

Learning Assessment Guide

Unit Standard 14950 – Version 5

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>).

The tasks in this assessment are designed to show that you can describe the:

- historical events and proceedings around the signing of Te Tiriti o Waitangi/Treaty of Waitangi
- meaning of the Treaty preamble and articles
- principles of the Treaty and their application to government, law and society today
- relevance of the Treaty to your organisation.

Instructions

You are required to answer all questions and any further questions that the assessor asks to confirm and, or, gain clarification.

Special notes relating to this unit standard

- 1 This unit standard is intended for people who are employed in the State sector.
- 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.

Resources ...

The resources listed below will help you to complete this assessment.

Paper resources

The Treaty of Waitangi for Learners of Unit Standard 14950 (Wellington: Learning State). This is a newspaper style resource compiled to assist learners. It relates specifically to the assessment questions. For a free copy of this resource, contact Learning State, PO Box 10243, Wellington or email info@learningstate.govt.nz.

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).

Durie, Mason, Te mana, te Kawanatanga - *The Politics of Māori Self-determination*, Auckland, Oxford University Press, 1998.

Kawharu, I.H., *Waitangi - Māori and Pakeha perspectives of the Treaty of Waitangi*, Auckland, Oxford University Press, 1989.

Orange, Claudia, *An Illustrated History of the Treaty of Waitangi*, Wellington, 2004.

Orange, Claudia, *The Treaty of Waitangi*, Wellington, Allen and Unwin, 1987.

4 hour workshop

Learning State organise the facilitation of Treaty of Waitangi workshops that focus specifically on this unit standard. For further information on the content, dates and venue for this workshop, refer to the Events Calendar on www.learningstate.govt.nz.

Websites

http://en.wikipedia.org/wiki/Treaty_of_Waitangi#22Principles_of_the_Treaty.22

<http://www.nzhistory.net.nz/politics/treaty/background-to-the-treaty/new-zealand-in-the-1830s>

<http://www.nzhistory.net.nz/category/tid/133>

Assessment Questions

Question 1.

In the lead-up to the Treaty a number of significant events and proceedings set the environment for its conception and eventual signing. Briefly describe **three** examples of pre-1840 events and proceedings 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:

- 1835 Declaration of Independence
- Hobson's instructions
- Role of the Crown
- Role of iwi and hapū
- Role of Māori leaders
- Role of missionaries

Example 1:

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Example 2:

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Example 3:

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Question 2.

Briefly describe **three** motivations for signing and not signing Te Tiriti o Waitangi/Treaty of Waitangi. These could be from a mix of Māori and Pākehā perspectives or all from a Māori or Pākehā perspective.

Motivation 1:

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Motivation 2:

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Motivation 3:

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Question 3.

Briefly describe the preamble and three articles of the Treaty. Your description should include:

- the differences between the Māori and English texts of Te Tiriti o Waitangi/Treaty of Waitangi
- 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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Question 4.

After the Treaty was signed, a number of significant events and proceedings contributed to deterioration in the Treaty relationship. Those events and proceedings now underpin many of the Treaty claims of recent times.

Describe **three** events and/or 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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Question 5.

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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Question 6.

Describe the importance of the principles of the Treaty to New Zealand government, law and society. You must provide **three** examples. Your answers may refer to but are not limited to the following:

- Te Tiriti o Waitangi/Treaty of Waitangi as New Zealand's founding document
- references to the principles of the Treaty in legislation
- relevance of the Treaty in New Zealand's constitutional law
- 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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Question 7.

Consider **one** of the Treaty principles 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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Question 8.

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.

Provide **two** examples of how the application of the Treaty, its principles, or a distinctive Māori perspective, within the State sector organisation you work for. It may be helpful to think about the question, what does your organisation do to support the success of Māori. Think about work programmes, responsiveness strategies, policies and any specialist staff within your organisation that have a distinctive Māori focus. You should link your examples to one of the principles of the Treaty.

Your examples should cover the following points:

- the specific practice or policy
- explanation of the underlying significance to Māori
- the relevant principle and
- the intended outcome of the action in relation to the principle.

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Example Two:

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Question 9.

Describe **two** example of ways in which you, in your role, realise the principles of the Treaty. It may be helpful to think about how you support the work of your organisation and/or any capability training you may undertake that has a distinctive Māori focus. You should link your examples to one of the principles of the Treaty.

Your examples should cover the following points:

- the specific practice or what you do in your role
- explanation of the underlying significance to Māori
- the relevant principle and
- the intended outcome of the action in relation to the principle.

Example One:

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Example Two:

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This is the end of the assessment. Before you submit your work to your assessor, ensure you have:

- Answered all the questions
- Copied your completed work for your own records.