

▶ 專門人才

毛利的法律人才培育

マオリの法律人材育成

Nurturing Māori Talents in the Law Sector

He Whakangungu i ngā Pūmanawa o te Taha Ture

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漢語翻譯 | 梁愷元

I realized at a very early stage, having just completed my first trimester of a commerce degree, that I had to find a different course of study that was more engaging, stimulating and that didn't require dealing with numbers (or lecturers who taught courses with numbers) – and quickly! After trawling desperately through the course catalogue, there was one degree that stood out as both an exciting and scary option for me – law. I didn't know if I was cut out for it, however, believing that law school was only for super-brainy people. After seeking advice and reassurance from friends and family I realized that the only way I would know was by giving it a go. And I did just that. I turned up to my first law lecture, filled with both anticipation and fear, not really knowing if I had made the right decision. I immediately searched for something or someone that would put me at ease – a friendly face, a back row seat where I could hide, anything. A woman named Sharon came up to me. She said that she was the Maori Law Student Coordinator and that her job was to support Maori law students. I didn't know how she could help me, but I thought this was just the start that I needed.

我剛進大學商學系讀完一學期，就發現我必須找一個更吸引我、激勵我，又不需要與數字為伍的學門，而且要快點找到。在翻遍課程表後，一個對我而言有趣但又可怕的選項吸引了我的目光——法律。我不確定我是否有那個能耐，因我相信法律是絕頂聰明的人讀的。在徵詢朋友和家人的意見後，我瞭解到不去嘗試是不會知道結果的，於是我勇敢踏出學習法律的第一步。我懷抱著期待和恐懼去上第一堂法律課，不確定我的決定是否正確。我立刻搜尋任何可以讓我安心的人、事、物，無論是一張友善的臉或是可以讓我躲起來的後排座位。就在這時，一位叫Sharon的女士過來跟我打招呼，她說她是毛利法學生輔導員，職責是幫助毛利法學生。我並不知道她能幫我什麼，但她的出現正是當時無助的我所需要的。

Why Study Law?

To my delight, I found studying law to be both engaging and stimulating (no more commerce papers for me!). The subject matter was interesting and relevant, the lectures were challenging and my peers were enthusiastic. But it was hard work. The concepts were new, the readings were voluminous and filled with strange words that I didn't understand, and I needed help. I went to see my new friend Sharon. She introduced me to a range of initiatives that were provided specifically to support Maori students through their law studies including extra tutorials, a mentoring programme, intensive pre-exam revision sessions, social events and a designated study and social space. She also had an open-door policy enabling students to casually drop by her office for one-on-one support, study guidance or just a friendly chat. This support made a huge difference in helping me feel comfortable in what was then for me a very foreign and intimidating law school environment, and quickly get up to speed with legal concepts. I felt a sense that I belonged at law school, and that I had been given the tools to succeed.

First year law was tough, but I realized two things – firstly, that succeeding at law school (and university for that matter) was as much about hard work as being super-brainy, and secondly, that you need good support around you. And it was through this hard work and support that I passed first year law.

Getting through first year law really boosted my confidence. My concerns about whether I was cut out for law school diminished – with the right support I knew I could do this! Getting into second year law, however, was a competitive process with students being selected on the basis of their

為何選擇讀法律？

讓我開心的是，讀法律很有意思，也能激發我學習的興趣（再也不用碰商業報表了！）。題材有趣又相關，上課具有挑戰性，同儕也熱衷學習，但是學習法律並不輕鬆，概念是新的，要大量



許多優秀的毛利學生嚮往進入威靈頓維多利亞大學法學院就讀。

閱讀，當中充斥著陌生的詞彙，我需要幫助，於是我求助於新朋友Sharon，她介紹許多特別提供給毛利法學生的協助方案給我，包括額外的個別課後輔導、進度督導計畫、考前複習集訓班、社交活動和專屬的讀書與社交空間。Sharon辦公室

的門隨時敞開，學生可以去尋求一對一支援，不論學業指導或純粹閒聊。。這樣的協助讓我在法學院這個十分陌生又嚇人的環境中感到自在，而且很快就掌握法學概念，我覺得自己是法學院的一員，距離成功又更近了一些。

法律系第一年過得相當辛苦，但我明白兩件事——一是，若想從法學院脫穎而出，用功跟聰明絕頂一樣重要；二是，要有支持你的環境。由於自身努力以及周遭支持，我通過了該系一年級課程。

通過大一課程使我信心大增，之前對自己是否適合讀法律的憂慮一掃而空，有了正確的支援，我知道我辦得到！然而進入二年級是競爭激烈的篩選過程，因為主要依照成績高低決定錄

grades. In addition to the Maori academic support programme, however, the law school also provides an additional avenue to assist Maori students to get into second year law. Under the Maori Admissions Process ten percent of second year places are reserved for Maori students. And it was through this process that I was able to continue with my law studies.

Second year law was significantly more challenging than the first, which made the continuing Maori support programmes even more valuable. I was fortunate that these support programmes were available during my time at law school. In terms of academic, social and cultural support they had a very real and direct influence on my law school success. It instilled me with the belief, confidence and assurance that I could do this. As a result of this vital support I went on to complete my law degree in 2005, a Master's degree in 2008, and I was admitted to the Bar in 2009.

In the final year of my law degree the opportunity arose for me to work full-time as the Maori Law Student Coordinator, which I did from 2004 to 2009. This was a great opportunity for me to give back and support Maori law students in the same way that I had been supported throughout my studies.

The Maori Law Student Support Programme

The aim of the Maori Law Student Support Programme is to attract more Maori to study law, help them complete their law degrees and become lawyers. It consists of a range of support initiatives including the full-time Maori Law Student Coordinator position, office space, extra tutorials, mentoring,

取。維多利亞大學法學院除了有毛利學生學業支持計畫之外，還提供一個協助毛利學生升上二年級的管道「毛利錄取程序」，大二名額保留10%給毛利學生，透過這個程序我得以繼續攻讀法律。

大二課業比大一困難很多，這讓毛

利學生支持計畫更顯寶貴，我很幸運在法學院期間有這些支持計畫。在學業、社交和文化支持上，這些計畫對我在法學院的成功有非常實際和直接的影響，給我信心與肯定，使我相信我可以。因為這樣的必要支持，我在2005年完成法律學業，2008年取得碩士學位，並在2009年考取律師執照。

我在法律系最後一年，剛好缺毛

利法學生輔導員，我就在2004-2009年全職擔任這份工作。這是一個大好機會，能回饋並以我當初受支持的方式支援毛利法學生。

毛利法學生支持計畫

「毛利法學生支持計畫」的主要目的是想吸引更多毛利子弟學習法律並幫助他們完成學業、成為律師。計畫包含了許多支持方案，其中包括聘請一位全職的毛利法學生輔導員、額外的個別課



簽訂Waitangi條約的酋長所屬部落分布圖。
(掃描自Archives New Zealand紐西蘭國家檔案館海報)

intensive pre-exam revision sessions and designated study and social spaces within the law school, all of which require funding and resources to operate and maintain. It is the Coordinator's role to organise and oversee the operation of this programme. The rationale for these initiatives within a New Zealand context is based on two grounds:

Firstly, the law school, under the Victoria University of Wellington's Treaty of Waitangi Statute, is committed to "Maori student recruitment, retention and achievement". The Treaty of Waitangi, signed in 1840 between the indigenous Maori tribal chiefs and the British Crown, purports to cede sovereignty over New Zealand to the Crown while also providing to Maori certain guarantees including governance and control over their own systems and processes. These support initiatives provide a platform for Maori to manage their own educational outcomes through the provision of targeted academic support in a culturally supportive and appropriate manner.

Secondly, in terms of social and economic outcomes within New Zealand, Maori are disadvantaged in disproportionately large numbers. By providing this support programme, which enables more Maori to study law, complete their law degrees and become lawyers, the law school is taking positive steps towards remedying many of the social and economic disparities and inequities that Maori currently face.

Maori Admissions Process

This process enables Maori law students who have passed first year law but who have not obtained the requisite grade point average to get in under general admission to apply for second year entry. Applicants are interviewed by a selection panel (comprised of faculty and Maori community members) where their entry is assessed on the basis of their academic performance, ability to successfully complete the nominated workload and the student's commitment to support

後輔導、進度督導、考前複習集訓班以及在法學院內設有專屬的讀書與社交空間，這些都需要經費和資源來運作和維持，輔導員的職責是籌畫和監督這個計畫的運作。紐西蘭設立這些支持方案的原因係基於兩大理由：

第一，依據維多利亞大學的 Waitangi 條約條款，維大法學院致力於「招攬、留住和造就毛利學生」。1840 年毛利部落頭目與英國政府簽訂的 Waitangi 條約意在將紐西蘭主權讓渡給英國政府，同時給予毛利人特定保障，包括保有自有體系和程序的治理及掌控權。透過以文化面支援性且合宜的方式提供特定的學業支持，這些協助方案給予毛利學生管理其教育成果的平台。

第二，紐西蘭毛利人在社經上是相對弱勢。維大法學院藉由此一支持計畫，讓更多毛利人學習法律、完成學業、成為律師，朝著弭平毛利人當前面對的社經不平等前進。

毛利錄取程序

這個程序讓通過大一課程，但平均成績未達升大二標準的的毛利法學生申請升大二。申請者由法學院老師和毛利社群成員所組成的小組面試，依據申請者的學業表現、完成必修課程的能力和 support 毛利議題的熱忱度。面試小組會與學生討論他們的學業挑戰和需求，以確保通過申請的學生獲得適量的課業負荷以及成功所需的鼓勵與支持。這個程序在維大的毛利會所內進行，以確保程序符合毛利慣例。

「毛利錄取程序」有多重益處，它



Maori issues. The panel will also discuss with the student their academic challenges and needs to ensure that a successful applicant is given an appropriate course load and the necessary encouragement and support to succeed. This process is held on the university's marae (customary Maori meeting house), ensuring that is conducted within a tikanga Maori (Maori custom) process.

The Maori Admissions Process has the multiple benefit of providing students with an opportunity to further their law studies, develop their academic potential and, in many cases, develop a stronger connection with their Maori cultural heritage. Many students admitted under this process have subsequently gone on to complete their law degrees and now work successfully in the legal profession. It is a very visible commitment by the law school towards Maori development and success.

Maori Support Tutorials

Tutorial attendance is compulsory for all first and second year law students. Additional support tutorials are also provided for Maori (and Pacific Island) students because of the additional assistance that is often required to successfully complete their law studies and the collective or cultural support that these classes provide. Collective or whanau (family) support is an important aspect of Maori and Pacific cultures. Without this group support, Maori are more likely to feel isolated and be less likely to succeed. The tutorial (and wider support) programme, therefore, addresses the needs for Maori students to participate within a broader culturally supportive environment, and is a vital contributor towards Maori educational achievement. While the content of the support tutorials is the same as the mainstream tutorials, the Maori tutorials may focus on specific areas depending on student needs or requests. Students often feel more comfortable to speak up and test their knowledge and understanding amongst their peers and within this culturally supportive environment.

Designated Study and Social Spaces

The law school also provides designated study and social

給毛利學生機會能進一步攻讀法律、發展其學術潛能，甚或增強學生與其毛利文化資產的連結。很多經此程序升上大二的學生，之後都順利畢業，如今在法界做得很成功，這是維大法學院致力於毛利學生成長與成功的具體承諾。

毛利支援個別課後輔導

法學院所有大一大二生必須參加個別課輔，毛利和太平洋島嶼學生另有額外的支援課輔，因為要完成法律學業通常需要額外協助，這些課輔班提供群體或文化支持。群體或家族的支持是毛利與太平洋文化的重要一環，如果沒有群體支援，毛利學生極可能感到被孤立，且比較不容易成功。因此這個課輔暨支持計畫滿足毛利學生參與文化支持環境的需求，是促成毛利教育成就的功臣。課輔內容雖與主流課輔相同，但毛利課輔依照學生的需求或要求加強某些領域的輔導。學生通常是在同儕間和處於這種文化支援環境，發表意見和測驗才會比較自在。

專屬的讀書與社交空間

維大法學院也提供毛利學生專屬的讀書與社交空間，讓毛利學生在安全的環境中進行karakia（禱告）或waiate（歌唱）之類的文化活動。Nga Rangahautira（毛利法學生會）在此聚會，辦理業務。這裡多數時間用於社交，其他時間可供學生在此安靜自修或在此用餐。法學院圖書館在2011年也為毛利學生設置了一間自修室。

spaces for Maori students. This also enables Maori students to conduct cultural activities such as karakia (prayer) or waiata (song) within a safe environment. Nga Rangahautira, the Maori Law Students Association, which also provides support for Maori law students, meets here to conduct their business. When students aren't using this space to socialise (which is much of the time) they can also use it as a quiet study space or to eat their meals. In 2011 the law school also designated a study room in the law library for Maori students.

Tuakana-Teina Mentoring Programme

The Tuakana-Teina (older sibling-younger sibling) mentoring programme pairs up senior and junior students, providing another avenue for support, and works on the principle of manaakitanga (nurturing relationships or hospitality). Students meet to share academic advice and encouragement, and to provide friendly support. This ensures that junior students are suitably supported by their senior peers and that students across the various levels are connected. It provides senior students with opportunities to develop their communication skills and sets the standard for junior students to give back when they become senior students.

Intensive Pre-Exam Revision Sessions

I always emphasised to the student group that importance of working hard throughout the year (many students discovered that law school is not the place for last-minute cramming). The hard working student who completes their readings and assignments, attends lectures and tutorials, and participates in the various Maori support programmes is generally in good shape to do well in their exams. To supplement this learning, however, we would also run

Tuakana-Teina 進度督導計畫

Tuakana-Teina (兄姊-弟妹) 進度督導計畫將學長姊與學弟妹配對，提供另一個支援管道，依manaakitanga (培養關係或殷勤款待) 原則來運作。學生聚在一起討論課業和相互鼓勵，給予友情支持。這確保大一大二生妥適獲得大三、大四生的支持，也確保各年級學生彼此聯絡，這提供高年級生發展溝通技巧的機會，也為低年級生訂出升上高年級時回饋的標準。



筆者(右)與現任毛利法學生輔導員David Jones於辦公室合影。

考前複習集訓班

我總是向毛利學生強調用功讀書的重要性(許多法學生發現，法學院不是可以臨時抱佛腳的地方)。用功的學生完成閱讀和作業、按時上課和參加課輔、參與各種毛利支持計畫，考試通常都沒什麼大問題。但為了補充學習，我們還提供每次3-4小時的考前複習集訓班，加強學生對課業的理解、釐清不清楚的地方並一起做模擬試題。事實證明這在考前對學生非常有用。

毛利法學生輔導員

輔導員負責確保每項輔導方案運作順利進行。當我還是學生時，這些方案給了我成功所需的全方位幫助。擔任輔導員時，我想確保學業支持計畫繼續有

intensive 3-4 hour pre-exam revision sessions giving students the opportunity to solidify their understandings, clarify points that they didn't understand and do practice questions as a group. These sessions were found to be very valuable in the lead up to exams.

The Maori Law Student Coordinator's Role

The Coordinator's role was to ensure that each of these initiatives functioned in a smooth and successful way. As a student the various initiatives provided me with the all round supports that I needed to succeed. As the Coordinator I wanted to ensure that this programme continued to function effectively and that it provided the right targeted support – this was one of the Coordinator's key tasks.

In addition to running the academic support programme, the Coordinator also played a key pastoral role in supporting the students. I managed a roll of around 200 students each year. As with my predecessors, I maintained an open-door policy so that students could drop by at any time. While I was able to monitor students' academic development through feedback from the support programme, it was through my one-on-one contact where I got to know the students on a personal level, which for me was also a key contributor towards the students' academic achievement. I made sure that my candy jar remained full because students love sugar. When I started in the role, however, I had no idea how varied my job would be. I provided the academic support – tutorials, revision sessions, proof reading, study-skills advice and one-on-one help. But a student's life is not easy or simple. Many of the students I dealt with had disadvantaged backgrounds. They were often a long way from their home and family and they came to law school with high expectations and pressure to complete their law degrees and return home to help their family and tribal groups. As a result I became a bit of an expert in terms

效運作，提供正確的特定支援，這是輔導員主要任務之一。

除了推動學業支持計畫，輔導員也在支持學生方面扮演重要的牧羊人角色。我每年大約管理200名學生，援前



David Jones (中) 與兩名毛利法學生；毛利法學生輔導員辦公室是推動「毛利法學生支持計畫」的重要據點。

例，我維持辦公室門不關政策，好讓學生能隨時順路來找我，我雖然可以透過支持計畫的反饋，來監督學生的學業發展，但是真正使我有機會認識學

生個人卻是經由一對一接觸，我認為這也是學生學業成就的一大功臣。我的糖果罐一定是滿的，因為學生愛吃糖。我剛開始任職時，並不曉得工作是如此多采多姿，我提供學業支持，包括個別課輔、考前複習班、校對、讀書技巧建議以及一對一協助。但是學生的生活並不輕鬆或簡單，我接觸的學生很多是來自困苦的家庭，他們通常是離鄉背井，背負高期待和高壓力來讀法學院，盼望順利畢業之後，能回家幫助他們的家族和部落，我因而變得有點像是處理部落議題、人際關係議題和分手、理財議題、就業諮詢、提供免費計程車服務、主辦和籌備活動、幫助貧窮和飢餓學生的專家，但整個過程是有趣和值得的，因為我能支援學生的需要、發展廣泛的技能

of dealing with tribal issues, relationship issues and break-ups, financial and budget issues, giving career advice, providing a free taxi service, hosting and coordinating events and feeding poor and hungry students. But it was all good fun and worth it in the end because I was able to provide the support that the student needed, develop a broad range of skills and experiences, and I now have a lot of people that I can call on when I need some help.

While working in this role I also felt that I had a “caretaker” responsibility – to look after the role that many people before me worked so hard to put in place and maintain, to ensure that the programme was effective, successful and produced results, and to ensure that the position was left in a better state for my successor and for future students.

Conclusion

I greatly relished my time at law school, both as a student and as the Maori Law Student Coordinator. I was able to develop the analytical and communication skills necessary for a professional career, I built extensive networks and connections, I was able to influence and contribute in a very real way towards Maori academic achievement and I was able to develop as a person. To study and work within a challenging, stimulating and influential environment (and to have an office in the beautiful surrounds of the historic Government Building overlooking Parliament) was an excellent and unique development opportunity. The most satisfying aspect of my job was the end result – to see my students walking across the graduation stage to receive their degrees, with their family in the audience, knowing all of the sacrifices that they and their families had to make, knowing all of the challenges and obstacles that they had to overcome, and knowing their hopes and aspirations for the future, was deeply satisfying.

和經驗，因而現在我有很多當我需要幫助時可以找的朋友。

擔任輔導員時，我也覺得自己肩負著「守門人」的責任——守護這個前人很努力建立和維持的角色，確保學業支持計畫的成效，讓這份職務在更好的狀態下交棒給接班人以及以後的學生。

結語

我很懷念在法學院就讀和擔任毛利法學生輔導員的那段時光，我能發展職業生涯所需的分析和溝通技能、建立了廣大的人脈、能以很實際的方式對毛利學業成就有所影響和貢獻、能成為有用的人。在有挑戰性、激勵人並有影響力的環境中讀書和工作（辦公室位在歷史建築「老政府大廈」的漂亮環境中，遙望國會）是絕佳且獨特的成長機會。此份工作給我最大的滿足是最後的結果——看著學生上台領取畢業證書，他們的家人在觀眾席中，我心裡知道他們和他們的家人必須做的所有犧牲、他們必須克服的所有挑戰和障礙、他們對未來的希望與抱負，這一切都讓我深深滿足。◆



Tane Waetford

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