

ORANGA TAMARIKI

Children, Families and the State Seminar 2

Erin Judge - Chief Legal Officer



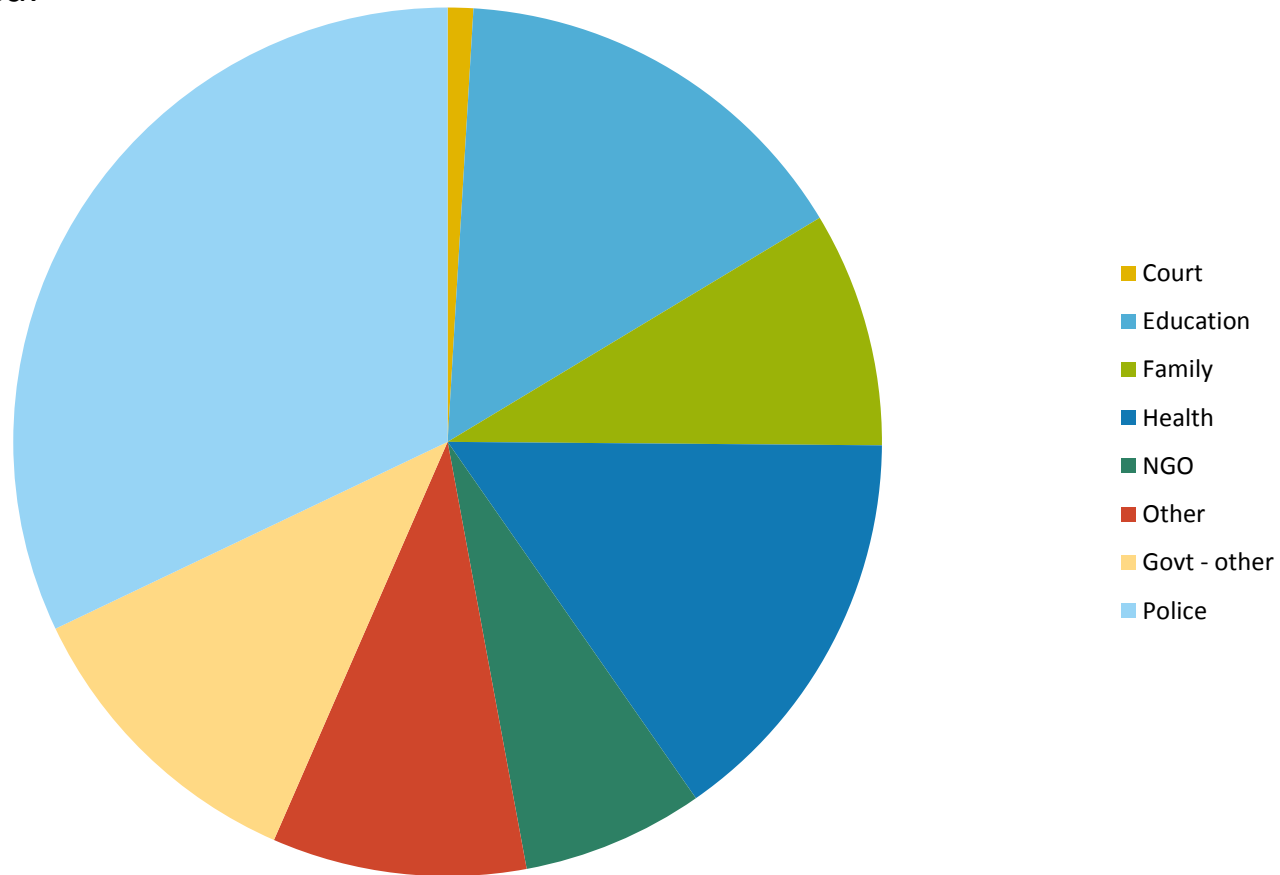
**ORANGA
TAMARIKI**
Ministry for Children

There is a need to address the over-representation of Maori children in the system. Maori children and young people are twice as likely to be notified to CYF compare to the total population. Potential causes of this over-representation include higher levels of deprivation in Maori families, conscious and unconscious bias in the system, and a lack of strong, culturally appropriate models for strengthening families and child development.

- Modernising Child, Youth and Family Expert Panel
report: December 2015

CURRENT STATE: CARE AND PROTECTION SYSTEM

Reports of concern (“Roc”) – person who believes child harmed or concerned about their well-being *may* report that to Oranga Tamariki or Police – s 15 OT Act
91,950 last year



CURRENT STATE: CARE AND PROTECTION SYSTEM

Investigation – when RoC received, the agency *must* commence an investigation if it appears an investigation is necessary or desirable – s 17(1) – 41,550 last year

Care and protection resource panels

From occupations/organisations (incl. voluntary groups, cultural groups, community groups, agencies concerned with care and protection of tamariki) – s 428 Oranga Tamariki Act

Referral – if after investigation it is reasonably believed that the child is in need of care or protection, the agency *must* notify a care and protection co-ordinator – s17(2)

Family Group Conference (“FGC”) – co-ordinator *must* convene an FGC s18 – 8,350 last year (includes follow up FGCs)

Following FGC, some tamariki come into care, most don't. Final care and protection orders can only be made by the Family Court after an FGC has been held and after parties have been able to provide their views to the Court.

“IN CARE”

Most children removed from the custody of their parents are placed with family. 78 per cent of tamariki Māori are placed in the care of whānau.

Care standards: <https://orangatamariki.govt.nz/assets/Uploads/Care-standards/Care-standards-regulations-booklet.pdf>

These set out the standard of care all tamariki and rangatahi in care or custody can expect. The Care Standards will also improve the assessment and support of caregivers to help them meet the needs of children and young people in their care.

Our Journey.

New Zealanders want change.

We all want children and young people to have the opportunity to grow up in a safe and loving environment where they can realise their dreams.

This is our chance to do better for children their families and communities.

The new legislation will be the biggest shakeup to the sector in 30 years.

Foundation

This is a four to five year journey as the Ministry grows and build new ways of working to ensure children and young people are receiving the best possible support and care.

1988 Puao-Te ata Tū.

"The re-strengthening of hapū bonds and responsibilities, and the funding of group initiatives to facilitate the Māori goal of caring for their own children, offers... the best hope for improving Māori performance"

1989 Children, Young persons and their Families Act

Wherever possible, a child's or young person's family, whānau, hapū, iwi, and family group should participate in the making of decisions and... wherever possible, regard should be had to the views of that family, whānau, hapū, iwi, and family group.



2017 Oranga Tamariki Act

"Duties on the chief executive in relation to the Treaty of Waitangi (Tiriti o Waitangi)"

2015 Expert Advisory Panel

"An unrelenting approach to reducing numbers of Māori children... coming into contact with the system is needed"

"Focussed reporting... on the quality of outcomes for Māori children... progress in reducing the over-representation of Māori young people in the system"

2019 Increasing the quality of care

We're implementing the new Care Standards; clearly setting out the rights of children in our care and our obligations to meet a broader range of their needs to ensure they can flourish.

2020 Keeping Families Together

After a period of co-design, our new intensive intervention service will start to roll out in earnest; helping those families who need it most to stay together and avoid needing state care.

2021 Intervening Earlier

We'll begin working with communities on more effective early interventions; making sure that there's support available for children with wellbeing concerns and their families.

2022 Breaking the Offending Cycle

Our new community placements for young people who have offended will be in place; ensuring we can keep them with their communities and best support them to cease offending behaviour.

Future

Onwards: Better Outcomes for New Zealand

We're on a journey to help ensure all New Zealand's children are safe and flourishing at home; and we'll continue to work with families, communities, iwi and Māori organisations to get better outcomes for our next generation.

DUTIES OF CE IN RELATION TO TE TIRITI

Reducing disparities – s 7AA(2)(a)

The chief executive **must ensure** that—the **policies** and **practices** of the department **that impact** on the **well-being** of children and young persons **have the objective** of **reducing disparities** by **setting measurable outcomes for Māori children and young persons** who come to the attention of the department.

Having regard to mana tamaiti, whakapapa and whanaungatanga – s 7AA(2)(b)

The chief executive **must ensure** that— the **policies, practices, and services** of the department **have regard to mana tamaiti** (tamariki) and the **whakapapa of Māori children and young persons** and the **whanaungatanga responsibilities of their whānau, hapū, and iwi.**

Strategic partnerships – s 7AA(2)(c)

The chief executive **must ensure** that— The department seeks to **develop strategic partnerships with iwi and Māori organisations**, including iwi authorities, in order to—

- (i) **provide opportunities** to, and **invite innovative proposals** from, those organisations **to improve outcomes for Māori children, young persons, and their whānau** who come to the attention of the department:
- (ii) **set expectations and targets to improve outcomes for Māori children and young persons** who come to the attention of the department:
- (iii) **enable** the robust, regular, and genuine **exchange of information** between the department and those organisations:
- (iv) **provide opportunities** for the **chief executive to delegate functions** under this Act or regulations made under this Act to appropriately **qualified people** within those organisations:
- (v) **provide**, and regularly review, **guidance to persons** discharging functions under this Act **to support cultural competency as a best-practice feature of the department's workforce:**
- (vi) agree on **any action** both or all parties consider is appropriate.

Pātai?

