

17 January 2022

9(2)(a)

Tēnā koe 9(2)(a)

Thank you for your email of 29 November 2022 to Oranga Tamariki—Ministry for Children (Oranga Tamariki), requesting the following information under the Official Information Act 1982 (the Act):

- *Within the last ten years, how many rangatahi Māori (Māori young people) referred to Oranga Tamariki for a youth justice family group conference had experienced trauma, and how does that compare to other ethnicities?*
- *Within the last ten years, how many rangatahi Māori (Māori young people) referred to Oranga Tamariki for a youth justice family group conference had also been in contact with the care and protection system? How does that compare to other ethnicities?*
- *What indicators are used to determine whether rangatahi Māori (Māori young people) referred for a youth justice family group conference have experienced trauma?*
- *What policy and/or practice guidance currently exists relating to the trauma experienced by rangatahi Māori (Māori young people) referred to Oranga Tamariki for a youth justice family group conference?*
- *How has Oranga Tamariki ensured that those policies and practice guidance (if any) have been developed in consultation and partnership with Māori?*
- *Other than inviting whānau to the family group conference, how does Oranga Tamariki involve whānau of rangatahi Māori (Māori young people) referred for a youth justice family group conference to address any underlying trauma they may have experienced?*

- *How has section 7AA of the Oranga Tamariki Act 1989, and the Te Tiriti o Waitangi commitments of Oranga Tamariki generally, been applied and given effect within a youth justice setting?*

For clarity, I will respond to each of your questions in turn below.

- *Within the last ten years, how many rangatahi Māori (Māori young people) referred to Oranga Tamariki for a youth justice family group conference had experienced trauma, and how does that compare to other ethnicities?*

Vulnerable tamariki and whānau or family have often experienced trauma through events or circumstances which cause significant feelings of fear and distress and overwhelm their ability to cope. We know:

- Tamariki and rangatahi may be impacted by multiple forms of trauma over time including, but not limited to:
 - historical trauma and racism through colonisation in Aotearoa
 - systemic trauma through interactions with systems of care
 - intergenerational trauma across families and generations
 - direct trauma to individuals
 - vicarious trauma, caused by witnessing or hearing about the trauma experienced by others.
- Cultural alienation and discrimination can intensify the trauma experienced by tamariki and rangatahi. Culture is closely interwoven with healing from trauma.
- Child welfare systems and practices can mitigate or exacerbate impacts of trauma.
- Trauma can impact on tamariki and rangatahi growth and development, behaviour, relationships, resilience in responding to risk, and all other forms of wellbeing
- Access to resources within systems of care can help build resilience and facilitate healing.
- The child welfare workforce is potentially impacted by vicarious trauma through their work with tamariki, whānau and systems of care.

Further information can be found at the following link on our website:

- [promoting-resilience-trauma-informed-practice-approach.pdf \(orangatamariki.govt.nz\)](https://practice.orangatamariki.govt.nz/core-practice/practice-tools/the-tuituia-framework-and-tools/the-tuituia-framework-and-domains/health-tuituia-domain/promoting-resilience-trauma-informed-practice-approach.pdf)

Tuituia is our single assessment tool for the tamariki and rangatahi we work with. All assessment activity must be guided by the Tuituia assessment framework. The health domain of the Tuituia assessment explores the physical and emotional wellbeing of the young person, and one sub-domain under Health is the 'Response to Trauma'.

- <https://practice.orangatamariki.govt.nz/core-practice/practice-tools/the-tuituia-framework-and-tools/the-tuituia-framework-and-domains/health-tuituia-domain/>

The information you are requesting in this section is not centrally recorded in our systems. In order to collate the requested information would mean a manual search of a large volume of individual records which would require significant time and resource. As such, we are refusing this aspect of your request, being *'how many rangatahi Māori referred to Oranga Tamariki for a youth justice family group conference had experienced trauma and how does this compare to other ethnicities'*, under section 18(f) of the Act, as the information cannot be made available without substantial collation or research.

- *Within the last ten years, how many rangatahi Māori (Māori young people) referred to Oranga Tamariki for a youth justice family group conference had also been in contact with the care and protection system? How does that compare to other ethnicities?*

Please find outlined in the table below, Family Group Conferences (FGC) where the rangatahi has also had active Care and Protection involvement. I note the Ministry for Children, Oranga Tamariki became operational on 1 April 2017. Therefore, we are refusing your request for data prior to this date under section 18(g) of the Act, as the requested information is not held by the department.

YJ FGC with a CP site (interaction)					
Ethnicity	F2018	F2019	F2020	F2021	F2022
Māori	157	155	106	67	60
Māori/Pacific	14	24	29	8	2
Pacific	11	12	14	6	10
NZEuro/Other	55	59	24	21	12
Not Specified					1
Total	237	250	173	102	85

To identify these interactions, we used Care and Protection (CP) sites associated with FGC Youth Justice (YJ). While this gives an indication, to be more accurate we would need to perform a line-by-line review of this data in our CYRAS system meaning significant collation would be required. Therefore, we are refusing this part of your request in accordance with section 18(f) of the Act, as the information cannot be made available without substantial collation or research.

Please find outlined in the table below, the total number of YJ FGCs held broken down by ethnicity and year. Please note ethnicity data is live and is subject to change over time.

Total YJ FGCs held					
Ethnicity	F2018	F2019	F2020	F2021	F2022
Māori	2,917	2,399	2,462	2,301	2,332
Māori/Pacific	478	460	445	355	436
Pacific	477	379	361	306	225
NZEuro/Other	635	660	756	681	559
Not Specified	86	58	59	55	66
Total	4,593	3,956	4,083	3,698	3,618

Please see at the link below research you may find useful on this topic of YJ FGC published on our website by our Evidence Centre (2021). This research provides some general insight into historical involvement; however, this is not broken down by ethnicity.

[Part-1-Youth-justice-pathways-wellbeing-indicators-and-outcomes-for-young-people-with-youth-justice.pdf \(orangatamariki.govt.nz\)](#)

Data included in this research is not official statistics. They have been created for research purposes from the Integrated Data Infrastructure (IDI) which is carefully managed by Stats NZ.

For more information about the IDI please visit <https://www.stats.govt.nz/integrated-data/>.

- *What indicators are used to determine whether rangatahi Māori (Māori young people) referred for a youth justice family group conference have experienced trauma?*

There are a range of signs to look out for to identify abuse, neglect, and harm that under some circumstances could relate to trauma. Further information can be found at the following link:

- <https://practice.orangatamariki.govt.nz/practice-approach/practice-standards/ensure-safety-and-wellbeing/definitions-of-abuse-neglect-and-harm/>

Oranga Tamariki Assessment policy is the central policy for social workers to understand the unique and specific circumstances and needs of tamariki and rangatahi we work with. For effective, quality assessments when working with tamariki and rangatahi Māori, we must have regard to mana tamaiti (tamariki) and the whakapapa of Māori tamariki and rangatahi and the whanaungatanga responsibilities of their whānau, hapū and iwi. In addition to practice guidance, our Māori Cultural Framework, Te Toka Tūmoana, Va'aifetū and the family group conferencing practice standards should inform all family group conference practice. Further information can be found at the following link:

- <https://practice.orangatamariki.govt.nz/policy/assessment/>

Guidance for practitioners include assessment prompts and descriptors for social workers to utilise in assessing trauma experienced by the young person.

Understanding trauma-informed theory helps our social workers work with rangatahi and whānau and to understand the nature and impacts of trauma. It is aligned with the Oranga Tamariki practice approach. Trauma-informed theory is focused on the impact trauma can have on tamariki and whānau when they have experienced challenging events at an individual or collective level. We use this trauma informed approach to understand the whole story for tamariki and rangatahi and their whānau.

It is important that social workers use different sources to understand what they are seeing when assessing trauma (e.g. talk to those close to te tamaiti and find out what is normal for them). Behaviour is a form of communication too. Tamariki and whānau might not be able to talk about what is happening, they might not want to share in front of certain people or in certain places.

Tamariki, rangatahi, and whānau work best with someone they connect with. A trauma informed approach means that we take into account the importance of relationships in building and restoring safety for tamariki. Our involvement can feel intrusive and has potential to retraumatise tamariki and whānau. Being sensitive and behaving respectfully can help tamariki feel safe.

Additionally, the Oranga Tamariki Professional Development team offers a foundational learning pathway for new social workers to Oranga Tamariki called Puāwai. An introduction to trauma and intergenerational trauma is provided within this learning opportunity. There are two modules relating to trauma informed practice available primarily within Puāwai. Over the course there is some specific learning related to intergenerational trauma, colonisation, the impacts on Māori and tauīwi, and our obligations to practice from an informed position.

- *What policy and/or practice guidance currently exists relating to the trauma experienced by rangatahi Māori (Māori young people) referred to Oranga Tamariki for a youth justice family group conference?*

Please find at the following link the policy for the practice requirements for care and protection coordinators, youth justice coordinators and social workers to support high-quality family group conferencing:

- <https://practice.orangatamariki.govt.nz/policy/family-group-conferencing-practice-standards/>

Our commitment to the principle of mana tamaiti requires us to act in accordance with trauma-informed practices, to protect against the diminishing of mana and violation of tapū.

Te Toka Tūmoana is our indigenous and bicultural principled framework. It describes the principles that guide practitioners, managers and leaders through all work with tamariki and whānau Māori. Our Te Toka Tūmoana framework is being further developed into a model of practice that will build on the integrity and distinctness of Māori beliefs and practices, to advance the oranga of tamariki/mokopuna within the context of our work.

- <https://practice.orangatamariki.govt.nz/practice-approach/working-with-maori-te-toka-tumoana/>

Oranga Tamariki staff have access to other learning tools and resources on trauma-informed theory and practice.

- *How has Oranga Tamariki ensured that those policies and practice guidance (if any) have been developed in consultation and partnership with Māori?*

The Te Tira Hapai Māori group in the Practice Team provide practice advice and input into the development and assurance of all practice policies and guidance. Various work on Practice policies and guidance includes consulting with our colleagues in the Voices and Whānau and Community, Care Partners, and Māori Partnerships and Communities teams at Oranga Tamariki.

Some of our operational policies have been developed in consult with Māori groups, for example, our breastfeeding policy and guidance was developed alongside the Māori Midwives group. For some work programmes, we consult with external stakeholders such as the Ministerial Advisory Board and the Māori Design Group.

In developing the Trauma Informed Practice lens for the organisation, there was a wide consultation with service providers and experts in the field of working with children who have experienced trauma.

- *Other than inviting whānau to the family group conference, how does Oranga Tamariki involve whānau of rangatahi Māori (Māori young people) referred for a youth justice family group conference to address any underlying trauma they may have experienced?*

Oranga Tamariki has been piloting Pae Whakatupuranga, a new adaptation of functional family therapy, with the support of NZ Police, Department of Corrections, Kia Puāwai (formerly Youth Horizons), and the Functional Family Therapy company based in the United States, since July 2019.

Pae Whakatupuranga | Functional Family Therapy - Cross Generations (FFT-CG) is a pilot programme aimed at breaking the intergenerational cycle of justice involvement for rangatahi and improving wellbeing for them and their whānau. This happens through the facilitation of positive change in family systems. Although not specifically and exclusively focused on addressing trauma, an understanding of the family's experience of trauma is important to supporting them.

More information about Pae Whakatupuranga can be found in the Evidence Centre:

<https://www.orangatamariki.govt.nz/about-us/research/our-research/fft-evaluations/>

In September 2022, the Youth Engagement Ministers Group also announced the up scaling of other Functional Family Therapy programmes as part of the Better Pathways initiative.

The following links provide guidance for practitioners on holding and convening youth justice FGCs.

- <https://practice.orangatamariki.govt.nz/previous-practice-centre/policy/holding-the-youth-justice-family-group-conference/>
- <https://practice.orangatamariki.govt.nz/previous-practice-centre/policy/convening-the-youth-justice-family-group-conference/>

It is the YJ co-ordinator's responsibility to ensure that the people who most effect and support change for the child and young person are in attendance of the FGC. It may be useful to have a family meeting or hui ā-whānau prior to the FGC. Bringing all the key family members together with the young person can be helpful in preparing everyone for the family group conference by sharing information and establishing ways in which the intent of the conference can be met.

When an entitled person cannot physically attend the FGC but wishes to participate, the YJ co-ordinator will enable their participation as appropriate (for example with telephone conferencing or receiving the views verbally or in writing and presenting them at the family group conference).

The YJ co-ordinator must make every effort to consult face-to-face with the child or young person, their whānau or family and the victim(s) and make reasonable endeavours to consult with family, whānau or family group on the time, date, place, people who should attend the conference, and the procedure of the FGC and where possible give effect to their wishes.

It is important that the coordinator engages their whānau or family as early as possible and spends time building a relationship with them. This will involve ensuring they understand the charges, explaining the FGC and YJ processes and answering their questions.

The co-ordinator must work with the whānau or family to set up the conference in a way that will:

- promote their best decision making
- capture their cultural values and protocols,
- give them a sense of ownership of the decision-making process and the decisions the conference produces.

This could include having someone other than the YJ co-ordinator, chosen by the whānau or family to facilitate the conference. They should consult with the other entitled members when considering an alternative facilitator as a decision to choose anyone other than themselves as facilitator will have to be agreed at the beginning of the conference.

Establishing ethnicity, and where appropriate iwi affiliation, will help to involve the wider whānau and provide support to the child or young person and their whānau or family group. This includes knowing what needs to be done to respond to the family's cultural, ethnic and spiritual beliefs.

- *How has section 7AA of the Oranga Tamariki Act 1989, and the Te Tiriti o Waitangi commitments of Oranga Tamariki generally, been applied and given effect within a youth justice setting?*

We are very conscious of the over-representation of rangatahi Māori throughout the YJ system. Recognition of 7AA and Te Tiriti o Waitangi is woven throughout the YJ system, embedded in our preventative, rehabilitative, and restorative programmes. We have focused on working with hapū, iwi and Māori partners so that they can design and deliver initiatives that meet their needs.

Some of the specific ways in which the 7AA and Te Tiriti have been applied and given effect within a youth justice setting:

- Increasing the number of YJ interventions designed and delivered in partnership with whānau, hapū, iwi and Māori organisations to prevent rangatahi from entering the formal YJ system, specifically through our Oranga Rangatahi and Youth Inclusion Programmes as well as new initiatives like Kotahi te Whakaaro that have significant iwi involvement

- Supporting iwi and Māori partners to design and deliver early and intensive programmes and interventions that work for their communities through our Reducing Youth Offending portfolio, including Pae Whakatupuranga and Whiti ki te Ora
- Increasing the number of YJ community placements designed and operated by iwi and Māori organisations, including bail and remand homes that are run by Ngāpuhi Iwi Social Services, Te Ikaroa Rangatahi Social Services, Whakatu Marae and others, and supporting those organisations to connect with each other through Te Roopu Kaitiua
- Following the guidance of mana whenua partners in the design and delivery of new, specialist residential services, including the Whakatakapokai service delivered in Manurewa under the guidance of Waikato Tainui
- Designing, developing, and embedding of Whakamana Tangata within YJ Residences. Whakamana Tangata is a practice approach specifically developed for our YJ residences based on and informed by Māori values (ara tikanga, mana, tapu, mauri ora, and piringa) and restorative principles (relationships, respect, responsibility, and repair).

Much of our policy and guidance is in a continuous process of being strengthened so it more completely reflects our commitment to practice framed by Te Tiriti o Waitangi, based on a mana-enhancing paradigm for practice, and drawing from Te Ao Māori principles of oranga to support mana tamaiti, whakapapa and whanaungatanga. More information on our practice can be found at the following link:

- <https://practice.orangatamariki.govt.nz/core-practice/working-with-maori/how-to-work-effectively-with-maori/practice-for-working-effectively-with-maori/>

I note all the information we have provided is publicly available on our Practice Centre which can be found here:

<https://practice.orangatamariki.govt.nz/>.

Oranga Tamariki intends to make the information contained in this letter available to the wider public shortly. We will do this by publishing this letter on our website. Your personal details will be deleted and we will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@ot.govt.nz.

If you are not satisfied with this response, you have the right to ask an Ombudsman to review this decision. Information about this is available at www.ombudsman.parliament.nz or by contacting them on 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Ben Hannifin'. The signature is fluid and cursive, with the first name 'Ben' being more legible than the last name 'Hannifin'.

Ben Hannifin

Director of Youth Justice System Development, Service Delivery