveyed, the associated risk to the general public and the role of the Police to maintain safety. The article titled “Manhunt for cop car shooter” (Hove, 2016) summarises the search for a wanted Maori

offender and his history of offending. The offender's physical description is provided and the reinforcement of his risk to the general public is conveyed stating "He should not be approached". The article is initially framed with the offender shooting at Police car and source information sought from local residents about their experience and reactions to this. The article concludes with the Police Superintendent identifying the actions of the Police to maintain safety of the community, and how the Police officer involved patrolled the community to maintain safety of the community the Police Officer serves. The social construction of this article justifies and reinforces the general public's need for safety, generating a heightened fear of offenders and maintains the perception of the police as a potential victim, crime fighter and hero (White and Perrone, 2015).

Summary

The institutional discourse conveyed the role of key institutions in the management and administration of offenders. The themes of public protector, the over management of interventions' and the use of data to manage offenders were evident in the articles. The peculiar response of the Police in the reporting of their involvement with a Maori offender and their whanau provides the adjunct to the next section, the cultural discourse.

Cultural Discourse

Introducing the Cultural Discourse

The fourth discourse identified in this Chapter is the cultural discourse highlighting themes of Maori over representation in criminal statistics, underlying cultural bias in strategies to address offending and a review of positive and negative traits of Maori individuals involved with offending. The application of the cultural discourse provided evidence of the media's ability to create mainstream ideologies and express issues of nationhood (Crawford, 2011). Again a pattern of dissimulation strategies were brought to light to create otherness and reinforce some groups (including cultural groups) who do not fit within mainstream ideologies.

Analysing the Cultural Discourse

The first theme identified in the cultural discourse was Maori over representation in offending. This was clearly articulated in the article titled “Race remains a huge factor in how we treat crime” (McLeod, 2016). The article outlines an international view of government based strategies to address cultural issues with comparison to the experience of aboriginal families and the “stolen generation”. The article questions the appropriateness of estimating a monetary value for services targeted by the “gang intelligence unit” quoting “We hate paying welfare to gangs because we believe they make good money out of crime, and were told 90 per cent of gang members have received it. If they’re doing so well why do their families live in poverty? Where does the money go?” The article challenges the rationale behind government based “mainstream” methodologies to address offending and is cleverly illustrated with the comparison of gang and student drinking behaviours stating “There in a nutshell is a miniature model for the relatively indulgent treatment of white collar offenders, usually Pakeha, compared with the harsh treatment of Maori offenders”.

The social construction of this article is to challenge mainstream strategies to address Maori offending, perceptions associated and perpetuated with the media. Social representations theory would surmise that knowledge and understanding of Maori offending is co created within group’s perceptions (Maury, 2007). The articles author challenges how Maori offending and the representation of gangs are continually reported about. Knowledge creation about Maori offending is developed and created within shared groups and information presented (Moscovici, 1980). The perspective of Maori offenders is not present in any of the articles reviewed, and any representation of Maori offending is reported by non Maori or from an institutional perspective. The subtle inference explored by the author is the potential correlation between Maori over representation in offending with mainstream/institutional interventions. By framing this article with international indigenous experiences, including the experience of the Australian Aboriginal culture with the statement "underscoring the Australian experiment was a belief that European culture was superior". This article brings to light how mainstream

strategies are utilised to endorse mainstream values at the expense of indigenous peoples (Morrison, 2009).

A second article titled “Maori incarceration rates are an issue for us all” (Gilbert, 2016) tackles Maori over representation in prisons, “Maori are nearly six times more likely to be imprisoned than non Maori. If the entire (New Zealand) population were to be imprisoned at the same rate as Maori, New Zealand’s prison muster would skyrocket toward 30, 000”. The author goes on to question the disproportionate number of Maori in jail compared with non-Maori “the discourse that New Zealand has a relatively high overall incarceration rate is rather misleading. It’s more accurate to say that New Zealand has pockets of incarceration rates at such high levels in its indigenous population that they distort the national picture”. The author challenges how data is presented to the general public and what the data may reflect “I fear discussions around this topic will be difficult given it involves two flash points of conversation “Maori” and “crime” –that tend to draw out the worst in political and public debates. When it comes to crime, we too often allow rhetoric and emotion to elbow past logic and reason. And in discussing Maori issues, we Pakeha often seem to forget our manners – while in academia the reverse is true; some intellectuals become so afraid of causing offence that they become intellectually reticent”. The point being, it is difficult enough trying to address the disparities in Maori incarceration, let alone having an informed dialogue that could influence policy and initiatives to reduce Maori imprisonment rates. The author asks the reader to challenge how information is conveyed by news reports with relation to framing of Maori offending (Yar, 2012; & Fox, 2013).

The third article relevant to Maori over representation is titled “High incarceration rate is the real prison scandal” (Rudman29, 2015), outlining 50% representation of Maori men incarcerated in Prison. The article challenges “penal populism” as the primary tool in addressing crime. Penal populism is defined as a political process to demonstrate being ‘tough on crime’ (Wikipedia, 2019). The impact of penal populism is increased policies supporting imprisonment and lengthier sentences served by offenders. The article quotes the finance minister’s dismay at the imprisonment rates of Maori as a “moral and fiscal failure”. In essence, there is no rehabilitation for

offenders and imprisonment is not addressing the primary reasons for criminality and manifesting perceptions to the general public that current crime strategies are ineffective. This has been demonstrated for Maori offenders serving community or prison based sentences by Statistics NZ (2017). The alternate consideration of this type of crime strategy is to satisfy the fear of crime rather than addressing the causes of crime. The demands of penal policy satisfy the general public's demand for protection, at the expense of Maori offenders.

The second theme identified in the cultural discourse was the positioning of Maori as either positive or negative. The creating of otherness was clearly reported and Maori were positioned accordingly (Altheide & Coyle, 2006). The first framing of socially accepted or those Maori worthy of being reported about as positive role models was indicated in the article titled "Community opens its hearts" (Author Unknown, 2016 April) which outlines a shooting in the Porirua Community. The article considers the offending from a different perspective, looking at the role of the Marae and Maori Wardens in supporting their community. The framing of the Maori wardens is romantic and sentimental - "Aunty Heni banged on car windows and said "get up and come with me, Im taking you home". She meant home to Horouta Marae ... The marae was a haven to people who were "scared and sad and angry". The article is eloquently constructed to outline the offending and its impact on the community, and positioning Maori wardens as a positive Maori role model, as an aunt caring for the community and bringing people home. The cultural belief generated from this article (Maneri & ter Wal, 2005) is clear, the picture of Maori accepted and endorsed by media reporting is the Maori wardens and Aunty Heni. The article goes on to describe the offender and making comparisons with the Maori warden - the actions of the good Maori warden and the actions of the bad Maori offender. The dissonance between good Maori and Bad Maori is reinforced, where the reader can generate framed beliefs about Maori and how Maori should behave.

This framing and positioning of the good Maori vs the bad Maori was also seen in the article titled "Former rugby stars milk run targeted" (Author Unknown, 2015 June). The article outlines the theft from milkman and former retired Hurricanes fullback, Shannon Paku. The article provides a

review of the offending and expands on the former Rugby players' history with the Wellington Lions, Hurricanes and New Zealand Maori rugby teams. The article frames the Shannon Paku as the former rugby player and victim with a subtle reference as a Maori victim to Maori offenders. The framing of the article echoes one of the four roles identified by Wall (1997) and the accepted portrayal of Maori in the media. One of the four areas identified by Wall (1997) was the accepted stereotype of Maori as a primitive natural athlete and therefore, the victim in this article, Shannon Paku, is celebrated and deserving of a fair outcome as a result of being a New Zealand athlete. The underlying reinforcement of the good Maori as a sport star in opposition to the unacceptable behaviour of the Maori offender.

The final example identified in this review creating this type of positioning was seen in the article titled "Shot cops the hero: Morehu" (Schoultz & Shanks, 2016). The article outlines the role of a former Kawerau Senior Sergeant who supported the surrender of a Maori offender involved in the shooting of four Police officers. The Police officer is framed in the article as a "hero", his history of playing first class rugby with the Bay of Plenty Steamers and King Country is outlined alongside of his role as the "face of the Rugby World Cup campaign". The article concludes with statement from the offenders family "We know him, we trust him and we knew he would do the best he could for us". The social construction of this article clearly frames the Maori Police Officer as a good Maori, good rugby playing man and a good Maori Police officer working alongside of Maori offender families, compared with the offender who was the bad Maori.

These three articles provide examples of positioning, reporting of Maori offenders in a space is created between them and us (Gargett, 2005). Here the articles provide examples of framing between those defined as good Maori (that is, a sportsperson, a Police officer or a Maori Warden) and bad Maori (the offender). While it could be argued that every article reflecting a Maori person involved in offending is negative reporting, a common thread through the articles reviewed was the reflection of "bad Maori" linked with themes of cultural failure, violence or nuisance behaviours. The first article titled "Best stand up to life's thugs" (Duff26, 2016) targets a Maori gang member with the article author stating 'you give Maoris a bad name bro. Usually big blimps

like you are friendly types that make people laugh as you don't have much else to offer. I wonder how an obese guy, slow and lumbering, would even throw that fist, let alone scare anyone' (Duff26, 2016). The article purposefully targets the Maori gang member and describes the Maori offender as a "fat boy waddling ... who probably hasn't worked for years". While the intention of the article is to challenge thuggery in any form, the targeting of a specific Maori offender socially constructs the opportunity for all Maori offenders and Maori to be synonymous with this description. Moscovici (1980) considers the lens of media reporting provides to the general public, and this lens can create perceptions and generalisations of the appearance of Maori offenders. A second article demonstrating the generalised description of Maori offenders as being a nuisance was demonstrated in the article titled "Mihaka still fighting" (Author Unknown, 2015 July). The article refers to the Maori offender as "an activist" and well known for "baring his buttocks – with the intent to offend visiting royals". The article continues to outline the offence and the offenders attempt to have his conviction and Court appearance reheard before the Court of Appeal. The social construction of this article frames this offender as a nuisance, an activist and suggests his misuse of the legal process. Labelling an offender clearly links the acts of Maori activism with being an offender and isolating his actions from a mainstream or "good Maori" response. The message is conveyed, Maori are linked to being an offender and an activist (Gargett, 2005; and Phelan & Shearer, 2009).

The final theme evident in the cultural discourse was to challenge Maori leadership and Maori values as a response to offending. The article titled "Kereru guardians failing it" (Author Unknown, 2015 July), challenges Maori leaders from a prominent Marae for "secretly serving guests kereru at a marae is a disgrace" veiled in customary claims for Maori leadership as "kaitiaki" and exercising guardianship. The article cleverly utilises Maori concepts of guardianship to confront Maori leaders endorsing and hiding their serving of kereru. The social construction of this article challenges the role of Maori leaders and Maori values in the offending to reflect a deterioration of Maori practices. In another article Maori leadership was again questioned, in an article titled "Time to break silence on violence" (Duff17, 2016), framing

Maori leaders as ineffective in not only parenting, but providing leadership to support Maori families and the impact of child abuse. The author states “Meanwhile our tribal leaders trumpet their business triumphs while staying culpably silent on child abuse... Maori leaders? Nothing. Less than nothing with your platitudes and “heartfelt sympathies ” falsely expressed, if you say anything at all. You’d all better call an urgent hui at which you should be discussing do-ies. No ceremonial palaver, no lengthy speechifying, no floor strutting, tokotoko waving posturing. Just find solutions. Take it by the horns before another crop of innocent kids are lost forever” (Duff17, 2016). The social construction of this article undermines current cultural leadership, with no ability to influence or reduce re offending or child abuse for Maori families. This correlation was explored by Keenan (2000, as cited in Te Kawa a Maui, 2005), whereby a child abuse case was linked to the movie “Once Were Warriors”. This type of framing led readers to assume connections between Maori parenting, violence and the death of a child. While the movie was fictional, the connotations that this type of linking could infer is detrimental to the identity of being Maori (Te Kawa a Maui, 2005) without consideration of the systemic and structural violence Maori have been exposed to. Criminal behaviour, child abuse and violence linked to race perpetuate negative social constructions about Maori in general.

Summary

The cultural discourse identified themes of Maori over representation in crime, the impact of ‘penal populism’ and how Maori are portrayed in newspaper articles as either being ‘good’ or ‘bad’. The social construction of Maori in negative subject positions was clearly evident and consistently linked with criminal behaviour, violence and child abuse. The positive frames reported in the articles were consistent with the four positions identified by Wall (1997) and this type of stereotyping remains a consistent reflection in the reporting of Maori. This type of stereotyping brings into question, whether or not there is an equal application of the law for Maori offenders, or whether reporting about Maori is measured by another frame. This is discussed more in depth in the next section, the myth of one nation discourse.

The myth of one nation discourse

Introducing the myth of one nation discourse

The last discourse identified in my analysis chapter is the “the myth of one nation” discourse where themes of equity and equal application of the law are considered. Media Analysis is concerned with projecting messages of national unification (Crawford, 2011) and promotes mainstream cultural principles (Phelan & Shearer, 2009). The other discourses have permeated similar themes of assimilation strategies employed in the reporting of Maori offending, including one strategy to address all offenders evident in the punitive discourse; the impact of structural racism employed by institutions; the use of multiple agency data to target gang members in the institutional discourse; and the unwillingness to consider the causes of Maori offending in the cultural discourse. The mainstream ideology of ‘one nation’ discourse is maintained through the reporting and framing of Maori offending.

Analysing the myth of one nation

The first article demonstrating themes of mainstream definitions of equity is titled “Prison gripes hot air under tribunals wings opinion” (Hosk17, 2016). The article questions the role of the Waitangi Tribunal referring to its role as “offer (ing) preferential treatment” for Maori and a “gravy train” for any Maori grievance. The article outlines the Tribunal claim made in respect of the role of the Department of Corrections addressing Maori offending. The article frames Maori offending as a Maori issue stating “Too many Maori are in prison and too many re offend. This is of course isn’t news. Maori have been disproportionately represented for as long as I can remember”. While the Waitangi Tribunal is a legislatively based arena for the airing of Maori grievances, the author clearly purports their view “If any of these authorities were producing game changing reports – and certainly in the early days the Waitangi Tribunal did – they could mount a solid defence for their existence. But they don’t. They deal with the rats and mice issues of no real importance whatsoever....Do they honestly believe that governments have nothing better to do but toss people behind bars with no hope of reinvention?”. The article concludes with the author reiterating mainstream opinion and rationale for addressing offending by Maori stating “But the cold hard truth remains that

like all things in life, a lot of it is up to the individual. The critical failing of these people wandering off to the tribunal to pin it all on Corrections is that blaming others will get them nowhere. How much longer do we want to blame poverty, race and history? We've been doing that for decades now, same argument, same complaint, same excuses". The one nation myth is premised on the belief that there is one way, a western way of addressing Maori offending. This article and the quotes provided demonstrates perceptions about Maori offending, the use of a legislative body to address grievances about Maori offending and the lack of awareness of the structural influences for Maori. The Waitangi Tribunal report this article is referring to is titled "Tu Mai te Rangi" (2017) which identified the ineffectiveness of the Department of Corrections response in the management and administration of Maori offenders, including, a lack of Maori specific goals to reduce their risk of re offending and questioning the consultation between the Department of Corrections and Maori. This outcome is in direct conflict with the quotes provided by the author of this article, reinforcing a mainstream strategy to address all offenders and the lack of importance perceived to address Maori issues. The positioning of this article is clear, Maori who challenge structural and systemic policies or institutions have no right of redress (including the Waitangi Tribunal) when this relates to Maori offenders. The social construction of this article supports individual responsibility, without addressing the historical grievances of Maori and without consideration of institutional authority contributing to Maori positions.

The creation of nationhood values and morals is clearly expressed within the media. Media analysis of nationhood building is concerned with the projection of mainstream ideals as natural. This culminates the unification of and assertion of solidarity as a nation (Crawford, 2011). This research has identified multiple examples of mainstream ideals permeated through the creation of otherness in media reporting, including examples of how being Maori has a negative correlation with child abuse, child deaths, and gang affiliation and the over-representation of Maori as criminal offenders.

Nationhood values and ideologies (Crawford, 2011) were clearly expressed in the acceptable identity of Maori, as a sportsperson, a police officer or as a Maori warden. In opposition to acceptable Maori, the common theme was the

gang member, the radical protestor being a nuisance and the Maori offender as someone to be feared. The negative framing of Maori included the activist or the antagonist, a Maori person seeking redress for and on behalf of Maori needs.

Framing and subject positioning brings to the reader's attention those who do not fit within nationhood or mainstream ideologies. Crime, criminal behaviour (Gargett, 2005), assertion of cultural autonomy (Phelan & Shearer, 2009) and over representation of ethnic groups (Maneri & ter Wal, 2005) are all examples of media reporting that places minorities outside of dominant worldviews.

How an article is framed allows the opportunity to maintain hegemonic ideas (Gajevic, 2007) and is a form of communication utilised to maintain mainstream interests (Crawford, 2011). These messages are often hidden within socially constructed views of nation building and the reader is a passive recipient of this information, forming a view about Maori offending that is more often than not, unchallenged. The ability to challenge these views is through Maori media sources and as Tu Mai Te Rangi (Waitangi Tribunal, 2017) demonstrated, accessing the Waitangi Tribunal to address identified grievances. The level of privilege is identified when the sources of information for an article are explored. In this research, the Maori offender did not have a voice, reticence was evident in trying to demonstrate understanding about Maori offending or outright opposition for Maori methods of redress through the Waitangi Tribunal. The denouncement of Maori attempts to address Maori offending is demonstrated (Phelan & Shearer, 2009) and as a result, there has been no significant change in Maori offending rates since 1999 (Statistics NZ, 2017). The unsaid message in this type of nationhood framing is the current rate of Maori over representation and Maori offending is acceptable. This article infers that Maori re offending is a Maori problem and therefore individualises responsibility without consideration of the historical and structural influences Maori have been exposed to. This type of individualistic thinking is consistent with social determinants of health (Wolff, 2011) whereby the person's psychosocial, environment, position on the social hierarchy and ability to access resources is not considered to access to better health outcomes. Social determinants of

health forces us to consider poverty and social inequity as contributing factors to crime and criminal offending, and the impact of social disadvantage across generations of families (Braveman et al, 2011). By reporting in such a manner, the author demonstrates their own denial of social advantage or disadvantage reflective of a monocultural or mainstream approach to the management of offending.

Foucault Discourse Analysis principle of political re analysis as a tool is utilised to address issues facing a society (Bang, 2014). If we apply political re analysis to Maori offending and nationhood ideologies, some of the questions to be considered are: if one does not fit within the mainstream worldviews due to culture, are cultural group's active participants within their indigenous countries? Are cultural groups able to actively participate in decision making or how information is authored? In times of social problems, who has the ability to make decisions about social or nation change? If we are to address over- representation of Maori involvement in offending, what voice does Maori have in this process? This analysis has identified that Maori are not consulted in their relationship with Crown institutions (Waitangi Tribunal, 2017), the level of participation Maori have in the reporting of Maori offending is determined by their socially accepted role and the continual framing of Maori offending as a Maori issue, uninfluenced by institutional roles or processes (Rumbles, 2009). The underlying message is conveyed, if you do not fit with the acceptable picture of being Maori, you do not fit in New Zealand mainstream expectations and ideals. Assimilationist strategies remain a consistent theme echoed in the reporting of offending, this is consistent with Morrow's (2014) findings, strategies designed to replace Maori culture with "European behaviours and sensibilities" (Morrow, 2014, p. 87) have not worked.

One of the key principles identified by Foucault Discourse Analysis is to identify subject positions and question "Whose voice is being represented here". It is with interest and the final note of this chapter, the Maori offender's voice is not articulated through the multiple discourses associated with offending. Maori offenders are therefore represented as a group to be talked about and administered upon (Tauri, 2012).

Summary of the myth of one nation

The myth of one nation is demonstrated when one socially constructed methodology is identified as the only way of addressing Maori offending. This type of thinking is consistent with social determinants of health and not acknowledging an individual's position with respect to their social hierarchy, psycho-social history and ability to access resourcing. The use of othering and individualising responsibility of offending is a consistent tool in maintaining the mainstream ideology, any one that deviates from this is considered an 'other' or a deviant.

In summary of analysis chapter

In summary, this analysis identified five key discourses about Maori offending reported in the media. The first discourse, the punitive discourse identified underlying themes of imprisonment and the need for tougher sentencing strategies. The analysis of the punitive discourse supported previous research where strategies about crime or criminal behaviour are aligned with or a reaction to societal expectations or social agendas (Fox, 2013). A key theme of penalty and punishment was identified throughout the articles analysed consistent with penal populism, the use of imprisonment as the most adequate response to offending behaviour. A common theme permeated through the articles demonstrating an unwillingness to consider alternate options to address offending behaviours (such as a community based response promoted by the Manukau Police) or to understand or address causal factors (such as socioeconomic status, education or access to alternative options). The consistent message generated from the analysis was the use of othering techniques to separate the reader from the offender and the offending behaviour.

The second discourse, the victim discourse, identified themes of victim's rights, the perception of the general public as a potential victim and reporting about crime from a victim's perspective. The analysis of the victim discourse was consistent with research completed by Fox (2013) where the reporting of crime was generated from a victim perspective heightening the moral panic associated with the offence itself. The framing of articles from the victim's perspective was somewhat distorted, however, maintains a media analysis

assumption, that is, reporting about a shared perception of offending at the exclusion of others (offenders) (Maneri and ter Wal, 2005). This type of source selection and framing generates specific discourses associated with crime and criminal behaviour, demonstrating the influence of mainstream values intertwined with media reporting (Yar, 2012). The victim discourse provided clear examples of the application of statistics in articles as a means of distorting victim statistics. Altheide (2003) and Tauri (2012) questions the use of statistics in the reporting of crime as it provides a skewed perception to the general public of their potential risk of being an actual victim and therefore endorses the role of institutions in the management and administration of offenders. The consistent message generated from the analysis of the victim discourse was the continued portrayal of potential risk of becoming a victim of crime as a reader and as a member of the general public.

The third discourse, the institutional discourse, identified themes of public protection, suitable sentencing outcomes and the role of institutions in the management of offenders. The analysis of the institutional discourse was consistent with research completed by Altheide and Coyle (2006) whereby perceived threats from specific groups of offenders (for example, gangs) and the amplification of this risk are managed by key institutions. The endorsement of political strategies with 'at risk' families or groups was evident in the analysis of the institutional discourse. However, these strategies appeared to satisfy public reactions to risk rather than provide intervention to those families defined as 'at risk'. This point was clearly demonstrated with the deaths of children and the lack of institutional consultation, data sharing and intervention. Tauri (2012) challenges political strategies which provide the appearance of law and order to the general public rather than a consideration of or interventions that address actual causal factors associated with offending. The consistent message conveyed through the institutional discourse the role of institutions in the management and administration of offenders, however, not the interventions utilised to address offending.

The fourth discourse, the cultural discourse, identified themes of Maori over representation in offending statistics, bias associated with culturally based

strategies to address offending and the purposeful portrayal and reporting of Maori. The analysis of the cultural discourse was consistent with the social representations theory, whereby, knowledge about Maori offending is developed by members of a group with shared opinions, beliefs and perspectives about another group (Moscovici, 1980). This was clearly evidenced through the analysis of the cultural discourse with an unwillingness to discuss or address Maori offending in comparison with being 'tough on crime' and strategies to address offending were to satisfy public reactions. The portrayals of Maori offenders were consistent with the stereotypes identified by Wall (1997), that is, the radical activist, the comic and the quintessential Maori. The purpose of these stereotypes served to assert colonial assumptions of Maori as being deviant, lazy, perceptions of violence and animalistic or a threat to mainstream colonial beliefs. The othering or positioning of Maori into these reported roles was a consistent message conveyed in the cultural analysis.

The final discourse, the myth of one nation discourse, identified themes of one nation, equity and equal application of the law. The analysis of the one nation discourse was consistent with the research completed by Crawford (2011) and Phelan & Shearer (2009) whereby the promotion of national unification and the promotion of mainstream accepted principles were continually portrayed with Maori offending strategies or challenges. Again the unwillingness to consider the historical or structural influences affecting Maori and Maori offenders was identified and the consistent negative comparisons of Maori as violent, gang members and child abuses was conveyed.

Chapter 4: Concluding Comments

This thesis examined the dominant discourses within newspapers about Maori offenders. I examined newspaper articles from the New Zealand Herald and the Dominion Post to identify dominant discourses and how these affect society's perceptions of Maori and Maori offending. A historical context of Maori and Maori offending was presented to show how social, historical and institutional factors within Aotearoa contributed to the negative characterisation of Maori and Maori offenders.

This chapter will summarise my findings with relation to psychology. I will then end this thesis with some comments about future ideas or questions, as a direct result of my research. This final chapter will summarise my findings with relation to psychology. I will then end this thesis with some comments about future ideas or questions, as a direct result of my research.

Summary of Main findings relative to psychology

As a result of my research, it is clear that news reporting in Aotearoa is bias against Maori and contributes to the continual colonising of Maori by Pakeha. According to newspaper reports, Maori are seen as defective requiring constant profiling and criminalising by the Police and the State.

The newspapers and reporting about Maori offending fail to recognise the active role of colonialism in ensuring Maori make up the worst socio-economic statistics in Aotearoa. Newspapers simply position Maori criminality as an individual deficit, failing to critically understand notions of institutional bias, racism, discrimination, marginalisation and systemic factors that privilege Pakeha ways of being. This is evidenced by the social determinants of health and health inequalities which clearly show how systems are the major cause of Maori occupying some of the worst socio-economic indices rather than individual lifestyle choices.

The characterisation of Maori offenders included for example the dehumanisation and reduction of Maori offenders to animals. The social

representations of Maori offenders generated links with violence, obesity, child abusers, gang affiliation, trouble makers and activists. The use of dissimilation strategies (Crawford, 2011) was identified with ways of framing Maori offenders as distant from mainstream Pakeha ideologies of citizenship. Portrayals of Maori were evident in reporting and framing as ‘good Maori’, for example Maori Police Officers or Maori Wardens supporting communities) in contrast to Bad Maori, i.e. gang members and cop shooters. With this type of framing, Maori offenders are being othered from mainstream ideologies. Kaupapa Maori psychology also provides me a lens to look at structural issues that contribute to individual choices and those choices are less for Maori compared to Pakeha. Maori offenders were targeted and framed within a derogatory space, undeserving of human rights and requiring the toughest sentencing option available. How Maori offenders are described alongside of the offence demonstrates the opportunity to generalise this description to all Maori people – offenders and non offenders. What was evident was the lack of any Maori voice, the Maori offender, Maori experience or Maori interpretations or discussions about their involvement with offending and this has been consistently challenged by the Waitangi Tribunal (2005; and 2017). If Maori are not actively sought as a source of information or able to provide interpretation, then it can be assumed that any description or ideology conveyed about Maori is determined by non Maori. A mainstream or non Maori ideology is reinforced with no effects or changes in strategies to address Maori offending and this has been evidenced with the failure to curb Maori offending and incarceration rates since 1999? (Statistics NZ, 2017).

Foucault Discourse Analysis has similar principles as Kaupapa Maori Psychology for researchers to consider including an appreciation of the historical and social influences that have contributed to the development of dominant discourses. Firstly, in appraising the historical contexts that have contributed to the development of Maori offending requires an appreciation of the colonisation of Maori by British colonialist which continues today, how colonialism has developed and contributes to offending that result in negative social determinants of health. Secondly, it is important to consider the

changing structure of New Zealand (economic and social development) legislative and institutional roles that have influenced the function of offending by Maori. The literature review considered the pattern of Maori offending and historical influences that reflected the continued marginalisation of Maori, and can be evidenced in the lack of change in Maori offending. This finding is consistent with the research completed by Bull (2004) whereby Maori offending has been influenced by legislation concurrent with economic development. Secondly, other discourses that have influenced the functioning of offending by Maori are clearly evidenced in this research with victims, institutions and punitive discourses dominating the articles represented. These primary discourses are interdependent and influence how Maori offending in general is understood, constructed and reported to the general public. Any knowledge creation, strategy or administration of Maori offenders is determined by these key discourses.

Kaupapa Maori psychology is clear that for Maori to flourish today, culture, language, access to turangawaewae is an essential part of everyday living. Despite the role of mainstream media in undermining Maori, this is being challenged by Maori media, such as Maori Television, who are reframing the historical narrative. The implications of these findings for Kaupapa Maori Psychology are the incessant and present nature of newspapers on a daily, weekly basis and online availability. Any opportunity to report positive Maori development contends with the continual reiteration of negative reporting about Maori by some mainstream media.

Criminal psychology is concerned with understanding the Maori offender within their personal and social contexts, and the colonial legislative influences have to be considered as part of the assessment of a Maori offender. This research demonstrated that there are multiple facets to understanding offending behaviours and for Maori offending, needs to be understood within a colonial context. Andrews and Bonta (1993) argues for offending behaviour to be considered with the knowledge of criminal behaviour with variation evident across culture and generational influences.

To understand and examine criminal behaviour, we have to also understand the structures imposed, their agents and how the law has contributed to the definition of what is a criminal. The literature review clearly identified a pattern of Maori offending congruent with economic legislation and the advance of a colonial state. This pattern of advancement was detrimental to Maori by framing Maori as the “civilised savage” and asserting an ideology of colonial superiority which marginalised Maori to be tamed and ruled. This research has demonstrated that this type of framing has not changed. Colonial superiority continues to be present in addressing Maori offending and has contributed to Maori over representation in all negative social indices.

The principle of governmentality in Foucault Discourse Analysis endorses the ability of institutions to provide a form of social control and regulation about what can be said about offending by Maori. Institutions, as the primary source of information, as the endorsed protector, adjudicator and administrator of offenders, is a powerful position. A position reinforced by the media, with the ability to legitimatise tougher sentencing and popular penalism. The interdependent role of the media and institutions is clearly evident. Power is exercised by this interdependent relationship. Maori have no role in this relationship. Maori have no power or authority to exercise any social construction about Maori offending. This is an important aspect of understanding Maori offending for criminal psychology, as it is within this social and cultural framework that Maori offending is presented.

The ability to change the over representation of Maori offenders can only occur with political re analysis. What is evident in this research is the reporting of Maori offending is determined by institutions and mainstream ideologies associated with offending. Offenders sit outside of social and societal norms and a clear message conveyed in the articles was Maori offenders were not entitled to human rights. The treatment of Maori offenders by the media is determined by the language utilised in the text with descriptions such as “obese”, “gang”, “animal”. Political analysis and re analysis has not been demonstrated in this research, with articles concentrated

on penal populism and a main stream application of law and order. Political re analysis of the state of Maori offending would encourage alternate cultural based strategies, analysis of rehabilitation strategies and incarceration rates. While describing the current rate of incarceration for Maori as a “moral and fiscal failure”, there was no evidence to demonstrate any level of re analysis of current strategies to address this.

Maori offenders do not have the opportunity to participate in their own social construction of offending. What was clearly evident was once the offending occurred; the offender was passive in the process with no voice. An offender’s pathway was then dependent on their involvement with alternate institutions (for example Department of Courts, Ministry of Health or other professional bodies). How Maori offenders are discussed is generated by Media and institutions without consultation about their own situation, own understanding or rationale for what has happened. The social construction created is an elevation of colonial power – institutions, victims, media and the general public can have a say about Maori offending. This position of power is elevated with a one sided media portrayal of Maori and Maori offenders. Social representation theory asserts that knowledge creation is manifested by the members of social groups, however, this research has identified that knowledge creation about offending by Maori is not generated by offenders or Maori. This research confirmed knowledge creation in the area of offending by Maori is defined by non Maori, this in turn creates the opportunity for categories and criteria of one group to be exercised over another. As identified by Bull (2004), the rate of imprisonment for Maori has been significantly higher than non Maori since 1906. This rate was directly influenced by implementation of legislation and institutional intervention. The rate of imprisonment for Maori has not varied significantly since 1906 and today, remains institutionally populated by the media. Political practice influences regulatory processes, policy formation and the interdependence of Pakeha institutions to maintain social control and order (Powell & Khan, 2012) over Maori livelihoods. The social context for understanding the Maori offender in terms of psychology needs to appreciate the dynamics of Maori offending within the context of Maori histories and experiences. The

difficulty for psychology is the context for which assessment occurs for the Maori offender, within a colonial institution that endorses colonial methods of addressing offending.

Future research opportunities

This research has highlighted key areas that could be explored in future research. Firstly, an alternate angle for considering offending by Maori is to seek Maori offender interpretations of their social reality and how this social reality is created. An alternate angle is to consider offending by Maori from a community agency or Maori service provider, where service delivery is specifically targeted for Maori offenders or seeking researcher or a Kaupapa Maori driven research to understand the nature of Maori offending. These types of research questions present opportunities for Maori research, and opportunities for Maori solutions to negative social indices.

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Appendices

Parker, Discourse: Definitions and contradictions (1992).

Ian Parker identified seven criteria and three auxiliary criteria to analyse and assess the different levels of discourse that may present in text.

- (a) A discourse is a system of meanings

The text has the ability to group a number of discourses about the same topic. What this suggests is that discourses can be identified through the patterns of information available. Underlying meaning is revealed in the patterns available through comparison of multiple texts. Foucault Discourse Analysis identifies recurrently used patterns of terms, used for identifying and evaluating actions, events and other patterns of behaviour (Bright et al, 2008).

- (b) A discourse is realised in text

Foucault Discourse analysis proposes that the world can be understood, given meaning and can be described as textual (Quayle, 2009). This type of analysis provides a process of interpreting and exploring associations, inferences or implications evident in the text.

- (c) A discourse reflects on its own way of thinking

This proposes that discourse enables the reader to reflect on the terminology used to explain a specific phenomena, to consider the phenomena as an object and reflect on the terms used to describe (or prescribe) the discourse being assessed (Diaz-Bone et al, 2007). In essence, discourse analysis asks the researcher to consider the hidden or implicit meanings within the text. When attention is given to the underlying meanings, consideration of the opposing messages or positions is available. Parker (1992) considers this aspect of the analysis as the “reflexivity of a discourse”, the ability of the reader to consider all potential explanations and inferences that the text may be suggesting.

- (d) A discourse refers to other discourses

What this suggests is that multiple discourses exist and they can maintain or provide evidence for other discourses. Foucault Discourse Analysis is concerned with considering how discourses are embedded, and provides opportunity to explore how discourses are considered, the metaphors or concepts used to describe the discourse and create the potential for different ways of describing the specific discourse (Parker, 1992).

- (e) A discourse is about objects

Discourse Analysis requires some degree of objectification. The first layer of objectification is the layer of reality that the discourse refers to (Willig, 2013). The second layer of reality is imbued in the dialogue. In terms of this research project, the object we are referring to is offending by Maori, and the dialogue is the prescriptions of reality identified by the newspaper articles being assessed.

- (f) A discourse contains subjects

Discourse provides ways of perceiving and articulating relationships – the addressor and the addressee (Parker, 1992). Discourse analysis allows the researcher to explore the

relationship between the two key subjects and examine the power dynamic between the two parties (Doran, 2015). The dynamics evident between the addressor and the addressee allows consideration of the rules and regulations that operate within the relationship (Keller, 2012). This would include questions of how a discourse is to be performed, what can be said and by whom. Foucault suggests that the power relationship interwoven is unmasked within the “sociological vocabulary of institutions and organisations” (Keller, 2012) that creates the subject position and the relationship between subjects. This perspective is of particular relevance to this research as there are implications for all of the potential subjects in the field of offending by Maori. These subjects include Lawyers, Probation Officers, Police, Offenders and Psychologists and others – all differing roles that hold different positions and interrelate with one another.

(g) A discourse is historically located

This assumption asserts that discourses are not fixed, are in constant flux, changing and evolving in response to the influences present, (Aporia, 2013), and are located in time and history. A discourse is therefore influenced by current and past references to the topic being analysed.

Auxiliary criteria (Parker, 1992)

Parker (1992) identified three auxiliary criteria to be considered when conducting discourse analysis

a) Discourses support institutions

Foucault asserts that the development of discourses is associated with institutions (Keller, 2012). When completing an analysis, one is required to consider the role of institutions in creating knowledge, influence, and the identification of norms in the discourse. Powell and Khan (2012) explore the potential discourses associated with social work roles and responsibilities within the social service sector. Powell and Khan (2012) highlight the role of the institution in the development of “surveillance”, that is, the development of systems of classification, the production of judgement and norms associated with the social service sector. Powell and Khan (2012) propose it is the institution in which social work is conducted that creates the discourse. This is consistent with the research aim, to consider the discourses associated with offending by Maori, and to consider the roles or institutions that may contribute to how offending by Maori is socially constructed, and therefore defined.

b) Discourse reproduce power relations

Foucault’s work identified the power knowledge dyad (Johnson, 2014), where power relations are exercised and dominant discourses become entrenched as socially accepted norms (Bright et al, 2008). Parker (1992) asks the researcher to consider differentiating between power and discourses. Firstly, there needs to be a consideration of discourses associated with power, with respect to discourses of resistance, that is, one discourse needs to be considered in reference to one another rather than an assumption of one having a position of power over the other. Secondly, Parker (1992) indicates while discourse can be intertwined with oppressive practices, the analysis of the discourse provides the opportunity to examine past and future relationships between the discourses.

c) Discourses have ideological effects

Parker (1992) asks the discourses analyst to exercise care when considering ideology and asserts that an ideology is a “description of relationships and effects”. When completing a discourse analysis, Parker (1992) seeks consideration of the relationship with respect to the time and historical period.