



7 June 2024

Kendra Cox  
[fyi-request-26688-993a197d@requests.fyi.org.nz](mailto:fyi-request-26688-993a197d@requests.fyi.org.nz)

Dear Kendra

Thank you for your information request dated 9 May 2024. You asked for the following:

- *Please release any communication or information received by yourself or your office relating to advice, discussion, consultation, or evidence regarding the repeal of s7AA of the Oranga Tamariki Act 1989.*
- *This request includes, but is not limited to, e-mail communication, draft or final documents, and letters. Please also include any txt or instant messages or other informal methods of communication.*

Your request has been treated in accordance with the Official Information Act 1982 (the Act). I have responded to your request in the following two parts.

### **Communication or information received by myself or my Office from Oranga Tamariki—Ministry for Children**

On 9 May 2024 you made a request to Oranga Tamariki—Ministry for Children for the following information:

- *Please release any communications between Oranga Tamariki - Ministry for Children; Oranga Tamariki leadership (including but not limited to the CE, DCE team, Chief Social Worker, Pou Tikanga); or contracted researchers, experts, or consultants for Oranga Tamariki and the office of the Minister for Children Karen Chhour (including any experts or consultants contracted by the office) regarding the repeal of s7aa of the Oranga Tamariki Act 1989.*
- *Please include any draft or final documents, e-mails, text or instant messages regarding the repeal.*

In my view, it would have been necessary under section 14 of the OIA to transfer this part of your request to Oranga Tamariki, because the information you requested is held by that agency. However, as you have already made your request to Oranga Tamariki, we have not transferred it. We do not hold any additional relevant information in relation to this part of your request that is not already held by Oranga Tamariki. You will receive a response from Oranga Tamariki in due course.

## **Communication or information received by myself or my Office from others**

I have identified communications received by my Office that are in scope of your request. These are enclosed.

Please note that some information has been redacted under the following sections of the Act:

- 9(2)(a) to protect the privacy of natural persons including that of deceased natural persons
- 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.

### *Communication relating to the Waitangi Tribunal's inquiry*

I consider communications and information relating to the Waitangi Tribunal's inquiry into the repeal of Section 7AA of the Oranga Tamariki Act 1989, and related court proceedings, to be out of scope of this request. If these communications were in scope, it is likely that a substantial portion of the information would be withheld in full under section 9(2)(h), to maintain legal professional privilege.

### *Correspondence from the public*

I receive a large amount of correspondence from the public on a range of matters, including the proposed repeal of section 7AA. I have decided to refuse this part of your request under section 18(f) of the Act as the information cannot be made available without substantial collation or research. In accordance with section 18A of the Act I have considered whether fixing a charge or extending the time limit would enable us to provide a response.

As required under section 9(1) of the Act, I have considered the public interest in releasing the information withheld. I do not consider the public interest considerations favouring the release of this information are sufficient to outweigh the need to withhold at this time.

You have the right under section 28(3) to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely



Hon Karen Chhour  
Minister for Children



**From:** Julie Ash  
**To:** Leigh Catley; Jasmine Higginson  
**Subject:** RE: Week ahead info  
**Date:** Thursday, 28 March 2024 2:44:08 PM

Thank you.

We will need a few back pocket Q and As as the regularly impact statement (RIS) , that was part of the paper and will be released at some stage, heavily favoured keeping section 7AA in

le:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Thanks



Julie Ash  
Deputy Chief of Staff | Office of Rt Hon Christopher Luxon  
Prime Minister  
Minister for National Security and Intelligence  
Minister Responsible for Ministerial Services  
[REDACTED] 41, Parliament Buildings, Wellington 6160, New Zealand

**From:** Leigh Catley [REDACTED]  
**Sent:** Thursday, March 28, 2024 2:32 PM  
**To:** Jasmine Higginson [REDACTED]  
**Cc:** Julie Ash [REDACTED]  
**Subject:** RE: Week ahead info

Yes it is very soon and I now think it is unlikely we will get it done that day. I haven't even begun a draft . Will let you know when I do, should be later today.  
L

**From:** Jasmine Higginson [REDACTED]  
**Sent:** Thursday, March 28, 2024 2:30 PM  
**To:** Leigh Catley [REDACTED]  
**Cc:** Julie Ash [REDACTED]  
**Subject:** RE: Week ahead info

Hi Leigh - just touching base about 7AA.

Are you still planning for Wednesday next week? It's very soon! Do you have any materials prepared that you can share?

**From:** Leigh Catley [REDACTED]  
**Sent:** Wednesday, March 27, 2024 11:32 AM  
**To:** Jasmine Higginson [REDACTED]  
**Cc:** Matt Young [REDACTED]  
**Subject:** RE: Week ahead info

Hiya yes I saw the lines and they are fine.  
Worth noting/clarifying (as I was told yesterday) the Cabinet decision next week is to approve the policy to repeal, not to actually repeal. That will take another paper (and longer ).

"agree to draft a bill to repeal" is the line from the Cabinet paper.

L

**From:** Jasmine Higginson [REDACTED]  
**Sent:** Wednesday, March 27, 2024 11:28 AM  
**To:** Leigh Catley [REDACTED]  
**Cc:** Matt Young [REDACTED]  
**Subject:** RE: Week ahead info

Great, thanks Leigh. Let's touch base about your plan for 7AA next week, that will be quite big I think.

Cameron in your office may have already passed this on, but we've drafted some lines for the PM in case it comes up – can you please let me know if you have any feedback on this?

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

**From:** Leigh Catley [REDACTED]  
**Sent:** Wednesday, March 27, 2024 10:29 AM  
**To:** Jasmine Higginson [REDACTED]  
**Subject:** RE: Week ahead info

Hi Jasmine,  
It's all about the Section 7AA for us next week.

Announcements

Media release: The Cabinet paper to approve the policy to repeal Section 7AA of the Oranga Tamariki Act is expected to be approved and we will do an announcement for this, probably Wednesday

Out of Scope

L

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**From:** Jasmine Higginson [s9(2)(a)]  
**Sent:** Wednesday, March 27, 2024 10:12 AM  
**To:** #Press All [s9(2)(a)]  
**Subject:** Week ahead info

Hi all,

Out of Scope

This is an early request for your Minister's info for the **next two weeks**. Given we are heading into Easter, we need this info back by 10am tomorrow please.

Here's what we need:

- Any **announcements** your Minister or their departments are making next week and the week after (for our planning grid)

Out of Scope

Thanks  
Jasmine



**Jasmine Higginson**  
Deputy Chief Press Secretary | Office of Rt Hon Christopher Luxon  
Prime Minister  
Minister for National Security and Intelligence

[s9(2)(a)], Parliament Buildings, Wellington 6160, New Zealand

**From:** [Simon Clarke](#)  
**To:** [Leigh Catley](#); [Amanda Hillary](#)  
**Cc:** [Cameron Oldfield](#); [Louis Houlbrooke](#)  
**Subject:** RE: DRAFT PR for Process to repeal Section 7AA  
**Date:** Monday, 8 April 2024 5:43:04 PM

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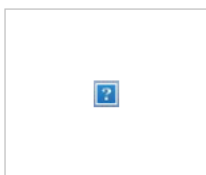
Hi Leigh,

Sorry I haven't had a chance to look at this draft yet. But I was wondering if it would be best to wait till next week to announce so we can fully prepare?

Ideally we would send the PR and at the same time have social media posts and videos ready to go, and the letter to stakeholders go out at same time. I've cc'd in Louis who would send the letter.

Are there any days over the next two weeks that would particularly work for Minister Chhour?

Cheers,  
Simon



**Simon Clarke**

Director of Communications | Office of Hon David Seymour  
Minister for Regulation | Associate Minister of Education | Associate Minister of Finance | Associate Minister of Health |  
Associate Minister of Justice

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**From:** Leigh Catley [s9\(2\)\(a\)](#)  
**Sent:** Monday, April 8, 2024 12:08 PM  
**To:** Simon Clarke [s9\(2\)\(a\)](#); Amanda Hillary [s9\(2\)\(a\)](#)  
**Cc:** Cameron Oldfield [s9\(2\)\(a\)](#)  
**Subject:** DRAFT PR for Process to repeal Section 7AA

Hey Simon, could you please take a look at this for me and suggest any changes?

The PMO's office has asked us to not send this out until the air has cleared a bit around the Targets announcement today (which also includes Minister Chhour on MSAs), so I was thinking first thing Wednesday for this release. I have the Minister booked to do some videos on Thursday – one on this – to have for socials at the end of the week. Also I understand there is a letter bring written/sent to the supporters of the 7AA petition? Could I get a look at that letter before it goes out please?

L.

**From:** [Simon Clarke](#)  
**To:** [Leigh Catley](#)  
**Subject:** 7AA  
**Date:** Friday, 12 April 2024 9:48:28 AM

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FYI this is what I've sent Te Aniwa in the past:

*"Section 7AA, by focusing on race and requiring Oranga Tamariki to honour the Treaty, is at odds with what should be its sole focus: protecting at-risk children. Every child deserves to be safe, loved, and cared for."*

Also, for future reference as I expect you'll be covering 7AA stories in the future. If you want a different perspective to comment, I'd suggest Dr Nicola Atwool [The collateral damage of ideologically-driven uplifts \(newsroom.co.nz\)](#).



**Simon Clarke**

Director of Communications | Office of Hon David Seymour  
Minister for Regulation | Associate Minister of Education | Associate Minister of Finance | Associate Minister of Health | Associate Minister of Justice

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**From:** [Jasmine Higginson](#)  
**To:** [Leigh Catley](#)  
**Subject:** RE: Section 7AA Comms Material  
**Date:** Friday, 12 April 2024 2:28:18 PM  
**Attachments:** [image001.png](#)

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Thanks Leigh. Keep me updated about the PR and if you decide to issue it.

Can you please check that these QAs are okay?

s9(2)(g)(i)

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

- [Redacted]

[Redacted]

- [Redacted]
- [Redacted]

[Redacted]

- [Redacted]

[Redacted]

- [Redacted]

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**From:** Leigh Catley s9(2)(a)

**Sent:** Friday, April 12, 2024 2:09 PM

**To:** Jasmine Higginson s9(2)(a)

**Subject:** Section 7AA Comms Material

Hi Jasmine,

- I've attached some lines
- a DRAFT media release, which has been seen by Minister Chhour, but not signed off.
- We've also prepared a short video to go on socials when the release goes out (being produced by the ACT office, I haven't seen it yet).
- Also the ALO have plans to send an email to supporters advising them of the progress

L.





**Leigh Catley**

**Press Secretary | Office of Hon Karen Chhour  
Minister for Children | Prevention of Family & Sexual Violence**

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**From:** Jasmine Higginson s9(2)(a)  
**Sent:** Friday, April 12, 2024 12:05 PM  
**To:** Leigh Catley s9(2)(a)  
**Cc:** Julie Ash s9(2)(a); Cameron Oldfield  
s9(2)(a)  
**Subject:** FW: Transcript: PM stand-up, 9am 12/04/24

Hi Leigh – as discussed earlier, here is the section of the PM’s transcript where he was asked about 7AA.

Can you please send through your most up-to-date comms material so we can use your messaging for his upcoming media briefs?

Thanks  
Jasmine

**Media**

The OT situation around the Waitangi Tribunal and Section 7AA. What do you make of it?

**Chris Luxon**

Oh, look, I mean, the Waitangi Tribunal is fair to do whatever it wishes to do, in terms of its investigations, our view is very strongly is that we put the welfare of a child front and center, first and foremost. And that is something that all our parties and their coalition government are aligned around.

**Media**

When you say first-and-foremost, is that children with their families?

**Chris Luxon**

What it is, it's about making sure that we protect the children first and foremost, and there has to be the primary consideration of social workers and Oranga Tamariki at the heart of it. As to their making sure those factor those children are put into environments where they're going to be cared for loved. They're our most vulnerable children, we have to prioritize and make sure that their safety and their security, is actually the only thing that we're considering at the heart of any decisions about where they often are placed.

**Media**

What is section 7AA?

**Chris Luxon**

well, what it is, is it's about making sure that we prioritize the well being of the child ahead of any other considerations,

**Media**

It's about unbinding the Treaty of Waitangi and OT, isn't it?

**Chris Luxon**

correct?

**Chris Luxon**

Well, What is important is actually the health and the well being of a child. And I make no apologies for that.

**Media**

Why can't both of those things be true?

**Chris Luxon**

Well, actually, what has been happening is, we want to make sure that actually social workers understand legislatively, that the obligation is to place children in good homes, as to what ethnicity those families or those foster parents may be, is largely irrelevant. What matters most those kids are in great environments. They can be placed with family, family and community. That's great.

**Media**

Is Turangawaewae important?

**Chris Luxon**

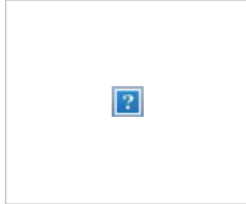
That is important, but the primary consideration ahead of everything is actually the health and well being of that child. And we will make no apologies for that. That's really important. But actually, if they're not in a safe environment, that trumps everything.

**From:** [Dale Karauria](#)  
**To:** [Amanda Hillary](#)  
**Subject:** FW: Ministerial Consultation - Oranga Tamariki (Repeal of Section 7AA) Amendment Bill: Approval for Introduction  
**Date:** Tuesday, 30 April 2024 11:37:33 AM  
**Attachments:** [image003.png](#)

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Kia ora Amanda – I’ve just seen Cameron’s out of office message and advice to contact you. Please see below....

Dale



**Dale Karauria**

**Ministerial Advisor** | Office of Hon Tama Potaka MP  
Minister of Conservation  
Minister for Māori Crown Relations: Te Arawhiti  
Minister for Māori Development  
Minister for Whānau Ora  
Assoc. Minister of Housing – Social Housing

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**From:** Dale Karauria  
**Sent:** Tuesday, April 30, 2024 11:36 AM  
**To:** Cameron Oldfield <[s9\(2\)\(a\)](#)>  
**Subject:** RE: Ministerial Consultation - Oranga Tamariki (Repeal of Section 7AA) Amendment Bill: Approval for Introduction

Kia ora Cameron – thank you for the opportunity to comment:

- [s9\(2\)\(g\)\(i\)](#) [Redacted]
- [Redacted]
- [Redacted]

s9(2)(g)(i)

Dale



**Dale Karauria**

Ministerial Advisor | Office of Hon Tama Potaka MP  
Minister of Conservation  
Minister for Māori Crown Relations: Te Arawhiti  
Minister for Māori Development  
Minister for Whānau Ora  
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**From:** Cameron Oldfield s9(2)(a)  
**Sent:** Tuesday, April 23, 2024 9:39 AM  
**To:** Govt Advisors s9(2)(a)  
**Subject:** Ministerial Consultation - Oranga Tamariki (Repeal of Section 7AA) Amendment Bill: Approval for Introduction

Good morning colleagues

Please find attached for Ministerial Consultation, *Oranga Tamariki (Repeal of Section 7AA) Amendment Bill: Approval for Introduction*.

The paper seeks Cabinet approval to introduce the Oranga Tamariki (Repeal of Section 7AA) Amendment Bill.

The Minister intends to lodge this paper for consideration at the Cabinet Legislation Committee (LEG) on Thursday 9 May 2024, therefore any feedback would be appreciated by **COB Tuesday 30 April 2024**.

Kind regards,  
Cameron

**Cameron Oldfield** | Acting Ministerial Advisor  
Office of Hon Karen Chhour  
Minister for Children | Prevention of Family & Sexual Violence

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