



NZQA Assessment Support Material

Unit standard	32360				
Title	Evaluate key concepts of New Zealand's legal system from pre-European practices to current practices				
Level	3	Credits	4	Version	1

Student guidelines

Introduction

This assessment requires you to evaluate key concepts of New Zealand's legal system from pre-European Māori customary practices through to current practices of today and consider impacts on individuals and society.

You will evaluate the presence of the Māori concepts of kawa and tikanga, utu, hara and muru in the development of the Rangatahi Courts, Ngā Kōti Rangatahi.

AWARD OF GRADES



- For award with **Achieved**, you must evaluate key concepts of New Zealand's legal system, from pre-European practices to current practices. The evaluation refers to a specific development that illustrates the current practices of the New Zealand legal system and their impact on individuals and society.
- For award with **Merit**, the evaluation must include in depth discussion of two or more of the key concepts of the New Zealand legal system to show understanding of how and why the legal system has evolved over time; show understanding of past and present practices and make an informed conclusion about the impacts of the legal system on individuals and on society with supporting evidence. The supporting

evidence may refer to: Te Tiriti o Waitangi/Treaty of Waitangi principles, English statutes and New Zealand legislation, legislation of wider jurisdictions, case commentary, expert commentary.

Specific developments may refer to: the Treaty of Waitangi, The Treaty of Waitangi Act 1975 (the Waitangi Tribunal), the development of the Rangatahi Courts, Ngā Kōti Rangatahi and the Māori Land Court, the establishment of the Supreme Court.

- For award with **Excellence**, the evaluation must demonstrate insightful and comprehensive understanding about how and why the legal system has evolved over time including perceptive conclusions that consider the impacts of past and present practices on individuals and society with a range of supporting evidence.

CONDITIONS OF ASSESSMENT



This is an **open book assessment** that will take place over a timeframe set by your teacher. Answers must be in your own words.

Student/ākonga instructions

Assessment activity

Task One

You must complete a report that identifies and explains two or more of the key concepts of the pre-European Māori customary practices, identifying and explaining how they relate to some of the key practices of today. You need to refer to the Rangatahi Courts, Ngā Kōti Rangatahi in your explanation and include some form of evaluation of this development in terms of the relationship with the key concepts.

Task Two

Further develop your evaluation to include discussion of the actual and/or possible development of the New Zealand legal system in terms of the relationship with the key concepts and impacts on individuals and society.

Your evaluation should:

- include supporting detail such as: Te Tiriti o Waitangi/Treaty of Waitangi principles, English statutes and New Zealand legislation, legislation of wider jurisdictions, case commentary, expert commentary.

- Explain two or more of the pre-European concepts of kawa, tikanga, tapu, hara, noa, rāhui, take tupuna, take raupatu, take whenua tuku, utu and muru.
- Explain the principles of the Treaty of Waitangi in particular the concepts of partnership, protection and participation.
- Explain how the principles of the Treaty of Waitangi influenced the development of the Rangatahi Courts, Ngā Kōti Rangatahi.
- Discuss, using supporting detail, to what extent the key elements of kawa and tikanga, utu, hara and muru are present in the Rangatahi Courts, Ngā Kōti Rangatahi.
- Discuss possible future developments of the Rangatahi Courts, Ngā Kōti Rangatahi using comprehensive supporting detail, to justify your opinions.