

Ombudsman

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He Take Kōhukihuki A Matter of Urgency



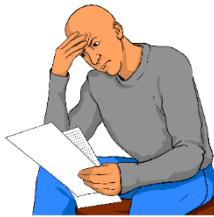
**Part 1: A report looking
into the taking away of
newborn pēpi / babies from
their parents**

From a report printed in August 2020

Before you read this report



This is an Easy Read document about a report written by the Chief Ombudsman.



Some of the things in this document may upset people when they are reading it.



This information is not meant to upset anyone.



This document will give people information about making things better.



If you are worried after reading this document you can talk about it with:

- your family / friends
- your support workers.



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If you are still worried you can also talk to someone at the Office of the Ombudsman.

You can talk to someone at the Office of the Ombudsman by:



Phone: 0800 802 602



Email:

info@ombudsman.parliament.nz

What you will find in here

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Who is the Ombudsman?



The Chief Ombudsman looks into problems with government services.



The **Chief Ombudsman** is Peter Boshier who can:



- do **investigations**
- write reports about what he has found out
- say what needs to be done to make things better.

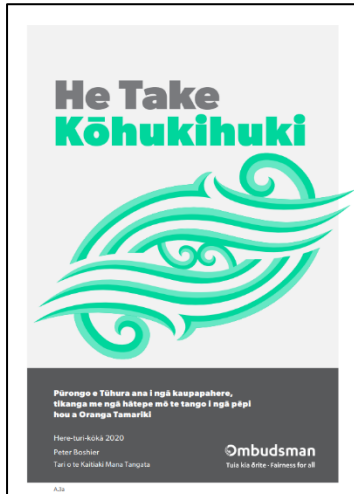


An **investigation** means looking closely at something to find out what has been happening



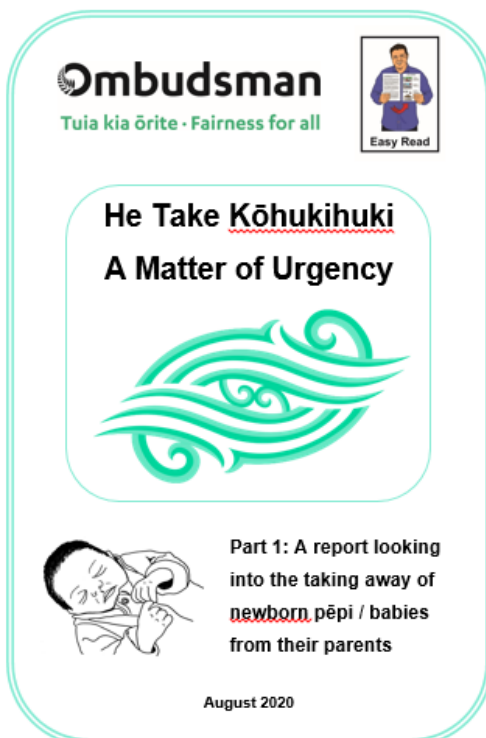
The Chief Ombudsman:

- did an investigation
- wrote a report called **A Matter of Urgency**.



You can find this full report at:

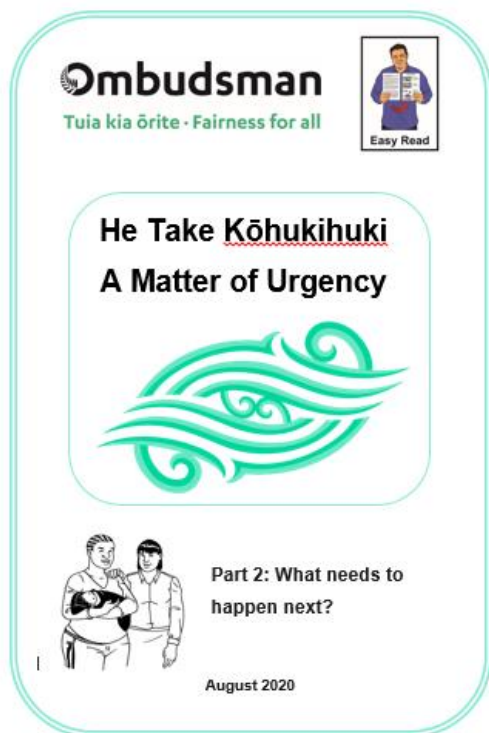
www.ombudsman.parliament.nz/matter-urgency



This is an Easy Read document about some of the things in the report.

This Easy Read document looks at:

- how the investigation was done
- what the investigation found.



There is another Easy Read document called:

A Matter of Urgency – Part 2: What needs to happen next?

You can find it on the Office of Ombudsman **website** at:

www.ombudsman.parliament.nz/matter-urgency



You can also talk to the Office of the Ombudsman to ask them to post you any of the documents to you:

Phone: 0800 802 602



Email:

info@ombudsman.parliament.nz

What this report is about



This report is about what the Chief Ombudsman found when he looked into the taking away of **newborn pēpi** from their parents.



Newborn means a baby that is less than 30 days old.

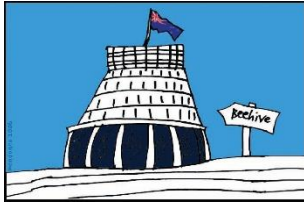


Pēpi is the Māori word for:

- baby
- babies.



Pēpi were taken away by
**Oranga Tamariki – Ministry for
Children.**



**Oranga Tamariki – Ministry for
Children** is the part of the
government that works to make sure
children are looked after safely.



In this document we will call Oranga
Tamariki – Ministry for Children the
Ministry.



In May 2019 there was a story in the
news about something the Ministry
had done that made people upset.



The story was about the Ministry
trying to take a newborn pēpi from
their young mother.



The people who wrote the news story found more stories of newborn pēpi that had been taken from their parents.



The Chief Ombudsman decided to look into how the Ministry worked when they took away newborn pēpi from their parents.



The Chief Ombudsman looked at the times when the Ministry used a law called a **Section 78 Interim Custody Order**.



Section 78 Interim Custody Order is a law that means a pēpi can be taken away from their parents to keep them safe.



Sometimes a **Section 78 Interim Custody Order** means that a baby can stay with their parents but the Ministry is in charge of what happens to them.



In this document we will call the Section 78 Interim Custody Order an **Order**.



These Orders should only be used when:

- something needs to happen quickly to keep pēpi safe
- the Ministry has looked at other ways to keep pēpi safe.



What the investigation looked at



The Chief Ombudsman:

- looked at what was happening over **2 years** from 1 July 2017 to 30 June 2019
- visited 9 of the 50 **care and protection sites** in New Zealand.



Care and protection sites are offices of the Ministry in different parts of New Zealand.



He spoke to the staff at the care and protection sites.

The Chief Ombudsman also talked to other people who:



- are not part of the Ministry
- play a part when pēpi are taken away from their parents.



For example he spoke to people who worked for:



- hospitals
- the police
- social services providers.





As part of the investigation the Chief Ombudsman looked at the files the Ministry had for **74 newborn or unborn pēpi**.



Files are what the Ministry had written down about pēpi.



These were some of the files where Ministry had asked for Orders to keep pēpi safe.

What the investigation found



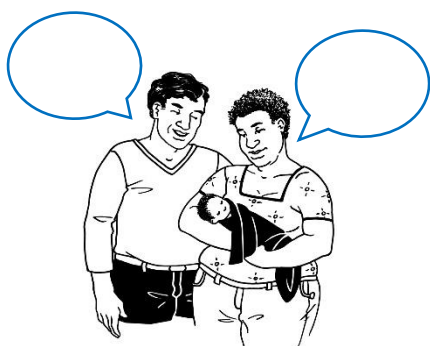
After looking through the files of 74 pēpi the main things the Chief Ombudsman found were that:



- the Ministry did not tell the parents first they were asking for an Order to take away their pēpi
- out of the 74 pēpi there were 54 pēpi taken away from their parents.



Taking newborn pēpi from their parents is a really big thing for the government to do.



It is very important that parents have the chance to have their say.



It is important that parents can have their say as it is both:

- the law
- fair.



If parents are not allowed to have their say there should be a very good reason for it.



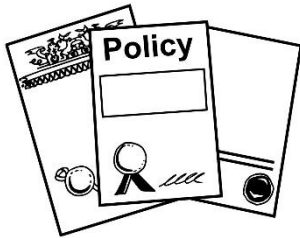
This means that most of the time the Ministry should tell parents before pēpi are taken away.



The investigation found that most of the time the Ministry did not tell the parents first that they were going to take away their pēpi.



The investigation also looked at the **policies and procedures** the Ministry has.

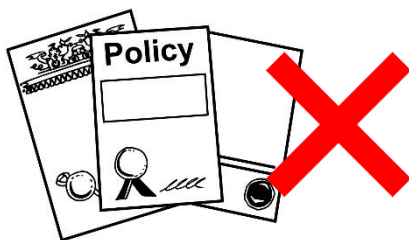


Policies and procedures are documents that say how the Ministry has decided it will do things.

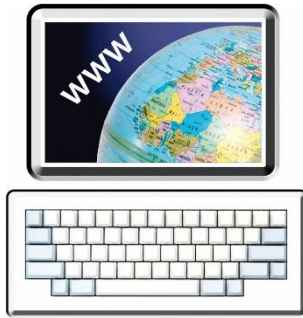


Most of these policies and procedures are good at following what the law says.

The Ministry often did not:

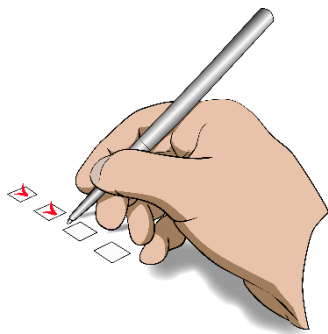


- follow all their policies and procedures
- use other things they had to support them to do a good job.



The Ministry has a website called the **Practice Centre** which tells you about:

- policies
- **guidance.**



Guidance is information on the right way to do things.



The investigation found that the Practice Centre was hard to use.



The Ministry did not have the guidance it needs on:

- asking for Orders where the parents are not told about pēpi being taken away
- how to do things when a parent or parents are disabled
- how pēpi are taken away.





The investigation also found that there did not seem to be a plan:

- agreed on by everyone at the Ministry
- on how to support Māori to take more of a lead in decisions that affect them.



The investigation found having **kairāanga** involved made a big difference.



Kairāanga are people who work on whānau / family connections from a Māori point of view.



There were not enough kairāanga being used in different parts of New Zealand.



Often there was no **family group conferences** or **hui ā-whānau** before pēpi were born.



Family group conferences or **hui ā-whānau** is a meeting with:

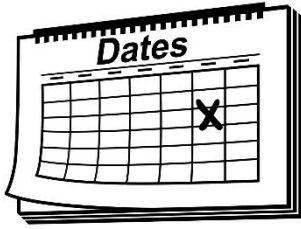
- the Ministry
- and
- whānau / family.



At these meetings everyone works together to come up with a plan to make sure pēpi are:

- safe
- well cared for.





The investigation found that in a lot of cases the decisions about what to do with pēpi were made:

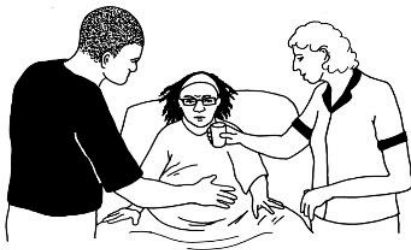


- late
- without whānau being involved.



The Ministry doing things late made things worse for the parents because they:

- did not have time to have their say before their pēpi was taken away
- had to have their say when they had just given birth which was a hard time for them.





Most of the time the Ministry had not talked to parents and whānau in planning how pēpi would be taken away.



The Ministry also did not work together well enough with people who run health services like hospitals.



When things did go well it was: because of good work done by some people working for the Ministry.



The investigation also found that the Ministry did not give enough support to breast feeding parents



When pēpi were taken away the Ministry did not make sure parents and whānau had:

- support people with them
- clear information on what would happen next
- **ngākau maharatanga me te ngākau aroha.**



Ngākau maharatanga me te ngākau aroha is important time together with care and love.

Disabled parents



The investigation found the Ministry did not do things well for disabled parents.



The way the Ministry sees disability:

- is an old way of thinking about disabled people
- looked mostly at the things disabled people cannot do.



The Ministry did not show they understood the rights of disabled people.

The Ministry did not:



- work in a way based on **human rights**
- use the **social model of disability** for parents.



Human rights are rights that everyone should get.



The **social model of disability** says it is the world we live in that makes it hard for disabled people to live the life they want.



There was not enough guidance on how to work with disabled parents.



The guidance did not show that disability rights was important when working with parents who had:

- problems with alcohol or other drugs
- other mental health needs
- **trauma.**



Trauma is when:

- someone has something very bad happen to them
- their brain works differently because of the bad experience.



The Ministry did not do well enough at understanding how **trauma** changes things for people.



Many of the files that the Chief Ombudsman looked at had a parent with learning disability.



Many of the files did not have up to date reports from **specialists** about the learning disability the parents had.



Specialists are people who know a lot about something.

The guidance the Ministry had about working with parents with learning disability did not:



- talk about the laws that say that no pēpi can be taken from their parents just because their parent is disabled



- make it clear that you should not decide how well someone can be a parent just because of their **IQ**.



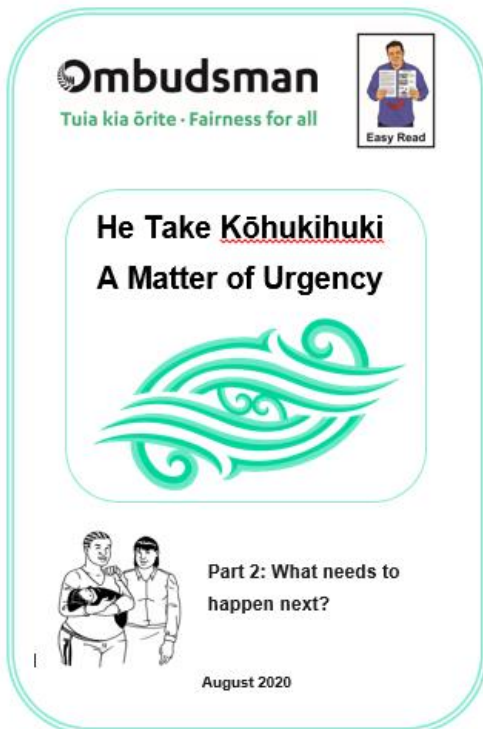
IQ is a way of measuring intelligence.

Intelligence can be about how well a person understands some things.

What happens next?



In his report the Chief Ombudsman also wrote about the things that need to happen to make things better for everyone.



You can read about these things that need to happen in an Easy Read document called:

A Matter of Urgency – Part 2: What needs to happen next?



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A note from the Ombudsman about the image used on the front cover of this document:



“The pattern represents caring and nurturing hands.



The outer koru are the spiritual and natural being of our pēpi.



The inner koru are the connection between our pēpi, their whānau and the wider community."





This information has been translated into Easy Read by the Make It Easy service of People First New Zealand Inc. Ngā Tāngata Tuatahi.



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