

## **Position statement for the 14th session of the Expert Mechanism on the Rights of Indigenous Peoples.**

New Zealand's focus on child wellbeing has acknowledged that the wellbeing of Māori (the indigenous people of Aotearoa) is and needs to be a key feature of success.

The Treaty of Waitangi (or Te Tiriti o Waitangi), signed in 1840 established a partnership between the British Crown and Māori. However, the government has historically struggled to ensure Māori were able to live with the same cultural, social, and economic autonomy as the Treaty had intended.

The New Zealand Government established Oranga Tamariki—Ministry for Children in April 2017 that has the responsibility for the provision of care and protection, youth justice and adoption services for all children who come to the attention of the Ministry.

Māori children continue to be significantly over-represented in the state care and protection and youth justice system. This has often been identified as a symptom of a much deeper problem of wellbeing and inequality for Māori children and their whānau. The government has publicly accepted that these disproportions are unacceptable and must be addressed.

Recent legislative reforms strengthened the obligations of the government to ensure the rights of indigenous children and families are upheld. This included inserting a new section into the Oranga Tamariki Act, on 1 July 2019. This section sets out new obligations on the Chief Executive of Oranga Tamariki to provide a practical commitment to the Treaty of Waitangi. The overall objective is to improve outcomes for Māori children and their families, including annual reporting publicly on progress.

A key part of improving outcomes for Māori children and their family is by increasing partnerships with Māori communities and organisations to support Māori-led solutions. For example, the *Ngā Tini Whetū* programme is a collaboration between a Māori-led organisation funded by multiple government agencies aimed at providing early support to around 800 Māori families to lift their wellbeing and resilience.

The government's focus for Oranga Tamariki continues to be on shifting practice, so Māori are supported in ways that work for them, where social workers and partners are leading practice changes across the country that aim to increase the ability of Māori families and communities to participate in decisions affecting their children and to be supported to care for them.

Since 2019, there have been several reviews and inquiries into the way Oranga Tamariki works, including the urgent Waitangi Tribunal inquiry that released their findings in April of this year. The Waitangi Tribunal is a New Zealand permanent commission of inquiry established under the Treaty of Waitangi Act 1975. It is charged with investigating and making recommendations on claims brought by Māori relating to actions or omissions of the government.

The government have acknowledged the findings of the inquiry and that disparities for Māori exist. Work to address these disparities is already well underway and these findings will also inform the government approach to addressing the issues identified in the inquiry. The government has tasked Oranga Tamariki to develop a new strategy that continues to focus on devolving power and resources to Māori so they can decide what is best for their children and family.