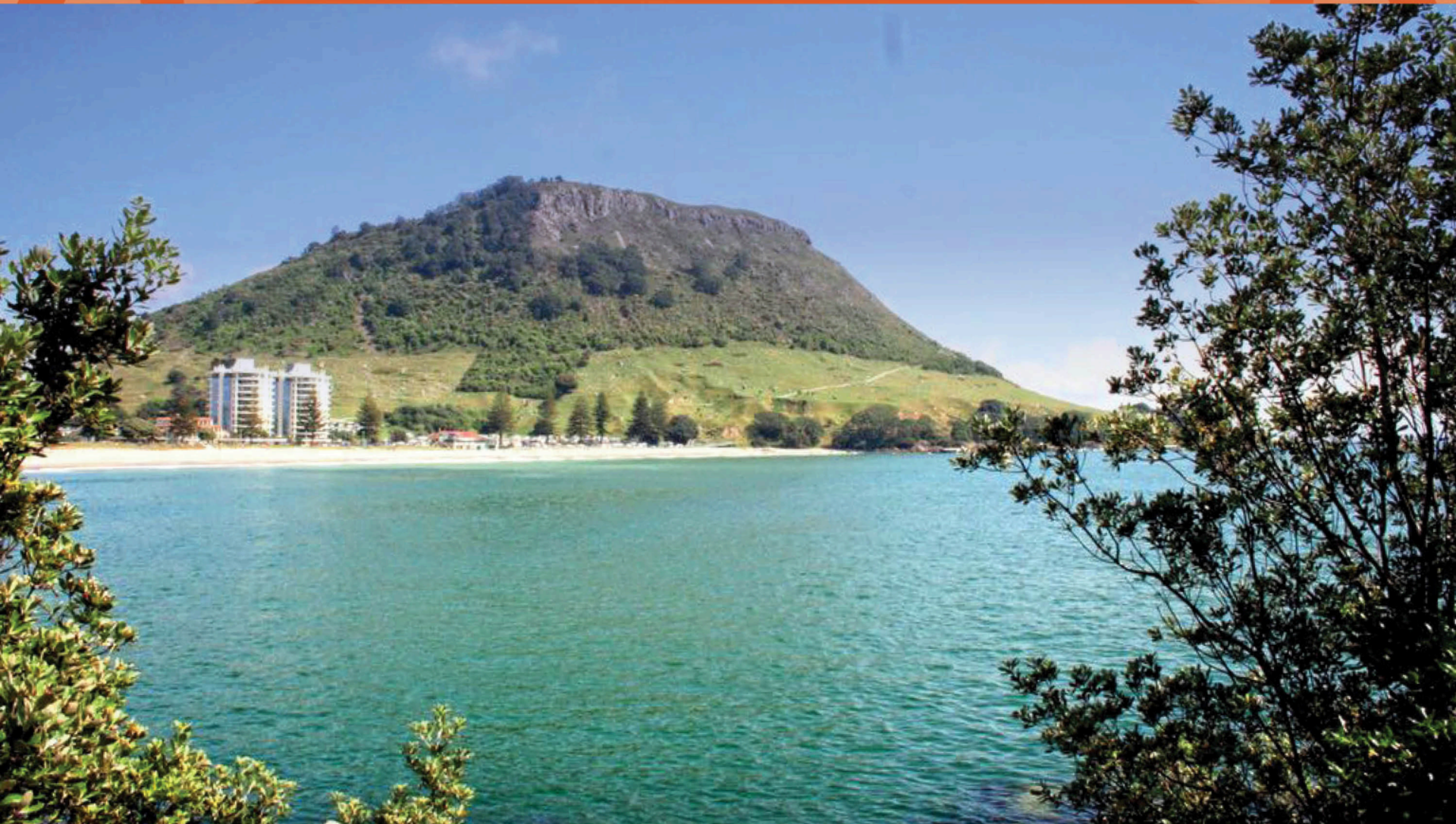




*E tipu E rea:*

# The Care and Protection of Maori Children



Ko wai māua?

# Acknowledgements

- The participants
- The Lottery Grants Board
- HRC - Health Research Council of New Zealand





# Whakauae Research



- Iwi-owned and mandated research centre
- Undertake kaupapa Māori public health, health policy and health services research
- Expertise in tobacco control, whānau ora and kaupapa Māori methodology



# Te Kōpū Legal

T | K | L



## Ministry of Justice

- Lawyer for Child
- Lawyer for Subject Persons



## Ministry of Health

- District Inspector for Mental Health (WBOP)



## New Zealand Parole Board

- Member

# Overview

- Outline the research project, how it came about, research question, recruitment, methods, findings
- What we did with the findings – the development and trialling of a local initiative
- Where to from here, the new Ministry for Vulnerable Children

# The Research Project

A RESEARCH PAPER

*Care & Protection of our  
Māori Children, our Future:*

## A Whānau Perspective

*Contributors:*

Whakauae Health Research Unit

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Gill Potaka-Osborne

Mel Potaka-Osborne

Te Kōpū Legal

Tania Williams Blyth



# The research objectives

## **Aim 1:**

to identify the positive contribution that can be made by Māori parents and grandparents to the care and protection of their tamariki/ mokopuna

# The research objectives

## Aim 2:

to identify the resources and strategies required by Māori whānau, and children in care

**so that**

we can develop initiatives, programmes and/or professional development that will lead to improvements in the safety and the retention of Māori children within nurturing whānau

# Why this project?

- Statistics

- Care & Protection (Family Court)  
Māori children in care = 63%
- Youth Justice (Youth Court)  
Māori = 70%
- Criminal Court (District Court)  
Māori Prosecuted = 38%
- Prison  
Māori male = 57%, Māori female = 65%



- Law Changes

- Why don't we ask the whānau?



# ASSISTING WHĀNAU THROUGH THE NEW FAMILY JUSTICE SYSTEM

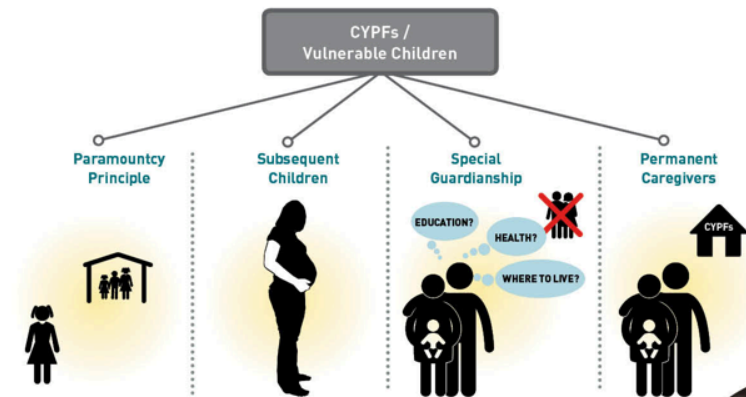
Part A - The New Family Justice System  
Part B - Assisting Whānau who are self represented

TKL  
TE KŌPŪ LEGAL



PAGE 2

## CYPFs / VULNERABLE CHILDREN



TKL  
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PAGE 9

## » Without a Lawyer in the Family Court



A VIDEO RESOURCE FOR THE WHĀNAU



# How did we go about it?

- Funding
- Literature Review
- Recruitment
- Interviews

## Lotteries Board



**Application for Translational  
Research Funding (\$53,000)**



# Literature Review

The review of current literature suggests that in order to improve outcomes for Maori whānau it is necessary to talk to the “client” and ascertain their perspective on what they see as useful or damaging.

In essence research into the whānau is of growing importance.

# Recruitment

Are you **MĀORI?**

Are you a **PARENT?**

Have you ever been involved with  
Child, Youth & Family (CYPFs)  
or Social Welfare?

Māori make up approximately 15% of the NZ population, however, Māori are vastly over-represented in:

- Prisons (Māori males = 50%, Māori females = 65%)
- Youth Court (Māori = 54%)
- Family Court
  - Child offenders (Māori = 71%)
  - Children in CYPFs care (Māori = 52%)

A path from being in CYPFs care into prison has been described as "a given".

**RESEARCH TEAM:** This research is a joint project between Whakauae Research Services, a Ngati Hauri organisation, undertaking research for Māori Health and Development together with Te Kōpū Legal, a Māori Family Law Practice.

**WHAT DO WE WANT:** We are looking for Māori parents who have been involved with CYPFs/SW to participate in a research project.

**WHY:** We want to learn what helped whānau keep the care of their children/mokopuna OR what whānau believe would have helped them keep the care of their children/mokopuna.

**WHY:** We want to get the views of various whānau in order to improve the response of CYPFs to whānau AND guide the development of appropriate programmes which are designed to keep children safe and in the care of whānau.

**CONTACT:** If you would like to participate please contact Tania at one of the following:  
Text or call 021 0848 8672 (if you text I will call you back)  
Email [tania@tekopuchambers.co.nz](mailto:tania@tekopuchambers.co.nz)




WOULD YOU LIKE TO TAKE PART in a research project

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Recruitment Poster

# Who we interviewed

- 35 potential participants
- 10 selected for interview
- Two men, 8 women
- All were Māori , 9 parents, one grandparent



# Research Questions

## Whānau Perspective

Essentially it is hypothesised that Maori parents and grandparents, who have had children removed, are able to make a positive contribution to ensuring the safe care and protection of their tamariki/mokopuna.

The questions asked included:

*If you had child/ren removed by CYFs and then returned to your care. How did you do it?*



*If you had child/ren removed but they were not returned to your care. What do you think would have helped you?*



# Findings

## What did the whānau say?

- **Lack of knowledge**
- **Lack of information**
- **Lack of communication**
- **Lack of accountability**

### What worked well

*"I heavily relied on my uncle. ... Because he, he, yeah, like I said he's worked in there, iwi service, he's in iwi service himself and he knows the process. And he knew when CYFs had me backed in to a corner. So he would be my backbone pretty much. ..."*

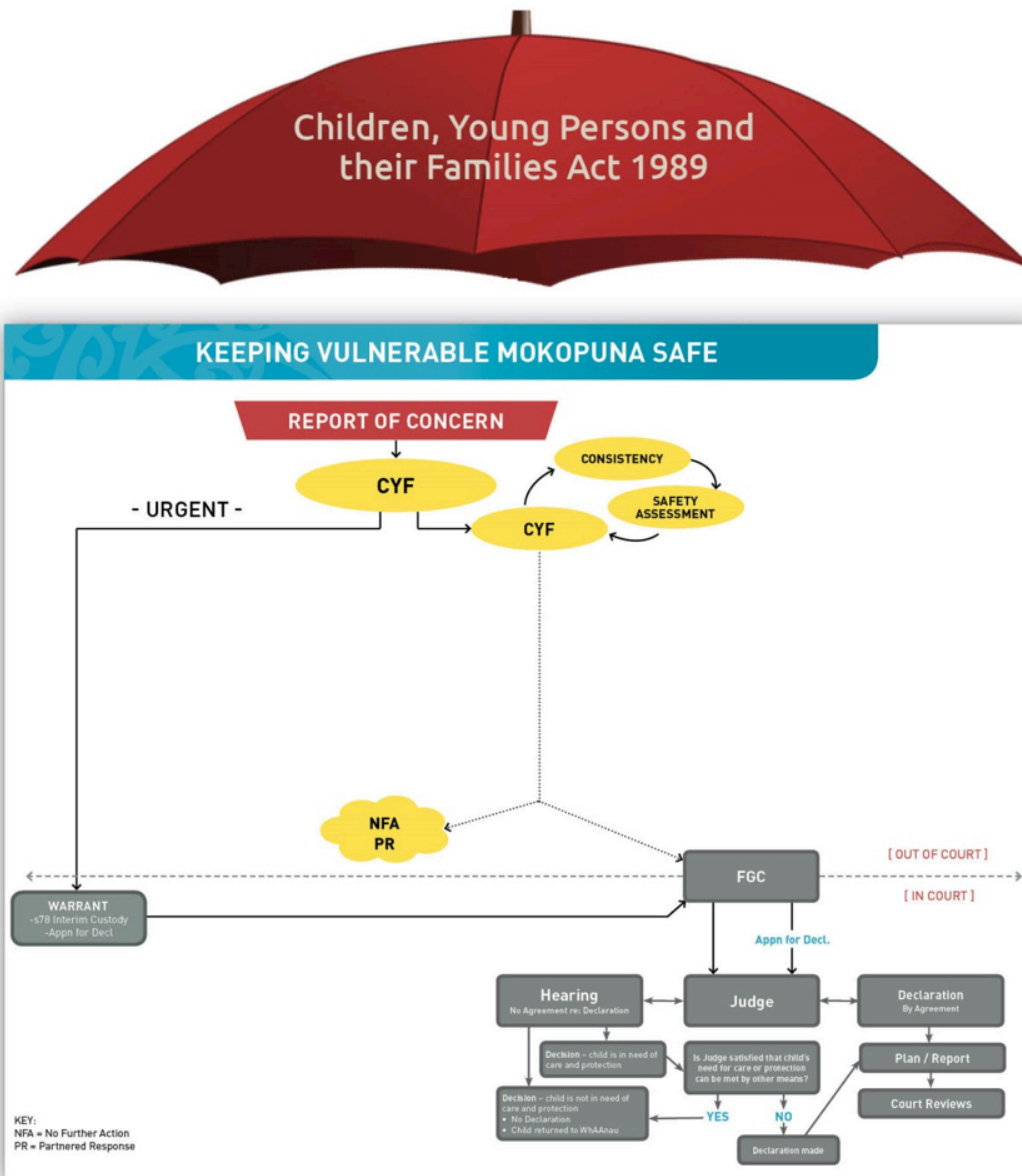
### What didn't work well

*"The white people. If it, if it got down to a cultural thing then definitely it, it was a white thing. And, and, and that's what it ended up being. It's like I'm brown, you're white, I'm fucked. I'm just gonna sit here, feel ashamed, let you all stare at me and go you should be ashamed cos that's exactly how you feel. That's exactly how these Child Youth and Family, lawyers and the judge make you feel, so ashamed."*



# Transformational Research INTERVENTION

# Care and Protection - Current Process



# Role of a Social Worker

The law sets out the statutory duties of the Chief Executive in relation to the care and protection of mokopuna. The social worker carries out many of the Chief Executive's duties and their role is often pivotal. The social worker is often powerful, wielding the authority of Child, Youth & Family under the statute.

It is the social worker's role to investigate any reports of concern. This involves gathering information and evidence. The social worker (and anyone else exercising power under the Act) must apply certain principles. The welfare and interests of the child is the first and paramount consideration. The principles of the Act also support whānau participation in decision making for mokopuna, but those principles are clearly subject to welfare and interests of the child.



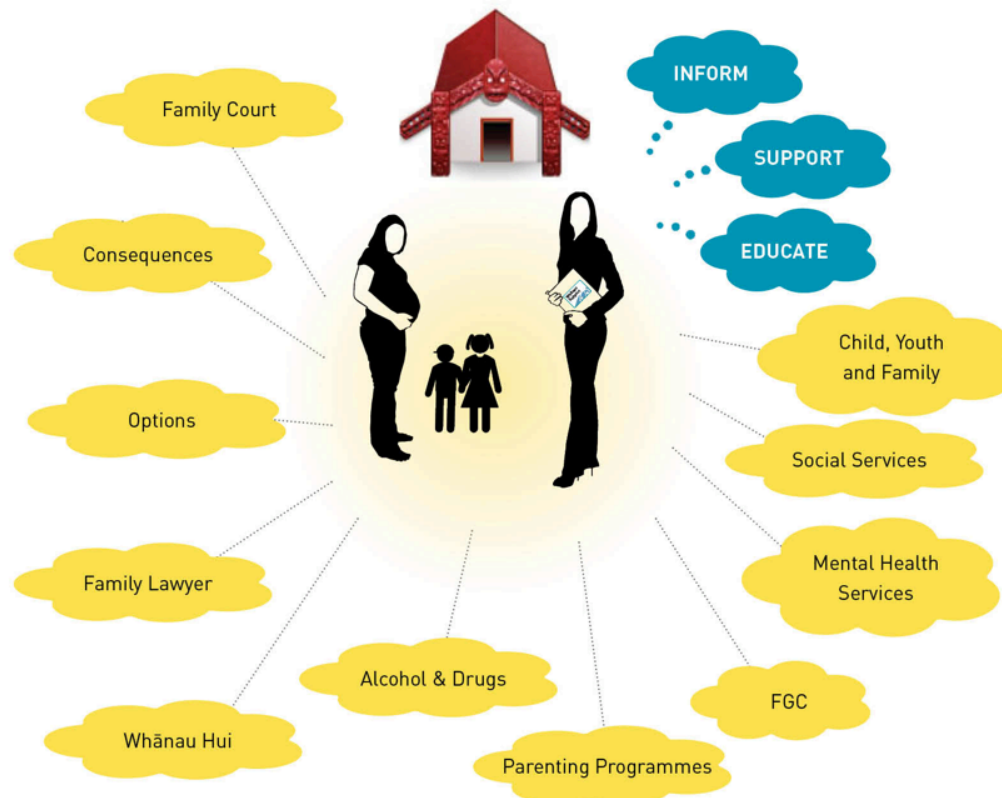


# Role of Whānau Support Person

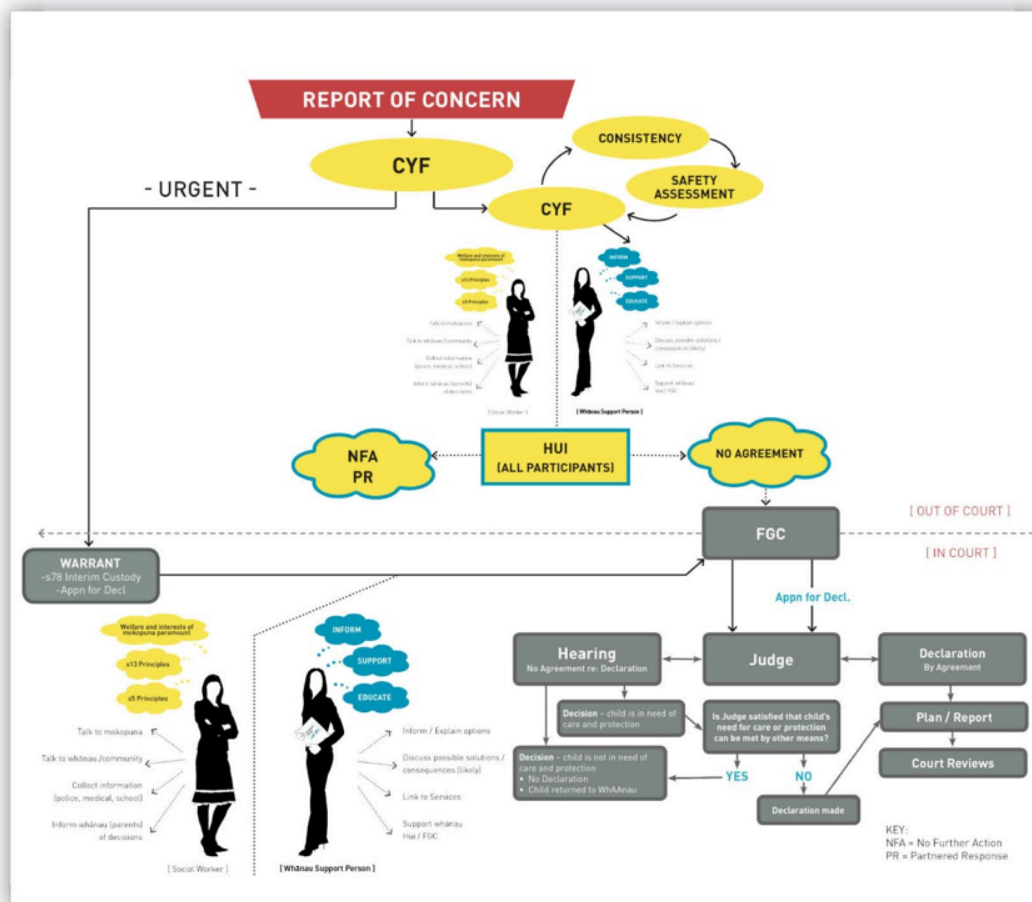
The Whānau Support Person (“WSP”) will support whānau who are involved with Child, Youth & Family, by assisting them to understand all (in and out of Court) options available to them together with the consequences of the same. The WSP will lend the strength of the Iwi/Community and act as the link for the whānau with – Child, Youth & Family, Social Services, Family Court and any other services that may become involved.

This is an opportunity to empower whānau by strengthening their connections to Iwi/the Community by providing a responsive, supportive and educative process for whānau. To support whānau to exercise/recapture what was once an innate ability to generate and implement solutions for the safe care of mokopuna.

The essential model is built around a partnership with whānau to take back control. For Māori, it would mean putting Iwi back in a kaitiaki role for whānau and restore decision making mana to the whānau themselves.



# Care and Protection



# MOKOPUNA ORA



*Mokopuna Ora is a partnership between*





# Where to from here?

*Oranga Tamariki Bill*

*Justice Pipeline*

*Family Court*