

SUMMARY REPORT



KO TE WĀ WHAKAWHITI

IT'S TIME FOR CHANGE

A MĀORI INQUIRY INTO ORANCA TAMARIKI

Ko Te Wā Whakawhiti, It's Time For Change
A Māori Inquiry into Oranga Tamariki - Summary Report

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SUMMARY REPORT

INTRODUCTION

In May 2019, the seriousness of ongoing issues with Oranga Tamariki (OT) – the Ministry for Children, was brought to the New Zealand public’s attention by media reporting on the actions of the agency in the Hawke’s Bay. The agency’s sustained and concerted attempt to forcibly uplift a new-born infant from a young Māori mother still in hospital recovering from childbirth was documented by a well-known reporter, and elicited wide-spread outrage. For many, the Hawke’s Bay incident represented an uncompromising use and abuse of power by the State on a Māori mother and her child¹, and the ‘tip of the iceberg’ of the issues that Māori have articulated for a long time, and which New Zealand Children’s Commissioner Judge Andrew Becroft has described as many decades of “very substandard, patchy delivery” in regards to governmental provision of tamariki care and protection.²

The responses to this incident were significant, sparking a call for renewed investigation into the practices of Oranga Tamariki, which resulted in immediate, new inquiries by the Chief Ombudsman (*Systemic Improvement Investigation: Oranga Tamariki – Newborn Removal*)³, the Office of the Children’s Commissioner (*Thematic review of Oranga Tamariki’s policies, processes and practices relating to care and protection issues for tamariki Māori aged 0-3 months*)⁴, and an internal practice review by Oranga Tamariki into the events in Hawke’s Bay.⁵

While these responses represent important steps towards uncovering the ongoing, systemic issues around State delivered care and protection of tamariki, for Māori the central issue of whānau disempowerment and voicelessness warranted a new approach to Inquiry - one in which whānau with lived experience of Oranga Tamariki policies and practices, are at the centre. An approach where Māori stories and worldviews are brought to the fore against the

background of an increasing lack of understanding by government around Māori tamariki needs. The Whānau Ora Commissioning Agency⁶, with the support of the South Island Commissioning Agency Te Pūtahitanga o Te Waipounamu⁷ (Te Pūtahitanga) and under the guidance of renowned Māori leadership, took on the review process in recognition of the urgency for change towards better Māori whānau wellbeing.

The Māori Inquiry focused on the experiences of whānau. While we also heard the accounts of social workers, health professionals and the many other people that have a stake in the care and wellbeing of tamariki, this Inquiry is about whānau first and foremost, about their stories of pain and trauma, but also about their vision, hopes and aspirations for a better future for tamariki.

The Māori Inquiry into Oranga Tamariki seeks to fill the current gap of understanding around the intricacies and complexities that lie at the heart of Māori realities, and to give voice to something that for too long has been either silenced, or wrongly appropriated and misrepresented. In many ways these findings – and the accompanying ‘Nga Kōrero o Te Whānau’ report – represent just a small exposure of a much larger problem, and highlight the need to provide a more extensive space to hear whānau voices, especially the voices of those who are the least powerful in this scenario, which are tamariki Māori.⁸

While the Māori Inquiry stands strong as an independent review, it nevertheless works in concord with the other Inquiries including the urgent hearing of the Waitangi Tribunal into Oranga Tamariki’s practices and policies⁹ in order to create the whole story that now needs to drive the impetus for real change.

“...I did not get told anything of why my kids were uplifted until 5 days later.....since then I have been lied about to judges, my kids have been traumatized, the lies and cover up on so many levels...”

THE INQUIRY PROCESS

The process of gathering the voices of whānau ran from the 1st of September 2019 until the 30th of October 2019, during which time over 1100 people across Aotearoa engaged in the Inquiry process.

To make participation as accessible as possible, the Inquiry devised several pathways for submission, including email, online submissions, an 0800 phone number and the setting up of Listening Posts (Ngā Pou Whakaaro) at Whānau Ora providers across the

North Island. The review team also travelled to the regions where whānau had contacted the Inquiry in large numbers, or where community groups and Whānau Ora providers offered to host hui. In the South Island, Te Pūtahitanga organised a series of six facilitated whānau-led community hui across various locations¹⁰, as well as conducting individual interviews at the request of whānau.

Whānau, individuals and organisations across Te Ika a Maui and Te Waipounamu contributed their collective voices and shared their stories, experiences and ideas via:



TUKUA ŌU WHAKAARO:

Email submissions and online surveys



KANOHI KI TE KANOHI:

- Interviews North Island and South Island
- Community hui (Northland, Wellington, Gisborne, Taranaki, Hawkes Bay, Te Waipounamu)
- National hui (Auckland, Hamilton)
- Whānau Ora Provider hui



SOCIAL MEDIA SUBMISSIONS



PHONE SUBMISSIONS

WE HEARD THE VOICES OF:



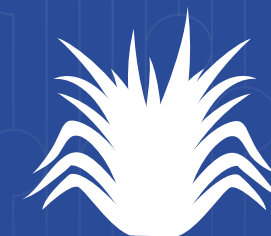
PĀ WHĀNGAI
Kin - Caregivers



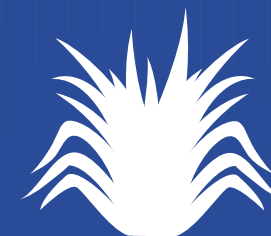
PĀ MOREHU
State Care Survivors



PĀ WHĀNAU
Directly impacted
by uplift of Tamariki



PĀ KAITIAKI
Non-kin Caregivers



PĀ KAIĀRAHI
Whānau Ora Providers



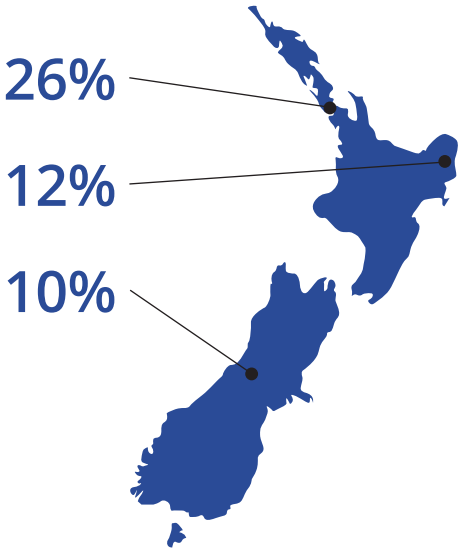
PĀ RŌNGŌ
Health Professionals

SOME FACTS AND FIGURES

At 30th June 2019 there were 6,450 of children and young people in Care and Protection custody of the Chief Executive of Oranga Tamariki (State care). Of these 68% identified as being of either Māori or Māori and Pacific ethnicity.¹¹

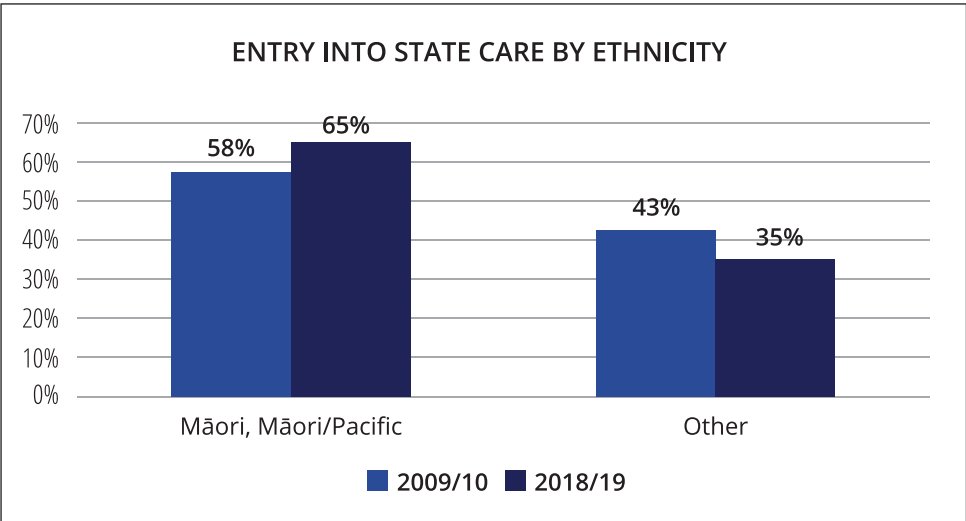
1. Entry into State care by region

During the 12-month period from 1st July 2018 to 30th June 2019 (FY2018/19) a total of 1,982 children and young people entered into State care. By Oranga Tamariki operational area the Auckland (Central, North, South and West) Region (26%, or 519), the East Coast Region (12%, or 247) and Canterbury Region (10% or 208) experienced the top three highest numbers of children and young people entering into State care.¹²



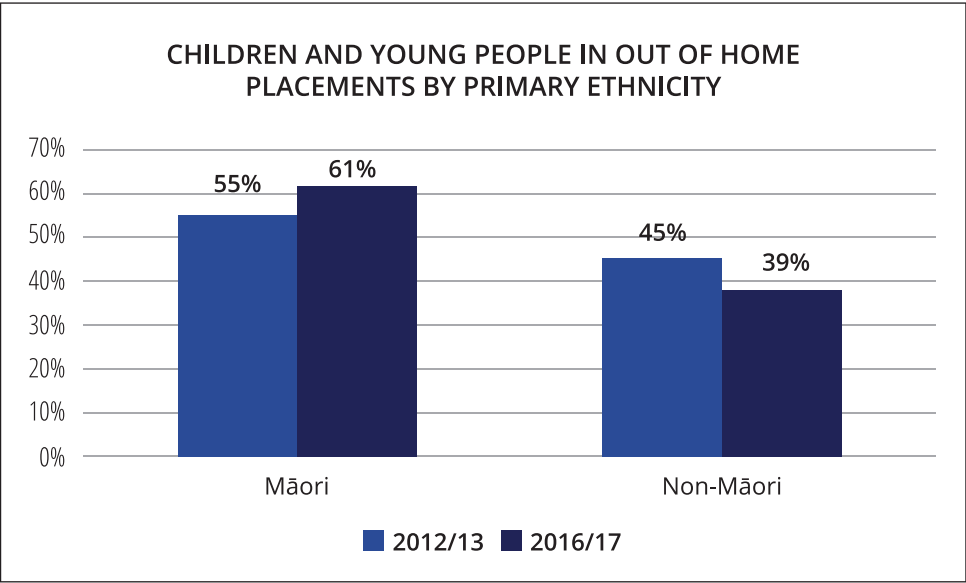
2. Entry to State care by ethnicity

Over the 10-year period from FY2009/10 to 2018/19 the total number of entries per annum (FY) into State care has decreased 33.6%, from 2982 to 1982. However, over this same time period the proportion of Māori, and Māori/Pacific children and young people entering State care has increased by over 7%.¹³



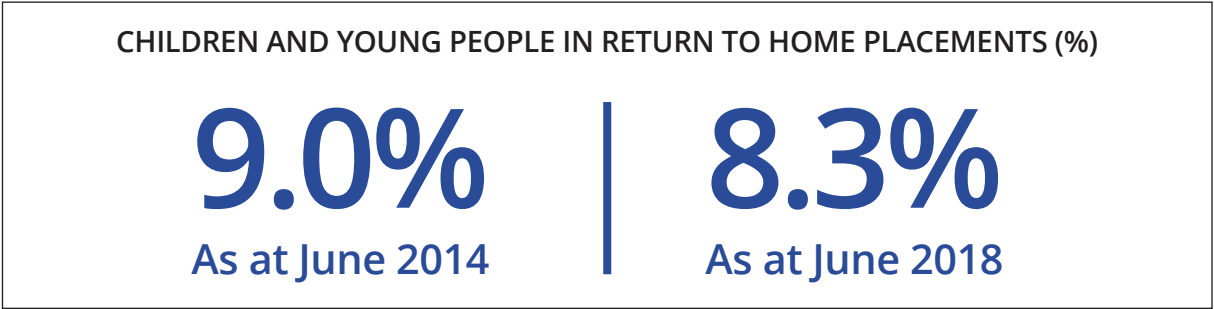
3. Placements of tamariki Māori

Over the four year period from FY2012/13 to FY2016/17 the proportion of tamariki Māori (Māori children and young people) who are in out of home placements has increased by 6%.¹⁴



4. Return to home placements

The percentage of children and young people in return to home placements is low (less than 10%)¹⁵ and over the four year period from June 2014 to June 2018 the percentage of children and young people in return to home placements has decreased slightly to 8.3%.^{16, 17}



SOME FACTS AND FIGURES

CURRENT LEGISLATION:

Children, Young Persons and Their Families (Oranga Tamariki) Legislation Act 2017

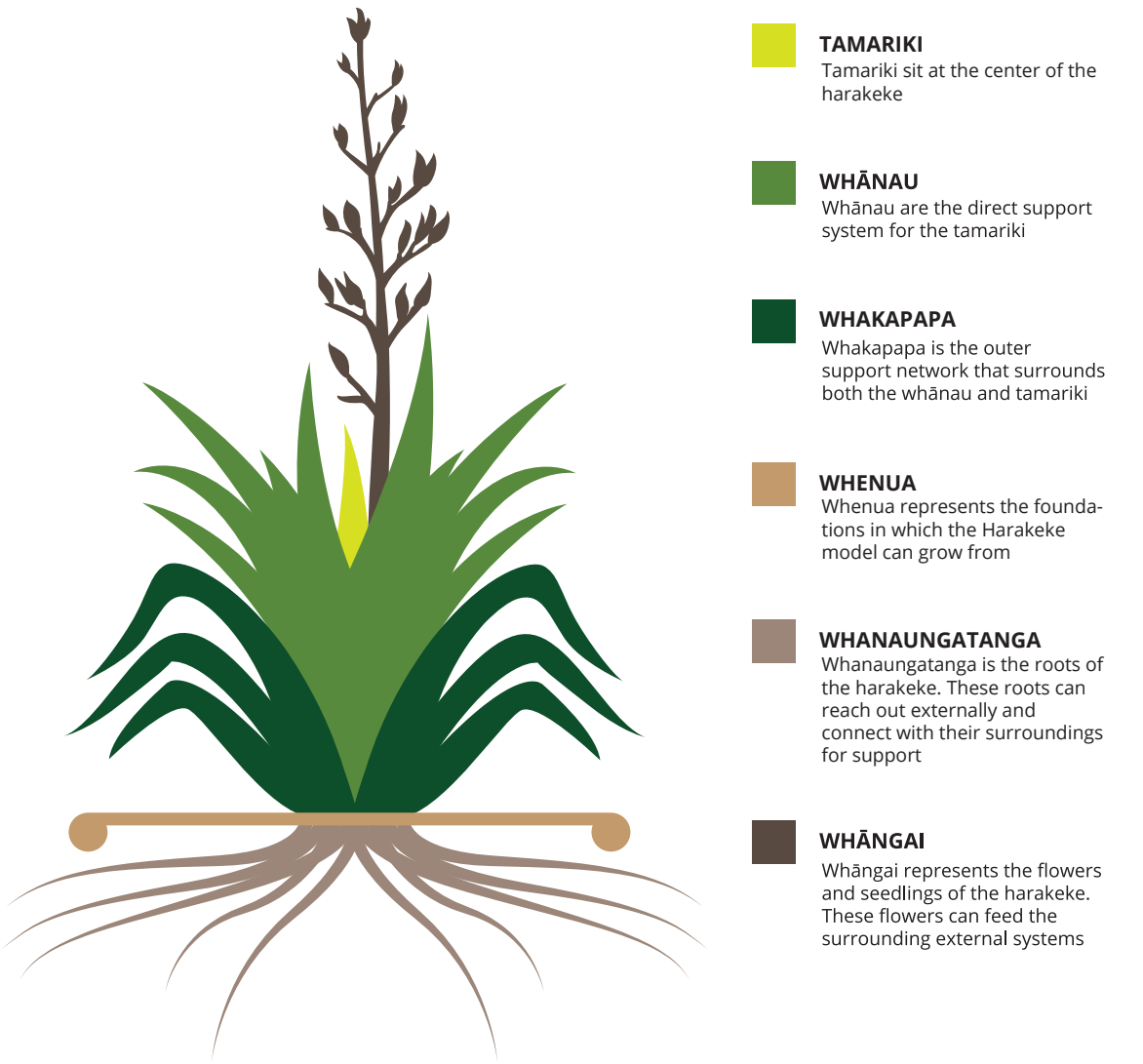
The legislation - which resulted from the lengthy process of public submissions, reviews and reports - has introduced substantial changes to previous legislation in terms of its recognition of Te Tiriti O Waitangi and including the recognition of concepts such as ‘mana tamaiti’ ‘whakapapa’ and ‘whānaungatanga’ in Section 4:1G under the *Purposes of the Act*.

Section 7AA specifies the duties of the Chief Executive in relation to Te Tiriti. This includes the imperative that the Chief Executive must ensure:

- a) 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 outcome for Māori children and young persons who come to the attention of the agency;
- b) the policies, practices and services of the department have regard to mana tamaiti (tamariki) and the whakapapa of Māori children and young person and the whānaungatanga responsibilities of their whānau, hapū, and iwi;
- c) the department seeks to develop strategic partnerships with Iwi and Māori organisations, including Iwi authorities.¹⁸

THE ECO-SYSTEM FOR TAMARIKI CARE AND PROTECTION: WHĀNAU, WHAKAPAPA, WHENUA, WHANAUNGATANGA, WHĀNGAI

Throughout the Māori Inquiry, whānau voices affirmed the prevailing significance of the structures and intrinsic worldviews around Whānau, Whakapapa, Whenua, Whanaungatanga, and Whāngai, and how they form the basis for whānau wellbeing. When we think about tamariki care and protection, and how this is positioned within current government provisions through Oranga Tamariki, it is therefore imperative to use the core concepts of Whānau, Whakapapa, Whenua, Whanaungatanga, and Whāngai as a way to anchor the kōrero of the whānau who participated in this Inquiry.



The metaphor of the Pā Harakeke (flax-bush) was used to visualise a Te Ao Māori worldview of tamariki care and protection.

WHĀNAU EXPERIENCES WITH ORANGA TAMARIKI

The review teams, both in the North Island and in the South Island, were overwhelmed and humbled by the number of responses from whānau who wanted to participate in this Inquiry. This section of the report presents the main themes that emerged from those responses.

Whakapapa Trauma:

The trauma of having a child taken away was the most common theme that emerged throughout the Inquiry, and one that seemed to span across generations of whānau. The majority of the submissions or interviews involved whānau who had suffered intergenerational loss and trauma. Feelings of grief, depression, hopelessness and even suicide were shared by many whānau who had tamariki uplifted or had been uplifted themselves. Post Traumatic symptoms were common amongst the State survivors we spoke with, with many saying they had turned to drugs and alcohol to ‘dull the pain’.

We’re talking about whakapapa trauma, intergenerational trauma. We’re talking about colonisation and children being taken by the State as a result of out-and-out racist decision-making. Many of those children shouldn’t have been taken — and even now, I’m calling it out, that children are still being taken for reasons other than the need to protect that child from abuse and neglect.¹⁹

- Paora Moyle

Discrimination, Prejudice and the ‘Report of Concern’

Based on their past experiences with Oranga Tamariki and other State agencies, many whānau concluded that Oranga Tamariki and government agencies in general were “not there to help Māori”. Whānau reported living in fear of a ‘Report of Concern’²⁰ because a report of concern can come from a wide range of sources – “practically from anyone or from anywhere” – and can easily allow for undetected or unexamined racial bias or prejudice to determine its impact and consequences for whānau and tamariki. Whānau highlighted distinct areas of discrimination around “being Māori”, being an ex-State ward, having mental health challenges, and being a young mother.

I am concerned that OT seem to take particular interest in young women without any history of abuse nor neglect as parents but the basis of their ‘concerns’ are simply that the woman is young, or has been an OT child themselves. Usually these women are first time mothers and need support rather than the bully tactics of OT. It feels that OT have a policy of ‘guilty until proven innocent’. Being young should NOT be some OT criteria for investigation.

Uplifts, Section 78, and placement practices

A significant number of whānau described their experiences of child removals by Oranga Tamariki as intimidating, violent and very traumatic. All of the whānau participants to the Inquiry do not believe that the methods and the force used on Māori whānau and tamariki were warranted or justifiable.

So what happened was, armed police came with their guns to our house at 11 o’clock at night to do an uplift. It was very traumatising. Everything was quiet and peaceful. The child they wanted to take was safe and asleep in bed. There was no danger or anything that would justify why the police would barge into our home in the middle of the night, armed...

Whānau reported forceful child removals involving the police happening in the home or in school, as well as in public places such as on public roads and sidewalks, regardless of whether or not the child was in actual imminent danger of harm or violence.

The call for legislative changes to the Oranga Tamariki Act was a prevalent theme amongst those whānau who attended the national hui, in particular the aspects of it Section 78:²¹

Throw out section 78 for Māori children and parents. If we don’t end ex-parte hearings, we are voiceless.

While Section 7AA of the Oranga Tamariki Act 1989 clearly states the obligations of the Chief Executive of Oranga Tamariki, submissions highlighted major concerns about the dismissive attitude of Oranga Tamariki around the whānau, whakapapa and cultural needs of their tamariki within placements.

Whānau Access, Communication and trying to ‘navigate the system’

The issues around navigating the Oranga Tamariki system were raised throughout submissions, interviews and hui. Whānau spoke of their sense of powerlessness within a system that seemed to have no clear, consistent procedures, and which made it virtually impossible to “jump through the hoops” of

getting tamariki back with whānau. The ongoing battle of fighting to get their children back once they had been removed was described as incredibly lengthy, financially debilitating and emotionally draining.

Oranga Tamariki took the kids off us. So then Oranga Tamariki gives us plans after they’ve taken the kids off us, real long list, and so we work hard and we do what Oranga Tamariki asked so we can get them back, but they keep changing the goalposts – like, next meeting we have with them, they look for areas where we failed a part of the plan, then they change the plan, and then they change it again.

Oranga Tamariki Workforce: Competency, Capacity and Behaviour

Throughout submissions, interviews and hui, whānau highlighted concerns regarding the Oranga Tamariki workforce, and their inability to operate in a way that supported Māori tamariki and their whānau. Whānau spoke of the impacts of social workers with no knowledge and comprehension of - or very little empathy for - Māori whānau having power over the life-changing outcomes for Māori whānau and tamariki.

The social worker said I was being too emotional. How am I supposed to do that? I mean, realistically. I am an approved caregiver for Oranga Tamariki because I wanted to take care of my mokos rather than someone who is not whānau do it. The social worker needs to understand that this isn’t just about caregiving for a child. This is about my whānau. But she is so set in her ways. She told me, “you’re never going to get your mokopuna back”. Who the hell is she?

Oranga Tamariki social workers who participated in the Māori Inquiry highlighted unacceptably large caseloads, an organisational bullying culture, issues of burnout, and issues of social workers’ own health and wellbeing problems. Based on whānau interviews, there also seemed to be a shortage of Māori social workers. Furthermore, there were also calls for improved social worker competency, training, development and mentoring.



Māori Inquiry into Oranga Tamariki Hui
Waikato; 19 August 2019

WHAT NEEDS TO HAPPEN?

WHĀNAU ASPIRATIONS, WHĀNAU SOLUTIONS

Throughout the submissions, interviews and hui, whānau spoke passionately about the changes that are needed to transform the system to a place where tamariki Māori can be truly cared for and protected. The lived experience of whānau has created a clear vision around tamariki welfare, a vision that has Te Ao Māori at the heart of it.



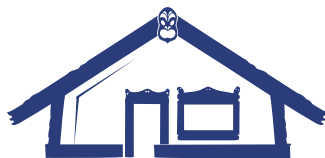
Tino Rangatiratanga – By Māori - For Māori - With Māori

There was a clear and unambiguous message from whānau for ‘By Māori - For Māori - With Māori’ services and solutions. There was also a clear message that whānau with lived experience need to drive the solutions collectively with whānau, hapū, iwi, and hapori having control over, and involvement in, the way services and support for tamariki and whānau are designed, delivered, implemented and funded, and where localised solutions are crucial.



Wrap-around support

Along with housing, whānau spoke of the need for better financial, legal (particularly when dealing with an uplift or the Family Court), mental health, trauma counselling, alcohol and drug issues, parenting, numeracy and literacy supports.



Connecting back to who we are: Hapū, Iwi, Whānau

The role of hapū and Iwi was articulated in the need for connection and the type of leadership that would be required to steer towards a system where all tamariki Māori can find their whakapapa, whenua and whānau. The overwhelming message from whānau was that they want their tino rangatiratanga and mana back, side by side with iwi, hapū and hapori Māori.

ACTION POINTS

These Action Points are a synergy of the suggestions and ideas for a way forward, which build on calls from whānau for kaupapa Māori services and solutions, as well as responsive solutions from the government that honour their obligations and duty of care to Māori under Te Tiriti O Waitangi.

Key principles that underpin the way forward

A strategic approach to setting a direction forward recognises the need to base areas of action on the lived experience of whānau, and the need for whānau, hapū, iwi and hapori to work collectively across sectors for holistic support and services to all whānau Māori.

This approach directly aligns with the stories, issues and aspirations expressed throughout the submissions, and reaches across different areas of Te Ao Māori, and across the current demarcation of State services.

Key principles for action:



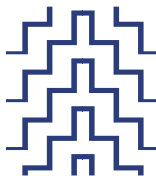
Whānau centred



Systems focused



Kaupapa Māori aligned



Mātauranga Māori informed

It is important to note that positive change towards better outcomes for tamariki Māori and whānau Māori is a multi-layered process and requires attention to short, medium and long-term positive outcomes in order to support robust and transformative change. The ultimate vision of what whānau want are comprehensive, wrap around ‘By Māori - For Māori - With Māori’ services that are designed from the true life experiences of whānau, and which offer long-term solutions for all tamariki and their whānau to flourish. The Action Points that are recommended here acknowledge that while whānau still need to contend with the Oranga Tamariki system as it currently stands, there is an immediate and urgent need to address how whānau can be best supported to navigate the issues they currently face.

ACTION POINT 1

Action point 1: Supporting whānau - strengthen whānau capability and capacity

The findings of this Inquiry highlight that the immediate support of whānau with lived experience of the State care process - whether as (ex) wards of the State, care-givers, or whānau facing an uplift of their tamariki- is of outmost importance.

A) Develop supports and resources that empower whānau Māori who are involved with Oranga Tamariki, including legal resources and resourcing for whānau, clear and coherent communication and complaints pathways, high quality navigation services, as well as other needed wrap around supports and services, particularly for wāhine Māori. These supports need to be localised and targeted for maximum efficiency.

- Establishment of a nationally funded helpdesk for whānau who need immediate help around care and protection of tamariki. An 0800 number, contacts for people/providers in the community that can help, including legal advice and resourcing for whānau; navigational services to include a wrap around support system for whānau. 24/7 'By Māori – For Māori – With Māori' crisis centres for whānau need to be established in all regions, with easy to access follow-up in kaupapa Māori organisations.

B) Develop a fully-funded, robust wraparound support package for whānau which will be delivered by an especially trained workforce within Whānau Ora and other community providers across Aotearoa.

C) Develop an increase in supports, training and resourcing for whānau caregivers, including re-considerations around existing policies excluding whānau care-givers from receiving support.

D) Develop and implement better training and supports for the social worker workforce to deliver best services to tamariki Māori and whānau. This may include:

- Further requirements for social workers to prove their ability and competency to work with whānau in a mana enhancing way. This may include social workers being mentored by a kaupapa Māori provider, or related organisation, and satisfying rigorous cultural competency requirements.
- Identification of effective social workers (and social work practices) who can act as practice leaders and mentors and promote best practice for working with whānau.

ACTION POINT 2

Action point 2: A structural analysis and review of Oranga Tamariki systems, policies, processes and practices

Throughout the Inquiry it became apparent that although we spoke to participants about their experiences with Oranga Tamariki, the complexity of the issues reached beyond a single government department, and pointed to inter-related systemic dysfunction across multiple government agencies underpinned by Crown policy, and misunderstanding of the application of policy, in particular Section 7AA of the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017.

A systemic analysis was outside the scope for this review, but it is of extreme importance that this piece of work is undertaken to effect change in the long term. Furthermore, there needs to be an understanding of ethical implications of whānau data, and who 'owns' that data.

A) Review to inform: Legislative reform; accountability by Crown for best outcomes for Māori; Māori data sovereignty; adherence to Te Tiriti O Waitangi.

B) Review uplift practices, particularly criteria for uplifts, with a view to abandoning 'uplift' as a legitimate intervention. Revised practices and procedures, at a bare minimum, must look to reduce the harm caused by whakapapa trauma, and optimally, support the fundamental and customary rights of tamariki Māori to:

- know about the circumstances of their adoption
- know their whakapapa (genealogy)
- whānaungatanga (kinship) – build a relationship with their hapū or Iwi
- cultural integrity – a home within the same cultural group, Māori with Māori, should be preferred.

C) Review Oranga Tamariki social worker's parameters of legal authority of investigations, scope of their investigations, and relevance of information to investigations.

D) Review Inter-agency collusion and targeting practices.

E) Review Family Court processes.

F) Review Oranga Tamariki case management.

G) Review Oranga Tamariki compliance with legislative rights of whānau (section 7AA), including whakapapa rights of wider kin group and community (i.e. whānau/hapū/iwi) in decision-making and care of their mokopuna/tamariki.

H) Implement better data, monitoring and tracking systems including a registry of tamariki/whānau in contact with Oranga Tamariki, improved transparency and whānau/hapū/iwi/community access to their data/information.

I) Abolish ex parte orders (section 78), that is, the uplift of tamariki 'without notice' to the whānau.

J) Review and monitor Oranga Tamariki policies and practices to ensure consistency with Te Tiriti and best outcomes for tamariki and their whānau.

K) Review interagency accountability to ascertain where accountability lies at the moment. Develop and enshrine new measures to ensure agencies and their workers are directly accountable to and measured by positive outcomes for tamariki and whānau.

ACTION POINT 3

Action point 3: Build on the call from whānau for ‘By Māori - For Māori, with Māori’ solutions for long-term sustainability

The long-term vision for whānau wellbeing is for robust and sustainable change that is ultimately driven by whānau priorities and world-views. This long-term, systemic change is based on Māori decision-making, collective Māori endorsement, integration, workforce development, and sustainable funding. It includes the voices of whānau Māori with lived experience at all levels of decision-making, and builds on collective Māori endorsement (whānau/hapū/iwi/hapori) and political momentum.

A) Establish a ‘By Māori - For Māori, with Māori’ funding authority which has multi-dimensional deliverables that address social and cultural determinants of health and wellbeing for whānau Māori, including tamariki care and protection. As part of that the authority will:

1. Have a dual accountability system between whānau/Māori and government.
2. Be informed by mātauranga Māori understandings and kaupapa Māori frameworks and practices.
3. Be strengths-based and future focussed.
4. Ensure integration of hapū/iwi/communities, organisations, services and resources to support whānau Māori wellbeing.
5. Ensure contracting and funding practices enable and/or support innovative local solutions and approaches.
6. Be focussed on early intervention and prevention and be mana enhancing.
7. Oversee provision to whānau of knowledge/skills/tools/resources that they need, and a holistic and tailored package of care.
8. Ensure development of a culturally and technically competent workforce who can navigate whānau through the system and across multiple domains of wellbeing.
9. Render State care for pēpi and tamariki a thing of the past.
10. Ensure sustained financial and research investment in, and/or strengthen existing, infrastructure that produces best outcomes for tamariki and their whānau
11. Leads a change in current governmental approaches and mind-set to the care and protection of tamariki Māori, that is:
 - moving to a whānau-centred rather than just child-centred approach. This includes a deep, authentic and meaningful recognition by government that whakapapa, whenua and whānaungatanga are vital in meeting the social, cultural, spiritual and health needs and wellbeing of whāngai, and that depriving tamariki of these fundamental and customary rights leads to long-term and devastating impacts for whānau, hapū and iwi.
 - advocating for authentic and meaningful engagement and relations between Māori and government that leads to Māori having constructive involvement in government care and protections initiatives for tamariki, and produces better outcomes for tamariki and whānau.
 - advocating for an overhaul of current mainstream prevention, intervention, and care systems so they are better equipped to meet the needs of tamariki and their whānau.

“The justice pipeline starts at birth... Oranga Tamariki and the Family Court are a gateway to criminal offending. Solutions need to be found earlier, so whānau do not end up stuck in the justice pipeline.”²²

A FINAL NOTE

Decades of reviews, reports and legislation on child welfare services have failed to produce a system that answers the needs of whānau and tamariki. Many of the same themes in this report appear repeatedly throughout the history of State engagement with Māori in the area of child welfare: the desire of Māori communities to keep tamariki with whānau; the lack of responsiveness of services to whānau needs; the continued failure of practitioners to exercise the required cultural intelligence in dealing with whānau. For these reasons, the same mistakes seem to be repeated generation after generation.

The findings of this Inquiry have to be viewed within the context of the impacts of colonisation, including the dispossession of Māori from their land, culture and the means of production and wealth. This includes the history of increasing State intervention in the lives of whānau, with the observable effect of undermining the traditional role of the wider whānau and community in the care and protection of their tamariki and mokopuna. The voices of whānau confirmed that the legacy of this has resulted in generational trauma and perpetuating cycles of disparity.

Yet despite decades of government inaction on this issue whānau have remained resolute and resilient. At this time in history the concern for the wellbeing of tamariki and whānau has brought together some of the nation's greatest Māori leaders from all walks of life, and has seen communities, iwi and hapū starting to organise themselves to find their own solutions. It has also seen national hui on this kaupapa attended by hundreds of concerned whānau from all over the motu, and an unprecedented number of whānau and organisations coming forward to participate in the Māori Inquiry. Maybe ironically, while government policy, legislation and practice has worked to divide and dismantle whānau and whakapapa, the kaupapa of the Māori Inquiry has seen differences being set aside, new alliances formed as well as old ones strengthened, examples of courageous leadership, continued offers of support and help, and a collective response from Māori and non-Māori unseen in decades. In this respect, it could be said that this Inquiry has been a long time in the making.

The overwhelming conclusion from this Inquiry is that the State care of tamariki and pēpi Māori, and in particular the uplift practices used by the State, are never appropriate for the long-term wellbeing of Māori. With new increased government fiscal spending still resulting in poor outcomes for whānau, there is a strong economic case to make substantial, revolutionary change to the current system – ***it is time to listen to the voices of whānau.***

Members of the Māori Inquiry Governance Group:

- Sir Toby Curtis
- Sir Mason Durie
- Dame Rangimarie Naida Glavish
- Dame Areta Koopu
- Dame June Mariu
- Lady Tureiti Moxon
- Merepeke Raukawa-Tait
- Sir Pita Sharples
- Sir Mark Solomon
- Dame Iritana Tāwhiwhirangi
- Dame Tariana Turia

Ko te wā whakawhiti!
It's time for change!



Māori Inquiry into Oranga Tamariki Hui
Tāmaki Makaurau; 13 July 2019

END NOTES

¹ Melanie Reid. "New Zealand's own 'stolen generation': The babies taken by Oranga Tamariki," Stuff, June 12, 2019, <https://www.stuff.co.nz/national/113395638/new-zealands-own-stolen-generation-the-babies-taken-by-oranga-tamariki>

² Jo Lines-MacKenzie. "Two years as Oranga Tamariki: Getting whānau back into children's lives," Stuff, March 31, 2019, <https://www.stuff.co.nz/national/111548720/two-years-as-oranga-tamariki-getting-whānau-back-into-childrens-lives>

³ Ombudsman. "Terms of Reference Systemic Improvement Investigation: Oranga Tamariki – new-born removal," July 18, 2019, https://www.ombudsman.parliament.nz/sites/default/files/2019-11/orangatamarikinewbornremovalinvestigation-termsofreference_0.pdf

⁴ Children's Commissioner. "Scope for Thematic Review by the Office of the Children's Commissioner," September 18, 2019, <https://www.occ.org.nz/assets/Uploads/Scope-for-thematic-review-FINAL.pdf>

⁵ The findings of the internal review were published on November 5th, 2019, citing conclusive evidence of systemic failure by Oranga Tamariki in the case of the Hawke's Bay uplift <https://www.orangatamariki.govt.nz/assets/Uploads/News/2019/Practice-Review/Practice-Review.pdf>

⁶ <https://whānauora.nz/>

⁷ <http://www.tepūtahitanga.org/>

⁸ This report uses the word 'tamariki' to refer to children of all ages under the age of 18, including pēpi (babies) and rangatahi (youth)

⁹ Wai 2591 Claimants. "Waitangi Tribunal grants targeted urgent Inquiry," 29 October, 2019, <https://www.scoop.co.nz/stories/PO1910/S00293/waitangi-tribunal-grants-targeted-urgent-inquiry.htm>

¹⁰ Hui were held in Murihiku / Invercargill; Whakatū / Nelson; Te Tai Poutini / Greymouth; Ōtepoti/ Dunedin; Ōtautahi/ Christchurch; Wairau/ Blenheim

¹¹ Oranga Tamariki, "Quarterly Report - June 2019," June 2019, <https://www.orangatamariki.govt.nz/assets/Uploads/Quarterly-Report-June-2019/Quarterly-Report-Jun-30-2019-V2.pdf>

¹² Oranga Tamariki, "Data about how we work with children, Key data tables," accessed October 1, 2019, <https://www.orangatamariki.govt.nz/statistics/data-about-how-we-work-with-children/>

¹³ Oranga Tamariki. Key data tables, 2019.

¹⁴ 'Out of home' is defined as non-whānau, Whānau placement, Child and Family Support, CYF Family Home Placement, Residential Placement, & other supported accommodation. Source: Ministry of Social Development, "Kids in care," June 2017, <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/statistics/cyf/kids-in-care.html>

¹⁵ 'Return to home' meaning return to a biological parent.

¹⁶ Data showing ethnic breakdown of the 'returned home' category was not made available by Oranga Tamariki.

¹⁷ Oranga Tamariki, "OIA responses, Statistics on children in care, placement type and returns home," 15 November, 2018, <https://www.orangatamariki.govt.nz/official-information-act/oia-responses/children/>.

¹⁸ Children, Young Persons and Their Families (Oranga Tamariki) Legislation Act 2017. <http://www.legislation.govt.nz/act/public/2017/0031/latest/DLM7064516.html>

¹⁹ Husband, D. 2018. Keep Your Bags Packed, My Baby. I'll Come Back and Get You. E-Tangata. 2018 <https://e-tangata.co.nz/kōrero/keep-your-bags-packed-my-baby-ill-come-back-and-get-you/>.

²⁰ Under s15 of the Oranga Tamariki Act 1989, any person who believes that any child or young person has been, or is likely to be, harmed (whether physically, emotionally, or sexually), ill-treated, abused, neglected or deprived may report the matter to Oranga Tamariki or the Police. Oranga Tamariki, Care and protection pathway guidelines. <https://practice.orangatamariki.govt.nz/previous-practice-centre/service-pathways/care-and-protection/care-and-protection-service-pathway-guidelines/>

²¹ The legal removal of children from families without prior notice

²² "Most of those who enter the criminal courts or prisons have had previous interactions with Oranga Tamariki and the Family Court". See Te Ohu Whakatika. Inaianei Tonu Nei - The Time is Now We lead, you follow. Māori Justice Hui report. (New Zealand, 2019)20.



