

Learning Assessment Guide

Unit Standard 14950 – Version 4

Describe te Tiriti o Waitangi/Treaty of Waitangi and its application in the State sector

Level 3 – 6 Credits

Assessment Summary			
Learner to complete			
Learner name:			
Employer:			
NZQA no. (ROL):			
Signed:		Date:	
Assessor to complete			
<input type="checkbox"/> Meets requirements <input type="checkbox"/> More training required <input type="checkbox"/> More evidence required			
Assessor name:		Assessor No.	
Signed:		Date:	

Before you begin...

- As well as this Learning Assessment Guide, you may also want to refer to the unit standard from the NZQA website (<http://www.nzqa.govt.nz>).
- Read the Trainee Information Kit. The kit contains important information and guidelines for Learners and can be found on the Learning State website (<http://www.learningstate.govt.nz>) under Learners, then Learning Assessment Guides.
- Check the learning resources available for this unit standard on the Learning State website (<http://www.learningstate.govt.nz>) under Learners, then Learning Assessment Guides.

The tasks in this assessment are designed to show your assessor that you can:

- describe the historical events and developments around the signing of Te Tiriti o Waitangi/Treaty of Waitangi
- describe the meaning of the Treaty preamble and articles
- describe the principles of the Treaty and their application to government, law and society today
- describe the relevance of the Treaty to the learner's State sector organisation.

This Learning Assessment Guide is made up of:

- Written task sheets for you to complete
- Learning resource The Treaty of Waitangi
- Assessment Guide that the assessor will use to assess your competence.

Special notes relating to this unit standard

- 1 This unit standard is intended for people who are employed in the State services. It forms part of the core skills of State sector employees.
- 2 Definitions
Treaty of Waitangi refers to the English language text of the Treaty.
Tiriti o Waitangi refers to the Māori language text of the Treaty.
The Treaty refers to both Māori and English language texts considered as a whole.
The Principles of the Treaty refers to the core concepts that underpin the Treaty. The Court of Appeal and the Waitangi Tribunal have developed a number of detailed principles, of these the principles of 'partnership', 'active protection', and 'redress' are considered dominant.
State sector refers to and encompasses only the institutions of central government, as opposed to the larger Public sector, which includes both central and local government institutions. Specifically, the State sector comprises a large group of quite distinct institutions included in the annual financial statements of the government that are prepared under the Public Finance Act 1989. The role of the State sector is to implement government policies, provides services or operate business as agreed by a democratically elected government.

3 Resources include but are not limited to:

The Treaty of Waitangi for Learners of Unit Standard 14950 (Wellington: Learning State). This is a newspaper style resource compiled to assist learners. A copy of this resource is available from Learning State, PO Box 10243, Wellington.

He Tirohanga o Kawa ki Te Tiriti o Waitangi: A guide to the Principles of the Treaty of Waitangi (Wellington: Te Puni Kōkiri, 2001) available at <http://www.tpk.govt.nz/en/in-print/our-publications/publications/>. This publication gives a detailed list of the Treaty principles that have been developed.

Principles for Crown Action on the Treaty of Waitangi, (Wellington: New Zealand Department of Justice, 1989).

Assessment Task One – Elements 1 and 2

Introduction

This assessment task is designed to assess your ability to describe the:

- historical events and developments around the signing of Te Tiriti o Waitangi/Treaty of Waitangi
- meaning of the Treaty preamble and articles.

Instructions

- You are required to complete the tasks for the assessment, and
- any further questions that the assessor asks on the completion of this assessment to confirm and, or, clarity responses.

Your completed assessment for this task will consist of:

- Written responses to questions
- Other documentation as required

Task One Questions

This task contains three parts. All parts must be answered.

Part One

In the lead-up to the Treaty a number of significant proceedings and events set the environment for its conception and eventual signing.

Briefly describe **three** examples of pre-1840 proceedings or events that contributed to the drafting and signing of Te Tiriti o Waitangi/Treaty of Waitangi. Your answers may describe but are not limited to the following:

- Pre-1840 events
- 1835 Declaration of Independence
- Hobson’s instructions
- Role of the Crown
- Role of iwi and hapū
- Role of Māori leaders
- Role of missionaries
- Reasons for signing and not signing the Treaty

Example 1:

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Example 2:

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Example 3:

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Part Two

The Treaty contains a preamble and three articles, or clauses. Briefly describe each of them. Your answers should describe the differences between the Māori and English texts of Te Tiriti o Waitangi/Treaty of Waitangi, and what those differences mean in terms of the understanding and intention of Māori and Pākehā leaders when it was signed.

Preamble:

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Article 1:

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Article 2:

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Article 3:

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Part Three

A number of significant events and proceedings after the Treaty's signing contributed to deterioration in the Treaty relationship. Those events and proceedings now underpin many of the Treaty claims of recent times.

Describe **three** examples of events and proceedings after the signing which contributed to the deterioration of the Treaty relationship. Your answers may describe but are not limited to the following:

- Early Crown policy
- The role of Governors Sir George Grey and Thomas Gore Brown
- The King Movement
- The Native Land Court
- Crown land purchasing programmes in the 1870s and onwards
- Protest by Māori
- The situation for Māori at the turn of the century

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Example 2:

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Assessment Task Two – Elements 3 and 4

Introduction

This assessment task is designed to assess your ability to describe the:

- Principles of the Treaty and their application to government, law and society today
- Relevance of the Treaty to the learner's State sector organisation.

Instructions

- You are required to complete the tasks for the assessment, and
- Any further questions that the assessor asks on the completion of this assessment to confirm and, or, clarity responses.

Your completed assessment for this task will consist of:

- Written responses to questions
- Other documentation as required.

Task Two Questions

This task contains four parts. All parts must be answered.

Part One

Describe **three** examples that demonstrate the importance of the Treaty to New Zealand government and society. Your answers may refer to but are no limited to the following examples:

- Te Tiriti o Waitangi/Treaty of Waitangi as New Zealand’s founding document
- references to the Treaty in legislation
- recognition of the Treaty in the conduct of government and the courts.

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Example 2:

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Example 3:

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Part Two

The government, courts and the Waitangi Tribunal have developed a number of detailed Treaty principles. Describe **four** Treaty principles. Your answers must include the principles of “**partnership**” and “**active protection**”.

i) The principle of partnership:

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ii) The principle of active protection:

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iii) Principle:

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iv) Principle:

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Part Three

Now consider one of the Treaty principles from the previous question, and briefly describe how it is applied to an area of New Zealand society today. Your answer may consider, but is not limited to, how the principle is applied to the management or business of:

- lands
- fisheries
- education
- health
- law
- commerce
- trade
- State sector

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Part Four

Today the Treaty and its original exchange of promises are a part of contemporary New Zealand dialogue. The Treaty is widely accepted to be an important constitutional document, and successive governments, courts and the Waitangi Tribunal have commented on the principles of the Treaty to give assistance as to what is required to ensure compliance with the Treaty.

The roles and responsibilities of State sector organisations are in part articulated in specific statutes. A number of statutes make specific reference to the principles of the Treaty creating legal obligations for all those acting to comply with the Act. There is also evolving jurisprudence to suggest that, where relevant, Treaty principles could guide the actions of central government and permeate domestic statutes without express incorporation.

In this task you are to describe the application of the Treaty, its principles, or a distinctive Māori perspective, within the State sector organisation you work for. You are to describe how the Treaty is given effect to, as part of your organisations' responsibilities and, or, work.

Assessment Guide

The following guide will be used to assess your competence for unit standard 14950.

Task / Element	Evidence required	Judgement	Yes / No
<p><i>Task 1 / Elements 1 & 2</i></p> <p>In this task the learner must describe:</p> <p>The historical events and developments around the signing of Te Tiriti o Waitangi/Treaty of Waitangi</p> <p>The meaning of the Treaty preamble and articles.</p>	<p>Written responses to questions, and</p> <p>Answers to any further questions that the assessor asks on the completion of this assessment to confirm and, or, clarity responses.</p>	<p>The learner's answers in task one adequately show understanding of the:</p> <ul style="list-style-type: none"> • key events prior to the signing of the Treaty that contributed to its inception • reasons and motivations that leaders of the time had for supporting or not supporting Te Tiriti o Waitangi/Treaty of Waitangi • key events that lead to the deterioration of the Treaty relationship • Treaty's preamble and articles 	<p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p>
<p><i>Task 2 / Elements 3 & 4</i></p> <p>In this task the learner must describe:</p> <p>The principles of the Treaty and their application to government, law and society today</p> <p>The relevance of the Treaty to the learner's State sector organisation.</p>	<p>Written responses to questions, and</p> <p>Answers to any further questions that the assessor asks on the completion of this assessment to confirm and, or, clarity responses.</p>	<p>The learner's answers in task two adequately show understanding of the:</p> <ul style="list-style-type: none"> • relevance of te Tiriti o Waitangi/Treaty of Waitangi in New Zealand government, law and society • principles of the Treaty • application of the principles in a State sector organisation or to their own role. 	<p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p>