

Abstract: This chapter reflects on the way in which early forms of special education in 19th-century New Zealand, including categorisation and institutionalisation of individual young people, mirrored the societal frames of reference that the colonisers of the country brought with them. The system continued into the 20th century. In recent years, a greater focus on community support for children from a Māori perspective, and compliance with international human rights legislation, have led to a national policy for inclusive education and a goal of educating all learners in mainstream. However, there is no specific legislation regarding individualised notions of learners ‘with SEND’, and what schools provide can vary. National reports have critiqued aspects of the current system, for example, in some schools, apparent rejection of some students, widening of achievement gaps, paucity of provision and restrictions on disabled students’ career opportunities. Unless individual needs are identified and adequately addressed, learners cannot have equality of opportunity for the future. A new system for learning support that is designed to facilitate appropriate timely provision is being introduced across the country at the time of writing this chapter. We have yet to see whether this will address the concerns that have been raised.

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Support for difficulties in learning, behaviour and disability in New Zealand's schools

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Introduction

The way in which educational provision is currently organised in New Zealand's schools is a product of both its own history and the existing values, beliefs and political ideology in society as much as the long-term interest of students. This is a very important consideration in New Zealand given that 'policies and services today still reflect a legacy of tensions between Pākehā – the European colonisers – and indigenous Māori' (Sullivan & Stace, 2020, p. 1). One fundamental difference between Māori and Pākehā cultures is the dissimilarity in what is viewed as the 'unit'. Māori tradition views the prime unit in society as the whānau, which is often translated simply as 'extended family'. The concept of 'whānau' is more complex than this, however. It is based on a Māori and tribal world view that includes physical, emotional and spiritual dimensions (Walker, 2021). In contrast, the capitalist system brought in by Pākehā views the individual person as the unit, with little concept of communal society. Very generally, over the years, Pākehā have tended to see disability as an individual deficit requiring individual intervention or treatment, rather like a disease, while for Māori it was an important part of human and whānau diversity (Bevan-Brown et al., 2015). We begin, therefore, by looking at New Zealand's historical background, the frames of reference that came with the colonisers and the legacy of this. We continue by outlining current provision for students who experience difficulties in learning and/or behaviour, or have disabilities in New Zealand. This includes ways that Māori perspectives on the significance of whānau and

community support for their children, as well as a greater focus on inclusion in schools for all students that is rooted in human rights legislation and have been incorporated into law in the New Zealand context in recent years.

Consequences of colonisation

Captain Cook claimed the north island of New Zealand in 1769 for King George III under the Doctrine of Discovery (Ngata, 2019), thus starting a long history of colonisation, racism and eugenics. Indigenous populations were not regarded as equal citizens (Jackson, 2012; United Nations, 2012). Neither were those who experienced difficulties in learning and behaviour, or were disabled. A treaty, the Treaty of Waitangi, whose principles promised partnership, participation and protection (Sullivan & Stace, 2020), was signed between the British Crown and indigenous Māori tribes in 1840. However, this treaty has been breached many times. Māori land, waters and other resources were appropriated from Māori, generally without proper consent or compensation (Ministry for Culture and Heritage, 2017). For example, in the same year, as the Treaty was signed, the South Island of New Zealand was claimed by the government under the Doctrine of Terra Nullius, land belonging to no one, despite a clear understanding that tribal groups lived there.

In terms of the education system, the Native Schools Act, 1867, provided for Māori children by enabling primary schools to be established at the request of Māori communities and their provision of land, labour or money, under the governance of the Native Department (Lee & Lee, 1995). However, as Adams et al. (2000, p. 72) comment, ‘the Māori schools . . . were set up as “civilising agencies” to promote the assimilation of Māori into the dominant culture’. An 1877 Education Act required all parents who were British subjects – strictly speaking all New Zealanders under the terms of Article Three of the Treaty of Waitangi – and resident within 2 miles of a school to send their children aged between 7 and 13 for at least one half of the period that the school was open. Māori children were not compelled to attend school, however.

Overall, then, colonialism was largely negative for Māori. For much of the period until 1940, there continued to be

aspects of official policy for Māori which reflected a narrow and limited view of Māori potential and the role of Māoris [sic] in New Zealand society . . . the ‘natural genius’ of the Māori lay in manual labour rather than in the country’s expanding professional, commercial and governmental sectors.

(Barrington, 1992, p. 57)

It was not until the very last part of the 20th century that activism by members of the Māori community itself led to the developments by Māori for Māori that challenged the negative stereotype. In 1975, for example, the Waitangi Tribunal was established to consider claims by Māori against the Crown regarding breaches of principles of the Treaty, such as the injustices of land confiscations and maltreatment of Māori, and to make recommendations to government to provide recompense. Despite such activism, traditional power imbalances set by the coloniser have continued to reinforce a status quo of disparity for Māori across all social indices.

Early development of special provision

Colonial New Zealand was settled by immigrants mainly from Britain and Europe. Early development of special provision was influenced by the frames of reference that the colonisers brought with them and that were derived from experiences in their home countries. In 19th-century Britain, for example, child labour was the norm, and the earliest institutions for children who experienced difficulties of any kind, learning, sensory or physical, were established with the aim of providing training for future employment as well as in Christian principles. For example, the founding plan of the School of Industry in Liverpool included ‘to furnish the blind with employment that may prevent them from being burdens to their family and community’ (Oliphant, 2006, p. 58). In 19th-century New Zealand too, some groups such

as those with vision and hearing impairments came to be seen as ‘habitable’, meaning they had potential as worker citizens. Hence, the establishment of residential schools such as the Sumner Institute for the Deaf and Dumb (later named Van Asch) in 1880, and the Jubilee institute for the Blind in Auckland in 1890. In New Zealand also, the rise of what became known as ‘Social Darwinism’ reflected the same ‘eugenicist preoccupation with fears of national decline, because of what was seen to be a link between mental defectiveness and criminality’ (Thomson, 1998; Wright & Digby, 1996). Those identified as mental ‘defectives’ were seen ‘as genetically tainted; they should be both separated from society, and prevented from reproducing’ (Hall, 2008, p. 1006). Social Darwinism became very influential in New Zealand during the later 19th century, supported by both liberals and conservatives concerned about losing their racial and moral supremacy (Sullivan & Stace, 2020). The Porirua Lunatic Asylum, which opened in 1887, included several categories of ‘undesirables’: those with mental health issues, intellectual impairment, disabled children, alcoholics, as well as the elderly and homeless. The site that was chosen for this, a rural area miles from Wellington, reflects the same obsession with separating the inmates from society, preventing reproduction of those seen as unfit and serving the commercial interests of society (Porirua Hospital Museum, undated).

Surveillance of those seen as deviant in some way required legislation to segregate, classify and contain them. Under the terms of the 2011 Mental Defectives Act in New Zealand, there were six classes of ‘mental defectives’:

- ‘Class 1 – “Persons of unsound mind” – that is, persons who, owing to disorder of the mind, are incapable of managing themselves or their affairs’;
- ‘Class II – “Persons mentally infirm” – that is, persons who, through mental infirmity arising from age or the decay of their faculties, are incapable of managing themselves or their affairs;’
- ‘Class III – “Idiots” – that is, persons so deficient in mind from birth or from an early age that they are unable to guard themselves against common physical dangers and

therefore require the oversight, care, or control required to be exercised in the case of young children’;

- ‘Class IV – “Imbeciles” – that is, persons who though capable of guarding themselves against common physical dangers are incapable, or if of school age will presumably when older be incapable, of earning their own living by reason of mental deficiency existing from birth or from an early age’;
- ‘Class V – “Feeble-minded” – that is, persons who may be capable of earning a living under favourable circumstances, but are incapable from mental deficiency existing from birth or from an early age of competing on equal terms with their normal fellows, or of managing themselves and their affairs with ordinary prudence’;
- ‘Class VI – “Epileptics” – that is, persons suffering from epilepsy’.

Social Darwinism had a strong influence over education policy in relation to not only those deemed as ‘mentally defective’ but also Māori, supporting beliefs promoted in the Doctrines of Discovery that some races were superior to others, the white being the superior (Claeys, 2000; Spencer, 1852; Williams, 2000). Claeys (2000, p. 237) notes Darwin’s view that the ‘optimal outcome of human natural selection would be the triumph of “the intellectual and moral” races over the “lower and more degraded ones”’. From 1879 onwards, New Zealand textbooks referred to five great races of men of which the white race was the greatest (McGeorge, 1993). The concepts of cultural and genetic superiority continued to influence educational policies well into the next century (Bishop & Glynn, 1999). As recently as 1978, the Department of Education recommended, in the Social Studies Index of Resources, a book, *Māori and Missionary, Early Christian Missions in the South Island of New Zealand* (Pybus, 1954), that claimed (p. 1) that missionaries ‘went to the aid of the backward races’.

Disproportionate Māori representation in the bottom quartile of society, particularly in academic achievement and consequent employment prospects, continued (Bishop & Glynn, 1999). For Māori, schooling became ‘an alienating and disempowering experience’. Many

Māori parents would ‘talk about the lack of self-esteem that their children have’ (Smith, 1991, interview transcript).

Continuation of categorisation and institutionalisation

Categorisation and institutionalisation persisted into the 20th century. In the special education sector, the new discipline of psychology legitimised formal identification and assessment of ‘deficiencies’ in children and made the new science of IQ testing a useful classification tool. Institutionalisation was not without its critics, however. In 1949, parents of children with impairments, including intellectual disability, founded the forerunner to the Intellectually Handicapped Children (IHC) organisation, called the Intellectually Disabled Children’s Parents’ Association. They wanted schools and community facilities for their children so that they could keep them at home and out of institutions, as recommended by the World Health Organization. At that time, there were few disability support organisations. A notice in the *Evening Post* of 24 October 1949 invited parents and guardians of backward children in the Wellington district ‘to attend a meeting . . . to consider the formation of a parents’ association’ (History Group of the New Zealand Ministry for Culture and Heritage, 2020, online). The 22 parents who turned up established an interim committee. By 1953, the IHCPA had a thousand members. The IHCPA condemned the placement of children in large institutions. Although parents lobbied the new government for direct support, a government committee recommended expansion of the current psychopaedic institutions, resulting in a huge increase in institutionalisation over the following decades, with families encouraged to send their children there by 5 years old. In 1945, for example, Levin Farm mental deficiency colony, later renamed Kimberley, was established, the first North Island psychopaedic institution. A 1964 documentary estimated that 1 in 1,000 children had an impairment which required their institutionalisation (Sullivan & Stace, 2020).

Developments in the system in the second half of the 20th century

The past 40 years have witnessed changing official attitudes worldwide towards disability and the self-advocacy of disabled people, as well as a prolonged and strengthening momentum towards greater Māori self-determination within education in New Zealand. In terms of special provision in New Zealand, a de-institutionalisation movement started in the 1970s, but it took until 2006 and a march on Parliament for the last one, Kimberley, to close.

In 1989, the United Nations Convention on the Rights of the Child was published, underpinned by the notion of student self-advocacy, Article 12 states:

Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

In 1989, too, the government passed an Education Act which established a legal right for all children to attend their local mainstream school from age 5 to 19 years. A few years later, in 1996, the MoE introduced a policy called Special Education 2000 (SE2000) which was intended to bring about mainstreaming for all children, that is the inclusion of all children with Special Education Needs and Disabilities (SEND) in mainstream schools and a 'world class inclusive education system' (MoE, 1997). However, SE2000 was about the funding of SEND provision rather than providing policy for professional practice (Coleman, 2011). The SE2000 framework provided separate funding for the 1% of learners with severe intellectual disabilities and another 1% for those with high levels of social, emotional and behavioural difficulties. It did not provide specific funding to support the inclusion of students with moderate levels of learning or academic problems, for example, specific learning difficulties, such as dyslexia, who needed long-term support, and who would be in mainstream schools (Coleman, 2011).

Towards the end of the 20th century, formal moves began towards including Māori in decisions made within education policymaking. Māori views on state schooling were explicitly articulated at a Māori Educational Development Conference in Ngaruawahia in 1984 where there was a clear focus on finding solutions to the problems experienced by Māori in the educational system. The broad spectrum of Māori interests represented there concluded that solutions would have to be found within the Māori community itself and that these would have to involve major structural changes to the national education system.

A 2005 Ministry of Education guideline paper for the consultation and engagement of Māori acknowledges Māori as stakeholders who require a system of education that is responsive to their need for skills and knowledge that are essential both for Māori well-being and for future success in the world and global economy. There is an important principle here of building stronger relationships and better understanding of differences between people through a process of consultation that recognises ways in which Māori themselves prefer to be consulted, so that policies can be made to work in practice. This shared vision is of the development of students to become fully functioning members of Māori communities but in a way which is compatible with the Pākehā world, celebrating Māori language, customs and values within their whānau and iwi.

In 2010, the Ministry of Education published a document entitled *Success for All* (MoE, 2010). This presents a vision of a fully inclusive education system in which all schools have the resources and skills required to provide an environment where learners of all cultural backgrounds, skills and aptitudes, as well as those with difficulties of various kinds, are welcomed. Five years later, the Education Review Office (ERO) (2015, online) reported that, across the country, in the sample of schools they inspected, over three-quarters were ‘mostly inclusive’, an increase of 25% from 2010. However, ‘only half of schools were effective in promoting achievement and outcomes for students with special education needs’. ERO identified a need ‘to improve teacher capability’, especially in the areas of understanding students with special education needs; inclusive pedagogy and differentiation; and ways to monitor students’ progress within Level 1 of the New Zealand school curriculum.

Current legislation

In New Zealand, there is no law associated with ‘special educational needs’ per se. Current legislation relates to disability and inclusion. Schools are required to be inclusive under the Education and Training Act, 2020. The New Zealand Disability Strategy 2016–2026 (Ministry of Social Development (MoSD), 2016) was designed to enshrine both the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and the United Nations Convention on the Rights of the Child (UNCROC) (mentioned earlier) and, in doing so, to take account of Māori world views as well as of Pākehā. This point may be noted in the strategy’s acknowledgement of the importance of language used in relation to disability, and of cultural heritage. For example (p. 13):

Not all members of our community identify with disability-focused language. For example . . . most Māori disabled people identify as Māori first. The importance of their cultural identity, which encompasses language, whānau, cultural principles, practices and linkages to the land through genealogy, is paramount to how they live their day to day lives in both Te Ao Māori and Te Ao Pākehā [loosely translated as ‘the Māori world’ and ‘the Pākehā world’].

The strategy document acknowledges Māori as ‘tangata whenua’, the ‘people of the land’, who, as the indigenous population of New Zealand, have a special relationship with the British Crown that includes the promise of partnership, participation and protection dating back to the signing of the Treaty of Waitangi in 1840 . On p. 14, the document reads:

Addressing the inequality that Māori disabled people face is important; 26 percent of Māori identified as disabled in 2013. When adjusted for age, the Māori disability rate is 32 percent (Statistics New Zealand, 2015). A Māori world view needs to be woven into the implementation of this Strategy. This includes the cultural importance of whānau and a whānau-centred approach which differs from Western concepts of family and disability.

The strategy identifies eight outcome areas as potential contributors to achieving its vision.

The first of these relates to education (pp. 24–5):

We get an excellent education and achieve our potential throughout our lives.

...

What this means:

Disabled people are consulted on and actively involved in the development and implementation of legislation and policies concerning education, including early childhood, primary, secondary and tertiary education.

Access to mainstream education is inclusive. . . .

Services that are specific to disabled people are high quality, available and accessible.

Inclusive education is a core competency for all teachers and educators.

Decision-making on issues regarding education of disabled people is informed by robust data and evidence.

The MoSD set out three sets of principles to support the strategy that clearly reflect the influence of Māori conceptual thinking: the Treaty of Waitangi, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) (2006), ratified by the New Zealand government in 2008, and involvement of disabled people in decision-making.

The principles of the Treaty are, as noted earlier, ‘partnership’, where Māori and the Crown share decision-making and have ‘a relationship of good faith, mutual respect and understanding’, ‘participation’, with Māori afforded ‘opportunities for self-determination and self-management’, and ‘protection’ with the Crown actively contributing to ‘improving the wellbeing of Māori’ (MoSD, 2016, p. 16). The principles of the UNCRPD include ‘respect for inherent dignity, individual autonomy . . . and independence of persons’, together with ‘full and effective participation and inclusion in society’, and ‘respect for the evolving capacities of disabled children and respect for the right of disabled children to preserve their identities’ (cited in MoSD, 2016, p. 19).

A document published by the Ministry of Education (2017a, p. 14) *Success for All Learners* defines inclusive education as that ‘where all children and young people are engaged and achieve through *being present, participating, learning and belonging*’. The UNCRPD (2006) acknowledges that, to be included in schools, some young people will require additional resources to access the curriculum. This may be termed ‘reasonable accommodations’, defined as

necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.

(Article 2)

Success for All Learners sets out the services – the reasonable accommodations – provided to enable disabled young people to access the curriculum in schools, beginning with a Māori whakataukī (proverb) (p. 3) ‘Mā te huruhuru te manu ka rere’: ‘With feathers a bird flies’. In other words, all students can succeed and fly off into the future, given appropriate tailored-made support. A number of services have been developed in the effort to ensure that there is equality of access for all learners across the education system (MoE, 2017a):

- For around 3% of school-age children identified as having ‘high special education needs’, there is School High Health Needs funding that provides teacher’s aides (classroom assistants) support for students with high health needs, the Ongoing Resourcing Scheme (ORS), residential special schools, the Intensive Wraparound Service, initiatives in speech and language and issues related to severe behaviour.
- For the next 4–6% identified as having moderate to high needs, there is support available from the Resource Teachers: Learning and Behaviour (RTLB) Service, physical, vision, hearing and health services, that include students with vision and hearing, behavioural, or cognitive impairments, and special education grants.

- For around 5% of children between 0–5 years, there are what are designated as ‘early intervention services’.

The funding scheme can be exemplified by four of these services: the Ongoing Resourcing Scheme (ORS) (MoE, 2017b) for the most significant needs, the Intensive Wrap-around Service and specialist schools in the first category of need and Resource Teachers: Learning and Behaviour (RTLB) for students in the next category of need.

ORS provides support to schools for around 1% of the total schooling population with the very highest need for learning support. Services and support include specialists such as speech-language therapists, psychologists, occupational therapists, physiotherapists, advisers on deaf learners, special education advisors, additional or specialist teachers who work directly with students and prepare resources for them, teacher aides to support teachers to include students in class programmes and activities, Teachers from the Specialist Teacher Outreach Service can travel to schools in their local areas to support students on the scheme. Students must meet specified criteria to be eligible for ORS. They must have:

- ongoing extreme or severe difficulty with one or more of learning, hearing, vision, mobility, language use, and social communication, or
- ongoing moderate to high difficulty with learning, combined with two other areas of need at a moderate to high level.

Just to take one criterion: Criterion 5 for ORS, high learning needs, students that meet this criterion have a severe delay in cognitive development resulting in major difficulties with learning that require significant adaptation of almost all curriculum content (MoE, 2021).

Te Kahu Tōi, Intensive Wraparound Services (IWS) (MoE, 2021), is a support programme for young people aged 5–14 years. With support from a team of professionals, Te Kahu Tōi provides a bespoke comprehensive, holistic, youth and family/whānau-driven way of responding when children or youth experience significant challenges in their lives. IWS aims to help the young person develop the skills to ‘learn new, positive ways of behaving,

stay at their local school, or return there . . . and enjoy a successful life at school and home’ (MoE, 2021, online). The young person and family/whānau members work with an Intensive Wraparound (IW) Facilitator and Psychologist to build their wraparound team, which can include the whānau’s friends and people from the wider community, as well as providers of services and supports.

Day specialist schools offer specialist teaching to students from Years 1–13 who have a high level of need. Many day schools have satellite classes in mainstream schools, so students can get the specialist teaching they need in a mainstream environment. Some day specialist schools also have a peripatetic (itinerant outreach teaching service, where teacher travel between schools to support students).

RTLB are ‘fully-registered specialist teachers’ who have the ‘specialist training and skills’ to ‘work with teachers and schools to identify and respond to barriers to learning and build teacher and school inclusive practice capability’ (MoE, 2017a, p. 17). A number of principles underpin their practice, for example: ‘culturally responsive’ teaching that recognises the part that context plays in facilitating and/or constraining students’ learning and progress (i.e. is ‘ecological’ in approach), collaborative, focuses on students’ strengths, promotes reflective thinking to understand students’ difficulties and devise ways to overcome these, and is based on evidence rather than presuppositions.

Reflections on the current system

Currently, around 15% of New Zealand students have additional learning needs related to disability or other conditions. Legally, they have the same rights to attend school as their peers. Since 1989, however, schools have been self-governing, and, in practice, what schools choose to provide, and, hence, individual disabled students’ experiences, can vary widely. A number of concerns have been raised in national reports, including the marginalisation and apparent outright rejection of some students, widening of the achievement gap between the highest and lowest performing students, disregard of students’

opportunities for self-advocacy, paucity of provision in some schools and restrictions on career possibilities as a result of disabilities.

There is some evidence that students can be deterred from entry to a school by principals, with the Ministry of Education having little power to ensure they can attend. The Tomorrow's Schools Independent Taskforce (2018) noted (p. 15) that 'some schools have unfairly and sometimes illegally prevented local students enrolling'. The Annual Report, 2017–2018, of the Office of the Children's Commissioner, confirms this rather negative evaluation of the current system in relation to both young people with additional learning needs and Maori and Pasifika students:

There is no evidence to suggest the current self-governing schools model has been successful in raising student achievement or improving equity as was intended by its originators. In fact, the performance of our students has plateaued and in some areas deteriorated, while the gap between the best performing and worst performing students has widened. Children from disadvantaged homes, too many Māori and Pacific families, and those with significant additional learning needs remain those most poorly served by the system.

(p. 11)

Despite the focus in the national disability strategy on enabling young people to have their say in terms of educational provision, and on enhancing future life chances through the policy on inclusion, there is evidence that this is not always put into practice. The report on children's and young people's views of their well-being (Office of the Children's Commissioner and Oranga Tamariki/Ministry for Children, 2019) noted that 'young people talked about not being listened to at home, at school and by society. They said adults make assumptions about what they can or can't do and what they want' (p. 33). It also noted how disabled young people commented on how poverty sometimes interacts with disability to deny them life opportunities:

Young people with disabilities sometimes spoke about their families not having enough money because of their disability. They spoke about how

families can't always cover the costs of the extra supports that they might need to have a good life. As a result, the family may not be able to afford things that they otherwise would.

(p. 32)

Current legislation is anti-discriminatory, but in this survey

[y]oung people with disabilities mentioned how people won't employ them or give them the same opportunities as others. One young person reiterated that she did not choose to have a disability. Another told us about the impact discrimination has had on him personally: 'If you were a young disabled person in a wheelchair and there wasn't a ramp at the front of a building, [you would have to] go around the back entrance just to get in. As much as you have the accessibility it's almost dehumanising to be forced to go through that back entrance'.

(p. 34)

The Tomorrow's Schools Independent Taskforce (2018) review report is equally critical of provision for young people who experience difficulties in learning and/or are disabled (p. 10):

Students with learning support requirements should have the same access to schooling as other students and it is clear that currently they do not.

There are problems with students and parents being made to feel unwelcome when seeking enrolment in some schools, and once enrolled.

Support available for some of these students is highly fragmented or almost non-existent.

Support takes a long time to arrive.

Since the publication of the aforementioned reports, a new learning support model has been developed to take account of feedback from parents, whānau, staff and disability and education groups, address some of the concerns and attempt to ensure that 'children and

young people can get the right support, at the right time, in the right place'. This model comprises six *elements*:

- Identified contacts so that students, families and whānau know whom to contact to for advice with learning needs
- An individual plan for students who need support that sets out agreed goals and identifies bespoke provision
- A focus on schools, kura (Māori immersion schools), early learning services and kōhanga reo (early years provision using Māori language), working together to identify what the local community needs, and the best use of available resources
- A new Ministry facilitator function to bring together schools, early learning services and specialist supports to enable collaborative decision-making
- Flexible decision-making about support to meet local needs and priorities
- A focus on schools, kura, early childhood services and kōhanga reo sharing information in order to be proactive in planning for the needs of young people in their area

In 2021, this initiative is currently at various stages of development in local communities. The effectiveness of this new model is yet to be evaluated.

Conclusion

The societal frames of reference brought to New Zealand with the colonisers led to a system of special provision in education in the 19th century that very much reflected that in Britain. The categorisation and institutionalisation of individual young people that was established at that time continued well into the 20th century. However, in recent years, a greater focus on whānau and community support for their own children from a Māori perspective, as well as compliance with international human rights legislation, have led to a national policy for

inclusive education, with an expressed goal of educating all learners in mainstream schools. There is currently no specific education legislation in New Zealand regarding individualised notions of learners 'with SEND'. Since 1989, schools have been self-governing, so, in practice, what schools provide can vary widely, as can individual students' experiences that may well not reflect the principles of an inclusive education with all that it implies. National reports have critiqued aspects of the current system, including the apparent rejection of some students by some schools, widening of achievement gaps, lack of opportunity in some cases for students' self-advocacy, paucity of provision in some schools and restrictions on disabled students' career opportunities. Unless individual needs are identified and adequately addressed, and student self-advocacy is enabled, learners cannot have equality of access nor where life chances potentially depend on educational outcomes, equality of opportunity for the future. Nor will the Māori whakataukī 'Mā te huruhuru te manu ka rere': 'With feathers a bird flies' be realised in practice. A new system for learning support that is designed to facilitate appropriate support, at the right time, in the right place is being introduced across the country at the time of writing the chapter. We have yet to see whether this will address the concerns that have been raised.

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