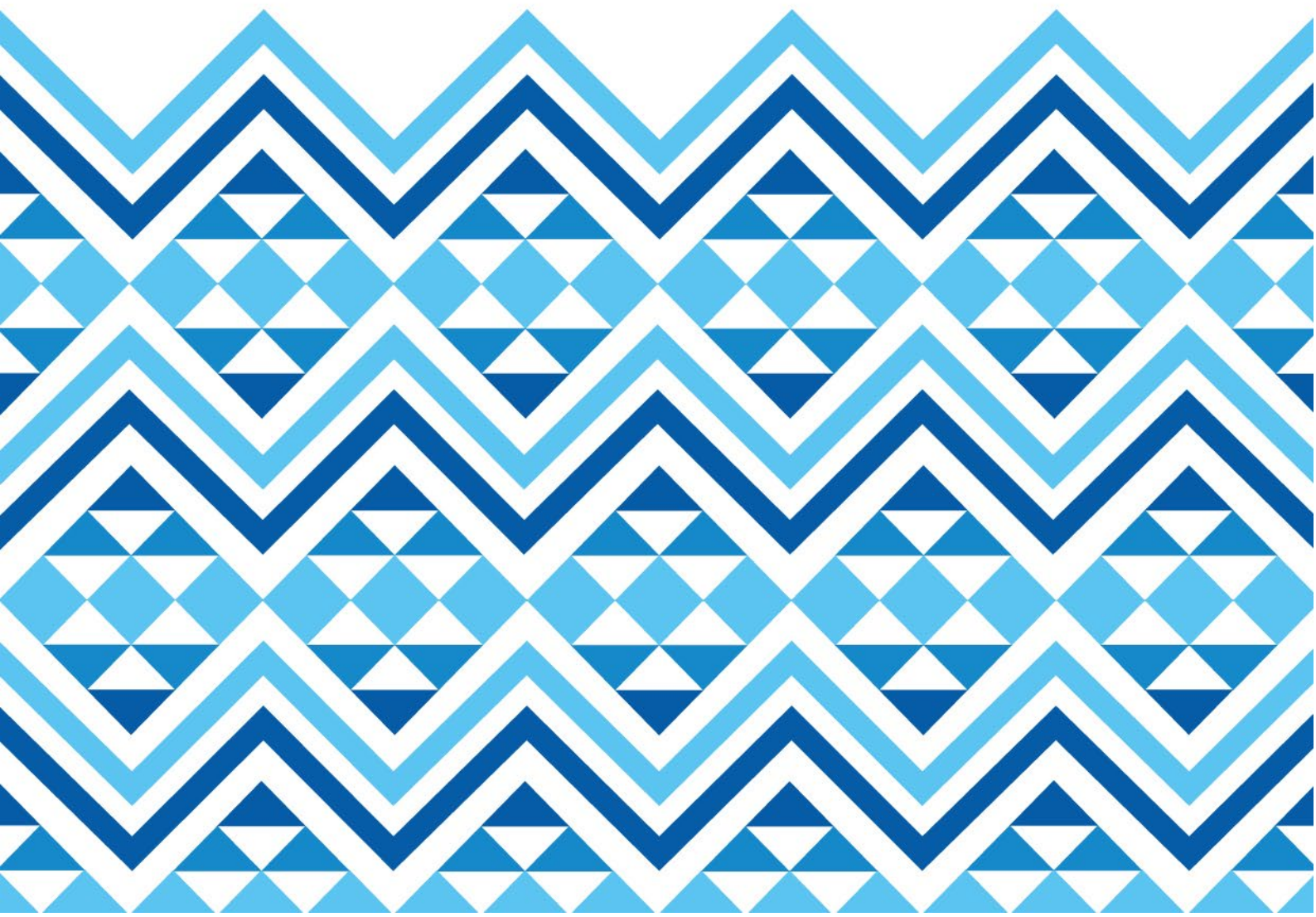


## SECTION 7AA REPORT 2022

**Te whaneke i ngā hua mō ngā tamariki, ō rātou  
whānau, hapū, iwi anō hoki**

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**Improving outcomes for tamariki and their  
whānau, hapū and iwi**



## Acknowledgements

### Authors

Oranga Tamariki, Treaty Response Unit, May 2023

### Acknowledgements

We would like to acknowledge the ongoing dedication, passion and commitment of our staff, strategic partners, hapū, iwi and hapori that work together to make a change for tamariki and rangatahi. We recognise that this is a challenge that we all embrace and together we will be successful in changing the outcomes for tamariki and rangatahi.

### Disclaimer

In this report, we use the references pēpi, tamaiti, tamariki, rangatahi, mokopuna and whānau only for those who whakapapa Māori.

### Publication status

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# Minister's Foreword

**E ngā mana, e ngā tapu, e ngā karangatanga, tēnā koutou. Tēnei te reo mihi ki a koutou e kaha ana ki te hāpai i ngā tamariki me ngā whānau. Koutou o ngā tari kāwanatanga o ngā rohe o ngā hapori, kua ora anō o tātou whānau i a koutou mahi.**

Section 7AA of the Oranga Tamariki Act 1989 is a crucial piece of legislation. Without it, the unique needs of tamariki and rangatahi and their whānau become invisible.

Section 7AA requires the Chief Executive of Oranga Tamariki to publicly report on progress to improve outcomes for tamariki, rangatahi their whānau, hapū and iwi.

I wish there wasn't a need for section 7AA, but there still is.

All mokopuna deserve love and security, and to have access to their culture. This is a right and not a privilege. Ideally, they would be surrounded by their immediate whānau to be provided this. When that is not possible, close or extended whānau or family is the preference. Māori are fortunate to have wider whānau, hapū and iwi networks to call on for such support.

Oranga Tamariki has made progress to improve its cultural capability to support tamariki, but more is still to be done. At the time of this 2022 Report, tamariki Māori made up 68 percent of the children in care. The system hasn't yet met the needs of tamariki and rangatahi, the equitable outcomes that Māori were guaranteed under Article 3 of Te Tiriti o Waitangi / Treaty of Waitangi have not yet eventuated as tamariki and rangatahi have been historically treated as if their needs as Māori and part of their right to whakapapa were secondary.

Oranga Tamariki understands the expectations placed upon them and we are starting to see improved results with greater whānau, hapū and iwi involvement in decision-making and fewer tamariki entering care.

It is a good start, but more needs to be done so that tamariki and rangatahi can grow up loved and safe within whānau, hapū, iwi and as Māori.

Noho ora mai i roto i aku mihi



Hon Kelvin Davis  
Te Minita mō ngā Tamariki

# Chief Executive's Foreword

**Tēnā koutou katoa ngā kaipānui o tēnei rīpoata. Tēnā anō koutou te runga ake i ngā tini āhuatanga katoa o te wā. Otira, waihohia rātau te hunga mate ki a rātau whanga mai i te ao wairua. Ka hoki mai ki a tātau te hunga ora, nō reira tēnā koutou, tēnā koutou, tēnā tātau katoa.**

This is the third annual Oranga Tamariki—Ministry for Children Section 7AA Report and reflects on our progress from 1 July 2021 to 30 June 2022.

This report shows how we are changing and growing to realise our Treaty of Waitangi / Tiriti o Waitangi obligations. It is also a year on year reflection on the outcomes for tamariki and rangatahi through the measures of the mana tamaiti objectives.

I'm proud of the progress and achievements my colleagues at Oranga Tamariki have made since the last report but I also acknowledge the expectations on us to do more.

For us, tamariki and whānau must be at the heart of all that we do. We develop policies and funding initiatives, programmes and services and partner with others to provide care and support for tamariki. As the Chief Executive it is important for me that we report back on this mahi and how it is improving outcomes for tamariki and rangatahi.

The last two years we have also been going through a period of significant transformational change with clear direction towards a future that includes whānau, hapū and iwi. I am looking forward to leading this through our Future Direction Plan which builds a strong foundation for the future of tamariki and rangatahi being within the care of whānau, hapū and iwi.

This change in direction can only happen with the inclusion of our current and future strategic partners. They are essential to help build this future and their voices, perspectives and actions are necessary to continue reducing the number of tamariki in our care.

Last year I said that “we cannot let anything push us off course as we work alongside whānau, hāpori and iwi to guide our tamariki through the system so they are able to enjoy a future that is full of endless possibilities”.

This course has not changed. A joined-up approach with our partners will make sure that this future will happen.

Haumi e, hui e, tāiki e



Te Hapimana (Chappie) Te Kani  
Te Tumu Whakarae mō ngā Tamariki

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# Introduction

This is the third Section 7AA Report for Oranga Tamariki and to affect change we need to work closely with iwi, hapū and Māori communities and organisations. Key to understanding how Oranga Tamariki supports this change is through measuring our results against the Mana Tamaiti Objectives.

Section 7AA of the Oranga Tamariki Act 1989 requires the Chief Executive to meet a duty to improve outcomes for tamariki, rangatahi and their whānau. The Chief Executive is then required to publicly report at least once a year on the actions that Oranga Tamariki has taken, using measurable outcomes to assess how we have reduced disparities through all policies, programmes and services that impact on the wellbeing of tamariki and rangatahi. The Chief Executive must also include specific next steps for Oranga Tamariki to continue improving outcomes for tamariki, rangatahi and whānau over the next 12 months.

This report covers the period from 1 July 2021 to 30 June 2022. It is a retrospective report on what we have been doing to meet our obligations under section 7AA and improving outcomes for tamariki, rangatahi and their whānau. It is against this backdrop that we present our 2022 report.

## Tamariki in care continues to taper off

We do know that we still need to see a reduction in the percentage of tamariki who are in our care, while still ensuring that they are safe and protected from harm. Our aim is for these tamariki to be cared for by whānau, hapū and iwi where their safety and oranga needs can be met, with Oranga Tamariki there to support this shift.

Some of the key statistics for 2022 are:

- From 2018 to 2022, we have had a positive upward swing with the number of iwi and Māori providers increasing from 125 to 150, investment in these providers increasing from 20 percent to 29 percent and Māori providers now make up approximately 25 percent of the current providers
- Overall, we have had the lowest number of children entering care since 2004 (1,036 total) including a significant reduction for tamariki over the last five years. However, those entering care remain disproportionately Māori, and their entry into care numbers (68 percent) have seen a very small change compared to non-Māori from 2021 to 2022
- We have seen a 16 percent increase in the number of plans (All About Me, court, family group conference) for tamariki and rangatahi that reflect the views of their whānau
- The number of tamariki and rangatahi coming into care are more often (than not) being placed with whānau and/or within their own communities.

In the last two years we have seen the number of tamariki entering care taper off, and in 2022 we saw another decrease in entry to care for tamariki. This could be the result of introducing the new Practice Framework in 2021, which strengthens whānau-led decision-making. We will know if this is the case if this trend continues in the declining use of section 78 orders.

# Where are we going

## We are on a journey to enable a change in direction

During 2021/22, we started our journey to set up a structure to respond to the challenge from the Ministerial Advisory Board report *Hipokingia ki te Kahu Aroha, Hipokingia ki te Katoa* (Te Kahu Aroha), which built on the Waitangi Tribunal report *He Pāharakeke, He Rito, Whakakīkinga Whāruarua* and other reviews.

In September 2021, the [Future Direction Plan](#) was endorsed by Cabinet. This is our work programme to implement the recommendations of Te Kahu Aroha. We are expecting the Future Direction Plan to take up to five years to implement and that, over time, many of the services and support for tamariki, rangatahi and whānau will change. By 2023, we should be able to report on our progress in implementing the Future Direction Plan.

In April 2022, the [Oranga Tamariki Action Plan](#) was endorsed by Cabinet which unifies and commits a collective focus to promote the best interests and wellbeing of children and young people with the greatest needs from the child agencies.

Also in April 2022, we went through an organisational restructure and in December saw the formal appointment of Te Hapimana (Chappie) Te Kani as Tumu Whakarae Chief Executive of Oranga Tamariki. The implementation of the new structure and new appointees to Te Riu the leadership team was also ongoing during this period. More information on this can be found on page 29 of our departmental annual report.

The introduction of the Future Direction Plan, the Oranga Tamariki Action Plan and the accompanying transformation programme in 2022 has been a welcome change. As this change continues we should also be able to report back definitively on how each Plan is making a difference in reducing the percentage of tamariki who are in our care.

## Helping us to shift towards a different future

We recognise there is a need for a fundamental and significant shift in our operating model and practice approach to be whānau-centred. In response to this need, we are progressing with developing a new strategy and the two plans-of-action will help us achieve this shift.

The Future Direction Plan provides the “how” we will achieve the shift. Its workstreams include how we are structured, people and culture, partnerships and relationships, social work practice, and data and insights.

The Oranga Tamariki Action Plan, launched in July 2022, is a response to our obligations under the Children’s Act 2014<sup>1</sup>. Its purpose is to drive transformation across the children’s sector to ensure all children with the greatest needs are visible and prioritised across the work of all agencies.

Our transformation is expected to take between two and five years and means that, over time, many of the services and supports for tamariki, rangatahi and their whānau that are

<sup>1</sup> See the Children’s Act 2014 - Part 1 - [Children’s Act 2014 No 40 \(as at 01 August 2022\), Public Act – New Zealand Legislation](#)

currently being delivered by and through us will change. Our aim is to become an enabler for iwi, Māori and communities to put in place the support, solutions and services they know will work for their people. We want tamariki, rangatahi and their whānau to be able to access the support they need or want with providers in their local communities. We are working towards a model where services and initiatives are community led, regionally supported and centrally enabled.

## External reviews that help to shift our practice, policies and services

External reviews are important for Oranga Tamariki as they help to shift our practices, policies and services to be more responsive to the needs of tamariki, rangatahi and whānau. These reviews carry the voices of whānau, hapū, iwi and Māori that are required to enact and influence change.

### Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions

The Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions has been investigating what happened to children, young people and vulnerable adults in care between 1950 and 1999. The Royal Commission has several specific focuses within the wider investigation, including an inquiry focusing on Māori experiences of abuse in care.<sup>2</sup>

The Royal Commission began its investigations in January 2019 and its final report is due by 30 June 2023. Our role throughout the investigation process has been to respond to information requests, attend public hearings, and work with other government agencies to support the Royal Commission.

On 15 December 2021, the Royal Commission released *He Purapura Ora, he Māra Tipu – From Redress to Puretumu Torowhānui*. This report outlined the failings within Crown processes for people to submit formal claims and provided recommendations for a fundamental shift to the Puretumu Torowhānui (the redress scheme).

Cabinet agreed to develop an independent survivor-focused redress system and four immediate projects, informed by the Royal Commission's findings and recommendations. The Crown Response Unit (an autonomous unit housed within Oranga Tamariki) is leading the cross-agency response. Oranga Tamariki is heavily involved in the cross-agency response and is strengthening its interim claims process.

The Royal Commission has also included an investigation that focuses on issues that are relevant to Māori experiences of abuse in care.

### Te Mana Whakamaru Tamariki Motuhake Independent Children's Monitor

Te Mana Whakamaru Tamariki Motuhake Independent Childrens Monitor (the Monitor) was established in 2019 to monitor compliance with the National Care Standards Regulations. The Monitor provides an independent review of the care system by checking that "children in care" are well looked after and have what they need to enable them to reach their potential

<sup>2</sup> [Māori experiences of abuse in care | Abuse in Care - Royal Commission of Inquiry](#)



and thrive, and that the quality of care contributes to positive outcomes for all children and their whānau/families.

The Monitor's inaugural report, *Experiences of Care in Aotearoa: agency compliance with the National Care Standards and Related Matters Regulations, reporting period 1 July 2020 to 30 June 2021*, was published in early 2022. The second report, for the period 1 July 2021 to 30 June 2022, will be published in early 2023. The Monitor's reports are provided to the Minister for Children and published on its website: [icm.org.nz/reports](http://icm.org.nz/reports)

The Monitor independently checks whether we are meeting our section 7AA obligations. There are systemic changes coming in 2023 with the enactment of the Oversight of the Oranga Tamariki System Act 2022, which will expand the Monitor's oversight of Oranga Tamariki. The Monitor will continue to work closely with the Office of the Ombudsman and the Office of the Children's Commissioner to provide independent oversight.

## Ministerial Advisory Board

In January 2021, the Minister for Children established the Oranga Tamariki Ministerial Advisory Board to provide "independent advice and assurance on the work of Oranga Tamariki with tamariki, rangatahi, families, whānau and Māori". This included looking at how Oranga Tamariki is devolving decision-making and resources to Māori for Māori, its professional social work practice, the implementation of operational changes and enhancing its organisational culture.

In July 2021, the Board presented the Minister for Children with their initial report, *Hipokingia ki te Kahu Aroha Hipokingia ki te Katoa* ([Te Kahu Aroha](#)).

In developing *Te Kahu Aroha*, the Board held more than 70 hui with service providers, hapū, iwi, communities, heads of government agencies, and statutory organisations. The Board also visited over 20 Oranga Tamariki site offices and spoke to more than 750 staff, including many social workers.

The Ministerial Advisory Board made three overarching recommendations for Oranga Tamariki:

- Collective Māori and community authority and responsibility must be strengthened and resourced to lead prevention of harm to tamariki and their whānau.
- The purpose of Oranga Tamariki must be clarified, including who Oranga Tamariki primarily exists to serve; this includes a specific focus on strengthening social work practice and ensuring social workers are appropriately resourced and supported to fulfil their role.
- A process should be undertaken to establish a national Oranga Tamariki Governance Board, to oversee the diversity and depth of change needed for oranga tamariki to be achieved.

The Minister for Children and Cabinet accepted all the recommendations from *Te Kahu Aroha* in August 2021.

In response to *Te Kahu Aroha*, Cabinet agreed to the Oranga Tamariki Future Direction Plan; that draws together themes from across *Te Kahu Aroha*, as well as recommendations from previous reviews and the Waitangi Tribunal's report (Wai 2915) into Oranga Tamariki. The Future Direction Plan identifies actions to be undertaken by Oranga Tamariki for the next two to five years.

# Te Wāhanga Tuatahi

## Progress on achieving the Mana Tamaiti Objectives

Our five Mana Tamaiti Objectives were developed to embody the 33 whānau, hapū and iwi references in the Oranga Tamariki Act 1989. The objectives were co-designed and endorsed by the Oranga Tamariki Chief Executive Māori Design Group, in 2019.

The five Mana Tamaiti Objectives are:

1. Ensuring participation in decision-making
2. Preventing entry into care or custody
3. Placing with whānau, hapū or iwi
4. Supporting identity and belonging
5. Leaving care or custody.

We use measures set against each of the objectives to report on our efforts to improve outcomes for tamariki and rangatahi. See Appendix Two for a full overview of the measures we use in this Report and Appendix Three for data caveats and considerations.

### Mana Tamaiti Objective One: Ensuring participation in decision-making

#### ***Oranga Tamariki will ensure the participation of tamariki, whānau, hapū and iwi in decisions affecting them***

Giving tamariki and rangatahi the opportunity to engage and participate in decisions about their lives ensures we meet Mana Tamaiti Objective One. This also ensures we meet our obligation as a Crown Agency under te Tiriti (the Treaty) and the principle of tino rangatiratanga.

MTO Measure 1A	% of tamariki Māori aged 10–17 who feel they have a say in important decisions about their life		
	FY 2020 <sup>3</sup>	FY 2021	FY 2022
	-	79%	80%
FY 2022: Overall 80% of tamariki and rangatahi participants reported that they felt they had a say in important decisions about their life; 3% responded as “never” having a say, 17% responded as “not much of the time” did they have a say, 50% responded as “most of the time” they had a say while 30% said they felt they had a say “all of the time”.			

<sup>3</sup> The data reported in FY19/20 in the 2021 report has been superseded by the FY20/21 reporting of Wave 1 which includes the full national data (rather than only 9/12 regions initially reported for FY19/20) from Te Tohu o Te Ora. More information about Te Tohu o te Ora can be found at [Te Mātaki 2021](#)

MTO Measure 1B	Across all plans for tamariki Māori, there was information about the views of their family/whānau/family group	
	FY 2021	FY 2022
	64%	80%
<p>In the 2021/22 Care Standards case file analysis sample, there was evidence that the plan(s) for the tamaiti contained information about the views of "whānau / family" in 351 of 461 cases for tamariki with a current plan. Three types of plans were reviewed – All About Me plans, family group conference plans, and court-approved section 128 Family Court plans. A current plan was one that had been created within 12 months of the date of the case review.</p>		

MTO Measure 1C	A parent or other legal guardian was consulted as part of the decision-making about education OR health matters	
	FY 2021	FY 2022
	-	77%
<p>In the 2021/22 Care Standards case file analysis sample, there was evidence that a decision was made about health and/or education during the 12-month review period in 201 of 500 reviewed cases for tamariki. Of those 201 cases, 154 of them showed evidence that a parent or other legal guardian was consulted before the decision was made.</p> <p>We note that this question was not applicable in cases where the parents of the tamaiti were deceased or unable to be located, and there were no other legal guardians.</p>		

Mana Tamaiti Objective One Measure 1C.1(a) and (b) are new measures. Year-on-year comparative data will be available in the 2023 Report.

MTO Measure 1C.1(a)	There is evidence that a parent or other legal guardian was consulted as part of the decision-making about <b>health</b> matters	
	FY 2021	FY 2022
	-	86%

MTO Measure 1C.1(b)	There is evidence that a parent or other legal guardian was consulted as part of the decision-making about <b>education</b> matters	
	FY 2021	FY 2022
	-	69%

Based on current data, we record that 77 percent of parents/legal guardians responded to both the health **and** education matters of their tamariki, and 80 percent of All About Me, family group conference and section 128 plans include information about the views of whānau/family.

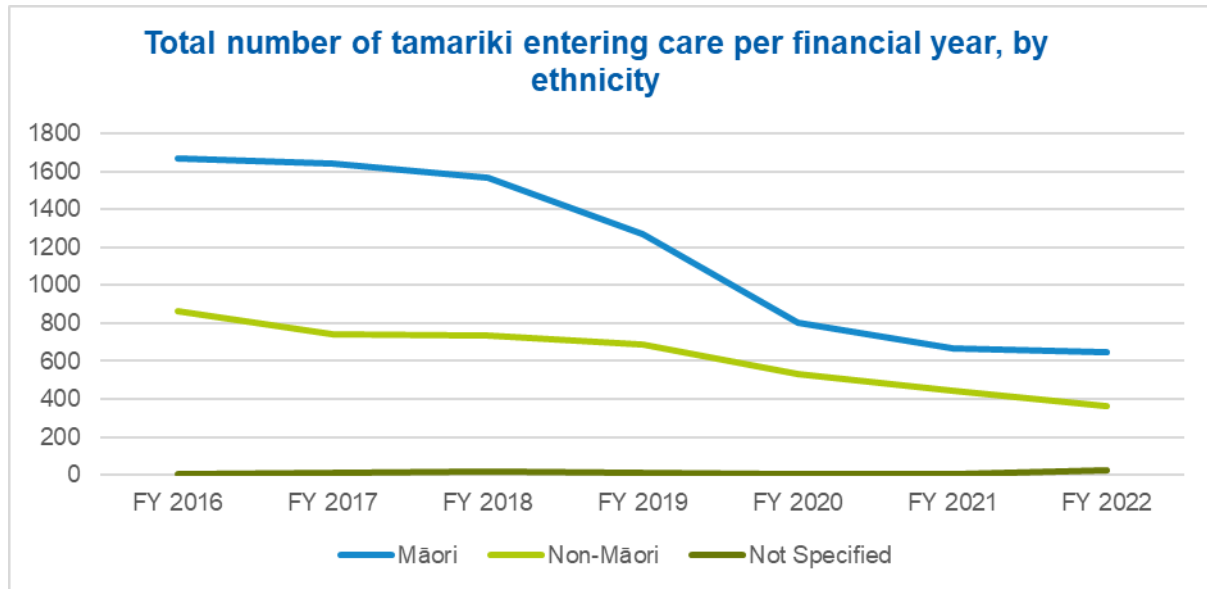
We currently don't have the information to fully understand what barriers tamariki, rangatahi, whānau, hapū and iwi face in being able to fully engage with the decisions that are being made about care arrangements, health and education when Oranga Tamariki becomes involved.

Understanding these barriers to engagement can ensure we continue to work on improving these measures for collective and self-determination, but also to ensure equity through access to services. The Oranga Tamariki Action Plan, signed off in July 2022, seeks transformational change from across government agencies. The Action Plan will be instrumental in reducing the barriers and disparities for tamariki and rangatahi by ensuring that children's agencies focus on achieving equity and improving outcomes.

## Mana Tamaiti Objective Two: Preventing entry into care or custody

***We will support, strengthen and assist whānau to care for their tamaiti to prevent the need for their removal from home into care or youth justice***

Entries into care have decreased significantly since 2016 for tamariki to the lowest ever. This has, however, flattened off in the last two years comparatively. Again, the largest decrease in entries overall since 2016 was for tamariki. In 2022, there has been a slight increase for 0-2 year olds in care. The number of tamariki in care is 3,232 (68%) and the number of tamariki entering in care in FY2022 was 600 (63%) tamariki.



### ***Section 78 Orders have stabilised in 2021 and 2022***

Section 78 of the Oranga Tamariki Act (1989) allows the Court to place a child in the interim care of Oranga Tamariki when there are immediate concerns for their safety and wellbeing. The use of both section 78 ‘with notice’ and ‘without notice’ orders is an area where we must consider all facts of a report of concern and assessments and examine the options available for whānau engagement and decision-making.

The introduction of our new Practice Framework in 2021 supported our aim to strengthen whānau-led decision-making through engagement with whānau through hui ā-whānau prior to a section 78 application. We reviewed practices and use of ‘without notice’ section 78 orders after various external reviews.

Distinct number of tamariki with section 78 orders*					
	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Total number of all section 78 orders	1,469	1,171	623	412	398
Total Number of section 78 orders (distinct tamariki and rangatahi Māori)	1,029	801	369	253	261
Total percentage of Māori section 78 orders	70%	68%	59%	61%	66%

\* This is operational data and correct at time of extraction.

After the dramatic drop in numbers from 2018 (1,029) to 2022 (261), the number of tamariki entering care under section 78 order each year appears to have stabilised in 2021 and 2022.

This drop is consistent with, in some cases, an application for a section 78 order as the appropriate response to a care or protection concern. However, tamariki and rangatahi are still significantly overrepresented in all types of section 78 notice types.

Section 78 notice types overall percentage of tamariki Māori						
	FY 2021			FY 2022		
	Tamariki Māori	Other	% of Tamariki Māori	Tamariki Māori	Other	% of Tamariki Māori
Section 78 On Notice* custody order pending determination	93	59	61%	75	43	64%
Section 78 Without Notice** custody order pending determination of proceeding	87	50	64%	100	39	72%
Section 78 (1A) On Notice custody order with no other proceeding	31	26	54%	35	34	51%
Section 78 (1A) Without Notice custody order with no other proceeding	42	24	64%	51	21	71%
<b>TOTAL</b>	<b>253</b>	<b>159</b>	<b>61%</b>	<b>261</b>	<b>137</b>	<b>66%</b>
* On Notice is where an application for a section 78 order is served on the parent(s) before it is granted by the court. ** Without notice is where parent(s) are not informed of the application for a section 78 order before it is granted by the Court. This is operational data and correct at time of publishing.						

### ***Investing in Māori providers and organisations makes a difference***

Investment in our partnerships with iwi and Māori organisations enables the work needed to prevent tamariki and rangatahi coming into state care. This investment helps to fund iwi and Māori-based social service arrangements for supporting whānau in their hapori. We will need to continue to track the investment in iwi and Māori organisations and how this changes as shifting service provision to the hapori happens.

As of 1 July 2022, the percentage of contract funding with iwi and Māori organisations was 29 percent, with the total percentage of the organisations we fund that identify as iwi and Māori at 25 percent. The 29 percent figure is calculated on the same basis as previous years' figures, using the Resource Directory and Approvals system which is administered by Te Kāhui Kāhu.

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
MTO Measure 2A Percentage of all service contract funding with iwi and Māori organisations	20%	21%	24%	26%	29%
MTO Measure 2B \$\$ spend with Māori/iwi providers	\$54.5m	\$62.9m	\$83.8m	\$114.4m	\$146.1m
MTO Measure 2C Percentage increase on previous year \$ spend	–	15%	33%	36%	28%
MTO Measure 2D Number of Māori/iwi providers	125	130	144	152	152

## Mana Tamaiti Objective Three: Placing with whānau, hapū and iwi

***If removal from home is necessary, we will preference placements for tamariki and rangatahi with members of their wider whānau, hapū, iwi or family group who are able to meet their needs, including a safe, stable and loving home***

MTO Measure 3A	% of tamariki Māori in care for more than three months <u>living with a caregiver</u> , who are placed with Māori, non-whānau caregivers		
	FY 2020	FY 2021	FY 2022
	9%	8%	7%
The measure reported in the 2021 report has been separated into two measures 3A and 3A.1 for greater clarity.			
MTO Measure 3A.1	% of tamariki Māori in care for more than three months <u>living with a caregiver</u> , who are placed with whānau		
	FY 2020	FY 2021	FY 2022
	74%	76%	78%
We have continued to use the same business rules for pulling this data as previous years but have separated the measure into two measures for greater clarity.			
The original measure was “% of tamariki Māori in an out of home placement for more than three months who are placed with whānau or Māori caregivers” which upon review was not clear enough to describe the measure.			

Keeping siblings together is a priority for Oranga Tamariki and we know that for tamariki it is important to retain that whakapapa connection. In some instances, this is not possible however it is an area we believe will see a positive change as more iwi and Māori are supported to become autonomous in delivering care services.

MTO Measure 3B	% of tamariki Māori in care who are placed with at least one other sibling who is also in care,	
	FY 2021	FY 2022
	76%	76%
MTO Measure 3B.1	Number of tamariki in care who have siblings also in care	
	1,720	1,453
MTO Measure 3B.2	Number of tamariki siblings placed together	
	1,312	1,098

In addition to maintaining whakapapa, ensuring siblings are placed together encourages a more cohesive and seamless approach when working with whānau.

## Mana Tamaiti Objective Four: Supporting identity and belonging

***We will support tamariki in custody of the Chief Executive to establish, maintain or strengthen their sense of belonging, through cultural identity and connections to whānau, hapū and iwi***

We continue to enable opportunities for tamariki and rangatahi to learn about their whakapapa, pepeha and culture, while supporting the establishment and/or ongoing connection with whānau. We are reminded through Te Mātātaki 2021 report that tamariki and rangatahi have told us that whānau is where they look not only for love and acceptance but also for belonging and connection to their culture and whakapapa.

Through the 2022 Te Tohu o te Ora Survey where tamariki and rangatahi are invited to participate and give feedback, some of their results are as follows:

MTO Measure 4A	% of tamariki Māori who have identified an iwi affiliation		
	FY 2020	FY 2021	FY 2022
	84%	89%	91%

MTO Measure 4B	% of tamariki Māori aged 10–17 who are in touch with their whānau as much as they want to be		
	FY 2020 <sup>8</sup>	FY 2021	FY 2022
	–	73%	77%

FY 2022: 77% of tamariki and rangatahi reported that they were in touch with their birth whānau as much as they wanted to be, 3% responded as “I don’t want to” be in touch, while 52% said “yes definitely” they are in touch as much as they want to be. Note that this question does not ask about whether they want more or less contact with their birth whānau.

MTO Measure 4C	% of tamariki Māori aged 10–17 who know their whakapapa		
	FY 2020 <sup>9</sup>	FY 2021	FY 2022
	–	59%	56%

FY 2022: 56% of tamariki and rangatahi reported that they knew their whakapapa, 0.5% didn’t know what whakapapa meant, while 24% said “yes definitely” they knew their whakapapa.

MTO Measure 4D	% of tamariki Māori aged 10–17 who have the opportunity to learn about their culture		
	FY 2020	FY 2021	FY 2022
	–	79%	79%

FY 2022: 79% of tamariki and rangatahi participants reported that they were provided with an opportunity to learn about their culture, 4% responded as “never” having had an opportunity, while 52% said “yes definitely”.

MTO Measure 4E	% of tamariki Māori with an identifiable hapū		
	FY 2020	FY 2021	FY 2022
	–	9%	13%

**Mana Tamaiti Measure 4F**

Last year we reported on the following measure: “% of tamariki and rangatahi Māori where important connections or contact arrangements have been identified with their hapū and iwi” – this year we have chosen to remove this measure as the methodology for collating the data and how we measure that data is changing. We are currently working to better define what it is we are trying to measure so this provides insight into how we are tracking. A revised version of this measure will be considered for the 2023/24 reporting period (to potentially include the percentage of tamariki for whom important connections *and* contact arrangements have been identified).

**Identifying and reconnecting whānau is key to understanding your whakapapa**

Whakapapa can be the key to identifying whānau who can support tamariki and rangatahi at risk of coming into state care. Through whakapapa, tamariki and rangatahi who do end up in care can maintain a connection to their whānau, hapū and iwi, understanding where they come from and who they are. Under te Tiriti (the Treaty), whakapapa is recognised and protected as a Māori taonga (treasure). Connecting tamariki and rangatahi in the care of Oranga Tamariki to their whakapapa is done through Kairaranga ā-whānau positions that



are connected to the mana whenua of each region. Their roles were established to support the (re)connections of tamariki, rangatahi and their whānau with their whakapapa.

MTO Measure 4G	% of tamariki Māori in care for more than three months whose plan reflects actions to establish, maintain or strengthen connections with their whānau and/or marae, hapū or iwi		
	FY 2020	FY 2021	FY 2022
	-	-	85%
A case file analysis in FY 2022 found that in total 462 (92%) of the 500 cases reviewed for tamariki Māori had a current plan (All About Me plan and/or other working plan that had been created or updated within the review period). In 427 cases (85%) the plan(s) reflected actions to establish, maintain or strengthen connections with their whānau and/or marae, hapū or iwi.			

## Mana Tamaiti Objective Five: Leaving care or custody

***We will support, strengthen and assist tamariki, rangatahi and their whānau to prepare for their return home or transition into the community***

### ***Leaving the custody of the Chief Executive to become independent with whānau love and support***

When rangatahi enter custody, planning for their exit or transition from a youth residence starts the day they enter. It's important they understand that residence is where they are now because of their actions, but with the right support it doesn't have to be their future.

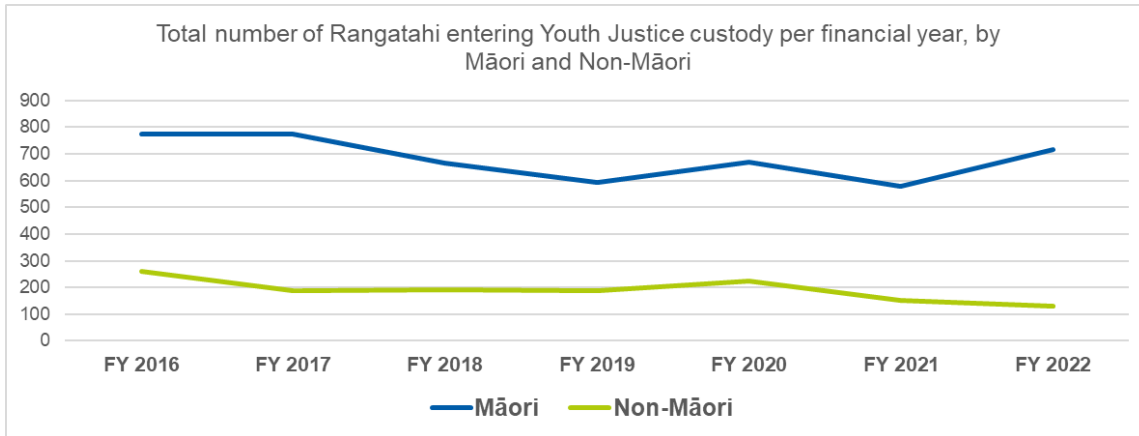
Preparing them to leave is a role we know we cannot fulfil alone, so we work hard to engage with their whānau, hapū, iwi, hāpori, community, and local support services to ensure when they are ready to leave they are well prepared and supported. We encourage whānau to visit regularly while their rangatahi are in residence and encourage them to take the lead role in making decisions to support a successful and sustainable transition out of residence.

MTO Measure 5A	% of tamariki Māori referred for another youth justice family group conference in the six months following release		
	FY 2020	FY 2021	FY July – Dec 2021 <sup>4</sup>
	63%	60%	59%

MTO Measure 5A.1	% of tamariki Māori admitted to a youth justice residence		
	FY 2020	FY 2021	FY 2022
	79% (702)	78% (559)	81% (638)
* Entries is operational data and subject to change. A rangatahi may have two or more entry episodes in the reporting period and can be counted more than once.			

<sup>4</sup> Due to the way the measure is constructed we can only release six months of data for this measure.





### Moving from care to independence

When rangatahi are preparing to leave care or custody, transition support services are made available for them to engage with. Through these services, rangatahi are supported in developing skills to thrive as independent adults in the community and plan how they will access support resources once they leave care. Rangatahi are not required to use these services, but they are informed about their right to access them when they become eligible.

MTO Measure 5B	% of eligible rangatahi Māori referred to a transition worker		
	FY 2020	FY 2021	FY 2022
	40%	58%	59%

### Re-entry into care

MTO Measure 5C	% of tamariki Māori exiting out-of-home placements in the 18 months prior who re-entered an out-of-home placement		
	FY 2020	FY 2021	FY 2022
	-	21%	22%

Our social workers work hard with whānau to find suitable alternative living arrangements with whānau or in their community that can help with transitioning tamariki and rangatahi out of care. This is not always successful and we sometimes have tamariki and rangatahi return to care for a variety of reasons.

MTO Measure 5C.1	Year-on-Year number and percentage of tamariki Māori exiting out-of-home placements in the 18 months prior who re-entered an out-of-home placement					
Age group	Exit		Re-entry		Re-entry percentage	
	2021	2022	2021	2022	2021	2022
0-4	354	244	30	28	8%	12%
5-9	344	322	40	41	12%	13%
10-14	497	459	152	133	31%	29%
15	136	117	48	43	35%	37%
16	118	113	39	26	33%	23%
17	108	121	24	29	22%	24%
<b>Total</b>	<b>1,557</b>	<b>1,376</b>	<b>333</b>	<b>300</b>	<b>21%</b>	<b>22%</b>

While there has been an overall drop in the number of tamariki and rangatahi Māori re-entering into care, we have seen an increase in the percentage of 0-4-year-olds re-entering care. While this year's percentage is higher for that age group, they still remain the most successful of all age groups with the lowest re-entry rate.

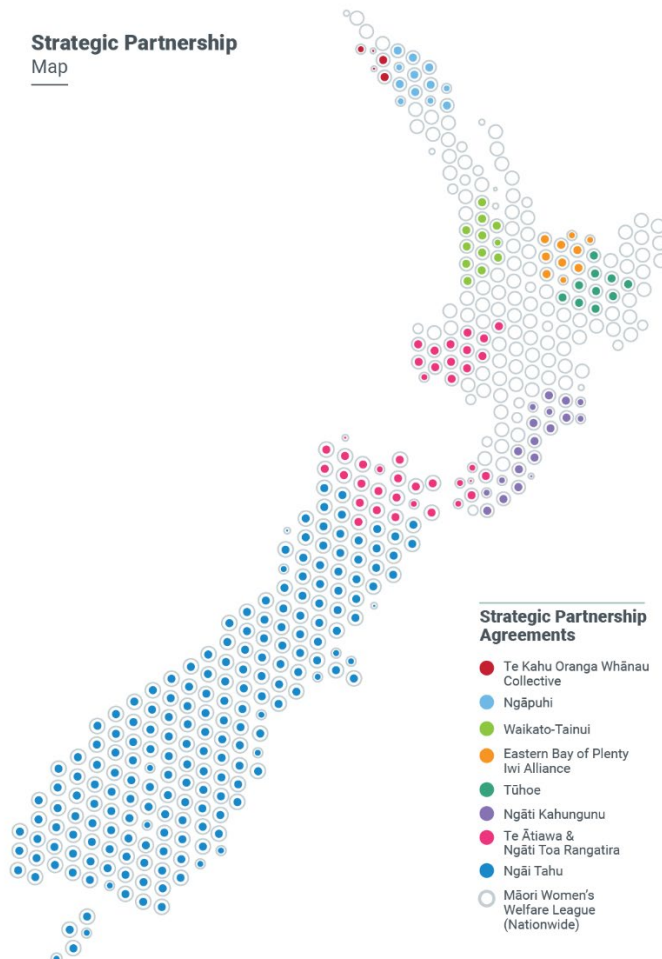
# Te Wāhanga Tuarua

Working in partnership with strategic partners, iwi, hapū and hapori is key for us, in meeting our obligations to improve outcomes for tamariki, rangatahi and their whānau.

## Strategic Partners

Strategic partnerships are a key mechanism we use to meet our commitments and obligations under Te Tiriti (the Treaty) and Section 7AA. For this reporting period, we had:

- Nine strategic partnership agreements with iwi and Māori organisations
- 14 Expressions of Interest; and
- One refreshed strategic partnership agreement.



More information can be found on website at: [Strategic partnerships with Māori | Oranga Tamariki — Ministry for Children](#)

## Responding to Section 7AA through Whānau Care

Whānau Care is an initiative to work with partner iwi organisations, who achieve social service credentials under section 396 of the Oranga Tamariki Act to provide day-to-day care and protection of tamariki and rangatahi who are in the Chief Executives custody.

Whānau Care was established in 2018 as a direct response to the enacting of Section 7AA and the creation of the mana tamaiti objectives. Its purpose has been to establish shared care partnerships between Oranga Tamariki and iwi or Māori organisations. Through their networks of support and the recruitment of whānau caregivers, they can facilitate connection for tamariki and rangatahi in their care to their whakapapa, whenua, whānau, hapū and iwi.

Whānau Care Partner	Partner Sites
Waitomo Papakāinga	Kaitaia
Ngāpuhi Iwi Social Services	Te Tai Tokerau
Te Iwi o Ngāti Kahu	Mangere and Te Tai Tokerau
Te Rūnanga o Ngāti Ruanui	Hawera/New Plymouth
Te Roopu Awhina ki Porirua	Porirua
Tiaki Tāoka	Otago Urban, Alexandra, Balclutha/Gore & Invercargill
Ngāti Kahungunu ki Tāmaki Nui-ā-Rua	Tararua
Tupoho Iwi & Community Social Services Trust	Whanganui
Te Hau Ora o Ngāphui	Te Tai Tokerau and Tamaki Makaurau
Taumarunui Community Kōkiri Trust	Waikato Rural South and Taumarunui
Ngāti Kahungunu Iwi Incorporated	Napier and Hastings
Te Whānau o Waipareira Trust	Tāmaki Makaurau
Ngāti Kahungunu ki Wairarapa	Masterton
Te Rūnanganui o Ngāti Porou	Te Tairāwhiti

Each Whānau Care partner designs their own model of care and work through the legislative process to achieve section 396 accreditation. Partners work with Oranga Tamariki sites around placement of tamariki and rangatahi, and as of June 2022, Whānau Care partners have recruited over 200 whānau caregivers.

## The Māori Design Group supports the future direction

The Māori Design Group provides Oranga Tamariki with leadership and expert advice, complimenting the Ministerial Advisory Board and Pou Tangata (National iwi Chairs Forum). They provide an independent Māori lens over our work through honest feedback on policies, practices, and services. They also provide insights into how legislation works in their hāpori and for whānau, hapū and iwi.

Over the last 12 months, the Māori Design Group has supported the Chief Executive in the charting of the future direction of Oranga Tamariki, providing advice and feedback on:

- Oranga Tamariki Future Directions Plan
- Changes to the subsequent Children provisions
- Oranga Tamariki Disability work programme

- Social Sector Commissioning project; and
- The Oranga Tamariki Act 1989 Amendment Bill (Bill Two).

## Hearing the Voice of Care Experienced Rangatahi, through the Youth Advisory Group

Made up of 10 young people aged between 18 and 24 years old who are care and protection or youth justice experienced, the Youth Advisory group provide Oranga Tamariki with advice and feedback from their perspective on the design of policies, practice, and services. Over the last 12 months, the Youth Advisory Group has provided advice on projects, including:

- Whakaruruhau specialist group homes – where their advice has inputted into the development of group home environments that are designed and operated like a family home and can ensure and enhance whānau connections. They have also advocated for the land the homes are built on being transferred to iwi.
- Manaaki Kōrero – advised that immediate improvements to the grievance process in residential homes includes providing opportunities for tamariki and children to learn how to self-advocate as a social skill and supports a process where they can safely and easily use these skills to seek advice and make complaints when needed.
- Transition Support Service – advocated for an expansion of the service to enable more young people and rangatahi with care experience to access transition support services.
- Residential Care and Other Matters Amendment Bill – provided a range of important insights across the presenting issues of residential care regulations and advocated for a change to special guardianship orders to ensure that tamariki can maintain contact with their whānau, especially siblings.

The Youth Advisory Group continue to advocate for the amplification of tamariki and rangatahi voices to ensure they are included and supported to participate in decision-making at all levels of the state care system. The Group have supported this by creating video resources for social workers as a tool to support them building and maintaining positive, trusting relationships with tamariki and rangatahi. The Group also supported the employment of a rangatahi Māori advisor with lived care experience to support relevant actions in the Future Direction Plan.

# Te Wāhanga Tuatoru

## We are seeing some positive progress through the implementation of the Section 7AA Quality Assurance Standards

The Section 7AA Quality Assurance Standards (QA Standards) is an internal auditing function that we use to evaluate our policies, practice and services, providing assurance to the Chief Executive that we are meeting our obligations under the same section.

The five QA Standards are:

- **Standard One:** We uphold and protect Māori rights and interests
- **Standard Two:** We hear and act on the voices of Māori
- **Standard Three:** We ensure equity by reducing disparities for tamariki Māori and their whānau
- **Standard Four:** We have regard to mana tamaiti, whakapapa and whanaungatanga
- **Standard Five:** We value the Māori evidence base.

Stemming from the key principles of Te Tiriti (the Treaty), the standards guide the Ministry when developing new policies, practices, or services. They can also be used to guide our partners in the delivery of service specifications.

This reporting year has seen us complete our first Quality Assurance round under Section 7AA. Some of our positive findings from this are:

- Positive progress is being made, with evidence showing our early engagement with Māori as a Ministry is improving
- Emphasis is being placed on ensuring Māori voices are being heard and acted on, with some groups within the Ministry recruiting project specific, independent Māori advisory groups
- Mātauranga Māori is becoming a key focus, with demonstrated use and understanding of Māori research models, and tikanga being developed around appropriate use of kupu Māori in reviewed policies, practices and services.

However, there are still areas of improvement that we will keep working on to improve outcomes for Māori and respond to reducing disparities, including:

- Policies, practices, and services explicitly evidencing how they will improve outcomes for Māori and through that reduce disparity.
- A baseline needs to be identified in which we can work from, to ensure change is tracked when we are working with partners to improve outcomes for tamariki, rangatahi and their whānau by reducing disparities.
- Seeking, hearing and acting on the voices of Māori needs to be developed further and how this can be included when developing policies, practices and services.

The disparity measures described in this report cannot identify the underlying causes for the disparities between Māori and non-Māori. While this analysis provides insight into the

experiences of tamariki within the care and protection system, it does not address the extent to which Māori overrepresentation reflects levels of need, wider societal factors or impacts of our practice and decision-making factors, including practitioner bias.

Analysis completed in the Integrated Data Infrastructure (IDI) into factors associated with ethnic disparities in the care and protection system unpicks some of these drivers and presents a quantitative analysis which demonstrates the extent to which demographic, socioeconomic and parent/child characteristics influence disparities for Māori.

We do know that disparities experienced by tamariki are less when socioeconomic and other factors are controlled for (see Disparity and Disproportionality in the Care and Protection System - Appendix Three and Drivers of Disparity – Figure 1 in Appendix Four).

We acknowledge that there has been good progress in meeting the QA Standards. Work is still needed to truly understand the complexities on how to reduce disparity leading to improved outcomes for Māori. We will continue to internally audit our policies, practices, and services to ensure the progress continues.

# Appendix One: Definitions

## Upholding Tikanga Māori within the Oranga Tamariki Act 1989

The Oranga Tamariki Act 1989 is unique in that it has legislated the interpretation of mana tamaiti, whakapapa and whanaungatanga and how they should be applied in all our work in Oranga Tamariki. For tamariki and rangatahi, when considering the definitions of these terms, they must be seen in accordance with tikanga Māori:

**mana tamaiti (tamariki)** means the intrinsic value and inherent dignity derived from a child or young person's whakapapa (genealogy) and their belonging to whānau, hapū, iwi or family group, in accordance with tikanga Māori or its equivalent in the culture of the child or young person

**whakapapa** in relation to a person, means the multi-generational kinship relationships that help to describe who the person is in terms of their mātua (parents) and tūpuna (ancestors) from whom they descend.

**whanaungatanga** in relation to a person, means –

- a. the purposeful carrying out of responsibilities based on obligations to whakapapa
- b. the kinship that provides the foundations for reciprocal obligations and responsibilities to be met
- c. the wider kinship ties that need to be protected and maintained to ensure the maintenance and protection of their sense of belonging, identity and connection.

## Appendix Two: Mana Tamaiti Measures 2022

2022 Mana Tamaiti Measures	
<b>Ensuring participation in decision-making</b>	<p><b>1A</b> - % of tamariki Māori aged 10-17 who feel they have a say in important decisions about their life</p> <p><b>1B</b> – Across all plans for tamariki Māori, there was information about the views of their family / whānau / family group <i>The original measure read "% of plans that reflect the view(s) of the family/ family group/whānau"</i></p> <p><b>1C</b> – A parent or other legal guardian was consulted as part of the decision-making about education OR health matters <i>The original measure read "% of cases reviewed where there was evidence that parents were consulted before a decision was made about health, education, or placement. This measure has been further broken down into two sub measures:</i></p> <p style="padding-left: 40px;"><b>1.C.1(a)</b> – There is evidence that a parent or other legal guardian was consulted as part of the decision-making about <b>health</b> matters</p> <p style="padding-left: 40px;"><b>1.C.1(b)</b> – There is evidence that a parent or other legal guardian was consulted as part of the decision-making about <b>education</b> matters</p>
<b>Preventing entry into care or custody</b>	<p><b>2A</b> – Percentage of all service contract funding with iwi and Māori Organisations</p> <p><b>2B</b> - \$ spend with Māori/iwi providers</p> <p><b>2C</b> - % increase on previous year \$ spend</p> <p><b>2D</b> – Number of Māori/iwi providers</p>
<b>Placing with whānau, hapū and iwi</b>	<p><b>3A</b> - % of tamariki Māori in care for more than three months living with a caregiver who are placed with Māori, non-whānau, caregivers</p> <p style="padding-left: 40px;"><b>3A.1</b> – % of tamariki Māori in care for more than three months living with a caregiver, who are placed with whānau</p> <p style="padding-left: 40px;"><i>The original measure read "% of tamariki Māori in an out of home placement for more than three months, who are placed with whānau Māori caregivers"</i></p> <p><b>3B</b> - % of tamariki Māori in care who are placed with at least one other sibling who is also in care</p>



	<p><b>3B.1</b> – Number of tamariki Māori in care who have siblings also in care</p> <p><b>3B.2</b> – Number of tamariki Māori siblings placed together</p>
<b>Supporting identity and belonging</b>	<p><b>4A</b> - % of tamariki Māori who have identified an iwi affiliation</p> <p><b>4B</b> - % of tamariki Māori aged 10-17 who are in touch with their whānau as they want to be</p> <p><b>4C</b> - % of tamariki Māori aged 10-17 who know their whakapapa</p> <p><b>4D</b> - % of tamariki Māori aged 10-17 who have the opportunity to learn about their culture</p> <p><b>4E</b> - % of tamariki Māori with an identifiable hapū</p> <p><b>4F</b> – Measure has been removed this year, as the methodology for collating the data and how we measure this is changing. The original measure read "<i>% of tamariki and rangatahi Māori where important connections or contact arrangements have been identified with their hapū and iwi</i>". A revised version of this measure will be considered for the 2023/24 reporting period.</p> <p><b>4G</b> - % of tamariki Māori in care for more than three months whose plan reflects actions to establish, maintain or strengthen connections with their whānau and/or marae, hapū or iwi. This measure was updated and reworded to explicitly include whānau as part of connections to hapū and iwi.</p>
<b>Leaving care or custody</b>	<p><b>5A</b> - % of tamariki Māori referred for another youth justice family group conference in the six months following release</p> <p><b>5A.1</b> – tamariki Māori admitted to youth justice residence</p> <p><b>5B</b> - % of eligible rangatahi Māori referred to a transition worker</p> <p><b>5C</b> –% of tamariki Māori exiting out-of-home placements in the 18 months prior who re-entered an out-of-home placement</p> <p><b>5.C.1</b> – year on year number and percent of tamariki Māori entering out-of-home placements in the 18 months prior who re-entered an out of-home placement</p>
<b>Workforce Data</b>	<p><b>WF.A</b> - % of all staff who identified as Māori</p> <p><b>WF.B</b> – Changes for Māori across the tiers (total headcount, Māori headcount, % disclosed ethnicity, % disclosed Māori ethnicity)</p>

## Appendix Three: Data caveats and considerations

Ethnicity data is based on all ethnicities recorded for a child or young person. In most cases the whānau/family have identified the ethnicity, and in some cases Oranga Tamariki may have identified the ethnicity. Ethnicity of children and young people who have not progressed past a report of concern has been identified by the person(s) making the report of concern and has not been verified by the whānau/family.

Ethnicity recording changes over time and improves the more we are involved with a child. For example, where a child has been reported to us, but does not progress further through our system, we may never know or capture their ethnicity. This can result in ethnicity being recorded as 'not specified'. Conversely, as a child progresses through the system their recorded ethnicities can change as further information is gained. Due to the continuous improvement in ethnicity recording over time, numbers, rates and percentages associated with a particular ethnicity may differ from those previously published. Grand totals however remain the same.

Changes in reporting practice for the non-Māori ethnicity category can cause variations from previously published data. Those with a 'not specified' ethnicity were once categories as non-Māori given that no indication of Māori ethnicity was recorded. Practice has since changed to exclude those with a 'not specified' ethnicity from the non-Māori category as this could not be verified.

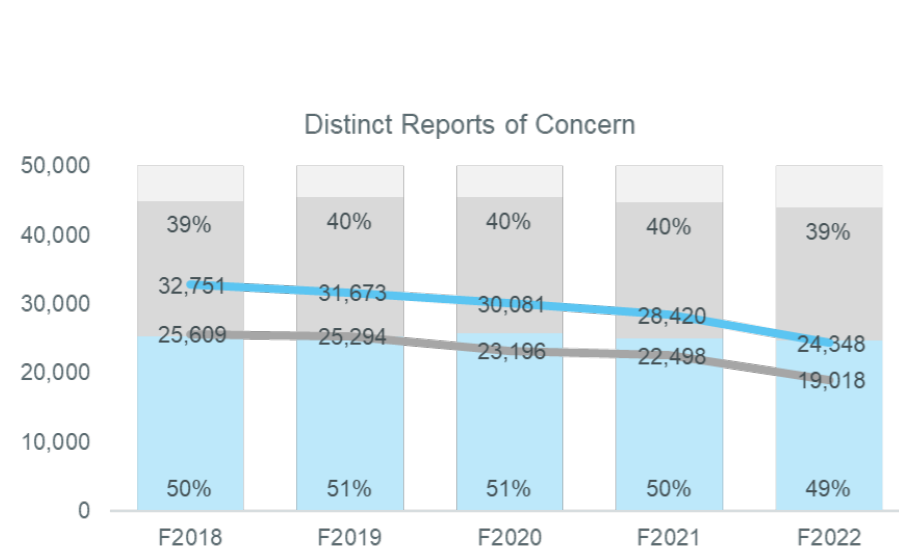
Operational data changes can also result in variations from previously published data. While most grand totals of previously published data will remain the same, such as numbers of children in care, some numbers can only be sourced from operational data which is subject to change. Entries and exists from care can be affected by changes in operational data and so slight variations from previously published data or measures can occur.

## Appendix Four: Disparity and disproportionality in the care and protection system

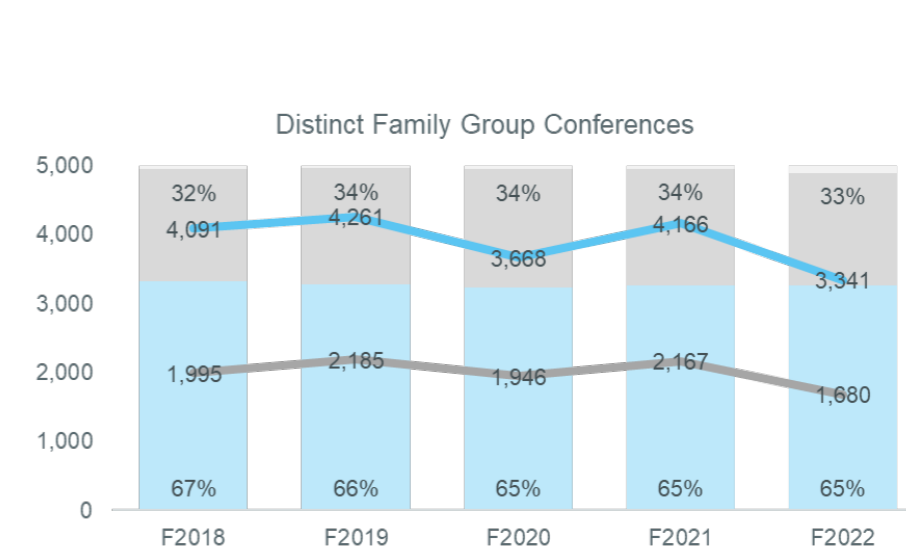
The graphs below show the number of unique tamariki involved in each step of the care and protection system and the ratio of tamariki Māori to non-Māori tamariki.

The data provided cover the last five years, from 1 July 2017 to 30 June 2022.

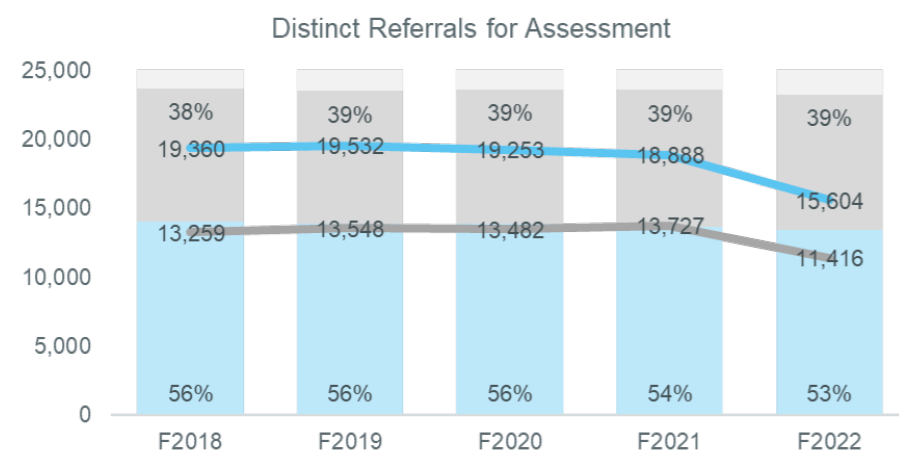
At a high level, the data show that in all years tamariki Māori still accounted for more than half of the children in each step of the system. However, since the establishment of Oranga Tamariki, the number of tamariki Māori entering care is steadily decreasing and the year to June 2022 saw the lowest entries to and number in care of the previous five years.



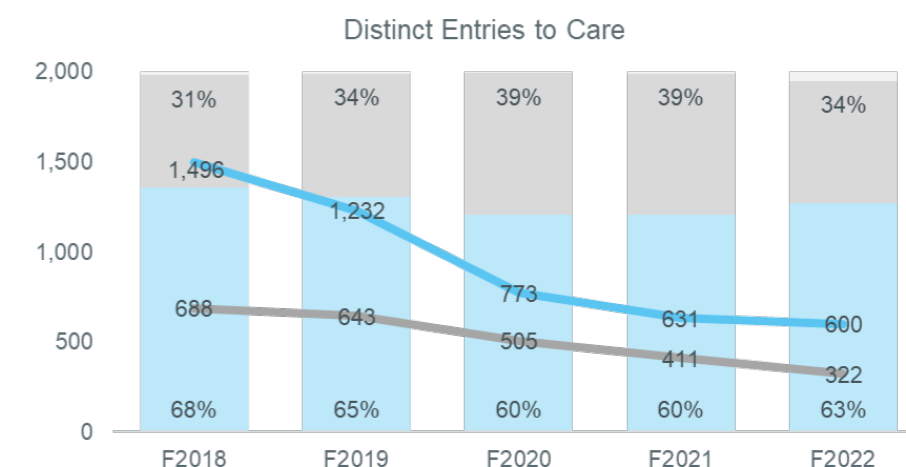
Over the last 5 years, the number of Reports of Concerns (ROCs) made to Oranga Tamariki has been decreasing with the lowest received in FY 2022, but the proportion of reports received for Māori has remained at approximately 50%. The disproportional number of reports received for tamariki Māori contributes significantly to the disparity seen across the following decision points in the Care and Protection system.



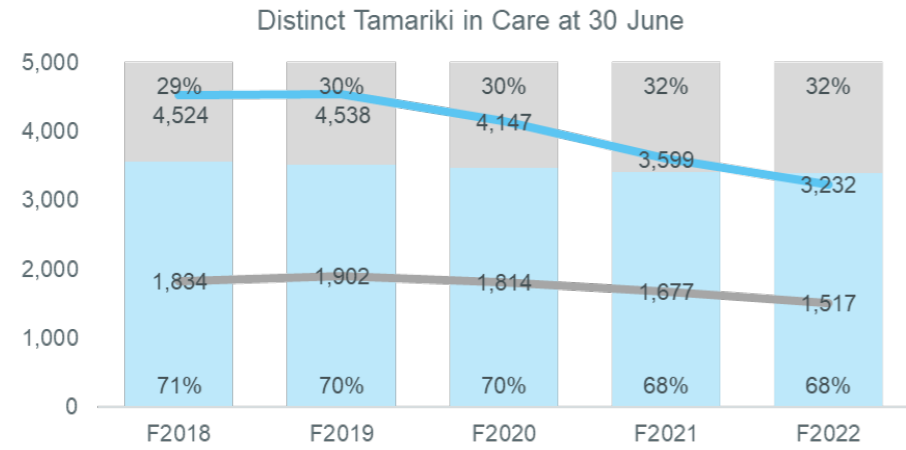
Significantly more FGCs are convened for tamariki Māori than non-Māori. However, in FY 2020 there was a significant drop in the number of FGCs for tamariki Māori, which was potentially driven by COVID-19 restrictions. FY 2022 has also seen a drop in FGCs for both tamariki Māori and non-Māori to the lowest in five years. As a proportion, the percentage of FGCs being held for tamariki Māori has remained fairly stable the past few years.



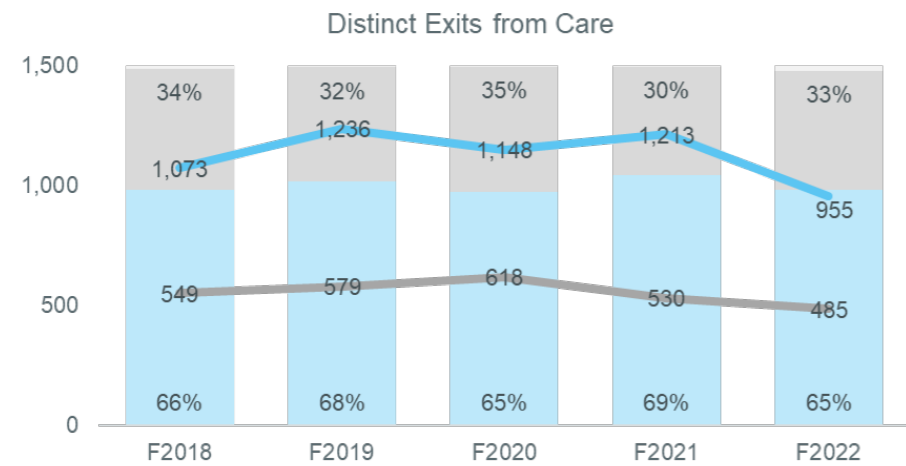
The number of tamariki referred for further assessment has been relatively stable since FY 2018 but has fallen noticeably in the last year. The number of referrals for both tamariki Māori and non-Māori have decreased since FY 2021, with the proportion for Māori falling slightly.



In all years, tamariki Māori accounted for more than half of all children entering care. The number of tamariki Māori entering care was consistently higher than non-Māori. However, the number tamariki Māori entering care has decreased the past few years to the lowest in FY2022.



The overall care population has decreased noticeably since FY 2019 to the lowest in five years. The decrease was driven by a decrease in the number of tamariki Māori in care, while the number of non-Māori children fell at a slower rate. The proportion of tamariki Māori in care has decreased slightly as a result.

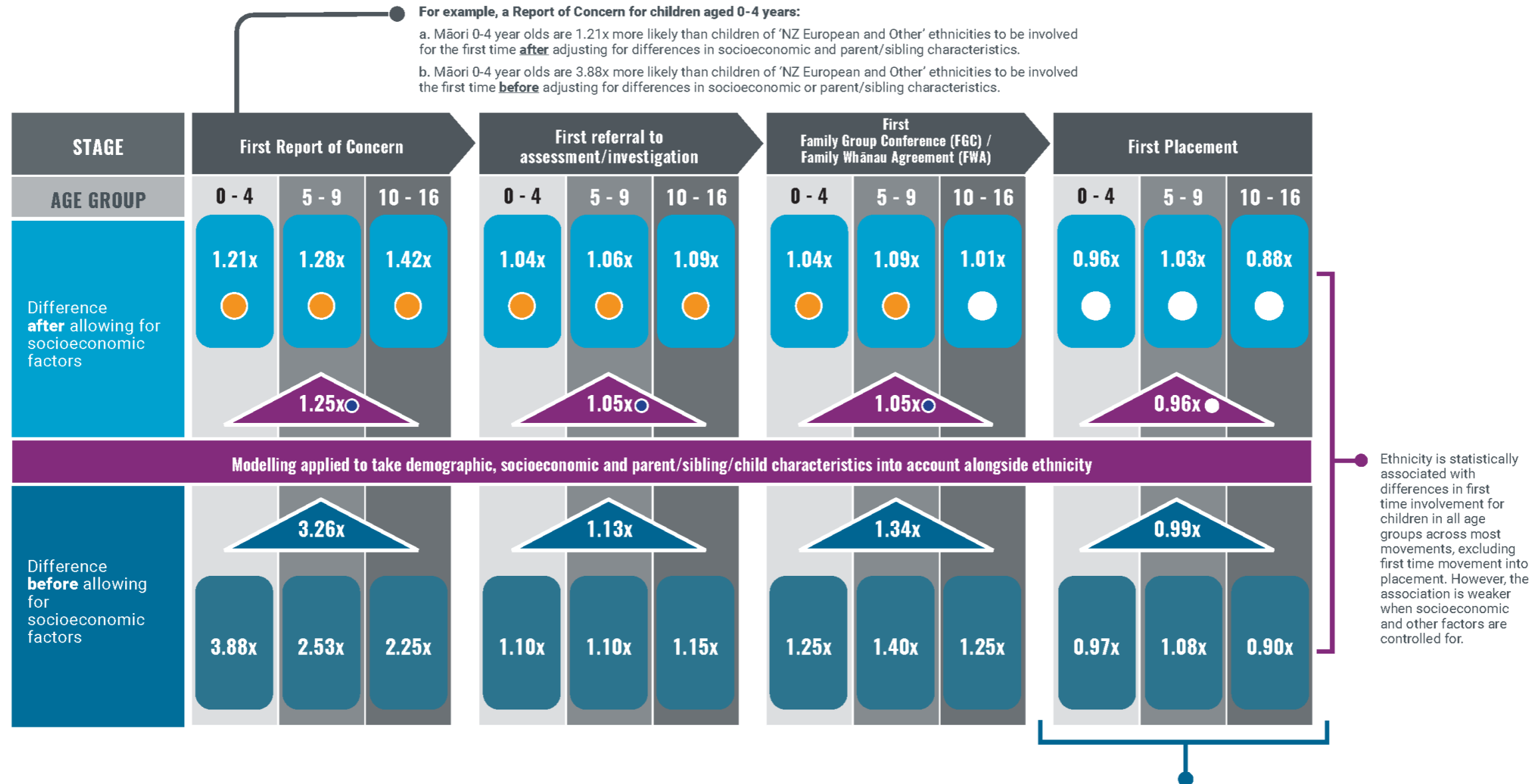


In all years, tamariki Māori accounted for more than half of children exiting care, with the highest proportion in FY2021. Since FY 2020 the total number of exits was larger than the number of entries, leading to a reduction in the number of tamariki in care.

# Appendix Five: Drivers of disparity



**Figure 1. Relative likelihood of tamariki Māori moving into each care and protection stage for the first time vs children of 'NZ European and Other' ethnicities**



● Denotes where Māori children are more likely than children of 'NZ European and Other' ethnicities to move between care and protection stages after allowing for socioeconomic / other factors and the difference appears statistically significant (at the 5% level)

For children aged 0-9, there does not appear to be a statistically significant difference between Māori children and children of 'Other' ethnicities with regards to first placement entry following a recent FGC/FWA. For children aged 10-16, Māori children appear to be less likely than children of 'Other' ethnicities to enter placement for the first time following a recent FGC/FWA. However it is important to note this is after adjusting for their reporting, assessment and FGC/FWA history. For Māori children there are cumulative differences built up from higher rates of first time involvement in reports and FGCs.

This analysis compares disparities between two groups. 'Māori' includes all tamariki who identify Māori as one of their ethnicities. 'NZ European and Other' includes New Zealand European, European, Asian, Middle Eastern/Latin American/African and 'other' ethnicities. This analysis was conducted for CYF/Oranga Tamariki interactions over the ten-year period to 31 March 2020.