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## Chapter 5: Te Reo Māori

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The Honourable Dr Pita Sharples  
Minister of Māori Affairs  
Parliament Buildings  
Wellington  

30 September 2010  

E te Minita mo ngā Take Māori  

E te Minita, e Pita, e noho mai nā i te Whare Paremata, e hāpai nei hoki i tō iwi Māori, ka nui a mātou māioha ki a koe. E kore hoki e mimiti ngā roimata mo te hunga kua nunumi ki tua. Nā reira rātou ki a rātou, tātou ngā urupā ki a tātou.

We are now in the final stages of concluding our report on the Wai 262 claim concerning indigenous flora and fauna and Māori cultural intellectual property. On 29 July 2010, you announced that there would be a ministerial review of the Māori language sector and strategy. You appointed a panel of eminent experts to undertake this important task. Te reo Māori was also an important issue in our own inquiry and is hence also a subject in our report. We had not intended to release any part of the report in advance, as it will be best read as a whole. Upon reflection, however, it seemed likely that the panel would wish to be aware of the results of our work before they reached their separate conclusions. We of course are not experts in this field and have no desire to pre-empt the panel’s deliberations. But it seemed unhelpful for two inquiries into the same subject-matter to proceed in separate silos. We are therefore releasing now the sections of our report relating to te reo Māori so that they can be considered both by you and by the review panel, if it is their wish to take our views into account in the course of their own inquiry.

Two documents are enclosed. The first is the full-length chapter of the main report relating to te reo Māori. The second is a summary version of the chapter. In the final Wai 262 report, this summary will be part of a volume we call Te Taumata Tuatahi.
Both will form part of the entire report to be released in due course at which point the connection between te reo and the wider Wai 262 issues will be more apparent. Cross references to other parts of the report will be resolved in that version.

Before we commenced our second round of hearings in 2006, the parties agreed to confine the te reo Māori aspect of our inquiry to a narrow set of issues. These essentially involved the well-being of tribal dialects and the protection of te reo generally from inappropriate use. As the inquiry proceeded, it became increasingly difficult to separate tribal dialect policy in particular from the overall picture of the Government’s support for and protection of te reo Māori. Some claimants ignored the narrow terms of the agreed issues and presented evidence and submissions covering the broader picture. Crown counsel duly and properly objected, but then Crown witnesses also provided information on the full gamut of Crown Māori language policy. They said that this was necessary context for considering the narrow issues on the table.

By the end of our inquiry, it became quite clear that this narrow ambit was both artificial and unhelpful. That which witnesses described as context had become the central point of the inquiry. The Crown, through its leading witness, came to accept that any injury to te reo Māori was by definition also an injury to tribal dialects because the two are so intimately connected.

Our chapter therefore addresses the Crown’s entire te reo Māori programme of work. We understand that, if the inquiry had been framed in this way, more and perhaps different evidence would have been placed in front of us. We accept that further research may yield better insights. Our findings and recommendations ought properly to be treated as provisional for that reason. But we are satisfied that we would be remiss, as a commission of inquiry, not to comment on matters of concern where we feel sufficiently conversant with the facts to do so.

Te reo Māori is approaching a crisis point. Diminishing proportions of younger speakers mean that the older native speakers passing away are simply not being replaced. Since 1993, the proportion of Māori children in early childhood education attending kōhanga reo has dropped from just under half to under a quarter. At school, the proportion of Māori children participating in Māori-medium education has dropped from a high point of 18.6 per cent in 1999 to 15.2 per cent in 2009. The total number of schoolchildren in Māori-medium learning has dropped each successive year since 2004. If the peak proportions of the 1990s had been maintained, there would today be 9,600 more Māori children attending kōhanga reo and an extra 5,700 Māori schoolchildren learning via the medium of te reo. At the 2006 census, there were 8,000 fewer Māori conversational speakers of te reo than there would have been had the 2001 proportion been maintained.

In considering this worrying state of affairs, we identified what we believe to be the fundamental components of a modern, Treaty-compliant Crown Māori language regime. They are partnership with Māori; a Māori-speaking government;
wise policy; and the provision of appropriate resources. In assessing the Crown’s performance over the last 25 years, we have found a number of shortcomings in fulfilling these requirements:

- We have not seen evidence of true partnership between Māori and the Crown. The 2003 Māori language strategy, we believe, is a well-meaning but essentially standard and pre-consulted Crown policy that does nothing to motivate Māori at the grassroots.

- Not enough has been done to implement the 1986 Tribunal recommendation that speakers be enabled to use te reo in any dealings with the courts, Government departments, and other public bodies. Even in the courts, the use of the language remains heavily circumscribed.

- There have been repeated failures of policy. The most profound was the failure to train enough teachers to meet the predictable demand for Māori-medium education demonstrated by the surge in kōhanga reo enrolments in the 1980s. So strong was this demand that, in the early 1990s, it had no apparent ceiling. But it soon became choked by the lack of teacher supply, and the language suffers the consequences to this day.

- The Māori language strategy is another failure of policy. It is too abstract and was constructed within the parameters of a bureaucratic comfort zone. There have also been genuine problems with its implementation due to a lack of leadership and commitment amongst the responsible Crown agencies.

- Given the failures of policy, so must it follow that the resources made available to te reo have been inadequate. The level of resources should follow directly from the identification of the right policies.

Māori, too, of course, have their own obligations to te reo. By and large, they have met them: indeed, the revitalisation of te reo since the 1970s has been predominantly due to Māori community effort. While Māori today must guard against complacency and whakamā, the reo ‘movement’ has been weakened more by the governmental failure to give it adequate oxygen and support than by any Māori rejection of their language.

It is with this sense of urgency that we make our recommendations for reforms. We make no apology for the fact that our proposals are far-reaching. Simply, the gravity of the situation calls for proportionate action.

Our views are, as we have said, provisional, but in sum we believe that four fundamental changes must occur:

- Te Taura Whiri should become the lead Māori language sector agency. This will address the problems caused by the lack of ownership and leadership.

- Te Taura Whiri should function as a Crown–Māori partnership through the equal appointment of Crown and Māori appointees to its board. This reflects our concern that te reo revival will not work if responsibility for setting the direction is not shared with Māori.
Te Taura Whiri will also need increased powers. This will ensure that public bodies are compelled to contribute to te reo’s revival and key agencies are held properly accountable for the strategies they adopt. For instance, targets for the training of te reo teachers must be met, education curricula involving te reo must be approved, and public bodies in districts with a sufficient number and/or proportion of te reo speakers and schools with a certain proportion of Māori students must submit Māori language plans for approval.

These regional public bodies and schools must also consult iwi in the preparation of their plans. In this way, iwi will come to have a central role in the revitalisation of te reo in their own areas. This should encourage efforts to promote the language at the grassroots.

These proposals may be seen as challenging. They may even be resisted in certain quarters. In reality, however, they would only bring New Zealand into line with language policies applied in comparable countries overseas. Given the significant spend on te reo policies now, they will not necessarily come at great extra cost. Reprioritisation could well address most new expenditure. These may be matters to be addressed by the review panel in due course. In the end, the question is whether we as a nation wish to preserve te reo as a living language or not. If we do, our proposals merely reflect the urgency of the situation and the pressing need for thorough change.

Since our findings and recommendations are provisional, the parties may wish to further ventilate these matters with the review panel, which is due to report in early 2011. If any party wishes to provide any response directly to us, they may make submissions by 25 November 2010, which we will consider before issuing our full and final Wai 262 report.

Heoi anō.

Justice J V Williams, Presiding Officer
ABBREVIATIONS

app    appendix
art    article
c    circa
CA    Court of Appeal
ch    chapter
comp    compiler
doc    document
ece    early childhood education
ed    edition, editor
ERO    Education Review Office
fol    folio
FTTE    full-time teaching equivalent
ltd    limited
MLS    Māori language strategy
n    note
NCEA    National Certificate of Educational Achievement
no    number
NZLR    New Zealand Law Reports
NZQA    New Zealand Qualifications Authority
OAG    Office of the Auditor General
p, pp    page, pages
para    paragraph
PC    Privy Council
pt    part
r, rr    rule, rules
reg    regulation
ROI    record of inquiry
s, ss    section, sections (of an Act of Parliament)
sch    schedule
sec    section (of this report, a book, land, etc)
sess    session
SOC    statement of claim
SOI    statement of issues
SOR    statement of response
tbl    table
TVNZ    Television New Zealand
v    and
vol    volume

‘Wai’ is a prefix used with Waitangi Tribunal claim numbers.
Unless otherwise stated, endnote references to claims, documents, papers, transcripts, and statements are to the Wai 262 record of inquiry, which is available on request from the Waitangi Tribunal.
Incomplete cross-references to other chapters of the report (currently indicated by ‘[xx]’) will be resolved when the full report is published.
Ko te reo te mauri o te mana Māori

Sir James Henare
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5.1 Introduction

This is not the first time the Tribunal has considered claims about the Māori language and the Crown’s Treaty obligations. In 1986, the Tribunal’s landmark inquiry into the te reo Māori claim (Wai 11) concluded that te reo Māori was a taonga guaranteed under the Treaty, and that the Crown had significant responsibilities for its protection.\(^1\)

5.1.1 The identification of issues

In the Wai 262 statement of claim the seven claimant iwi made a range of claims about Crown actions and policy concerning te reo. The three Te Tai Tokerau iwi focused on the Crown’s alleged failure to protect their existing systems of mātauranga and the systems of knowledge for the transmission of that mātauranga, including te reo Māori.\(^2\) Ngāti Porou focused on the Crown’s alleged failure to protect te reo ake o Ngāti Porou, a tribal taonga and the essential means of transmission of knowledge of Ngāti Porou culture and heritage.\(^3\) Ngāti Kahungunu alleged that the Crown had failed to protect Ngāti Kahungunu cultural knowledge, including te reo.\(^4\) And Ngāti Koata stated that the Crown had failed to protect Ngāti Koata knowledge and use of te reo, and had in fact facilitated the decline in its use by Ngāti Koata.\(^5\)

The Crown, in its statement of response, acknowledged its Treaty obligation to protect te reo Māori, as found by the Tribunal in its 1986 report on the te reo Māori claim. The Crown contended that, through its current legislation, policies, and practices, it was meeting any such obligation. It also argued, though, that any recognition or protection of te reo occurs in a country where the majority of citizens speak English only, freedom of expression is a fundamental human right, and where all language is the ‘common heritage of mankind’. In those circumstances, it said, the Crown had no Treaty obligation to prevent the ‘misuse’ of te reo.\(^6\)

In the light of the claims, the Crown’s response, and the Tribunal’s previous consideration of the te reo Māori claim in 1986, our December 2005 draft statement of issues proposed the following issues with respect to te reo Māori:

- Does the Crown owe any obligations in respect of te reo Māori other than those identified by this Tribunal in the Te Reo Māori (1986 WAI 11) report?
- Has the experience of Māori and the Crown in respect of language revival and maintenance since the Te Reo Māori report enabled the Crown’s obligations as found in that report to be defined with greater particularity today? If so, how?\(^7\)
The draft statement of issues also proposed an analysis of what findings in the 1986 report had been accepted and acted upon by the Crown, and whether New Zealand legislative and policy instruments were sufficient to meet any further obligations identified. Accordingly, we proposed asking what amendments to New Zealand law and policy might be needed to bring them into line with the Crown's ability to meet any obligations so identified.8

In responding to the draft statement of issues, in March 2006, Crown counsel submitted that the Crown opposed any inquiry into the te reo issues we had proposed. Wrote counsel:

The claimants have not asserted a Crown failure to respond to the WAI 11 recommendations, yet the Tribunal proposes auditing Crown conduct since the 1986 report.

Further, the Tribunal asks whether there now exist obligations other than those found by the Tribunal in Wai 11. The Crown opposes inclusion of issues revisiting the Wai 11 claim so as to locate further Treaty obligations not previously identified, particularly in the absence of claimant allegations that novel Treaty obligations have emerged.9

Discussion between the parties led to claimant agreement with the Crown on this point. Thus, in a joint memorandum of 21 June 2006, Crown counsel confirmed that the parties had agreed that the te reo issues for inclusion in the statement of issues should be divided into two sections, relating to the distinctiveness and the use of te reo Māori.10 We therefore adopted the parties' agreed wording in the statement of issues. With respect to distinctiveness, the statement of issues thus asked:

Does the Crown have obligations under the Treaty of Waitangi/Te Tiriti o Waitangi to protect and promote Te Reo o Ngāti Porou, o Ngāti Kahungunu, o Ngāti Koata, o Ngāti Kuri, o Ngāti Wai, o Te Rarawa?

Does the Crown have obligations under the Treaty of Waitangi/Te Tiriti o Waitangi to actively protect Te Reo o Ngāti Porou, o Ngāti Kahungunu, o Ngāti Koata, o Ngāti Kuri, o Ngāti Wai, o Te Rarawa as an essential means of cultural identity, cultural expression, and knowledge transmission to the particular iwi?

The statement of issues went on to ask whether such obligations had been met, and whether and how New Zealand law and policy needed to be amended to be brought into line with any Crown obligations.11

With respect to use, the statement of issues asked:

Does the Crown have an obligation under the Treaty of Waitangi/Te Tiriti o Waitangi to protect Te Reo Māori from use in a manner inconsistent with tikanga Māori underpinning Te Reo?

As with distinctiveness, the statement of issues asked whether this obligation had been met, and whether New Zealand law and policy needed to be brought into line with any such obligation.12

We address the issue of protection of te reo from inappropriate use in chapter [xx]. As we explain there, while the issue of use cannot be easily severed from any other matters pertaining to te reo, its discussion fits more appropriately with our treatment of related issues concerning intellectual property and regulatory safeguarding from misuse and exploitation. We therefore make no further comment upon this aspect of the reo issues here.

5.1.2 The arguments of the parties

(1) The claimants

(a) Ngāti Porou

Counsel for Ngāti Porou focused in closing submissions on matters relating to tribal dialect, or te reo ake o Ngāti Porou, although some witnesses also gave evidence about the historical suppression of te reo.

The claimants argued that the Crown was singularly failing to meet its obligations to tribal reo. Counsel submitted that 'The situation now facing te reo ake o Ngāti Porou is, perhaps unsurprisingly, very similar to the situation that faced te reo Māori generally when the reo claim was made in the early 1980s.' Just as Māori generally in the early 1980s were struggling to keep their reo alive, so today were Ngāti Porou 'working under severe disadvantages, financial and otherwise.'13 Counsel suggested that the horse had effectively bolted elsewhere and that the Crown should prioritise areas where native speakers were still left. The ageing demographic of these speakers meant that Crown action was most urgent.14
### A Note on Definitions

**Dialects**

The terms ‘dialect’, ‘mita’, ‘tribal reo’, and ‘reo a iwi’ have many interpretations. Some commentators describe dozens of ‘dialects’ within the reo of one particular iwi, while others identify variations across distinct geographical divides. Ngāti Porou Rūnanga chair Dr Apirana Mahuika told us that he ‘bristled’ at the use of the phrase ‘tribal dialects’, and stated that ‘Te reo ake o Ngāti Porou is not a tribal dialect. It is my language and therefore all that I am.’

Our own view is that dialectal differences are important, and at times pronounced in terms of idiom and accent. But the differences are not sufficient to impede verbal understanding between native speakers from different tribal areas. Indeed, despite effectively describing te reo ake o Ngāti Porou as a separate language, Dr Mahuika also explained that ‘there are areas of commonality in all the different reo of the different iwi. So that if you sit down and listen to a native speaker speaking the reo irrespective of where that person may come from you understand it.’

**Revival and revitalisation**

Some sociolinguists prefer to use the terms ‘revitalisation’ and ‘revival’ in different ways, with the former meaning languages that are still in common use but in a declining state of health and the latter meaning functionally dead or extinct. We use the two terms interchangeably, however, with a general preference for ‘revival’. By this, we are certainly not implying that te reo Māori is dead. Rather, we use ‘revival’ in the general sense of ‘bringing back to strength’.

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While there were some Ngāti Porou initiatives in place, counsel said it was very hard for those who live outside the rohe to learn te reo ake o Ngāti Porou. Furthermore, on the East Coast itself, the health of te reo ake o Ngāti Porou had regressed, despite the gains made by the recent Whaia Te Iti Kahurangi initiative. This was a joint project of Te Rūnanga o Ngāti Porou and the Ministry of Education to address issues raised by the Education Review Office (ERO) in its highly critical 1997 report on the quality of education received by Ngāti Porou East Coast students. In 2004, the New Zealand Council for Educational Research noted the project’s success, but referred to the ‘acute’ need to develop more Ngāti Porou teachers fluent in the tribal reo. Another ERO report in 2006 again referred to the poor quality of te reo teaching in secondary schools in Te Tairāwhiti and thus represented ‘a significant backwards step’.

Counsel was also critical of Te Puni Kōkiri’s regional profile on the health of te reo Māori in Te Tairāwhiti, which was based largely on 2001 census data and the results of the 2001 survey of the health of the Māori language. This profile did not reach any conclusions about tribal reo, and in fact concluded the health of te reo in the region to be ‘in a relatively stable condition’. The claimants objected to this, given the problems the profile identified with intergenerational transmission and likely declining proficiency. The ‘relatively stable’ verdict also contrasted with the profile’s finding that ‘specific interventions’ would be needed in order to maintain the current quality of te reo in Te Tairāwhiti in coming decades. The Crown had been unable to point to any ‘specific interventions’ beyond a language bank to preserve features of tribal dialects, said counsel (see below).

Overall, said counsel, the Crown’s approach had been, at best, one of ‘benign neglect’: there was no strategy for protecting tribal reo and no series of ‘specific interventions’. The Crown had spent only $253,000 on specific Ngāti Porou language initiatives, but none since 2004, and much of what it did spend had come from the contestable community-based language initiative funding pool administered by the Ministry of Education. Even the New Zealand Qualifications Authority’s efforts to develop its capacity to audit courses conducted in tribal dialect were ‘not determined by any overall Crown strategy in relation to te reo, but . . . determined by NZQA’s own priorities.’

The Crown had appeared to suggest that it was primarily up to Ngāti Porou to preserve its own form of te reo. However, counsel argued, the Crown was actively funding and supporting a new and standardised form through the work of Te Taura Whiri i te Reo Māori (the Māori Language Commission) and Māori Television that was causing the destruction of te reo ake o Ngāti Porou. The Crown was thus failing to fulfil its article 2 obligations to
rather than one could. After all, said counsel, ‘although the rights conferred by Article 2 are often talked about in terms of Maori generally, the Treaty is in effect a compact between the Crown and . . . different tribal groupings’.21 Dr Mahuika portrayed himself as fighting a battle against the work of Te Taura Whiri, metaphorically suggesting he was constantly having to dig the Te Taura Whiri weeds out of his garden in order to plant the seed of te reo ake o Ngāti Porou. He, like other claimants, described much of the ‘new language’ as ‘unintelligible’. All he wanted was to hear a language on the Māori news that any native speakers could understand, he explained, rather than one few could.22

(b) Ngāti Kahungunu Counsel for Ngāti Kahungunu did not focus on the preservation of te reo specifically in closing submissions. But counsel did submit that te reo was an essential component of mātauranga Māori, which he did make extensive submissions about. The Crown needed to continue to implement strategies to strengthen te reo Māori so as to ensure ‘the overall protection of Ngāti Kahungunu cultural knowledge’.23 Several Ngāti Kahungunu witnesses addressed the issue of the protection of te reo from what they saw as inappropriate use (such as commercial exploitation of certain place names).24

(c) Te Tai Tokerau Counsel for the Te Tai Tokerau claimants predominantly focused on the use of te reo Māori and referred to submissions on the protection of mātauranga Māori generally.25 However, counsel also called Wai 262 a valuable chance for a ‘stocktake’ of the Crown’s responses to the Tribunal’s 1986 te reo report.26 For their part, Te Tai Tokerau witnesses – like those of Ngāti Kahungunu – focused predominantly on issues around inappropriate use and place names.27

(d) Ngāti Koata Ngāti Koata witnesses mainly gave evidence about the historical suppression of te reo.28 Ngāti Koata also called Māori language broadcaster Piripi Walker (of Ngāti Raukawa ki te Tonga) to discuss te reo issues on their behalf. Discussing the impact of Te Taura Whiri’s work on tribal dialect, Mr Walker expressed sympathy for an agency he described as under-funded but doing an admirable job on many fronts (for example, creating ‘five thousand new words’ for teaching physics and chemistry). However, he considered that Te Taura Whiri should consult with iwi about important decisions – for example, on whether transliterations were permissible.29

Mr Walker’s evidence also covered a wide range of issues with respect to contemporary Crown support for and protection of te reo. He concluded that:

The Crown has taken a number of steps to carry out the recommendations made by the Waitangi Tribunal in the te reo Māori claim. However, these steps have not had the necessary amount of funding or support from the Government to truly make an impact. The Māori Language Act has provided token official recognition for Māori, lacking recognition in many areas such as the right to use spoken and written Māori in dealings with all central Departments and local authorities, signage and official publications. A further full commission of inquiry into language rights has not been instituted. Funding for projects and organisations promoting Te Reo in comparison to other organisations both in New Zealand and overseas has been inadequate with a subsequent low impact. Te Reo Māori must be promoted not just to Māori, and not just in one week of the year. In order to truly protect and promote Te Reo Māori in accordance with its Treaty obligations, the Government must promote the use of Te Reo Māori more widely than currently so that it can be used in everyday situations, as has been the case for the Welsh language in Wales.30

(2) The Crown’s response Te Puni Kōkiri policy director Tipene Chrisp, the key Government official with responsibility for Māori language policy, said that Government legislation and policy now incorporated the important principles established in previous Tribunal inquiries and in litigation concerning te reo. These included:

- te reo being a taonga of the Māori people;
- the Government having an obligation to take ‘all reasonable steps’ to support the revitalisation of te reo;
- Māori and the Government having shared responsibility, with separate but complementary roles; and
the Government’s obligation to support the Māori language not being absolute or fiscally unlimited.\textsuperscript{31}

Overall, said Mr Chrisp, the implementation of the Government’s 2003 Māori Language Strategy was an ‘ongoing process’ and the ‘Government is consistently seeking to improve our performance across the whole of government. In summary, we believe that we are doing the right things, and we are steadily improving how we do these things.’\textsuperscript{32} His stance was endorsed by Crown counsel, who added that ‘the Crown . . . looks forward to continuing to work with iwi to strengthen that performance.’\textsuperscript{33}

Crown counsel also explained that the prior litigation and the Crown’s subsequent incorporation of the aforementioned principles into its legislation and policy was the reason it had sought to limit the focus of the inquiry. In other words, there was no need to revisit such matters. Crown counsel noted that claimant counsel had agreed to a narrow set of issues, and submitted that the Tribunal should limit itself in its findings to the matters set out in the statement of issues.\textsuperscript{34}

With respect to dialect, the Crown emphasised its obligation is to te reo: the extent to which it has any obligation to tribal reo depends upon whether those dialects ‘have a relationship to Te Reo’. Counsel also distinguished between the Crown’s obligations to support te reo and its use as a vehicle to transmit mātauranga Māori: ‘the extent of the Crown’s obligation is to protect and revitalise Te Reo; it is for iwi to transmit the associated knowledge according to their local preferences.’\textsuperscript{35}

Despite emphasising iwi responsibility for dialects, the Crown certainly did not deny its own responsibility. It described how it supports tribal reo by funding iwi radio stations, assisting iwi to implement language plans, and entering into iwi education partnerships.\textsuperscript{36} For example, Mr Chrisp referred to funding that had been made available to develop unique Ngāti Porou curriculum guidelines\textsuperscript{37} and the Māori language archiving work of the National Library that can ‘create a language bank of various features of te reo ake o Ngāti Porou and other reo a iwi.’\textsuperscript{38} Secretary for Education Karen Sewell noted her Ministry’s iwi education partnership with Ngāti Porou that had yielded a variety of education resources based on te mātauranga o Ngāti Porou, and the $239,000 of community-based language initiative funding made available to Ngāti Porou for the planning and protection of te reo ake o Ngāti Porou.\textsuperscript{39} Arawhetu Peretini, the acting chief adviser Māori at the New Zealand Qualifications Authority, explained that unit standards in te reo Māori qualifications had been developed that recognise dialectal differences.\textsuperscript{40}

In questioning witnesses, however, Crown counsel seemed concerned to suggest there were real limits to how far the Crown could go. For example, in cross-examining legal historian Dr David Williams in 2002, counsel noted that the relief sought by Ngāti Porou to make te reo ake o Ngāti Porou the language of daily life for its members included the use of television programming. His question to Dr Williams, about the need to treat all iwi equitably, implied that this was unworkable because it would need to be provided equally to any iwi with ‘similar views about their particular reo.’\textsuperscript{41} Similarly, he asked Mr Walker in 2006 whether local signs to the airport would need to be in English, Māori, and tribal dialect, or whether Te Taura Whiri would need to produce versions of Microsoft Office in every tribal reo. It seemed that the purpose of such questioning was to make the whole notion of a Crown obligation to dialect appear completely impractical.\textsuperscript{42}

With respect to the work of Te Taura Whiri, Mr Chrisp said that ‘socio-linguistic theory’ confirmed that a national body charged with defining new words and terms and administering the official lexicon was the appropriate governmental action. He said that the new terms provided by Te Taura Whiri – such as those for the days of the week – were put up as options rather than for mandatory use.\textsuperscript{43} He added that Te Taura Whiri’s policy to prevent any further transliterations entering te reo Māori was in fact derived from Māori preferences.\textsuperscript{44}

\textbf{5.1.3 Our extension beyond the statement of issues}

As can be seen, the issues to be covered in the inquiry were kept to a narrow focus. However, as the inquiry proceeded, it became increasingly apparent that it would be both impossible and artificial to deal with these specific matters (support for dialects and protection from inappropriate use) without examining the Crown’s wider te reo policy. While counsel had agreed to ring-fence these issues, Māori witnesses clearly recognised that separation was not viable.
Crown counsel described Mr Walker’s evidence (which ranged much more broadly than the matters contained in the statement of issues) as ‘something of an audit . . . of how the Government has addressed te reo since the report in Wai 11’. Mr Walker readily agreed that that was what he had done. This approach was justified, he said, because the Crown’s obligations to protect and promote tribal reo ‘all lie firmly on the level of the Crown’s protection generally through its instruments that are available to it’. In other words, he felt that examining the Crown’s protection and promotion of te reo in general was fully relevant to assessing its support for iwi dialects (and, presumably, protection from inappropriate use).

The Crown itself took a similar approach when presenting evidence. For example, both Tipene Chrisp and Karen Sewell went well beyond the matters defined in the statement of issues, although they described these parts of their evidence as ‘background’ or ‘context’. For Ms Sewell, this included general ‘information regarding the Ministry of Education and its role in providing Māori language education,’ while Mr Chrisp set out ‘the purpose, structure and focus of the Māori Language Strategy’.

For us, any doubts about the proper boundaries of our inquiry were resolved in a pivotal moment of cross-examination. Counsel for Ngāti Koata asked Mr Chrisp whether protecting or promoting te reo o Ngāti Koata would necessarily also include protecting or promoting te reo Māori generally within the Ngāti Koata rohe. Mr Chrisp replied ‘I think there’s a clear relationship between the two, yes.’ Counsel then asked ‘And therefore if Te Reo Māori suffers a loss then Te Reo o Ngāti Koata must suffer a loss too?’ To this, Mr Chrisp replied ‘Given the connection, yes.’

The witness effectively endorsed the view that assessing the Crown’s general performance was a prerequisite for considering the issue of tribal reo (although, in our view, he could not reasonably have disagreed with the proposition).

We have therefore decided to examine the Crown’s general te reo policies and practices alongside our consideration of the matter of tribal dialect. We make no apology for going against the agreement of Crown and claimant counsel. There is simply no logical basis for separating the state of te reo and the state of particular dialects. The health of te reo as a whole and the health of individual tribal dialects are mutually dependent: any threat to one is a threat to the other, and any Crown activity that impacts on one necessarily impacts on the other.

Were this not the case, why would the Crown have chosen to submit so much evidence on the general revival effort? As became increasingly clear to us as the inquiry progressed, the answer was that such evidence was not so much ‘context’ for the story as the story itself.

In taking this approach, we acknowledge that more evidence, or different evidence, might have been presented to us had the inquiry’s focus been broader. We accept that further research may yield better insights. Our findings and recommendations ought properly to be treated as provisional for that reason. But, as a commission of inquiry, we would be remiss not to comment where we feel sufficiently conversant with the facts to do so – such is the nature of our inquisitorial function. We trust we do so in a constructively critical manner and without contravening the principles of natural justice.

Thus, this chapter comprises:

- a brief account of the historical decline of te reo and the post-1986 revival;
- a summary of the health of te reo in 2010;
- our analysis of the Treaty interest in te reo, and the obligations this imposes on the Crown and on Māori;
- our assessment of the Crown’s current te reo policy. We base this on four principles deriving from the Crown’s Treaty obligation: partnership, a Māori-speaking government, wise policy, and appropriate resources; and
- our recommendations for reform and structural change.

### 5.2 Historical Decline and Post-1986 Revival

Our assessment of the Crown’s current te reo policies and practices necessarily begins with a brief overview of the state of the Māori language throughout the twentieth century. We traverse the historical period (pre-1975) only briefly, in accordance with the presiding officer’s 2006 ruling that the remaining hearings would focus on post-1975 events and that no substantive findings would be made on historical claims. We draw heavily on the
account provided by the Tribunal in its 1986 report on the te reo Māori claim, which shared our focus on the post-1975 period. In short, many developments over more than two decades have today contributed to a full array of contemporary Crown measures and policies aimed at reviving and promoting te reo Māori. The two biggest areas of investment have been Māori language education and broadcasting. Many of these initiatives were first undertaken and driven by Māori themselves.

5.2.1 Towards English monolingualism, 1900–75

While many Māori were bilingual at the end of the nineteenth century, most spoke te reo as their ‘ordinary means of communication’. Then came what the te reo Māori Tribunal identified as the first of three 25-year periods in the history of the Māori language in the twentieth century. During the first, from 1900 to 1925, Māori children went to school as monolingual Māori speakers and all effort was focused on them learning English. The children had to leave te reo at the school gate and were punished if they did not.

Between 1925 and 1950, the children of the first period grew to adulthood and, while they spoke te reo to their parents and older relatives, they would not speak Māori to their children. Parents simply did not want their own children to be punished in the way that they had been. Of course some children were taught te reo, or at least could understand it well, but by and large English had become their first language.

The period from 1950 to 1975 was one of accelerating monolingualism, as education policies were compounded by urbanisation and associated practices such as ‘pepper-potting’. The new generation of parents was convinced that their children had to speak English to get ahead, and thus a whole generation grew up who either knew no Māori or knew so little that they were ‘unable to use it effectively and with dignity’. The total domination of English-language mass media also acted as an ‘incessant barrage that blasted the Maori tongue almost into oblivion.’

The main evidence provided to the Wai 262 inquiry about the twentieth-century history of te reo Māori was Dr Williams’s report Crown Policy Affecting Maori Knowledge Systems and Cultural Practices. Like the te reo Māori Tribunal, Williams noted the research of Professor Bruce Biggs, which showed that the ability to speak te reo amongst Māori children declined from 90 per cent in 1913 to 80 per cent in 1923 to 55 per cent in 1950 to 26 per cent in 1953–58 and to 5 per cent in 1975.

5.2.2 The health of te reo in the mid-1970s

Professor Biggs’s 1975 figure presumably derives from the research of Dr Richard Benton for the New Zealand Council for Educational Research. Between 1973 and 1979, Benton surveyed 6,470 Māori families (comprising over 33,000 individuals) throughout the North Island. He concluded that, in the mid 1970s, there were 64,000 fluent speakers of Māori within the Māori community (approximately 18 per cent of all Māori) and another 30,000 who could understand conversational Māori quite well. However, he identified only two domains where fluent speakers felt secure: on the marae and at certain religious observances. Moreover, in only 170 of the 4,090 households surveyed with resident children was the youngest child rated as fluent. Writing in 1991, Benton commented:

It was clear that Maori was, by the 1970s, playing only a very marginal role in the upbringing of Maori children, and that, if nature were left to take its course, Maori would be a language without native speakers with the passing of the present generation of Maori-speaking parents.

Later, in 2001, Benton and fellow researcher Nena Jackson reflected that the number of pre-school children who could speak Māori fluently in 1979 was ‘almost certainly less than a hundred.’

5.2.3 Māori initiatives to save the language

In response to the dawning realisation that the language was in serious peril, a series of Māori initiatives began that effectively brought te reo back from the brink. In September 1972, the Ngā Tamatoa Council (led by Hana Jackson) presented a petition to Parliament signed by 30,000 people, calling for Māori culture and language to be taught in all New Zealand schools. Jackson’s accompanying submission referred to speaking Māori as ‘the only real symbol of Maori identity . . . For us to be able to
speak Maori is the truest expression of our Maori tanga. It is the substance of our Maori tanga. It is our link with the past and all its glories and tragedies. It is our link with our tipuna. The presentation of this petition led to the annual celebration of Māori Language Day, which in 1975 became Māori Language Week.

After 1975, Māori protests and petitions continued unabated. It is little wonder given the prevailing mood of the Government (for example, the Minister of Māori Affairs Ben Couch said in 1979 that he saw no need to take further legislative steps to protect the language). Thus, in 1978, another 30,000-signature petition was presented to Parliament, this time by the Te Reo Māori Society of Wellington. It sought the establishment of a Māori television production unit within the New Zealand Broadcasting Corporation. Another petition in 1981, signed by 2,500 people, called for Māori to be made an official language of New Zealand.

The te reo revival was gathering pace. In 1979, Te Ātaarangi – a community-based Māori language learning programme – was initiated to teach speaking and listening skills to adult Māori. Te Wānanga o Raukawa was established in 1981 to teach Māori culture and knowledge at tertiary level because of the lack of such provision in the mainstream system. The first urban Māori radio station, Te Upoko o te Ika in Wellington, broadcast for one week during Māori Language Week 1983.

Most significantly, perhaps, 1982 saw the advent of the kōhanga reo (or language nest) movement for Māori preschoolers. Its philosophy centred around kaupapa and tikanga Māori, as well as whānau involvement – in particular through the teaching of tamariki by their grandparents. The first kōhanga reo opened in Wainuiomata in April 1982. With some support from the Māori Education Foundation and the Department of Māori Affairs, numbers rose rapidly, and by 1985 there were over 6,000 children attending 416 kōhanga reo. This was clearly a grassroots movement of incredible energy and momentum.

Frustration at the lack of opportunities for children to keep learning in te reo at primary school led to a Māori immersion primary school (or kura kaupapa Māori) being established, by Māori, at Hoani Waititi Marae in West Auckland in 1985. This was perhaps the most significant development in Māori language schooling since the country’s first bilingual school was designated at Rūātoki in 1977. The birth of kura kaupapa was followed,
in January 1988, by the ‘Matawaia Declaration’ in which bilingual school communities called for the creation of an independent, statutory Māori education authority to establish Māori control and the autonomy of kaupapa Māori practices in the education system.

These developments demonstrate that, alongside land, the health of te reo has been one of the two great galvanising issues in Māori protests over Treaty rights during the last three or more decades. Propelled by a profound depth of feeling and sense of purpose, efforts to safeguard the Māori language gave great impetus to the Māori ‘renaissance’ overall.

5.2.4 The inquiry into the te reo Māori claim
In the mid-1980s, Māori concerns over te reo that had been building over the previous 15 years became focused on the Waitangi Tribunal. The te reo Māori (Wai 11) claim was brought by Huirangi Waikerepuru and Ngā Kaiwhakapūmā i te Reo Māori (the Wellington Māori Language Board) and primarily sought to have Māori made an official language of New Zealand. The claimants also laid a number of complaints about the education system and the lack of broadcasting support for te reo.

In its 1986 report, the Tribunal stated that it was ‘clear that the Maori language in New Zealand is not in
healthy state at the present time and that urgent action must be taken if it is to survive'. The Tribunal felt there was a danger of Māori becoming like ‘Church Latin’, only ever being used on ceremonial occasions. It did note, however, the advent of a ‘remarkable thing’ – the kōhanga reo movement – which it felt demonstrated the ‘valiant efforts’ Māori parents were prepared to make to repair the damage to te reo.  

The Tribunal warned that the sense of social injustice associated with Māori concerns for their language could become ‘explosive’. It also said that te reo Māori was ‘the embodiment of the particular spiritual and mental concepts of the Māori’, which in turn provided useful alternatives to Western ways of thinking. The Tribunal cautioned that, without te reo, ‘this new dimension of life from which New Zealand as a whole may profit would be lost to us.’

The Tribunal recommended that:

- legislation be introduced enabling anyone to use the Māori language if they wished in all courts of law and in any dealings with Government departments, local authorities and other public bodies;
- a supervising body be established by statute to supervise and foster the use of the Māori language;
- an inquiry examine the way Māori children were educated to ensure that all those who wanted to learn Māori could do so from an early age, with financial support from the State;
- broadcasting policy be formulated that had regard to the Crown’s obligation to recognise and protect the Māori language; and
- bilingualism in Māori and in English become a prerequisite for any jobs deemed necessary by the State Services Commission.

The Tribunal did not recommend that te reo Māori be a compulsory subject in schools, nor that all official documents be published in both English and Māori. At that time, it said, ‘we think it more profitable to promote the language than to impose it.’

The Maori Language Act 1987

It is commonly believed that the Tribunal’s report on the te reo Māori claim led to the introduction of legislation by the Crown. Te Taura Whiri, for example, states on its website that ‘[a]lthough calls had been made over a number of years for legislation to recognise the status of the Māori language in New Zealand, it was the tribunal’s finding that finally prompted the drafting of the Māori Language Bill.’ In fact the Māori Language Bill was introduced into the House by Minister of Māori Affairs Koro Wetere on 29 April 1986, the same day that the Tribunal signed and released its report. In other words, the Bill’s drafters had
no prior consideration of the Tribunal’s report, although
they were clearly prompted by the Tribunal’s inquiry.\(^67\)

That said, the report was able to be considered before
the legislation was enacted in 1987. The Maori Language
Act gave te reo official language status, thus granting
speakers the right to use it in the courts and other set-
tings (albeit not in any dealings with Government depart-
ments, as the Tribunal had recommended). The Act also
established the Māori Language Commission, which was
initially called Te Komihana mō te Reo Māori but later
(in 1991) renamed Te Taura Whiri i te Reo Māori. The
commission was to have (and still has) a board of up to
five members, all appointed by the Minister of Māori
Affairs, who gives regard not only to candidates’ ‘personal
attributes but also to their knowledge and experience in
the use of the Māori language’.

The commission’s functions were defined under sec-
tion 7 of the Act as including:

- initiating or developing policies and practices to give
effect to Māori being an official language of New Zea-
land;
- generally promoting te reo as a living language; and
- advising the Minister of Māori Affairs as requested
on matters relating to the Māori language.

Section 8 also gave the commission powers to:

- hold or attend any inquiries to enable it to ascertain
the wishes of the Māori community with respect to
re o;
- undertake or commission research into the use of re o;
- consult with Government departments about the use
of te reo in the course of their business;
- publish information relating to the use of te reo; and
- report to the Minister on any matters regarding te
reo that it thinks should be drawn to the Minister’s
attention.

During their inquiry into the te reo Māori claim, members of
the Tribunal visited a kōhanga reo at Waiwhetu in Lower Hutt
in June 1985. The visit inspired
the following comments in
their published report: ‘The
infants come to a place where
nothing but Maori is spoken.
They have their day filled with
activity games, songs and other pastimes to be found in any
kindergarten but all in Maori.
Within a surprisingly short time they master Maori fluently in a
childish way until they are five or
six years of age when they go to
an orthodox primary school. By
that time they are able to carry
on an animated conversation
in Maori and we watched them
doing so in a Kohanga reo
that we visited.’ The members
pictured are Chief Judge Edward
Dorie and Paul Temm QC.
5.2.6 Developments in education

With the passage of the Education Act in 1989, the Ministry of Education assumed control for all aspects of Māori-medium education that had previously sat within the Department of Māori Affairs. At the same time, the then Minister of Māori Affairs, Koro Wetere, envisaged kōhanga reo becoming fully administered by iwi authorities within five years. However, a change in Government and the repeal of the Runanga Iwi Act 1990 in 1991 ended any such plans, with the new administration preferring language and education initiatives to be implemented through mainstream departments rather than through any devolution to iwi.68

With increased funding under the Ministry of Education’s regime, the number of children at kōhanga reo continued to rise sharply, peaking with 14,514 students at 809 kōhanga services in 1993 (up from 8,724 children at 470 services in 1989). By 2009, this had declined to 9,288 children attending 464 kōhanga reo. The proportion of Māori children in early childhood education attending kōhanga reo was just under half at the 1993 peak and today stands at just under a quarter.69

It was a similar story for schooling, where the Ministry of Education’s funding also led to dramatic growth in the number of kura kaupapa during the early to mid-1990s. While there were just six kura kaupapa in 1990, there were 13 in 1992, 34 in 1995, and 59 in 1998. There was similar growth in the overall number of schools offering some level of Māori-medium learning.70 Excluding kura kaupapa, this reached 396 by 1999. A moratorium was placed

Nan Bella teaching children Māori vowel sounds at Waiwhetu School in 1991. At this time, the demand for Māori-medium education was soaring.
on new kura kaupapa between 1998 and 2002, but by July 2009 there were 70 kura kaupapa and 3 aspiring kura kaupapa (kura teina). Other Māori-medium schools had dropped back to 321.

The total number of students in bilingual and immersion learning peaked at 30,793 in 1999, including 18.6 per cent of all Māori school students (up from 12.5 per cent in 1992). The peak in Māori student numbers in Māori-medium education came later, in 2004 (27,127), but the proportion of Māori students in this form of learning had dropped to 16.9 per cent. By 2009, it had dropped further to 15.2 per cent. The high point in non-Māori participation in Māori-medium learning was in 1998 (4,432 students, or 0.8 per cent of all non-Māori school students).

Looking specifically at secondary schools, the number of Māori students learning via the medium of te reo for at least 12 per cent of the time more than doubled from 1992 to 2009. At primary level the rise in the number of Māori students in some form of Māori-medium education over the same time period was over 50 per cent.

Between 1989 and 2009, the number of students learning Māori as a subject at secondary schools rose 40.3 per cent, and the number of schools offering the subject increased by around two thirds. The 2008 figure was the highest total during the entire period, although the number of schools offering Māori in 2008 was not as high as in 2003.\footnote{71}

At the tertiary education level, there was also a massive rise in overall Māori participation but it occurred somewhat later than the growth of kōhanga reo and Māori-medium schooling. It peaked at 23.1 per cent of the Māori population in 2004. The 2009 figure was 19.6 per cent, which remained much higher than the participation rate for the total population of 12.4 per cent. Much of this rise can be attributed to the phenomenal growth of the wānanga, and particularly Te Wānanga o Aotearoa, after the Government increased funding as a result of the wānanga Treaty settlement in 2001. At the very peak of this growth, in 2004, Te Wānanga o Aotearoa had nearly 70,000 enrolments. This number had fallen to less than 43,000 in 2009.

The rise of wānanga also led to a massive increase in the number of students in te reo Māori courses at tertiary level, which peaked in 2003 at 36,356 learners. However, this number had dropped to 16,934 by 2007.\footnote{72}

Other developments of note in Māori language education include the 1999 incorporation of the kura kaupapa Māori guiding philosophy, ‘Te Aho Matua’, into the Education Act. After complaints from the Hoani Waititi kura kaupapa, it was also agreed in 2001 that ERO would apply the principles of Te Aho Matua to assess the delivery of education in kura kaupapa.\footnote{73} More recently, the Ministry of Education has launched its Māori education strategy for 2008 to 2012, Ka Hikitia – Managing for Success, in April 2008, and its Māori-medium curriculum, Te Marautanga o Aotearoa, in September the same year. For a number of years now, the Ministry has also reported annually on Māori education in its publication series entitled Ngā Haeata Mātauranga. There have been a range of measures to attract and retain Māori-speaking teachers, the development of more Māori language teaching resources, partnerships between the Ministry and iwi organisations, and so on.

5.2.7 Developments in broadcasting
The first major development in Māori broadcasting in the post-te reo Māori report era was radio station Te Upoko o te Ika receiving funding in 1987 as a pilot for the
Piripi Walker (right) and Tama Te Huki in the studio of the Wellington Maori language radio station, Te Upoko o te Ika, on the day that it started broadcasting in 1987. Mr Walker gave evidence to us in 2006 on behalf of Ngāti Koata.
introduction of a network of Māori radio stations around the country. Other stations began operating with State funding the following year.

In 1989, when the Crown amended the Broadcasting Act 1976 in order to create new State-owned enterprises, the New Zealand Māori Council and Ngā Kaiwhakapūmāu i te Reo Māori filed proceedings in the High Court to stop the transfer of the assets. In May 1991, the High Court declined to grant relief in respect of radio assets but adjourned the claim over television assets to allow the Crown to submit a scheme designed to protect te reo Māori if the assets were transferred.¹⁴

In July 1991, Cabinet took its undertakings on Māori broadcasting to the High Court. These included, amongst other things, the development of special-purpose Māori television. The Crown accepted that ‘the Māori language and culture were taonga, and hence entitled to the protection of the Crown in accordance with article 2 of the Treaty’. The High Court accepted the Crown’s undertakings and allowed the transfer of television assets.¹⁵

The New Zealand Māori Council and Ngā Kaiwhakapūmāu i te Reo Māori appealed that decision – first to the Court of Appeal and then to the Privy Council.¹⁶ Each court dismissed the appeal, but the Privy Council emphasised the previous undertakings the Crown had given to the courts. The Privy Council also stressed that, given the ‘vulnerable state’ of te reo, the Crown might well need to ‘take especially vigorous action for its protection’.¹⁷

In response to this litigation, the Crown amended the Broadcasting Act in 1993 and established Te Māngai Pāho to fund Māori language and culture broadcasting. This was a hugely significant step, for the size of the funds available to Te Māngai Pāho and how the agency chooses to allocate them have had a major impact upon the amount and quality of Māori language broadcast content.

In 1996, the Crown set up a joint Crown/Māori working party on Māori broadcasting. From 1996 to 1997, the Aotearoa Māori Television Network was piloted in the Auckland region. In 1998, the Government agreed to the establishment of a Māori television trust (Te Awhiorangi), which in 1999 presented its business case to Ministers. That year’s change of Government, however, led to a delay while the new administration considered its options.

In 2000, responsibility for Māori broadcasting was transferred from the Ministry of Commerce to Te Puni Kōkiri, which invited a group of Māori broadcasters to...
make recommendations on Māori broadcasting. This led to Cabinet deciding in 2001 to establish a Māori television service. The Māori Television Service Act came into force in May 2003 and Māori Television finally went to air on 28 March 2004. A second, Māori language-only channel, Te Reo (available only on the digital network), was launched in March 2008.

Te Māngai Pāho provides operational funding for the Māori Television Service and the network of 21 iwi radio stations as well as contestable funding for television programming and other funding for radio programmes and Māori language music. The television programming funded is mainly screened on Māori Television but also includes several Television New Zealand (TVNZ) programmes such as Te Karere, Waka Huia, and Marae, as well as the occasional programme aired on TV3.78

The State broadcasters (TVNZ and Radio New Zealand) have charter agreements with Ministers that require them to promote Māori language and culture – although, as we discuss in chapter [xx], the Government will soon replace the TVNZ charter with other provisions.79 Iwi radio stations have Māori language content incentive bonuses. The Māori Television Act also sets out the requirements for the channel in terms of the scheduling of Māori language content. On the whole, however, the Crown has given the State broadcasters the leeway to choose how to interpret and fulfil their charter requirements, on the basis of preserving what Te Puni Kōkiri described as the principle of ‘arm’s length’ State involvement in the broadcasters’ operations.80

5.2.8 Developments in public services and use

The way the public sector uses and provides for te reo Māori has developed since 1986. However, moves towards greater bilingualism in the public sector remain the prerogative of each Government agency.

Examples of developments include the following:
> Services provided by Te Taura Whiri under the Maori Language Act (certification and registration of translators and interpreters).
> The 1991 Maori Language Act amendment, which slightly broadened settings where te reo Māori can be used (for example, in the Tenancy Tribunal).
> Proficiency standards for public servants (as measured by the public sector Māori language proficiency examination).
> The ‘Language Line’ translation service.
> Bilingual forms for key citizenship documents, the census, and so on.
> Some departmental Māori language planning and use (often in the form of translation of key documents and Māori versions of agency titles). Further

Some Government services and information are now offered in te reo Māori, such as the pages of the online encyclopaedia, ‘Te Ara’.
uptake is promoted and encouraged by Te Taura Whiri.

- Te reo Māori versions of important publications such as Dictionary of New Zealand Biography volumes and ‘Te Ara’, the online encyclopaedia.
- Some increases in Māori signage.
- Māori versions of place names being recognised for use by New Zealand Post.
- Simultaneous translations in recent years at Waitangi Tribunal hearings (albeit not, ironically, in the Māori Land Court).
- The availability, since 1997, of an interpreter for speeches given in Māori in Parliament.

5.2.9 Developments in community language support

The Government has put in place a number of policies and practices that recognise the need for local-level language regeneration.

Key among them is Te Taura Whiri’s language planning services, which have been developing since 1995. These are primarily for Māori communities but are also aimed at Government departments (see above) and the private sector. Te Taura Whiri offers support to communities, marae, iwi, hapū, and whānau to build profiles of the amount and quality of te reo being spoken within the community and to establish te reo plans for future growth. As part of the service, Te Taura Whiri offers language planning web pages, workbooks, programmes, and so on.

Since 2001, groups have been able to apply for Mā Te Reo funding to support their community reo objectives (such as holding wānanga and noho marae). The Mā Te Reo fund was set up by Te Taura Whiri with a limited lifespan, although the Crown told us that options were being examined to allow it to continue beyond its scheduled termination. However, its final funding round ran from March to May 2010.81 The fund’s size was $1.9 million annually.82

Money is also available to the Ministry of Education’s iwi partners, on a four-year cycle, from the Ministry’s community-based language initiative fund, which we have already mentioned, and which was set up in 1999. The size of the fund in 2006 was $5.1 million over four years.83 Te Puni Kōkiri told us that the fund has been used to support tribal dialects through such initiatives as tribal dictionaries, oral history projects recording kaumātua speaking in tribal dialect, and so on.84

Meanwhile, Te Puni Kōkiri conducts surveys on the health of te reo and attitudes to it, and builds regional te reo profiles using survey and census data. These profiles can thus provide an approximate picture of the health of tribal dialects by showing the number of older native speakers within particular districts. This information-gathering by the Ministry provides valuable help to Māori groups in their planning.

5.2.10 The MLS (1) Development

The key tool in the Crown’s process of setting a te reo Māori agenda is the Māori language strategy (MLS). It was first developed in 1997, in an attempt to bring some coordination to a sector that had evolved in a relatively unplanned way since the 1980s. In summary, its five overarching Māori language policy objectives were initially:

- to increase the number of those who know the Māori language;
- to improve proficiency levels in Māori;
- to increase the number of situations in which Māori can be used;
to ensure the Māori language can be used for the full range of modern activities; and
- to foster positive attitudes towards the language ‘so that Māori-English bilingualism becomes a valued part of New Zealand society.”

In 1999, the Government decided to revise the MLS after first undertaking research into the status of te reo in New Zealand. A monitoring team was established to lead this work within Te Puni Kōkiri, which included the 2001 survey on the health of the Māori language (see below). Thus, in March 2003, Te Puni Kōkiri produced a discussion document about the Government’s proposed major revision of the MLS, entitled A Shared Vision for the Future of Te Reo Māori. The document explained that a Māori reference group had been established in 2002 to ‘provide a basis for an ongoing relationship with Māori language stakeholders.’ Membership of the reference group included representatives of Māori broadcasting organisations, Māori education organisations, general Māori organisations, and officials from Government departments. The reference group and Te Puni Kōkiri had collectively developed the outcome statements in the discussion paper, and in early 2003 ‘a small focus group of kaumātua and language experts’ met to further refine the discussion paper text.

Te Puni Kōkiri sought feedback from Māori on the discussion paper by mail, email, phone, or attendance at one of 14 regional consultation hui held between 14 and 28 March 2003. In his foreword to the published MLS, the then Minister of Māori Affairs wrote that ‘The Māori Language Strategy draws strongly on Māori thinking about, and aspirations for, the Māori language. It has been prepared with input from Māori language experts and through community consultation.’

The final MLS document was produced jointly by Te Puni Kōkiri and Te Taura Whiri. Cabinet approved it in October 2003, and directed lead agencies to produce implementation plans by June 2004. The agencies were to set five-year targets that would function as milestones towards the overall MLS targets (for 2028). As we will see below, some of the outcomes set for language revival in the final MLS differed from those that appeared in the discussion document. Presumably officials made these changes in the course of obtaining Cabinet approval of the MLS goals.

While an internal Crown review of the MLS began in 2008, the publication of a new version may initially have been postponed because of the impending release of our report. As it transpired, however, on 29 July 2010 Minister of Māori Affairs Pita Sharples announced that a review panel of Māori language experts headed by Tamati Reedy would undertake a complete review of the MLS in order ‘to ensure the programmes and expenditure across the whole of government are responsive to Iwi/Māori aspirations.’ We return to this review and the motivation for it below.

(2) What theMLS says

Various agencies have responsibilities under the MLS, including six lead agencies – Te Puni Kōkiri, Te Taura Whiri, the Ministry for Culture and Heritage, the Ministry of Education, the National Library, and Te Māngai Pāho. The 10 functions under the strategy (broadcasting, education, policy development, provision of public services,
and so forth) are spread across the six agencies. Te Puni Kōkiri is the overall lead agency, with responsibility for policy development, sector coordination, and the monitoring of both Māori language health and the effectiveness of agency activities.

The MLS has a 25-year timeframe, recognising that significant change in the use and knowledge of te reo Māori will take a generation. Its overall vision is that:

By 2028, the Māori language will be widely spoken by Māori.
In particular, the Māori language will be in common use within Māori whānau, homes and communities. All New Zealanders will appreciate the value of the Māori language to New Zealand society.

Supporting this vision are five goals. We examine these in more detail later in this chapter, but in summary, they aim to strengthen:

- language skills;
- language use;
- education opportunities in the Māori language;
- community leadership for the Māori language; and
- recognition of the Māori language.

(3) How the MLS is implemented
Two of the 10 ‘functions of Government’ under the MLS are shared between agencies, but each of the other eight is the sole responsibility of one lead agency. These functions, and the activities undertaken by the agencies, are described below.

(a) Māori language education
The Māori language education function extends across the early childhood sector, primary, and secondary schools, the tertiary sector and community education. It includes both Māori language immersion education and ‘Māori as a subject’ education. The planning and implementation of work in this area is allocated to the Ministry of Education.

(b) Māori language broadcasting
The Māori language broadcasting function involves supporting the growth of te reo Māori by funding radio and television broadcasting in the Māori language. The responsibility for Māori language broadcasting policy and planning is allocated to Te Puni Kōkiri and the implementation of it to Te Māngai Pāho and the Māori Television Service.

(c) Māori language arts
Support for Māori language arts covers activities such as kapa haka, speech competitions and new writing in te reo. Responsibility for this function lies with the Ministry of Culture and Heritage, with input from other departments and from Māori organisations.

(d) Māori language services
The Māori language services function includes Government te reo services, lexical development, dictionary making, benchmarking of proficiency levels in the Māori language and certification of translators and interpreters. Responsibility for this function lies with Te Taura Whiri, reflecting its legislative mandate to undertake such functions.

(e) Māori language archives
The Māori language archives function involves the collection and maintenance of Māori language archives (whether written, audio, or audio-visual). Responsibility for this function sits with the National Library, with input from other Government agencies.

(f) Māori language community planning
The Māori language community planning function involves the provision of funding and advice about language planning for whānau, hapū, iwi and Māori. Responsibility sits with Te Taura Whiri, because of the strong links to the administration of the agency’s Mā te Reo fund.

(g) Māori language policy, coordination, and monitoring
A coordination function is necessary in order to ensure a ‘whole-of-Government’ approach. This function also involves monitoring the health of te reo Māori and the effectiveness and efficiency of the Government’s Māori language functions, as well as undertaking periodic stock-takes of Government Māori language programmes and services. Te Puni Kōkiri is responsible.
Public services provided in the Māori language
The public services function relates to the official language status of te reo, and aims to ensure that all New Zealanders can access public services through the Māori language. While each Government agency is responsible for developing its own internal Māori language plan, Te Puni Kōkiri and Te Taura Whiri are responsible for planning and implementing this work.

Māori language information
The Māori language information function involves supporting the regeneration of the language through the provision of information. Recent examples have included Māori language television and radio programmes, an interactive website, an information kit for new parents, new phrase booklets, and reo events promoting Matariki. Te Taura Whiri is responsible for this function.

Whānau language development
The whānau language development function involves trained mentors working on a one-to-one basis with participating families to support intergenerational language transmission. Responsibility sits with Te Taura Whiri.

State funding for te reo Māori
The State’s resourcing of te reo Māori was estimated at $177.9 million in 1999. By 2002, it had grown to $225 million and, by 2006, to approximately $226.8 million. It has been defined as resourcing both for ‘services and programmes that [contribute] more or less directly to supporting the health of the Māori language’ and for ‘activities that are being undertaken by . . . government agencies to support the growth and development of the Māori language’. The education sector accounts for the largest share of this resourcing, with $132.8 million in 1999, $137.6 million in 2002, and approximately $142.3 million in 2006. The second-biggest area of expenditure is Māori language broadcasting. Money for Te Māngai Pāho, for example, increased from $22.2 million in 1999 to $49.1 million in 2002 and $49.8 million in 2006.
5.2.12 Conclusion
After decades of active suppression or, at best, ‘benign neglect’, te reo Māori had reached a perilous state by the 1970s, with very few younger speakers.

Against that background, Māori initiatives to protect and revive the language began in the 1970s and 1980s. They included petitions, a Māori radio station, the first kura kaupapa Māori, and – most importantly of all – the birth of the kōhanga reo movement in 1982 and its subsequent spectacular growth.

Meanwhile, in its 1986 *Report on the Te Reo Maori Claim*, the Waitangi Tribunal recommended that te reo be made an official language, that a Māori language commission be established, that the education system and broadcasting policy support the Māori language, and that anyone who wished to do so be enabled to speak in Māori in the courts or when dealing with any public bodies.

Soon after, the Māori Language Act 1987 made te reo Māori an official language and established the Māori Language Commission (soon to be known as Te Taura Whiri i te Reo Māori). Te reo could be used before the courts but not, however, in any dealings with the Government.

In the two decades since the Māori Language Act was passed, there have been many developments that have collectively formed the State’s modern Māori language policy. They include the expansion of Māori-medium education, the growth of the wānanga, the establishment and funding of a network of iwi radio stations and the Māori Television Service, the broadening of public services in te reo Māori, the funding of community-based language initiatives, and the development in 1997 of the first Māori language objectives to coordinate Government Māori language activities.

5.3 The Health of Te Reo in 2010
We have outlined how the Crown’s present te reo policies and programmes have developed. To determine whether these are working, we must first assess the health of te reo Māori in 2010.

There are a number of gauges to measure this, notably the participation in Māori-medium education and the learning of Māori as a subject in the mainstream school system, as well as the results of various surveys and censuses over the last 15 or so years. The Crown submitted evidence about all these matters, both during the hearings and after, as new material came to hand. That said, we did not actively canvass a number of the issues we address here during our inquiry, and did not hear from key interested parties, such as the Kōhanga Reo National Trust. While our conclusions must remain provisional, therefore, we nevertheless set out the following observations because – as explained earlier – having considered these issues, and being convinced of their relevance to the matters at hand, it would be wrong of us not to do so.

5.3.1 Early childhood education
As we saw in the previous section, Māori enrolments in kōhanga reo reached their peak in 1993, when half of all Māori in early childhood education were at kōhanga. But the percentage of Māori pre-schoolers at kōhanga and the overall number of children attending kōhanga has since fallen practically each successive year. The number of kōhanga themselves has likewise declined every year without exception since 1994. Thus, in 2009 there were 464 kōhanga reo and a further 27 puna kohungahunga (otherwise known as ‘puna reo’), which are essentially parent-led Māori playgroups in which te reo is used as much as possible. Less than a quarter of all Māori at preschool attended one of these services, with a total student number at them of 9,565 (only 277 of whom were at puna reo). At the same time, the number of Māori children attending any form of early childhood education rose by 27 per cent. In other words, kōhanga today have a much smaller share of a much larger market (see tables 1 and 2 and figure 5.5).

If the 1993 rate of Māori participation in kōhanga had been maintained, the number of tamariki at kōhanga reo would have increased to 18,300 by 2008. In reality, in that year the enrolment at kōhanga was only 9,200, including 8,700 Māori children – 9,600 fewer Māori children than there would have been had the 1993 share been maintained (see figure 5.3).

The decline in kōhanga reo attendance may be having an impact on the number of pre-schoolers competent in te reo. After adjustments for those too young to speak or for whom no answer was provided, census results show that...
Figure 5.1

Percentage of all Māori in Early Childhood Education at Kōhanga Reo, 1989-2008

Figure 5.2

All Students at Kōhanga Reo, 1983-2009
Māori Participation in Kōhanga Reo, 1989-2008: Actual and Projected

- Total number of Māori students in kōhanga reo
- Number of Māori students in kōhanga reo if 1993 peak rate of participation had been maintained

Māori Children in Kōhanga Reo and Māori Te Reo Speakers Aged 0-4, 1992-2009

- Māori Children at Kōhanga Reo
- Census Māori speakers in the Māori ethnic group aged 0-4

Figure 5.3

Figure 5.4
Figure 5.5

Māori Enrolment in Early Childhood Education by Type of Centre, 1989-2008

Figure 5.6

Percentage of all Māori School Students in Māori-Medium Education, 1992-2009
All School Students in Māori-Medium Education, 1992-2009

Māori Participation in Māori-Medium Education, 1992-2009: Actual and Projected

- Total number of Māori students in Māori-medium education
- Number of Māori students in Māori-medium education if 1999 peak rate of participation had been maintained

Figure 5.7

Figure 5.8
the proportion of those in the Māori ethnic group aged zero to four who were reported as being able to speak te reo dropped from 21.9 per cent in 1996 to 18.2 per cent in 2006. A drop-off can also be observed in the figures for the five to nine year age group, which declined from 22.1 per cent in 1996 to 18.8 per cent in 2006 (see table 5.9).

Of course, it remains possible that the kōhanga that have fallen by the wayside were those did not have competent te reo speakers in charge of them, and were therefore not making much impact on the census statistics. Even so, the drop in the number of kōhanga is such that there must have been at least some where the children were being well taught. The census decline does appear to match the decline in kōhanga participation, in any event (see figure 5.4).

What we are seeing, therefore, is a quite spectacular rise and then steady fall of kōhanga reo. The Ministry of Education’s publications show that it is clearly aware of the problem. For example, its 2007 draft of Ka Hikitia stated that the falling number of kōhanga was a ‘challenge’ and an issue that ‘needs further investigation.’

It seems that Māori began leaving the kōhanga reo movement in the mid-1990s for a number of reasons. One was probably that more Māori were in paid work, meaning more parents opting for all-day care or care where they were not expected to play such a significant role (the numbers of all children in kindergartens and playcentres has also declined since 1996, for probably the same sorts of reasons. Instead, the real growth has come in licensed ‘education and care’ services).

Another factor has doubtless been the dwindling number of older Māori speakers in rural communities and urban neighbourhoods. Observers have said it was these people who made the spectacular growth of kōhanga reo possible. There have also been some concerns expressed by individual kōhanga about the centralised autonomy of the Kōhanga Reo National Trust, although we are in no position to gauge the strength of that feeling. In any event, we are aware of a good deal of loyalty to the trust’s centralised model. We return to this later in the chapter (see section 5.4.6(3)(d)).

In fairness, there have also been some concerns about the quality of teaching. A perennial problem has been the paucity of good early childhood teachers who are also skilled in te reo, a dilemma acknowledged by the National Trust leadership itself. ERO reviews in the 1990s showed that the quality of teaching and even the use of te reo at many kōhanga was distinctly lacking. Similarly, concerns about child safety and financial mismanagement at various kōhanga have commanded a good deal of media attention.

In 2007, kōhanga largely missed out on the Government’s introduction of its promised 20 free hours of early childhood education at centres with registered teachers. The scheme did not necessarily exclude kōhanga, but required them to have qualified teachers. In late 2007, the Ministry of Education extended the policy to kōhanga where at least one teacher had the National Trust’s ‘Whakapakari’ teaching qualification, but still only a quarter of the country’s kōhanga reo could take advantage of this. More recently, the new Government announced in May 2009 it would extend the policy to all kōhanga reo from July 2010, regardless of whether they were teacher- or parent-led.

Finally, it is possible that momentum has been going out of the kōhanga movement. The sense of urgency that propelled such explosive growth may now have been replaced by complacency about te reo’s revival – ironically, complacency arising in part from the very success of the movement in the 1980s and early 1990s.

The question is whether we are yet to see the bottom of the kōhanga reo decline. In Ka Hikitia, the Ministry of Education’s targets for early childhood education are to increase overall Māori participation to 95 per cent by 2012 and to improve rates of literacy and numeracy amongst Māori in the early years of primary school by specified amounts. Thus, while there are some general goals aimed at strengthening Māori language early childhood education (chiefly around improving quality), there is no specific target for increased participation in kōhanga reo.

5.3.2 Schools

(1) Overview

While there have been clear gains in the number of students participating in Māori-medium education since 1992, as with kōhanga reo the numbers reveal both a rise and fall. From 12.5 per cent of all Māori students in 1992, a peak was reached in 1999 with 18.6 per cent spread across
455 schools (including kura kaupapa). Since then, however, there has been a decline in the proportion of Māori students in Māori-medium learning every year except 2003. The proportion in 2009 was 15.2 per cent, the lowest return since 1994, and the number of schools offering bilingual or immersion learning had fallen to 394. While the high point in the number of Māori students in Māori-medium education came in 2004 (27,127), it still represented a decline in proportion over the previous year. Moreover, the number of students has declined every year since 2004. The total for 2009 was 25,349, which is lower than in 1998 (see table 5.4).

It is a similar story with non-Māori participation in Māori-medium learning. This peaked in 1998 at 4,432 students, or 0.8 per cent of all non-Māori at school. Since then the total has shrunk back down to 2,882 in 2009, or 0.5 per cent of all non-Māori school students. For both Māori and non-Māori, the absolute numbers have been relatively static for the last decade. Instead, the big change has been in the proportion of Māori involved in Māori-medium education given the 15.4 per cent rise in the Māori school population between 1999 and 2009, which has resulted in an extra 22,260 Māori students (see table 5.4 and figure 5.6).

Currently, therefore, there are 2,600 fewer students in Māori-medium education at school than there were over a decade ago. As a subset of this, there were in 2009 48.4 per cent more students in Māori-medium at secondary school, including 211 per cent more learning at secondary school at level 1 of immersion (81 per cent or more in te reo – see endnote 70 for the definition of levels 1 to 4(a)) than in 1999. However, this reflects the relative lack of capacity at secondary level in the past. Moreover, the total number of students learning at level 1 in primary school in 2009 (9,837) was the lowest since 1998 and represented a 13.7 per cent decline from the peak of 11,396 in 2004 (see table 5.4 and figure 5.9).

The drop-off in students choosing Māori-medium education as they progress from primary to secondary school is profound. In 2009, for example, the number of students receiving Māori-medium teaching at level 1 dropped from 1,192 at year 8 (the last year of primary school) to 552 in year 9. By year 11 – usually the last year of compulsory schooling – it had dropped as low as 271.
(2) Kura kaupapa

In 2009, almost exactly half of all students receiving Māori-medium education at level 1 were at kura kaupapa, a proportion that has risen over time since the early 1990s. As noted, these kura have grown in number from 6 in 1990 to 70 in July 2009, albeit with a much reduced rate of expansion after the moratorium on new kura kaupapa from 1998 to 2002.

The moratorium was brought about by some of the same capacity and quality concerns that affected kōhanga reo. Essentially, the Ministry of Education was caught out by the success of kōhanga reo and, in the early 1990s, had limited options for parents who wished their children to move from kōhanga into further Māori-immersion education. Opening more kura kaupapa as quickly possible was a key component of the policy response to this problem. However, there was a lack of properly qualified teachers, especially principals, and of te reo teaching resources – major problems that a 1995 ERO report on kura kaupapa said were impeding students’ learning. The report also found that there were no agreed standards on what fluency was, so there was no way of knowing whether teachers and students could speak good Māori.\(^{110}\)

In 1996, the Māori Affairs Committee focused on the teacher shortage and found that while the Government had recently increased funding for Māori immersion teacher training, the situation was ‘still critical’.\(^{111}\)

In a July 1997 newspaper report (which we naturally treat with some caution), Māori Language Commissioner Timoti Kāretu was reported as saying that Government plans to open five new kura kaupapa a year were misguided. He said students at kura kaupapa were ill-served by the insufficient numbers of teachers fluent in te reo, and that the Government should instead focus on training more teachers to ensure vacancies were filled by staff competent both in Māori and in teaching. He added: ‘As we rush headlong into opening more and more kura kaupapa Maori – five a year – and staffing them with people whose language is not of an acceptable level of competence, we begin to demean our own language and to put the educational futures of our children into considerable jeopardy.’ He said the system was stuck in the ‘near enough is good enough’ syndrome.\(^{112}\)

In 2001, Richard and Nena Benton wrote:
Many kura kaupapa are small (under 50, sometimes less than 20 students), ill-equipped, lacking stable staffing, unable to recruit trained teachers, adversely affected by internal disputes, and sometimes without teachers who have sufficient knowledge of Māori to teach effectively through the language.\textsuperscript{113}

Earlier, the Bentons also cited the concerns of Māori parents about the quality of care and education in the Māori-medium sector. They summarised the views of one man they interviewed as follows:

Ramere is quite critical of the kōhanga reo where he was going to enroll his child. He didn’t think it was safe to leave the child there because of the bullying problem among some of the older children. He is very concerned that his sisters’ children are receiving ‘a second rate education’ from having to make do with ill-trained teachers in both the kōhanga reo and kura kaupapa Māori. They had decided that the language was more important than the education their children would get, but he does not accept that one should have to choose between reacquiring the language, which he regards as a spiritual and cultural necessity, and benefiting fully from a sound education in a physically and psychologically safe environment.\textsuperscript{114}

\textbf{(3) A shortfall of te reo teachers}

The Ministry of Education has responded over the years to the problem of teacher shortages with numerous budget increases and scholarship schemes to attract quality teachers. But still the problems persist. The Ministry of Education said in 2009 that ‘[c]hallenges facing Māori language education providers in immersion and other settings include the shortage of qualified teachers, the need for a greater range of teaching and learning resources, and ensuring the provision of quality teaching practice across the sector.’\textsuperscript{115} The same year, while under cross-examination in the Whanganui district Tribunal inquiry, Ms Sewell said:

We need more good teachers of te reo Maori. We do not have them and it is quite hard to get them. When you do

\textsuperscript{Embargoed}
have trained and qualified and fluent teachers, other people would get them too. They can earn more money doing other things. They are sought after by other groups in the community. They are really talented and skilled people and it is quite hard to keep them.\textsuperscript{16}

Notably, the specific target for growing participation in Māori language education in Ka Hikitia is not to increase the proportion of students by 2012, but rather to maintain the participation rate at the 2006 level of 21 per cent.\textsuperscript{117} This refers not just to those involved in Māori-medium education in levels 1 to 4(a) (see table 5.3), but also to levels 4(b) and 5 (learning te reo as a subject for at least three hours a week or up to three hours a week respectively). The total of 158,602 students in levels 1 to 5 in 2006 had fallen from 167,105 in 2003. By 2009, it had fallen further to 151,314. While including more than 100,000 students in level 5 learning arguably presents quite a misleading picture of the true state of ‘Māori language education’, it can be seen that the Ministry’s target is in any event eluding it, with the proportion dropping from 21.9 per cent in 2003 to 20.8 per cent in 2006 to 19.9 per cent in 2009.\textsuperscript{118}

Perhaps maintaining the 2006 level was an ambitious target after all. The Ministry may well be acutely conscious of the decline in participation in Māori language education that has set in in recent years and mindful that further expansion might not be sustainable given the shortage of teachers that already exists.

Clear evidence of the teacher shortage is provided by the Ministry of Education’s annual survey of teacher vacancies in secondary schools at the start of the school year, which has been running since 1997 (see table 5.5). Focusing on the 2010 figures offers a misleading picture, as the overall number of teacher vacancies practically halved from 2009 to 2010 because of the effects of the recession.\textsuperscript{119} But in 2009 the number of full-time teaching equivalent (FTTE) vacancies in secondary schools that were te reo or Māori-medium teachers was 18.2, not far behind the 18.6 in 2008 and 20.5 in 2004. The 2009 total represented the highest proportion (12.2 per cent) since the stocktake began of teacher vacancies that were Māori-medium or subject positions.\textsuperscript{120}

The survey has only asked primary schools if any of their vacancies were for Māori-medium or bilingual teachers since 2009. That year, there were 14.6 FTTE such vacancies, which represented 8.1 per cent of all primary school teacher vacancies. Despite the effects of the recession, this had risen to 15.3 FTTE vacancies and 13.0 per cent of all primary teacher vacancies in 2010.\textsuperscript{121}

Table 5.5 puts the Māori language teacher shortage at secondary school into perspective, by comparing vacancy numbers with those for teachers of English. While about 90 per cent of secondary students attend English classes each year, the rate of full-time equivalent English teacher vacancies has ranged between 5.8 and 20.7 per cent of the total. By contrast, the roughly 10 per cent of secondary
students in Māori-medium and te reo classes have faced teacher vacancy rates of between 3.4 and 12.2 per cent of the total, and in 1998 there were even more Māori teacher vacancies than English ones.

In 2001, the Ministry of Education surveyed 15,000 secondary school teachers to ascertain the match of teacher qualification to subject taught. The results showed that te reo and Māori-medium teachers had relatively low levels of third-year university study or university qualifications. However, this survey is of limited use only, because both these groups had extremely high rates of non-response to the survey (57.4 per cent of Māori-medium teachers, for example, compared to 8.3 per cent of teachers at secondary schools and 17.2 per cent of secondary teachers at composite schools). While not definitive, therefore, the survey further emphasises the scope for improvement. We do not know whether the Ministry has attempted to secure a better response rate from te reo and Māori-medium teachers.

(a) Accounting for the decline in te reo education at school
The decline in Māori-medium schooling – or, at best, the flattening off of growth – has its roots in some of the same issues we have identified as contributing to declining participation in kōhanga reo. Quality of education is central. In Te Puni Kōkiri’s 2006 survey on the health of the Māori language, the main reasons Māori parents gave for not placing their children in Māori-medium schooling were that the children were too young (26 per cent) or there were no local services (17 per cent). But 8 per cent cited ‘lower quality education’ and 5 per cent cited ‘poor administration/management’. Thus, while Māori-medium schools are apparently producing comparably favourable National Certificate of Educational Achievement results – as well as much lower levels of truancy, suspension and unjustified absences than those of Māori in mainstream education – many parents are clearly aware of the scarcity of highly qualified teachers and the lack of teaching resources in these schools.

Waning momentum is again likely to be a factor. The 2006 survey found that 9 per cent of parents who were not schooling their children in Māori-medium education said that English was the priority, 8 per cent said that their child ‘can choose to learn later’, and 6 per cent said that their child ‘will attend at future date’. While not all dismissive of learning te reo, many of these parents clearly thought it could wait for another day. Bilingual education expert Professor Stephen May and colleagues from Waikato University contended in 2004 that Māori-medium education must be for a minimum of six years to be effective and not compromise a child’s education. They also argued that only levels 1 and 2 (50 per cent instruction in the medium of te reo Māori and above) should be considered actual bilingual programmes. Their view was that parents were insufficiently aware of these issues in choosing when to move their children between Māori-medium and mainstream schooling.

It remains to be seen, therefore, whether the proportion of Māori participating in Māori-medium education will continue to decline, as it has done inexorably since 1999, as well as what impact this will have on the overall health of te reo. Already, the decline may be seen in the declining proportion of 10- to 14-year-olds able to converse in te reo, which fell from 24.4 per cent in the 2001 census to 21.4 per cent in 2006 census (see table 5.9).

The large majority of those learning Māori as a subject in secondary schools (including those learning via the medium of te reo itself) appear to be Māori. In 1995, 1998 and 2009, for example, they represented around two thirds of the total. Overall, the number of students learning Māori as a subject for at least three hours per week at secondary school has increased by 40.3 per cent since 1989 (along with an increase of around two thirds in the number of schools offering it). The 2008 and 2009 figures represent the highest number of Māori subject students since 1996, after a subsequent trough that reached its lowest point in 1999. After overtaking French (traditionally the most popular language taught at secondary schools) in 1995, Māori has remained behind French since 1998. Indeed, the popularity of Māori may bear some relation to the fortunes of other languages such as French, Japanese, German, and Spanish, which have all ebbed and flowed in numbers, perhaps in relationship to each other and according to fashion. What is particularly striking is the meteoric rise of Spanish, which has grown 5,000 per cent in student numbers since 1989 and possibly taken students away from German and Japanese (and, for that matter, Māori). See table 5.7.
5.3.3 Tertiary education

Māori involvement in tertiary education needs to be assessed in terms of a vastly complicated picture that includes type of institution, level of course (from certificate to doctorate – that is to say, levels 1 to 10 of the National Qualifications Framework), full- or part-time study, length of course, general field of study, age and gender of students, participation rate, completion rate, attrition and retention rates, progression rate to further study, and immediate past experience of students (as school leavers or as employed or unemployed with or without school qualifications). Statistical information on all these matters is comprehensive for the last few years but challenging to penetrate.

What can be said with confidence is that there has been a massive rise in Māori participation in tertiary education from about 1998. Much of the growth, however, has been in lower-complexity courses, such as level 1 to level 3 certificates. In 2009, 42,369 Māori were studying for such qualifications, which represented more than half of all Māori enrolled in tertiary education during the year (compared to a rate of slightly more than a third for all students). In 2003 – at the peak of this growth for Māori – there were 26,755 Māori in level 1 to level 3 certificates at wānanga alone. Since 2004, institutes of technology and polytechnics have taken over from wānanga as the leading tertiary institutions in terms of Māori student numbers.\(^{120}\)

We have seen that the rise of the wānanga led to a massive increase in the number of people studying te reo at tertiary level. In his 2007 report for the Ministry of Education, He Tini Manu Reo – Learning Te Reo Māori through Tertiary Education, David Earle confirms this post-2001 trend but comments that ‘majority of learners were enrolled in non-formal education or level 4 certificates and were taking courses at levels 1 and 2, which are equivalent to senior secondary school’. Overall, he suggests that tertiary education courses are not sufficient on their own to build conversational proficiency in te reo Māori, and the contribution of tertiary te reo education from 2001 to 2005 was mainly ‘to increase substantially the number of people with a basic understanding of the language’.\(^{130}\)

That said, Earle acknowledges that tertiary courses are ‘also increasing the number of people with conversational fluency’ where they build on existing skills or are reinforced by ongoing learning and support outside the classroom. Since many of the students will be mothers (the typical student is a 30- to 50-year-old woman, who has no school qualifications, was previously employed, and is taking a wānanga course), Earle also comments that ‘tertiary courses may be having a positive role in strengthening te reo Māori within the whānau and home environments’.

Earle concludes that:

> If engagement in te reo Māori courses at tertiary level is to result in a continued and sustainable improvement in language proficiency, there is also a need to consider what options are provided for students beyond the initial period of study and to move into higher levels of study. This is a matter for communities, families and individuals to consider, as well as government and education providers.\(^{131}\)

The Ministry of Education has been more bullish about the growing te reo student numbers at tertiary level. It has linked the rise directly to the ‘significant gains in proficiency in te reo among Māori since 2001’ revealed by Te Puni Kōkiri’s 2006 survey on the health of the Māori language.\(^{132}\) Of course, such an interpretation relies upon the accuracy of the 2006 survey, which we discuss below at section 5.3.4(3). Our view is that the tertiary courses have given many Māori parents, along with a large number of non-Māori, a solid introduction to the language. The courses have given students confidence to go further, where they have wanted to, or the inclination to encourage their children to go further. On their own, however, they are certainly not creating a generation of fluent speakers or language teachers.

5.3.4 Censuses and surveys

1) Pre-1996 national speaker estimates

We have already noted the findings of Richard Benton’s 1970s survey on the health of te reo, especially the scarcity of fluent speakers among Māori children. The reo which Benton measured as ‘fluent’ in the 1970s was probably at a higher level than that considered fluent today, given that there were many more older native speakers of te reo alive then. As Māori language academic Ian Christensen has remarked, ‘A tendency towards a diminished perception
of fluency may be a natural characteristic of a language in decline.\textsuperscript{133}

In a 1992 report commissioned by the Ministry of Education to engender discussion on a New Zealand languages policy, Dr Jeffrey Waite projected the results of Benton’s survey forward to 1986 with corrections for mortality and other demographic variables. This showed that, at the time of the Tribunal’s report on the te reo Māori claim, only 700 North Island Māori children under the age of 10 were fluent in te reo, as opposed to 19,400 fluent speakers aged 55 and over. This did, however, appear to represent an increase in the number of younger speakers from that estimated by Benton in 1979. Overall, Waite guessed there were 81,000 fluent and marginal speakers of Māori in the North Island in 1986.\textsuperscript{134}

In 1995, Statistics New Zealand conducted a national Māori language survey on behalf of Te Puni Kōkiri and Te Taura Whiri. It confirmed Benton’s conclusion that te reo was in a perilous state, finding that 8.1 per cent of Māori aged over 16 had a high proficiency in spoken Māori, 51.3 per cent had low to medium fluency, and 40.6 per cent had no proficiency. Put another way, it showed there were just over 22,000 highly fluent adult Māori speakers – a significant decline from the 64,000 revealed by the 1975 survey. Nearly three-quarters of those highly fluent were aged 45 and over.\textsuperscript{135} Obviously, if children learning at kōhanga and kura kaupapa had been included, the figures would have been somewhat different.

(2) Māori-language education demand surveys, 1992, 1995

Two surveys conducted in the first half of the 1990s indicated the then potential market for Māori-language education. The first survey, conducted in 1992 by AGB McNair for the Ministry of Education, canvassed the caregivers of 500 Māori and 500 non-Māori pre-school and primary-school children and suggested that supply was a long way off meeting Māori demand for Māori-language education.

According to the survey, some 77 per cent of the caregivers for Māori children wanted their charges to receive at least some primary-school teaching in te reo (over and above learning Māori as a subject), but only 33 per cent of those with school-age children had their children in such schools. And, though a mere 7 per cent of caregivers wanted their children to have little or no Māori language taught, 50 per cent of school-age Māori children were receiving just this kind of education.\textsuperscript{136}

At that time, there were 89,115 regular classroom Māori primary-school students but only 13,671 Māori students in Māori-medium classes at primary school (15.3 per cent). This is a far cry from the more than 68,000 that would have been seen if the preferences of the 77 per cent of caregivers had been met.

Seventy-seven per cent of Māori caregivers also preferred that their children receive Māori-medium education at secondary-school level, though because those children had not yet begun secondary school, we have no placement figures to compare with those preferences. However, at that time, there were 37,061 regular classroom Māori secondary-school students, and if a 77 per cent demand had been met, there would have been 28,537 students in Māori-medium classes. Instead, there were just 2,380 (6.4 per cent).

Non-Māori children tended to be much more likely to attend a type of school that accorded with their caregivers’ preferences. Notably, 7 per cent of the caregivers preferred their children’s primary schooling to be in Māori and English, with 2 per cent preferring their instruction to be mostly in Māori. While the survey indicated that this ambition was met for most of those who held such preferences and who had children already at school,\textsuperscript{137} the percentages are more important than they first seem, because if accurate they would have translated nationally to a relatively significant number of children (that is, 29,546 students out of the 328,286 regular classroom non-Māori primary-school students). In actuality, the number then in Māori-medium classes was 1,275 (0.4 per cent).

Māori-medium education at secondary school level was also preferred by 9 per cent of non-Māori caregivers, which would have translated into 17,177 of the 190,851 regular classroom non-Māori students in Māori-medium classes. The real figure was just 100 (less than one tenth of a per cent).

The second survey was carried out for the Ministry of Education by MRL Research in 1995 and was intended to ascertain the likely demand for Māori and Pacific Island language education to 2020. Accordingly, 650 Māori and 550 Pacific Island caregivers for children aged 10 or under were interviewed in Auckland and Wellington.
Primary-Schooling Preferences of Caregivers of Māori Children and Actual Participation Rates as Surveyed in 1992

Surveyed Schooling Preferences of Caregivers of Māori School Children and Projected and Actual Māori Student Enrolment in Māori-Medium Education, 1992

Figure 5.11

Figure 5.12
Primary-Schooling Preferences of Caregivers of Māori Children and Actual Participation Rates as Surveyed in 1995

Surveyed Schooling Preferences of Caregivers of Māori School Children and Projected and Actual Māori Student Enrolment in Māori-Medium Education, 1995

Figure 5.13

Figure 5.14
The results were similar to those recorded in 1992, in that a 68 per cent demand for Māori-medium primary-school education was being met by a 43 per cent supply, while a 14 per cent preference for education weighted most heavily towards English was contradicted by a 39 per cent placement in such schools.

The trend continued at secondary-school level, with bilingual learning wanted by 57 per cent of caregivers, instruction mainly in Māori by 5 per cent, and Māori immersion by 4 per cent.\(^{138}\)

There were then 97,091 regular classroom Māori primary-school students. Had 68 per cent of them been in some form of Māori-medium education, there would have been 66,022 such students, but the figure was only 19,044 (19.6 per cent). At secondary-school level, there were 38,049 regular classroom Māori students, and had the preferences of the 66 per cent of caregivers been realised, there would have been 25,112 in Māori-medium learning. Instead, there were 2,943 (7.7 per cent).\(^{139}\) At both levels, the clear gap between supply and demand again seems irrefutable.

These results allow us to comment on the demand for Māori-language instruction in the 1990s and the extent to which that demand was being met. While margins of error exist and there is some evidence of slightly reduced demand and somewhat improved supply in 1995, there is a striking consistency across the two surveys.

It is, of course, unknown whether places in such forms of education were full or whether a large number of Māori students had Māori-medium learning options available locally but were not making use of them. In other words, the rate of placement cannot be regarded simply as the rate of supply. However, given that there was a shortage of Māori-medium teachers at the time, it is unlikely that the actual level of supply was significantly higher. Even if we assume that the surveyed level of demand was exaggerated,\(^{140}\) this would not bridge the clear chasm between supply and demand. For example, if the actual level of demand in 1992 was radically lower – say only 35 per cent instead of 77 per cent – this would still have meant that 17,500 Māori primary school children were not attending their caregivers’ favoured form of Māori-medium education.\(^{141}\)

Overall, one can thus see that the supply of Māori-medium schooling probably improved between 1992 and 1995 but that Māori demand, while still high, may have fallen slightly.

Peak demand (in terms of the proportion of Māori students in Māori-medium learning) came in 1999. In the decade since, demand has clearly declined, irrespective of supply, although of course we must remember that ongoing teacher shortages have shown an incessant supply-side problem.

(3) Census results, 1996–2006

The 1996 census was the first to ask respondents which languages they could hold a conversation in about a lot of everyday things. It found that 25 per cent of the Māori ethnic group could hold such a conversation in te reo Māori. Nena and Richard Benton found this an ‘amazing revelation’, having assumed, on the basis of the 1995 national survey, that the result would be far worse. Half the speakers were under 25, whereas the 1995 survey had suggested the median age of speakers aged 16 and over would be closer to 50.\(^ {142}\)

There have now been three censuses asking a language question, and further significant Te Puni Kōkiri-commissioned surveys into the health of the Māori language in 2001 and 2006 (see below). Setting the results of the 1996 census alongside the 2001 and 2006 results, we can discern medium-term trends in the health of the language (see table 5.9):

- The proportion of those aged zero to nine who can speak the language has declined significantly since 1996.
- In all the age groups from 10 to 39, the proportion of te reo speakers rose between 1996 and 2001; for the 10- to 24- and 35- to 39-year-olds, this proportion declined again by 2006 (in the case of 10- to 19-year-olds to less than 1996 levels); and for the 25- to 34-year-olds it continued to climb, but at a much-reduced rate.
- For the 40- to 64-year-olds, there was an ongoing decline which was dramatic at the older levels (for example, from 47.8 per cent of those aged 55 to 59 in 1996 to 33.2 per cent of those aged 55 to 59 in 2006).
Amongst those aged 65 and over, there was a marginal decrease in 2001 and a steep decline in 2006.

In 2006, the age groups with the lowest proportions of reo speakers were those spanning the years zero to 14. As these also happen to be the most populous, the more positive responses – such as the nearly 50 per cent of those aged 65 and over who were speakers – represent much smaller numbers of people.

The key concern about this lower-speaking ability amongst the young is that it was not the case in 1996, when those aged zero to nine had higher proportions of speakers than those aged 20 to 29, and those aged 10 to 14 out-rated those aged 20 to 34.

While the reasons for these changes are undoubtedly complex, some trends do seem readily explicable. The decline in younger speakers would clearly seem to relate to the drop-off in those attending kōhanga reo and the declining proportion of those attending Māori-medium schooling. Conversely, the rises among some age cohorts will relate to factors such as the increased participation in Māori-medium schooling in the late 1990s or the growth in those in later age brackets taking tertiary courses in te reo (notwithstanding Earle’s comment that such courses would not enable one to converse proficiently in Māori on their own). An example of the latter may be the 30- to 34-year-olds in 1996, who as 35- to 39-year-olds in 2001 and 40- to 44-year-olds in 2006 increased their proportion of reo speakers. The decline of speaker proportions in the older age groups also clearly relates to the fact that, as many older speakers pass away, they are increasingly replaced by those who have never learnt te reo.

(4) Projecting the census results forward

Looking to the future, we know roughly how the Māori population pyramid will look in 16 years’ time. By 2026, according to Statistics New Zealand, the Māori population is likely on mid-range projections to number 811,000 – up from 624,000 in 2006.144 It will be older, but still have a larger-than-average number of younger people.145 If current trends continue, and the proportion of children aged zero to four able to speak Māori continues to decline across censuses, we estimate that around 16 per cent of the 258,000 Māori in the zero to 14 age range will be te reo speakers in 2026 (unadjusted for those too young
Moreover, the theoretically ongoing gains are in fact in proportion of the official 2026 census-night tally for the Māori ethnic group, compared with 23.7 per cent in 2006.

In other words, it is unlikely that the official tally of Māori speakers of te reo Māori in 2026 will be more than 150,000.\textsuperscript{146} That is a rise of 14 per cent during a period in which the Māori ethnic group population is projected to rise by 30 per cent (on medium projections). The estimated number of speakers represents a likely 20 per cent proportion of the official 2026 census-night tally for the Māori ethnic group, compared with 23.7 per cent in 2006.

It is also likely that, by 2026, there will be very few older native speakers of te reo left. Today, those with higher degrees of language proficiency are found in the older age brackets. It is unlikely that the overall proficiency of those 150,000 speakers in 2026 will be any better, if better at all, than the 131,610 Māori speakers of te reo today.

Current trends, therefore, suggest that the ongoing gains being made with te reo are not offsetting the ongoing losses occurring as older speakers pass away. Moreover, the theoretically ongoing gains are in fact beginning to turn into losses amongst the crucial younger age groups, who represent the future health of te reo.

In its report on \textit{The Health of the Māori Language in 2001}, Te Punī Kōkiri stated, with respect to the census results, that:

\begin{quote}
The predominant feature between 1996 and 2001 is the stability of numbers of Māori speakers at all levels; there is even some moderate growth in some areas. This suggests that the long-term decline in the number of Māori speakers that occurred over a number of decades may have been arrested.\textsuperscript{147}
\end{quote}

When the 2006 census results were released, officials suggested that the small increase in the number of Māori speaking Māori represented a stabilisation of te reo after a long period of decline, with a likely rise in the number of younger speakers. In fact, however, the age group recording the biggest growth in te reo speakers between 1996 and 2006 (in absolute numbers) was those aged 60 and over, as the population aged. Speakers in this age group increased from 13,647 in 1996 to 16,095 in 2006.\textsuperscript{148} By contrast, the numbers of speakers aged zero to 14 declined

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure5.16}
\caption{Census Māori Te Reo Speaker Numbers, 2006: Actual and Projected}
\end{figure}
from 38,595 in 1996 to 35,151 in 2006. The 2006 result does not appear to be evidence of a further stabilisation at all. See table 5.9.

(5) Te Puni Kōkiri’s 2006 survey
In 2006, Te Puni Kōkiri conducted a survey on the health of the Māori language that seemed to contradict the census result. Announcing the results in July 2007, the Minister of Māori Affairs said that they showed ‘significant progress towards the achievement of the goals of the Māori Language Strategy’. He said highlights included:

- a 9 percentage point increase since Te Puni Kōkiri’s 2001 survey in the number of Māori who could speak more than a few words and phrases (that is, from 42 per cent in 2001 to 51 per cent in 2006);
- a 7 percentage point increase in those who could speak te reo very well, well, or fairly well (that is, from 20 per cent in 2001 to 27 per cent in 2006);
- the numbers who could understand (by listening), read, and write more than a few words and phrases increasing by 8, 10, and 11 percentage points respectively;
- the number of 15- to 24-years-olds who could speak te reo increasing by 13 percentage points and those 25 to 44 by 16 percentage points; and
- an increase in adults speaking te reo to their preschoolers at home by 17 percentage points, to primary school children by 14 percentage points and to secondary school children by 20 percentage points.\(^{149}\)

As noted, the Ministry of Education also hailed the survey results, arguing that increased Māori proficiency in te reo since 2001 had been helped by the substantial growth in enrolments for tertiary te reo Māori courses during that period.\(^{150}\)

(6) Discrepancies between the 2006 census and survey
The 2006 census and the 2006 survey are thus at odds with each other. While Te Puni Kōkiri found major improvements in speaking proficiency amongst those aged 15 to 44 since its previous survey, the census showed declining proficiency among those aged 15 to 24, a very marginal improvement for those aged 25 to 34, and a decline for those aged 35 to 44. The very small improvement in speaking proficiency for those aged 55 and over in the survey contrasts with a major decline amongst those in this age group in the census.

Te Puni Kōkiri has publicly stated its view that:

The Māori Language Survey is a better measure of the Māori language [than the census] as it is a face-to-face interview and has a variety of questions that investigate language acquisition, skill and use. It asks a number of questions, each targeted at an aspect of language revitalisation that we need to know about.
This survey provides a more robust way to look at the health of the Māori language than a single question which requires a large degree of interpretation.\textsuperscript{155}

Despite this, the Ministry of Social Development’s influential Social Report for 2007 was equivocal about whether progress was being made or not. It noted that the survey and census data were ‘not directly comparable’ and concluded that:

The 2006 Census shows a slight decrease in the proportion of Māori who speak Māori since 2001, while the 2006 Survey on the Health of the Māori Language shows an increase over the same period. It is not clear whether the proportion who speak Māori has declined slightly or increased.\textsuperscript{192}

Dr Peter Keegan from the School of Māori Education at the University of Auckland has also commented on the 2006 census and survey results, saying that the question of whether te reo Māori ‘is gaining or losing ground today’ was ‘difficult’ to answer.\textsuperscript{193}

Linguist Dr Winifred Bauer of Victoria University has conducted a comprehensive comparison of the census and survey results for 2001 and 2006, and is less than impressed with the reliability of the 2006 survey. She argues, first, that changed sampling methods and reporting of data between the 2001 and 2006 surveys make ‘serious survey comparison impossible’. She then points to the large margins of error in both the surveys (particularly when focusing on small subgroups within the overall survey sample), which were even bigger in the 2006 survey. She also notes the added potential for unreliability in the 2006 survey introduced by the particular sampling method.\textsuperscript{154}

Most importantly, Dr Bauer says that the 2006 survey is simply not credible because it is so at odds with the census results in respect to general speaking proficiency, the gap between men and women’s proficiency, and the use of te reo by children. Many of the gains claimed by Te Puni Kōkiri relate to very small numbers of survey respondents, are well within the margin of error, and are achieved by combining those stating they can speak ‘very well’ and ‘well’ (since the former group is too small on its own for any credible analysis). By contrast, the census has asked the same question of the entire population, so there are no sampling errors and the results are directly comparable.\textsuperscript{155}

Overall, Dr Bauer concludes that:

- The surveys simply do not tell us what lies behind the key trends discernible from the census, and in fact ‘have failed to provide a better picture than the censuses in crucial areas. Consequently, it is arguable whether these five-yearly national surveys ‘have any value’.\textsuperscript{196}
- The survey results contradict reality: that the health
of the language continues to decline. Certainly, there was no improvement in the language proficiency of the critical parenting generation cohorts, who are vital to intergenerational transmission, between 2001 and 2006.\textsuperscript{97}

- There is real danger in casting the 2006 survey results in such a positive light. Doing so will encourage complacency about the health of the language at a time when a sense of urgency is still needed.\textsuperscript{98}

5.3.5 Conclusions: how healthy is te reo in 2010?

There was a true revival of te reo in the 1980s and early-to-mid-1990s. It was spurred on by the realisation of how few speakers were left, and by the relative abundance of older fluent speakers in both urban neighbourhoods and rural communities. The revival was a Māori movement, it was achieved through education, and it was incredibly successful at a grass-roots level. The movement was perhaps at its most powerful during its earliest surge, as demonstrated by Māori born from 1977 to 1981 being more likely to speak te reo than those born either from 1967 to 1976 or from 1982 onward (see table 5.10).

From around 1994 to 1999, te reo has been in renewed decline. The problem is not just one of declining numbers of Māori speakers but also, strikingly, declining proportions, for it has also coincided with a significant rise in the number of younger Māori. Critically, the decline is now occurring at both the young and old ends of the spectrum. The figures clearly contradict the perception that, among Māori under 40, it is younger people who are more likely to speak Māori. The figures also show that the most populous Māori age groups are also the least likely to be Māori-speaking (see table 5.9).

All this means that, if trends continue, over the next 15 to 20 years the te reo speaking proportion of the Māori population will decline further, even as the absolute number of speakers continues to slowly climb. And despite the higher numbers of te reo speakers likely to be found in, say, 2026, they are likely to be less fluent than speakers now, given the relatively few older native speakers who will still be alive.

The 2006 Te Puni Kōkiri-commissioned Māori language survey showed much more positive results than the 2006 census, but it has been strongly criticised by a leading scholar for its lack of reliability. The survey certainly does have large margins of error. Moreover, its inconsistency with key trends apparent in the census and backed up by other data sources suggest it is unwise to proclaim, as did the Minister of Māori Affairs, that the results showed ‘significant progress’ towards achieving the Māori language strategy goals.

Needless to say, the decline in te reo overall – and in particular the loss of older native speakers – must be having a major impact on the health of tribal dialects. By definition, older native speakers are speakers of dialect. This by no means holds true for children today whose first language is Māori. Something of the fate of tribal dialect is indicated by the fact that there were 20,190 Māori te reo speakers born before 1942 in the 1996 census, but only 11,031 speakers of the same cohort in 2006. By 2026, there will probably be not many more than a couple of thousand. In certain areas of the country, of course, the loss of older native speakers is more pronounced than elsewhere, as shown by Te Puni Kōkiri’s regional profiles of the health of the Māori language. In any language with faltering health – or, in this case, a faltering revival – its own variations must be its most vulnerable elements. This is the inevitable state of tribal dialects today, with some elements already all but gone and others clearly in peril. Unless dialects begin to be spoken more by younger Māori, their prospects beyond the next 20 years are obviously bleak.

The current decline in te reo Māori seems to have several underlying causes. They include:

- the ongoing loss of older native speakers who have spearheaded the revival movement;
- complacency brought about by the very existence of the institutions which drove the revival;
- concerns about quality, with the supply of good teachers never matching demand (even while that demand has been shrinking);
- excessive regulation and centralised control, which has alienated some of those involved in the movement; and
- an ongoing lack of educational resources needed to teach the full curriculum in te reo Māori.

The issue of teacher supply strikes us as crucial – the 1992 and 1995 surveys showed the potential market for
TIMELINE:
THE REVITALISATION AND RENEWED DECLINE OF TE REO MĀORI
1970–2010

Figures in this timeline are either taken from the text (and referenced where cited) or from Davies and Nicholl, 1993, op cit
Late 1970s: Estimated that fewer than 100 Māori children under five fluent in te reo.

1977: First bilingual school at Ruatoki.

1979: Te Ataarangi Language Week March.

1979: Te Ataarangi Ataarangi established.

1980: First bilingual Māori Language Week.

1980: First kōhanga reo established.

1982: First kōhanga reo established.

1982: First kōhanga reo established.

1983: 4132 children in 170 kōhanga reo; 33% of all Māori children in early childhood education at kōhanga reo.

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Timeline: The Revi Talisa Tion and Renewed decline of Te Reo Māori 1970–2010

Te Reo Speakers: Growth and decline in speaking proficiency amongst Māori children.

Kōhanga reo: Growth and decline in kōhanga reo enrolments.
1984: Opening of Te Kura Kaupapa Māori o Hoani Waititi

1985: Fifty primary schools offering Māori-medium education; 3 per cent of all Māori primary school students in Māori-medium education

1986: Estimated 700 Māori children under 10 speak te reo

1986: Release of the Report of the Waitangi Tribunal on the Te Reo Māori Claim

1987: Maori Language Act passed

1987: Te Upoko o te Ika Māori Radio Station is launched

1987: 8,724 children in 470 kōhanga; 44 per cent of all Māori children in early childhood education at kōhanga

1989: 8,274 children in 470 kōhanga; 44 per cent of all Māori children in early childhood education at kōhanga

1995: 25,284 students in Māori-medium education; 15.9 per cent of Māori students in Māori-medium education

1987: 17,426 students in Māori-medium education; 12.5 per cent of Māori students in Māori-medium education

1991: 261 primary and 54 secondary schools offering Māori-medium education

1993: 14,514 children in 809 kōhanga; 49.2 per cent of all Māori children in early childhood education at kōhanga

1996: 10,500 Māori speakers of te reo aged 0–4 in census (21.9 per cent)

1996: Census form released in te reo
Māori-medium education: Growth and decline in Māori-medium schooling enrolments

- 1991: 261 primary and 54 secondary schools offering Māori-medium education
- 1992: 17,426 students in Māori-medium education; 12.5 per cent of Māori students in Māori-medium education
- 1993: 14,514 children in 809 kōhanga; 49.2 per cent of all Māori children in early childhood education at kōhanga
- 1995: 25,284 students in Māori-medium education; 15.9 per cent of Māori students in Māori-medium education
- 1996: 10,500 Māori speakers of te reo aged 0–4 in census (21.9 per cent)
1998

1999

1999: 30,793 students in Māori-medium education; 455 schools offering Māori-medium education; 18.6 per cent of Māori students in Māori-medium education

2000

2002

2002: 10,389 children in 545 kōhanga; 31.6 per cent of all Māori children in early childhood education at kōhanga

2003

2003: Release of the Māori language strategy
2003-2009
Maori speakers of te reo aged 0-4 in census
(18.2 per cent)
2006: 8,910
Maori children aged 0-4 in census
(31.4 per cent)
2006: 30,793
students in Māori-medium education
2006: 545
schools offering Māori-medium education
2006: 18.6 per cent of Māori students in Māori-medium education
2009: 28,231
students in Māori-medium education
2009: 394
schools offering Māori-medium education
2009: 15.2 per cent of Māori students in Māori-medium education
2004 Launch of Māori Television
2004
2006
2008
2009
Māori language education, but the amount of Māori-medium education available has clearly never come remotely close to those levels. We are unaware of any attempt to follow up on these demand surveys, which is of itself a concern. We suspect that demand would be less today, highlighting the failure to capitalise on past momentum.

Successes in Māori language education are today confined to pockets. Undoubtedly, excellent speakers are coming through kura kaupapa and wharekura, but this does not offset the overall decline in Māori participation in Māori-medium education. The Ministry of Education wishes to increase Māori participation rates in early childhood education, but would appear content for this increase to be in centres that are typically English-medium. At tertiary level, more students are studying te reo than in the 1990s, and this may be contributing to language revival at some levels. But it will not help produce the teachers so sorely needed while so many te reo Māori tertiary students are in lower-level (1 to 3) study.

5.4 Tribunal Analysis and Conclusions

Having established that the health of te reo remains fragile at best, we turn now to consider the Treaty interests and issues at play in 2010.

It has been well-established by earlier Tribunals that te reo Māori is a taonga guaranteed to Māori under article 2 of the Treaty. That there is a Treaty interest at play is thus undeniable. Moreover, as we explain below, there are no real countervailing interests that impact on the Crown's duty to support te reo – apart from cost. So what should the Crown and Māori do to ensure its survival and health? In this section, we identify the key components of their respective obligations, and discuss how these should form the basis of a genuinely Treaty-compliant modern Māori language regime.

5.4.1 The Treaty interest

(1) Te reo as a taonga

We begin by considering the nature of the Treaty interest in te reo Māori in 2010. The Tribunal has already established that ‘o ratou taonga katoa’ guaranteed in article 2 can be translated as ‘all their valued customs and possessions’ or ‘all things highly prized’, and covers both tangible and intangible things. More specifically, the te reo Māori Tribunal found that ‘It is plain that the language is an essential part of the culture and must be regarded as “a valued possession”’. It added:

We question whether the principles and broad objectives of the Treaty can ever be achieved if there is not a recognised place for the language of one of the partners to the Treaty. In the Maori perspective the place of the language in the life of the nation is indicative of the place of the people.\(^{159}\)

That te reo is a taonga guaranteed recognition under the Treaty has been explicitly recognised by the Crown. Indeed, the preamble to the Maori Language Act 1987 states that:

Whereas in the Treaty of Waitangi the Crown confirmed and guaranteed to the Maori people, among other things, all their taonga; And whereas the Maori language is one such taonga.

But even describing te reo as a taonga understates its importance. The language is clearly a taonga of quite transcendent importance to Māori, and few other taonga could rival its status. Without it, Māori identity would be fundamentally undermined, as would the very existence of Māori as a distinguishable people. As the te reo Māori Tribunal put it, ‘If the language dies the culture will die, and something quite unique will have been lost to the world.’\(^{160}\) The extraordinary importance of the language was also emphasised by the Privy Council when, in 1994, it endorsed the earlier High Court finding that language was at the ‘core’ of Māori culture and that the Crown is under an ongoing obligation to take what steps are reasonable to assist in its preservation.\(^{161}\)

Given the importance of this taonga to Māori, the Crown’s protection of it clearly needs to accord with Māori preferences – and, indeed, be determined in large measure by Māori ideas. This kind of partnership or co-ownership is inherent in the Treaty. Furthermore, the Crown must see Māori and te reo as not somehow external to itself, but a core part of the society it represents – and thus a key influence over how it conducts itself. And
because the Treaty of course also grants the Māori interest a greater status than simply that of a minority group within society, the Māori interest thus has a corresponding claim to resources, both fiscal and otherwise.

We should add that the Crown endorsed the United Nations Declaration on the Rights of Indigenous Peoples in 2010. Article 13 of the declaration states that indigenous peoples ‘have the right to revitalize, use, develop and transmit to future generations their . . . languages’, and that signatory states ‘shall take effective measures to ensure that this right is protected’.

(2) Tribal dialects as taonga

In our view, tribal dialects must be considered iwi taonga in the same way that te reo Māori is a taonga to Māori generally. In 1840, there was not one uniform ‘reo’ in New Zealand but many variations, and the Treaty recognised tribal independence. And so it must follow that, for individual iwi, dialects are taonga of the utmost importance: they are the traditional media for transmitting the unique knowledge and culture of those iwi and are bound up with their very identity. Ngāti Porou, for example, are well known within te ao Māori for their unique idiom, without which the iwi would lose a core element of its distinctiveness. We believe that this applies to other tribes with unique expressions and vocabulary.

Counsel for the Te Tai Tokerau claimants submitted that the distinctive reo of the three northern iwi were ‘the vehicles by which the mythology, oral history and cultural identity is transmitted from generation to generation’. Counsel thus argued that the Crown needed to recognise as taonga ‘the specific reo that is treasured by the kaitiaki themselves, rather than a generalised amalgam “te reo Māori”’.

We agree about the Crown’s need to see distinctive features of tribal reo as taonga to those iwi, but we do not agree that this negates the status of te reo Māori itself as a taonga. We prefer the explanation of counsel for Ngāti Porou, that tribal dialects ‘together comprise the Maori language as a whole and . . . contribute to its unique character’.

5.4.2 Other valid interests

Arguably, there are no countervailing interests that impact upon ongoing support for te reo. It seems to us that a national consensus has developed in recent years that te reo Māori is worthy of saving – it has certainly been the policy of successive elected governments. In other words, New Zealanders seem to recognise that te reo helps shape our collective identity at the same time as it sustains Māori cultural identity. We can see this reflected in the way that use of te reo has become much more prevalent within the New Zealand mainstream.

There will always be issues around affordability and cost. Potentially, though, it may be unaffordable not to continue supporting the growth in knowledge and use of te reo. Māori educational achievements remain poor, but more teaching of te reo and in the medium of te reo may encourage Māori students to perform better, as the Ministry of Education suggested in its annual report on Māori education for 2006–07:

In 2006 Year 11 candidates (students) attending Māori language schools achieved higher National Certificate of Educational Achievement (NCEA) attainment rates than their peers attending English language schools.

The report referred to this as pointing to ‘promising pockets of success’ in Māori-medium education. There is also evidence that Māori in immersion and bilingual schools (where te reo is used at least 12 per cent of the time) are significantly less likely to be stood down, suspended, unjustifiably absent or truant than Māori in decile 1–4 mainstream schools. While Ms Sewell told us that ‘the numbers are quite small and drawing statistical conclusions from them may be risky’, she did add that ‘some students who’ve come through kohanga and kura kaupapa Māori . . . have been extraordinarily successful’. She was asked by counsel for the Te Tai Tokerau claimants whether research showed ‘that kaupapa Māori education is likely to lead to better learning outcomes’. She replied that ‘In some instances it does’.

We agree that caution is essential in interpreting these figures. We are aware, for example, that Māori-medium students have had low achievement levels in the science learning area, and that – as the Ministry of Education puts it – the low student numbers make comparison with mainstream students ‘difficult and sometimes misleading’. Furthermore, low truancy rates may show that
Māori-medium schools are performing their custodial functions well, but do not necessarily mean that the quality of learning is high. However, and despite these cautions, such results give some cause for optimism. This is because, as the relatively youthful Māori ethnic group becomes a larger share of the overall population, such improvements are clearly in the national interest.

It is also well accepted by scholars that being bilingual is beneficial for a child’s cognitive development and communicative ability. This educational goal, therefore, can be met equally well by Māori as by French or Japanese. At the same time as instilling a greater sense of shared New Zealand identity (something we return to in conclusion below), therefore, learning Māori can also help deliver developmental benefits.

With regard to dialect, the issue of countervailing interests is complicated by the fact that some Māori might feel that the Crown should primarily focus on saving te reo Māori itself. Some smaller iwi, for example, would certainly struggle to maintain any kind of distinct dialect, such as the paucity of native speakers now amongst them. This was reflected in the proposal that, in order to protect te reo o Ngāti Koata, the Crown must also protect and promote te reo Māori in Ngāti Koata’s rohe, given the close relationship between the two. Perhaps this preference stems from the fact that Ngāti Koata’s specific reo is already all but lost. Counsel for Ngāti Kahungunu also seemed to imply that general language revival needed to come ahead of addressing tribal dialect. He submitted that the Crown must “continue to implement appropriate remedies to strengthen Te Reo Māori generally, and ultimately to strengthen Te Reo of Ngati Kahungunu and other individual reo specifically.”

By contrast, Ngāti Porou clearly felt that urgent action is needed to protect and save their unique dialect while there is still a remnant of native speakers proficient in it. Perhaps the lesson in all of this is that the Crown will need to tailor its activities according to the varying preferences of different iwi.

5.4.3 The obligation of the Crown
The survival of te reo is clearly of paramount importance to Māori, and this places a significant obligation on the Crown as Treaty partner to protect it. This weight of obligation, coupled with the Crown’s duty to act in favour of te reo as a simultaneous matter of national interest, must be met with commensurate action – the development of a modern, Treaty-compliant regime to ensure the survival of the Māori language. What would such a regime look like? The answer, we believe, is to be found in four key principles that strike us as self-evident components of the Crown’s Treaty obligation:

- Partnership: The survival of te reo can only be achieved in a paradigm of genuine partnership between Māori and the Crown.
- A Māori-speaking government: The Government must accept the idea that it should not be an English-speaking monolith.
- Wise policy: In light of the importance of the taonga and the wide call on the resources of the State in other areas, there is a particular need for the highest standards of transparent, insightful, and cost-effective policy.
- Adequate resources: Once policies of the requisite quality have been developed, there must be enough resources made available to implement them so that there is no gap between rhetoric and reality.

We now examine each of these principles in more detail and consider how they might be applied to benefit te reo.

(1) Partnership
The principle of partnership is of course well articulated. It requires that the Crown and Māori act reasonably and in the utmost good faith towards each other. It requires cooperation and, on the part of the Crown, a willingness to share responsibility and control with its Māori Treaty partner where it is appropriate to do so.

It is certainly appropriate to do so in the case of te reo. The last 30 years have shown that ensuring te reo’s protection is simply too big a task to be tackled either by the Crown alone (which appears to be happening now under the MTS) or by Māori alone (as happened before the 1980s).

For Māori, the principle of partnership means being properly supported to contribute the initiative, ideas, and energetic leadership that will ensure the language’s survival, just as they did in the 1980s. The story of kōhanga reo, kura kaupapa and Māori broadcasting initiatives
shows that success is possible where Māori are supported to properly express their sense of responsibility and love for te reo. Success is much less likely where leadership and initiative sits with the Crown, and Māori have the status of mere supplicants or consultees.

In calling for greater Māori participation, we do not mean more Māori public servants helping to develop language policy. The revival of the Māori language can only happen if the challenge is owned by Māori themselves, and that sense of ownership can only come from the participation of Māori communities – be they represented by kaupapa-based organisations or kin groups. In essence, the Crown must transfer enough control to enable a Māori sense of ownership of the vision, while at the same time ensuring that its own expertise and resources remain central to the effort.

This brings us to the Crown's role in the partnership, which is to provide the necessary logistical and financial support, as well as its considerable research expertise and comprehensive data. As Nena and Richard Benton commented in 1999, the State's job is 'to see that needed resources are there'. For example, they said the State would need to finance a television channel (a key component of Māori language revitalisation) because the 'Māori community cannot finance such an initiative on its own'. The Bentons added that it is important that State finance does not become State control, because 'state control in development activities generally has retrogressive outcomes'.

This view is backed up by well-regarded international research. Stephen Cornell, writing for the influential Harvard Project on American Indian Economic Development, has commented that 'the likelihood of achieving sustainable development rises as power and authority are devolved to Indigenous nations or communities, moving non-Indigenous entities, including central governments, from decision-making to resource roles and freeing Indigenous peoples to decide these things for themselves and by their own criteria'. He adds that the traditional 'divorce between those with authority to make decisions and those bearing the consequences of those decisions has resulted in an extraordinary and continuing record of central government policy failure' in the United States, Canada, Australia, and New Zealand.

Genuine Crown–Māori partnership is crucial to te reo not only because of the Treaty but also because of the perilous health of this vital taonga. It is only through a joint effort by two partners in a quality relationship that te reo stands any chance at all.

(2) A Māori-speaking government
Fundamentally, there is a need for a mindset shift away from the pervasive assumption that the Crown is Pākehā, English-speaking, and distinct from Māori rather than representative of them. Increasingly, in the twenty-first century, the Crown is also Māori. If the nation is to move forward, this reality must be grasped.

If the Crown is serious about preserving and promoting the language it must also endeavour to speak te reo itself. This not only leads by example but provides symbolic as well as tangible support to keeping the language alive. Māori should be able to use their own language, given its official status, in as many of their dealings with the New Zealand State as practicable – particularly since the public face of the Crown will often be a Māori one. The idea of the Crown speaking Māori is of course not novel; by necessity, this was the status quo for a large proportion of New Zealand's colonial past.

(3) Wise policy
The kāwanatanga principle requires the exercise of good and responsible government by the Crown, in exchange for Māori acknowledging the Crown's right to govern. This requires the Crown to formulate good, wise and efficient policy.

In the case of te reo, its importance as a taonga and the sheer necessity for its protection to be secured through genuine partnership means the need for a genuinely Crown/Māori policy is especially urgent. The Crown must commit to working with Māori in ways that go beyond, say, a few consultation hui and a reference group. Only in this way can it be ensured that the policy is not only wise but the right one. This is an essential step; it would be a travesty to pour resources into a policy doomed to failure by its very lack of Māori support and ownership.

Once a strategic and transparent Crown–Māori policy is established, the Government's Māori language sector must be highly functioning and infused with common vision and purpose. Precious resources should be applied...
carefully. Simply put, the State owes Māori policies and services that are not undermined by structural issues, competing priorities and intermittent focus.

We should add that, in education, the Government’s goal should always be well-educated, inspired, and productive students. Quite aside from the taonga status of te reo, therefore, if its greater use in education can help achieve those overarching goals, the Government would be doubly negligent not to pursue it.

(4) Appropriate resources
The terms of the Treaty clearly set out that the Crown’s right to make laws carries a reciprocal obligation: to accord the Māori interest an appropriate priority. In the context of te reo, the Crown must therefore recognise that the Māori interest in the language is not the same as the interest of any minority group in New Zealand society in its own language. Accordingly, in decision-making about resource allocation, te reo Māori is entitled to a ‘reasonable degree of preference’ and must receive a level of funding that accords with this status.

Of course, this priority should be reflected, in the first instance, in the formulation of wise policy. In theory, the required level of funding should simply flow from that – that is, the funding allocated should be whatever is sufficient to implement the policy.

Since the Māori language revival began more than 30 years ago, good economic times have come and gone. Fiscal restraint in the hard times is understandable and acceptable, but there is a reciprocal need to put more resources into the problem when the Crown’s coffers can sustain it. As the Privy Council said in the Broadcasting Assets case, where a taonga is in a vulnerable state, the Crown may well be required ‘to take especially vigorous action for its protection.’

Finally, we are aware of the argument that the Crown’s spending on te reo should be focused more directly on communities where te reo is a common means of communication. We agree, but this must not mean the Crown reducing its focus on more ‘mainstream’ te reo resourcing. There is no future in an ‘either/or’ approach to funding if the language is to be protected.

5.4.4 The Māori obligation
The Privy Council found that the obligation to protect te reo is certainly not the Crown’s alone. Just as we did for
Because of the perceived recent successes in te reo revival, there is a response that is a true expression of the Treaty interest in te reo and the obligations of the Crown and Māori.

As the Privy Council put it, ‘Māori are also required to take reasonable action, in particular action in the home, for the language’s preservation.’ The home is an example of a domain where it is clearly beyond the Government’s power to directly influence the extent to which Māori is used. Other such domains obviously include the marae and hui. Providing the Government has established a supportive environment according to the principles we have described, Māori must choose to use te reo as much as possible in these settings. Only in this way, for instance, can te reo become the language of socialisation at home for Māori children – the education system itself, even at kōhanga level, cannot provide this.

In meeting the obligation to speak Māori (including dialect) as much as possible, Māori must overcome any reticence about using te reo for fear of failure. Whakamā (embarrassment) can be the enemy of language revitalisation. Māori must also guard against being complacent because of the perceived recent successes in te reo revival. Such perceptions are not necessarily correct. Ongoing vigilance is appropriate.

(2) Partnership and compromise

As we have said, the poor health of te reo demands a response that is a true expression of Crown–Māori partnership – neither party can tackle the problem without the other’s wholehearted involvement. Māori must be prepared to work with the Crown on reviving te reo and must take advantage of opportunities for learning or listening to te reo. They should participate in the language as much as possible – whether by enrolling their children in Māori language education (where a local option exists and is of sufficient quality), listening to or watching Māori language broadcasts, and engaging fully with the Crown over the formulation of Māori language policies.

This cooperation may require occasional compromise. In particular, Māori must be open-minded about what revival methods will work or should be made available. Dogmatic approaches that risk alienating even fellow Māori must be kept in check. It seems likely to us that a flexible stance will sometimes be required, in the interests of the language.

In the running of kōhanga and kura, Māori must also strive to get along with each other. Whānau-based, kāinga-based, and community-based movements have a strength that derives from their grassroots character, but they have their risks. People do what they can in their spare time, for koha and often with little acknowledgement. Important tasks are often left for the committed few. Ordinary people, sometimes with limited skills and less time are required to step up to administer organisations with staff, budgets, accountabilities, compliance requirements, and so on. This will always create stresses. Infighting can break out. Relationships can be strained sometimes to breaking point. Tamariki and the community inevitably suffer. Another obligation on the Māori side is therefore to find ways to reduce the incidence of community infighting at kōhanga and kura, and to build skills that resolve conflict where it does occur.

5.4.5 Conclusion: the Treaty interest in te reo and the obligations of the Crown and Māori

Te reo Māori and its variations are taonga of transcendent importance to Māori, and the Crown has a significant obligation to protect them vigorously and actively. This obligation has four components: partnership; a Māori-speaking government; wise policy; and appropriate resources.

Māori also have a significant obligation to te reo and its variations. They must speak the language as much as possible, especially within the home and other Māori ‘domains’. Whakamā and complacency must be set aside. Māori must also be willing to cooperate with the Crown in the process of language revival and remain open-minded about what methods of language transmission hold validity. Furthermore, they must guard against the harmful impacts of internal disagreements.

Protecting te reo is important not just because of the Treaty; it is in the national interest for at least three other reasons:

- better knowledge of te reo may possibly lead to better Māori educational outcomes;
- any form of second-language learning or bilingualism
is known to assist children’s cognitive development; and

- te reo Māori can also play a key role in fostering a shared sense of national identity.

5.4.6 Assessing the Crown's Māori language effort

Having set out the place of te reo under the Treaty and the Treaty partners’ consequent obligations, we now turn to the Crown’s actual performance in protecting the language. How adequate is the current MLS, for example, and to what extent does it express the aspirations and vision of Māori for their language?

We assess the Crown’s performance against the principles we have identified as the essential cornerstones of a modern, Treaty-compliant Māori language regime – partnership, a Māori-speaking government, wise policy, and appropriate resources. We also comment on how Māori themselves are fulfilling their own obligations to te reo.

(i) Partnership

Significant progress has been made since 1956 when – with the Government’s assimilative policies perhaps at their zenith – the Minister of Māori Affairs, Ernest Corbett, said that the preservation of te reo ‘was up to each member of the race’ and if the children of Māori leaders could not speak te reo it was not the Government’s fault. Secretary of Māori Affairs Jack Hunn said much the same in his highly influential 1960 report into Government law and policy concerning Māori.178

Thanks largely to the Māori protest efforts described earlier in the chapter, the State’s vital and significant role in language maintenance and revival is well accepted. So too is the importance of Māori ownership of the challenge. As the Privy Council has noted, Māori must be to the fore in decision-making about language revival because it is ultimately Māori action and choices that will decide te reo’s fate – providing, of course, that the Crown has put in place all necessary support. In other words, Māori must play a leading role in setting and owning the agenda, and share in the decision-making about Māori language goals and policies.

Our assessment of the extent to which this has happened, and is happening today, has unfortunately been hampered by gaps in the information placed before us.

What remains clear, however, is that, while some Māori are invariably consulted or appointed to reference groups, officials control the overall direction of the agenda.

In this, officials may have lost sight of the fact that, for some iwi, the battle has moved beyond a basic fight to save te reo and into a struggle to retain their specific tribal reo. We sense that the Crown does consider that tribal reo is primarily the responsibility of Māori themselves to preserve. Arguably, this view is a direct descendant of the ideas of Corbett and Hunn. Just as it was difficult for Ministers and officials to understand that there might be a vital role (and indeed an obligation) for the State to help Māori preserve te reo Māori 50 years ago, so it may now be a challenge for the Crown to comprehend that it has a crucial role in supporting iwi to safeguard tribal dialects.

Consultation on the MLS may serve as a representative case study on the Crown’s approach to partnership. In March 2003, Te Puni Kōkiri produced a discussion document about the proposed new MLS, and 14 regional consultation hui took place over a fortnight that month. The same Te Puni Kōkiri staff cannot have attended all the hui, because sometimes two were held on the same day, in locations as distant as Auckland and Invercargill. We did not seek, and nor were we provided with, information about the level of engagement with Māori at these hui or generally in response to the discussion document.

One of the 14 hui was held was at Tuatini Marae on the East Coast on 25 March 2003. We know a little about the kōrero at this hui because it was the subject of an exchange between counsel for Ngāti Porou and the witness for Te Puni Kōkiri. Counsel reminded him that Ngāti Porou’s message had been clear: its overwhelming priority was te reo ake o Ngāti Porou. The witness agreed with this recollection, and emphasised that a strength of the Crown’s community language planning was that it allowed the Crown ‘to hear from [an] iwi what their priorities are and then to try and provide support around those priorities.’179

However, the MLS as published did not particularly reflect the extent of Ngāti Porou’s concerns about the retention of their tribal reo, stating only that iwi dialects would be ‘supported’ by 2028 (see discussion on this and other goals below). Counsel submitted, accurately in our view, that:
It is not specified in the Māori Language Strategy how the Crown proposes to achieve this goal [around local-level language revitalisation and iwi dialects] to ensure the ongoing retention of tribal dialects in the period leading up to 2028, by which time the large majority of the native speakers of those dialects are likely to have passed away.\textsuperscript{180}

Another goal of the MLS involves the use of te reo Māori in targeted domains such as ‘whānau’, ‘Māori communities’, ‘marae and hui at other venues’, ‘kapa haka’ and ‘karakia’.\textsuperscript{181} We have no evidence of the extent of Māori involvement in the wording of this goal. Even were this particular goal inherently sound, Māori should have had the key role in devising its wording themselves, rather than have officials define it for them.

The Minister of Māori Affairs’s foreword to the MLS says that the document ‘draws strongly on Māori thinking about, and aspirations for, the Māori language’ and has been prepared ‘with input from Māori language experts and through community consultation.’\textsuperscript{182} But goals that ‘draw strongly’ on ‘input’ from Māori communities are not necessarily defined or endorsed by them.

Again, the problem is an absence of Māori ownership, which is crucial to success since Māori themselves are the key actors in the revitalisation process. As we have shown, it is principally through Māori initiative and effort that the reo revitalisation drive has moved forward at all over the last 30 years. That effort was not honoured in the process by which the MLS was formulated – a quick round of consultation hui, then the development of goals whose wording appears to reflect Crown rather than Māori preferences. The lessons of the Harvard Project, the early success of kōhanga reo, and the more recent success of Māori Television all emphasise the need for the Crown to ensure Māori ownership of key decisions about te reo.

Moreover, the consultation hui on the MLS were destined from the outset to be of limited influence. We say this for two reasons. First, the Cabinet Policy Committee agreed on 26 February 2003 that Te Punī Kōkiri undertake consultation with Māori by 17 April 2003 ‘to confirm key components of the revised Māori Language Strategy’ (emphasis added).\textsuperscript{183} Clearly, the intention was not to be guided by Māori ideas but to quickly run Crown ideas past Māori during a six-week window. Secondly, when the Minister of Māori Affairs reported back to the committee with the results of this consultation, on 23 July 2003, it was with the aim of being able to release the revised MLS during Māori Language Week – due to begin in just five days.\textsuperscript{184} We suspect that the opportunity for publicity this event would generate may have driven the time-frame officials were working to, including the timeframe for consultation.

The point about the MLS is that only the most committed reo advocates would have any idea of what it is and what it says. It was a standard piece of pre-consulted Crown policy for the good of Māori, admittedly promulgated by officials committed to the survival and growth of te reo, but sitting in sharp contrast to the grassroots momentum of the kōhanga reo movement in the early 1980s. At that time, all Māori committed to te reo understood the kōhanga reo strategy and all supported it. What is needed again is a groundswell idea with the Government providing policy support, not a policy trying to substitute for the lack of a groundswell. It is time to go back to the people and rebuild the power of the te reo partnership that existed in the 1980s and early 1990s.

Finally, we note that at the Hui Taumata Reo in Wellington in December 1995 (which marked the end of Māori Language Year), participants called for ‘a whole-hearted commitment’ by the Government ‘by words and deeds to work in partnership with Māori for the protection and promotion of Māori language’, and ‘an end to inaction and unilateral decision-making.’\textsuperscript{185} Fifteen years later, that criticism will resonate with many Māori arguing for a greater role in setting the policy agenda for their language.

(2) A Māori-speaking government

Like Māori, the Crown too must own the challenge facing te reo – and, as with Māori, the best way of meeting that challenge is to use the language. The te reo Māori Tribunal thought in 1986 that the cost of publishing all public documents in Māori could not be justified, given that there were then more pressing matters to spend money on (such as basic revival). However, it said te reo should definitely be able to be used in the courts, adding that ‘There must also be the right to use it with any department or any local body if official recognition is to
be real recognition, and not mere tokenism’ (emphasis in original). The Tribunal also recommended that fluency in te reo become a requirement for holding certain positions in the public service.

(a) Te reo in the courts
The passage of the Maori Language Act in 1987 allowed participants in court proceedings to speak in Māori, regardless of whether they could also communicate in English. But there are genuine constraints on the exercise of this right: for example, the High Court requires at least 10 working days’ advance notice of any intention to speak Māori. Under the Maori Language Act, court participants do not have the right to be addressed in Māori and there is no requirement for the proceedings to be recorded in Māori. Even in the Māori Land Court, applicants must inform the registrar of their intention to speak Māori in court so that an interpreter can be arranged. Thus, it is no easier to use Māori in court than any other language besides English. In fact, foreign nationals are catered for by means of interpreters so they can actually communicate and understand proceedings, whereas the ability of Māori court participants to communicate in English is effectively excused by the provisions of the Maori Language Act. It seems to us that this falls short of the intent behind the Tribunal’s recommendation in 1986.

(b) Te reo in Government agencies
The Crown has clearly not yet adequately responded to the Tribunal’s recommendation about the use of te reo by Government departments and public bodies. We heard about the Government’s te reo proficiency standards for public servants (which, when met, can lead to small increases in annual remuneration at participating departments), as well as the establishment of the ‘Language Line’ service to provide translation on demand for clients of various Government agencies. But Language Line has apparently been little used by Māori, and Te Puni Kōkiri conceded that it involved ‘a bit of mucking around with the telephone’. Most tellingly, in 2001 only 18 out of around 100 Crown agencies claimed to have completed Māori language plans. Of these, only four were provided to Te Puni Kōkiri and only two were of a sufficient standard. Although we were told that Te Puni Kōkiri intended to publish an update, its 2006 inventory of Māori language services (released in April 2008) was silent on the matter. Te Puni Kōkiri has since confirmed it is unable to provide any update of the 2001 situation.

Te Puni Kōkiri and Te Taura Whiri monitor the uptake of Māori language initiatives by State sector agencies, and advise them about these initiatives when requested. There is no formal legislative requirement for entities to report on their progress in this area – although in 2003, Cabinet did ask Te Puni Kōkiri to prepare terms of reference for a review of the Maori Language Act with a possible view to reassessing this lack of compulsion. In 2004, the Minister of Māori Affairs informed the Chair of the Cabinet Policy Committee that ‘I do not consider that it is appropriate to establish a review of the Māori Language Act at this time.’ Te Puni Kōkiri conceded there was no consistent guideline or coordinated framework across the State sector for agencies to use in assessing their commitments to the use of te reo.

As we will see, the draft of the MLS sent out for consultation in early 2003 set a goal to double Māori language use in ‘national and local government (including hospitals)’ by 2028. However, this wording was absent from the version of the MLS endorsed by Cabinet in July of that year and the final document does not set a definite target for increased reo use in Government agencies. Indeed, officials have questioned the appropriateness of ploughing resources into the public service’s reo capacity when Māori whānau and communities are crying out for resources. We have some sympathy with this view but ultimately, if the te reo movement is successful, the Crown will have to deliver on the goal anyway – it is really just a question of when. The more Māori speakers there are in the country, the more the Crown will have to speak Māori too.

Piripi Walker remarked that the Crown does commit money to services in te reo, but it is often in the form of translating strategic and accountability documents into Māori. He called this a form of ‘over-excitement’ by the Crown. Mr Walker praised the Welsh model, under which all Welsh public agencies are required to allow the public to use Welsh for any written or spoken transaction,
and their staff to use Welsh at work. He said that similar provision exists for French in Canada, and for the Basque and Catalan languages in Spain.  

Te Taura Whiri and Te Puni Kōkiri have joint responsibility under the MLS for the provision of public services in Māori. In November 2007, the Office of the Auditor General (OAG) noted in its report on Implementing the Māori Language Strategy (which we return to below) that both agencies had deprioritised this activity:

In some cases, agencies have chosen to prioritise activity in some of their areas of responsibility above activity in other areas. For example, Te Taura Whiri has done few of the planned activities related to providing public services in te reo Māori. Staff at Te Taura Whiri and Te Puni Kōkiri (which are jointly responsible for this area) consider this a lower priority than their other responsibilities, because it makes a lesser contribution to language revitalisation than other activities.

(c) Te reo and State broadcasters
Te Puni Kōkiri told us that the Crown’s role in broadcasting was to set only the broad direction, which it did through Radio New Zealand’s and TVNZ’s charters that require them to support the Māori language. The charters are reviewed every five years. Beyond that, we were told it was up to the respective State broadcasters to implement the charter as they saw fit (given what we have described in section 5.2.7 as the convention of arm’s-length Government involvement). Te Puni Kōkiri said that the most helpful thing TVNZ could do was to create a positive environment for te reo, while leaving the broadcasting of Māori language content to Māori Television. Of course, the TVNZ charter is soon to be scrapped, but we assume this philosophy would remain nonetheless.

To us, however, it seems that the Crown could be much more specific about its expectation that State broadcasters should promote Māori language and culture. If there is an inherent contradiction between TVNZ doing this and securing sufficient advertising revenue, then perhaps shareholding Ministers could accept a lower financial return (the Privy Council suggested it was fully within their discretion to do so). Not only has TVNZ had to make a profit, but it has also had to exhibit ‘social responsibility by having regard to the interests of the community’, although we note that this provision in its legislation is amongst those being repealed. The advent of Māori Television was certainly no justification for TVNZ marginalising Māori-language programmes, such as occurred with Te Karere in 2007. Besides, in its 2007 ‘Māori Content Strategy’, TVNZ has adopted the lofty goal of delivering ‘Content that ensures the health of the Māori language and tikanga’. It even adds that this strategy will allow it to ‘Revitalise the Māori language’, no less.

(d) Moving away from monolingualism
There seems to us to be clear scope for the Crown to commit more effort to achieving greater bilingualism in the public service. One way is by building into the Maori Language Act an obligation on Crown agencies to use and plan for te reo. Another is incorporating into the MLS some real targets for departments to aim for. We acknowledge that a balance must be struck between investing in public services in te reo Māori and other vital activities, such as training Māori-medium teachers, and we know the Crown cannot do everything. But we do believe the Crown can and should do more about the use of te reo by its own agencies. As it stands there are very few Crown agencies that routinely engage with the public in Māori. The Waitangi Tribunal and the Māori Land Court are two examples. But the Tribunal has only relatively recently acquired the facility of simultaneous translations in its formal hearings and judicial conferences, and no such infrastructure yet exists in the Māori Land Court. If such deterrents to the use of Māori are found in the Māori Land Court, the impediments to its free use elsewhere can only be imagined.

The point of all this is that there is no reason why the Crown must be monolingual in English. In referring to the relationship between ‘the Crown and Māori’, it is important not to overlook the fact that the Crown represents Māori too – it is not a Pākehā institution, even if that has been its character for much of the past. The Government must shift its mindset so it comes to see Māori not as external to itself but as part of its very own make-up.

To ensure the survival of the language, the Government’s goal must be for a significant proportion of Māori people to be able to speak Māori in future. That goal must
be supported by a plan for how these people will be able to engage with the State in te reo, which they will surely want to do. Any progress in the speaking of Māori by Māori, therefore, must be matched by the State – otherwise, the familiar pattern of supply falling well short of demand will be repeated.

**(3) Wise policy**

In this section, we look at several issues – past Government failures of planning and vision; the adequacy of the current MLS goals; the cohesion and functionality of the Government Māori language sector; and the adequacy of support for tribal reo.

**(a) Past failures in Government policy**

Looking back, the bureaucracy’s efforts to put in place measures to deal with and encourage the Māori language renaissance were decidedly leaden-footed. The explosion in the numbers attending kōhanga reo in the early 1980s should have instantly signalled that greater opportunities were needed in primary schools for te reo to be learned or for Māori-medium learning (or both). However, the reaction was pedestrian, perhaps because officials saw kōhanga reo as a passing fad or perhaps because they simply could not make the mental leap that follow-through at school would be needed. Various schools began to offer some form of Māori-medium education but, as we have seen, this did not meet the ever-rising demand. Moreover, the first Māori immersion primary school – at Hoani Waititi Marae in west Auckland – was a Māori initiative, in 1985. By 1990, the number of kura kaupapa stood at only six.

In 1987, bilingual education expert Bernard Spolsky was commissioned by the Department of Education to report on Māori–English bilingual education. Given the ‘493 kohanga reo programmes’ then in operation, he estimated that at least 3,000 children a year would enter the school system expecting ‘a significant use of Maori in their curriculum.’ From these ‘rough projections’ he concluded that ‘we are facing a need for at least 1000 qualified Maori bilingual teachers over the next decade.’ He suggested that it was a ‘matter of high priority for the department to prepare and maintain more precise projections to make possible the necessary long-term planning. One critical need is a survey of the present situation of qualified or nearly qualified Maori bilingual teachers.’

Spolsky’s projections were conservative; within the next few years, the number of kōhanga had in fact risen by several hundred over and above the 1987 total. The number of schools offering bilingual or immersion classes, or full immersion or bilingual programmes, rose markedly over the following decade as well. But the 1992 and 1995 surveys of demand for Māori language education showed clearly that supply remained well short of the mark.

It was the failure of Government supply that accounted for the eventual decline in student numbers and not the failure of the language movement. Indeed, buoyed by that movement, Māori demand swelled to meet the Māori-medium education supply and soon outstripped it. In
short, there clearly existed an enormous and enthusiastic market with no apparent ceiling in the 1990s; the bureaucratic failure to capitalise on that represents a major opportunity squandered.

The Government’s decision to open new kura kaupapa as quickly as it could – the number of such schools increased nearly 900 per cent from 1990 to 1998 – was problematic. Such a rapid increase was clearly unsustainable, since there was no adequate provision for teacher supply. The result was that the quality of education available to kura kaupapa students was often sub-par. We do not know whether Spolsky’s recommendation for more teachers was ever taken up; if there was any follow-up, either the Government’s demand projections fell well short or the required numbers of teachers were simply not produced. Moreover, the apparent emphasis on kura kaupapa may have met with the approval of the advocates of immersion, who opposed bilingual education on principle, but it increased the problems of teacher supply because it involved finding teachers who could teach the entire curriculum in Māori. At the same time, of course, the Government was vigorously defending Māori broadcasting litigation and there were long delays in establishing a Māori television service, which could have usefully backed up the gains being made in the classroom.

The first MLS, in 1997, undoubtedly came a number of years too late. This meant that long-term targets for the revival of te reo – let alone any development of such a vision in partnership with Māori – were completely absent from planning for a long time after the introduction of the Maori Language Act in 1987. Even once it was formulated, the 1997 strategy did not set out concrete targets or interim milestones. After Spolsky’s rough proposals, therefore, the first major attempt at plotting a specific course for the future seems to have been the substantial 1998 report for the Treasury by Canadian economists François Grin and François Vaillancourt, entitled Language Revitalisation Policy: An Analytical Survey.206

Grin and Vaillancourt described ‘modest’ enrolment in Māori-medium education, which they suggested was explained by two factors: supply and demand. On the supply side, they noted that teacher training – one of the ‘important building blocks of a proper Maori-intensive education system’ – was still inadequate. Among other things, they proposed that it first be established what proportion of Māori children should be taught by Māori-speaking teachers by 2005 (for example, 50, 80, or 100 per cent). The number of teachers required could then be calculated. A series of monetary incentives could be put in place to attract the right candidates (either fluent speakers who were not teachers or non-Māori-speaking teachers); an adequate supply of teaching materials could be produced; and the necessary intensive teacher- and language-training programmes established.207

In our view, the real significance of Grin and Vaillancourt’s proposals is not the specific formula or timeframe they arrived at, nor even their realisation that the supply of Māori-speaking teachers was crucial, but the fact that they proposed a vision and a plan. We believe that the faltering revival of te reo that we have described results in large degree from the very failure of the bureaucracy to develop – with Māori – a vision and plan. Officials simply did not understand the strength of the language movement in its early years, nor move to put in place measures that would cater for it throughout the school system – including initiatives to produce the necessary teachers and resources.

The 2003 MLS was a retrospective attempt to establish a vision and a set of goals to assist in realising that vision. This was better than nothing, but it should have occurred earlier to prevent the ‘supply bottleneck’ and all its consequences (and, of course, it should have been developed by the Crown and Māori in partnership). Nor did the new MLS offer the ‘wise policy’ needed to overcome the gridlock. The shortcomings in its core goals are outlined in the next section.

(b) The MLS goals
To support its overall vision, the MLS sets out five goals for 2028. They are aimed at increasing language proficiency, language use, educational opportunities in te reo Māori, community leadership for the Māori language, and public support and recognition for the language.

We have already identified a major structural stumbling block with the MLS – that it is not a Māori language strategy but a Crown Māori language strategy. Despite this fundamental failing, we nonetheless think it is worth looking closely at each of its goals.
(i) Goal 1
Goal 1 states that:

_The majority of Māori will be able to speak Māori to some extent by 2028. There will be increases in proficiency levels of people in speaking Māori, listening to Māori, reading Māori and writing in Māori._

When this goal was discussed during the hearing, Crown witnesses implied that it would be a tall order. Mr Chrisp said (in the context of the 2006 census results) that goal 1 was ‘a stretch’ but good to aim for. Ms Sewell said simply, ‘I don’t know whether we will meet that [target].’

But when it is unravelled, perhaps goal 1 is not so ambitious after all. Since those Crown witnesses put forward their views, it has become apparent to us that the 2028 target will not be measured in terms of the census result (although Te Puni Kōkiri’s witness indicated in cross-examination that it would, and thus a massive increase in speaker numbers would be required). The census asks a simple question: ‘In which language(s) can you hold a conversation about a lot of everyday things?’ In the last three censuses, about a quarter of all those in the Māori ethnic group have answered ‘Māori’. But goal 1 of the MLS is clearly not intended to raise this proportion to ‘the majority’ by 2028. Goal 1’s references to increased ‘proficiency levels’ and ability to speak Māori ‘to some extent’ show that the basis for measuring success will be not the census but Te Puni Kōkiri’s quinquennial survey. As we have seen, that survey defines those with some level of proficiency at speaking, reading, and writing te reo as anyone answering any of ‘very well’, ‘well’, ‘fairly well’, and ‘not very well’. By this measure, the proportion of Māori adults who could speak Māori ‘to some extent’ was 42 per cent in Te Puni Kōkiri’s 2001 survey and 51 per cent in 2006.

At the time the 2028 goal was set, therefore, the target required was not much of an advance on what had already been achieved. In fact it was then reached by the time of the next survey. It clearly lacked ambition. One wonders whether Māori themselves would have set such a target – we think not. We accept that the decline in the proportion of younger speakers revealed by the census means that the 2028 target may not even be achieved using the Te Puni Kōkiri measure, but we doubt this consideration entered the equation in 2003.

It therefore seems appropriate for some more specific proficiency targets to be worked into goal 1. As it stands, it could be met even if the majority were able to speak Māori ‘not very well’ in 2028. The MLS also needs to include interim milestones to achieve goal 1, so that agencies are clear about the ongoing need for action and results. And, of course, it is critically important that Te Puni Kōkiri uses a survey methodology that yields accurate results, particularly given the significant expense involved.

To our mind, goal 1 only becomes ambitious if in fact it does refer to the census results – when it actually becomes hopelessly unrealistic. In that regard there is a need to move beyond celebrating the ‘stabilisation’ in the overall number of Māori te reo speakers across the 1996–2006 censuses. Instead, there is an urgent need to focus on dramatically lifting the numbers of younger speakers of te reo.

(ii) Goal 2
Goal 2 states that:

_By 2028 Māori language use will be increased at marae, within Māori households, and other targeted domains. In these domains the Māori language will be in common use._

Achieving this goal depends heavily on the efforts of Māori themselves. Thus, as noted above, the ‘key domains’ listed include ‘whānau’, ‘Māori communities’, ‘marae and hui at other venues’, ‘kapa haka’, and ‘karakia’. But it is also noted that te reo was spoken the least in 2001 ‘in the workplace, at sports and while socialising’. Thus, additional ‘key domains’ include ‘sports and recreation’ and ‘Government agencies’. We consider that it is important for the strategy to include a goal about Māori language use in Māori domains. It is also important for Māori to ‘own’ the te reo challenge, and so Māori should arguably have had responsibility for wording this particular goal themselves (and indeed the whole strategy, as we have already noted). Specifically, we consider that the term ‘common use’ in goal 2 may need further elaboration. It would be worth having some statistical targets to aim for in terms of using...
Māori in the home, at marae, and in other specifically Māori settings. The Te Puni Kōkiri survey on the health of the Māori language should be able to track progress towards such targets, if it presents a reliable picture.

(iii) Goal 3
Goal 3 states that:

By 2028 all Māori and other New Zealanders will have enhanced access to high-quality Māori language education.\(^{214}\)

Here again, the lack of definition of ‘enhanced access’ means it is not clear what this goal really entails. It needs further definition, including specific targets for participation by both Māori and non-Māori in Māori-medium pre-school and schooling, and in tertiary and community Māori language learning. There should also be some targets for retaining students in the Māori-medium learning environment in the transition from pre-school to primary, and from primary to secondary. This would help counter the significant drop-off that occurs at the second of these transitions. Specific targets for increasing the teaching of Māori to all children in mainstream schools are required too.

There is also need for some clear aims around the quality of the Māori-medium education available, perhaps as measured through ERO reports. Māori parents will not accept an inferior education for their tamariki just because it happens to be in the medium of te reo. The quality of education on offer has clearly been an issue in East Coast schools in recent years, to judge by successive ERO reports, and it has doubtless been a factor behind the decline in Māori pre-schoolers attending kōhanga reo nationwide from the 1994 peak.

The te reo Māori Tribunal called for the Crown to ‘ensure that all children who wish to learn Maori be able to do so from an early age and with financial support from the State.’\(^{215}\) With this in mind, we asked Ms Sewell if every child who wished to had access to a Māori-medium education (which we note is slightly different to what the te reo Māori Tribunal was referring to). Although she was not certain about the primary level, she said she had had not received any letters from parents complaining that Māori-medium education was not available to their children. With respect to the secondary level, she was reasonably confident that, ‘for the most part, those parents who want their secondary age children to be engaged in learning in te reo Māori [have it] available to them in New Zealand.’ Bearing in mind the te reo Māori Tribunal’s concern, we asked her whether ‘supply now meets demand’.

She said that there was always the prospect of more kura becoming registered, but that the significant growth of ‘six or seven years ago’ (she was speaking in early 2007) ‘seems to have levelled out’.\(^{216}\)

Of course, the growth has ‘levelled out’, because infrastructure never kept ahead of demand. In other words, the failure to meet demand wounded momentum. But this is no justification to rest easy today: instead, it creates a heightened responsibility to foster new demand – if for no other reason than the MLS goals depend on it. We must see new Māori-medium schools opened or Māori-medium classes established within existing schools (or both). Goals must be set for the supply of te reo teachers (both teachers of te reo and teachers in te reo). The Crown must anticipate demand for teachers and classroom places generated by two factors – first, the rising number of Māori of school age and, secondly, the increase in Māori-medium students necessary to meet MLS targets and which should in theory flow from the overall effect of the strategy.

(iv) Goal 4
Goal 4 states that:

By 2028, iwi, hapū and local communities will be the leading parties in ensuring local-level language revitalisation. Iwi dialects of the Māori language will be supported.\(^{217}\)

It is appropriate that kin groups and local Māori communities lead local-level language revitalisation. But goal 4 should clarify that this will occur ‘with the support of the Crown’. Otherwise, the goal of tribal reo being ‘supported’ by 2028 seems wholly vague and inadequate, and a cause for concern for iwi fearing the loss of their dialects without urgent intervention and support.

One possible solution is for iwi authorities to have a role in administering or controlling local immersion schools and kōhanga, as envisaged two decades ago at the
time of the Runanga Iwi Act 1990. Today, many of those organisations have much greater capacity than in the late 1980s. We return to this matter in conclusion.

(v) Goal 5

Goal 5 states that:

\[
\text{By 2028 the Māori language will be valued by all New Zealanders and there will be a common awareness of the need to protect the language.}\]

Presumably, this goal will be measured in terms of the results of the Te Puni Kōkiri survey of attitudes to the Māori language, which is conducted every three years. Again, however, the goal’s ambiguous wording creates uncertainty about the size of the task. When this goal was set already 90 per cent of non-Māori apparently believed it to be a good thing for Māori to speak Māori at home and on the marae. Thus, while only 40 per cent supported the use of Māori in public places,\textsuperscript{199} there was arguably already evidence of ‘common awareness’ of the need to protect te reo. The latest attitudes survey, in 2009, more than confirms this, giving corresponding results of 97 and 77 per cent respectively.\textsuperscript{200} Indeed, as we have said, we perceive that a national consensus has existed for some years that te reo is worth saving. Therefore, this goal too needs much greater definition and the addition of some clear targets based around certain aspects of the attitudes survey.

(vi) The MLS goals: conclusion

Overall, our view is that the MLS is intentionally high level and abstract, and has been constructed within the parameters of a bureaucratic comfort zone. It is, as we have said, less a Māori language strategy than a Crown Māori language strategy.

We consider that a set of much more specific targets and interim milestones needs to be added to the strategy. We understand that Te Puni Kōkiri initially attempted to identify appropriate interim targets, but abandoned this work because it felt there was not enough information about the state of the Māori language, or the likely impact of Government activities, for realistic targets to be set. The department instead planned to undertake research to enable new targets to be set for the 2008–13 period.\textsuperscript{211} Nonetheless, we believe that more detailed targets should have been included from the outset and that there seems little justification for the imprecision in the wording of the goals. Ms Sewell acknowledged to us that ‘I think the time is right for the Ministry [of Education] to use the wealth of data that it now has, both its own data and data from Statistics New Zealand, to look more specifically at what would be the indicators for us that we were on track.’\textsuperscript{222} Hopefully, our analysis of the Ministry’s published statistics set out in the appended tables will assist in this regard.

It is particularly disappointing to note that Te Puni Kōkiri’s March 2003 discussion document on the proposed MLS did contain more specific and adventurous targets, which were dropped. For example, one outcome was that ‘Māori language use will be doubled in targeted domains by 2028’, with these domains defined as including ‘public signage (including public announcements), and national and local government (including hospitals)’. Another outcome was that ‘By 2028 the Māori language will be in common use in the majority of Māori homes.’\textsuperscript{223} As can be seen, the wording of the eventual MLS goals was watered down from these earlier proposals.

Piripi Walker pointed out that the MLS sets no goals for the speaking of te reo in the wider community\textsuperscript{224} – only that all New Zealanders will value te reo or have ‘enhanced access’ to Māori language learning opportunities.\textsuperscript{225} It seems to us essential that the strategy also include goals around non-Māori use of te reo, if it is to have a sufficiently broad vision. Although the number of non-Māori speakers is not surveyed by Te Puni Kōkiri, it is recorded in the census: the latest reveals a 15 per cent drop in the number of non-Māori speakers. As Te Puni Kōkiri suggested, this may of course relate to increased awareness of what conversational Māori entails through exposure to Māori Television.\textsuperscript{226} However, it may also indicate that many non-Māori are abandoning the reo revival movement, in the way that those at the margins of interest and with less at stake are the first to leave movements that begin to falter. In this case, the decline in non-Māori speakers may be a warning sign of impending disaster, like those provided by canaries in the coal mine. A drop of such magnitude is, in any case, dramatic
and should be a cause for concern or – at the very least – investigation. Yet again, it is symptomatic of policy that is neither good, wise, nor efficient.

(c) Implementation of the MLS

In examining how well the agencies charged with implementing the MLS are working together, we were able to consult the OAG’s November 2007 report on the implementation of the MLS over its first four years. The OAG’s performance audit was intended ‘to see whether the lead agencies responsible for implementing the Strategy were carrying out their roles effectively’ and ‘to provide assurance to Parliament on whether the Government’s Māori language revitalisation efforts were well coordinated and targeted through lead agencies’ implementation of the Strategy.’

It seems clear that the first five years of the MLS were something of a false start. These were crucial times in the revival of te reo Māori, but the OAG report paints a picture of lost opportunities due to poor communication and coordination, unrealistic expectations, and deprioritising within agencies. As we had already seen from documents provided by the Crown during our own inquiry, by 2007 many agencies had not yet drawn up their five-year implementation plans or had done so inadequately. Other plans had morphed into general agency statements of intent or other strategic documents. Te Puni Kōkiri itself had only produced a draft plan by the Cabinet’s June 2004 deadline. Moreover, the agencies’ overall focus had been on ongoing planning and coordination, rather than setting any sort of statistical targets to serve as interim milestones for the 2028 goals in the MLS.

There are many reasons why agencies failed to adequately undertake the basic work needed to get the MLS moving, all of which are traversed in the OAG report. Te Puni Kōkiri’s leadership of the sector was variable up until early 2005, with staffing changes causing some disengagement. Further, Te Puni Kōkiri has no power to compel its fellow lead agencies to act.

Te Puni Kōkiri also failed to realise the challenges facing agencies in which the Māori language is of relatively marginal importance; for these agencies in particular, the June 2004 deadline for implementation plans agreed to by Cabinet was unrealistic. Some of these agencies explained that they had inadequate resources to do the work required; some said that other pressing work quickly assumed priority. As the OAG noted, however, the June 2004 deadline was directed by Cabinet and should have been met. If it could not be met, Ministers should have been told, which they were not. The OAG also observed that the agencies operated in such significantly different environments that the task of gaining stakeholder cooperation was vastly uneven. The National Library can hardly compel the various libraries, archives, and other repositories to comply with the MLS over Māori language archives, for example. By contrast, Te Māngai Pāho has much more leverage over Māori language broadcasting with those it funds to produce or deliver te reo programming.

As a result, Te Puni Kōkiri had had to become much more flexible about what sorts of engagement and planning it would accept from the other lead agencies. The majority of the intended target-setting for the strategy’s first five years had been long abandoned, and the OAG said the agency was looking to set new interim targets for the 2008 to 2013 period. It is worth recalling the MLS’s optimistic statement in 2003 that lead agencies would ‘develop detailed implementation plans that will guide their development and delivery of [their respective te reo]
functions for the next five years. These plans will identify specific targets within each function and the resources to ensure that the functions are delivered.  

There is one other matter worth noting. The MLS requires Te Puni Kōkiri to evaluate the effectiveness of what the lead agencies have done to implement it. By late 2007, however, Te Puni Kōkiri had still not undertaken this evaluation according to the terms set out in its own draft implementation plan. The OAG noted that this was in part because agencies had simply not made enough progress for their activities to be evaluated. Te Puni Kōkiri claimed that it could still undertake the planned evaluation in 2008 on the basis of some targeted policy work, its surveys, and research into focus areas for Māori language revitalisation. However, the OAG felt that this did ‘not constitute systematic evaluations of the effectiveness of Māori language activities carried out by the government agencies’. Additionally, changes in the way Te Puni Kōkiri had carried out its monitoring function since 2003 created uncertainty as to how exactly it intended to carry out its evaluation role. The OAG recommended that this be clarified.

In sum, by late 2007 (at the time of the OAG report), Te Puni Kōkiri’s crucial five-year targets for the MLS remained unchanged. These were:

- by 2008, all government Māori language policies and initiatives would have a clear rationale centred on the Strategy; and
- by 2008, all Māori language policy would be appropriately co-ordinated to ensure a whole-of-government approach to Māori language revitalisation.

It was by this time nearly five years since the MLS was approved and 10 years since Cabinet agreed to the first set of Māori language policy objectives (and, for that matter, fully 21 years since the Tribunal’s report on the te reo Māori claim). But it was by no means certain that these basic goals would be achieved. The OAG observed that ‘fully achieving TPK’s [Te Puni Kōkiri’s] two 2008 outcomes will need sustained commitment to the Strategy and timely action by all lead agencies, including TPK, in the next few months leading up to the deadline.’ We are unaware of whether these two targets have now been met.

On a structural level, therefore, it seems that the sector is handicapped by a lack of power on the part of the lead agency, and by a lack of motivation on the part of agencies whose overall focus is well removed from te reo (and who accordingly have failed to put the necessary resources into implementation planning). Having a strategy and vision is undoubtedly worthwhile, but having one in a sector that is unable to pull together with sufficient energy and urgency is a serious problem.

Even within Te Puni Kōkiri, there are distractions that work against concerted effort. Mr Chrisp explained that, in addition to Māori language and broadcasting, he also had oversight of the Ministry’s work in Māori education, Māori health, Māori housing issues, and criminal justice. Te Puni Kōkiri has a small team dedicated to Māori language work, and Te Taura Whiri has a similarly small staff component for the policy dimensions of its work. Increasing these agencies’ human resources is one obvious step. But aside from spending more, the Crown must also spend money better, through better coordination and greater motivation within the Government Māori language sector. The OAG report makes this clear.

In 2009, the OAG issued a short follow-up report on the actions taken in response to its 2007 review. It noted that eight of its 11 recommendations were being taken up by Te Puni Kōkiri in its internal review of the MLS, and the other three were the subject of ongoing work. Overall, it found that ‘all agencies are showing increased commitment to the Strategy.’ While that is a step in the right direction, it does not negate our concerns about the strategy itself, nor the policy that gave rise to it.

(d) Crown support for tribal reo

We consider that the Crown could have done more to help Ngāti Porou achieve its goals for its dialect. It seems to us that Ngāti Porou has relatively little influence over the expenditure of te reo resources within its own rohe. It is not simply a case that Ngāti Porou preferences need to be more adequately regarded in Government decision-making, but that the decision-making needs to be shared. We have already criticised goal 4 of the MLS on the basis that its ambition for 2028 – that ‘Iwi dialects of the Māori language will be supported’ – is weak. This wording demonstrates what little meaningful input iwi such as Ngāti
Porou have had into the MLS on matters of great importance to them.

Since local-level action is crucial in the movement to revive te reo Māori, it follows that the Crown must support local preferences. Just as the Crown must make decisions in concert with Māori about its overall reo strategy, so too must it work in partnership with iwi about issues of importance to them, such as dialect. Counsel for Ngāti Porou was correct to suggest that the time for action on te reo ake o Ngāti Porou is now, for older speakers are steadily diminishing in number. It seems that the Crown has not tuned its ear sufficiently to these concerns.

Ngāti Porou witnesses argued that bureaucratisation in Māori language education had stifled local initiative and thus adversely affected their reo a iwi. For example, Dr Mahuika said that kōhanga reo had operated competently and within their own resources when they were simply the initiative of Māori and received some support from the Department of Māori Affairs. Giving evidence in 1999, he said that many local whānau, who ran kōhanga in terms of local tikanga, had ceased to do so because they lacked the formal qualifications required by the New Zealand Qualifications Authority to receive funding. The result of the Ministry of Education’s assumption of control in 1989 was that kōhanga proliferated, because of the extra funding available, but that the quality of reo spoken by graduates thereby declined, thus impacting on te reo ake o Ngāti Porou. As Dr Mahuika put it:

Iwi Māori initiatives have been successful utilising their own tikanga systems and values, but these are not sustainable because of funding constraints. Whenever success is seen, the government of the day will find a way of taking over, and once this occurs, failure once again emerges.

In its early days, the strength of kōhanga reo was that it was a national movement. This meant economies of scale could be achieved with respect to staffing and resources, and it meant national strategies could be developed for teaching and certification. In recent times, there has been a build-up of resentment at local community level about lack of control of kōhanga. The traditionally fierce independence of Māori communities has made these sorts of tensions a common issue with Māori policy and programmes of any kind. Just where the balance should fall in this case is a matter well beyond the scope of the evidence we heard. We are very sure, however, that if the reo movement is to be revitalised, this must occur at the flax roots. Mita like the mita of Ngāti Porou will survive and flourish only if language regions have sufficient control to make this happen. Those responsible for policy settings in this area must find ways of delivering local control while keeping the advantages of national coordination. This is a difficult problem but hardly a new one. We revisit these issues in our conclusion.

With respect to Te Taura Whiri’s work on standardising te reo, we certainly accept the need for such a body serving as the ‘keeper’ of the official lexicon. We also acknowledge that no language or dialect is static, and that in this globalised world, evolution and change occurs probably quicker than ever before. However, we are unclear as to whether Te Taura Whiri has been acting in accordance with Māori wishes or contrary to them. Piripi Walker, for example, told us that it was wrong for Te Taura Whiri to have made the unilateral decision that there would be no more transliterations, because many cherished words in Māori are transliterations. Indeed, many of them date from early contact and the English word transliterated has itself sometimes fallen out of common use.

On the other hand, Te Puni Kōkiri’s witness told us that Te Taura Whiri’s decision to prevent any further transliterations entering te reo Māori was in fact derived from Māori preferences.

We can conclude only that some Māori are concerned about Te Taura Whiri’s direction and that the commission needs to make it plain that it is acting in accordance with Māori rather than bureaucratic preferences.

Other than that, the most we can say about the new, standardised reo promoted by Te Taura Whiri is that we are aware of the lively debate amongst Māori linguists and speakers about its impact on te reo generally and on the health of dialects and older native speakers in particular. It is a discussion in which we have no specific expertise and in which we sympathise with the positions of both sides. If anything, we merely make the point that there must be room for debate on the right way forward, and a willingness on both sides to see matters from the other perspective.
We note, in any event, the following comment of the Te Taura Whiri commissioners in the agency’s Statement of Intent, 2008–09: ‘Te Taura Whiri i te Reo Māori is aware of the need to capture, preserve and further develop iwi dialects that remain. This is pivotal to the ongoing development of the language of the paepae.’

During Māori Language Week 2009, Erima Henare, the Māori Language Commissioner, also stated that Te Taura Whiri considered that the MLS ‘would be better aligned to supporting language initiatives which revitalise hapu and iwi dialects and other successful community based projects.’

(4) Appropriate resources

Looking through the record of the last 20 years, it is difficult to find many affirmations that the Māori language revival effort is well funded – unless of course they come from the Government itself. Professor Stephen May and others, for example, referred in 2004 to the ‘long-standing and ongoing under-resourcing of Māori-medium education.’ Māori Language Commissioner Dr Patu Hohepa went so far as to make the following comments about Te Taura Whiri’s funding in the commission’s 2002 annual report:

As Te Taura Whiri i te Reo Māori, our existence, our activities concerning the Māori language and our optimism are fraught with frustrations. The enduring one is inadequate funding. One wonders if there are other Commissions still surviving whose base funding level has remained almost static for 14 years. Either the endurance of former Māori language commissioners needs commending, or the remarkable immovable consistency of different governments needs noting, given that my esteemed predecessors have often raised this same concern.

Even Crown witnesses also made frequent reference to the limited resources available to them. Mr Chrisp of Te Puni Kōkiri, for example, explained that ‘One of the dilemmas that we face is there is a finite pool of resources’. He later commented that ‘we are able to undertake work to support the Māori language to the extent that funding is available to [do] that so there is a clear relationship between what we can do and the funding that is available’. He also noted that Māori Television ‘broadcast to the limit of the budget that is available to them’. Ms Sewell said that the amount of support the Ministry of Education could provide for Māori language initiatives was impacted by factors including ‘the allocation of finite resources’. She explained that the Ministry supported iwi dialects ‘but it’s always within the context of it being a government department with expectations, demands and resources that are limited’. Likewise, Alexander Turnbull Library chief librarian Margaret Calder explained, with respect to Māori language materials held by the National Library, ‘The decisions about where resources go of course is made at a library-wide level, given that there are enough resources.

In response to Tribunal questions about Te Puni Kōkiri’s lack of operational capacity, Mr Chrisp said that it had been successful in influencing other agencies, including, for example, the Ministry of Education. However, he admitted that ‘if we had more operational capacity available we would do more work’. There is no ring-fencing of money for Te Puni Kōkiri’s te reo policy work, with the amount dedicated being essentially comprised of staff salaries (which Mr Chrisp estimated at around $150,000 to $200,000 annually). He also guessed that the amount spent on te reo policy at Te Taura Whiri would be about $100,000. We were told that no further bids for extra resources were made in 2006, and we were not advised after the close of our hearings of any bids (successful or otherwise) in 2007.

We have noted the approximate Government spending on activities that support te reo in the first part of this chapter. While it is not possible for us to state exactly what level of funding would be sufficient to ensure te reo’s protection, the Crown’s own witnesses did not seem to be convinced that the funds they had to work with were enough – even for what strikes us as an inadequate agenda. As we have suggested, the Crown must first establish the components of a ‘wise and efficient’ policy and then determine the necessary resources accordingly. We suspect neither of these tasks has yet been fulfilled.
5.4.7 The Māori obligation

(1) Kōrero Māori

As we have stressed, Māori too have obligations to ensure the survival of te reo. The MLS defines the principal responsibilities of Māori as (among other things) whānau language transmission, Māori language use in Māori domains, leadership of local language revitalisation, the maintenance of tribal dialects, and maintaining and supporting paepae functions. The MLS states that these were roles that Māori identified for themselves during the 2003 consultation hui.255 Certainly, the importance of home and neighbourhood language use in language revival has been emphasised by many scholars, and the principles that the kōhanga reo movement were founded upon show that Māori have taken this aspect seriously.

But there is some evidence that Māori are not speaking te reo in Māori domains to the extent they could. For example, Te Puni Kōkiri's 2001 survey found that only 56 per cent of Māori adults who could speak Māori 'well' or 'very well' used Māori for half or more of the time when speaking with pre-school children (and only 41 per cent did the same with primary school children). It seems that a key barrier to using te reo for many Māori is the fear of criticism or failure, and respondents in the 2001 survey typically reported that few 'safe domains' existed. Kōhanga reo was seen as a relatively 'safe' environment, because respondents 'knew that the infants would not judge their ability to speak Māori'. Otherwise respondents tended to say that they would only speak Māori with those of a similar level of ability.256

Some of this whakamā may be being overcome. The 2006 survey of the health of the Māori language (to the extent we can rely on it) showed that there had been good increases in the proportions of Māori speaking Māori at hui, on the marae, at work, and within the home – particularly to pre-schoolers.257 However, Te Puni Kōkiri added that, 'Despite positive shifts in the amount of Māori being spoken, there are still a number of people who have a degree of speaking proficiency but do not use it.'258 The onus on Māori, therefore, is to speak te reo as much as possible, and particularly within the home. It is also necessary to take te reo outside the home in order to make it as much of a living language as possible.

Māori must also guard against complacency. We suspect that many may reflect upon the incredible change that has taken place since the 1980s – the advent of Māori Television and the iwi radio network, the number of kura kaupapa and the funding available to wānanga, the bilingual census forms, the National Radio presenters who introduce themselves in Māori, and so on – and think that the battle is won. But despite such developments, especially the advances in Māori broadcasting, the distractions and penetration of the global mass media and the culture it represents are much greater today than in the 1980s and 1990s. Ongoing vigilance is therefore imperative.

(2) Partnership and compromise

If language retention depends on language transmission, Māori should also cooperate with and take advantage of whatever opportunities for language transmission are put in place by the State – even if they resent what they perceive as the State's excessive ‘capture’ of the process. State ‘capture’ is simply the corollary of State funding.

Māori language revivalists must also be open-minded about what kind of Māori language education is appropriate. However, we have seen some adopting a relatively purist position, and contending that immersion is the only remedy. Writing in 1988, for example, former Māori Language Commissioner Timoti Kāretu and his colleague Jeffrey Waite argued that the establishment of ‘exclusively Māori-medium schools’ was ‘the only way’ for the language to be retained. ‘For there to be success’, they wrote, ‘the teachers will have to be appropriately trained, and must banish English in all teaching situations, from kōhanga reo to university and beyond.’259 The influence of this pro-immersion lobby can be seen in the particular status given kura kaupapa Māori within the Education Act 1989 (which was not accorded to bilingual schools) and the statutory recognition, a decade later, of the kura kaupapa guiding philosophy, Te Aho Matua.

Others, however, are not so sure that this is the right approach. The 1992 and 1995 surveys commissioned by the Ministry of Education found that the majority of Māori parents wanted their children taught in both English and Māori. Citing the 1995 figures, Nena and Richard Benton
argued in 1999 that ‘A successful revitalization policy would need to take cognizance of this solid support for a “middle way”’. Stephen May and his colleagues commented in 2004 that partial immersion schools can be as effective as those offering full immersion in teaching children te reo, as long as at least 50 per cent of the instruction is in Māori.

We have no particular scholarly expertise to bring to the debate about immersion or bilingual learning, and would not presume to pronounce upon the validity of the respective arguments. We do not for a moment wish to advocate any lessening of the commitment (by the Crown as well as Māori) to immersion learning. But we do urge Māori language revivalists to see value in all three approaches: immersion, bilingual and ‘as-a-subject’ Māori language learning. All make a contribution to maintaining the health of te reo. The considerable demand for the latter two forms of learning, combined with the state of te reo, means they should be explored more fully by the joint Crown–Māori partnership.

All this raises the issue of what kind of revival Māori seek. Do they want their children to be taught algebra in Māori, or do they simply want them to be able to use te reo in everyday conversation – at home, in shops, in sports clubs – and take full part on the marae? In our view, there is an obligation on Māori to debate the end goal and communicate that to the Crown so that revival policies can match Māori preferences.

Finally, those who simply complain that the Crown has robbed Māori of their reo need to bear in mind the nature of the Māori obligation too. As Robert McGowan says with respect to rongoā, it exists all around for those who wish to grasp it.

5.4.8 Conclusion: the Crown’s performance

When the Tribunal recommended in 1986 that:
- Māori be made an official language of New Zealand;
- a supervisory body be established by statute to foster the use of the language;
- all children who wish to learn Māori be able to do so from an early age; and
- the Treaty obligations to protect te reo Māori be met in broadcasting policy,
and the Maori Language Act was passed the following year, te reo advocates may have felt that a sufficient regime would be put in place to revive te reo and ensure its survival as a living language.

However, in 2010 there must be a deep-seated fear for the survival of te reo. The number of speakers is down in the key younger age groups, and older speakers with the highest fluency – whose language comprises the unique tribal variations of te reo – are naturally declining in number. For all the rhetoric about forward progress, even the Crown’s key witness conceded that there was still a need for ‘life support’.

Not only must there be a great concern about the language’s health, therefore, and in particular the health of tribal dialects, but there must also be a deep unease about the Crown’s responses to the situation. In the late 1970s, after decades of governmental neglect or worse, te reo had reached a time of crisis. But Māori action breathed new life into the language. In fact, so powerful was the Māori commitment to revitalisation that, in the 1980s and early 1990s, it practically knew no bounds. How else can one explain the growth, in just a decade, of the kōhanga reo movement from nothing to the scale of its operation in 1993? How else should one view the surveys at that time that showed enormous Māori demand for Māori-medium education? We suspect that, but for bureaucratic and political failure to capitalise adequately on this momentum, te reo Māori would not be in such a worrying state today.

The remarkable thing is that Māori do not know this story. The received wisdom is that the revival of te reo over the last 25 years is nothing short of a miracle. There is an element of truth in that. But the notion is that te reo is making steady forward progress, particularly amongst the young, is manifestly false. The Government bears significant responsibility for this misconception. In its report on *The Health of the Māori Language in 2006*, which it released in July 2008, Te Puni Kōkiri concluded that ‘it is apparent that the health of the Māori language in relation to all three language variables analysed (status; knowledge and acquisition; and use) has improved markedly since 2001’. While this claim was accompanied by the usual rejoinder about the need to maintain vigilance and effort, the key message was that the Government’s efforts had been a success. In fact, the very next sentence
suggested that credit was due to Government initiatives to support language revitalisation since 2001. 264

Even Te Taura Whiri – whose chair was scathing of Government efforts to revitalise te reo during the 2009 Māori language week 265 – has been susceptible to this kind of embellishment. In its brief to the incoming Minister in 2008 it wrote of reaching ‘a turning point in this journey, and the corner is one of anticipation as the 150,000 Māori and 30,000 non-Māori who now use the Māori language in some way, continue moving forward.’ 266 A change in
government initially brought no break in the official line: in July 2009 the Minister of Māori Affairs announced that it was ‘great to be able to say that te reo Maori is in a healthier state than it was five years earlier.’ 267

A year later, however, the mood had changed. In announcing the Tamati Reedy-led review of the MLS, Minister Sharples said on 29 July 2010 that a ‘more co-ordinated approach’ was needed that ensured ‘the programmes and expenditure across the whole of government are responsive to Iwi/Maori aspirations.’ 268 Expanding on
his motivation for the review in a speech the same day, he
remarked that ‘We have a Māori Language Strategy that
is not up-to-date and has largely not been implemented.
This has to change’. We are glad that the Minister has
identified what had become quite apparent to us, and we
trust this report will be of benefit to his review – as we
have explained, our decision to release this chapter was
prompted by a desire to avoid our report and the ministe-
rial review proceeding in separate silos.

The issue of teacher supply and education has clearly
played a big part in stalling the revival’s momentum. We
are aware of the pitfalls of focusing exclusively on edu-
cation. We understand the experts’ view that focusing
overly on formal education risks neglecting the home and
community environment, where the language spoken in
everyday life is a living tongue in every sense. However,
we still believe that Māori language education is crucial.
The education system is where children’s focus is captured
and their interest stimulated. Where schooling is backed
up by Māori language broadcasting and support for those
who wish to speak te reo in the home, it is a sphere in
which the Crown can make an enormous impact. The
reality is, though, that the numbers participating in Māori
language learning in the education system, apart from at
tertiary level, have declined since the 1990s. In 2010, it is
vital that this be rectified.

We have already outlined improvements we think
should be made to the MLS goals, and noted the kind of
vision and forward planning proposed by Grin and
Vaillancourt in 1998. Once the end goal is identified
and agreed upon by the Crown and Māori, officials will
know how many teachers will be needed by when. This
will in turn show how many are needed in training now,
and how many potential trainees must emerge from the
school system in the near future.

In our opinion, this is the kind of forward-looking
thinking that is needed, and we are not convinced that it
is widespread today. Instead, we find in Ka Hikitia a will-
ingness to simply hold the status quo in the number of
students in ‘Māori language education’ and no specific
plan to increase the number of children in Māori lan-
guage pre-school. We have also seen apparent ministerial
satisfaction with a Māori Language Act that is clearly fail-
ing to stimulate the Government’s own efforts to speak te
reo; endless teaching scholarship plans that may be linked
to perceived demand issues but are not necessarily linked
to long-term goals about language health and vitality; and
a survey that may not be giving the most accurate infor-
mation but has nevertheless provided opportunities for
positive media statements.

Bearing in mind that the aim is for the majority of
Māori to be speaking te reo (albeit ‘to some extent’) in 20
years’ time, we doubt how effectively the Crown’s current
actions match its professed long-term goals.

Ms Sewell suggested that supply had essentially met
demand in terms of the availability of Māori-medium
education. But that is quite possibly incorrect, given the
ongoing teacher shortages. In fact teacher supply still
struggles to meet a demand that has clearly diminished in
the face of perennial supply problems. Even if Ms Sewell
is correct, this does not mean that supply is sufficient to
achieve wider goals about saving and enhancing a taonga
of immense importance.

As we have said, supply ultimately needs to get ahead
of demand if the MLS goals are to be met. If we use our
imaginations today we might even foresee a time when
there will be a Māori flight from the mainstream system
to Māori immersion and bilingual learning, given the
early indications (tentative at this stage) of better educa-
tional outcomes for Māori children in that environment.
Will the bureaucracy be prepared for that?

In sum, and with reference to the four principles that
must underpin the Crown’s Māori language regime, we
make the following (provisional) findings:

- There has been a failure of partnership, with Māori
lacking control over the key decisions being made
about their own language. This is despite lessons
from New Zealand and overseas showing that actual
Māori decision-making will be crucial to the success
of the effort to revive te reo, for Māori choices and
actions (presupposing the existence of Crown sup-
port) will ultimately decide te reo’s fate.

- The Government itself has failed to become more
Māori-speaking and thus reflect the aspirations of a
growing number of the citizens it represents.

- There has been a profound failure (or, at best, a
belated move) to develop policy that will assist in the
revival of te reo and the safeguarding of dialect. The
gains made since 1980 owe more to the sheer power of the Māori language movement than to Government action. That movement now has itself been weakened by the governmental failure to give it adequate support and oxygen.

- Given the policy failure, the priority accorded te reo in resourcing has also been inadequate.

By contrast, Māori have largely met their own obligations to te reo. Certainly, there is a need to guard against whakamā, complacency, internal disputes at kōhanga and kura, and narrow thinking about the best form of Māori language learning. Māori must also decide exactly what future they see for te reo so that revival policies can match these preferences and aspirations. But, as we have seen, at the time it really mattered, Māori were up for it. The momentum they generated was crucial, for Māori have a tendency to live up to the expectations they create of themselves – and in the 1980s and early 1990s, that expectation clearly was to be Māori-speaking.

### 5.5 Proposed Remedies

Young speakers and learners of te reo Māori are steadily declining in number and proportion. There is an urgent need to reinvigorate the Māori language sector: more of the same is not an option if the language is to prosper. It is with this sense of urgency that we make our provisional recommendations for reforms. We make no apology for the fact that our proposals are far-reaching. Simply, the gravity of the situation calls for proportionate action. The Reedy review may itself come to similar conclusions. While we are not experts in this field and have no desire to pre-empt that panel's deliberations, it is open to them to take account of our position as they formulate their own report.

In sum, we believe that four fundamental changes must occur:

- Te Taura Whiri should become the lead Māori language sector agency. This will address the problems caused by the lack of ownership and leadership identified by the OAG.
- Te Taura Whiri should function as a Crown–Māori partnership through the equal appointment of Crown and Māori appointees to its board. This reflects our concern that te reo revival will not work if responsibility for setting the direction is not shared with Māori.
- Te Taura Whiri will also need increased powers. This will ensure that public bodies are compelled to contribute to te reo's revival and that key agencies are held properly accountable for the strategies they adopt. For instance, targets for the training of te reo teachers must be met, education curricula involving te reo must be approved, and public bodies in districts with a sufficient number and/or proportion of te reo speakers and schools with a certain proportion of Māori students must submit Māori language plans for approval.
- These regional public bodies and schools must also consult iwi in the preparation of their plans. In this way, iwi will come to have a central role in the revitalisation of te reo in their own areas. This should encourage efforts to promote the language at the grassroots. We explain these changes as follows.

#### 5.5.1 Sectoral leadership by Te Taura Whiri

It is clear that in 1986 the Tribunal saw the Māori Language Commission as central to reviving te reo. It described the proposed commission as a body that would foster the language, watch over its progress and set standards for its use. But, aside from the nature of the commission's function, the Tribunal declined to be overly prescriptive:

> We do not see a need to be too detailed in our recommendation on this particular point – the number of persons appointed to such a body, the precise extent of its powers, the kind of support staff it should have, are all matters on which opinions might differ widely. We simply say that the Maori language should be officially recognised so that it can be used on any public occasion and in dealing with any public body, and that there should be a supervisory body to set proper standards for its use and to take appropriate action to foster its proper development.  

As it stands, Te Taura Whiri undertakes many of the functions envisaged for it by the Tribunal, but it is not the leader within what is now the Māori language sector.
Instead, there are six ‘lead agencies’, with one of them – Te Puni Kōkiri – the overall sectoral leader. Te Taura Whiri has largely been relegated to the role of a stable of language technicians, while all the important decisions are made elsewhere. On some levels, this seems incongruous; it is Te Taura Whiri, and not Te Puni Kōkiri, that has both an exclusive focus on te reo and the real expertise on the matter. Neither are the two agencies’ roles separated along the lines of policy and operations, for Te Taura Whiri also has a policy component to its work. But this derives from the statute under which it was originally created; by contrast, the MLS sets out no policy role for Te Taura Whiri.

In fact, the Māori Language Act itself intended that Te Taura Whiri be the lead agency and key adviser to the Government on matters pertaining to te reo Māori. Section 7 states that its functions include initiating or developing policies and practices to give effect to Māori being an official language of New Zealand; generally promoting te reo as a living language; and advising the Minister of Māori Affairs as requested on matters relating to the Māori language. Under section 8, its powers include undertaking research into te reo Māori, reporting on any matters of relevance to the Minister, and consulting with Government departments about their use of te reo in conducting their business. The Act makes no mention of Te Puni Kōkiri, nor of its predecessors. Clearly, though, since Te Puni Kōkiri was established in 1992, it has come to assume many of the roles set out for Te Taura Whiri under the 1987 Act.

We did not seek any explanation as to why the Māori language sector has evolved in this way. However, we do consider it illogical that the body created under statute to advise the Government on te reo Māori issues has been relegated down the hierarchy. It now sits below an agency which has no such statutory role, other than the general monitoring function provided for by its own establishment Act. Te Taura Whiri, of course, is more independent in its structure than Te Puni Kōkiri, given that its executive is mainly answerable to a five-person board (albeit comprised of individuals appointed by the Minister of Māori Affairs) – although this may be unrelated to its relative marginalisation. In any event, we consider that centralising core responsibility for the Māori language within the agency that has exclusive focus would make more organisational sense and, if done properly, would have more punch.

We recommend, therefore, that a revamped Te Taura Whiri should serve as the leader within the Māori language sector as it was originally intended to be. None of the other agencies have the same concentration of focus on and expertise in te reo.

### 5.5.2 Te Taura Whiri to function as a Crown-Māori partnership

Given our emphasis on the need for partnership in language revival, Te Taura Whiri would need to be run in a different way. Rather than being governed by a five-person Crown-appointed board, it should instead be governed by equal numbers of appointees of both Māori and the Crown. The Māori appointees could be chosen by an electoral college of Māori constituency Members of Parliament and representatives of various Māori organisations with a clear interest in te reo (including iwi organisations, whose interest will be in tribal reo). The Crown appointees could be chosen by the Minister of Māori Affairs. We note that such an approach seems to work quite successfully with the Māori Television Service and its own Māori electoral college system.

A truly equal Crown-Māori collaboration should see positive results for te reo Māori. We concur with the Harvard Project on American Indian Economic Development that the exercise of de facto control by Government decision-makers over key indigenous development decisions invariably leads to failure. But the Crown must still provide the necessary financial support. What we are calling for is a body to govern the te reo sector that allows an authoritative and independent Māori voice at the Crown-funded table. Such a body would need to harness Māori passion for te reo as well as the structure, method and professionalism of the public sector.

### 5.5.3 Te Taura Whiri to have greater powers

The foregoing changes would make some difference, but on their own we doubt they would be enough to turn around the fortunes of te reo. We consider that Te Taura Whiri would need to be given powers to require other agencies to contribute to Māori language revival efforts. Without a Government-wide commitment to te reo,
particularly in areas where large numbers of te reo speakers are concentrated, the language will inevitably continue its decline. We believe that cooperation and encouragement work better than coercion, but sharp teeth will come in handy in emergencies.

There are elements of compulsion in the language regimes of other countries. In Wales, for example, the Welsh Language Board has had statutory powers to require public bodies to prepare language schemes that set out how they will treat the Welsh and English languages equally when providing services to the public. The Canadian Commissioner of Official Languages also has a role in policing compliance with the Official Languages Act, which allows any member of the public to communicate with and request or access services from federal government departments in either French or English.

We believe there are six key areas of the broader public service in which Te Taura Whiri should have the power to require the production of and compliance with Māori language plans, approve key documents, or set planning targets. Where language plans are required, Te Taura Whiri should provide model plans and assist public bodies to both produce and implement their plans. In any case of non-compliance with targets or plans (both in producing them or complying with them once approved), Te Taura Whiri would be able to refer the matter to the Minister of Māori Affairs, who would be empowered to sanction the relevant agency or authority until it complied. Such sanctions might include budgetary penalties, probationary controls over language matters or simply 'naming and shaming'. We set out the six areas of government as follows.
(1) Central government
All central government agencies in Wellington should be required to produce plans that set out how they will contribute to the revitalisation of te reo Māori. This will include education sector agencies, although for obvious reasons we deal with some aspects of the education system specifically below.

(2) Local government, district health boards, and branches of central government in certain districts
In certain parts of the country, where there are significant numbers of te reo speakers or a sufficient proportion of te reo speakers in the total population, all public agencies and authorities should be required to produce similar plans. The relevant districts could be calculated on the basis of the census returns for local government areas. Affected public agencies and authorities would be the territorial authorities meeting that particular speaker threshold as well as any district health boards or regional branches of central government located partly or wholly within those local government boundaries.

In each case, the public agency or authority should consult with the local iwi before submitting its plans for approval. This is not merely token consultation. The reforms we have in mind would vest certain substantive powers in iwi. We return to the role of iwi below.

The speaker threshold could be a simple calculation, such as 5,000 people or 5 per cent of the total population. We are aware that this would create anomalies, so it could instead be based on a more sophisticated formula, such as the number of thousands of speakers multiplied by the speaker percentage. This would give a fairer and more equitable result. Our point is simply that the large numbers of speakers in the biggest cities must be catered for as well as the high proportions of speakers in regional areas.

It should be remembered that Māori have a reciprocal role in this reform as well, because it is only triggered when the number of te reo speakers reaches the required threshold. Some districts, for example, will reach the threshold in years to come with renewed Māori effort. Others could conceivably drop out if Māori do not maintain their own obligation to kōrero Māori.

(3) Education curricula
All early childhood, primary, and secondary curricula involving te reo should be submitted to Te Taura Whiri for approval. So, too, should Te Taura Whiri approve all level 1 to 3 certificate te reo courses at tertiary level.

(4) Schools
All State-funded schools (except kura kaupapa and other te reo immersion schools) with rolls of at least 75 students, of whom at least 25 per cent are Māori, should be required to produce plans that set out how they will contribute to the revitalisation of te reo Māori. As with local government and public agencies, in each case the school should consult with the local iwi before submitting its plan for approval. This will undoubtedly involve additional iwi to those in the local government areas identified using the calculation in section 5.5.3(2).

(5) Teachers
After consultation with the Secretary for Education, Te Taura Whiri should set targets for the training of Māori language and Māori-medium teachers on a five-year rolling basis. This aspect of Te Taura Whiri’s new powers is vitally important, of course, because the te reo movement choked in the 1990s due to the failure to train a sufficient number of teachers. Teacher training institutions should submit plans for Te Taura Whiri’s approval showing how they plan to meet the te reo teacher targets.

(6) Broadcasting
Both the State broadcasters – TVNZ, Māori Television, and Radio New Zealand – and the State broadcasting funders – New Zealand On Air and Te Māngai Pāho – should be required to produce te reo plans. In addition, any broadcaster drawing on Te Māngai Pāho funds (which would include, for example, the iwi radio network and, presumably on occasion, other broadcasters such as TV3) should also be required to submit plans to Te Taura Whiri for approval.

5.5.4 Te Taura Whiri to offer dispute-resolution service
We have mentioned that interpersonal disputes occasionally break out in the running of kōhanga reo and kura due
to the pressures on the committed few of responsibility and time. We think it highly appropriate that Te Taura Whiri offer a conflict resolution service to kōhanga and kura whānau, so that there be as little disruption to children’s learning as possible.

5.5.5 An enhanced role for iwi
We are aware that Te Taura Whiri has for some time provided practical advice to iwi and hapū in the formulation of long-term language plans.274 We believe it is now time for the State not just to facilitate internal iwi planning but to actually be affected by those plans. As we have seen, our proposal is that certain agencies, authorities, and schools must consult with iwi in the formulation of their language plans for approval by Te Taura Whiri. Plans would not be approved where consultation has not occurred. We believe that, in this way, iwi language planning will effectively become implemented in the instrumentalties of the State. We also consider it likely that iwi will play an important role in alerting Te Taura Whiri to any issues of non-compliance with approved agency, authority, or school plans in their respective rohe.

We also make the following suggestion. In recognition of the strong desire in certain communities for local control, we wonder whether the kōhanga reo within each iwi’s rohe could collectively opt (with, say, a 75 per cent majority) to secede from the national trust and come under the control of the local iwi authority. This is of course a matter for Māori rather than the Crown, but we raise it nonetheless as a potential solution to some iwi concerns.

5.5.6 Conclusion
These provisional proposals may be seen as challenging. They may even be resisted in certain quarters. In reality, however, they would only bring New Zealand into line with regimes applied in comparable countries overseas. Given the significant spend on te reo policies now, they will not necessarily come at great extra cost. Reprioritisation could well address most new expenditure. These may be matters to be addressed by the review panel in due course. In the end, the question is whether we as a nation wish to preserve te reo as a living language or not. If we do, our proposals merely reflect the urgency of the situation and the pressing need for thorough change.

Te Taura Whiri will need to monitor the health of the language carefully. As a final recommendation, therefore, we propose that it report back to the community on progress every two years.

Since our findings and recommendations are provisional, the parties may wish to further ventilate these matters with the review panel, which is due to report in early 2011. If any party wishes to provide any response directly to us, they may make submissions by 25 November 2010, which we will consider before issuing our full and final Wai 262 report.

5.6 The Future
Twenty-five years since the Waitangi Tribunal first considered the position of te reo, we have had another opportunity to take stock of this singularly important issue. And, just as the Tribunal’s report in 1986 ushered in a period of change and progress, so we hope that our own report can help rejuvenate a movement that has lost some of the energy that propelled it in the early days.

Naturally, we hope that when the 2028 goals are being assessed in another 18 years’ time, they will have all been met. We also hope that each interim review of the MLS sets out new and visionary goals so that that sense of urgency is never lost. As we have said, those goals must be owned and formulated by Māori and the Crown in partnership.

One other matter bears mention: into the future New Zealand will look increasingly different from today. The population is set to become increasingly diverse, with mid-range projections that those of Asian origin will number 791,000 by 2026, only slightly behind the projected Māori population of 811,000. Pacific peoples will rise to 481,000, with Pākehā (and ‘other’) numbers rising slightly to 3.5 million but declining steeply in terms of proportion, from 77 to 70 per cent.275

As we become an increasingly diverse society, how will our shared values and nationhood be expressed and celebrated? We cannot know for certain, but it is quite possible that our greater heterogeneity will mean we rely
Number of speakers of te reo by local authority

- **North Island**
  - Hamilton City: 5,316
  - Napier City: 2,610
  - P. N. City: 2,700
  - P. N. City: 3,237
  - P. N. City: 4,800
  - P. N. City: 6,514
  - P. N. City: 7,917

- **South Island**
  - Waitakere City: 2,625
  - Auckland City: 2,000
  - Napier City: 2,511
  - Napier City: 2,700
  - Napier City: 3,237
  - Napier City: 4,800
  - Napier City: 6,514
  - Napier City: 7,917

- **Chatham Islands**
  - Chatham Islands: 2,625

- **Stewart Island**
  - Stewart Island: 2,511

- **Te Reo Māori**
  - 0–300
  - 301–750
  - 751–1250
  - 1251–1750

- **District and city boundary**
Percentage of speakers of te reo by local authority

- North Island
  - 15.8% (actual figure stated)
  - 20.4%
  - 24.3%
- South Island
  - 17%
  - 16.1%
  - 20%
- Chatham Islands
  - 20.4%
- Stewart Island
  - 17%

District and city boundary
more and more upon Māori culture to mark our unique place in the world and give us a common bond of identity. In the years to come, we hope that te reo will indeed be healthy enough to properly serve this cause.

Notes
2. Claim 1.1(g) (Haana Murray and others, second amended statement of claim on behalf of Ngāti Kurī, Te Rarawa, and Ngāti Wai, 20 October 2001), pp 10–11
3. Claim 1.1(e) (Tama Te Kapua Poata and others, second amended statement of claim for Ngāti Porou, 19 October 2001), pp 6–7
4. Claim 1.1(d) (Apera Clark and others, fourth amended statement of claim on behalf of Ngāti Kahungunu, 21 September 2001), pp 11–17
5. Claim 1.1(f) (John Hippolite and others, second amended statement of claim on behalf of Ngāti Koata, 24 October 2001), pp 9–10
7. Paper 2.261 (Waitangi Tribunal, draft statement of issues, 20 December 2005), p 42
8. Ibid
10. Paper 2.308 (Crown counsel, submission concerning joint memorandum of parties in relation to te reo issues in the draft statement of issues (paper 2.261), 22 June 2006). See also paper 2.309 (counsel for Ngāti Porou, submission concerning memorandum on behalf of Ngāti Porou claimants in relation to the te reo section in the draft statement of issues (paper 2.261), 22 June 2006), in which counsel for Ngāti Porou confirmed her agreement.
12. Paper 2.314, p 54
14. Steven (Tipene) Chrisp, under cross-examination by counsel for Ngāti Porou, 21st hearing, 25 January 2007 (transcript 4.1.21, pp 298–299). Tipene Chrisp has been identified as Steven in transcripts and testimony. We therefore refer to both names in footnotes, but to Tipene in the main text.
16. Document s6, p 82
17. Te Puni Kōkiri, Te Ora o te Reo Māori i Te Tairāwhiti: The Health of the Māori Language in Te Tairāwhiti (Wellington: Te Puni Kōkiri, undated), p 2, in document r33(b) (Te Puni Kōkiri, a collection of regional language profiles), received 8 January 2007, [p 94]
19. Document s6, pp 78–79
21. Document s6, pp 72–78
22. Apirana Mahuika, under questioning by Crown counsel and the presiding officer, 16th hearing, 30 August 2006 (transcript 4.1.16, day 4, pp 64–65, 74–75)
26. Ibid, p 55
32. Ibid, p 10
33. Document R2 (Crown counsel, closing submissions, 21 May 2007), app 1, p 44
34. Ibid, pp 41–42
35. Ibid, p 42
36. Document R33, pp 11–18
37. Ibid, p 17
38. Steven (Tipene) Chrisp, under cross-examination by counsel for Ngāti Porou, 21st hearing, 25 January 2007 (transcript 4.1.21, p 314). There was no discussion on this in the evidence of Margaret Calder for the National Library, nor did counsel take it up with her. He did, however, suggest to Mr Chrisp that he wondered if this meant that the only specific initiative the Crown was taking for te reo ake o Ngāti Porou was to preserve a record of it for when it is ‘ultimately lost’.
39. Document R29 (Karen Sewell, brief of evidence on behalf of the New Zealand Qualifications Authority, 8 January 2007), pp 12–15. The sum spent on specific support for te reo ake o Ngāti Porou was later confirmed as being $253,000, as noted by counsel for Ngāti Porou in closing submissions (see above). See also paper 2.457, app (Rawiri [senior manager Maori education, Ministry of Education]) to Hardy and Shaw (Crown counsel), 14 March 2007.
42. Crown counsel, cross-examination of Piripi Walker, 17th hearing, 8 September 2006 (transcript 4.1.17, day 5, p 39–41, 44)
44. Document R33, pp 18–19
45. Piripi Walker, under cross-examination by Crown counsel, 17th hearing, 8 September 2006 (transcript 4.1.17, day 5, p 32)
46. Document R29, p 1; doc R33, p 3
47. Steven (Tipene) Chrisp, under cross-examination by counsel for Ngati Koata, 21st hearing, 25 January 2007 (transcript 4.1.21, p 343)
48. Paper 2.279 (Waitangi Tribunal, memorandum concerning historical claims, 2 May 2006), pp 4, 7
49. The te reo Māori claim was heard over four weeks in mid- and late 1985, before the 1985 legislative amendment came into effect that extended the Tribunal's jurisdiction back to 1840.
50. Waitangi Tribunal, Report on the Te Reo Maori Claim, pp 8–9
51. Ibid, pp 9–10
52. ‘Pepper-potting’ was a policy pursued by the Department of Māori Affairs in urban centres during the 1950s and early 1960s whereby state housing for Māori was scattered within predominantly non-Māori communities in order to encourage ‘integration’. The term was used, for example, by the Secretary of Māori Affairs Jack Hunn in his 1960 report into Government law and policy concerning Māori: J K Hunn, Report on Department of Māori Affairs, 24 August 1960 (Wellington: RE Owen, 1961), p 41
53. Waitangi Tribunal, Report on the Te Reo Maori Claim, p 10
57. Document K3, pp 164–165
58. Ibid, p 104
59. Ibid, pp 165–166, 167
60. Waitangi Tribunal, Report on the Te Reo Maori Claim, p 35
61. Ibid, pp 10, 12
62. Ibid, p 16
63. Ibid, pp 16, 17
64. Ibid, p 51
65. Ibid, p 1
67. Piripi Walker alleged that the Government introduced its Bill without waiting for the Tribunal's report because it feared ‘the weight of the Tribunal recommendation on official recognition of the Māori language’. The Government thus ‘thwarted from the outset any expectation that Māori speakers would enjoy real language rights to use the language in public bodies’: doc p 35, p 4.
69. Comprehensive statistics on early childhood and school-age Māori-medium education are provided in the tables appended to this chapter. These figures and other references to early childhood education, schooling and tertiary education statistics in this chapter are drawn for the main part from the Ministry of
Education’s ‘Education Counts’ website (www.educationcounts.govt.nz) and are not separately referenced in each instance.

These are defined by the Ministry of Education as schools or classes within schools where students learn via the medium of te reo for between 12 and 100 per cent of the time. Four levels operate (with more funding for higher percentages of time spent learning via the medium of te reo): level 1 (80 per cent and above via the medium of te reo); level 2 (50 to 80 per cent); level 3 (30 to 50 per cent); and level 4(a) (12 to 30 per cent). Ministry of Education, Funding, Staffing and Allowances Handbook (Wellington: Ministry of Education, 2008), ch 1, pp 14, 30.

The number of schools that a subject was taught at was unavailable for 2009.

Ministry of Education, Ngā Haeata Mātauranga – Annual Report on Māori Education 2007/08 (Wellington: Ministry of Education, 2009), p 115. Students may be counted more than once in these numbers. We have not seen any updated figures.


New Zealand Maori Council v Attorney-General unreported, 3 May 1991, McGechan J, High Court, Wellington, CP942/88


New Zealand Maori Council v Attorney-General [1994] 1 NZLR 513 (PC) at 517

Te Māngai Pāho, Annual Report for the Year Ended 30 June 2009 (Wellington: Te Māngai Pāho, 2009), pp 4, 8–9, 10–11

See Television New Zealand Amendment Bill 2009 (89–1), cl 6

Steven (Tipene) Chrisp, under questioning by the presiding officer, 21st hearing, 25 January 2007 (transcript 4.1.21, pp 361–362)

Document R33, p 15. The acting chief executive of Te Taura Whiri seemed to suggest that iwi would pick up the role of investing in language regeneration initiatives to some extent: ‘2010 Final Ma Te Reo Funding Round opens’, Te Taura Whiri press release, 13 April 2010

Te Puni Kōkiri, Rārangi Mahi o ngā Ratonga Reo Māori 2006 – Inventory of Māori Language Services 2006 (Wellington, Te Puni Kōkiri, 2008), app 1 [p 1]; Te Taura Whiri records a figure of 1.8 million per year in its annual reports from 2004 to 2009, as does Tipene Chrisp: doc R33, p 15.

Te Puni Kōkiri, Rārangi Mahi o ngā Ratonga Reo Māori 2006, app 1, [pp 1, 2]. Tipene Chrisp described the size of the fund as $1.6 million annually: doc R33, p 15.

Document R33, p 15

Te Puni Kōkiri, Te Tuāoma – The Māori Language: The Steps That Have Been Taken (Wellington: Te Puni Kōkiri, 1999), p 11

Te Puni Kōkiri, A Shared Vision for the Future of Te Reo Māori (Wellington: Te Puni Kōkiri, March 2003), p 4

Document R33(a) (Te Puni Kōkiri, The Health of the Māori Language in 2001 (Wellington: Te Puni Kōkiri, 2002)), p 7

Those Māori organisations consulted included Kawea Te Rongo, Te Pūtahi Pāho and Te Whakaruruhau (broadcasting); Kura Kaupapa Māori, Te Ātaarangi, Te Kōhanga Reo, wānanga and universities (education); and the Māori Women’s Welfare League and iwi involved in language planning (general). Government agencies represented were the Ministry of Education, Te Māngai Pāho, Te Puni Kōkiri and Te Taura Whiri.

Te Puni Kōkiri, A Shared Vision for the Future of Te Reo Māori, pp 1, 5

Document R33(j) (Te Puni Kōkiri and Te Taura Whiri, Te Rautaki Reo Māori: The Māori Language Strategy (Wellington: Te Puni Kōkiri, 2003)), p 3


Document R33(j), p 5

Ibid, p 7

Ibid, pp 31–35; doc R33(yyyy), p 12

Document R33, p 7

For the 1999 and 2002 figures, see document R33(a), p 15, and for the 2006 figure, see Te Puni Kōkiri, Rārangi Mahi o ngā Ratonga Reo Māori 2006, app 1 [pp 1–2]. In communicating the 2006 stocktake result, Te Puni Kōkiri advised that the information may be incomplete and that, with reference to the similar inventory undertaken in 2000 (which presumably gives the 1999 figure), ‘it is not possible to directly compare the information because different methodological approaches were used in 2000 and 2006’: Te Puni Kōkiri, Rārangi Mahi o ngā Ratonga Reo Māori 2006, [p 2] fn 3.

Te Puni Kōkiri, Rārangi Mahi o ngā Ratonga Reo Māori 2006, [p 11]; doc R33(a), p 15
99. For the 1999 and 2002 figures, see document R33(a), p 15, and for
the 2006 figures, see Te Punī Kōkiri, Rārangi Mahi o ē Rarotonga
Reo Māori 2006, pp 1–2. The principal component of the
2006 education sector figure is the $65 million allocated for stu-
dent component funding of Māori language courses in tertiary
institutions.

100. Not all the most up-to-date education statistics were available to
us at the time of writing.

101. In 2009, there were 11 licensed early childhood education te
reo Māori immersion services other than kōhanga reo. In other
words, some former kōhanga may not so much have ceased to
exist as become a different kind of childcare centre. There were
also 634 licensed services where children received between 12
and 80 per cent of their communications from teachers in Māori,
although the range is so broad that we cannot do much more
than note this statistic: see Ministry of Education, Education
Report: Annual Census of Early Childhood Services, July 2009

102. We are aware that there was an even higher proportion (52.4 per
cent) of Māori in early childhood education at kōhanga in 1986.
At that time, however, the overall number of Māori attending
early childhood education was significantly lower (fewer than
16,000, as opposed to 28,500 in 1993): Lisa Davies and Kirsten
Nicholl, Te Maori i Roto i nga Mahi Whakaakoranga: Maori in
Education: A Statistical Profile of Maori Across the New Zealand
Education System (Wellington: Ministry of Education, 1993),
p 105, tbl A1.

103. We use 2008 here because we do not know the number of Māori
children in licence-exempt early childhood services in 2009.

104. Document R29(j) (Ministry of Education, Ka Hikitia – Managing
(Wellington: Ministry of Education, 2007), p 11. In 2005, the
Ministry suggested that kōhanga reo enrolments had decreased
‘because the number of TKR [Te Kōhanga Reo] services has
decreased. This is a result of a consolidation process undertaken
by the TKR Trust since 1995’: Ministry of Education (Data
Management and Analysis), Hui Taumata, 2005: Māori in Early
Childhood Education and Schools (Wellington: Ministry of
Education, 2005), p 2. We do not believe that the answer is this
straightforward, and nor does the Ministry believe so today (see
endnote 106).

p 426

106. Ms Sewell is clearly aware of all these issues. In her evidence
to the Whanganui district Tribunal inquiry in April 2009, she
wrote that the reasons for the decline were ‘unclear’ but added
that likely factors included increased Māori employment and
the ‘increasing responsiveness of other services, such as day-
education and care services, to working families including those
seeking education with an emphasis on Māoritanga’: Karen
Sewell, brief of evidence on behalf of the Ministry of Education,
27 April 2009 (Wai 903 ROI, doc 05), pp 8–9. Under questioning
in May 2009, she added that some kōhanga have sought inde-
pendence from the national trust. She also remarked that quality
of language and standards of care have at times been lacking, but
such matters were the responsibility of the trust, over which she
had no control: Karen Sewell, under questioning by Ranginui
Walker, 15th hearing, 27 May 2009 (Wai 903 ROI, transcript 4.1.15,
pp 188–189).

107. ‘Celebrate the Start of 20 Hours Free ECE’, New Zealand
Government press release, 2 July 2007

Early Childhood Education Services (Wellington: Ministry of
Education, 2009)

Māori Education Strategy, 2008–2012 (Wellington: Ministry of
Education, 2009), p 31. This is an update of the 2008 publication.

110. The 1995 ERO report also said that all kura were too small to
qualify for a non-teaching principal and that this caused the
principals great difficulty with workload: Education Review

111. Māori Affairs Committee, Te Uiuitanga Mātauranga Māori
– Inquiry into Māori Education, Report to the House of
Representatives, sess 1, 44th parliament, 1996, p 6

112. ‘Greater Need for Teachers Fluent in Maori, Says Karetu’, Evening
Post, 9 July 1997

p 436

114. Richard Benton and Nena Benton, Revitalizing the Māori
Language: Consultants’ Report to the Māori Development
Education Commission (Ngāruawāhia: Alta Vista Pacifica Tāpui,
1999), p 33


116. Karen Sewell, under questioning by Warehuia Milroy, 15th hear-
ing, 27 May 2009 (Wai 903 ROI, transcript 4.1.15, pp 193–194)


118. Ministry of Education (Education Information and Analysis),
‘Māori Language in Education’, Ngā Haeata Mātauranga –
Annual Report on Māori Education, 2008/09 (Wellington:
Ministry of Education, 2010), p 20. We note that the 2009 total
and percentage represented small increases over 2008.

119. Megan Lee, Monitoring Teacher Supply: Survey of Staffing in
New Zealand Schools at the Beginning of the 2010 School Year
(Wellington: Ministry of Education, 2010), p 1

120. Significantly, each annual report on Monitoring Teacher Supply
carries a stock remark along the lines of ‘vacancies and readvert-
tised vacancies were greatest in schools in rural areas (population
<1,000), in schools with a higher proportion of Māori students
on their roll (relative to other schools) and in low-decile schools
... (deciles 1–3)’: Lee, *Monitoring Teacher Supply: Survey of Staffing in New Zealand Schools at the Beginning of the 2010 School Year*, p 1.


127. Indeed, no fewer than 48,762 secondary school students (30.8 per cent of the total number) were learning French in 1970: Waite, *Aoteareo*, vol 2, p 70.

128. Of course it should be acknowledged that some children now even learn Spanish through the medium of Māori – the Ministry of Education noted in a 2005 press release that Spanish was being taught at Te Kura Kaupapa Māori o Te Koutu in Rotorua. ‘Great Things Are Happening In New Zealand Schools’, Ministry of Education press release, 23 December 2005


131. Ibid, pp 11, 63


135. Te Puni Kōkiri, *The National Māori Language Survey: Te Mahi Rangahau Reo Māori* (Wellington: Te Puni Kōkiri, 1998), pp 33–35. Dr Winifred Bauer notes that Tipene Chrisp has said, in a personal communication to her, that the results of the 1995 survey are considered unreliable. We are unsure as to the exact reason: Winifred Bauer, ‘Is The Health Of Te Reo Māori Improving?’, *Te Reo: The Journal of the Linguistic Society of New Zealand*, vol 51, 2008, p 34.

136. The survey also sought to contrast preferred schooling types by perceptions of availability of those types of schools ‘locally’. However, these cross-tabulations were, according to the AGB McNair report, ‘aggregate figures across the whole sample and do not tell us, for example, how many of the people who want bilingual education have that option available to them in their local area’. In other words, the survey was unable to verify the exact match of supply to demand except to the extent that children were in their caregivers’ preferred type of schooling (as set out in the text above): see AGB McNair, *Survey of Demand for Bilingual and Immersion Education in Māori* (Wellington: Ministry of Education, 1992), pp 81, 82.

137. Ibid, pp 70, 82

138. MRL Research Group, *Māori and Pacific Island Language Demand for Educational Services: Overview*, report to the Ministry of Education, Wellington, November 1995, pp 24, 28–29, 42–43. Eighteen per cent of Māori caregivers preferred primary schooling where te reo was available as a subject (rising to 24 per cent at secondary level). In fact, 17 per cent of Māori children attended such a primary school. Note that the information on page 29 of the report has been incorrectly presented. We were able to ascertain the correct percentages from the figure titled ‘Primary School Usage and Preference’ on the facing page, as well as from the way information in other tables was presented.


140. We say this because the surveyed rate of participation in Māori-medium education was considerably higher than we know to have been the case in these two years. It is of course possible some caregivers told the survey-takers what seemed the ‘right’ answer about their preferred schooling for their children.


143. An example may be the 30–34 year olds in 1996, who as 35–39 year olds in 2001 and 40–44 year olds in 2006, increased their proportion of reo speakers.

144. The figure of 624,000 is the official Māori ethnic group figure of 565,329 once it has been adjusted for those estimated to have been missed by the census, been temporarily overseas, to have not responded to the ethnicity question, and so on.


146. This figure, of course, excludes those who do not answer the census, are temporarily overseas, or fail to answer either or both of the ethnicity and language questions.

147. Document R33(a), p 19

148. The other growth areas were those aged 15 to 19 and 35 to 54, with the only other substantial gain in absolute numbers being made by those aged 40 to 49. There were declines amongst those aged 20 to 24 and 55 to 59. The growth in those over 60 may of course relate to more than just the ageing population, as some may well be being thrust into kaumātua roles and suddenly having to take learning te reo very seriously.


154. Bauer, pp 35–38, 50–51

155. Ibid, pp 33–73

156. Ibid, p 62

157. Ibid, pp 34, 70

158. Ibid, p 67

159. Waitangi Tribunal, Report on the Te Reo Maori Claim, pp 20, 21

160. Ibid, p 1

161. New Zealand Maori Council v Attorney-General [1994] 1 NZLR 513 (PC) at 517, 518


163. Document S3, p 183

164. Document R6, p 70


166. Ibid

167. Ibid, pp 66–67


169. Siobhan Murray, Achievement at Māori Immersion and Bilingual Schools: Update for 2004 Results (Wellington: Demographic and Statistical Analysis Unit, Ministry of Education, 2005), pp 3, 4

170. While Māori currently comprise 15 per cent of the New Zealand population, they represent 24 per cent of those aged under 15, which Statistics New Zealand predicts will rise to 28 per cent of those under 15 by 2026: Statistics New Zealand, National Ethnic Population Projections: 2006 (Base) – 2026 Update, p 7.

171. Counsel for Ngāti Koata, cross-examination of Steven (Tipene) Chrisep, 21st hearing, 25 January 2007 (transcript 4.1.21, p 343)

172. Document S1, p 50

173. Benton and Benton, Revitalizing the Māori Language, p 12


175. This phrase is taken from the Court of Appeal’s decision in what is known as the Whales case, where Ngāi Tahu were entitled to have a ‘reasonable degree of preference’ over other ventures seeking a licence for whale-watching operations at Kaikoura: Ngāi Tahu Maori Trust Board v Director-General of Conservation [1995] 3 NZLR 553 (CA) at 554.

176. New Zealand Maori Council v Attorney-General [1994] 1 NZLR 513 (PC) at 517

177. Ibid, p 518

178. Hunn wrote that language, arts, crafts, and the institutions of the marae were the ‘chief relics’ of Māori culture still in existence and that ‘Only the Maoris themselves can decide whether these features of their ancient life are, in fact, to be kept alive; and, in
the final analysis, it is entirely a matter of individual choice': doc R3, pp 80, 141.


180. Document s6, p 78.


182. Ibid, p 3.


186. Waitangi Tribunal, Report on the Te Reo Maori Claim, p 47.

187. High Court Rules, r 1.11.


194. When we queried the omission Te Puni Kōkiri explained that it had 'not undertaken any assessment of the state of language planning across government during the last five years', essentially because such work had been given a low priority: paper 2.488 (Crown Law Office, memorandum responding to 3 July 2008 memorandum of presiding officer, 9 July 2008), p 1.

195. Cabinet issued this instruction in July 2003, at the same time it approved the MLS.

196. Document R33(ee) (Parekura Horomia to chair, Cabinet Policy Committee, 5 May 2004).


209. Steven (Tipene) Chrisp, under questioning by the presiding officer, 21st hearing, 25 January 2007 (transcript 4.1.21, p 362); Karen Sewell, under questioning by the presiding officer, 22nd hearing, 30 January 2007 (transcript 4.1.21(a), p 34).

210. Steven (Tipene) Chrisp, under questioning by the presiding officer, 21st hearing, 25 January 2007 (transcript 4.1.21, p 363):

PO: Well if you look at your goal 1 which is really by far your most significant goal, the majority of Māori being able to speak Māori to some extent by 2028, that's a doubling of the numbers of Māori speakers [in the census]?

SC: Yes.

PO: Well actually no a doubling of the proportion, it will be a far larger doubling, sorry it will be a far larger increase in actual numbers won't it?

SC: Yes.

211. For the 2001 result, see document R33(a), p 20, and for the 2006 result, see Te Puni Kōkiri, Te Oranga o te Reo Māori 2006 – The Health of the Māori Language in 2006 (Wellington: Te Puni Kōkiri, 2008), pp iv, 22. We note that, while Te Puni Kōkiri records a figure of 24 per cent who could speak ‘not very well’ and a total of 51 per cent who could speak to some extent in its 2008 publication, the Research New Zealand report on the 2006 survey states that 26 per cent could speak te reo ‘not very well’ and 53 per cent could speak to some extent: Research New Zealand, 2006 Survey on the Health of the Māori Language, p 28.


213. We acknowledge that the MLS states that the ‘key domains’ were ‘identified by Māori’: doc R33(j), p 21.
214. Ibid, p 23
216. Karen Sewell, under questioning by the presiding officer, 22nd hearing, 30 January 2007 (transcript 4.1.21(a), pp 33–34)
218. Ibid, p 27
221. Document R33(yyyy), pp 27–28
222. Karen Sewell, under questioning by the presiding officer, 22nd hearing, 30 January 2007 (transcript 4.1.21(a), p 35)
223. Te Puni Kōkiri, *A Shared Vision for the Future of Te Reo Māori*, pp 6, 8
224. Document P35, p 10
225. Document R33(j), p 23
226. Steven (Tipene) Chrisp, under questioning by the presiding officer, 21st hearing, 25 January 2007 (transcript 4.1.21, p 362)
227. This abandonment may also be happening because of a degree of non-acceptance by some Māori of non-Māori learning te reo. The extent of this is, of course, difficult to know.
228. Document R33(yyyy), p 5
230. Ibid, pp 18–20, 26
231. Ibid, pp 24, 29
232. Ibid, pp 19, 24, 27–28
234. Document R33(yyyy), p 32
235. Ibid, pp 17–18
236. Ibid, p 20
237. Steven (Tipene) Chrisp, under cross-examination by counsel for Ngāti Porou, 21st hearing, 25 January 2007 (transcript 4.1.21, p 296)
240. Document G4, p 55
241. Two examples Mr Walker gave were tōkena for socks (from ‘stockings’) and neketai for tie (from ‘necktie’): Piripi Walker, under cross-examination by Crown counsel, 17th hearing, 8 September 2006 (transcript 4.1.17, day 5, p 43). Similarly, Apirana Mahuika described transliterations such as the Māori days of the week as ‘Taonga Tuku Iho . . . made by our tīpunas.’ He strongly objected to the new names for the days of the week, a lot of which, he said, were in fact taken from Scandinavian mythology. See Apirana Mahuika, under questioning by Crown counsel and the presiding officer, 16th hearing, 30 August 2006 (transcript 4.1.16, day 4, p 66).
242. Document R33, pp 18–19
245. May, Hill, and Tiakiwai, *Bilingual/Immersion Education*, p 2
248. Document R29, p 15
249. Karen Sewell, under questioning by the presiding officer, 22nd hearing, 30 January 2007 (transcript 4.1.21(a), p 27)
250. Margaret Calder, under cross-examination by counsel for Ngāti Koata, 22nd hearing, 30 January 2007 (transcript 4.1.21(a), p 55)
251. The OAG report tends to suggest that there have been limits to the impact of that influence. It notes that Te Puni Kōkiri has few ‘mechanisms to encourage the other lead agencies [aside from the agencies it monitors] to complete their Strategy planning’: doc R33 (yyyy), p 26.
252. Steven (Tipene) Chrisp, under questioning by the presiding officer, 21st hearing, 25 January 2007 (transcript 4.1.21, p 358)
254. Given the frequent references to limited resources, this seems an unfortunate omission. It could not have been due to tight economic conditions: Mr Chrisp agreed with counsel for the Te Tai Tokerau claimants in January 2007 that the country’s economic indicators were ‘very good’: Steven (Tipene) Chrisp, under cross-examination by counsel for Te Tai Tokerau, 21st hearing, 25 January 2007 (transcript 4.1.21, p 319). The OAG confirmed in 2007 that there was a ‘lack of designated resources for planning and implementation, and conflicting priorities within agencies’:  

Embargoed

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Embargoed

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Embargoed
It is reasonably clear that Te Puni Kōkiri needed more resources.

255. Document R33(j), p 29
256. Document R33(a), pp 27, 28–29
257. Te Puni Kōkiri, Te Oranga o te Reo Māori 2006, pp 28, 31
258. Document R33(vvvv), [p 7]
260. Benton and Benton, Revitalizing the Māori Language, p 94
261. May, Hill, and Tiakiwai, Bilingual/Immerssion Education, p 129
262. In his master of social science thesis, Father Robert McGowan remarks that academics and tino rangatiratanga campaigners often portray rongoā as ‘one of the taonga taken from them by the Pakeha’, but do not know enough to be aware that rongoa Māori is very much alive and available to them if only they were ready to make themselves available to the world in which it belongs’: doc K11 (Robert McGowan, ‘The Contemporary Use of Rongoa Māori, Traditional Māori Medicine’ (masters thesis, University of Waikato, 2000)), p 117.
263. Steven (Tipene) Chrisp, under questioning by the presiding officer, 21st hearing, 25 January 2007 (transcript 4.1.21, p 362)
264. Te Puni Kōkiri, Te Oranga o te Reo Māori 2006, p 35
266. Te Taura Whiri, Briefing for the Minister of Māori Affairs (Wellington: Te Taura Whiri, 2008), p 2
269. Pita Sharples, ‘Speech to Iwi and Community Stakeholders’ (speech announcing ministerial review of Māori language strategy and sector, Waikato, 29 July 2010)
270. Waitangi Tribunal, Report on the Te Reo Maori Claim, p 48
271. We are aware, however, that Māori Language Commissioner Patu Hohepa made the following remarks on page 1 of Te Taura Whiri, Annual Report of the Māori Language Commission for the Year Ended 30 June 2000 (Wellington: Te Taura Whiri, 2000):

   Burning issues continue to bedevil our work. Such an issue is the taking of some Māori language services and products from the Commission into your Ministry. They were better left to the Commission. Even though this Commission was created as the guardian and the activist for language promotion and maintenance, how could these be done if control over important aspects such as research and audit as well as possible funding have been moved to your Ministry? . . . That the Commission has continued to be at the mercy of non-Māori speaking analysts, linguists and decision-makers in your Ministry continues to cause repercussions in the Commission.

272. The board has also had the power to request local education authorities to prepare Welsh Language Education Schemes, showing how Welsh-medium education will be provided in their areas. The board approves or rejects such schemes. See Welsh Language Board, ‘History of the Board’, Welsh Language Board, http://www.byig-wlb.org.uk/English/about/Pages/HistoryoftheBoard.aspx (accessed 18 September 2010).

Whakatauaki
Page xv: In 1985, Sir James Henare stated this phrase during the Waitangi Tribunal’s inquiry into te reo Māori: “The language is the core of our Māori culture and mana. Ko te reo te mauri o te mana Māori (The language is the life force of the mana Māori). If the language dies, as some predict, what do we have left to us? Then, I ask our own people who are we?” (Waitangi Tribunal, Report of the Waitangi Tribunal on the Te Reo Maori Claim 4th ed (Wellington: GP Publications, 1996), p 34.)

Sidebar
Page 3: ‘A Note on Definitions’. Source: doc p29(a) (Apirana Mahuika, second corrected statement of evidence, 17 August 2006), p 8; Apirana Mahuika, under questioning by Crown counsel and the presiding officer, 16th hearing, 30 August 2006 (transcript 4.1.16, day 4, p 64)
Dated at Wellington this 30th day of September 2010

JV Williams, presiding officer

RCA Maaka, member

PE Ringwood, member

KW Walker, member
Table 5.1: Te reo-oriented early childhood education, 1989–2009 – student and centre numbers

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of kōhanga</th>
<th>Number of licence-exempt kōhanga</th>
<th>Number of puna reo</th>
<th>Students at kōhanga</th>
<th>Students at licence-exempt kōhanga</th>
<th>Students at puna reo</th>
<th>Total kōhanga</th>
<th>Total te reo-oriented ECE centres</th>
<th>Total kōhanga students</th>
<th>Total te reo-oriented ECE centre students</th>
</tr>
</thead>
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<tr>
<td>1989</td>
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<td>–</td>
<td>–</td>
<td>8,724</td>
<td>–</td>
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<td>470</td>
<td>470</td>
<td>8,724</td>
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<td>–</td>
<td>12,617</td>
<td>–</td>
<td>–</td>
<td>719</td>
<td>719</td>
<td>12,617</td>
<td>12,617</td>
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<tr>
<td>1993</td>
<td>809</td>
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<td>–</td>
<td>14,514</td>
<td>–</td>
<td>–</td>
<td>809</td>
<td>809</td>
<td>14,514</td>
<td>14,514</td>
</tr>
<tr>
<td>1994</td>
<td>773</td>
<td>46</td>
<td>–</td>
<td>12,508</td>
<td>1,035</td>
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<td>819</td>
<td>819</td>
<td>13,343</td>
<td>13,343</td>
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<td>1995</td>
<td>738</td>
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<td>14,015</td>
<td>248</td>
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<td>774</td>
<td>774</td>
<td>14,263</td>
<td>14,263</td>
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<td>1997</td>
<td>675</td>
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<td>13,104</td>
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<td>1998</td>
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<td>646</td>
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<td>1999</td>
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<td>11,859</td>
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<td>650</td>
<td>650</td>
<td>12,383</td>
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<td>2000</td>
<td>583</td>
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<td>11,138</td>
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<td>612</td>
<td>612</td>
<td>11,519</td>
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<td>2001</td>
<td>562</td>
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<td>586</td>
<td>586</td>
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<td>2003</td>
<td>526</td>
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<td>538</td>
<td>570</td>
<td>10,449</td>
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<td>2004</td>
<td>513</td>
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<td>43</td>
<td>10,418</td>
<td>191</td>
<td>580</td>
<td>526</td>
<td>569</td>
<td>10,609</td>
<td>11,189</td>
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<td>2005</td>
<td>501</td>
<td>11</td>
<td>49</td>
<td>10,070</td>
<td>146</td>
<td>519</td>
<td>512</td>
<td>561</td>
<td>10,216</td>
<td>10,735</td>
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<td>2006</td>
<td>486</td>
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<td>41</td>
<td>9,493</td>
<td>89</td>
<td>289</td>
<td>494</td>
<td>535</td>
<td>9,582</td>
<td>9,871</td>
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<tr>
<td>2007</td>
<td>470</td>
<td>7</td>
<td>30</td>
<td>9,236</td>
<td>69</td>
<td>343</td>
<td>477</td>
<td>507</td>
<td>9,305</td>
<td>9,648</td>
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<td>2008</td>
<td>467</td>
<td>3</td>
<td>32</td>
<td>9,165</td>
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<td>454</td>
<td>470</td>
<td>502</td>
<td>9,208</td>
<td>9,662</td>
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<td>2009</td>
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<td>9,288</td>
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<td>277</td>
<td>464</td>
<td>491</td>
<td>9,288</td>
<td>9,565</td>
</tr>
</tbody>
</table>

Note that there are other early childhood education centres where te reo is used as a language of instruction besides kōhanga reo and puna reo. For example, in 2009 11 licensed ‘Māori immersion services’ other than kōhanga reo used te reo more than 80 per cent of the time, and a further 634 used te reo 12 to 80 per cent of the time. However, these centres are not readily identifiable within the statistics, and their numbers are not consistently available over time. We thus restrict ‘te reo-oriented ECE centres’ to kōhanga reo (both licensed and licence-exempt) and puna reo. Data sourced from: Ministry of Education, ‘Education Counts’, Ministry of Education, http://www.educationcounts.govt.nz.
Table 5.2: Te reo-oriented early childhood education by percentage, 1989–2009

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Māori students in ECE</th>
<th>Māori as percentage of students at kōhanga</th>
<th>Māori as percentage of students at licence-exempt kōhanga</th>
<th>Māori as percentage of students at all te reo-oriented ECE</th>
<th>Percentage of all Māori in ECE at kōhanga</th>
<th>Percentage of all Māori in ECE at licence-exempt kōhanga</th>
<th>Percentage of all Māori in ECE at puna reo</th>
<th>Percentage of all Māori in ECE at te reo-oriented centres</th>
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<tbody>
<tr>
<td>1989</td>
<td>19,557</td>
<td>98.6</td>
<td>–</td>
<td>98.6</td>
<td>44.0</td>
<td>–</td>
<td>–</td>
<td>44.0</td>
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<tr>
<td></td>
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<td>99.0</td>
<td>–</td>
<td>99.0</td>
<td>44.6</td>
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<td>–</td>
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<tr>
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<td></td>
<td>(10,007/10,108)</td>
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<td>–</td>
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<td>1991</td>
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<td>(9615/10,451)</td>
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<td>–</td>
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<td>1994</td>
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<td>46.4</td>
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<tr>
<td>1995</td>
<td>29,856</td>
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<td>45.6</td>
<td>0.8</td>
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Again, we restrict ‘te reo-oriented ECE centres’ to kōhanga reo (both licensed and licence-exempt) and puna reo. Note that 2009 data were not available for licence-exempt services, although we do know there were in 2009 no licence-exempt kōhanga and there were 277 children at puna reo. Data sourced from: Ministry of Education, ‘Education Counts’, Ministry of Education, http://www.educationcounts.govt.nz.
### Table 5.3: Students in Māori-medium schooling, 1992–2009 – student numbers by level of immersion

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### Table 5.4: Student percentages in Māori-medium schooling, 1992–2009

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<th>Percentage of Māori school students in Māori-medium education</th>
<th>Non-Māori students in Māori-medium education</th>
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Note that the 1992 and 1993 Māori school student totals are regular class and special education student tallies combined (that is, adults not included). The 1992 and 1993 non-Māori school student totals are calculated by subtracting the identified Māori tallies the total school population (including special education, adult, foreign fee-paying and MERT scholarship students). For the years 1994 to 2009, the non-Māori total is the total school population minus the total Māori school population. As with table 3, the data for 1996, 1997, and 1998 differ from those published in the series *Education Statistics of New Zealand* for those years because the Ministry of Education later published adjusted figures. Data sourced from: Ministry of Education, ‘Education Counts’, Ministry of Education [http://www.educationcounts.govt.nz](http://www.educationcounts.govt.nz).
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<td>Māori (te reo)</td>
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<td>2.2</td>
</tr>
<tr>
<td></td>
<td>Māori medium/bilingual</td>
<td>5.0</td>
<td>2.8</td>
</tr>
<tr>
<td>Year</td>
<td>Māori FTE</td>
<td>English FTE</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>------------</td>
<td>-------------</td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>14.1</td>
<td>8.1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>16.0</td>
<td>9.2</td>
<td></td>
</tr>
<tr>
<td>2004</td>
<td>20.5</td>
<td>9.0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>40.1</td>
<td>17.6</td>
<td></td>
</tr>
<tr>
<td>2003</td>
<td>9.1</td>
<td>3.4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>42.1</td>
<td>15.8</td>
<td></td>
</tr>
<tr>
<td>2002</td>
<td>9.1</td>
<td>3.8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>30.9</td>
<td>13.0</td>
<td></td>
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<tr>
<td>2001</td>
<td>10.0</td>
<td>5.9</td>
<td></td>
</tr>
<tr>
<td></td>
<td>15.2</td>
<td>8.9</td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>11.0</td>
<td>8.8</td>
<td></td>
</tr>
</tbody>
</table>

### Table 5.6: Surveyed demand for Māori language education, 1992 and 1995

<table>
<thead>
<tr>
<th>Level of Māori language use</th>
<th>1992 AGB McNair survey</th>
<th>1995 MRL Research survey</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Māori preferred primary (%)</td>
<td>Māori primary attended (%)</td>
</tr>
<tr>
<td>Māori only</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>Mainly Māori</td>
<td>13</td>
<td>1</td>
</tr>
<tr>
<td>Māori and English</td>
<td>57</td>
<td>31</td>
</tr>
<tr>
<td>Māori as a subject</td>
<td>15</td>
<td>14</td>
</tr>
<tr>
<td>Only greetings etc in Māori</td>
<td>6</td>
<td>39</td>
</tr>
<tr>
<td>English only</td>
<td>1</td>
<td>11</td>
</tr>
</tbody>
</table>

### Table 5.7: Subjects taken by secondary school students: te reo Māori and selected other languages

<table>
<thead>
<tr>
<th>Year</th>
<th>Māori (including te reo rangatira)</th>
<th>Schools taught at</th>
<th>French taught at</th>
<th>Schools taught at</th>
<th>Japanese taught at</th>
<th>Schools taught at</th>
<th>German taught at</th>
<th>Schools taught at</th>
<th>Spanish taught at</th>
<th>Schools taught at</th>
</tr>
</thead>
<tbody>
<tr>
<td>1989</td>
<td>18,909</td>
<td>222</td>
<td>31,275</td>
<td>292</td>
<td>10,039</td>
<td>109</td>
<td>8,500</td>
<td>139</td>
<td>218</td>
<td>15</td>
</tr>
<tr>
<td>1990</td>
<td>19,470</td>
<td>233</td>
<td>28,964</td>
<td>296</td>
<td>12,442</td>
<td>145</td>
<td>9,008</td>
<td>135</td>
<td>268</td>
<td>9</td>
</tr>
<tr>
<td>1991</td>
<td>19,818</td>
<td>244</td>
<td>27,720</td>
<td>282</td>
<td>15,921</td>
<td>173</td>
<td>9,009</td>
<td>135</td>
<td>256</td>
<td>11</td>
</tr>
<tr>
<td>1992</td>
<td>22,303</td>
<td>268</td>
<td>26,409</td>
<td>284</td>
<td>19,738</td>
<td>204</td>
<td>9,395</td>
<td>131</td>
<td>856</td>
<td>23</td>
</tr>
<tr>
<td>1993</td>
<td>22,657</td>
<td>281</td>
<td>26,057</td>
<td>283</td>
<td>21,991</td>
<td>214</td>
<td>9,196</td>
<td>127</td>
<td>980</td>
<td>23</td>
</tr>
<tr>
<td>1994</td>
<td>23,874</td>
<td>293</td>
<td>26,117</td>
<td>276</td>
<td>26,301</td>
<td>236</td>
<td>8,951</td>
<td>127</td>
<td>1,264</td>
<td>34</td>
</tr>
<tr>
<td>1995</td>
<td>25,134</td>
<td>303</td>
<td>24,511</td>
<td>277</td>
<td>26,486</td>
<td>252</td>
<td>9,365</td>
<td>126</td>
<td>1,343</td>
<td>37</td>
</tr>
<tr>
<td>1996</td>
<td>25,278</td>
<td>309</td>
<td>22,815</td>
<td>265</td>
<td>27,039</td>
<td>264</td>
<td>9,102</td>
<td>117</td>
<td>2,370</td>
<td>46</td>
</tr>
<tr>
<td>1997</td>
<td>22,325</td>
<td>315</td>
<td>21,166</td>
<td>257</td>
<td>25,399</td>
<td>275</td>
<td>8,550</td>
<td>139</td>
<td>2,158</td>
<td>55</td>
</tr>
<tr>
<td>1998</td>
<td>21,462</td>
<td>314</td>
<td>21,676</td>
<td>255</td>
<td>22,376</td>
<td>278</td>
<td>7,912</td>
<td>132</td>
<td>2,580</td>
<td>58</td>
</tr>
<tr>
<td>1999</td>
<td>20,189</td>
<td>299</td>
<td>23,705</td>
<td>262</td>
<td>22,155</td>
<td>264</td>
<td>7,762</td>
<td>114</td>
<td>3,318</td>
<td>68</td>
</tr>
<tr>
<td>2000</td>
<td>20,720</td>
<td>319</td>
<td>24,272</td>
<td>252</td>
<td>21,529</td>
<td>263</td>
<td>8,240</td>
<td>117</td>
<td>3,858</td>
<td>76</td>
</tr>
<tr>
<td>2001</td>
<td>20,555</td>
<td>329</td>
<td>23,816</td>
<td>254</td>
<td>19,981</td>
<td>258</td>
<td>7,496</td>
<td>106</td>
<td>4,407</td>
<td>86</td>
</tr>
<tr>
<td>2002</td>
<td>21,015</td>
<td>329</td>
<td>24,056</td>
<td>254</td>
<td>19,400</td>
<td>247</td>
<td>7,073</td>
<td>108</td>
<td>4,823</td>
<td>86</td>
</tr>
<tr>
<td>2003</td>
<td>23,852</td>
<td>373</td>
<td>24,253</td>
<td>306</td>
<td>21,449</td>
<td>290</td>
<td>7,603</td>
<td>199 [sic]</td>
<td>5,820</td>
<td>186 [sic]</td>
</tr>
<tr>
<td>2004</td>
<td>24,817</td>
<td>366</td>
<td>25,689</td>
<td>270</td>
<td>20,928</td>
<td>257</td>
<td>6,809</td>
<td>137</td>
<td>6,505</td>
<td>132</td>
</tr>
<tr>
<td>2005</td>
<td>24,158</td>
<td>365</td>
<td>26,128</td>
<td>270</td>
<td>19,689</td>
<td>247</td>
<td>6,893</td>
<td>120</td>
<td>7,543</td>
<td>140</td>
</tr>
<tr>
<td>2006</td>
<td>23,903</td>
<td>370</td>
<td>27,614</td>
<td>267</td>
<td>18,489</td>
<td>230</td>
<td>6,686</td>
<td>111</td>
<td>8,100</td>
<td>141</td>
</tr>
<tr>
<td>2007</td>
<td>24,864</td>
<td>359</td>
<td>27,284</td>
<td>263</td>
<td>18,440</td>
<td>236</td>
<td>6,623</td>
<td>109</td>
<td>9,531</td>
<td>155</td>
</tr>
<tr>
<td>2008</td>
<td>27,620</td>
<td>358</td>
<td>28,245</td>
<td>261</td>
<td>18,157</td>
<td>228</td>
<td>6,251</td>
<td>105</td>
<td>10,900</td>
<td>156</td>
</tr>
<tr>
<td>2009</td>
<td>26,525</td>
<td>N/A</td>
<td>27,197</td>
<td>N/A</td>
<td>17,304</td>
<td>N/A</td>
<td>6,085</td>
<td>N/A</td>
<td>11,167</td>
<td>–</td>
</tr>
</tbody>
</table>

The Māori language student totals provided were reached by adding the individual totals for te reo Māori and te reo rangatira. We realise that some students are enrolled in both subjects, so there will be some double-counting. We understand that the totals also include those students participating in Māori-medium education, although we are unsure if this leads to further duplication. With respect to the total number of schools, we make the assumption that schools that teach te reo rangatira also teach te reo Māori. The number of schools subjects were taught at was unavailable for 2009. Data sourced from: Ministry of Education, ‘Education Counts’, Ministry of Education, http://www.educationcounts.govt.nz.
Table 5.8: Change in population size and te reo speaking in census age cohorts in the Māori ethnic group, 1996–2006

<table>
<thead>
<tr>
<th>Born</th>
<th>1996 census</th>
<th>2001 census</th>
<th>2006 census</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Size of cohort</td>
<td>Number of speakers</td>
<td>Change in size of cohort</td>
</tr>
<tr>
<td>1997–2001</td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>1992–95</td>
<td>71,664</td>
<td>10,500</td>
<td>−5,550</td>
</tr>
<tr>
<td>1987–91</td>
<td>67,422</td>
<td>14,718</td>
<td>−4,617</td>
</tr>
<tr>
<td>1982–86</td>
<td>57,318</td>
<td>13,377</td>
<td>−7,791</td>
</tr>
<tr>
<td>1977–81</td>
<td>51,714</td>
<td>12,420</td>
<td>−9,621</td>
</tr>
<tr>
<td>1972–76</td>
<td>47,346</td>
<td>10,095</td>
<td>−7,182</td>
</tr>
<tr>
<td>1967–71</td>
<td>43,149</td>
<td>8,913</td>
<td>−3,897</td>
</tr>
<tr>
<td>1962–66</td>
<td>41,994</td>
<td>9,255</td>
<td>−3,669</td>
</tr>
<tr>
<td>1957–61</td>
<td>36,405</td>
<td>8,658</td>
<td>−3,546</td>
</tr>
<tr>
<td>1952–56</td>
<td>28,041</td>
<td>7,503</td>
<td>−2,949</td>
</tr>
<tr>
<td>1947–51</td>
<td>22,344</td>
<td>7,080</td>
<td>−2,871</td>
</tr>
<tr>
<td>1942–46</td>
<td>16,098</td>
<td>6,366</td>
<td>−2,271</td>
</tr>
<tr>
<td>1937–41</td>
<td>13,857</td>
<td>6,543</td>
<td>−2,307</td>
</tr>
<tr>
<td>1932–36</td>
<td>10,185</td>
<td>5,235</td>
<td>−2,244</td>
</tr>
<tr>
<td>Pre-1932</td>
<td>15,834</td>
<td>8,412</td>
<td>−6,138</td>
</tr>
</tbody>
</table>

### Table 5.9: Māori ethnic group te reo speaker numbers by age group in census, 1996–2006

<table>
<thead>
<tr>
<th>Age group</th>
<th>1996 census</th>
<th>2001 census</th>
<th>2006 census</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Māori speakers of te reo</td>
<td>Total Māori who answer language question</td>
<td>Māori who speak te reo (%)</td>
</tr>
<tr>
<td>0–4</td>
<td>10,500</td>
<td>71,664</td>
<td>47,945</td>
</tr>
<tr>
<td>5–9</td>
<td>14,718</td>
<td>67,422</td>
<td>66,597</td>
</tr>
<tr>
<td>10–14</td>
<td>13,377</td>
<td>57,318</td>
<td>56,682</td>
</tr>
<tr>
<td>15–19</td>
<td>12,420</td>
<td>51,714</td>
<td>51,111</td>
</tr>
<tr>
<td>20–24</td>
<td>10,095</td>
<td>47,346</td>
<td>46,736</td>
</tr>
<tr>
<td>25–29</td>
<td>8,913</td>
<td>43,149</td>
<td>42,646</td>
</tr>
<tr>
<td>30–34</td>
<td>9,255</td>
<td>41,994</td>
<td>41,502</td>
</tr>
<tr>
<td>35–39</td>
<td>8,658</td>
<td>36,405</td>
<td>35,925</td>
</tr>
<tr>
<td>40–44</td>
<td>7,503</td>
<td>28,041</td>
<td>27,686</td>
</tr>
<tr>
<td>45–49</td>
<td>7,080</td>
<td>22,344</td>
<td>22,125</td>
</tr>
<tr>
<td>50–54</td>
<td>6,366</td>
<td>16,098</td>
<td>15,915</td>
</tr>
<tr>
<td>55–59</td>
<td>6,543</td>
<td>13,857</td>
<td>13,688</td>
</tr>
<tr>
<td>60–64</td>
<td>5,235</td>
<td>10,185</td>
<td>10,048</td>
</tr>
<tr>
<td>65+</td>
<td>8,412</td>
<td>15,834</td>
<td>15,578</td>
</tr>
<tr>
<td>Total</td>
<td>129,033</td>
<td>523,374</td>
<td>516,132</td>
</tr>
</tbody>
</table>

The 'Total Māori who answer language question' figures represent 'Total Māori' minus those whose response to the language question was 'don't know', 'refused to answer', 'response unidentifiable', 'response outside scope', and 'not stated' (that is, 'not specified' (1996) and 'not elsewhere included' (2001 and 2006)) as well as those within the zero to four age group for whom the response was 'no language' (that is, children too young to speak). Responses of 'no language' are retained for other age groups (where they are very few). Percentages are calculated on the basis of those answering the language question. The percentage of speakers (across the bottom line) includes those for whom the response was 'no language' in the zero to four age group, as these are the figures generally cited.
<table>
<thead>
<tr>
<th>Rank</th>
<th>Age group (by years born)</th>
<th>Rank of total people in age group</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Before 1942</td>
<td>14</td>
</tr>
<tr>
<td>2</td>
<td>1942–46</td>
<td>13</td>
</tr>
<tr>
<td>3</td>
<td>1947–51</td>
<td>12</td>
</tr>
<tr>
<td>4</td>
<td>1952–56</td>
<td>11</td>
</tr>
<tr>
<td>5</td>
<td>1957–61</td>
<td>10</td>
</tr>
<tr>
<td>6</td>
<td>1962–66</td>
<td>9</td>
</tr>
<tr>
<td>7</td>
<td>1977–81</td>
<td>6</td>
</tr>
<tr>
<td>8</td>
<td>1967–71</td>
<td>8</td>
</tr>
<tr>
<td>9</td>
<td>1972–76</td>
<td>7</td>
</tr>
<tr>
<td>10</td>
<td>1982–86</td>
<td>5</td>
</tr>
<tr>
<td>11</td>
<td>1987–91</td>
<td>4</td>
</tr>
<tr>
<td>12</td>
<td>1992–96</td>
<td>2</td>
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<tr>
<td>13</td>
<td>1997–2001</td>
<td>1</td>
</tr>
<tr>
<td>14</td>
<td>2002–06</td>
<td>3</td>
</tr>
</tbody>
</table>

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