

Tō aratohu ki te ture āwhina

Ngā kōrero mō te tono mō te ture āwhina



MINISTRY OF
JUSTICE
Tāhū o te Ture

Ngā ihirangi

Kei roto i tēnei aratohu:

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Kei te Legal Services Commissioner te kawenga mō ngā whakataua e pā ana ki te tuku āwhina ture. E whakarārangi ana tēnei mātārere i ngā whakahaere o te āwhina ture.

He āwhina ina puritia koe, hopukina, uiuitia rānei e Ngā Pirihimana o Aotearoa

Ki te kore tāu ake rōia, ā, kua hopukina koe e ngā pirihimana, kei te puritia rānei koe, ka taea e koe te kōrero ki tētahi rōia mō te koreutu i raro i te kaupapa Police Detention Legal Assistance (PDLA).

Ka taea e koe te kōrero i ētahi wā ki tētahi Rōia PDLA ina uiuitia koe e ngā pirihimana. He rārangi tā ngā pirihimana o ngā ingoa me ngā nama waea a ngā rōia PDLA e wātea ana kia whakapā atu i te rā, i te awatea rānei, mō te koreutu. Tonoa te rārangi.

Ka taea e koe te kōrero ki tētahi rōia PDLA ina:

- hopukina koe e te ture
- puritia koe engari kāore koe i hopukina – hei tauira, mēnā kei te haurapahia koe mō ngā whakapōauau hē ā-ture, rākau riri rānei
- kei te uiuitia koe e ngā pirihimana mō tētahi hara e whakapae ana rātau nāu i mahi, ā, me te kī atu ki a koe kei a koe te tika ki te kōrero ki tētahi rōia.

Ka pā pea tēnei ki te teihana pirihiamana, i tō kāinga, te tiriti, tētahi atu wāhi rānei.

Me whakaatu au kāore e taea e au te utu rōia?

E wātea ana te PDLA ki te katoa ahakoa ka taea te utu rōia, kāore rānei.

Me pēhea taku whakapā atu ki tētahi rōia PDLA?

Me pātai atu koe ki ngā pirihihana kia whakaaturia mai te rārangi rōia PDLA, ā, ka waea atu ki tētahi rōia kei te rārangi. Ki te kore koe e pātai ki ngā pirihihana mō te rārangi, kāore he here i a rātau ki te whakaatu ki a koe.

Ka whai wā au ki te kōrero ā-kanohi atu ki te rōia PDLA?

I te nuinga o te wā ka kōrero ā-waea mai te rōia ki a koe. I ngā kēhi uaua, taumaha rānei, ka haramai pea te rōia ki a koe.

Kei a koe te tika ki te kōrero ā-tūmataiti ki te rōia, ahakoa ā-waea, kanohi ki te kanohi rānei.

Ngā rangatahi me ngā pirihihana

Ka āhei ngā rangatahi te whakamahi i te kaupapa PDLA; kāore he tau mōkito.

Mēnā kei raro koe i te 17 tau, ā, kei te hiahia ngā pirihihana ki te uiui i a koe mō tētahi hara e whakapae ana rātau nāu i mahi, me mātua whakamārama rātau kei a koe te tika ki te:

- kōrero ki tētahi rōia
- kite i tētahi ‘pakeke i kōharitia’ – he matua, tētahi atu pakeke rānei e hiahia ana koe.

Kei a koe te tika ki te kōrero tūmataiti ki te rōia me te pakeke i kōharitia. Me mātua whakapā atu anō ngā pirihihana ki ō mātua, kaitiaki rānei ki te kī atu kei te uiuitia koe, kua hopukina rānei koe.

He āwhina i tō rā tuatahi i te kooti ina whakapā hētia mō tētahi taihara

Ko te rōia mahi he rōia koreutu e wātea ana i ngā kooti. Ka taea e te rōia mahi te āwhina i a koe mēnā kua whakapā hētia mō tētahi hara, ā, kāore tō rōia. Ko te tikanga e wātea anake te rōia mō te rā tuatahi kei te kooti mō tō kēhi.



Me whakaatu au kāore e taea e au te utu rōia?

Mēnā kāore he rōia o te tangata ka taea e ia te whakamahi i te rōia mahi.

Me pēhea taku kimi i te rōia mahi ina tae atu au ki te kooti?

Me pātai ki te kiripaepae kooti ki te kite i te rōia mahi. Tērā anō pea ētahi pānui, pānui whakaahua, mātārere rānei i te kooti e whakamārama ana ki a koe kei hea te rōia mahi, me pātai rānei ki tētahi kaitūao.

Ki te heria koe e ngā pirihiimana ki te kooti, ka tūtaki te rōia mahi i a koe i roto i te herehere.

Ngā mahi ka taea e te rōia mahi māu

- whakamārama ki a koe he aha te hara e whakapā hē ana ki a koe, ā, me te taumaha hoki
- kōrero atu ki a koe mēnā he whakangungu tāu mō te whakapā hē
- kōrero atu ki a koe mō te whānuitanga o ngā whiu ka tukuna e te kooti mō te whakapā hē
- whakamārama ki a koe ka aha i muri i tō whakapuaki hē, kore hara rānei
- whakauru i te whakapuaki hē mēnā koinā tō hiahia
- kōrero atu ki te kaiwhakawā mō ōu ake āhuatanga me tō tirohanga mō te hara (he inoi whakangāwari) mēnā kei te whakapuaki hē koe ki tētahi whakapā hē iti
- tono kia hīkina tō kēhi kia taea ai e koe te tiki tohutohu, kōrero atu anō rānei
- tono mō te pēra mōu i ētahi āhuatanga
- tohutohu i a koe mēnā e āhei ana koe mō te āwhina ture taihara
- āwhina i a koe ki te tono mō te āwhina ture mēnā me hoki mai koe ki te kooti.

Ngā mea kāore e taea e te rōia mahi māu

Ko te tikanga kāore te rōia mahi e taea te mahi māu i muri o te rā tuatahi o tō kēhi. Mēnā kāore e taea e koe te utu rōia, me tono koe mō te āwhina ture taihara mō tētahi rōia māu mō te roanga atu o tō kēhi (hei tauira, he whakawātanga tūranga/arotake kēhi rānei, te whakawātanga, whiunga me ngā pīra).

Kei tō āhuatanga te nui o ngā mahi ka taea e te rōia mahi māu. Mēnā he iti noa te whakapā hē ki a koe me te whakatau ki te whakapuaki hē kāore pea koe e hiahia rōia atu anō. Mēnā he taumaha ngā whakapā hē ki a koe, ka whakarite te rōia mahi i ngā take wawe tonu i te kooti, engari ka hiahia koe i tāu ake rōia mō ngā upane o muri mai.

Te āwhina i te rōia mahi ki te āwhina i a koe

Tērā ētahi mea ka taea e koe te mahi kia tino whai kiko ngā mahi a te rōia mahi.

- Me tae moata atu ki te kooti kia whai wā ai koe ki te kōrero ki te rōia mahi mō tō kēhi – ko te tikanga me tae atu ki te kooti i mua o te 8.30 karaka i te ata.
- Me heri atu ngā tuhinga mō tō kēhi mēnā i whiwhi tuhinga koe mai i te kooti, ngā pirihimana, tētahi atu pokapū hāmene rānei.
- Me tuhi tauākī koe e whakamārama ana:
 - nga mea i pā, mai i tāu tirohanga
 - i ngā whakamāramatanga mōu me tōu ake āhukatanga (tae atu ki ngā mea pēnei i ngā moni whiwhi me ngā whakapaunga noho, ō mahi i roto i tō hapori, me ētahi atu kōrero hāngai mō tōu ake āhukatanga).

He tautoko ture mēnā kāore e taea e koe te utu rōia

Mēnā kua whakapā hētia koe mō tētahi taihara, mēnā rānei he raruraru ture taihara-kore tāu, he wewewene tūmataiti rānei ka uru pea ki te kooti, ā, kāore e taea e koe te utu rōia māu, ka kapi pea i te āwhina ture ō whakapaunga ā-ture.

Mēnā ka whakaaehia koe ki te āwhina ture, ka kapi katoa ngā utu rōia me ētahi atu utu, whakapaunga hoki o tō kēhi kooti. Me utu anō pea koe tētahi wāhanga, te katoa rānei o tō āwhina ture.

Ehara i te mea me kirirarau koe nō Aotearoa, e noho tūturu ana rānei ki konei kia āhei atu ki te tono mō te āwhina ture.

E hāngai ana ētahi ture motuhake mēnā kei raro koe i te 20 tau (tirohia te whārangi 23).

Āwhina ture taihara

E wātea ana te āwhina ture ki te hunga kua whakapā hētia mō tētahi taihara tērā he ono marama, neke atu pea rānei te whiu ki te whare herehere, ā, kāore e taea e koe te utu rōia.

Ko ngā tauira o ngā take taihara ko te:

- tūkinotanga
- mau whakapōauau
- tāhae
- whānako
- tinihanga
- taraiwa haurangi
- tutū
- mau rākau riri
- whiwhi rawa i tāhaetia
- whakaweti ki te whakahemo
- pāwhera me ētahi atu koeretanga
- kōhuru, whakamate rānei.

E wātea ana anō i ētahi atu āhuatanga mō te hunga ka tū ki mua o Te Poari Tūkuhere o Aotearoa.

Āwhina ture kiri tangata, whānau hoki

E wātea ana te āwhina ture kiri tangata me te whānau mō ngā momo wenewene tūmataiti maha me ētahi atu take taihara-kore ka tae pea ki te kooti.

Ko ngā tauira o ngā take kiri tangata me te whānau ko:

- ngā wenewene whānau, ā-whare hoki ka whakaritea e te Kooti Whānau, pēnei nā:
 - ngā raruraru rawa mārena, hononga rānei
 - te takuhe ukauka (tautoko ā-pūtea)
 - ngā raruraru e pā ana ki te tiaki tamariki
 - te tono mō tētahi whakatau whakamarutanga i raro i te Domestic Violence Act 1995 (tirohia te whārangi 23)
 - ngā whakatau tiaki me te whakamaru tamariki me ngā taiohi
 - te taurima
 - te matuatanga
 - ngā whakatau maimoatanga hauora hinengaro.
- te hāmene i te tangata, te hāmenetia rānei i roto i te Kooti ā-Rohe, Teitei rānei, te tū rānei ki roto i te Kooti ā-Rohe, Teitei rānei mō tētahi take kiri tangata, pēnei nā:
 - te whakawhāiti nama
 - te wāhinga o te kirimana (hei tauira, he whakaaetanga hoko putuputu)
 - heitara
 - kaihau, pakaru rānei.
- ngā take e whakaritea ana e ētahi taraipiunara me ngā kooti motuhake, pēnei i ēnei:
 - Employment Relations Authority
 - Kooti Taiao
 - Taraipiunara Arotake Tika Tangata
 - Legal Aid Tribunal
 - Kooti Whenua Māori

- Refugee Status Branch
- Immigration and Protection Tribunal
- Social Security Appeal Authority
- Taxation Review Tribunal
- Tenancy Tribunal.

E wātea anō pea he āwhina ture mō ngā takawaenga hei whakarite wenewene tērā ka puta pea ki te kooti.

Kāore te āwhina ture kiri tangata me te whānau i te wātea mō:

- te tokorau (whakakore mārena)
- te Disputes Tribunal
- te Motor Vehicle Disputes Tribunal
- ngā mahi a tētahi rōia ehara i te raruraru ka tae ki te kooti (pēnei i te mahi wira)
- ngā take hekenga (hāunga ngā take whakaruru)
- ngā kamupene, rōpū tāngata rānei (hāunga ētahi kēhi)
- ngā arotake a Te Hiranga Tangata (engari e wātea ana te āwhina ture hei pīra māu i tā rātau whakatau arotake ki te Social Security Appeal Authority)
- ngā raruraru me ngā kura, whare wānanga, ētahi atu whare mātauranga (pēnei i ngā hui whakatārewa i mua o te Poari Whakahaere o tētahi kura).

Te tono mō te āwhina ture

Me wawe tonu tō tono āwhina ture i tō whakapā hētanga, te whakahau rānei i a koe ki te kooti. Kāua rawa e tatari mō tō rā tuatahi i te kooti.

Āwhina ture taihara

Mēnā kua whakapā hētia koe mō tētahi taihara:

- haere ki te kiripaepae i te kooti ā-rohe tūtata mai ka tonono mō te rōia mahi, tētahi āpiha tautoko āwhina ture rānei. Ki te kore ia e wātea, ka tukuna pea koe ki tētahi kaitūao, ā, māna koe e āwhina
- waea atu ki tō tari āwhina ture o tō rohe. Tērā rānei mā tō Community Law Centre, Citizens Advice Bureau (CAB) tūtata rānei ki a koe e tuku ai koe ki tētahi rōia e rārangi ana hei whakarato ratonga āwhina ture.

Ture āwhina kiri tangata me te whānau

Mēnā kei te tonono koe mō te ture āwhina kiri tangata me te whānau, me tīmata mā te whakapā atu ki tētahi rōia e pai ana ki a koe (tirohia te whārangi 16 mō ngā kōrero mō te whiriwhiri rōia).

Puka tonono āwhina ture

Ko ngā kōrero hei tuku pea māu ki te puka tonono āwhina ture:

- ngā taipitopito mō tō tūnga whai ake ki te kooti, pēnei i tō tonono ki te kooti
- he tārua o te kerēme pānui, te tauākī kerēme rānei, tētahi atu tuhinga e whakamārama ana i tō kēhi (mēnā kei te haere koe ki te kooti mō tētahi take kiri tangata, whānau rānei)
- ngā reta, tuhinga rānei mō tō kēhi
- ngā tuhinga e whakaatu ana i ō taipitopito moni whiwhi, pēnei i ngā pepa utunga, whakaaturanga pēke rānei (tae atu ki ngā takuhe ACC, Hiranga Tangata rānei)
- ngā taipitopito o ō penapena, nama rānei (pēnei i ngā utunga rīhi)
- te wāriu o tō whare (pēnei i tētahi pānui rēti)
- ngā taipitopito o ētahi atu o ō rawa nui (pēnei i tō waka)
- te maha o ngā tamariki kei raro i ō manaakitanga ā-pūtea.

Mēnā kei te hiahia āwhina koe ki te whakakāi i tētahi puka tono āwhina ture, me heri mai e koe ēnei kōrero me koe ina haere koe ki te kite i te rōia mahi i te kooti.

Mēnā kei te tono āwhina ture kiri tangata, whānau rānei koe, me heri mai e koe ēnei kōrero ina haere koe ki te kite i te rōia i tohua e koe mō te wā tuatahi.

Mēnā he hoa tōu, me tuku anō e koe aua kōrero pūtea anō mōna, ki tētahi wāhanga kē o te puka. E pā ana tēnei ki ngā tokorua mārena, hono ā-ture rānei me ngā tokorua noho whare (me ngā tokorua ira tangata-ōrite).

E hiahiatia ana ēnei kōrero kia puta ai he whakatau tōtika mō tō āheitanga atu ki te āwhina ture, e hia te nui hei whakahoki māu, ā, ka pēhea tō utu. Ki te kore e tukuna e koe ēnei kōrero, kāore pea koe e whiwhi āwhina ture.

Ka pēhea te whakarite mēnā ka āhei au ki te āwhina ture, kāore rānei?

Mō te whakarite mēnā ka taea e koe te utu rōia, ka whakaaroarohia e te Legal Services Commissioner ngā take maha:

- e hia ō moni whiwhi i mua o te tāke
- e hia te moni ka kohia mai mā te hoko atu i ō rawa (engari kua ō tūtanga i roto i tō whare tuatahi atu ki te \$80,000, tō waka, taputapu ā-whare, utauta mahi rānei)
- mēnā he hoa tōu, ka whakaroarohia anō ana pūtea – e pā ana tēnei ki ngā tokorua mārena, hono ā-ture rānei me ngā tokorua noho whare (me ngā tokorua ira tangata-ōrite)
- Mēnā kei te whiwhi penihana koe, ka āhei pea koe ki te āwhina ture.

Āwhina ture taihara

Mō te āwhina ture taihara ka whakaaroarohia e te Komihana te taumahatanga o te whakapā hē.

Ka āhei pea koe ki te āwhina ture mēnā he ono marama, neke atu rānei te roa o tō whiu ki te whare herehere (ka mutu kāore e taea e koe te utu rōia).

Ko te tikanga kāore koe e āhei ki te āwhina ture mō ngā taihara iti ake, pēnei i te nuinga o ngā hara hautū waka me ngā hara iti (pēnei i ngā whanonga pōkīkī), engari ka āhei pea koe ki ngā āwhina mēnā e ū ana tētahi whakapā hē iti ake ki tētahi o ngā āhuatanga motuhake e whai ak:

- he whiu āu i mua, tērā pea ko te tikanga ka uru koe ki te whare herehere
- he tino uaua tō kēhi
- he uauatanga ōu, he hauātanga rānei, pēnei i ngā uauatanga pānui, tuhituhi rānei, he mate hinengaro rānei, e kore ai pea koe i mārama ki tō kēhi.

Āwhina ture kiri tangata me te whānau

Mō te āwhina ture kiri tangata me te whānau, ka whakaaroarohia e te Komihana:

- mēnā he wāhanga nui tōu ki roto i tō kēhi ('kaupapa whitake') – i te nuinga o te wā ka whai kaupapa whitake koe mēnā he tamariki kei roto (pēnei i te tiaki tamariki ia rā, whakapā rānei), whakarekerekere ā-whare, mate hinengaro rānei.
- te tūponotanga o tō whiwhi i tāu e hiahia ana mai i tō kēhi (mēnā he rawa hononga, takuhe ukauka rānei, ehara rānei i te take Kooti Whānau)
- mēnā he nui atu te utu o tō kēhi ki te hua ka puta ki a koe mēnā ka wikitōria koe (hei tauira, mēnā he kaha tō kēhi engari kei te hāmene koe i te tangata pōhara kāore e taea te utu i a koe)
- mēnā kei te eke tonu i a koe ō utunga nama āwhina ture.

Ka pēhea taku whai mōhio kua whiwhi āwhina ture au?

Ka tukuna atu he reta ki a koe mai i te Komihana i roto i ētahi rā o tō tuku tonu, e whakamōhio ana i a koe mēnā kua whiwhi āwhina ture koe.

Mēnā kāore anō koe kia whakamōhiohia, ā, kei te tātata te tae o tō kēhi ki te kooti, me waea atu koe ki tō tari āwhina ture o tō rohe ka kōrero ki tētahi tangata mō tō tonu āwhina ture.

Ka aha mēnā ka rerekē taku āhuatanga pūtea?

Me mātua kōrero atu koe, tō rōia rānei ki tō tari āwhina ture o tō rohe mēnā ka piki te moni whiwhi o tō whare, te wāriu rānei o tō kōrua whare ko tō hoa, tētahi atu rerekētanga ki tō āhuatanga pūtea. Ka whai pānga pea tēnei ki nui o tō āwhina ture ka whiwhi koe, te nui rānei o te utu hei whakahoki māu.

Utua mō te whakamahi āwhina ture

Kāore he utua mō te tonu āwhina ture. Ki te whakaaehia he āwhina ture mō tētahi kēhi whānau, kiri tangata rānei, me utua e koe he utua kaiwhakamahi o te \$50 ki tō rōia. Ki te kore e utua e koe tēnei, kei tō rōia te tikanga ki te whakakāhore i te āwhina i a koe.

Kei reira anō ētahi take kāore he utua kaiwhakamahi. Pēnei i ēnei:

- ngā take taihara katoa
- ngā whakatau maimoatanga whakature hauora hinengaro
- ngā whakatau manaaki hinengaro hauā
- ētahi take e pā ana ki ngā pāpurenga
- ngā whakatau whakamarutanga, ētahi atu whakatau i raro i te Domestic Violence Act
- ētahi take Taraipiunara o Waitangi
- te whakamaru i ngā take tika tangata, rawa hoki
- ngā whakatau tiaki, whakamarutanga hoki mō ngā tamariki me ngā taiohi
- ngā take whakaruru, tāngata whakamaru rānei .

Te tiki rōia

Āwhina ture taihara

Ka whiwhi ngā kaitono āwhina ture taihara i tētahi reta e kī ana mēnā kua whiwhi āwhina ture. Mēnā i whakaaehia, ka whakamōhio anō te reta i te ingoa o te rōia kua tūtohua ki a koe me ōna taipitopito whakapā. Nō te rārangi rōia āwhina ture te rōia. Me whakapā atu ki tō rōia i mua i tō haerenga ki te kooti.



Mēnā kei te whakapā hētia koe mō te taihara, ā, ka mauheretia pea koe mō te wā roa (neke atu i te 10 tau), ka taea e koe te tohu i tāu ake rōia. Me whakaae Te Tāhū o te Ture ki te rōia.

Mēnā kāore tō rōia, ka tūtohua e te Kōmihana he rōia māu. Ki te kore koe e mōhio mēnā e āhei ana koe ki te tohu i tāu ake rōia, me waea atu koe ki tō tari āwhina ture o tō rohe, ā, mā rātau koe e tohutohu.

Āwhina ture kiri tangata me te whānau

Mēnā kei te tono āwhina ture kiri tangata me te whānau, me tīmata mā te whakapā atu ki tētahi rōia e hiahia ana koe. Me mātua tiroiro i ngā wā katoa he mahi āwhina ture taua rōia ka mutu ka tae atu ia ki te kooti ina hiahiatia. Ki te kore, ka kitea he rōia āwhina ture i www2.justice.govt.nz/find-a-legal-aid-lawyer/. Ka whai tārua tō rōia i te puka tono āwhina ture, ā, ka āwhina i a koe ki te whakakī. Ka taea anō e koe te tiki puka mai i te kooti ā-rohe, Community Law Centre, Citizens Advice Bureau rānei.

Te whiriwhiri rōia

Ka whakautu pātai ētahi rōia e pā ana ki te āwhina ture mō te kore utu, engari me tiroiro e koe tēnei me te rōia ina kōrero atu koe ki a ia. Mēnā kāore koe i te mōhio ki tētahi rōia, ka taea e koe te:

- haere ki www2.justice.govt.nz/find-a-legal-aid-lawyer/
- pātai ki tētahi tangata e pono ana koe kia taunakitia he rōia e mōhio ia
- pātai ki tētahi tari āwhina ture
- pātai ki tō Community Law Centre o tō rohe, Citizens Advice Bureau rānei
- mō tētahi rōia whānau, haere ki te wāhanga ture whānau o te New Zealand Law Society (familylaw.org.nz)
- pātai ki New Zealand Law Society (lawsociety.org.nz)
- kimi i ngā whārangi kōwhai i raro i ‘barristers and solicitors’ me ‘lawyers’

Kia maumahara: ko tō rōia tō māngai me te tuku tohutohu ture ki a koe. Tērā pea ka nui tō whai wā atu ki a ia. He mea nui kia whai whanaungatanga mahi pai kōrua.

I mua i te whiriwhiri rōia:

- pātai atu ki te rōia he aha rawa ana mahi, ā, he pēhea tana whakahaere i ana kēhi ōrite ki tāu
- pātai atu ki te rōia mēnā ka riro māna tonu e mahi te nuinga o ngā mahi, mēnā rānei ka mahi koe me ētahi atu kaimahi – he mea nui kia mōhio koe kei te mahi koe me wai

- me whakarite he wāhi haumarua tō rōia hei wāhi tūtakitanga mō kōrua ki te kōrero – me matatapu ngā rūma hui kia wātea ai koe ki te kōrero
- me whakarite kei te mārāma koe ki ngā mahi ka mahia e te rōia me ngā mea kāore e mahia e ia (hei tauira, e hia te nui o tana whakapā atu ki a koe, ā, ka pēhea te whakamōhio haere i a koe mō tō kēhi).

Ka whakapā mai taku rōia āwhina ture ki a au?

Māu anō e whakapā atu ki tō rōia – kāore ia e whakapā atu ki a koe. Ka tukuna ngā taipitopito whakapā o tō rōia ki a koe ina whakamōhiohia atu koe kua whiwhi āwhina ture koe.

Me ngana ki te whakarite wā me te rōia i mua o tō hokinga atu ki te kooti.

Ki te āwangawanga koe mēnā ka tūtohua he rōia ki a koe, tirohia te whārangi 15.

He aha te Public Defence Service (PDS)?

Ka tūtohua pea he rōia mai i te Public Defence Service (PDS). E tuku mahi ana Te Tāhū o te Ture ki ngā rōia ki te kawea i ngā kēhi āwhina ture taihara mā āna ake ratonga. Ka tū te rōia PDS hei māngai mōu, he tuku tohutohu motuhake me te mahi māu i runga i te pono. Koinei anō taua kawenga a ngā rōia āwhina ture ki ā rātau kiritaki. Ka kitea anō he kōrero mō te PDS – ka mutu me pēhea te whakapā atu - i justice.govt.nz.

Ka aha mēnā kei te whiwhi āwhina ture kē au?

Mēnā kei te whiwhi āwhina ture kē koe mō tētahi kēhi kooti kei te haere tonu, ko te rōia kei te mahi māu ka haere tonu āna mahi hei māngai mōu e pā ana ki ngā whakapā hē hou.

Ka aha au mēnā kei te whakahē au i te whakatau āwhina ture?

Me tonu mō tētahi ‘whakatau anō’

Ka taea e koe, tō rōia rānei te whakahē i te whakatau a te Komihana mā te tonu mō tētahi whakatau anō. Me tae atu ngā tonu mō tētahi whakatau anō i roto i ngā rā mahi 20 o te whiwhi i te whakatau āwhina ture.

Ko ngā whakatau ka taea e koe te whakahē:

- te whakatau mō tō tonu āwhina ture (pēnei nā, i whakahētia te āwhina ture)
- te nui o te āwhina ture ka whiwhi koe
- te nui o te āwhina ture hei whakahoki māu.

Me tuku e koe tō tonu mō tētahi whakatau anō ki taua tari āwhina ture anō e mahi ana koe. Ko te tangata ka whakatau anō i te take ehara ko te tangata nāna te whakatau tuatahi. Ka taea e ia te whakarite kōrero hou ka tukuna atu e koe. Ka taea e koe te tonu āwhina ture anō mēnā ka whakawāteahia koe i tō mahi, ka heke rānei tō moni whiwhi, mēnā ka whakapā hētia koe e ngā pirihimana ki tētahi hara nui ake. Ko te tikanga he 15 ngā rama mō tētahi whakatau anō.

Mēnā ka whakahētia te ‘whakatau anō’ - te tonu ki te Legal Aid Tribunal

Mēnā e hiahia ana koe ki te whakahē i te whakatau anō, ka taea pea e koe te tonu ki te Legal Aid Tribunal. Ka arotakehia e te Legal Aid Tribunal ngā whakatau e pā ana ki:

- te whakahē i tētahi tonu mō tētahi āwhina ture
- te taumata teitei o te pūtea ka whakawhiwhia
- te rahi hei utu māu

- ngā here kei runga i tētahi pūtea
- te wewete mai, te whakatika rānei i tētahi pūtea
- ngā rerekētanga, whakarite rānei, ki tētahi here kei runga i ō rawa mō tētahi takuhe
- te utu i ngā utunga ka whakahauhia i roto i tētahi kēhi kiri tangata.

Mēnā kei te hiahia āwhina koe kia arotakehia he whakatau e te Legal Aid Tribunal, ka taea e koe te:

- whakapā atu ki tō tari āwhina ture o tō rohe
- whakapā atu ki te Legal Aid Tribunal (justice.govt.nz/tribunals/LAT)
- whakapā atu ki te rōia mahi i te kooti (he rōia ēnei e tuku tohutohu āwhina ture i ngā kooti) – tirohia te whārangi 5
- whakapā atu ki tō rōia āwhina ture
- whakapā atu ki tō Community Law Centre tūtata.

Ka taea e koe, tō rōia te pīra i te whakatau āwhina ture ki te Legal Aid Tribunal mēnā ki ōu whakaaro, ko te whakatau he:

- tino huhunu
- hē e ai ki te ure.

Ka taea anake te tuku i tētahi tonono arotake ki te Tribunal i muri i tō whiwhitanga i te whakatau.

Ko te aweretanga ki tēnei mēnā kei te rapu utu te hoariri mai i tētahi tangata kei te whiwhi āwhina ture.

I tēnei āhuatanga kāore noa iho he aha ki te rapu whakatau anō mō te whakatau tuatahi.

Me mātua tuku atu e koe tō tonono mō tētahi arotake ki te Taraipiunara i roto i ngā rā mahi 20 o te whiwhitanga i te whakatau tuatahi (justice.govt.nz/tribunals/LAT).

Kāore e whakahaerehia e te Legal Aid Tribunal he whakawātanga, arā, kua kore koe e āhei te kōrero ā-kanohi atu ki te Taraipiunara. Ka taea e koe te tuku i tētahi tauākī ā-tuhi ki te Taraipiunara, me ētahi atu tuhinga, kōrero hoki ki ōu whakaaro he whai take.

Ka aha mēnā kāore i te pai ki a au te whakataua a te Legal Aid Tribunal?

Ka taea e koe te pīra i te whakataua a te Taraipiunara ki te Kooti Teitei mēnā ki ōu whakaaro i hē tana whakamāori i te ture, engari kua mā tētahi atu kaupapa.

Ki te whakakāhoretia he āwhina ture māu, ka taea e koe te kōrero atu ki te Community Law Centre o tō rohe mō ngā tohutohu ture. Ka taea e te Community Law Centre te āwhina i a koe mō ngā take kiri tangata, whānau hoki me ngā whakapā hē taihara iti.

Ko wai ka utu, ā, he pēhea

Me utu au?

Tērā pea ka mate koe ki te utu i tētahi wāhanga, te katoa rānei o ō utu āwhina ture, e ai ki ō moni whiwhi, āu ake rawa (mō ngā kēhi kiri tangata) me te utu me te hua o tō kēhi.

Ka whakamahia ngā kōrero pūtea ka tukuna e koe ki tō puka tonu ki te whiriwhiri mēnā me utu koe. Ka kōrerohia atu te rahinga mōrahi hei utu māu ina whakamōhiohia atu koe mēnā i whakaaehia te āwhina ture ki a koe.

Mēnā kei te whiwhi penihana koe me te kore rawa, ko te tikanga kāore koe e utu i tētahi wāhanga o ō utu āwhina ture.



Me pēhea taku utu?

Ka herea pea koe ki te utu mā ngā tikanga rerekē, ā, tērā pea neke atu i te kotahi o momo tikanga utu.

Ngā tikanga utu rerekē:

- mā ngā utunga auau (utu harangote) ia wiki, rua wiki, ia marama rānei
- te katoa, mai i ō moni penapena, ina hokona atu rānei e koe tō whare, tētahi atu rawa rānei
- he moni, he rawa rānei kei a koe, ka whiwhi rānei mai i tō kēhi kooti (kēhi kiri tangata).

Mēnā ka herea koe ki te utu auau, ko te tikanga me tīmata tonu tō utu i taua wā tonu. Ka whiriwhiria he mahere utunga e ai ki ngā kōrero i tukuna e koe i roto i tō tono. Ka taea e koe te tono kia whakamutua tō āwhina ture, engari me utu tonu e koe ētahi, te katoa rānei o ngā āwhina kua whakapauhia e koe.

Ka tīmata tonu te utu huamoni ki tō nama i te ekenga o te ono marama mai i te mutunga o tō kēhi. Ki te utua e koe tō nama i roto i te ono marama, kāore he utu huamoni.

Mēnā ka raruraru tō utu i ō utunga, me whakapā wawe tonu ki te Debt Management Group i [0800 600 090](tel:0800600090). Ka whakarerekēhia pea tō mahere utunga, tērā pea ka whakatau te Komihana ki te whakawātea i tētahi wāhanga o tō nama āwhina ture, te katoa rānei mēnā kāore e ea i a koe.

Ki te kore e utua e koe, te whakarite rānei i tō nama āwhina ture me te Debt Management Group, kāore pea koe e āhei atu ki te whiwhi āwhina ture i muri ake.

‘Ngā here’ kei runga i ō rawa hei taituarā mō te nama

Mēnā he whare tōu, he waka, tētahi atu rawa whai wāriu rānei, tērā pea me whakamana e koe he here ki runga i te rawa hei taituarā mō te nama. Mēnā he nui atu tō nama i te \$500 mō tētahi kēhi taihara, he \$1,500 mō te kēhi whānau/kiri tangata rānei, ka utaina pea he here ki tō awa hei taituarā mō te nama.

Ko te tikanga o te here mēnā ka hokona atu e koe te rawa, me mātua utu koe i tō nama mai i ngā moni ka riro mai i te hokotanga. Ki te whakarite pūtea nama anō koe mō te rawa, me mātua utu e koe tō nama. Engari, ka taea e koe te utu i te nama i ngā wā katoa i mua i tēnā.

Ina kore au e utu i te āwhina ture

Ko te tikanga kāore koe e utu i te āwhina ture mēnā kei te tono koe mō tētahi whakatau whakamarutanga i raro i te Domestic Violence Act 1995, tētahi whakatau i raro i taua Ture.

Mēnā he ‘tūroro marohi’ koe i roto i tētahi kōkiri whakawā i raro i te Mental Health (Compulsory Assessment and Treatment) Act 1992, he ‘Proposed Care Patient’ rānei i roto i tētahi kōkiri whakawā i raro i te Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003, kāore e utua anō e koe ō āwhina ture.

Ka utua taku āwhina ture ki a au, ki taku rōia rānei?

Ka utua hāngai atu te āwhina ture ki tō rōia.

He utu anō māku ki te rōia?

Me utu e koe he utu kaiwhakamahi o te \$50 mēnā e hāngai ana ki tō kēhi (kāore te utu kaiwhakamahi ki ngā kēhi taihara). I muri i tērā, kāore tō rōia e āhei te tango utu mai i a koe anō. Ki te whakamātau tō rōia ki te tango utu mai i a koe, me kōrero atu koe ki tō tari āwhina ture o tō rohe.

Ngā āhuatanga motuhake

Ngā taiohi me te āwhina ture

Mēnā kāore e taea e koe te utu rōia, ka hoatu tētahi ki a koe ahakoa he aha tō pakeke.

- Mēnā kei raro ō tau i te 17 ka whakawāhia e te Kooti Taiohi, ā, ka tukuna he rōia mō te kore utu kia koe e kīia ana he Youth Advocate. Kāore e taea e koe ake te tohu i tāu ake rōia hei Youth Advocate māu. Kāore e rite ki te āwhina ture, kāore koe e whakaatu i tō kore e taea te utu.
- Mēnā 17 ō tau, pakeke atu rānei, ka whakawāhia e koe e te kooti ā-rohe (te kooti pakeke), ā, ka taea e koe te tonu āwhina ture.

Ka taea e koe te whiwhi āwhina ture ahakoa kei raro ō tau i te 16, engari ko te tikanga mā tētahi tangata pakeke (me 20 ngā tau, pakeke atu rānei) kē e tonu mōu. Me waitohu e te tangata he tauākītanga e kī pono ana ka utua ngā utunga mō tō āwhina ture.

Mēnā he 16 ō tau, neke atu rānei, ka taea e koe tonu te tonu āwhina ture. Kei a koe anō te kawenga mō ngā utunga.

Ko ngā tautoko (pēnei i te kai, wāhi noho rānei) haere tonu e tukuna ana e ō mātua, tētahi atu rānei, ahakoa tō pakeke, ka whai whakaarohia i roto i tētahi mahere utunga.

Te whakarekerekē ā-whare me te āwhina ture

Ka taea e koe te tiki āwhina ture mō tētahi whakatau i raro i te Domestic Violence Act 1995, ā, ka taea e tō rōia te āwhina i a koe me tō tonu āwhina ture. Ka taea anō e koe te tiki āwhina mai i te Women's Refuge, te Community Law Centre rānei. Mēnā kei te tonu koe mō tētahi whakatau i raro i te Domestic Violence Act, ko te tikanga kāore koe e herea ki te utu i tētahi wāhanga o ō āwhina ture.

E pā anake te utunga kore ki te wāhanga whakarekerekē ā-whare o tō kēhi – hei taurira, mēnā i tonu koe mō te tiaki ia rā i ō tamariki i taua wā anō, me utu anō pea koe ētahi, te katoa rānei o taua wāhanga o tō kēhi.

Ka pā anake te aweretanga ki ngā utunga mēnā ko koe te tangata kei te tonu mō tētahi whakatau whakarekerekē ā-whare, kua rawa mēnā ko koe te tangata e aukatia e te whakatau (te kaiurupare).

Kōrua ko tō rōia āwhina ture

Ka aha mēnā ka hiahia au ki te whakarerekē i taku rōia?

Me kōrero koe ki tō rōia mēnā kua puta ētahi raruraru, ā, ka whakamātau ki te whakarite. Ki te kore e tutuki tēnei, ka taea e koe te tono rōia hou. Me tino whai take koe me te whakamārama i te take kei te hiahia rōia atu anō koe. Me whakapā wawe atu koe ki tō tari āwhina ture o tō rohe mō tēnei ina puta ake he raruraru nui.

Ka aha mēnā ki ōku whakaaro he nui rawa te utu a taku rōia?

Mēnā ki ōu whakaaro he nui ake te kēreme wā a tō rōia ki tērā i whakapauhia ki tō kēhi, he nui ake rānei ngā whakapaunga i whakapauhia e ia ka taea e koe te tono kia tiroirohia te kerēme utu a tō rōia.

Ka aha mēnā kei te hiahia tuku amuamu mō taku rōia?

Mō te tuku amuamu, ka taea e koe te:

- whakapā atu ki tō tari āwhina ture o tō rohe
- īmēra ki legalaidcomplaints@justice.govt.nz
- tuhi ki Legal Aid Complaints, Provider and Community Services, DX SX10125, Wellington.

Ētahi atu kōrero

Ngā āwhina mō ngā take ture

Kei reira ētahi tāngata me ngā whakahaere ka taea te tuku kōrero atu anō ki a koe mō te tiki tautoko ture.

E rārangi ana i konei ko ērā e whakamahia noatia.

Te Tāhū o te Ture

- justice.govt.nz

Koinei te tari kāwanatanga e whakahaere ana i ngā āwhina ture me ētahi atu kaupapa e whakamāramahia ana i roto i tēnei aratohu. Mō ētahi atu kōrero, haere ki te paetukutuku a te Tāhū, whakapā atu rānei ki tō tari āwhina ture o tō rohe (kei roto i te whārangi o muri ngā taipitopito whakapā).

Community Law Centre

- communitylaw.org.nz

He rōia ā te Community Law Centre e tuku tohutohu ture koreutu ki a koe me te kōrero tahi me koe mō ngā huarahi. Ka taea e ētahi rōia Community Law Centre te tū hei māngai mōu ki te kooti mō ngā take kāore koe e whiwhi āwhina ture. Mō te kimi i tō Community Law Centre o tō rohe, haere ki te paetukutuku, tirohia rānei te ‘personal help services’ kei te mua o tō puka waea.

Ngā kooti o te rohe

Ka taea e te pouroki me ētahi atu kaimahi i te nuinga o ngā kooti o ngā rohe te āwhina i a koe ki te whakakī i ngā puka āwhina ture me te tuku tohutohu ki a koe mō te āwhina ture. Ki te kore e taea e rātau, ka tohutohuhia atu koe e rātau ko wai ka taea te āwhina i a koe. Ka taea e tētahi rōia mahi te tū hei māngai mōu mō te koreutu i tō rā tuatahi o tō kēhi (tirohia te whārangi 5). Mō te kimi i tō kooti o te rohe, tirohia ngā whārangi kikorangi i mua o te puka waea, i raro i Justice’, haere rānei ki justice.govt.nz.

Citizen Advice Bureaux (CABs)

- cab.org.nz
- 0800 for cab (367 222)

Ka taea e ngā kaitūao CAB matatau te tuku kōrero ki a koe mō te āwhina ture. He ratonga āwhina ture koreutu tā ētahi o ngā CAB, engari kāore e taea e ngā kaimahi CAB te tū hei māngai mōu ki te kooti. Mō te whakapā atu ki te CAB waea ki te nama koreutu, īmēra rānei mā te paetukutuku, kimihia rānei te peka o tō rohe kei te 'personal help services' kei mua o te puka waea.

New Zealand Law Society

- lawsociety.org.nz
- inquiries@lawsociety.org.nz
- 04 472 7837

He rārangi rōia tā te New Zealand Law Society kei tana paetukutuku. He whakaputa mātāreke kōrero anō te Law Society ki te whakamōhio i a koe mō ō tika ā-ture, te ture, ā, me pēhea te āwhina a ngā rōia i a koe. He maha ngā rōia he mahi āwhina ture. He rārangi tā Te Tāhū o te Ture o ngā rōia āwhina ture kei tana paetukutuku i www2.justice.govt.nz/find-a-legal-aid-lawyer/.

E rārangi ana ngā rōia i roto i ngā whārangi kōwhai i raro i a 'Barristers and Solicitors' me 'Lawyers'; engari kāore ngā rōia katoa e mahi āwhina ture. Ka whakautu pātai ētahi rōia mō te āwhina ture mō te koreutu, engari me pātai koe i ngā wā katoa ki te rōia i a koe e kōrero ana ki a ia.

Kōrero ture

- lawaccess.govt.nz

Tirohia te paetukutuku Law Access ka pāwhiri i ngā pukakōrero. Ko ngā take he āwhina ture, te pūnaha ture o Aotearoa, ngā whakapā he taihara, ngā mana pirihiimana, te Kooti Whānau, taiohi hoki, tae atu ki ētahi atu wāhi whāiti o te ture pēnei i te whiwhi mahi, whakarekerekere ā-whare, me te tiaki me te whakamarutanga o ngā tamariki.

Ngā kōrero whakarekerekē ā-whare

Mō ētahi atu kōrero mō ngā whakatau whakamarutanga me te Domestic Violence Act:

- Te mātārere 'Te āwhina ture mō ngā whakatau whakamarutanga' (Tāhū o te Ture)
- Te pukakōrero 'Whakarekerekē ā-Whare' (LawAccess).

Kooti Whānau

- justice.govt.nz/family-justice

Mēnā kei te tiakina koe e te whakatau whakamarutanga, ka taea e koutou ko ō tamariki te toro mātauranga me ngā kaupapa tautoko koreutu, matatapu hoki mō te whakarekerekē ā-whare mai i te Kooti Whānau. Mō te kimi i tō Kooti Whānau tirohia te paetukutuku i runga ake, tirohia rānei ngā whārangi kikorangi o te puka waea i raro i te 'Justice'.

Family Violence Information Line

- 0800 456 450
- areyouok.org.nz

Ka taea e tēnei waea kōrero te tūhono atu i a koe ki ngā whakahaere i roto i tō rohe e taea ana te āwhina i a koe. E wātea ana i ngā rā e whitu o te wiki mai i te 9 karaka i te ata ki te 11 karaka i te pō.

Women's Refuge

- womensrefuge.org.nz

He whakarato a Women's Refuge i ngā momo tautoko me ngā kōrero rerekē mā ngā wāhine e pākia ana e te whakarekerekē me ā rātau tamariki, tae atu ki: ngā wāhi noho ohotata 24 haora, ikiiki ohotata, me te whakarongo me te tautoko.

Tō tari āwhina ture o tō rohe

Whāngārei

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Te Kāwanatanga o Aotearoa