I TE RŌPU WHAKAMANA
I TE TIRITI O WAITANGI

WAI 3553
WAI 1464/1546
WAI 682

KEI RARO I TE MANA o te ture o te Tiriti o Waitangi 1975

I TE TAKE O te ruku tātari ohotata, te Education and Training Amendment Act me Te Mātaiaho

Ā

I TE TAKE O he kerēme nā Te Riwhi Whao Reti rātou ko Hau Hereora, ko Romana Tarau, ko Karen Herbert, ko Edward Cook, ko Pearl Reti hei māngai mō Te Kapotai (Wai 1464/1546)

Ā

I TE TAKE O he kerēme nā, Rewiti Paraone rātou ko Erima Henare, ko Pita Tipene ko Waihoroi Shortland mō Te Rūnanga o Ngāti Hine hei māngai mō ngā uri o Torongare me Hauhaua (Wai 682)

HE KŌRERO TAUNAKI A LEANNE OTENE

I tēnei rā, i te 24 o Poutūterangi 2026

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RECEIVED
Waitangi Tribunal
24 Mar 2026
Ministry of Justice
WELLINGTON

TĒNĀ, E TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI:

Ko Orowhana tōku maunga

Ko Rangiheke tōku awa

Ko Waikeri tōku moana

Ko Māmari tōku waka

Ko Manukau tōku marae

Ko Te Rarawa tōku iwi

Ko Ngāti Kuri raua ko Ngāti Wairupe ōku hapū

Te Uri o Hapakuku Ruia

Ko Stewart Otene tōku hoa Rangatira – Nō Ngāpuhi ia

Ko Leanne Otene tōku ingoa

Hei tīmatanga kōrero

1. I bring over 30 years of experience in the education sector, including serving as principal across five schools with diverse communities and contexts. My whakapapa has been central to my identity and has consistently informed my approach to leadership and practice as a tumuaki.

2. I have held a number of leadership roles, including:

    a) Executive Committee Member on Te Akatea Māori Principals Association (2011-2017);

    b) A member of the New Zealand Principals' Federation from 2018 to 2025, including serving as President from 2023 to 2025. I was also the first wāhine Māori elected to that role;

    c) The current Asia Elected Representative for the International Confederation of Principals;

    d) Trustee on Brainwave Trust Aotearoa; and

    e) The current National Director for Te Arahou o Aotearoa Trust.

3. My qualifications include:

   a) Diploma of education (University of Waikato, 1989);

   b) Bachelor of Teaching majoring in English Language and literature/letters (University of Waikato, 1990); and

   c) Master of Indigenous Educational Leadership and Administration (Te Whare Wānanga o Awanuiārangi - yet to be completed).

The removal of s 127(1)(d) from the Education and Training Act 2020

4. As a former principal and President of the New Zealand Principals Federation, I have witnessed firsthand how legislation shapes behaviour within schools. Where there is a clear legal expectation, boards are required to prioritise that work. In the absence of that expectation, some boards, especially those without strong bicultural leadership, may default to other priorities.

5. Section 127 as a legal mandate operated as the statutory backbone for embedding te Tiriti within school governance. It created a clear legal expectation that boards would incorporate Tiriti considerations into governance decisions, strategic planning, and curriculum direction. With the removal of that requirement, there is no longer the same level of statutory direction, and the extent to which te Tiriti is prioritised is more likely to depend on the goodwill of individual boards, creating inconsistency across the system.

6. It established a baseline expectation that all schools were required to meet, ensuring a level of consistency across the system. Importantly, it also recognised that boards needed appropriate support to fulfil those obligations effectively.

7. From a sector perspective, the removal of section 127 occurred before schools had sufficient time and support to fully embed Tiriti-aligned governance and practice. There have been many kaupapa, such as the Māori Achievement Collaborative and Te Ahu o te Reo Māori that have contributed to a noticeable shift from superficial, “tick-box”

approaches towards a deeper and more meaningful understanding of te Tiriti across many schools.

8. This takes time and cannot happen overnight – however, we were on the right track. The removal of that requirement creates a real risk of regression. This risk is compounded when considered alongside other changes occurring across the education system.

Māori Achievement Collaborative

9. The removal of section 127 sits alongside a number of other changes within the education system. These changes cannot be read in isolation from one another, as they operate together to shape how schools prioritise, resource, and implement Tiriti-aligned practice.

10. The Māori Achievement Collaborative ("**MAC**") is a kaupapa Māori professional learning and development initiative that works with schools across Aotearoa to build leadership capability and support the removal of barriers to equitable outcomes for ākonga Māori, in partnership with whānau, hapū, and iwi. Since its inception in 2013, MAC has been funded by the Ministry of Education, enabling senior school leaders to access the programme at no cost. The Ministry contract allowed for 350 schools per year. Based on MAC reporting, the impact over time is 35,139 Māori students and 126,509 mainstream students. We have seen eight times more schools since 2013 - from 47 schools to 504 (MOE-Funded for 350) schools nationally - with year on year waiting lists. These numbers represent real tamariki, real whānau, and real schools whose culture and leadership have shifted because of this kaupapa.

11. MAC was originally delivered as a contract through Te Akatea Māori Principals Association. Although I was not involved in the earlier Ministry contract, I strongly supported MAC because, in my view, it was a kaupapa specifically designed to support schools to enact and embed their Tiriti responsibilities under section 127, providing practical support to principals and boards to move beyond compliance and give meaningful effect to te Tiriti within school governance and practice.

12. This work goes beyond embedding te Tiriti in practice; it is also about improving outcomes for tamariki across Aotearoa. While the success of ākonga Māori remains central, the MAC kaupapa supports all ākonga to develop a meaningful understanding of the language, culture, and identity of this country. In my experience, this has contributed to stronger engagement, improved attendance, and more inclusive school environments. Evaluation work, currently in draft and due for release by the New Zealand Council for Educational Research in late April, is expected to support the positive impact of this kaupapa.

13. At the end of last year, as reflected in yearly milestone reports I have reviewed, MAC Ministry funding was not renewed despite its credibility amongst the sector and noted evidence-based impact on tamariki Māori and school leaders. The MAC kaupapa is instead now delivered on a user-pays basis.

14. Responsibility for continuing the MAC kaupapa now sits with Te Arahou o Aotearoa Trust, which has taken over delivery to ensure the work can be sustained. The kaupapa was deemed critical to continue. In my current role as National Director of Te Arahou, I am responsible for ensuring that this kaupapa remains available to principals and boards. This has been increasingly challenging under a user-pays model, particularly as Te Arahou o Aotearoa does not have the resources to subsidise delivery as an established charitable trust.

15. I have had a large number of schools raise concerns about the accessibility of MAC. Despite efforts to keep costs as low as possible, schools are having to make difficult decisions about where to allocate their professional development funding. This means weighing up whether to invest in MAC to support their Tiriti commitments, or to prioritise other areas such as emerging technologies, including artificial intelligence. Many schools have publicly affirmed their commitment to honouring te Tiriti; however, they must now independently fund the capability required to give effect to that commitment in practice.

16. In my opinion, it is difficult to see how schools can meaningfully continue to embed te Tiriti in practice when both the statutory requirement and the key funding that supported capability-building have been removed at the same time. This creates a significant risk of reduced prioritisation of Tiriti-aligned practice, particularly in schools with fewer resources or less developed capability. The impact of this will be felt by tamariki Māori, including a reduced likelihood that their language, culture, and identity would be consistently recognised and valued within school environments.

School boards not considered core Crown bodies

17. The comments around school boards not being core Crown bodies and therefore are not a treaty partner raise a fundamental question about where that responsibility now sits in practice. Boards of Trustees are responsible for the governance of schools, including setting strategic direction, making decisions about curriculum and ensuring outcomes for ākonga. If that responsibility is no longer expected to sit with boards, it is unclear who, at the school level, is responsible for ensuring that te Tiriti is meaningfully reflected in the education sector.

18. From my experience, where there is not a clear expectation on boards to engage with te Tiriti, there is a risk of reverting to a “treat everyone the same” approach. I have encountered this directly where principals and boards did not understand their responsibilities and assumed that treating all learners identically was sufficient.

19. In practice, that approach fails to recognise the specific obligations owed to tamariki Māori under te Tiriti. Tamariki Māori have a right to learn their language, knowledge systems, culture and history. The Government, through the education system (schools and boards alike) have an obligation to provide access to that for tamariki.

20. Removing this responsibility from boards, without clear mechanisms to replace it, creates a gap in accountability. It is not clear how the Crown intends to ensure that Tiriti-aligned practice is implemented

consistently across schools, or who is responsible for ensuring this occurs in practice.

Involvement in the Curriculum Refresh

21. I was directly involved in the development of the Aotearoa Histories curriculum over a number of years. Initially, I was invited to participate in a wider working group of approximately 40–50 contributors who were engaged in the design and development of the curriculum. This work involved regular hui, including sessions in Wellington, where we contributed feedback and input into the evolving content.

22. I was subsequently part of a smaller advisory group, which included facilitators and school leaders, with a more focused role in shaping and refining the curriculum.

23. As part of that process, I was present when the whakapapa for the curriculum, Te Mātaiaho was developed by Dr Wayne Ngata and gifted to the Ministry. This provided an important foundation for how the curriculum was intended to be understood and implemented. In my view, the current form of Te Mātaiaho does not reflect what was originally developed and gifted.

Original Aotearoa Histories curriculum

24. The previous Aotearoa Histories curriculum had the potential to increase understanding of the historical factors that have contributed to ongoing intergenerational disadvantage experienced by Māori. In practice, it encouraged schools to engage more closely with hapū and iwi to support the teaching of local histories, providing ākonga with access to knowledge, identity, and context that they may not otherwise encounter within the education system.

25. I am concerned about the changes and the minimisation of the value of localised curriculum. In reviewing the refreshed social sciences curriculum, I find it difficult to see how it reflects the identities, histories, and experiences of tamariki Māori. There is now a greater emphasis on Eurocentric perspectives, which risks marginalising te ao Māori and

limiting the visibility of Aotearoa New Zealand histories. This, in turn, risks limiting the extent to which learners are able to engage with a bicultural understanding of this country. Without that foundation, students will not have the same opportunities to explore, understand, and critically engage with the perspectives that underpin our shared history and identity.

26. The characterisation that schools were struggling to implement localised curriculum is not an accurate reflection of what I observed. Principals understood that Aotearoa Histories formed part of the wider social sciences curriculum, rather than replacing it. Localised curriculum was used as a foundation for learning, which was then extended through comparison with other societies, both historically and globally, to support broader understanding. The portrayal in media and political commentary that schools were solely focused on localised curriculum, or were struggling to implement it, did not reflect the reality in schools.

Lack of engagement and consultation

27. From 2023-2025, as President of the New Zealand Principals' Federation, I was not afforded the courtesy of prior consultation, nor a simple phone call, before announcements were made regarding proposed changes to the Education and Training Act 2020. Specifically, it was communicated with the wider public without any forewarning or opportunity for dialogue.

28. Similarly, I had no prior knowledge of changes made to Te Mātaiaho. This is deeply concerning. Te Mātaiaho is not peripheral – it is the foundational framework from which all else flows. That such a significant change was made quietly, without acknowledgement of its weight or the respect it demands, speaks to broader disregard for the principles it was built on. Likewise, the New Zealand Principals Federation had no prior discussions on the development of the New Zealand Curriculum and was invited, like all Principals, to submit their feedback on draft documents within the narrow window of opportunity.

29. In the past, changes of this nature would typically involve early engagement with the profession, including participation in advisory groups and discussions prior to any public announcement. I know this because that is the process in how we initially refreshed the Aotearoa Histories curriculum and the other Curriculum Advisory Groups (pre-2024) of which I was a participant. What has transpired is we are now finding out about changes at the same time as the public, and we are then given a very small opportunity to provide feedback on large documents.

30. I was asked to sign a non-disclosure agreement ("**NDA**") in relation to aspects of the process. In my role as President of the New Zealand Principals' Federation, I was unable to do so, as my responsibility is to seek input and feedback from the membership to inform the advice and guidance I provide. Agreeing to an NDA would have limited my ability to engage with the profession and represent their perspectives, and I therefore did not sign one.

31. Prior to the current Government, my experience of working with the Ministry did not involve the use of NDAs. Instead, engagement was typically governed by Memoranda of Understanding, which allowed for a level of confidentiality while still enabling participants to seek feedback from their membership. We were expected to engage with the profession, gather input, and return to the group to contribute to the development process.

32. In my view, the use of NDAs signalled a lack of trust in the profession and limited transparency within the process. It gave me the impression that the opportunity for meaningful input was constrained, as those involved were unable to discuss the issues under consideration or seek feedback from those they were representing. As a result, it was difficult to understand how, or whether, the perspectives of the profession were being reflected in the final outcomes.

33. I have concerns about the feedback processes that have been carried out to date as feedback has not always been reflected in decision-making. The timing of consultation has also been challenging,

especially for schools and communities that are already under significant pressure. I have consistently seen statements in the media suggesting that principals and teachers support the direction of these changes, and that the profession is aligned with the Government's approach. However, this does not reflect the feedback I have received from principals and teachers across the country.

Political influence on education

34. Education has always been influenced by the government of the day, and in my experience, it is often subject to changing political priorities. The current changes we see within the education system reflect a shift in policy direction.

35. In my capacity as President of the New Zealand Principals' Federation, I maintained an apolitical position and engaged regularly with Ministers from across Government. I have always approached those relationships with respect for their roles and decision-making responsibilities. However, I found it increasingly difficult to work effectively in an environment where opportunities for meaningful engagement with the profession became more limited.

36. In my capacity as an elected representative for the International Confederation of Principals, I have the opportunity to engage with education leaders across a range of international contexts. Through those engagements, I have observed that where governments drive education policy without meaningful input from the profession, there is a greater risk of instability and short-term change. By contrast, in countries such as Finland and the Netherlands, where there is greater bipartisan agreement, long-term planning, and active collaboration with the profession, education systems appear more stable and outcomes for learners are stronger.

37. In my view, this highlights the impact that political influence can have on the direction and effectiveness of education systems.

Hei whakakapi kōrero

38. I acknowledge that for myself, and for others in leadership roles within the education sector, we continue to work closely with the Ministry and others across the system. I want to be clear that these comments are not directed at individuals, but at the system and settings within which we are all operating.

39. However, I consider it necessary to speak to what is tika and pono. Where the interests of tamariki Māori and equitable access to education are at stake, I believe there is a responsibility to contribute openly and honestly to this inquiry. My professional life has been dedicated to this work, and it is on that basis that I provide this evidence to assist the Tribunal in its findings and recommendations.

40. I ask the Tribunal to consider the practical impact that all these changes will have. Tamariki Māori are at the centre of it and there is a real risk that their identity, language, culture, and history will once again be marginalised within the education system.

41. My perspective is shaped by what I hope for the generations that come after us. I would like to sit with my mokopuna one day and have them be surprised that there was ever a need to fight to have te ao Māori, te reo, and our identity recognised within our own country. I would like it to be simply understood, valued, and woven into who we are as a nation.

42. My children are direct descendants of a signatory to te Tiriti o Waitangi. Their tupuna, Hohepa Otene Pura, was the 70th signatory, and they have grown up with a strong sense of pride in that whakapapa. My husband and I have been intentional in teaching our children that being Māori is an asset. That was not the experience of my generation, where we were often taught to minimise or set our identity aside in order to succeed within a Pākehā system. Is that where we are going again? Is that the message we are trying to send to our tamariki?

43. I carry a deep concern that my mokopuna may still have to fight to be recognised as Māori, despite the whakapapa we hold and the history we are connected to. Every child should be able to feel recognised, valued, and affirmed within their school environment, without having to seek permission and request that their language, culture, or identity to be acknowledged.

I TĒNEI RĀ, te rā 24 o Poutūterangi 2026

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Leanne Otene