

Response: Towards a stronger safety net to prevent abuse of children

Response from Oranga Tamariki—Ministry for Children to the report by Aroturuki Tamariki – Independent Children’s Monitor: Towards a stronger safety net to prevent abuse of children.
July 2024

Opening statement

Oranga Tamariki - Ministry for Children (Oranga Tamariki) welcomes the report from Aroturuki Tamariki - Independent Children's Monitor (the Monitor) titled 'Towards a stronger safety net to prevent abuse of children' (the Report).

Oranga Tamariki are committed to our vision, that all tamariki are safe, loved and nurtured by whānau, hapū, and iwi and supported by thriving communities. We recognise our role in that vision, by enabling our people, enabling our partners and leading the system. Systemic change cannot be completed by Oranga Tamariki alone. This was highlighted in Dame Karen Poutasi's report, and Malachi's death was a tragic reminder that "child safeguarding is everyone's responsibility". Oranga Tamariki continue to be committed to upholding our share of responsibility.

Response to Aroturuki Tamariki - Independent Children's Monitor

Overview

Oranga Tamariki acknowledge the findings from the Monitor in the Report. The death of Malachi Subecz was a tragedy. Malachi was 5 years old when he died on 12 November 2021 from injuries inflicted by his caregiver Michaela Barriball. Six agency Chief Executives jointly commissioned a review into the Children's sector, to better understand the children's system and understand any improvements that could be made. That review was completed by Dame Karen Poutasi and published on 23 November 2022¹. There were 14 recommendations made, the final one being that:

"the recommendations made in this report should be reviewed in one year's time by the Independent Children's Monitor in its new system-wide role."

The Monitor has completed its review of the remaining 13 recommendations. The following agencies have either been identified in Dame Karen Poutasi's review, or have been involved in progressing the recommendations, and are part of a multi-agency workplan:

1. Oranga Tamariki*
2. New Zealand Police | Nga Pirihimana O Aotearoa*
3. Department of Corrections | Ara Poutama Aotearoa*
4. Ministry of Social Development | Te Manatū Whakahiato Ora*
5. Ministry of Education | Te Tāhuhu o te Mātauranga*
6. Ministry of Health | Manatū Haora*
7. Te Whatu Ora
8. Te Puna Aonui
9. Ministry of Justice | Te Tāhū o te Ture

Comment on the report

The Monitor stated that New Zealand's child abuse death rate is "one of the highest rates in the OECD". Oranga Tamariki accepts that in 2003, Unicef ranked New Zealand 6th out of 27 rich countries for child maltreatment deaths². A consistent and collaborative effort from government agencies is required to bring about meaningful and sustainable change to the child protection system.

In completing her review of the children's system in 2022, Dame Karen Poutasi made 13 recommendations for change. Oranga Tamariki remain committed to understanding if the recommendations will make the children's system tangibly better and lead to improved outcomes for tamariki. The Monitor recognised that the 13 recommendations were categorised into three groups:

1. Five recommendations are operational or within the authority of Chief Executives to support and progress (recommendations 3, 4, 5, 7, and 13)

¹ [Final-report-Joint-Review-into-the-Childrens-Sector.pdf \(orangatamariki.govt.nz\)](#)

*One of the agencies that commissioned Dame Karen Poutasi's review

² [CHILD DEATH WORLD LEAGUE TABLE.pdf](#)

2. Three recommendations would require Ministerial and Cabinet approval and subsequent legislative amendments (recommendations 10, 11, and 12)
3. Five recommendations should be the subject of further consideration because of the significant consequences that could arise from implementation (recommendations 8, 9, 1, 2 and 6)

The Monitor has determined if the recommendations are “Achieved” or “Not achieved”. For the recommendations in the second two groups, significant work is required to understand the consequences of the changes proposed, and if implementing the recommendations would be beneficial or detrimental to the children’s system. Government agencies are not necessarily in control of ensuring all recommendations are implemented and for some recommendations, our role has been to advise on the benefits and risks.

The report would have benefitted from a greater emphasis on change within the Oranga Tamariki system, rather than a focus on Oranga Tamariki as an agency.

Research Methodology

In the section titled “Our Approach” the Monitor has set out its research methodology. The Monitor spoke to 85 kaimahi from Oranga Tamariki, focusing on frontline staff. Speaking with a limited proportion of kaimahi from one agency has led to a narrow view of progress for the following reasons:

1. Dame Karen Poutasi’s review was a systems level review. It would be beneficial to speak to the kaimahi from the agencies that make up the children’s system.
2. Frontline Oranga Tamariki kaimahi are unlikely to be involved in discussions that are happening at a strategic policy level across multiple agencies. These shifts take time to embed before the benefit can be measured by changes in practice.
3. Other agencies stated that there had been a “lack of progress”, the Monitor could have engaged with their national office kaimahi, to understand why.

The Monitor appears to have made some generalisations about the broader children’s system based on “some” comments it has heard from frontline Oranga Tamariki kaimahi. The Monitors report would benefit from using percentages or total values, to explain the scale and nature of different issues.

The recommendations from Dame Karen Poutasi have required extensive consideration, research, multi-agency discussion, analysis and advice. Progress against these workstreams has been regularly reported to the Minister for Children and Cabinet incrementally at 6-month intervals on:

- 27 April 2023
- 28 September 2023
- 4 April 2024

There are some significantly more complex recommendations, which are unlikely to be completed in their entirety in 18 months. The significant work that has been progressed has been interpreted as “Not achieved” by the Monitor, which is not an accurate reflection of their complexity or progress towards addressing the recommendations.

Response to the key findings

The separate document titled ‘Progressing Dame Karen Poutasi’s recommendations’ sets out Dame Karen Poutasi’s recommendations and provides an update on each of the recommendations. The following responds to the Monitors key findings in line with section 30 of the Oversight of Oranga Tamariki System Act 2022³.

Tamariki are no safer now than when Malachi died

The safety of tamariki in New Zealand is complex, and determined by a multitude of factors, which the Monitors review did not consider. Improving child safety is not something that Oranga Tamariki can change alone in 18 months.

³ [Oversight of Oranga Tamariki System Act 2022 No 43 \(as at 01 May 2023\), Public Act 30 Responses to final reports – New Zealand Legislation](#)

Oranga Tamariki have completed actions arising from the Chief Social Workers Practice Review following the death of Malachi.

This finding appears to have been drawn from a limited and narrow research methodology. The Monitor recognised that child protection is still seen as a Police or Oranga Tamariki issue, however the Monitor focussed on Oranga Tamariki in its analysis of systemic change. It would have been more useful to understand progress made by the children's system as a whole, and acknowledge the challenges, barriers and complexities involved in multi-agency children's system work.

Across the children's system, agencies are not adequately prioritising child protection

This finding is not an accurate reflection of the work progressed by government agencies. Child protection remains the core priority for Oranga Tamariki.

Please refer to 'Progressing Dame Karen Poutasi's recommendations' for further information regarding the current status of the work to address the recommendations made by Dame Karen Poutasi.

Recommendations of the Poutasi review have not been implemented

This finding is not an accurate reflection of the work completed by government agencies. As above, significant research, multi-agency discussion, analysis and advice has progressed, but the more complex recommendations were never intended to be completed in their entirety within 18 months.

Please refer to 'Progressing Dame Karen Poutasi's recommendations' for further information regarding the current status of the work to address the recommendations made by Dame Karen Poutasi.

Individual agency reviews have made limited progress, and what has been done has addressed symptoms and not underlying causes

This finding is not an accurate reflection of the work completed by government agencies.

The Monitor has not sufficiently acknowledged that the Oranga Tamariki Chief Social Workers Practice Review was intended to be an initial set of actions that Oranga Tamariki could make to its practices and processes, whilst longer term more complex systemic issues were addressed.

Oranga Tamariki is satisfied that all 30 of the Chief Social Workers Review recommendations have been addressed, as outlined in the section below.

Please refer to the responses from other agencies for information regarding the progress made in addressing their individual reviews.

When people report concerns, the response from Oranga Tamariki is not sufficiently focused on the safety of the child

The Oranga Tamariki Operating Model frames the safety of the child at the centre of a more complex set of systems. The Oranga Tamariki practice approach is based on Māori principles of oranga, which are relational, inclusive and restorative.⁴

The core elements of the approach include working alongside tamariki and whānau in ways that see tamariki in the context of their whakapapa and maintaining an explicit focus on child safety, risk and harm within the context of a wider oranga frame. This approach enables social workers to better understand and respond to the needs, risks and strengths within whānau.

The Poutasi report called for system change, but this has not happened

Oranga Tamariki acknowledges that more work needs to be done to address the recommendations in Dame Karen Poutasi's review of the children's system. The level of change identified in the Dame Karen Poutasi review is significant, and the recommendations point to extensive and transformational work programmes. Sustainable systems change needs time to allow consideration, research, development and testing.

⁴ [Te Ao Māori principles of oranga | Practice Centre | Oranga Tamariki](#)

Significant policy work across agencies has progressed to provide options for how the recommendations are best responded to. Much of the work requires careful and considered consultation with key partners and communities to inform how the Government and children's system agencies best respond. Changes may require legislative, regulatory and operational change underpinned by years of investment, depending on the nature of decisions made.

Please refer to 'Progressing Dame Karen Poutasi's recommendations' for further information regarding the current status of the work to address the recommendations made by Dame Karen Poutasi. Agencies remain committed and focussed on progressing these recommendations.

Comments made on the Chief Social Workers Practice Review

Oranga Tamariki is satisfied that all 30 of the Chief Social Workers Review recommendations have been addressed, including:

- The Quality Practice Tool has been distributed to all Practice Leaders to use in an exercise of sampling cases with frontline kaimahi.
- A letter of expectation from the Chief Executive that only social workers with a minimum of 12 months experience will complete initial assessment
- He Akoranga was introduced to support understanding and application of the Practice Standards
- The launch of the Allied Support Worker pilot, which explored the possibility of non-social work qualified staff completing features of the mahi that does not require a social work qualification
- Updated information on the complaints process was published to our website, with additional training provided so staff understand how our complaints process works.

The longer term complex systemic issues continue to be addressed. Oranga Tamariki has reset its strategic direction and operating model to ensure that we are best placed to fulfil our three core roles:

- Leading the System - As a leader in driving the wider children's system in order for children's system agencies to meet the needs of tamariki, rangatahi and whānau in an integrated way
- Enabling our people - As a high performing, highly trusted statutory care and protection and youth justice agency ensuring that tamariki and rangatahi who require a response from Oranga Tamariki are safe, have their rights upheld and their oranga strengthened
- Enabling our partners - As an enabler and co-ordinator for Māori and communities so that tamariki can be safe and thriving within the care of their whānau, hapū, iwi and communities, preventing any further harm.

This reset has been, and will continue to be, informed by insights from a range of reports from our monitoring and oversight agencies and evidence, and insights and engagement drawn directly from our own work with tamariki, whānau and communities. We have made progress to set in place strong foundations in line with each of our three core roles:

Leading the Children's System

Addressing issues in the children's system is something Oranga Tamariki are committed to, whilst acknowledging that it is complex and takes significant time. Without proper resourcing, energy and engagement, changes to the children's system could have adverse unintended consequences. Multi-agency working groups led by Oranga Tamariki have provided regular updates to Ministers on progress, and advice on the system-level recommendations, this includes ensuring an understanding and consideration of the complexities of the changes required.

Acting on these recommendations cannot be seen in isolation from a number of multi-agency and joint sector initiatives and work programmes already underway. These include:

- The Oranga Tamariki Action Plan – the Children's Agencies plan to prevent harm, and promote wellbeing for the tamariki and rangatahi in the population of interest to Oranga Tamariki
- Te Aorerekura – the Joint Venture to eliminate family and sexual violence
- The Crown Response to the Royal Commission of Inquiry into Abuse in Care.

Fundamental to the work being prioritised in these and other multi-agency initiatives is the understanding that information must be shared in ways that enable a child at risk to be visible within and across agencies so that action can be taken to prevent and respond to harm. To that end, Oranga Tamariki and children's system partners are prioritising the ability to exchange information, with early gains being made in relation to tamariki within the health and education systems.

Another key priority area of focus for children's system agencies is to adopt strategies which build a cross sector workforce who are confident in identifying and acting on early concerns for tamariki at risk of harm. Evidence across numerous jurisdictions is clear that without a well-trained and supported workforce, initiatives such as mandatory reporting can at best, be ineffective at reducing non-accidental injury deaths⁵, and at worst, do more harm to relationships with whānau⁶.

Oranga Tamariki will continue to work collaboratively with our children's system partners, including holding them to account where needed, in order to improve the extent to which tamariki known to our agency receive the support and assistance they require to be safe and well.

Enabling our people, particularly our social workers

*Te Kahu Aroha*⁷ made clear the extent of under investment in the professional practice within Oranga Tamariki. It noted that social workers within Oranga Tamariki were under significant pressure and that the mana and professionalism of Oranga Tamariki social workers needed to be rebuilt. It identified:

- a lack of strong professional leadership and development
- absence of consistent and timely induction
- weak professional systems and structures.

In response, Oranga Tamariki is advanced in its journey towards strengthening our practice system by introducing a new practice approach, supported by frameworks, models, tools and new professional development opportunities for kaimahi.

The Oranga Tamariki practice approach is based on a best practice evidence base for social work practice in New Zealand, adapted for a statutory social work context⁸ and trialled over 18 months across six sites. We have taken an applied evaluation approach to the development and implementation of the practice approach to ensure that it is fit for purpose. In a recent evaluation of trial sites, nearly two-thirds of kaimahi found the Practice Approach useful (65%) and had been able to put it into everyday use (60%). Early examples of improvements included:

- strengthened assessment practice as more relevant and meaningful information was able to be gathered with whānau
- more innovative and creative plans and responses were being developed, including applying a more holistic oranga lens in Family Group Conferences
- social workers having greater confidence in their professional knowledge and decision making.
- whānau have told trial sites that they felt they were having a greater voice in plans, their relationships with Oranga Tamariki staff were improving and that for whānau who had historical involvement with Oranga Tamariki their experiences this time was different than in the past.

Equally, the evaluation provided clear insights about some challenges in understanding and applying the practice approach. These insights have helped us to strengthen and improve the practice resources and learning offer, as we move towards full implementation of the practice approach for all staff.

The Practice Approach has been progressively introduced to all social work staff through Learning Cycles. Learning Cycle One and Two have been completed by most but not all sites and regions

⁵ Ainsworth, F. (2002). Mandatory reporting of child abuse and neglect: does it really make a difference?

⁶ Keddell, E. & Hyslop, I. (2019). Ethnic inequalities in child welfare: The role of practitioner risk perceptions

⁷ ['Te Kahu Aroha' report | Oranga Tamariki — Ministry for Children](#)

⁸ [Maori-centred-social-work-practice.pdf \(orangatamariki.govt.nz\)](#)

and included a focus on building the underlying knowledge base required. Learning Cycle three, inclusive of 3 kaupapa has commenced. Kaupapa 1 - the introduction of the Tangata Whenua and Bicultural Supervision model ran from May-July 2024. Kaupapa 2 - Oranga Focused Safety will now start, and Kaupapa 3 our new practice models, will likely commence early in 2025.

The introduction of the new practice approach has been coupled with a focus on strengthening our learning and professional development offer through programmes such as:

- Pūawai induction for new social workers
- Leaders in practice programme
- the postgraduate kaitiakitanga bicultural supervision programme
- fortnightly site based learning referred to as He Akoranga
- a range of additional learning opportunities supported through the Chief Social Worker's development fund.

As we reset our learning and development culture within the organisation, we appreciate some kaimahi are finding it difficult to find the time and space to participate fully in all learning, and some may feel there are still gaps in the learning offer. Overwhelmingly, most of those who have participated in these learning opportunities across the country are seeing them as valuable, have acknowledged an increased investment in their knowledge and growth and can describe clearly how their approach to practice is changing as a result of new learning.

Enabling our Māori and community partners

It is within their hapū, iwi and communities that tamariki and whānau are best able to access the early support and ongoing assistance needed to prevent and address harm. That is why Oranga Tamariki remains committed to resourcing new ways of working led by Māori and community, which are emerging through 10 strategic partnerships and nine Enabling Communities prototypes.

We know investment in iwi and communities offers the best pathway to enduring support which is accessible and accepted by whānau, and we are committed to continuing to grow this investment. In the 2022/2023 financial year, Oranga Tamariki invested \$159m into 146 iwi and Māori organisations, an increase of \$15m from the previous financial year, representing 30% of our total provider funding (an increase from 20% five years ago²).

Two key examples that show the Enabling Communities Approach in action include Te Pūkāea o te Waiora⁹ in Whakatane, and our work¹⁰ with mana whenua in Moeraki, Oamaru. Key early benefits from these approaches include the ability to link whānau to a wider array of support options and increased whānau uptake of early intervention and prevention services, with a number of tamariki who might otherwise have come into care receiving support within their whānau and communities instead.

⁹ [Partnering with Eastern Bay of Plenty Iwi Provider Alliance for our tamariki | Oranga Tamariki — Ministry for Children](#)

¹⁰ [Partnering with mana whenua in Moeraki | Oranga Tamariki — Ministry for Children](#)