

TE HONONGA AKORANGA

**COMET**



# Submission on Oversight of Oranga Tamariki System and Children and Young People's Commission Bill

Submission 112/22  
Prepared on behalf of COMET Auckland, January 2022

## Whakatauāki

E kore e taea e te whenu kotahi ki te raranga i te whāriki kia mōhio tātou ki ā tātou.

Mā te mahi tahi o ngā whenu, mā te mahi tahi o ngā kairaranga, ka oti tēnei whāriki.

I te otinga me titiro tātou ki ngā mea pai ka puta mai.

Ā tana wā, me titiro hoki ki ngā raranga i makere nā te mea, he kōrero ano kei reira.

nā Kūkupa Tirikatene, ONZM, 1934 - 2018

The tapestry of understanding cannot be woven by one strand alone.

Only by the working together of strands and the working together of weavers will such a tapestry be completed.

With its completion let us look at the good that comes from it.

And, in time we should also look at those stitches which have been dropped, because they also have a message.

## About COMET Auckland

[Te Hononga Akoranga COMET](#) is an independent charitable trust and Auckland Council's CCO focused on education, skills and lifelong learning across Auckland and, increasingly, other parts of the country.

Briefly, our work involves:

Sector leadership – mapping data and evidence, working with sector leaders to identify and prioritise the most pressing areas of focus, and connecting people around that common agenda, to plan collaborative action.

That can then lead to advocacy or changes to partners' business as usual, or sometimes to planning and trialling new ways of working (incubation projects).

These incubation projects generally develop through scoping and planning to trialling, and then implementation and evaluation, with the goal of handing them on once they are fully developed so we can move on to focus on another part of the system.

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## Introduction

Thank you for the opportunity to comment on the Oversight of Oranga Tamariki System and Children and Young People's Commission Bill.

This submission has been assembled based on our own collective knowledge and experience, and our ongoing engagement with our stakeholders, including educators, community leaders, employers, parents and learners of all ages.

## Concerns

While we support the purpose of the bill to strengthen the oversight of Oranga Tamariki, we are concerned about some of the proposed approaches to achieve this goal. Specifically:

- The placement of the Independent Children's Monitor alongside ERO will reduce the independence of the role because all government departments are first and foremost responsible to the current government. ERO's role is also not an ideal fit because their focus is on the formal education system, whereas Oranga Tamariki's focus is on children in families and in care settings. The role of the Children's Monitor needs to be informed by the needs of children and it needs to be independent from government in reality, not just in name, so it can raise issues that affect children, even when those issues arise from current government policy.
- The plan to replace the Commissioner for Children with a board will severely limit the visibility of the Commission and may also reduce the Commission's agility to respond quickly to issues as they arise and to raise concerns as clearly and boldly as is possible for a single commissioner. Recent Commissioners for Children have each provided a powerful voice for children, in much the same way as the Race Relations Commissioner is an important voice and focus for efforts against racism. A board could never have that level of prominence or independence.
- While there is value in the Ombudsman being able to investigate complaints about organisations that contract services to children and young people in the Oranga Tamariki system, the first avenue for such complaints should be to a body that understands the needs of children and young people.

## Recommendations

1. The Independent Children's Monitor should sit in the Office of the Commissioner for Children, not alongside ERO or any other government department.
2. The role of the Commissioner for Children should be retained as a specific role and consideration should be given to a parallel and equal role (rather than an assistant role as at present) with specific responsibility for tamariki and rangatahi Māori.
3. Complaints about organisations that contract services to Oranga Tamariki should go first to the Office of the Commissioner for Children, in order to ensure the needs of children are at the heart of consideration of all such complaints.