

14 December 2021

Mr Fred Kansky
fyi-request-17600-f26c788d@requests.fyi.org.nz

Tēnā koe Mr Kansky

Thank you for your request of 16 November 2021 submitted in the FYI website to Oranga Tamariki—Ministry for Children (Oranga Tamariki), requesting the following information under the Official Information Act 1982 (the Act):

- *I would like to know more about what actions can be taken from a 132 Social worker report?*
- *Is there a way to request a specific 132 report*

On 19 November 2021 we wrote to you to advise that we were unable to make a decision on some aspects of your request as it covers a large volume of information and would need to be clarified for us to appropriately respond. We attempted to contact you again on 29 November 2021, and we have yet to receive a response in relation to these emails.

For clarification, I will respond to your request in turn.

- *I would like to know more about what actions can be taken from a 132 Social worker report?*

The reports under section 132 of the Care of Children Act 2004 (COCA) are requested when a Family Court Judge requests information from Oranga Tamariki. Although the report is written by an Oranga Tamariki social worker, it is property of the Family Court. Therefore, when the section 132 report is completed, the court controls the access to and distribution of its contents.

While we are unable to recognise and precisely respond to your request, we would like to provide a link of the Joint Protocol between the Department for Courts (now Ministry of Justice) and the Department of Child, Youth and Family Services (now Oranga Tamariki). The Joint Protocol is a historic document used as a practice guide in this area. It can be accessed via the Ministry of Justice website at the following link:

www.justice.govt.nz/assets/Documents/Publications/fc-joint-protocol-moj-cyf.pdf

- *Is there a way to request a specific 132 report*

Although Oranga Tamariki may hold section 132 reports, we are unable to release them as these reports are within the custody of the Family Court and they are protected under the Family Court Act 1980 section 11(B). Accordingly, under section 52(3)(b)(i) of the Official Information Act, we are refusing the latter aspect of your request. Please contact Family Court on 0800 2 AGREE (0800 224 733) to access these documents.

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



Steve Groom

General Manager Public, Ministerial and Executive Services