

**WAITANGI TRIBUNAL**

Wai 3504

**CONCERNING**

the Treaty of Waitangi Act 1975

**AND**

a claim by Gazala Maihi on behalf of Post Primary Teachers' Association Te Wehengerua (PPTA)

**MEMORANDUM-DIRECTIONS OF THE DEPUTY CHAIRPERSON**

The Registrar will please enter this matter on the register of claims and give it the next available Wai number. The register should note that the claim was received on 9 May 2025.

The claimant should please take note of the 'Wai' number reference at the top of the page. Please use this claim number in any communication with the Tribunal.

This claim is lodged by Gazala Maihi on behalf of Post Primary Teachers' Association Te Wehengerua (PPTA). The claimants allege that the Crown has breached the principles of the Treaty of Waitangi by:

- failing to actively protect Māori tauira, their educational outcomes and their well-being resulting in significant disparities between Māori and other groups in obtaining educational qualifications, grades, secondary education graduation rates, suspensions and expulsion rates and entry into higher education;
- failing to create a Crown-Māori partnership entity within the education sector;
- the National Party, ACT Party and NZ First Party coalition government (coalition government) making unilateral decisions regarding the education system without consultation or involvement of Māori, which affects Māori Tauira worldview and understanding of history in New Zealand;
- actively removing mātauranga Māori, te Tiriti o Waitangi and tikanga from the education system and national curriculum;
- failing to protect or promote te reo Māori as a taonga by actively diverting resources away from teaching te reo Māori, preventing the transmission of te reo Māori to the next generation;
- the coalition government promoting policies that focus on Te Tiriti, equal outcomes, mātauranga Māori, te reo Māori and the history of Aotearoa which further entrenches conditions that lead to poor outcomes for Māori Tauira; and
- the coalition government's policies which negatively affect Tauira Māori, Kaiako Māori and Māori generally including the removal of te Tiriti in the Education and Training Act 2020, the 'rebalancing' of Aotearoa New Zealand Histories curriculum, making changes to other National curriculums, revising and releasing new NCEA Level 1 standards, disestablishing resourcing teachers of Māori, removing funding from Te Ahu o Te Reo Māori, reinstating charter schools, changing the Ka Ora, Ka Ako Healthy Food in Schools programme, introducing a new Attendance Code System.

The claimant seeks a variety of relief, including findings and recommendations that the Crown:

- has allowed the education system to fall into a state where Māori suffer significant disparities;
- has failed to adequately resource an education system that allows for the best possible outcomes for all taurira, including Māori;
- has set up Māori tamariki and rangatahi to suffer poor outcomes in life due to failings in the education system;
- has failed to work or reduce disparities faced by Māori in the education system;
- acknowledges that the current coalition government's policies will facilitate and actively worsen disparate outcomes suffered by Māori in education;
- abandon the current coalition policies detailed in this claim; and
- partners with Māori, including Māori in the PPTA, the wider PPTA and those in the education system dedicated to improving outcomes for Māori in order to re-design policies that have better outcomes for Māori.

The claimant may amend this claim at a later stage. In any case the Tribunal may require the claimant to prepare a fully particularised statement of claim before the claim can be heard.

The Tribunal currently runs district and kaupapa inquiry programmes in which claims are grouped either by district or by kaupapa (thematic) issue. Historical claims are those that raise grievances which arose before 21 September 1992. Contemporary claims have grievances that arose on or after that date. Some claims have both historical and contemporary grievances.

The allegations made in this claim are contemporary in nature. They pertain to education services and outcomes and as such may be best suited for consideration in the Wai 3310, Education Services and Outcomes Kaupapa Inquiry.

The claimant should also note that this claim is registered only insofar as it concerns contemporary allegations of Treaty breaches by the Crown. The Tribunal does not inquire or make findings or recommendations in relation to bodies or parties which are not the Crown.

When the time comes for the claim to be prepared for hearing, the Tribunal will decide whether there are any matters in the present claim that the Tribunal may not inquire into. The claimant needs to be aware that there are some matters that the Tribunal is not allowed to inquire into, such as any Bill that has been introduced into Parliament (unless the Bill has been referred to the Tribunal under section 8 of the Treaty of Waitangi Act 1975). Also, when historical claims are settled, the settlement legislation usually forbids the Tribunal from inquiring further into the matters that have been settled.

The claimant also needs to be aware that the Tribunal does not make settlements. After the Tribunal has completed an inquiry into claims, it writes a report making recommendations to the Crown. It cannot tell the Crown what to do; it may only recommend that the Crown acts to address the negative consequences of its breaches of the principles of the Treaty.

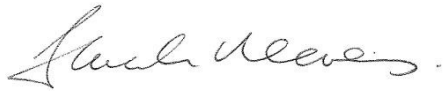
Legal Aid Services provides help for Waitangi Tribunal claimants. For advice on getting a lawyer or receiving funding, please contact Legal Aid Services at their Wellington central office or one of the local offices; the claimant should check their telephone directory for contact details.

Any questions about the contents of this document should be directed to The Registrar, Waitangi Tribunal, DX SX 11237, Wellington; phone (04) 914 3000, fax (04) 914 3001; email [wt.registrar@justice.govt.nz](mailto:wt.registrar@justice.govt.nz).

The Registrar is to send a copy of this direction to the claimant and to:

- Crown Law Office;
- Te Kahui Whakatau (Treaty Settlements), Office for Māori Crown Relations – Te Arawhiti;
- Crown Forestry Rental Trust;
- Legal Aid Services;
- Te Puni Kōkiri;
- Ministry of Education; and
- all those on the notification list for Wai 3310, the Education Services and Outcomes Kaupapa Inquiry.

**DATED** at Wellington this 15<sup>th</sup> day of July 2025

A handwritten signature in black ink, appearing to read 'Sarah Reeves', followed by a period.

Judge Sarah Reeves  
Deputy Chairperson

**WAITANGI TRIBUNAL**