



10 DEC 2024

L

fyi-request-29086-a252e366@requests.fyi.org.nz

Dear L

Thank you for your information request dated 6 November 2024. You asked for the following:

all records and communications that you, as Minister, have had with iwi as it relates to Military Style Academies, Young Serious Offenders work and 7AA work.

Your request has been treated in accordance with the Official Information Act 1982 (the Act).

Please find the information requested attached as Appendix A.

Some information has been withheld from the documents under the following section of the Act:

- Section 9(2)(a) to protect the privacy of natural persons, including that of deceased natural persons.

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 or freephone 0800 802 602.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'K. Chhour'.

Hon Karen Chhour
Minister for Children



Hon Karen Chhour
Minister for Children
K.Chhour@ministers.govt.nz

22 March 2023

Tena koe e te Minita

I refer to our meeting with you of Wednesday 20 March 2024.

Thank you for agreeing to meet with us in our capacity as the National Iwi Chairs Forum, Co- Chairs for Pou Tangata.

Minister, the hui and subsequent communication regarding the removal of Section 7AA from the Oranga Tamariki Act 1989 were enlightening. We understand that in referring to practice concerns that you have you were referring to the practice of Oranga Tamariki social workers and that, while well-intentioned, section 7AA has distracted Oranga Tamariki staff from their core purpose, which is the stability and well-being of children.

We were reassured that you clearly stated that you had no intention in removing whanau, hapu and Iwi from the Oranga Tamariki Act 1989. This gives us confidence that strategic partnerships with Oranga Tamariki will continue.

We encourage you to take up our invitation to coordinate an online hui to address all 76 Iwi of the NICF about the repeal of s7AA. The purpose of the hui will be for you to share the reasons and rationale for the proposed appeal and the process and timeframes that will apply. We believe this will deliver efficacy benefits for everyone.

Please contact **9(2)** [REDACTED], Lead Advisor, Oranga Tamariki Iwi Leader Group **9(2)(a)** [REDACTED] to arrange a date and time for the online hui.

Nga mihi

A handwritten signature in black ink, appearing to read "Rahui Papa".

Rahui Papa
Pou Tangata Co Chair

A handwritten signature in black ink, appearing to read "Kahurangi Dame Naida Glavish".

Kahurangi Dame Naida Glavish
Pou Tangata Co Chair

Hon Karen Chhour

Minister for Children

Minister for the Prevention of Family and Sexual Violence



02 MAY 2024

Rahui Papa & Dame Naida Glavish
Pou Tangata Co Chairs
admin@poutangata.com

Tēnā kōrua Rahui and Dame Naida

Thank you for coming to meet with me on 20 March and for your follow up letter of 22 March.

Thank you also for offering to convene an online hui to address all 76 Iwi of the NCIF about the repeal of s7AA.

As you know, I have met with many of the Oranga Tamariki strategic partners to discuss s7AA. However, given the current Waitangi Tribunal urgent inquiry and the associated legal proceedings, I do not think it would be appropriate to accept your invitation at this time. Once these matters have concluded, then my office will get back in contact to discuss next steps.

Thank you again for the invitation, I look forward to meeting again in future.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'K. Chhour'.

Hon Karen Chhour
Minister for Children



15 May 2024

Minister Karen Chhour

Oranga Tamariki National Office
PO Box 546
Wellington
New Zealand

Tena koe Minita

Ko te tumanako ki a noho ora pai koe i tenei wa. Greetings Minister. I hope this letter finds you in good health. Minister I am writing today on a matter concerning the Treaty Settlements and the role/responsibilities of Oranga Tamariiki to communicate with Te Runanga o Ngaitakoto.

It has come to my attention as the Chair for Ngaitakoto that significant changes to Oranga Tamariiki Kaitiaki Office are being planned and or implemented. This led me to call an urgent meeting with our Board to discuss the matter only to learn that they too were surprised to hear of major pending changes.

I am writing this letter to you in the hope that you will facilitate a meeting between our Runanga and the senior executive for Oranga Tamariiki and, I list our issues below.

The points I raise are explicit to Oranga Tamariki. They bear no connection whatsoever, to the SPA Oranga Tamariiki has with local providers. This is specifically about the disconnect of this Ministry to us as a Treaty Partner.

Our shared concerns about Oranga Tamariiki

- Shock to hear on the street that a DCE had flown from Wellington to tell Kaitiaki OT staff about a new manager being appointed by a service provider.
- No communication from Oranga Tamariiki.
- No consultation with our iwi. Nothing at all.
- the need for transparency in decision-making processes from the Crown.
- The breach of obligations in the Treaty Partnership between Crown and Iwi
- The decision to bypass meaningful discussions with Iwi on Section 7AA.
- Several breaches to the Social Accord Agreement signed by Oranga Tamariiki (2019)

Ngaitakoto have learned via an email from a service provider to a wide distribution list that Oranga Tamariiki will devolve its Services:

What went wrong OT	The potential opportunity Te Hiku
<ol style="list-style-type: none"> 1. a shock announcement to OT staff in Kaitaia that a service provider would appoint an interim manager of the site, 2. national office decision making bypassed OT Regional Manager input, 3. an email from a service provider to 58 people enquiring whether this was a rumour. 4. Iwi received no notice and were not aware. 	<ul style="list-style-type: none"> • We support the potential for transformation. • We support greater ownership – locally led whanau-based solutions. • It has been a long-time goal for the social sector, to have a strength-based way of working. By Te Hiku – with Te Hiku and for Te Hiku. •

Awangawanga:

1. Iwi cannot participate in matters of critical importance if they are not aware of and not involved in the conversation.
2. Oranga Tamariiki cannot assign its obligations in the Treaty Partnership to its SPA partner to consult or confirm Iwi support. It is not the role of the SPA, and they should not feel obligated to do so.
3. Oranga Tamariiki have failed to meet several of their written commitments as a member of Te Hiku Iwi – Crown Social and Wellbeing Accord [signed by Oranga Tamariiki 2019]
4. Oranga Tamariiki attends the monthly meetings of the Social Accord, there were no verbal or written updates to Iwi members in those meeting about changes to the Kaitaia Oranga Tamariiki office.
5. Oranga Tamariiki National Office looks to have made unilateral decisions for Te Hiku. According to our grapevine, it appears that National Office leaders did not involve or consult regional or local managers.

Now that Ngaitakoto does know – what does Ngaitakoto want as a next step:

1. **Oranga Tamariki to organise a meeting/s with Ngaitakoto asap:**
 - a. Present their rationale and decision to bypass Iwi (Section 7AA) discussions.
 - b. Outline how it will meet its obligations to each of the Iwi in Te Hiku in a form they so choose (locally – regionally – nationally)
 - c. Explain why it chose to circumvent the Social Accord Agreement it signed in 2019 including the “no-surprises” commitment.
 - d. Explain why Oranga Tamariki spent taxpayer money flying a DCE from Wellington to Te Hiku to inform local staff of proposed management changes to the Kaitaia Office when the Government has loudly voiced its concerns on public service spending.
 - e. Outline the national office decision to bypass your Regional Managers and local area managers; surely, they were best placed as line managers to inform local kaimahi of proposed office changes.
 - f. Seek feedback from Iwi on what their reporting/accountability framework and shared decision-making protocols look like and then implement.

- g. Provide transparency on future thoughts and proposals for the Kaitaia OT site.
2. **Request full and committed attendance of the chief Executive to all Social Accord meetings** in favour of improving accountability and relationships.
3. **Ask you as the Minister to oversee the way forward for OT to restore trust** and accountability with the Iwi in Te Hiku please.
4. **Produce a simple informative letter to key stakeholders** in Te Hiku to outline changes to the local office, allay concerns and provide a vehicle to ask questions.
5. **Seek confirmation from Ministers and CE's that ALL agencies are in open and transparent consultation** with all Te Hiku iwi regarding the devolving of services or funding within Te Hiku.
6. Meet separately with the co-lab to find common ground.

Side Note:

Oranga Tamariki chose the Co-Lab as its Strategic Partner under section 7AA of the Act. In writing this letter to you, we also want to assure the members of the Co-Lab that this taake is explicitly on the Crown - Iwi Treaty Partnerships. It is had nothing to do with their mahi. I want to make sure that this is made clear to your officials. Likewise, I do not want OT to deflect or assign blame to our providers in the Co-Lab for not communicating or updating the Iwi. It is not their statutory obligation. The obligation of the Treaty Partnership is singularly with Oranga Tamariki. I acknowledge the challenging work of our service providers to pave the way toward transformation in the caring of our Tamariki.



Regards

Wallace Rivers

Joint Chairperson

Hon Karen Chhour

Minister for Children
Minister for the Prevention of Family and Sexual Violence



27 JUN 2024

Wallace Rivers
Joint Chairperson
Te Rūnanga o Ngāi Takoto
9(2)(a)

Dear Wallace

Thank you for your letter of 15 May 2024 raising concerns about staffing decisions at the Oranga Tamariki site in Kaitaia.

I appreciate you taking the time to inform me of your concerns, and I note your request for me to facilitate a meeting with Oranga Tamariki Executive team members so you may raise your concerns with them directly.

Any staffing decisions, including the recent appointment of an individual to work at the Kaitaia site, are operational matters that are the responsibility of the Chief Executive of Oranga Tamariki. Ultimately how these decisions are made, why, and who discharges these responsibilities rests with Oranga Tamariki.

I have, however, indicated my expectation for Oranga Tamariki to put the safety of children and young people at the forefront of decision-making. This is part of bringing Oranga Tamariki back to its core focus, which is the care and protection of children and young people. You may be aware that Oranga Tamariki is also undergoing a transformation journey which reflects this core purpose and integrates a refreshed strategy and new operating model. A part of the transformation journey is the proposed organisational restructure. This restructure is significant however I am confident in the intent of Oranga Tamariki to integrate services and enable the devolution of decision-making power and the shifting of resources to partners and communities.

I have forwarded your letter to officials in Oranga Tamariki and have been assured that an official will be in touch to discuss your concerns.

Thank you again for writing. I wish you all the best.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Chhour'.

Hon Karen Chhour
Minister for Children



TE RARAWA

Te Rūnanga o Te Rarawa | PO Box 361 | Kaitaia
www.terarawa.iwi.nz

4 July 2024

Honourable Karen Chhour
Minister for Children
Parliament Buildings
Wellington

Email: K.Chhour@ministers.govt.nz

"Tiakina ā tātou tamariki. Tiakina ngā mea e rongō ana rātou, tiakina ngā mea e kite ana rātou, tiakina ngā mea e pā ana ki a rātou. Ko te āhua o te tupuranga o ngā tamariki, koia anō te āhua o Aotearoa."

"Take care of our children. Take care of what they hear, take care of what they see, take care of what they feel.

For how the children grow, so will the shape of Aotearoa."

*Dame Whina Cooper
Te Rarawa*

Tēnā koe Minister Chhour

Re: Repeal of Section 7aa – Oranga Tamariki Act

As a representative of our iwi, we strongly oppose the repeal of Section 7aa of the Oranga Tamariki Act. This section provides an essential safeguard for Māori children and families, ensuring that their cultural rights and interests are respected and protected in matters of child welfare.

The repeal of this section would undermine the rights of Māori children to be connected to their culture, language, and identity. It would also diminish the role of Māori communities in decision-making processes related to the care and protection of our tamariki.

We believe that maintaining Section 7aa is crucial in upholding the principles of partnership, protection, and participation as outlined in the Treaty of Waitangi. It is essential that Māori voices are heard and respected in matters that directly impact our children and whanau.

Furthermore, the repeal of Section 7aa would perpetuate systemic inequalities and disparities faced by Māori children in the child welfare system. We must work together to address the root causes of these issues and ensure that our tamariki receive culturally appropriate care and support.

In conclusion, we urge the government to reconsider the repeal of Section 7aa and to engage with our iwi and Māori communities in a meaningful and collaborative manner to

address the needs and rights of our tamariki. Our children deserve to grow up with a strong sense of identity, belonging, and cultural pride, and this can only be achieved by upholding the protections provided by Section 7aa.

Mauri Tu, Mauri Ora

A handwritten signature in black ink, appearing to read 'K. Murray', written over the printed name.

Katie Murray QSM, MNZN
Heamana

Hon Karen Chhour

Minister for Children
Minister for the Prevention of Family and Sexual Violence



24 JUL 2024

Katie Murray
Heamana
Te Rūnanga o Te Rarawa
9(2)(a)

Dear Katie

Thank you very much for your letter of 4 July 2024 sent on behalf of Te Rūnanga o Te Rarawa with shared experiences and thoughts on the Repeal of Section 7AA of the Oranga Tamariki Act 1989.

I really appreciate you taking the time to write and share your feedback.

Please be assured that I have given Oranga Tamariki clear direction to retain existing strategic partnerships if they are delivering positive outcomes. The repeal does not prevent Oranga Tamariki from retaining current strategic partnerships or from entering new partnerships with iwi or Māori organisations.

I am confident that repealing section 7AA represents an important first step toward reforming the Care system to be centred around the best interests of children.

The Bill has now been referred to the Social Services and Community Select Committee. The Committee is currently considering the submissions that were made.

Further details are available on the Parliament website here:

<https://bills.parliament.nz/v/6/a5e624c3-c18e-47ed-9ee5-08dc72e77469?Tab=history>

Thank you again for writing.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Chhour'.

Hon Karen Chhour
Minister for Children



26 September 2024

Chhour, Karen
ACT Party
List
Karen.Chhour@parliament.govt.nz

Heoi,

Hei ngaa ringa mahi o ngaa Iwi katoa o te Motu. Hei ngaa Mema Paaremata puta noa, teenaa koutou.

We uphold and affirm that Te Tiriti o Waitangi protects the tino rangatiratanga of hapu and Iwi. This rangatiratanga extends to our most treasured resource – our mokopuna and tamariki. Those born i tenei ao and those to come in the future.

This communique is a call to action. It is about influencing decisions that will impact generations of Maori and Tangata Tiriti. Your role, as esteemed Members of Parliament, in the upcoming decisions regarding:

1. the proposed Treaty Principles Bill;
2. the repeal of section 7aa of the Oranga Tamariki Act 1989; and
3. the proposed changes to the Marine and Coastal Area (Takutai Moana) Act making it difficult for hapū, uri and beneficiaries to get customary marine title is crucial.

We implore you to carefully consider the requests contained in this letter.

The proposed Treaty Principles Bill and the proposed changes to the Marine and Coastal Area (Takutai Moana) Act 2011, are not only inconsistent with Te Tiriti o Waitangi but also a direct threat to the collective rights and interests of Iwi Māori and their relationship with the Crown. It is an attack on Te Tiriti, hapu, and Iwi.

We see the proposed repeal of section 7aa of the Oranga Tamariki Act 1989 similarly. It is an unfounded, ill-principled assault on our mokopuna tamariki in state care. It is in defiance of the recently released Abuse in Care Inquiry Report, which illustrated the need for mokopuna tamariki to be connected to their whakapapa and their whanau, hapu, and Iwi for their ongoing health and well-being.



We call on all Members of Parliament to oppose and vote against the **Treaty Principles Bill**, the proposed changes to the **Marine and Coastal Area (Takutai Moana) Act** and the repeal of **section 7aa of the Oranga Tamariki Act 1989** and consider the ongoing restoration of the Te Tiriti relationship as a fundamental priority for our nation's collective and future prosperity.

A handwritten signature in black ink, appearing to read "Rahui Papa".

Naa Rahui Papa

A handwritten signature in black ink, appearing to read "Margaret Mutu".

Naa Margaret Mutu

National Iwi Chairs Forum

Hon Karen Chhour

Minister for Children
Minister for the Prevention of Family and Sexual Violence



03 October 2024

Rahui Papa, Margaret Mutu
National Iwi Chairs Forum

9(2)(a)

Dear Rahui Papa and Margaret Mutu,

Thank you for your letter of 26 September 2024, which I understand has been sent to all Members of Parliament.

I acknowledge the concerns you have raised. My response is confined to matters related to the Oranga Tamariki (Repeal of Section 7AA) Amendment Bill (Bill) and the proposed Treaty Principles Bill.

The Oranga Tamariki (Repeal of Section 7AA) Amendment Bill

My goal is to ensure that all children and young people are in loving and stable homes. I acknowledge that section 7AA of the Oranga Tamariki 1989 Act (Act) was designed to strengthen accountability to improve outcomes for Māori children and young people. However, although well-intentioned, I believe that this provision has created conflict for Oranga Tamariki when making decisions in the best interests of the child or young person.

The Bill reaffirms the Coalition Agreement between the National Party and the ACT Party and the commitment in that agreement to the care and safety of children in care. This is an issue I campaigned strongly on and I promised to fix. The Bill is currently before the Social Services and Community Committee for its consideration.

The repeal of section 7AA will not stop the consideration of cultural well-being of children and young people in the care of Oranga Tamariki. Furthermore, it will not remove the general obligations to meet the Treaty of Waitangi principles applicable to all Crown agencies regarding the development of policies, practices and services. There are several provisions in the Act that recognise the importance of concepts such as cultural identity, mana tamaiti, whakapapa, and whanaungatanga of Māori children and their whānau, hapū, and iwi. The repeal of section 7AA will not alter these principles.

My commitment is to progress my vision, which is to ensure that Oranga Tamariki refocuses to be truly child centric and that all children and young people are in loving homes.

The Treaty Principles Bill

The Coalition Agreement between the ACT and National parties includes a commitment to introduce a Treaty Principles Bill based on existing ACT policy and support it to a Select Committee as soon as practicable. Both the National-ACT and the National-New Zealand First Coalition Agreements were endorsed by Cabinet on 28 November 2023 as the basis on which the Coalition Government will operate.

Cabinet has agreed to the next steps for the Treaty Principles Bill and will introduce it to Parliament before the end of this year.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Chhour', written in a cursive style.

Hon Karen Chhour
Minister for Children