

NGĀ KŌRERO O TE WHĀNAU



TE MURA O TE AHI

FIGHTING FOR OUR TAMARIKI

A COLLECTION OF WHĀNAU STORIES
MĀORI INQUIRY INTO ORANCA TAMARIKI

Te Mura o Te Ahi, Fighting for our Tamariki
A Collection of Whānau Stories produced as a part of the Māori Inquiry into Oranga Tamariki
Ngā Kōrero o te Whānau

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MIHI



*Tihei mauri ora, ki te whai ao, ki te ao mārama.
Ka mihi rawa atu ki te katoa, i whakaae ai, kia uru mai te whai i nga
taumata kōrero, e pā ana ki te kaupapa nei.
I paihere ai tātou koutou e noho ana, i raro ngā parirau o ia
maunga, o ia marae, o ia whenua, o ia tikanga.
E kore e mimiti te kupu aroha, kia koutou e pupuri ana ngā taura
here kōrero, o ia whānau, hapū rānei.
Ae, na te takimaha i oti ai ngā kōrero nei. Hei pāinga, hei oranga mō
wā tātou tamariki mokopuna*

*Behold the breath of life, born into the natural world into the world of
understanding.
We acknowledge each and every one of you who agreed to speak with
the Māori inquiry into the policy and practices of Oranga Tamariki.
We have bonded as one in every residence, the mantle of the
mountains, the marae, the land and beliefs. Our deepest admiration
for those of you who hold the stories of your whānau and hapū.
Many people worked together to complete the reports so that all of our
tamariki and grandchildren will flourish.¹*

¹ Nā Albie Tepania, kaumātua for Te Whānau o Waipareira Trust. Matua Albie travelled with the Māori Inquiry team on the first marae based hui in the Tai Tokerau. Mihi translated by Ruth Herd

*Mā te whakaatu ka mōhio
Mā te mohio, ka mārama
Mā te mārama, ka mātau
Mā te mātau, ka ora.*

*By discussion comes understanding
By understanding cometh the light
By the light comes wisdom
By wisdom cometh life everlasting²*

² Pā Henare Tait

A LETTER TO MY MOTHER

*Wrote a letter to my mother
Started it like this*

*Dear mother I wish
I could have seen you
In my grown up years
Dear mother I wish that you could see me*

*I've been a good boy without you
I've been a good boy on my own*

*Met my sister and my brothers
and my uncle wished he'd known
But mother I wish that I had met you
Mother I should have known you
Oh mother I'm alone*

*So now I have a photograph
and of everything I own
Nothing gives me memories
I was too young
You took your heart ache to your grave*

*Mother I'm not evil
Mother I'm not scared
But I curse the white judge
Who put bars between us
I curse the white judge
Who made me a welfare child*

*Mother I've watched other's lives get broken
Mother I knew I could hold on
It took thirty years to find you
It took thirty years to undo the white judges secret
It took thirty years to find my sister
She took me to your grave*

*Oh mother I'm not evil
But mother I have pain
I curse the white judges children
I curse the white judge and his children
To suffer
Only half of my own pain³*



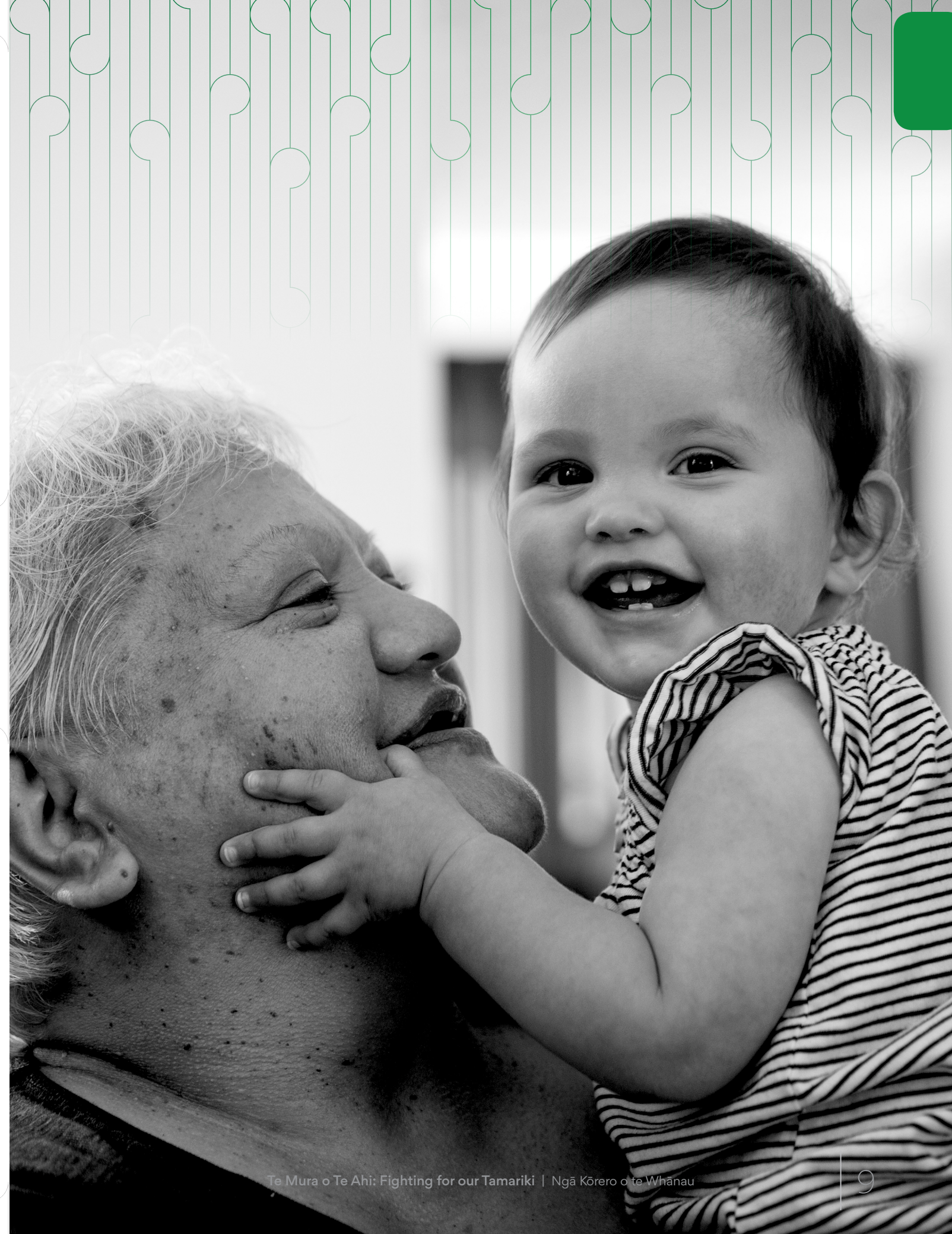
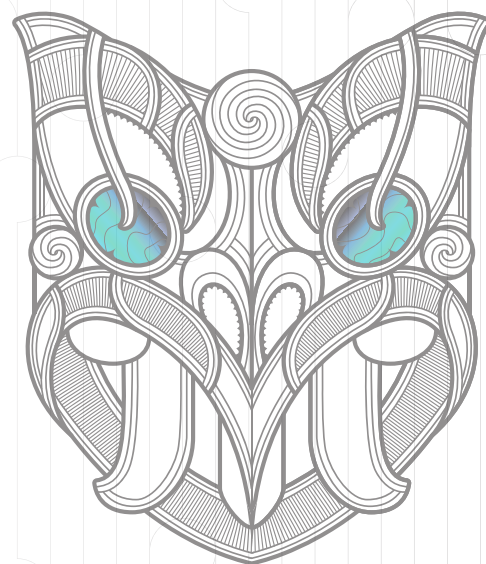
³ By Pita Turei. Pita is a film maker, sculptor, writer and story teller. Pita belongs to Ngāti Pāoa mana whenua of the Auckland region. Ka nui te mihi aroha ki a koe e Pita, mo tō tautoko i tō tātou mahi.

'TE MURA O TE AHI' - FIGHTING FOR OUR TAMARIKI

This collection of stories, produced as part of the Māori Inquiry into Oranga Tamariki, contains a series of 'snapshots' that represent the multiple and diverse voices of whānau who participated in face to face interviews, focus groups, community based hui, poster sessions, and online and email submissions, which informed the main report of the Māori Inquiry 'Ko te Wā Whakawhiti - Time for Change'. A series of accompanying videos have also been produced featuring whānau who agreed to be filmed telling their story.

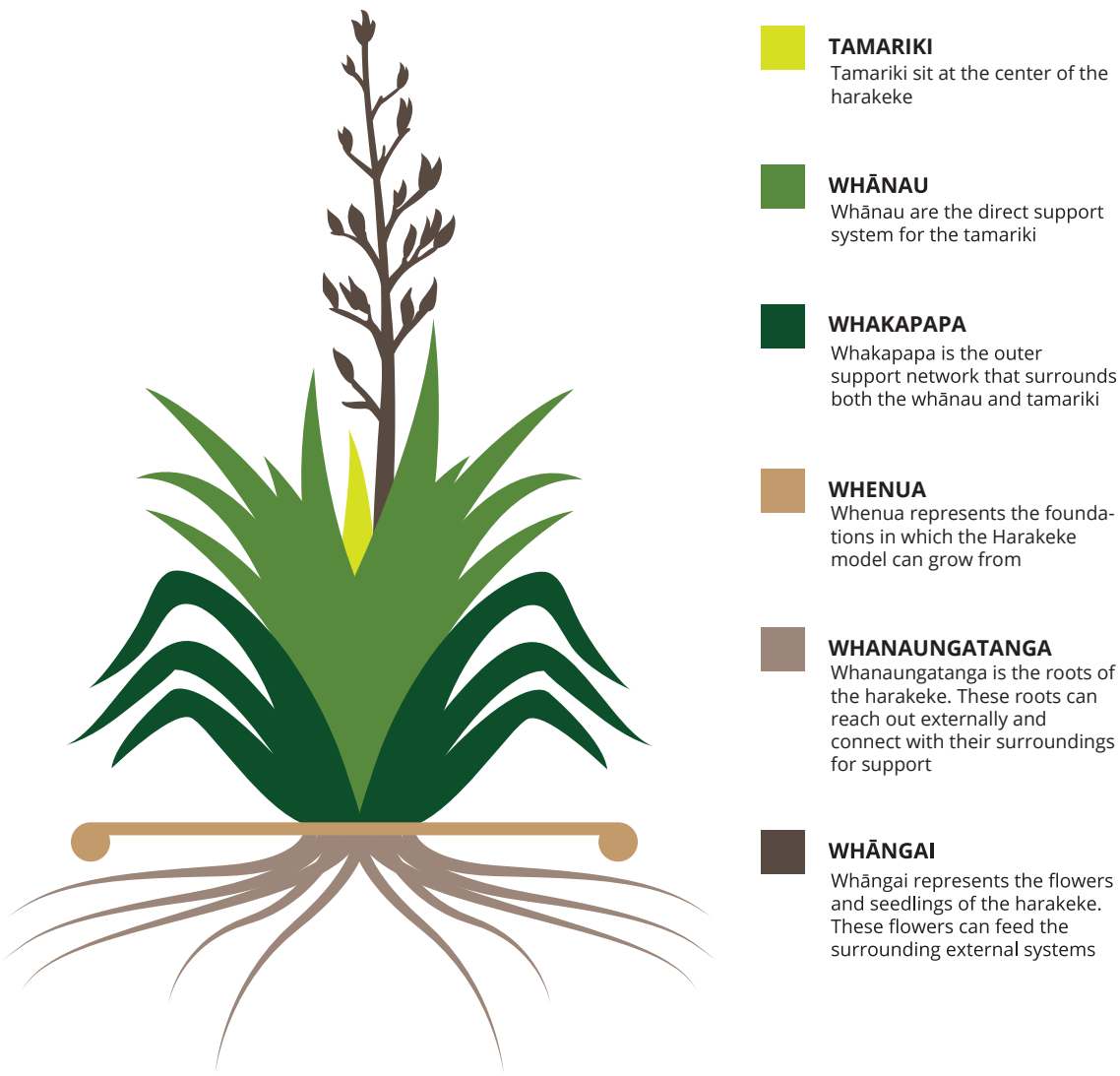
Whānau frequently described their experiences with Oranga Tamariki as like "going to war". The idea of going to war represented in the title of this report "te mura o te ahi" was also captured in an early submission by an iwi leader to the Inquiry, who spoke of the role of the Māori Inquiry – and its governance group:

"A military analogy would be that generals don't go into the battle. Their role is to oversee the battle, allocate resources and make the tactical decisions required for the battle. Being in the battle, te mura o te ahi, is a place of chaos and confusion, a place for soldiers, while the generals receive and respond to the changing environment and make the adjustments needed."



TE PĀ HARAKEKE MODEL: WHĀNAU CASE STUDIES

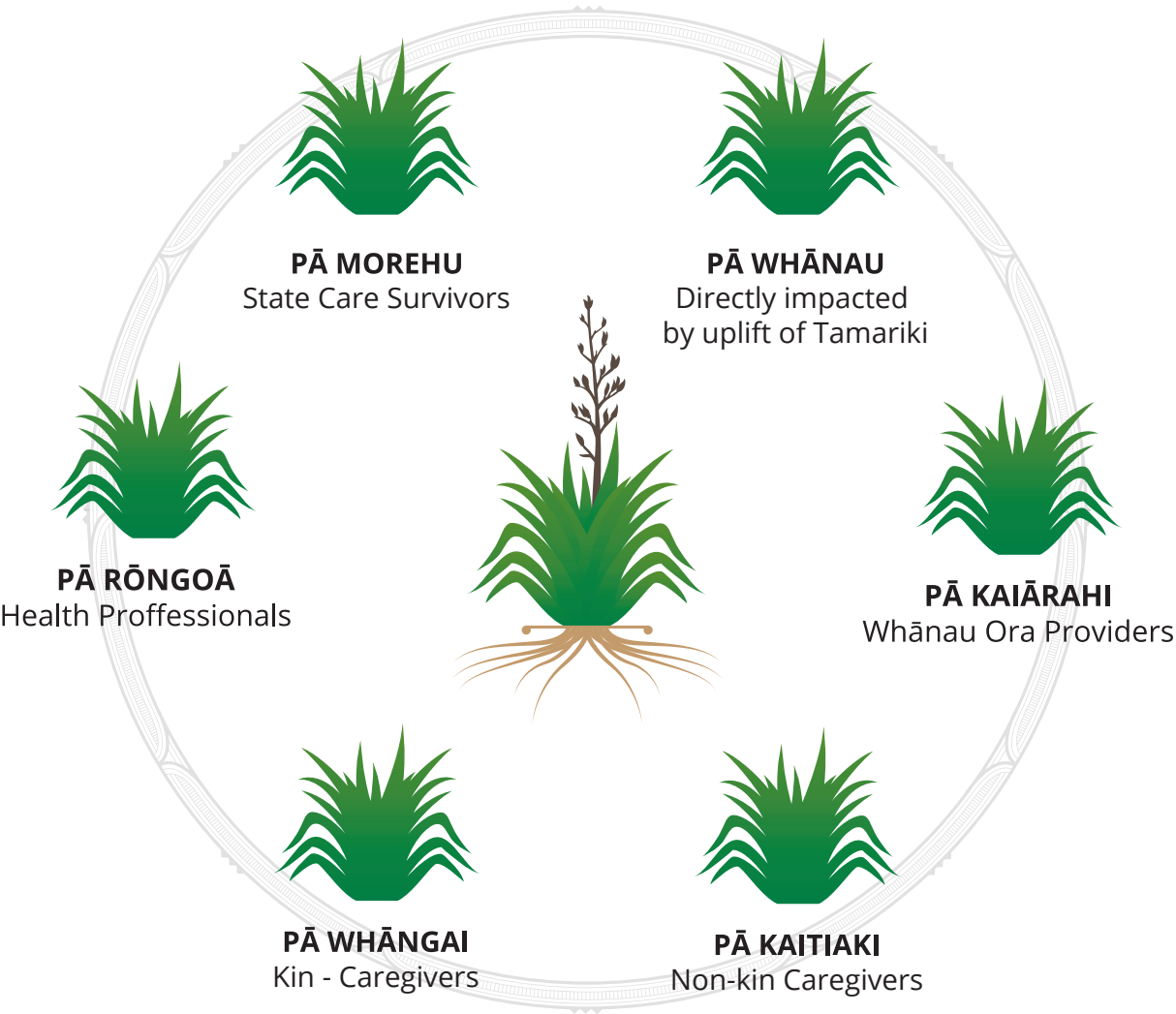
To aid the reader, whānau stories have been organised into case study groups based on the 'Pā Harakeke' model. The Pā Harakeke was used as a way of expressing the distinctive yet collective voices of whānau, that is, distinct in the personal stories they shared, yet collective in the fight for their tamariki:



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

CASE STUDY GROUPS INCLUDED:

- Pā Morehu are State Care survivors;
- Pā Whānau are the families who experienced direct uplifts of their tamariki into State care;
- Pā Whāngai are the whānau caregivers;
- Pā Kaitiaki are non-kin caregivers or those who worked in residential homes and youth justice facilities; Pā Kaiārahi are Marae, Hapū and Iwi leaders; Pā Rōngoā are service providers, community organisations and health care professionals such as midwives and nurses.



These case-studies are an amalgamation of the many stories we heard throughout the Māori Inquiry, many of which – in their own voices – affirmed the pain and trauma that was felt by whānau. To protect the privacy and confidentiality of those whānau who participated in the Inquiry, stories have been re-told using pseudonyms, and any other information that might identify the participants were either deleted or changed.

Furthermore, there were many crossovers between the Pā, as some of the whānau were also community leaders and health professionals who also had personal stories to share about their experiences of the State care system, and its practices and policies. It is important that the reader keeps this in mind as they read through the case studies.



PĀ MOREHU

Pā Morehu represents the voices of people who were taken as tamariki into State care. The stories shared by participants of this narrative, as with the others, are varied and complex. These are stories of crisis and in many instances the crisis is on-going; particularly where the stories have become inter-generational. They are stories told with anger, regret, frustration, fear, sadness, pain, loss and often desperation; as they also hold feelings of determination, strength, justice, power, belonging, empathy and love. In most incidences from the stories shared, children want to be re-united with or remain connected to, their whānau.

“I’M STILL TRYING TO JUMP THROUGH THE HOOPS TO KEEP HIM WITH ME” THE LEGACY OF STATE CARE

Atawhai was put into state care at three years old. She was removed from her mother’s care due to circumstances of domestic violence. She has recently got her son out of care after he was uplifted from her sister’s care:

I was three when I got taken off my mum. So, being three then and I was in there until I was 15. Never actually had a home. Was danced around every three to six months. It didn’t matter where I was. Bounced from town to town. So, they keep me far away from my mum. And then like, skip forward till my son ... I had my son when I was 18. He ended up with my sister. Then my sister ended up with him in the system anyway. And yeah, he was out of my care from the time he was four right up until now. I got him back at the end of this year and I’m still trying to jump through the hoops to keep him with me...

Atawhai talks about the impact of being in State care:

And now, as a 28-year-old, I have anxiety, depression... but it’s something that’s built up over the years. The years of abuse and not being with my family, being with complete strangers and having to deal with it by myself. And still having to deal with it inside. It’s like, I’m not a whole person. I can’t deal with it. You know, it’s stuck here. And you can’t move on until you do deal with it. So, you’ve got to actually stop yourself at some point and talk to someone about it...

Though she is faced with ongoing trauma, she shows resilience in drawing on her experiences:

I just keep my kids close to me, you know? I don’t care. I won’t do the whole suicidal things, you know, just wanting it all to end. Sitting there, like wanting to just,

you know, not wake up in the morning or ... attempted a few times, almost succeeded a couple of times. But something’s keeping me here. And now I go home and I look at them and I’m like, they’re what’s keeping me here. Like, I was three when the abuse started and I was 15 when it ended. And that was every home I went to apart from one - one home, and that was a home of 13 kids under five. Thirteen children under five, but she actually cared about everybody. Treated us all the same...

Atawhai is clear what she wants for her own tamariki, she wants them to be safe. She nevertheless continues to deal with her own trauma:

Sometimes I feel like ... I feel like I’m weak. I beat myself up about everything. And that’s because everything I was told then, sort of still sits there and it just triggers... I just got told about them blacking out all the information of your files and stuff. But they should’ve blacked out our pain first, because it’s still there. It’s stuck there. It’s not going to go anywhere.

Ironically, this mother of two, considers that the safest she had ever felt was when she came back to live with her family, her gang family, though she doesn’t talk about being in the gang herself. She is focused on protecting and caring for her tamariki, they have helped her come out of the dark spaces. Her lived experience, despite being negative, has informed her of what she needs to do to keep her tamariki safe. She is proud of the fact that her son is no longer on Oranga Tamariki books and is determined that he will not be going back. People come to her for advice about how to keep their children or how to get their children back. In her community the scenario of uplift seems to be all too common.

“WE’VE LOST AN IMPORTANT LINK IN OUR WHAKAPAPA” FIGHTING FOR THE NEXT GENERATION

Moera was made a State ward at 14, when her whāngai mum died and her whāngai father was unable to cope. She is a trained nurse and has worked as a health professional. Her tamariki were taken by the state after notifications were made by her ex-husband. Her mokopuna is also in state care:

I was placed in a foster care home ... and spent the next two years being passed around to different social workers, psychologists and families. My rebellious behavior landed me in youth court after I dropped out of school. Once I turned 16, my file with DSW [Department of Social Welfare] was closed and I heard nothing more from them.

My next involvement with CYF was in 2000 when my 16-year-old daughter, the eldest, got pregnant and had her baby removed from her care. CYF placed the baby with non-family members. So, we’ve not had formal contact since my moko was five years old. He’s

now 16. Although I admit that removing my moko was a wise decision, we’ve lost an important link in our whakapapa. As a grandmother, I fought to be in moko’s life but I was always told that I was not a guardian of the child, therefore I had no rights – and that was from CYF. I was prevented from applying for custody of my moko because of history with the department and being a state ward. He’s my firstborn mokopuna, blood of my blood. Moko deserves to know his whānau, his uncles, his aunts, his cousins and his nanny. I have stories to tell my mokopuna ... about his tupuna, tikanga and knowledge that I was taught as a child. It is important to pass on for the survival of tamariki mokopuna, and also our culture as tangata whenua. There is so much time that we as a whānau have missed out on with moko. And I fear we will never have the opportunity to be a part of his life. I can only imagine how my moko’s been affected by the removal from his whānau.

“SO DUMB” BEING SPLIT FROM SIBLINGS

Hinemaia is 25, she has been in both State care and whānau care. Her parents separated when she was a baby, though she had an older brother, they lived with different grandparents:

It was so dumb that they split me and big brother up... and my family all said “that’s not a good idea to split those two up. You should keep them together”. Nevertheless, we got split up. We grew up with our nannies.

Hinemaia’s Nan died when she was nine, when she was moved around in whānau care:

When our nannies died, this is when it all went ugly. And I was just passed around. How I ended up getting involved with CYF was ... I’d lived with all my aunts and uncles and I went to live with my father. Now ... my father just ... I don’t know. Maybe he needed to learn how to be a father. He was into the Mongrel Mob – that was his family. So, we ... me and my brother, we used to starve a lot so we used to go steal clothes, steal food, because we were hungry.

Anyway, one particular day me and my brother, we

went out to go steal some clothes and we got arrested. And I told the police, “please, please, I can’t go ...back – my dad will beat me up, I know it”. So CYF got involved there... I ended up going to this like, house where like, people in CYF go ...Went there and I actually liked it, only because I got to have a kai. And my clothes were always washed and they helped me to buy some new clothes because I used to have to steal clothes all the time.

After a Family Group Conference Hinemaia went to live with her mother, despite not getting on with her. She was astounded at CYF sending her to live with her mother as her mother had long term mental illness and addiction problems. Living with her mother, Hinemaia was drinking and smoking daily, stealing regularly and mixing with gangs. At 20, she ended up putting herself in rehab and is now five years sober.

Her brother is in jail, he has been in jail repeatedly over the years. Hinemaia speaks lovingly of him, but worries for his future, she desperately wants her brother to be okay, she just doesn’t know how he will see his way out of things.

"SHE SAID THAT I CAN'T BE A CAREGIVER" MARKED FOR LIFE

Alana is 21, she was uplifted to state care between 6-9 months old with her twin sister. Her mother is Māori; their father, Mike, is Pākehā. Alana and her twin sister were returned to the care of Mike's parents when they were five. Mike supported them in caring for the girls.

As a young man Mike received a serious head injury that caused him memory loss and major fatigue impacting on his ability to work, as well as affecting his ability to manage his anger. He believes this was used as reason as to why he could not care for his children. Alana stayed in her grandparents' care till she was 19.

Alana has a younger sister, Mereana, by her mother. At 19, Mereana has had three tamariki uplifted from her over the last two years. In exploring the possibility of becoming a caregiver for Mereana's first child, Alana met with resistance from the social worker. Alana has trained as a nanny, as well as having done partial studies in early childhood education. She works full time in retail. She relays that the social worker said that she didn't have the experience to be a mother:

...she said that I can't be a caregiver... And then she

goes to me ... "if you have any kids, we will probably uplift your kids too".

Alana felt insulted by the social worker's comment:

I'm not a drug addict, I'm not a smoke-a-holic, I'm not an alcoholic. You know, I'm just me.

Alana's father Mike also comments:

Her life shouldn't reflect on what I did in my life.... I made mistakes in my past and with that, I own up to my mistakes, fine. But my mistakes were my mistakes, not her mistakes.

Mike also has another daughter, who was six when she was taken through CYF intervention and fostered to a relation of Alana's mother. They live in Australia. Mike has no say about the arrangement with his youngest daughter and contact is dependent on the caregivers. There is limited contact and when they do see the girl Mike and Alana are not allowed to identify themselves as family. He feels he has no rights as the biological father. The foster parents have also changed the child's name.

"SOME OF THE KIDS WERE SO ZOMBIED..." ABUSE IN STATE CARE

The following scenario describes the experiences of being placed into a child and adolescent mental health ward:

I was placed (against my will but for my own good) into a residential ward for children and youth with mental health needs. The staff there during the day were mostly kind and caring people (the distinction of day time staff is important) but they had all us kids drugged up beyond any ability to function. Literally a group of drooling, shuffling zombies. I guess this made us more easy to work with and coexist. However, I feel this robbed us of important learning around coping skills where we could be cognisant participants of our own healing. Furthermore, it made us vulnerable. Already as a young person diagnosed with mental health disorders- severe enough for us to be institutionalised in what was essentially a mini prison- our version of events or reality could easily be dismissed and often was.

The night time staff were a whole different story to the daytime staff. There was a minority of night-time staff who used their power, access and position with us for their own sick enjoyment. I never told anyone because I didn't think I would be believed and I felt that I couldn't give them any ammo to use against me, as it was these same people whose kōrero about me would dictate when I could leave. The things that happened to some of us, and what we saw happen to others, felt like no one would believe us.

Some of the kids were so zombied I don't know if they knew what was happening. The only person I told was one of the oldest boys in the unit, who was around 18. He attacked the male nurse and he injured him so he had to go on sick leave after that. But then he came back. I'm so torn when I think about that place and what happened there. If I hadn't gone there I could have been much worse off without the help I got during the day... I really don't know. There was a lot of good things that people did for us- but they were blind to the bad things that were happening too.

"So I was in a stage where I suffered postnatal depression and was looking for help with a new born and two children and they took it that I was unfit and came around to my property and ripped my babies from my arms and insisted I seek parenting courses and counselling before I could mother my babies. It took me a year to get my 2-year-old back and I'm still fighting for my 14-year-old..."



PĀ WHĀNAU

Pā whānau are the families directly affected by the removal of their tamariki under the policies and practices of Oranga Tamariki and its various predecessors.

“IT WAS OUR WORST NIGHTMARE” THE HEAVY HANDEDNESS OF THE STATE

Kui describes how her moko was uplifted. Kui was at work and had missed several calls from her daughter. When she called back, all she could hear was her daughter and mokopuna screaming and so she raced home:

Well, when I got there and I saw these, literally four cop cars parked outside my house. I didn't know what the heck was happening. All the neighbours on my front lawn, you know?... and when I found out what was happening...it was our worst nightmare. It really was.

Kui also described how upset her neighbours were to witness the 'heavy handedness' of police and social workers in removing her mokopuna:

...my neighbours were saying, the way they just grabbed all the kids and shoved them in the van, buckled them all up. No explanation, no nothing. There was no aroha. The way they did it was just unreal.

No paperwork was provided to the whānau at the time. Kui was also told that if she wanted to find out why her mokopuna had been taken into care, they needed to attend a hui at Oranga Tamariki the next day.

The whānau believed they were targeted because of where they lived and the assumption that they were gang affiliated. One of the mokopuna was not at home and so a police car went to the club where the child was at the time. The police were prevented from entering the clubrooms by staff and were asked to wait outside so as to not upset all the other tamariki.

After the removal the whānau waited for two weeks to view the affidavit that revealed that one of the tamariki's schools made a notification to Oranga Tamariki. All of the tamariki were interviewed by social workers at their school and early childhood centre over three days. Kui was furious that they waited so long to see the affidavit and that there were inaccuracies in the document:

Twice in the affidavit they mentioned they were going to

come and talk to our daughter, but it never happened. They mentioned coming to talk to the parents of the child who made the allegations. Because that's all they are. They're only allegations. But it never eventuated. If they had come and seen us, they would have found... it wouldn't have got to where we are now. Two months down the track with no kids.

Kui went on to talk about the strain this event had on all her whānau members. They weren't able to operate as a whānau or visit one another because of the situation. The new carers, who were whānau, were not receiving any additional support from Oranga Tamariki at the time despite the large number of tamariki they are caring for:

The caregivers of the tamariki have had no support from OT. And you know for us support is not about the money issue...it's the information sharing, it's the aroha to those carers, which there's been none.

This situation had been especially hard on the grandfather:

The saddest thing for me personally, is seeing my husband's wairua be down there. For me to have to pick up his wairua because he got to the stage where he was saying "I'm a bad grandparent" ... and that is not a good thing for a man to feel like that. To feel like crap. They shouldn't be feeling like crap.

The whānau are frustrated with the process, the delays and excuses that Oranga Tamariki workers have made since their tamariki were uplifted. At the time of the uplift, Oranga Tamariki told the whānau that the police led the uplift and were investigating, the police in turn said that Oranga Tamariki were leading the uplift. Neither were taking ownership of who led the uplift. Kui ends by saying:

And to hear the police say they were only in the early stages of the investigation. That's because OT are trying to build a case against us which they won't find. There is no case against us.

“I WILL NEVER GIVE UP ON MY KIDS” FIGHTING THE LAW

Māhaki is the father of four tamariki, who was charged with an alleged assault on his young daughter. He waited a year and a half for the case to go to court and was found not guilty by a jury. While awaiting trial he was allowed supervised access to his tamariki. The day before a court hearing was scheduled to determine the custody of his tamariki, Māhaki was arrested for allegedly threatening the social worker and was locked up. He was not bailed until the next day when he was advised by police that his tamariki had been uplifted. Māhaki believed the reason for his arrest was to keep him away from the Family Court appearance that took place that morning. Māhaki also discovered that he was not eligible for legal aid because of the supervision order:

If I had legal representation, then Oranga Tamariki would not have turned my children's lives upside down.

Oranga Tamariki are very clever as to the children they grab and family they destroy. Their actions are very calculated and planned.

Māhaki listed his grievances around a lack of transparency, delays in responding to phone calls and emails in a timely fashion and no accountability. Māhaki believes that Oranga Tamariki covers up for its workers' mistakes and moves their managers out of reach of complainants. Māhaki has made many complaints to Oranga Tamariki but believes the complaints process is set up to delay and deny complainants so that they will give up. He says he has been fighting for four years:

I will never give up on my kids.

“THE DAMAGE WAS DONE” LOSING A CHILD TO SUICIDE

Erana described the mistreatment of her son while in CYF care in the early 2000s. As a result of his traumatic experiences, her son subsequently took his own life.

Erana accessed his file with over 1000 pages that revealed a litany of tragic events. Her son ran away repeatedly from caregivers. He ran back home when he found out he was being moved further away. Police with dogs were sent to retrieve him. Erana was threatened by the social workers who said she would not be able to see him for a year. The social worker failed to inform her that the court psychologist had recommended he be returned to her care:

CYF breached court orders that returned custody to me and continued to undermine our relationship and place him with previous CYF open home carers. During this period sexual abuse was known to the carer who tried to tell the social worker, but this was blocked.... The damage was done.

Erana stated that CYF did not treat her son's psychological issues. He later joined the army and shot himself while off-duty.

“WHENEVER I’VE FELT LIKE I NEEDED HELP, I WOULD REACH OUT AND LOOK FOR HELP”
LACK OF SUPPORT

Hera has six tamariki. five of whom were uplifted by Oranga Tamariki. Two of the children were placed with her mother, who Hera claims is an unfit carer. Hera now has her baby with her, and she is in a stable relationship with the father of the baby, but that was not the case with her other tamariki, who she says have had a hard life:

We’ve had... Abusive relationships and things, and that I left for my children. And I’ve done programmes and things, all along the years. Whenever I’ve felt like I needed help, I would reach out and look for help. I came from a broken home and yeah, my mum was an alcoholic and extremely manipulative.

Hera felt judged because of her history. She asked Oranga Tamariki for counselling and support for her and her tamariki, which never eventuated. While pregnant with her last baby, Hera says the social workers threatened to take the baby from her after the birth. Hera now has access to support through the Māori health provider where she takes her baby for check-ups.

“OH THE FACT THAT I’M MĀORI - THAT I LOOK MĀORI”
EXPERIENCE OF DISCRIMINATION

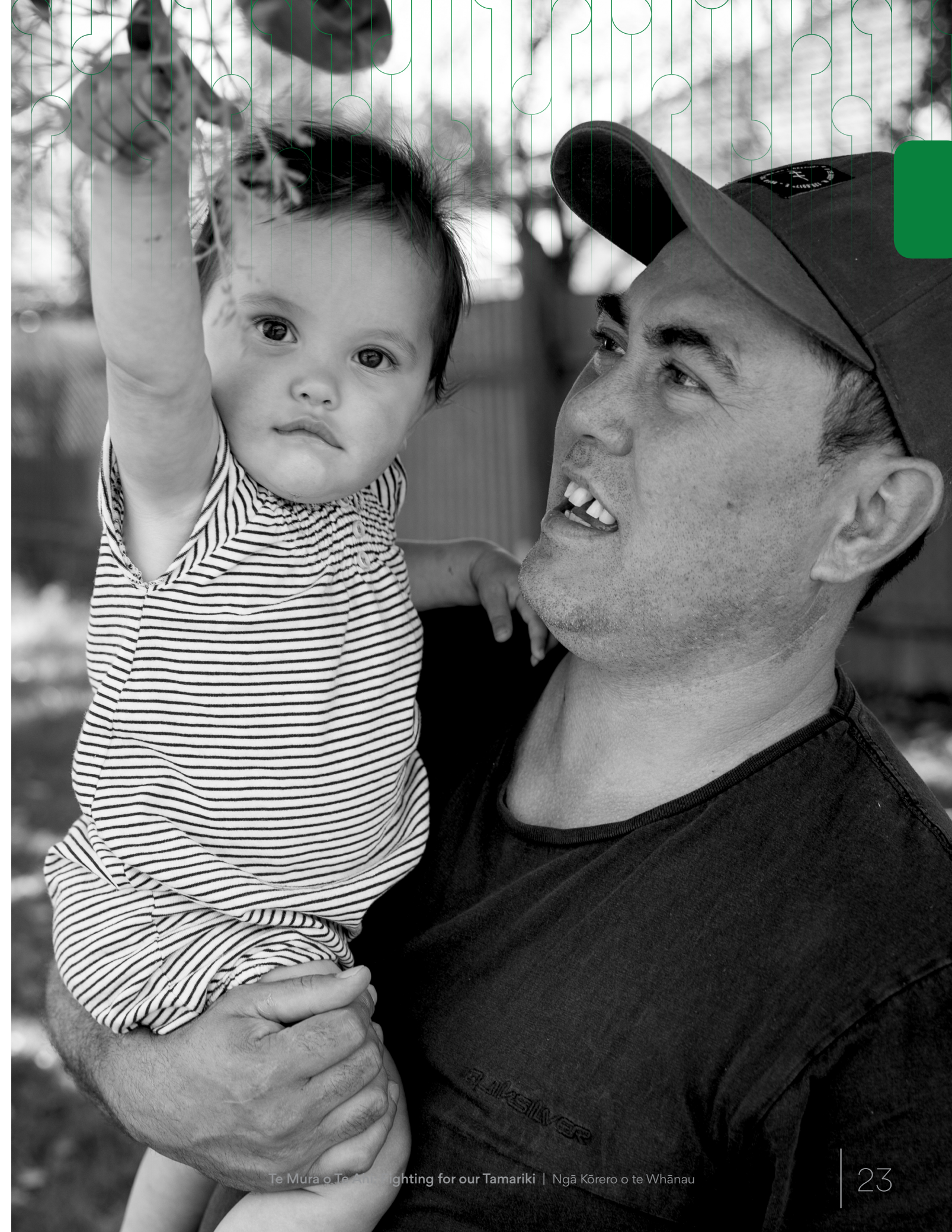
Roharia is a registered nurse and works for a Māori health services provider. Roharia shares her personal and professional experiences of Oranga Tamariki - she prefers to call them CYF:

I still don’t think they deserve the name of Oranga Tamariki. It’s just a fallacy. It’s a great aspiration, but I don’t think any system that’s built on ‘us being right and you being wrong’ is ever going to work.

Roharia had been through the system when she fought a seven-year custody battle with her ex-partner, who made allegations against her. Because of her work experience she knew what was expected of her and complied with the process. She felt that her ethnicity was a factor in the way that she was investigated.

Oh, the fact that I’m Māori. That I look Māori, that he’s not... and he’s also got wealthy parents so there was money involved as well.

Roharia said that it was hard work to deal with CYF since she was in the court process while also finishing her nursing degree, a post graduate degree and working full time as a nurse. She has full time care of her tamariki, but fears that her ex-partner will make trouble for her and subject her to further investigations as a way of punishing her.



PĀ WHĀNGAI

Pā Whāngai are whānau or kin care-givers. Most of these whānau have taken on the care of tamariki as a result of circumstances where tamariki have been uplifted, or in several cases were already in State care. Generally, these whānau care-givers are closely related to the tamariki in their care.

“IT’S LIKE WE HAD TO FIGHT OR BEG FOR EVERYTHING”
LACK OF SUPPORT

Dallas, who has three whāngai tamariki facilitated through Oranga Tamariki, talks about the lack of support given to whānau caregivers as opposed to non-kin or Oranga Tamariki caregivers. Two of the tamariki are siblings. One of the tamariki has been fostered through the system, the other two tamariki have come to them through whānau arrangements, facilitated through Oranga Tamariki.

In taking the first child into care, they received no advice or financial support. Because the child was not their biological child, Dallas was unable to claim for parental leave and had to return to work when the baby was nine months old. Oranga Tamariki, their lawyer and the child’s lawyer, all failed to make any mention of the unsupported child’s benefit to them. No-one advised them to apply for sole guardianship or special guardianship for their first child, they found out this possibility only with their second child.

The second child came to them directly through Oranga Tamariki as a foster child, and while they received all his entitlements, there have still been delays. Although they were told that support for childcare arrangements would be made, a request made for paperwork to authenticate pending payment for the childcare centre was denied. The couple were owing \$2,000 for childcare some time before payment was made. This caused them undue stress and embarrassment.

The issue of adequate transport is also raised as the couple are using two vehicles to get around, as to travel together as a family with all three tamariki in car seats requires this:

We need support and we are being shafted, stonewalled and disrespected. I am disgusted by the way we have been treated as whānau caregivers...It's like we had to fight or beg for everything.

Dallas refers to the Oranga Tamariki standard for whānau caregivers as ‘dump and run’. Although Oranga Tamariki have facilitated arrangements and the tamariki have all been taken due to traumatic circumstances, Dallas was told that in agreeing to take on the youngest child as a whānau caregiver that Oranga Tamariki has no further obligation. The disparity between how foster care-givers and whānau care-givers are resourced is highlighted in Dallas’s following comment:

...Why are whānau caregivers treated as beggars when we are just trying to keep these babies out of foster care? Why are these babies, treated less worthy to receive the same benefits foster children receive? Why is it that taking care of our babies is not supported by the State?

“ASK THE WHĀNAU WHAT THEY WOULD LIKE”
MENTAL ILLNESS AND CHILD CUSTODY

Matua shares his story relating to his mokopuna. The mother of his moko is his daughter, she has three tamariki that were removed from her care. He mentions that his daughter has mental health issues:

The thing with Oranga Tamariki, I stepped in first. I stepped in and went and saw them and said, “if anyone’s going to look after my mokos, it’s me, my own whānau or myself can do it.” And we had a lot of hui and you know, they made you feel like you were the victim, or you were the criminal. And that’s something I didn’t like about it, the way they interviewed you... it was just a lot of their questions, felt intimidating ... and there was no other support with me over it. It was a very closed in office sort of ... was like you’re going to court, like you’re in front of a judge.

Matua supported the father of the two youngest tamariki to care for the mokopuna, while the oldest moko went to live with the grandmother’s whānau, who have six tamariki of their own. The oldest moko is eight years old and has enjoyed living with the whānau, but the caregiver is dealing with her own health issues and was about to involve Oranga Tamariki to find a new placement for her. Matua heard this through the grapevine and called a whānau hui:

... the outcome eventually was a good outcome. But this round, we never got Oranga Tamariki involved, when

the caregivers said they couldn’t manage anymore, and explained everything to me. I said, “we’ll have a hui”, and got hold of the brothers and sisters, the kids. And the mother, and of course the grandmother... I said, “well it’s either that, or that kid will end up ... in the system again”.

From their whānau hui it was resolved that Matua’s youngest daughter, who lives in Australia with her husband and daughter, will take the moko to live with them.

When asked what might be done differently by Oranga Tamariki, Matua says:

Ask the whānau what they would like. Not dictate to the whānau, not tell the whānau. And they should have said, “could we have a whānau hui with everybody that are involved”, or that would be involved. Because they never got to hear the situation of everything. They just heard one side. ... they need to learn about tikanga. About how you do things. About how we do things. Not just Māori, but even Pacific Islands and all that. I think I would have felt better if I was being interviewed by a Māori, instead of a non-Māori...And I think that’s why our people get frustrated with that ... with the system. Because it’s all the direct questioning and questioning, instead of making that connection first...no relationship!

"THEY LEFT THE KIDS WITH US AND THEN ABANDONED US" LACK OF HOUSING AND TRANSPORT

A young couple, Matt and Tia have four tamariki of their own, and have taken on a large number of their nieces and nephews after they were uplifted. They talk of the struggles they have faced in providing for the care of their nieces and nephews over the last two years and the lack of support received from Oranga Tamariki:

... as it got on, yeah, my pay cheque wasn't covering it. We were actually behind...I was doing over a hundred hours a week, every day. You know, working every day. No rest in there. The way how I looked at it was like, I had to do at least 16 hours every day just to keep our house above water. Because we weren't getting any support. They pretty much just ... you know, they left the kids with us and then... abandoned us.

Transport for this large whānau is a major obstacle. Ferrying nine kids to all the different activities and appointments is a daily challenge. Although the couple eventually received unsupported child benefits for the tamariki, asking for anything extra for them is pretty much negated. Promises are made with no follow-up:

[They make] heaps of promises. So, "oh we can do this for you...once it gets to FGC, we will look at getting a vehicle permanently to help take the kids around". Get to FGC, no one knows anything about the vehicle.

Adequate housing was also a major issue for this whānau of 12. Limited support and constant barriers to their requests for support resulted in intense pressure on them as a whānau where they were nearly at breaking point:

And your family go through so much. So, they talk about...oh you know, we want to keep our whānau in our care but we don't have the resources. You know, we don't have that help that if we were white, we

would have got. If we weren't kin, we would have got it. And it's not wants, its needs. Our babies didn't get counselling from OT...it was so stressful just dealing with them on any level. We were always made to feel... it's our problem, it's our fault this has happened.

They further challenge Oranga Tamariki systems and their ways of working:

What are they doing about it upstairs? Nothing, because they're getting to run amok upstairs too.... I'd like to see all those social workers and all those people that are sitting in a chair, you know, regional managers, area managers – I'd like to see them put at the bottom. You know, dismantle OT and start fresh. Because for how long ... how long's CYF and that been going for? And all the State care. And if they're still operating on those systems and on those beliefs. Well, it ain't working!

I would like our people armed with knowledge. Come knowledge, there's power. Because if I knew what I knew today, it would be a whole different story as opposed to how we let them treat us. So, we didn't even know what was right or wrong. We were just kind of thrown in the deep end. But there needs to be someone who could speak up for our people, because they're crying out.

That's it. It's just, yeah, we're not going to fail. We kind of nearly did. I crumbled, but no. We got up. And so, now we got up stronger.



PĀ KAITIAKI, PĀ KAIĀRAHI, PĀ RŌNGOĀ

The voices in this section come from the multiple stakeholders that surround whānau and their tamariki as part of the processes of Oranga Tamariki, who bought their own perspective to the issues raised by whānau.

Pā Kaitiaki (non-kin caregivers) and social workers came forward to the Māori Inquiry to share their experiences of working for Oranga Tamariki (or the former CYF). They all asked for confidentiality and anonymity as they feared reprisals for talking about their experiences working as caregivers in family homes, youth justice facilities and residential care and protection homes. Most were currently working in facilities and some had left the service.

Pā Kaiārahi are the Māori organisation leaders who work in their community. This group includes non-government organisations, marae leaders, advocacy group leaders and Māori health service providers.

Pā Rōngoā kōrero is drawn from general health professionals, including nurses and midwives, social service providers and community organisations. Most participants are from organisations that work closely with whānau. While these insights and reflections are drawn from professional practice, they are also informed by participants own relationships within their communities.

“THESE CHILDREN WERE NOT CRIMINALS BUT WERE TREATED LIKE THEY WERE”
MISTREATMENT OF TAMARIKI IN CARE

Tiare is a former CYF Youth Justice facility worker, who raised serious concerns about the way she saw young people being treated in the facility. Many of the workers were not of Māori descent and in her opinion did not cater for Māori cultural needs. Some of the children under the care and protection of Oranga Tamariki were victims of abuse and were placed in the facility due to not being able to find a place in the care and protection residential homes.

Tiare reported witnessing physical assaults on tamariki by staff, and made complaints but the same staff members were not disciplined and continued to work there. She was asked to alter incident reports to make them seem softer. She refused and believed that her refusal affected her progressing in the organisation. There was a punitive culture engendered by the manager who verbally abused tamariki and demanded that particular tamariki be punished by the staff in order to make them more compliant.

As part of her role at the residential facility, Tiare recommended that management utilise the recommendations of Puao-Te-Ata-Tū (1988) to involve tangata whenua in recruitment of staff. This was ignored as were other recommendations she made. Tiare says that the social workers are not bad people. They are under resourced and over worked, and that this led to poor or rushed decision making:

I want to see change, I want to see social workers who are advocates, not box tickers. I want social workers, youth workers to fight for the best outcomes for our children, not just settle for placement of convenience. Yes, it might be hard to place a child with family and iwi, but how can this organization wrap around families to build safe homes with aroha?

“YOU CAN’T HAVE CHANGE UNLESS YOU’RE INFORMED”
KEEPING WHĀNAU TOGETHER

Tama is a social worker and team leader, who estimates that about 90% of the managers and 80% of the caregivers are non-Māori. He says, many of them have no background in working within the sector. The homes he works in have a capacity of five kids per home, but he estimates that there are up to ten tamariki in each home in his region.

Tama shared the story of one of the tamariki he works with, who was separated from her younger siblings because she was acting out and running away. The five siblings were uplifted from their grandmother and moved around their whānau several times before being sent to an Oranga Tamariki home. The second eldest girl said she was abused while in the care of one of her relatives. She told the caregivers she wanted to go back to her grandparents where she felt safe. No-one is listening to her.

Tama’s main concern was that the two elder siblings were removed from the three younger siblings which has caused them all a great deal of trauma. The older girls were removed and put in a house by themselves because of their behaviour. He advocates

that wherever possible that siblings should be kept together. Tama says that the management are ignorant of the cultural needs of the tamariki and there is more training needed around the new legislation, section 7AA of the Oranga Tamariki Act.

Tama also referred to Teina Pohatu’s Takepu principles that would improve the cultural knowledge of the staff, saying, “You can’t have change unless you’re informed”.

Tama wants to expose the practice outcomes for tamariki in care and protection as he feels the current practice is not good enough. The young person he spoke about is depressed, isolated and institutionalized.:

I am worried that she would be signed out of care at age 18 and would be left to fend for herself as the support for the over 18s is not happening. They cannot find homes for them and they end up living in motels.

"OUR MĀORI SOCIAL WORKERS ARE SUFFERING" DISCRIMINATION AND WORKLOADS

Rahera is a former CYF senior social worker. She refers to herself as a "survivor", due to burn-out, abuse and bullying that she experienced in her role. Rahera expressed her frustration at the government processes and had felt compelled for some time to try to influence some changes within the structure:

CYF officials are good at covering up the real issues within the Ministry and that the truth of what goes on is far too damaging for their image.

Rahera cites heavy case-loads as a major issue, and when she attempted to advocate for lesser case-loads she was bullied by her manager. Challenging managers were moved around the country rather than dealt with at the time, often getting away with only having to give a verbal apology:

Over my 12 years of employment, I saw many good social workers leave due to stress. Almost on a daily basis, I would witness good social workers crying at their desks because they were overwhelmed with the work load. I saw many good social workers go home, often from work because they became ill and had to stay away from the workplace. I also attended several tangi for Māori colleagues who literally worked themselves to death.

The stress for Māori social workers was unworkable due to unrealistic workloads:

Our Māori social workers are suffering because they get given the hard cases - they get loaded up because managers and supervisors and practice leaders know

that it is the Māori social workers who can work best with whānau. Māori social workers get loaded up and they burn out. That is the reality.

Rahera highlights that mistakes will continue to happen while the caseload issues persist:

The safety of tamariki is compromised every day in offices where social workers are loaded up with more whānau than they can deal with. Mistakes will continue to be made unless this situation changes. Tamariki will continue to be hurt because they are placed hastily in placements that are not supported. Tamariki ...will have several different changes in social workers because one social worker will leave, or the case gets transferred to another person.

Rahera succinctly described the issues that whānau reported across the country:

The lack of meaningful engagement with Māori is one of the biggest failures of CYF. This is why so many pēpē end up being uplifted. This is why so many tamariki end up in long term care and multiple placements until they are eventually discharged and all the damage has been done to their connectedness or their 'being Māori'.

"THERE'S NO GROWING UP IN YOUR TIKANGA" THE IMPACTS OF EXCLUDING TE AO MĀORI

Wiremu is the chairperson of a large marae in his rohe and has been the manager of a mental health trust for over twenty years. He is familiar with the various issues that impact on whānau.

Wiremu's recent experiences with CYF has been through the Kōti Rangatahi (Youth Court) on the marae for the past ten years. Wiremu believes that when tamariki are taken out of their whānau and placed with whānau of a different culture that this impacts negatively:

That's ultimately destructive because there's no going back to the marae. There's no growing up in your tikanga. There's no Reo as an option, you know?

Wiremu said there are a lot of empty marae and that he has told people from Oranga Tamariki that they need to contract with the hapū and whānau of those marae to bring their tamariki home:

To provide an environment that's conducive for healing of our rangatahi.... There should be a whare whakaruruhau, in all its expressions, put our kids on the marae so we can whakamana those kids.

Wiremu was not confident that there would be support for his idea as he felt that there was inherent institutional racism within the organisation with an absence of knowledge or consideration of the importance of cultural identity and language in caring for tamariki. He stated the name change to Oranga Tamariki was merely cosmetic, and likens it to:

...putting lipstick on a pig, when essentially they were still the same operation underneath.

Wiremu says that an environmental change is needed, where decision-making is based on a Tiriti relationship so that funding is weighted to the same percentage as service users. He says the dominant culture's unwillingness to let go of control means that:

Our kids will always be subjected to someone else's solution to a problem they don't even understand.... If they are really honest about having the solutions that come from us, they need to provide the resources that go with it.

"WE WERE NOT APPROVED BY CYF" THE POWERLESSNESS OF MĀORI PROVIDERS

Issues raised by a Māori health service centred around the mental health and wellbeing of whānau who are "scarred for life" by the actions of government agencies:

The legislation, policies and practices of Oranga Tamariki are racist and have undermined the core foundations of Māori society, whānau, hapū and iwi for generations and must stop...the State cannot continue to dictate what is best for Māori ...we need our own stand-alone agency to exert our Mana Māori Motuhake over ourselves.

An example of this is the story of a positive intervention by a Māori provider which was not approved by the state care system:

[Several] years ago our organisation was involved as a mediator/objective of reinstating two tamariki - three years and six months - with their 19-year-old

mother who was alienated from them due to various circumstances. We were contacted by the mother's whānau to provide a safe and secure environment for the mother to spend two hours with her tamariki before they were returned to their caregivers. All went very well on both parties and the tamariki were returned.

Although the arrangement worked, ongoing access for the mother of the children did not eventuate, resulting in a worst case scenario:

Because we were not approved by CYF they would not sanction any further arrangement with mother, tamariki, whānau etc. and therefore the mother of the babies was not allowed contact with her tamariki. Six months later the mother committed suicide.

"THEY ARE SUPPOSED TO WORK IN PARTNERSHIP" THE POWERLESSNESS OF HEALTH WORKERS

Reflections made by a community nurse highlight the way in which health workers often are witness to what they see as the abuse of power by Oranga Tamariki in regards to the uplift and care of tamariki Māori:

[I] have been a community nurse for many years working with families in their homes and have experienced the power tactics of Oranga Tamariki. They are supposed to work in partnership with health and fail to do so. The fact that their supervision is internal is mindboggling. Newly practicing social workers who do the ground work are unable to stand up against the hierarchal system that exists...It is my view that predominantly Oranga Tamariki seek to hear only what they need for a predetermined decision and/ or if you disagree... I have had them try to discredit me. I believe they withhold information for this same reason and quote legislation...i.e. Privacy Act despite a MOU [Memorandum of Understanding] that clearly permits the sharing of information. It is my belief their tactics are underhanded...

I have a firm belief they have way too much power and it is misused. I get that this is complicated but as a nurse I can no longer collect a pay check for a job I am failing at and or doing more harm. As a health professional I have experienced bullying by Oranga Tamariki and came to the conclusion I could no longer [do] my job in the advocating for children or families. How do families stand a chance? I have seen the reckless placement of children and the harm. I have seen children's experiences written off as attention

seeking. They do not have a voice. It is my firm belief we are losing so many to suicide because we are not listening to children's experiences and instead accepting the status quo which I believe is a human rights issue. I can no longer do this.

Further to this, a senior Māori midwife highlighted how Section 78 is being used to uplift new born babies:

Under section 78 a mother and baby must be assessed first- a baby cannot be assessed if it hasn't been born -Therefore they can't use section 78 to uplift a new born- but they are doing this. 900 new born babies have been uplifted under section 78.

Uplifting babies by ex -parte - without consent - is used by social workers to enforce orders against a parent in the Family Court without their knowledge where they are not given the opportunity to defend themselves:

Babies are being permanently placed with care givers who become their legal guardians, who can then make application to the court to change the name of the child.... they can then get a passport for the child- then leave the country with that child... How many children have been taken out of NZ through this method?

...parents, mothers, grandparents are not informed their child/baby is going to be permanently placed-without their permission, knowledge or consent. Many mothers and grandparents are fighting to see their children/babies-only to be told their child has been permanently placed - is this child trafficking?

"ORCHESTRATING A NO-WIN SITUATION" LACK OF MENTAL HEALTH SUPPORT

Mental health was frequently raised as an area for support by health professionals, providers and community organisations in responses given.

Service provider feedback highlighted that mental health issues as impacting on families and young mothers in particular.

A submission from a Lead Maternity Caregiver raises concerns around mental health:

It is not uncommon for OT to orchestrate a young mum into a no win situation. I have known OT to become involved with a family simply because the baby's mother had a history of depression. But they

would not offer any support for counselling which she needed. She could not afford counselling herself.

Another young Māori woman I worked with who had a history of mental health issues - in my opinion partially caused, if not worsened by repeated abuse through the healthcare system - had a postnatal psychosis. She did not want to engage with mental health services. Once she did engage, her baby was removed because she was too drugged up (prescribed) to provide care. It was terrible. She has subsequently lost her other 2 children and may never be well again...

"When they took my son, it broke me and I am still broken to this day, my son had mental health issues and was kicked out of school at five years old, no one could handle him, he went from home to home - over 30 homes from age ten and I never got the help I was asking for my son..."

HE KŌRERO WHAKAKAPI: CONCLUDING COMMENTS

We have presented only a small snapshot of the many stories gathered in the space of three months. Each of the Pā represent a much larger group of people whose experiences are similar. The stories from each Pā shows that the State is failing in its duty of care and protection of vulnerable tamariki and their whānau.

The State mechanisms that work against whānau include the Family Court, District Health Boards and the police who collude with social workers to carry out uplifts and make a judgement call on whānau based frequently on hearsay and unfounded allegations of abuse. Schools are also complicit in this as they are required by law to make notification in regard to any concerns of abuse. There is no evidence of thorough investigations being done prior to making the decision to uplift tamariki. Social workers are frequently accused of making decisions based on personal bias, similarly Family Courts are criticized for making court orders merely on the evidence of a sole social worker.

Parents are told their tamariki will be returned if they attend anger management and parenting programmes. These false promises are misleading, as in most cases the tamariki are not returned and their parents become despondent and depressed, further embedding their powerlessness and hopelessness.

The stories speak to the trauma of uplifts, separation and heart-break. Parents are unable to fight back, disempowered by the system. Survivors of the system live in fear for their own tamariki and mokopuna as the cycle of state abuse is repeated inter-generationally. Tamariki that are removed from their whānau are destined to become a problem statistic in later life, due not only to the mistreatment they received in State care but also in that they become institutionalized by the State. Consequently, many end up in other State institutions, where the 'pipeline to prison' research is of high relevance to these stories.

There is evidence of placement with caregivers who are under-resourced and unsupported in dealing with the emotional trauma of separation from parents and familiar whānau. Siblings of very large families are often separated causing another layer of trauma.

Parents with brain injuries, mental illness and disabilities reported discrimination as they struggled to gain access visits with their tamariki. With some tamariki being placed in permanent homes and relocated overseas, visits or contact with the tamariki is subject to a foster parent's discretion, or often there is no contact at all. Tamariki with special needs, disabilities or physical impairments are at times placed far away from where they can access specialised health services, their caregivers often do not have the skills, experience or resources to deal with the child's needs.

Whānau continually spoke of the trauma, and some had diagnoses of Post-Traumatic Stress Disorder. Some whānau were receiving treatment from mental health services but many are not. Several parents reported that they have suicidal ideation because they have not been able to see their child. Whānau also spoke of instances where their loved ones took their own lives because they lost hope of ever getting their tamariki back.

The final word in this report is given to an adult survivor of the State care system, Pita Turei, who provided us with the poem that sits at the beginning of this report:

I wrote this [poem] thirty years ago. I re-post it now to give a perspective on the Oranga Tamariki Inquiry. I posted this trying to make sense of the Inquiry. Do they really expect people to be able to come forward and justify a need for change with their pain? Don't they already know a wound is inflicted that will never heal? Don't they know this is how you make monsters stripped of humanity and compassion? How will they hear those who have already taken their own lives? I don't think I have the strength or courage to share the hurt I've seen from this practice of taking babies from their mothers. My aroha to those who can go through with it.



KARAKIA WHAKAMUTUNGA: CLOSING PRAYER

*Heavenly father, hallowed be thy name,
We know that you care for all thy children.
And we know that you are also mindful of each
situation and each individual.
We are so grateful for this Kaupapa.
That has come about to helping all our brothers and
sisters that are drowning out there.
Who have turned to addiction, violence and self-harm
because of what has taken place.
And so we pray that we are thankful.
I am thankful for these beautiful whānau who have
come here to find just a few people that are hurting
and so I thank you for them.
May you bless them and their families and their trials
and afflictions that they may overcome.
And also we thank you for all the people that are on
this Kaupapa to help.
We pray that we can find solutions for all the hurting
people, and a better system.
That the government might hear that the system
might be changed to heal our people.
And we love you.
Please let something come about, we pray for the
Ministry of 'everything', and every social network, every
Māori organisation that is helping.
And we pray for all our brothers and sisters in prison,
we pray for them.
Help them find people to help them.
And I pray that everyone will be inspired to find
solutions that will bring a close to all of this.
And we offer this prayer in the name of Jesus Christ.
Amen.⁴*

⁴ This karakia was offered by one of the Inquiry participants to close their interview and we asked permission to also use it to conclude our report. Tēnā koe e Hinemaia. Nāu tonu te kaha ki te whakakapi tō mātou hui me tēnei pūrongo hoki.



GLOSSARY

aroha – generosity, compassion, sympathy, love

hapū – kinship group, tribe, subtribe or pregnant, expectant

hinengaro - mind, thought, psychological

hui – gathering

iwi – tribe

kai – food

kaiārahi – guide, navigator

kaitiaki – guardian, steward

karakia – prayer or ritual chant

kaumātua – elder/s

kaupapa – collective philosophy

kōrero – tell, say, speak, story

mana – dignity, spiritual vitality, authority, control, influence

mana whenua – tribal autonomy of the land of a specified area

marae – ceremonial, sacred gathering ground

mihi – acknowledgement, greeting

moko - grandchild/ren – *short for mokopuna*

mokopuna – grandchild/ren or great grandchild/ren

ora – alive, well, healthy, fit, healed, safe

Oranga Tamariki – New Zealand Ministry for Children

pēpi – baby, infant

pūrākau- narrative, story

rangatahi – youth

rangatira - leader

rohe – tribal boundary

rōngoa – herbal medicine

tamariki – children

tangata/tāngata – person/people

tangata whenua – people of the land, indigenous people

tangi – funeral, short for tangihanga

taura here – binding ties or threads

tautoko – support, back, advocate

te mura o te ahi – the heat of the battle

Te Tiriti o Waitangi - The Treaty of Waitangi

tikanga – Māori practices and protocols, lore

whakakapi- conclude, conclusion

whakamā – shy, embarrassed, ashamed

whakamana – empowerment, authority

whakapapa – ancestry; genealogical connections

whakatauki – proverbial saying

whānau – family, extended family

whanaungatanga – relationship building

Whānau Ora – Government whānau centred strategy which promotes flourishing whānau



Kia rui ai te kākano o te tumanako,

Sowing the seeds of hope

ki roto i te māra o te hinengaro

into the garden of the mind.

Haumi e, hui e, taiki e!

Join it, unite it, it is done!
