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Tēnā koe Arran

### **Aroturuki Tamariki's report – Towards a stronger safety net to prevent abuse of children**

Thank you for your letter of 10 June 2024, notifying me of Aroturuki Tamariki's report on the review of progress on the recommendations made by Dame Karen Poutasi in her report *Ensuring strong and effective safety nets to prevent abuse of children*. This letter provides the Ministry of Justice's response to the report in line with its obligations under section 30 of the Oversight of Oranga Tamariki System Act 2022. I acknowledge the significant work that has gone into this report.

The independent review by Dame Karen Poutasi was commissioned by the chief executives of six public sector agencies, in recognition that Malachi was let down by the system that should have protected him. The Ministry of Justice was not one of the commissioning agencies, but the report contains recommendations that affect the administration of the courts, policy settings in legislation administered by the Ministry of Justice, and the Ministry of Justice's duties and responsibilities. Agencies have begun the complex task of changing the system for the better, and the report demonstrates the breadth of the work that is necessary and underway.

The Government response to the review has been to take a cross-agency approach. Agency leads have been assigned to each recommendation made by Dame Karen Poutasi, and to drive relevant work programmes. The Ministry of Justice is not a lead agency for any recommendations but has been involved in work led by Oranga Tamariki to address the recommendations. I refer you to Oranga Tamariki's response to your report, *Progressing Dame Karen Poutasi's recommendations*, which sets out progress to date and upcoming work by all agencies to respond to the Monitor's findings and implement Dame Karen's recommendations.

As noted by the Independent Children's Monitor on page 16 of their report, the Ministry of Justice does not record how many times a sole parent or caregiver has been before the District Court on charges that could lead to a sentence of imprisonment. While Dame Karen Poutasi recommended identifying the needs of a dependent child when charging and prosecuting sole parents through the court system, she did not recommend recording the number of times sole parents come before the court on charges that could lead to imprisonment. This information is not currently collected and any changes to the case management system would require new funding. The Ministry will consider any changes to the case management system as funding allows.

The Ministry is continuing to support the judiciary with work on opportunities to raise the visibility of dependent children within the court system, when the primary caregiver is in custody and/or may receive a custodial sentence. In the courts, the Primary Caregivers in Custody with Dependent Children Working Group was established in late 2022 by Judge Walker (the former Principal Youth Court Judge) to investigate options to improve the information available to the criminal court about the existence of dependent children when a primary caregiver is remanded or sentenced to custody. Improvements include updates to court forms to capture information about the existence of dependent children of caregivers remanded or sentenced to custody, to help inform judicial decisions around bail and sentencing.

Child abuse is a problem we must all tackle together to keep children and young people safe. I look forward to continuing to work with the Independent Children's Monitor, Government agencies and the judiciary to continue to implement the recommendations of Dame Karen's report and support the wellbeing and safety of children and young people.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Andrew Kibblewhite', with a large, stylized flourish at the end.

Andrew Kibblewhite  
**Pou Whakarae mō te Ture**  
**Secretary for Justice**