



Tikanga Ārahi

Te Tūhuratanga Whakapai Ake i te Pūnahanaha: Oranga Tamariki – te tango pēpi hou

18 Hōngongoi, 2019

Kōrero whakataki

E whakahou ana tēnei tuhinga i ngā tikanga ārahi o te tūhuratanga i kōkirihiā e te Kaitiaki Mana Tangata Matua e pā ana ki a Oranga Tamariki mō te tangohanga o ngā pēpi hou.¹

I tukuna ngā Tikanga Ārahi Tuatahi o te 6 o Pipiri 2019 ki a Oranga Tamariki i te whakamōhiotanga i a rātau mō te tūhuratanga. I te 19 o Pipiri 2019 i whakaputaina he tuhinga tāpiri i te taha o te tauākī pāpāho e whakapuaki ana i te tūhuratanga.

E whakahāngai ana tenei Tikanga Ārahi kua whakahoutia i te kaupapa me te whānui o te tūhuratanga.

Kaupapa o te tūhuratanga

Ko te kaupapa o tēnei tūhuratanga ko te tautuhi i ngā wāhi kei reira ngā raruraru pūnahanaha e pā ana ki ngā kaupapahere onāiane, ngā tikanga me ngā tukanga a Oranga Tamariki e pā ana ki te tangohanga o ngā pēpi hou. Ko ngā pēpi hou ko ia tērā ko ngā pēpi mai i te 0-30 rā te pakeke.

Ka tautuhi te tūhuratanga i ngā wāhi kei te pai te mahi me te tuku whakaaro mō ngā āhuatanga hei whakapai ake mēnā ka kitea he wāhi kei te ngoikore.²

¹ E whakahaerehia ana te tūhuratanga i raro i ngā mahi a te Kaitiaki Mana Tangata e ai ki te wāhanga 13(1) me te 13(3) o te Ture Kaitiaki Mana Tangata 1975 (OA).

² Ka taea anake te tuku tūtohutanga ōkawa i raro i te Ture Mana Kaitiaki Mana Tangata mēnā ka puta te whakaaro o te Kaitiaki Mana Tangata kāore i tika, i hē rānei tētahi whakatau, tūtohutanga, mahi, he whakarereanga rānei a Oranga Tamariki i raro i te wāhanga 22 o te Ture.

Aronga/whānui o te tūhuratanga

E rua ngā āhuatanga tauwhāiti o te tukanga a Oranga Tamariki ka āta tiro tirohia:³

1. te tikanga whakatau a Oranga Tamariki mō ngā tono ki te Kōti i raro i ngā whakatau pupuri tamariki rangitahi o te wāhanga 78 (te kore pānui) mō ngā pēpi hou me ērā kāore anō kia whānau mai; me te
2. te tango a Oranga Tamariki i ngā pēpi hou, whai muri i te tuku a te Kōti i ngā whakatau pupuri tamariki rangitahi o te wāhanga 78 (te kore pānui).

Ka āta tiro tirohia e te tūhuratanga te whakamahinga o ngā kaupapahere me ngā hātepe a Oranga Tamariki i ngā wāhi ka tīpakohia (e mōhiotia ana ko 'ngā wāhi'). Kāore e uru ngā mātai take ki roto i tēnei, engari he tūhuratanga kē e pēhea ana te whakamahi a ngā kaimahi a Oranga Tamariki i ngā kaupapahere me ngā hātepe. Ka whiriwhiri anō i ngā whakawhitiwhitinga i waenga i a Oranga Tamariki me ētahi atu rōpū e mahi ana i roto i te rāngai (tae atu ki ngā Pirihimana, poari hauora ā-rohe, iwi, kōti hoki). Ka whakahaerehia tētahi tātāritanga whakataurite mēnā he rerekē rānei ngā tikanga mahi puta noa i ngā wāhi/rohe o Oranga Tamariki.

Ka whai whakaaro te tūhuratanga ki ngā here mataaho o Oranga Tamariki kia āhukahukatia, ā, me te whaitake o te noho pūmau ki ngā mātāpono o te Tiriti o Waitangi, te Kawenata a te Kotahitanga o ngā Whenua o te Ao mō ngā Motika o te Tamaiti, te Kawenata ā-Ao mō ngā Motika Ōhanga, Pāpori me te Ahurea, me te Kawenata a te Kotahitanga o ngā Whenua o te Ao mō ngā Motika o te Hunga Hauā.

Tukanga tūhuratanga

Ka mahi te Kaiwhakahaere o te Tūhuratanga Whakapai Ake i te Pūnahanaha me tētahi rōpū Kaitūhura me ngā Kaitohutohu ki te āwhina i Te Kaitiaki Mana Tangata Matua ki te whakahaere i te tūhuratanga. Ka takawaenga te rōpū tūhura me ngā āpiha i tohua e Oranga Tamariki i roto i te roanga o te tūhuratanga. Ka kohia ngā mōhiotio mā te tukanga i tuhia i raro.

Kohikohi mōhiotio

Kōrero ahuwhānui

Ka kohia ngā mōhiotio mō te tūhuratanga mā te rangahau, te arotake i ngā tuhinga hāngai a Oranga Tamariki, ngā hui, uiui hoki/rānei me ngā kaimahi hira, me te kōrerorero tahi me ētahi atu rōpū hāngai.

Kei raro ngā tono mōhiotio i ngā whakaritenga matatapu me te muna i roto i te Ture Kaitiaki Mana Tangata. I raro i te wāhanga (18)2 o te Ture, me mātua tūmataiti te whakahaere i ia

³ E mahi ana a Oranga Tamariki i raro i te pou tarāwaho ā-ture a te Ture Oranga Tamariki 1989; e kōrero ana te wāhanga 78 mō te whakaritenga i raro i taua Ture.

tūhuratanga a te Kaitiaki Mana Tangata. I raro i te 21(2) o te Ture, me mātua tiaki tētahi Kaitiaki Mana Tangata, ngā kaimahi hoki, i te muna, ka mutu:

... ka whāki anake i aua take e ai ki te whakaaro o te Kaitiaki Mana Tangata me whāki mō te kaupapa o tētahi tūhuratanga, kia taea ai rānei e te Kaitiaki Mana Tangata te tuku whakatau me ngā tūtohutanga.

I raro i te wāhanga 19 o te Ture, ka āhei te Kaitiaki Mana Tangata ki te whakahau i te tangata ki te tuku mōhiohio e pā ana ki tētahi take e tūhuratia ana. E whakamana ana tēnei i te Kaitiaki Mana Tangata ki te kohikohi whakaaturanga, mai i a Oranga Tamariki me ētahi atu, ā, ka taea hoki te uiui.

Whakaritenga a hui

Ka whakaritea he hui tuatahi me Oranga Tamariki i muri tonu mai i te tuku whakamōhiohio mō te tūhuratanga ki te kōrerorero mō ngā Tikanga Ārahi. Ka rapu anō te rōpū tūhuratanga i tētahi whakarāpopototanga o ngā mōhiohio e puritia ana e Oranga Tamariki e pā ana ki ngā take e tūhuratia ana. I muri tonu mai i te hui tuatahi, ka tukuna he tono mō ngā mōhiohio hāngai e puritia ana e Oranga Tamariki. Ka whakaritea ētahi hui anō i muri i te tuku a Oranga Tamariki i ngā mōhiohio i tonoa, ka mutu i tātaritia e te rōpū tūhuratanga.

Uiui

Ka whakarite pea te rōpū tūhuratanga ki te uiui i ētahi kaimahi ake a Oranga Tamariki, kia wawe ai te whiwhi i ngā mōhiohio hāngai rawaka mō ngā take e tūhuratia ana. Ka hopukina mamatihia (ororongō) ēnei uiui. Ka whakamōhiohia atu a Oranga Tamariki ko ēhea ngā kaimahi ka uiuitia. Ka whakapā atu te rōpū tūhura ki te hunga ka uiuitia ki te whakarite i ngā uiui. Ka tukuna atu ngā mōhiohio ki ngā kaimahi a Oranga Tamariki ka tohua mō te tukanga uiui, te pou tarāwaho ā-ture me te kaupapa o te uiui. Ko te whakaaro kei te takiwā o te 1 ki te 2 haora te roa o ngā uiui. Ā, ko ngā mōhiohio ka kohia i roto i ngā uiui kei raro i ngā whakaritenga muna o te wāhanga 21 o te Ture Kaitiaki Mana Tangata, ka mutu kāore e whakaatuna engari ia me ū ki taua wāhanga.

Mōhiohio a rōpū kē

Ka kohia anō e te rōpū tūhura ngā mōhiohio hāngai mai i ētahi atu e pā ana ki ngā take e tūhuratia ana, kia mārama ake ai ki te horopaki o ngā mōhiohio ka tukuna e Oranga Tamariki. Kia tino mārama ai, ko Oranga Tamariki anake te tari e tūhuratia ana e te Kaitiaki Mana Tangata. Engari, ka whakamōhiohia atu ētahi atu rōpū mō te tūhuratanga.

Tuku pūrongo

Pūrongo hukihuki

Ka whakarārangi te pūrongo hukihuki i te whakaaro tuatahi o te Kaitiaki Mana Tangata, tae atu ki ngā whakaaturanga i whirinaki atu ia me ngā tātaritanga i oti kia puta ai ōna whakaaro. Ina hāngai ana, ka tautuhi te pūrongo hukihuki i ngā whakaaro, tūtohutanga hoki/rānei ka puta

pea hei whakapai ake i ngā kaupapahere, hātepe me ngā tikanga a Oranga Tamariki. Ka tukuna te hukihuki ki te Tumuaki o Oranga Tamariki mō ōna whakaaro. Ka rapu anō pea te Kaitiaki Mana Tangata i ngā whakaaro mai i ētahi atu e kōrerohia ana i roto i te pūrongo. Ka whai wāhi ētahi atu rōpū ki te tuku whakaaro mēnā ka kitea ka pā kinotia rātau, kāore i te pai rānei ngā kōrero mō rātau, ka tuku whakaaro, tūtohutanga rānei te Kaitiaki Mana Tangata mō rātau.⁴

Pūrongo whakamutunga

Ka whiriwhiritia ngā kōrero ka whiwhi mō te pūrongo hukihuki kia menemanatia, kia whakaurua rānei ki te pūrongo whakamutunga. Ka tukuna e te Kaitiaki Mana Tangata te pūrongo whakamutunga ki te Tumuaki o Oranga Tamariki, ā, mēnā he tūtohutanga kei roto, me tuku he tārua ki te (ngā) minita hāngai. Ka whakaputaina te pūrongo whakamutunga ki te paetukutuku a te Kaitiaki Mana Tangata, ā, ka tāpaetia ki rō Pāremata.

I muri i te tūhuratanga

Whai muri i te otinga o te tūhuratanga, ka tiro tirohia haeretia ngā mahi a Oranga Tamariki e pā ana ki ngā whakaaro, ngā tūtohutanga a te Kaitiaki Mana Tangata. Ka whakahaerehia anō e te Kaitiaki Mana Tangata tētahi mahi arotake i raro i te kaupapa Whakapai Haere i ngā Tikanga Mahi. Ka rapu te Kaitiaki Mana Tangata i ngā whakaaro o ngā kaiwhakahaere matua o Oranga Tamariki mō ō rātau wheako mō tēnei tūhuratanga whakapai ake i te pūnahanaha, tōna wāriu, hāngai hoki ki te whakapai ake i ngā tikanga mahi, ā, me pēhea te whakapai ake i ngā tūhuratanga o muri mai ina pā ki ētahi atu rāngai.

⁴ Ngā wāhanga 18(3) me te 22(7) o te Ture Kaitiaki Mana Tangata 1975.