

# Submission to the Education and Workforce Committee on the Education and Training Amendment Bill (No 2)

12 June 2025

## Summary

As the independent advocate working for and with mokopuna (children and young people), Mana Mokopuna – Children and Young People's Commission (Mana Mokopuna) provides this submission on the Education and Training Amendment Bill (No 2).

Overall, our view is that most of the proposed changes to the Education and Training Act 2020 (the Act) will not have a positive impact on the rights, interests and wellbeing of mokopuna and are unnecessary. We are particularly concerned about the removal of the National Education Learning Priorities (NELP), lack of children's participatory rights and the reframing of the local curriculum. However, we are pleased to see that changes proposed in the earlier consultation have been updated to reflect feedback from submitters, including our advice which recommended retaining student rights under the Bill of Rights and Human Rights Act 1993.

We advocate for the Bill to be strengthened by grounding the legislation in the United Nations Convention on the Rights of the Child (Children's Convention), which would ensure the right to participation for mokopuna, and support systems change to address the systemic barriers which impact the lives of mokopuna everyday and in the schooling and education sector.

We oppose the removal of the NELP, as it is an important aspect of the Act which gives rise to the right to participation for mokopuna under the Children's Convention. The State of New Zealand has a duty to make real in practice the right to participation for all mokopuna, as a States Party to the Children's Convention.

A summary of our recommendations can be found on page 8. Please also refer to our earlier feedback to the Ministry of Education for additional advice and evidence regarding the proposed changes:

[Submission to the Ministry of Education on the changes to school board objectives and NELP provisions | Mana Mokopuna](#).<sup>1</sup>

## Introduction

“ I believe the education system is outdated and needs to be updated. Schools only produce workers. I feel most kids leave school without the necessary tools needed to survive or sustain themselves healthily.”

*(Mokopuna, 'You need to get in early, as soon as you see people struggling' – Understanding the life-course journey, Mana Mokopuna, 2024)<sup>2</sup>*

1. Mana Mokopuna – Children and Young People's Commission (Mana Mokopuna) welcomes the opportunity to provide this submission on the Education and Training Amendment Bill No 2 (the Bill). We remind the Education and Workforce Committee (the Committee) that as representatives of Government, you are duty bearers under the Children's Convention. This means that you hold responsibilities to ensure that the rights of mokopuna in our country are respected, protected and implemented.

<sup>1</sup> We have utilised some of the content in our previous submission as our position remains unchanged and we stand by our advice which is grounded in Te Tiriti o Waitangi and the United Nations Convention on the Rights of the Child.

<sup>2</sup> [You need to get in early - voices report | Mana Mokopuna](#)

2. Article 29 of the Children's Convention sets out the aims of education for mokopuna, and the United Nations Committee on the Rights of the Child (UN Committee) has issued guidance on the implementation of Article 29.<sup>3</sup> This guidance promotes a holistic approach and recognises the right to education as inextricably linked to the realisation of all children's rights. The opening paragraph of this guidance states *"Article 29, paragraph 1, of the Convention on the Rights of the Child is of far-reaching importance. The aims of education that it sets out, which have been agreed to by all States parties, promote, support and protect the core value of the Convention: the human dignity innate in every child and his or her equal and inalienable rights."*<sup>4</sup>
3. States Parties to the Children's Convention, including Aotearoa New Zealand, have a duty to provide an education system that develops the personality, talents and mental and physical abilities of children to their fullest potential. Therefore, to uphold the rights of mokopuna, the governing bodies of schools must be required to focus on more than educational achievement. Education should be encompassed in a holistic approach which prioritises mokopuna achievement, well-being, rights, safety, and equity.<sup>5</sup>
4. It is positive to see that areas of the Bill have shifted following the consultation undertaken by the Ministry of Education, particularly the decision to maintain the reference to student rights in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993 in s 127(c)(ii). We welcome this, and continue to advocate for this clause to be further strengthened by including specific reference to the Children's Convention and the UN Convention on the Rights of Persons with Disabilities (UNCRPD) (both international human rights conventions to which New Zealand is a States Party).
5. We present this submission from a child-centred viewpoint, focusing on changes to the Act in the compulsory education sector. We do not comment on the tertiary sector or on amendments related to the Teaching Council. Our focus in this submission is on mokopuna under age 18, the issues that directly impact on them, and how their rights – including the right to participation – can be upheld.
6. We oppose the proposed changes to the NELP. This is because they risk the rights of mokopuna under the Children's Convention and would be a backwards step from the Government's duties and obligations under the Convention, as the primary duty bearer towards children as rights holders. Mechanisms such as the NELP strengthen the rights of ākonga to participate in decisions that impact them and centre mokopuna in the education system. Given our specific mandate as the independent advocate for all mokopuna in relation to promoting and advancing the rights of all mokopuna, it is important that we provide this advice, as we are concerned of the risks to children's rights that are raised by this Bill.
7. Te Tiriti o Waitangi, supported by international hard law instruments including the Children's Convention and international soft law instruments including the Universal Declaration of Indigenous People's rights (UNDRIP), set out the Crown's obligations to uphold and progress the rights of mokopuna Māori. These rights include the protection of taonga such as tikanga, te reo Māori and mokopuna themselves, as well as achieving equitable outcomes.
8. We advocate for resource to be focused on addressing systemic issues in the education system instead of progressing the many unnecessary changes under this Bill. For example, we advocate for systemic changes that will ensure more mokopuna are able to experience their right to education, through systemic focus on unfair school removals, dispute resolution panels, teacher shortages, preventing bullying, racism and discrimination, and ensuring accessibility and inclusion. The Government must also prioritise addressing systemic barriers impacting on the right of mokopuna to education, such as poverty, housing insecurity, mental distress, racism, discrimination and ableism.

<sup>3</sup> [CRC/GC/2001/1 - General comment No. 1: The Aims of Education](#)

<sup>4</sup> Ibid, paragraph 1.

<sup>5</sup> [David.pdf \(portail-eip.org\)](#)

## Mokopuna have told us that education matters to them

“ Teachers being more understanding and actually listening to students’ reasonings for their decisions.”

(Secondary school student, *Education matters to me*, 2018)<sup>6</sup>

9. Article 12 of the Children’s Convention outlines the right of all mokopuna to express their views freely and participate in decisions that affect them. We know that education is important to mokopuna, and we consistently hear from them that they want to be in education and to be involved in decisions about their education.
10. When we meet mokopuna in their communities around the country, we often ask them, “I tou ao, he aha ngā mea nui? In your world, what matters most?” they often tell us that education is one of the most important things to them, after their families and whānau.<sup>7</sup>
11. In our ‘Education Matters to Me’ series of reports presenting the direct views and voices of mokopuna, a key insight was - *It’s my life – let me have a say*.<sup>8</sup> This insight relates to mokopuna experiences where they have a lack of choice or participation in decision making about their own lives and schooling. Mokopuna really want to have a say in their education, and they want teachers to involve them in their learning and their education spaces and places.
12. Mokopuna from all walks of life, with diverse identities and differing educational experiences recognise the importance of their education and they want their schooling and learning environments to foster a positive environment for all students, rather than systems that are ‘Eurocentric’, ‘one-dimensional’, and based on competition.<sup>9</sup> This includes providing support to mokopuna, particularly those with intersecting identities, and teaching more diverse subject matter (i.e. Rainbow history and inclusive relationship and sexuality education (RSE)).<sup>10</sup> Please refer to our feedback to the Ministry of Education on the RSE Framework for further information.

### An overview of some of the systemic issues that mokopuna have identified as barriers to their education

13. It is important to emphasise that mokopuna recognise education as a foundation to support them to develop to their full potential.<sup>11</sup> The following points highlight some of the key elements of education that mokopuna recognise as being important, as well as some of the systemic barriers to realising their right to education under Article 29 of the Children’s Convention. We support these direct calls to action from mokopuna themselves, and call on the Committee to pay attention to them to inform its decision-making on this Bill:
  - Across all ages and stages of the life course, mokopuna shared with Mana Mokopuna that education is essential for their development and to support them to transition into adulthood. However, not all mokopuna have had positive learning experiences and this left them worried and unprepared for independence and the future.<sup>12</sup>
  - Mokopuna have told us that racism is most commonly experienced in education, including for mokopuna Māori, Pacific mokopuna and resettled mokopuna, and is often perpetuated by teachers and school leadership. However, they also highlighted that schools play a key role in supporting education-focused solutions to end racism, emphasising equitable, holistic, and te ao Māori approaches. They also called for increased education on Te Tiriti, New Zealand’s diverse cultures, and greater use of te reo Māori across all schooling levels.<sup>13</sup>

<sup>6</sup> Education matters to me: Key Insights | Mana Mokopuna

<sup>7</sup> Voices of mokopuna | Office of the Children’s Commissioner | Mana Mokopuna

<sup>8</sup> Ibid

<sup>9</sup> Youth19+Intersectionality+Report FINAL 2021 print.pdf

<sup>10</sup> Ibid

<sup>11</sup> What Makes a Good Life? | Mana Mokopuna

<sup>12</sup> You need to get in early - voices report | Mana Mokopuna

<sup>13</sup> “Without racism Aotearoa would be better” February 2024, Mana Mokopuna

- Mokopuna whaikaha have emphasised that they experience discrimination at school, a lack of accessibility as well as difficulties accessing learning support.<sup>14</sup> Rangatahi-led advocacy groups such as I.Lead have highlighted four key areas for the education sector to focus on: reducing bullying; improving support systems for mokopuna whaikaha; enabling co-design partnerships with the disability community; and investing in training for teachers, school leadership and education providers.<sup>15</sup>
  - Rainbow mokopuna are considerably more likely to be bullied and have identified this as a significant barrier to their education.<sup>16,17</sup> To support other students, teachers and schools to increase their awareness and understanding of rainbow identities, rainbow mokopuna have identified that inclusive RSE encompassing gender diversity, sexuality and rainbow history is key to addressing disparities for them.<sup>18</sup> For more information about this, please see our [advice on the draft RSE framework](#).
  - The Education Review Office has found that the needs of mokopuna in alternative education are not being identified and met well enough, and that more needs to be done holistically, to support mokopuna to stay in school and to enjoy learning in school. This group of over 2000 mokopuna each year face significant barriers to exercising their rights to equitable access to and outcomes from the education system.<sup>19</sup>
14. We urge the Committee to consider the insights shared by ākonga and whānau in *He Whakaaraara*, a report highlighting the experiences and systemic barriers faced by Māori, Pacific, Rainbow, disabled, and refugee/migrant communities.<sup>20</sup> Mana Mokopuna encourages the Committee to draw on these voices to better understand what truly needs to change in our education system, and identify solutions shaped by mokopuna, their whānau, and communities.
15. Mana Mokopuna brings forward these voices, perspectives and experiences of mokopuna in the education system to highlight what mokopuna share as their priorities. Learning and education are clearly important to mokopuna, and they have been clear that Aotearoa New Zealand's education system is not meeting their needs nor fulfilling the right of all mokopuna to be active participants in their own education.

## Realising the right to participation for mokopuna in education

“ [My hopes are] that we actually try to explain thoroughly to children that they have a say in the spaces that they're learning in.”

(Mokopuna from the Youth Voices Group, Wānanga with Mana Mokopuna, 2023)<sup>21</sup>

16. It is clear that the right to participation is not being met for all mokopuna in our current education system. We are very concerned that by repealing the NELPs, the proposed amendments in the Bill are a backwards step in realising this right for mokopuna. Mana Mokopuna recommends strengthening the right to participation in the Bill, by including the requirement to consult with mokopuna in decisions about their education.

<sup>14</sup> [What Makes a Good Life for Disabled Children and Young People? | Mana Mokopuna](#)

<sup>15</sup> [Education & Training Report Card - I.Lead](#)

<sup>16</sup> [Youth19+Gender+Identity+and+young+peoples+wellbeing.pdf](#)

<sup>17</sup> [The health and wellbeing of takatāpui and rainbow young people who have been involved with Oranga Tamariki — Youth19 - A Youth2000 Survey](#)

<sup>18</sup> Ibid.

<sup>19</sup> [An Alternative Education? Support for our most disengaged young people. Education Review Office. 2022.](#)

<sup>20</sup> <https://www.hewhakaaraara.nz/report>

<sup>21</sup> [Youth Voices Group Wānanga - December 2023 on Vimeo](#)

### **The NELP are the only mechanisms in the Bill which requires consultation with mokopuna at a national level**

17. The proposed removal of the NELP threatens the right to participation for mokopuna and the progression of a holistic and equitable education system for all mokopuna. Mana Mokopuna is concerned that the proposed changes will move the education system towards a narrower definition of achievement that overlooks the diverse ways in which ākonga learn and achieve.
18. A critical aspect of the NELP is its commitment to include mokopuna voices in decision-making processes in schooling and education. By removing this commitment to mokopuna having their say in the systems that directly affect them and their education, the education system risks becoming disconnected from the learning aspirations and needs of ākonga. As the education system exists to serve and support the learning and development of mokopuna, removing this requirement to provide opportunities for mokopuna to experience their right to participation would be a considerable backwards step from New Zealand's duties and obligations under the Children's Convention.
19. Mokopuna are clear that they want to be involved in shaping decisions about their education at all levels including wide scale national decisions, such as the NELP and the Curriculum, and in their everyday lives in the classroom.<sup>22</sup> We draw the Committee's attention to the evidence that mokopuna participation in decision-making at school is linked with greater engagement in education. For example, mokopuna have significantly higher perceived rates of academic achievement, better self-rated health, higher life satisfaction and are more likely to enjoy school.<sup>23,24</sup>

### **The term 'local curriculum' should be maintained and strengthened in the Bill**

20. Between 2023 and 2024, we engaged with a diverse group of mokopuna across Aotearoa New Zealand called the Youth Voices Group (YVG). The YVG consisted of mokopuna who had firsthand experience of not having their right to education upheld and had been underserved by the education system. Their vision for education was one where every ākonga feels a sense of belonging and can thrive in their local school.<sup>25</sup> To achieve this, they called for stronger participatory rights to ensure all ākonga have a voice in decisions about their education. They also emphasised the importance of ākonga having a say in their own school and learning.
21. There is a strong evidence base to support the effectiveness of local curriculums.<sup>26</sup> Of particular importance is the mātauranga of tangata whenua, researchers and teachers who have advised of the significance of local curriculums to give effect to Te Tiriti and support Māori aspirations.<sup>27,28</sup>
22. Local curriculums offer teachers the chance to reflect and respect the diverse languages and cultures of mokopuna, creating a learning environment where they feel valued. By collaborating with whānau and using culturally relevant materials, educators support cultural identity and language development for diverse mokopuna.<sup>29</sup> This is particularly important for Pacific mokopuna, who should be supported to engage with and learn through their languages, cultural practices, and Pacific ways of knowing, ensuring their identities are fully acknowledged and valued in the educational experience.<sup>30</sup>

<sup>22</sup> [Education matters to me: Key Insights | Mana Mokopuna](#)

<sup>23</sup> [Müller-Kuhn, Daniela, et al. 2023. "Student participation in everyday school life—Linking different perspectives."](#)

<sup>24</sup> [De Róiste, Aingeal, et al. 2012. "Is school participation good for children? Associations with health and wellbeing."](#)

<sup>25</sup> [Youth Voices Group Wānanga - May 2023 on Vimeo](#)

<sup>26</sup> [Microsoft Word - 02 Holdom and Page.docx \(hekupu.ac.nz\)](#)

<sup>27</sup> [The Importance of Community Knowledge in Learning to Teach: Foregrounding Māori Cultural Knowledge to Support Preservice Teachers' Development of Culturally Responsive Practice: Peabody Journal of Education: Vol 93, No 3 \(tandfonline.com\)](#)

<sup>28</sup> [Local Maori development and Government policies - PDF Document \(psu.edu\)](#)

<sup>29</sup> [Building a localised curriculum in partnership with parents, whānau and tamariki through shared interests and identities. | He kupu](#)

<sup>30</sup> [Integrate Pacific languages and practices into your classroom programme | Inclusive Education](#)

23. Although the proposed changes do not seek to change the meaning of the section of the Act, we are of the view that retaining the term 'local curriculum' is important as it is widely understood and aligns with expert advice and research informing the national curriculum.
24. Rather than changing the terminology in the Bill from 'local curriculum' to "teaching and learning programmes" – we recommend strengthening the participatory rights of mokopuna in the development of local curriculums to ensure that learning is relevant to mokopuna and their local community. Evidence highlights that the development of local curriculums supports the on-going professional development of teachers, helps to improve student-teacher interactions and ensures learning responds to the latest research and current context.<sup>31</sup>

## Putting mokopuna at the centre of these decisions

“To feel empowered, seen, and valued. All young people should know that they are of value; that their contributions to the world around them are important; that their voices matter. This needs to go beyond telling them they matter, and be shown through action and investment. This means ensuring all young people have access to the tools, resources, and education required to be active in the world around them, while walking alongside young people to create spaces they feel safe to lead in.”

(Rainbow Rangatahi Māori, 18-24 years old, *What matters most? Mana Mokopuna, 2023*)<sup>32</sup>

25. Education should encompass a holistic approach which equally prioritises mokopuna achievement, well-being, rights, safety and equity.<sup>33</sup> This means placing the wellbeing and best interests of mokopuna ([Article 3 of the Children's Convention](#)) at the centre of the decisions being made under this Bill, to ensure both the full and effective enjoyment of all the rights recognised in the Convention and the holistic development of mokopuna.<sup>34</sup>

### All School Board Objectives should hold equal priority

26. We are pleased to see that the broader School Board Objectives have not changed under this Bill, and we support the requirement of an attendance management plan as an objective.
27. However, we are concerned about the addition of the paramount objective of a school board being educational achievement. Whilst educational achievement is absolutely important for schooling and education, we urge the Committee to put mokopuna at the centre and consider the broader implications of prioritising educational achievement as a paramount above objectives. We are concerned that creating a paramount objective will undermine a holistic approach to realising every child's right to education (as set out in United Nations guidance<sup>35</sup>, which as noted above is broader and more encompassing than solely a focus on achievement) and shift focus away from systemic barriers that mokopuna and whānau experience in the education system.
28. There are deep inequities impacting mokopuna in Aotearoa New Zealand and these manifest in our education system.<sup>36</sup> We acknowledge that there are areas in the current Act which seek to address this. However, more must be done to address these inequities, especially for mokopuna

<sup>31</sup> Lockley, John Ward. *Local curriculum development in sustainability education in New Zealand secondary schools*. Diss. 2018.

<sup>32</sup> [Voices of mokopuna | Office of the Children's Commissioner | Mana Mokopuna](#)

<sup>33</sup> [Datnow, Amanda, et al. "Transforming Education for Holistic Student Development: Learning from Education System \(Re\) Building around the World. Report." Center for Universal Education at The Brookings Institution \(2022\).](#)

<sup>34</sup> [United Nations Committee on the Rights of the Child General comment no. 14 \(2013\) on the right of the child to have his or her best interests taken as primary consideration \(art. 3, para. 1\)](#)

<sup>35</sup> [United Nations Committee on the Rights of the Child General comment no. 1 \(2001\), Article 29 \(1\), The aims of education](#)

<sup>36</sup> [Bolton, S. W. \(2017\). \*Educational equity in New Zealand: Successes, challenges and opportunities\*. Wellington: Fulbright New Zealand.](#)



Māori. We bring the following points to the Committee's attention as some of the inequities we are referring to. They do not capture all inequities experienced by mokopuna. We advocate for a holistic and co-ordinated approach to systemic change impacting mokopuna and resourcing to address inequities such as:

- **Child poverty and housing insecurity** – a report by the Education Review Office highlighted that schools identify material hardship as a factor influencing attendance rates.<sup>37</sup> In Aotearoa New Zealand, mokopuna living in hardship struggle at school due to a lack of stable housing, poor nutrition and stress caused by the many challenges their families are facing.<sup>38</sup>
- **Lack of accessibility and learning support for mokopuna whaikaha** – mokopuna whaikaha and their whānau have been clear that the schooling and education system needs to be more accessible, and that support must be provided for individual learners.<sup>39</sup> In 2022, 14,268 (5.1% of) ākonga had evidence of requiring further support but did not receive individualised learning support.<sup>40</sup>
- **High rates of mental distress and bullying** – in the recent UNICEF Innocenti Report Card 19, Aotearoa New Zealand had the lowest ranking for mental wellbeing and the second highest rate of bullying amongst 36 other wealthy countries.<sup>41</sup> Furthermore, the Office of the Auditor General has found that despite their high level of need, many young people in distress cannot access mental health support when they need it.<sup>42</sup> Mokopuna have shared with us that bullying prevents them from attending school.<sup>43</sup> Addressing bullying will support the Government to address low rates of attendance and high rates of mental distress. We call for country-wide child and youth bullying prevention plan, and for all schools to have a bullying prevention plan in place that is co-designed with ākonga and with implementation co-led with ākonga. The Ministry of Education should actively hold schools accountable for these actions.
- **Increasing rates of stand-downs, seclusions, suspensions and exclusions (SSEE)** – SSEE rates are on the rise, with stand-down rates reaching their highest point in over 20 years. In 2023, the stand-down rate was 39.2 per 1,000 students.<sup>[1]</sup> Excluding mokopuna through stand-downs runs contrary to supporting student attendance as these disruptions are linked to poorer achievement and engagement, for example mokopuna with two or more suspensions are less than a third as likely to leave school with NCEA Level 2 (19%) than those with no suspensions (70%).<sup>44</sup>
- **Lack of complaints and dispute mechanism** – anecdotal data received through our Children's Rights Line and advice lines provided by Youth Law and Community Law have stressed the need for an education-focused complaints and dispute mechanism.<sup>45</sup> These mechanisms are essential as mokopuna, particularly mokopuna whaikaha, are being denied their right to education and participation or excluded from attending their local school. This leads to mokopuna missing out on their schooling for long periods of time.<sup>46</sup>

<sup>37</sup> [Missing Out: Why Aren't Our Children Going to School?](#)

<sup>38</sup> [Education — Save the Children NZ](#)

<sup>39</sup> [Highest Needs Review - What matters to stakeholders.pdf](#)

<sup>40</sup> [Highest Needs Review: What do we know about learners with the highest needs? Data from the IDI, Social Wellbeing Agency](#)

<sup>41</sup> [aCO OCdWJ-7kSCq\\_UNICEF-Innocenti-Report-Card-19-Child-Wellbeing-Unpredictable-World-2025.pdf](#)

<sup>42</sup> [Meeting the mental health needs of young New Zealanders — Office of the Auditor-General New Zealand](#)

<sup>43</sup> [Child and youth voices on bullying in Aotearoa | Mana Mokopuna](#)

<sup>[1]</sup> [SSEE-2023-Indicator-report.pdf](#)

<sup>44</sup> [Time to Focus: Behaviour in our Classrooms](#)

<sup>45</sup> [Challenging-the-Barriers.pdf](#)

<sup>46</sup> Ibid

29. It is also important to consider that school boards are a governance mechanism, and it is the role of teachers and principals to focus on the educational achievement of a student. We therefore recommend that school board objectives remain as interwoven, co-equal obligations where student wellbeing, holistic development, cultural identity, and safety are just as central as achievement, not merely “supporting” objectives.

## Giving effect to Te Tiriti o Waitangi

“ Education alongside tikanga Māori being prioritised within all forms of government and schools, this would allow not only a generation of independent and inclusive children but also opportunities to those of diverse backgrounds to thrive.”

(Mokopuna Māori, Whaikaha, Rainbow & Care-experienced, 12-17 years old, What matters most? Mana Mokopuna, 2023)<sup>47</sup>

30. Mana Mokopuna welcomes the intent to give effect to Te Tiriti o Waitangi and achieve equitable outcomes for ākonga Māori. We note that the current order of the Act has a natural process flow by including tikanga and mātauranga Māori first, followed by instruction in tikanga and te reo Māori, leading to equitable outcomes for Māori. Therefore, we recommend that the order of this section is not repositioned and should remain as currently ordered in the Act.
31. Giving effect to Te Tiriti o Waitangi is a crucial part of ensuring equitable outcomes for ākonga Māori. The articles of Te Tiriti serve as a foundation for creating an education system that respects and upholds the rights of tangata whenua. The Crown must ensure, under Article 1 of Te Tiriti, that our education system is guided by the provision of good governance and that it upholds its fiduciary duty by allocating ample resources to achieve equitable outcomes for mokopuna Māori.
32. We endorse s127(d) of the Act and emphasise the importance of Article 2 of Te Tiriti, which ensures tangata whenua protection over their taonga, including language, culture, identity, and mokopuna. By incorporating tikanga Māori and mātauranga Māori into education, we honour this right and support te ao Māori perspectives within the education system.
33. Taking steps to provide instruction in tikanga Māori and te reo Māori is essential for fostering a sense of belonging and identity among ākonga Māori. Language is a core component of cultural identity, and access to learning in te reo Māori empowers all ākonga to connect with te ao Māori.<sup>48</sup> This aligns with Article 3 of Te Tiriti, which affirms that Māori have the same rights and privileges as all other New Zealand citizens. This commitment also resonates with Article 30 of the Children's Convention, which protects the rights of children belonging to minority or indigenous groups to enjoy their culture and language.<sup>49</sup>
34. Upholding the rights of mokopuna Māori and giving effect to Te Tiriti will contribute to a more just and inclusive education system. This will not only benefit ākonga Māori but supports all ākonga from diverse backgrounds to foster an understanding and respect for New Zealand's indigenous heritage. This aligns with what mokopuna tauhiwi shared in our report '*Without Racism Aotearoa Would Be Better*'—that learning about *te ao Māori* and the history of Aotearoa New Zealand is essential to their education.<sup>50</sup>

<sup>47</sup> [Voices of mokopuna | Office of the Children's Commissioner | Mana Mokopuna](#)

<sup>48</sup> Taani, P. (2023). Whakaritea te pārekereke: Teacher preparedness to teach te reo Māori speaking children in mainstream education settings. *Teachers' Work*, 20(1), 19-36.

<sup>49</sup> <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child#Article-30>

<sup>50</sup> "Without racism Aotearoa would be better": Mokopuna share their experiences of racism and solutions to end it | Mana Mokopuna



## Conclusion and recommendations

35. Mana Mokopuna – Children and Young People's Commission holds the position that many of the proposed amendments to the Bill are unnecessary. Instead, the legislative framework for our education system should be strengthened by underpinning a children's rights approach and making direct referral to the Children's Convention –particularly the right to participation under Article 12 of the Children's Convention = and the UNCPRD.
36. We strongly advocate for the Government and the Ministry of Education to allocate resourcing and investment to ending the systemic barriers which prevent mokopuna from receiving an education which realises all their rights to support them to reach their full potential.
37. Please see a summary of our recommendations below:
  1. **We recommend** retaining the national educational and learning priorities for early childhood education, primary education, and secondary education.
  2. **We recommend** that School Board Objectives as interwoven, co-equal obligations where student wellbeing, holistic development, cultural identity, and safety are just as central as achievement, not merely 'supporting' objectives.
  3. **We recommend** that the School Board Objectives are further strengthened by including reference to the Children's Convention and the UN Convention on the Rights of Persons with Disabilities (UNCPRD) in s127(c)(ii) of the Bill.
  4. **We recommend** that the reference to Te Tiriti o Waitangi is strengthened throughout the Bill to uphold the Articles of Te Tiriti and that the proposed s 127(2)(e) of the Bill is not repositioned and should remain as is.
  5. **We recommend** strengthening the right to participation in the Bill, by including the requirement to consult with mokopuna in decisions about their education, including in the development of local curriculums to ensure learning is relevant to mokopuna and their local community.
  6. **We recommend** directly engaging with mokopuna on these decisions, as their voices can support the Government to better understand what mokopuna truly need from our education system. We also recommend identifying and designing solutions with mokopuna, their whānau, and communities.
  7. **We recommend** addressing the systemic barriers that prevent mokopuna from experiencing their right to education. This includes but is not limited to, racism and discrimination, inaccessibility and ableism, bullying, inclusive relationship and sexuality education and under resourcing of the alternative education system.
  8. **We recommend** that the Committee consider the insights shared by ākonga and whānau in *He Whakaaraara*, a report highlighting the experiences and systemic barriers faced by Māori, Pacific, Rainbow, disabled, and refugee/migrant communities.