

29 July 2024

Arran Jones  
Chief Executive  
Aroturuki Tamariki Independent Children's Monitor  
Via email: [arran.jones@aroturuki.govt.nz](mailto:arran.jones@aroturuki.govt.nz)

Tēnā koe Arran

Thank you for your letter dated 10 June 2024, advising me of the completion of Aroturuki Tamariki - Independent Children's Monitor's (ICM) report *Towards a stronger safety net to prevent abuse of children*. I would like to acknowledge and thank you for the significant work that has gone into reviewing the progress made toward the recommendations set out by Dame Karen Poutasi in her report *Ensuring strong and effective safety nets to prevent abuse of children*. This letter outlines the Department of Corrections - Ara Poutama Aotearoa (Corrections) response to the report in line with the obligations under section 30 of the Oversight of Oranga Tamariki System Act 2022.

Following the tragic death of Malachi Subecz in November 2021, Dame Karen Poutasi was commissioned by the chief executives of six key government agencies (Oranga Tamariki, Department of Corrections, New Zealand Police, Ministry of Social Development, Ministry of Education and Ministry of Health) to review the children's system identification and response to suspected abuse, with the aim of ensuring strong, effective and overlapping safety nets are in place to prevent similar tragedies from occurring in the future.

The report by Dame Karen Poutasi was published in December 2022 and made 14 recommendations to close the gaps in the children's system that had been identified. Oranga Tamariki has taken the lead agency role on the complex task of addressing these recommendations, establishing four cross-agency working groups in early 2023. As a supporting agency, we have representation across all four of these groups and we will continue to provide our views, ideas, and knowledge to support Oranga Tamariki. To be read in conjunction with the Corrections' response, I refer you to the Oranga Tamariki joint cross-agency response *Progressing Dame Karen Poutasi's recommendations*, which provides an update on the progress to date of the recommendations made.

Corrections welcomes this report and accepts the findings provided by the ICM. This report highlights the need for the agencies involved in the children's system to undertake, as a matter of urgency, actions to address the recommendations in the report by Dame Karen Poutasi.

As noted in the ICM's report, along with the review into the children's system by Dame Karen Poutasi following Malachi's death, Corrections undertook a review of the management of Malachi's mother. Out of twelve recommendations made in Corrections' review, the ICM deemed eight were relevant to ensuring the safety of dependent children. As of July 2024, five of these recommendations have been completed and three remain in progress.

Corrections has implemented a number of changes to strengthen our practice and we are committed to ensuring our processes protect dependent children of people in prison and ensure they remain visible.

As mentioned in your report, significant work has gone into progressing and implementing a range of updates and practice changes, such as the updated Immediate Needs Assessment, which forms part of the induction process when a person arrives in prison. By reviewing and refreshing the questions asked as part of this assessment, it allows us to strengthen the quality and accuracy of the information we receive and open up further discussions around any dependent children those coming

into prison may have. This creates another check point or safety net in terms of keeping dependent children visible in our system. The Immediate Needs Assessment updates were tested at four of our prisons, in line with the He Ara Whanau pilot also highlighted in the report. We have identified some further questions to be incorporated in the assessment (at our women's sites) to identify women with dependent children aged under two, and those women who are breastfeeding. We are currently working through getting those changes updated and approved, before we can work through how best to implement this updated assessment at all prisons.

The report also references the recent technology changes Corrections has made to allow us to now record the number of times a pre-sentence report has been required for a parent with dependent children. Along with this change, in August 2023, we also published new guidance for staff on Working with Caregivers of Dependent Children or Vulnerable Adults at the Provision of Advice to Courts (PAC) stage. This guidance supports practitioners to be aware that people in our management may be caregivers, which may be particularly important to note when someone is facing home detention or imprisonment. The guidance highlights the need to support the person and/or their whānau to prepare for the possible impacts of that sentence, including on any dependent children or adults. It also supports them to understand expectations to alert the proper authority if any wellbeing concerns are identified at the PAC stage for a child or vulnerable adult, and to meet the court's expectation to be informed when someone is a caregiver for a dependent child or vulnerable adult.

One of the key recommendations of Corrections' own review that remains outstanding is the review of the current Relationship Agreement with Oranga Tamariki. We continue to progress this work but acknowledge that Oranga Tamariki has indicated a resource limitation. We do, however, continue to update existing schedules where possible, and a new schedule to the Relationship Agreement regarding formal information sharing in the context of Mothers with Babies Units is currently with Oranga Tamariki for final review. Key elements to this agreement include working through the legal authority to share information, methods of sharing and storing information, and roles and responsibilities of each agency.

You have encouraged agencies to ensure their child protection policies are kept up to date. Corrections' child protection policy has recently been reviewed and updated. It is in the final stages of approval and will be reviewed again in 2026.

Corrections is committed to taking action and collaborating with our cross-agency partners to ensure that both the recommendations made by Dame Karen Poutasi and those made in our own review are fully implemented. While progress has been made, we recognise and acknowledge the continued critical nature of this work and the focus it requires, to ensure dependant children are safe from abuse and remain visible in our system at all times.

Ngā mihi

A blue ink handwritten signature, appearing to be 'J. Lightfoot', written in a cursive style.

Jeremy Lightfoot  
Chief Executive