



**MAY IT PLEASE THE TRIBUNAL:**

1. These submissions respond to the application for an urgent hearing filed on behalf of the New Zealand Educational Institute | Te Riu Roa (NZEI).<sup>1</sup>
2. The NZEI application supports the applications for urgency earlier filed on behalf of Wai 1464/1546 and Wai 682.<sup>2</sup> In response, the Crown relies on its submissions filed in response to those Wai 1464/1546/682 applications,<sup>3</sup> save that the Crown wishes to address one specific point raised by NZEI. In NZEI's statement of claim – filed in conjunction with the application for urgency – NZEI has submitted:<sup>4</sup>

[The Crown has] failed to address the opposition and feedback to its proposed curriculum changes.

3. In deciding whether or not to grant urgency, the Tribunal does not need to reach a final determination this point. Whether the Tribunal ultimately concludes that dialogue with Māori has been Treaty | Tiriti consistent and has resulted in appropriate Curriculum content is a matter for a substantive inquiry (and, the Crown submits, a substantial inquiry given the breadth of the topic). Nevertheless, at this stage, the Crown does ask the Tribunal at least to accept that there has been dialogue between the Government and stakeholders (including NZEI) and that this dialogue has resulted in revisions to the Curriculum materials. In short, the Crown disputes the suggestion that issues that NZEI was raising in 2024 and early in 2025 regarding references to te ao Māori and bicultural perspectives within the curriculum documents were ignored.
4. To illustrate the ongoing dialogue between the Government and stakeholders, the Crown draws on the example that is referenced in the NZEI filings: specifically, the development and revision of the English Years 0-10 curriculum:

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<sup>1</sup> NZEI application for an urgent inquiry, 3 December 2025 (Wai 3503, #3.1.3). Given the expedited timeframes already in place for the filing of submissions for the Wai 1464/1546/682 applications, these Crown submissions in response to the Wai 3503 application are filed in advance and anticipation of directions from the Tribunal.

<sup>2</sup> Application for urgency, 18 November 2025 (Wai 1464/1546, #3.1.16).

<sup>3</sup> Crown submissions in response to applications for urgency, 3 December 2025 (Wai 1464, #3.1.20).

<sup>4</sup> NZEI statement of claim, 3 December 2025, (Wai 3503, #1.1.1(a)) at para 13.1.

- 4.1 Draft content for the 0-6 English learning area was circulated for consultation between August and September 2024. Feedback was provided, including from NZEI.<sup>5</sup>
- 4.2 The feedback resulted in changes to the draft content,<sup>6</sup> which was then finalised and implemented at the start of 2025.
- 4.3 The Government received further feedback during 2025. This feedback resulted in revisions to the content of the finalised 0-6 English learning area<sup>7</sup> and also to the content of the draft 7-10 English learning area.<sup>8</sup>
- 4.4 The NZC for English Years 0-10 has been accordingly revised and finalised.<sup>9</sup>
5. Of course, what remains to unfold is the consultation process for the remaining parts of the NZC. As the Crown submitted in its initial submissions in response to the Wai 1464/1546/682 urgency applications, the Crown submits that this consultation period ought to be left to run its course.
6. Accordingly, the Crown opposes an urgent hearing of this application.

10 December 2025




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S Barr / L Ewing  
Counsel for the Crown

**TO:** The Registrar, Waitangi Tribunal  
**AND TO:** Counsel for the Claimants and Interested Parties

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<sup>5</sup> As noted in the NZEI statement of claim and bundle of supporting materials (Wai 3503, #A3) at annexures C, D & E.

<sup>6</sup> Ministry of Education, English Years 0-6 What you told us and how we responded, October 2024: [2507-11-What-you-told-us-report-English-0-6 \(2\).pdf](#) (Annexure 'A'). See page 7 for a discussion of how the Ministry responded to the theme of "People wanted to see more content that reflected the Aotearoa New Zealand context".

<sup>7</sup> Ministry of Education, What's New in English Years 0-6, October 2025: [MLEoiR](#) (Annexure 'B'). See pp 1 & 4 for commentary on the changes to the "Purpose Statement" & "Reading" section.

<sup>8</sup> Ministry of Education, What you told us and how we responded English Years 7-10, October 2025: [What-you-told-us-report-English-Years-7-10.pdf](#) (Annexure 'C'). See pp 6-7 for a discussion of how the Ministry responded to the themes of "People wanted a greater focus on reading for pleasure to lift student engagement and were concerned about text specifications" & "People wanted to see more content that reflected the New Zealand context".

<sup>9</sup> NZC for English Years 0-10 (Annexure 'D').