



"We should swim in an ocean of happiness not tears" Anonymous, Photovoice, OCC

Moving from Child Poverty to Child Well-being

SUBMISSION FROM THE OFFICE OF THE CHILDREN'S COMMISSIONER
ON THE CHILD POVERTY REDUCTION BILL

4 APRIL 2018



MANAAKITIA A TĀTOU TAMARIKI

**Children's
Commissioner**

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“Maybe New Zealanders need to have more empathy and compassion.”

(Young person, Our Views Matter. OCC)

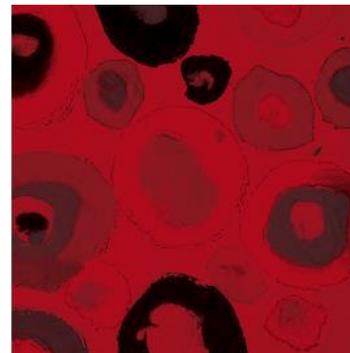
Throughout this submission we have included quotes from children and young people about their experiences and views that relate to child poverty and wellbeing. All these quotes note the source, and all of these publications are on the Office of the Children’s Commissioner web site.

Introductory comments from the Children's Commissioner

- 1 The *Child Poverty Reduction Bill* (the Bill) is a significant piece of legislation with the potential to transform the lives and well-being of our children.
- 2 As Children's Commissioner, it is my view that child poverty is one of the most significant barriers for a large number of children in Aotearoa New Zealand not achieving their potential. Poverty increases the risk virtually every poor outcome for children now and throughout their lives. Focusing on reducing poverty should lead to taking effective action to improve the lives of children and their families across a range of indicators, and move us toward a fairer, more productive country.
- 3 The Office of the Children's Commissioner (the OCC) is extremely supportive of this legislation on child poverty reduction and the child well-being strategy.
- 4 The introduction of the Child Poverty Reduction Bill follows long years of dedicated work from many organisations and individuals, who have been advocates for children, their families and whānau. We have come a very long way in the last 10 years especially, moving from a lack of public awareness of child poverty in New Zealand, to the introduction of legislation to actively reduce it. This represents a significant commitment improve the well-being for all children in Aotearoa New Zealand. It is vital that this legislation passes into law.
- 5 While we support the Bill, we believe there are some improvements to be made to the legislation. These will to ensure all children benefit from both the child poverty reduction targets and the well-being strategy. We identify these improvements in this submission.
- 6 We also take the opportunity to discuss the OCC's ideas for the development of the child well-being strategy. It is our view this strategy must place the needs and well-being of children, their family and whānau at the centre of actions and decisions. It must also reflect the importance of local community engagement in the strategy and solutions. We draw particular attention to focussing on the needs of tamariki Māori. This strategy has the potential to truly deliver on our promises to indigenous children.

OUR APPROACH TO THIS SUBMISSION

- 7 The content of this submission is presented in two main sections:
 - > Section 1 relates to the child poverty measures, targets and reports, and
 - > Section 2 relates to the well-being strategy (and all associated changes to the Vulnerable Children's Act 2014).
- 8 Each of these main sections will include (1) discussion of our views on the intention generally, (2) specific areas for the Bill could be strengthened or enhanced, and (3) any areas we believe were not included in the Bill that warrant consideration.



The Children's Commissioner represents the **1.1 million people** in Aotearoa New Zealand under the age of 18, who make up 24 percent of the total population.

The Commissioner has the statutory role to advocate for their interests, ensure their rights are upheld, and help them have a say on issues that affect them.

The UN Convention defines 'children' as everyone under the age of 18. When we talk about 'children', we include this whole group.

When talking about children and young people who are Māori we use the terms tamariki and rangatahi Māori.

SUMMARY OF OUR RECOMMENDATIONS

Section 1: Child poverty measures, targets and reports

Rec 1: The Bill includes a definition of child poverty, such as:

Children living in poverty are those who experience deprivation of the material resources and income that is required for them to develop and thrive, leaving such children unable to enjoy their rights, achieve their full potential and participate as equal members of New Zealand society.

Rec 2: The Bill includes regular qualitative research with New Zealanders to assist the Statistician in setting and confirming relative income poverty lines. Children's experiences should be captured in the process.

Rec 3: The Bill includes a primary measure of either 60% relative median after housing costs, or, 50% relative median after housing costs.

Rec 4: The Bill includes specific definitions and measures for material hardship and severe material hardship, and that these measures can be used to make international comparisons.

Rec 5: The Bill specifies that child poverty and hardship data collection be designed to ensure analysis and reporting of poverty rates for Māori specifically.

Rec 6: The Bill specifies that child poverty and hardship data collection be designed to ensure analysis and reporting of poverty rates for key groups of children more likely to experience poverty. The groups should be specified (e.g. children of sole parents, children with a disability, Pacific children).

Rec 7: The Bill specifies that child poverty and hardship data collection be designed to ensure inclusion of all children, regardless of living circumstances.

Rec 8: The Government develops a longitudinal measure of children's relative wealth, and wealth inequality.

Rec 9: The Bill specifies that all supplementary measures include a 10-year target to achieve a significant downward trend in poverty rates.

Rec 10: The Bill specifies a target to reduce the difference in poverty and deprivation rates between Maori and non-Māori children to zero.

Rec 11: The Bill specifies that a target is set to both reduce overall child poverty and reduce the difference in poverty and deprivation rates between groups of children most at risk of experiencing poverty and those least at risk.

Section 2: Child Well-being Strategy

- Rec 12:** The Bill includes reporting on poverty rates for different population groups, including but not limited to, tamariki and rangatahi Māori, Pacific children, children in care, and children with disabilities.
- Rec 13:** The Bill includes provision for an independent statistical advisory group, to assist the Statistician with defining concepts and terms, and the data and statistical methodology. The Statistician must consult with this group.
- Rec 14:** The Children Commissioner Act 2003 should be included in Section 5 acknowledging the Children's Commissioner as a children's agency.
- Rec 15:** The Bill specifies that a definition of child well-being be included in the first strategy and that the definition is co-designed with tangata whenua and children and young people.
- Rec 16:** Section 6 (1) (b) in The Children's Amendment Bill makes explicit reference to the well-being of the following groups of children the systems are not well serving: tamariki Māori, Pacific children, children with disabilities, children from minority and refugee communities, and children of diverse sexual orientation, gender identity and sex characteristics (SOGISC)
- Rec 17:** The Bill specifies that the well-being strategy adheres to the general principles of the Children's Convention.
- Rec 18:** The Children's Commissioner should be included in Section 6A (1) as an organisation to be formally consulted on the adoption or change of the child well-being strategy.
- Rec 19:** Rename the Government Strategy, New Zealand's Strategy for Child Well-being throughout the Bill.
- Rec 20:** The legislation contains a definition of the term 'socio economic disadvantage' and identifies clearly a New Zealand specific measure.
- Rec 21:** The legislation specifies the use of the Child Impact Assessment Tool to assess the impacts of government policy on child well-being.
- Rec 22:** The legislation make very clear that the Oranga Tamariki Action Plan forms part of the well-being strategy and that the action plan is the content required for the well-being strategy as it relates to improving the well-being of core populations of interest Section (6) (1) (d).
- Rec 23:** The child well-being strategy is grounded in values and principles that recognise the child within a wider eco-system system, the social complexity of well-being, and the importance of self-determination.
- Rec 24:** The child well-being strategy centres on a Māori model of well-being and incorporates a child rights framework to ensure subsequent policy is focussed on improving the wider systems that impact child well-being (e.g. whānau, cultural identity, inclusion).
- Rec 25:** The use of the integrated data infrastructure for identifying and monitoring children by government agencies is overseen by an independently appointed IDI ethics advisory board, it should include children and tangata whenua.

Section 1: Child Poverty Measures, Targets and Reports (Part 2 of the Bill)

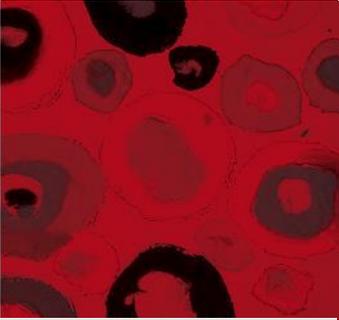
1.1 Benefits of the focus on child poverty reduction

In this section we discuss some of the important context for developing measures and setting formal targets to reduce child poverty, including defining child poverty and why poverty matters to child well-being.

How you define child poverty matters

- 10 All measures of child poverty attempt to answer questions like:
 - > How are children doing?
 - > Are they getting their needs met?
 - > Are things improving or getting worse?
- 11 At a very basic level child poverty may be taken to be children living in families with low income. This narrow view does not reflect the realities that many families with incomes above certain thresholds may struggle to meet the needs of their children due to a range of circumstances, or that some families on a low income have access to other resources and support that means they can adequately meet their children's needs. It also does not acknowledge the impact of children not having their basic needs met.
- 12 The Expert Advisory Group (EAG) for the OCC has defined child poverty as:

*"Children living in poverty are those who experience deprivation of the material resources and income that is required for them to develop and thrive, leaving such children unable to enjoy their rights, achieve their full potential and participate as equal members of New Zealand society."*¹
- 13 This full definition of child poverty covers the income and material deprivations a child in poverty experiences and the consequences to their ability to thrive, along with the impact on their rights and inclusion in society.
- 14 The EAG definition outlines both what is missing that should be present, and also what we must aspire to for children: realising their potential and their equal inclusion in society. These are important and quite different outcomes that must be achieved with child poverty policies.
- 15 "Child poverty" is often short hand for children who live in families or care settings, where resources are insufficient to allow them to thrive. The term is sometimes contentious and often value-laden. Addressing child poverty requires that we address the lack of resources



When we talk about a child-centred approach, we are considering the rights, interests and well-being of the child within the context of their family, whānau, hapu and iwi.

We also recognise the wide circle of other adults that support children to develop and thrive, including teachers, coaches, community workers, health workers, and many others.

¹ Office of the Children's Commissioner (2012) Solutions to Child Poverty in New Zealand: Evidence for Action

for many families and care-givers (including those funded by governments). But it goes much wider than just a child's carers because a true child-centred approach recognises that children exist within a complex social-cultural and economic ecosystem, and poverty, in the EAG's definition of the term, results from many decisions and interactions at differing levels.

Addressing child poverty to achieve well-being

- 16 A large body of international and local evidence has proven that a key foundation stone of well-being for children, their families and communities, is economic well-being and most notably freedom from financial stress.
- 17 Children growing up in poor families and other care settings, lack the material resources to buy or do things. The exact nature of the lack of resources differs between different children and families. Children may go without nutritious food, appropriate clothing, or heating in their home. They may live in crowded homes or have limited access to transport and enriching activities outside of school. They may not be able to access health care when they need it. These deficits have a direct and measurable impact on children's health and well-being.
- 18 Scientists also confirm, however, that the direct impacts on well-being from insufficient resources are not as significant as the indirect impacts resulting from poverty related stress. Children who grow up in settings with insufficient resources experience significantly more stress than their peers and it can be very toxic.
- 19 Children are impacted by the stress their families, whānau and caregivers experience as they work to cope with living and parenting with limited resources. Financial and other stress means adults have reduced capability for developing strong connections with children and undertaking the key tasks involved in laying children's cognitive foundations and the ground work for their psychological and mental well-being. "Family stress" is a crucial concept to understand when discussing child poverty and child and family well-being.²
- 20 Children also experience direct stress from growing up with insufficient resources. Termed "toxic stress", researchers have found that there are impacts on children's immune and biological symptoms that result from the stress they feel when they are living without enough. It is also more likely that they are living in harmful physical environments, including those with dangerous levels of lead, mould, and traffic pollution. Toxic stress impacts can remain with children into their adulthood influencing their health and well-being outcomes^{3 4 5}.



We recently heard from two brothers who explained they **"...need(ed) to get a good education so (they) could get good jobs to get rid of mum's stress"**
(Tamariki, Mai World Tama Te Ra Ariki engagement. OCC)

² Cooper K, Stewart K. Does money affect children's outcomes? A systematic review. London: London School of Economics and Political Science; 2013.

³ Noble KG, Houston SM, Brito NH, Bartsch H, Kan E, Kuperman JM, et al. Family income, parental education and brain structure in children and adolescents. *Nat Neurosci*. 2015 May;18(5):773–8.

⁴ Galobardes B, Lynch JW, Davey Smith G. Childhood socioeconomic circumstances and cause-specific mortality in adulthood: systematic review and interpretation. *Epidemiol Rev*. 2004;26(1):7–21.

⁵ Poulton R, Caspi A, Milne BJ, Thomson WM, Taylor A, Sears MR, et al. Association between children's experience of socioeconomic disadvantage and adult health: a life-course study. *Lancet*. 2002;360(9346):1640–5.

Intergenerational transmission of advantage and disadvantage

- 21 The stress impacts for children living in poverty accumulate across generations like a debt. As children who grew up poor become parents they often come to the role with fewer material *and* non-material resources. These adults tend to have fewer physical, psychological, cognitive and social resources than their peers who grew up better off. The result can be a transfer of this 'debt' onto the next generation.
- 22 As wealth builds more wealth, so skill compounds skill. Children who grow up with sufficient resources are able to take best advantage of further opportunities that they are offered, due to the educational, psychological, social and material benefits they and their parents have accumulated. What occurs in one generation impacts the skill and opportunities in the next.
- 23 The erosion of resource across generations can lead to behaviours that look on the surface to be the cause of poverty. In reality, what we are observing are the symptoms of multiple deprivations experienced by children and carried into their adulthood.
- 24 For tamariki Māori and whānau, the burden of poverty, stress and reduced quality of life is disproportionate, as cultural, economic, social, and psychological, resources have been eroded, often as the result of actions taken (or not taken) by successive governments. For many of the same reasons, Pacific children fare little better. We have an opportunity to change this.

"Give my parents money because they are always sad and angry about money"

(Tamariki, Mai World Tama Te Ra Arika engagement. OCC)

This is our chance to make transformational change

- 25 It is imperative that the Bill consistent is with Te Tiriti o Waitangi and respect tamariki Māori as tangata whenua.
- 26 The Child Poverty Bill is an opportunity to recognise the importance not just to this generation of children, but to all subsequent generations of children, of ensuring no child grows up with insufficient resources and burdened by the stress that comes with that. Ensuring there are sufficient resources in all families raising children will lay the foundation for rebuilding well-being in all families over the long term.
- 27 The Child Poverty Bill, in setting child poverty measures and targets to reduce child poverty, provides an opportunity to fulfil the rights of all New Zealand children as outlined in the United National Rights Convention of the Rights of the Child (the Children's Convention). The Convention offers a framework that includes children's rights to protection, provision and participation – all of which are fundamental prerequisites to the achievement of child well-being.
- 28 The Child Poverty Bill aligns with a range of rights included in the Children's Convention. As an example, Article 27 states the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
- 29 The Child Poverty Reduction Bill demonstrates a commitment to addressing the urgent recommendation made by the UN Committee on the Rights of the Child in 2016 to adopt measures to address child poverty.

"No money, poor housing, can cause unhappy families"

(Young person, Our Views Matter. OCC)

30 The Bill honours obligations of economic and social rights, under the International Convention of Human Rights Article 22:

“Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.”

31 The purpose of the Bill (Part 1 and 2) stated in Clause 3 to “Encourage a focus by government and society on child poverty reduction, to facilitate political accountability against published targets, and require transparent reporting on levels of child poverty” is supported by this office.

“Everyone is equal. We have the same potential as everyone else.

Don’t put barriers in front of us and don’t leave us in the ditch. Help and support us, our families and communities.

How can they [the Government] expect us to look after this place, New Zealand, in the future if they are looking down on us now.”

(Young person, Our Views Matter. OCC)

1.2 Our view of proposals and some suggested enhancements

In this section we comment specifically on the content of the Child Poverty Bill, note the measures that have been chosen, and highlight where we think clarity is required. We discuss the targets, and the reporting. We draw particular attention to the need to measure, target and report on child poverty not simply using high level analysis, but to disaggregate the data to ensure we see what is occurring for different ethnic, age, ability, and family groups. Such data is critical for knowing where and how much rebalancing between children needs to occur and is especially important for tamariki Māori and Te Tiriti o Waitangi relationships.

Definition of child poverty

- 32 We note there is no formal definition of poverty included in the Child Poverty Bill, we recommend that the EAG definition would be appropriate for use in the legislation as it covers both a lack of income and material resources and the impacts of the lack of those resources on children's lives.

Rec 1: The Bill includes a definition of child poverty, such as:

Children living in poverty are those who experience deprivation of the material resources and income that is required for them to develop and thrive, leaving such children unable to enjoy their rights, achieve their full potential and participate as equal members of New Zealand society.

Measures

- 33 The aim of any child poverty measurement is to capture the rates that childhood poverty is occurring in New Zealand society and measure the trends in those rates. Choosing which of the many measures that will best suit is a difficult exercise. The Bill includes a wide range of measures including many that are recognised as critical both internationally and within New Zealand.
- 34 The Bill specifies a suite of child poverty measures, four primary and six supplementary measures, to help achieve the stated purpose of the Bill. Using a suite of measures is not in our view controversial, it is a strong and appropriate approach to formally measuring the material resourcing aspects of child poverty. We support the mix of both income, material deprivation, persistence and severity measures that have been proposed.
- 35 We are supportive of this approach, as it is consistent with the approach we have taken over the past five years in the *Child Poverty Monitor*. Overall, the mix of primary and secondary measures reflect those measures included in the *Child Poverty Monitor*, with some minor difference in which measures have been selected as primary measures.

"Money affects what children can do at school, their education and their ability to participate in sports."

(Young person, Our Views Matter. OCC)

Some detailed comment on measures

- 36 Income poverty measures contained in the Bill have three different aspects to consider:
- > **40%, 50% and 60% of median income**, setting levels of hardship we are measuring. The lower the threshold, the worse off are families below it compared to those at the median.
 - > **Relative income measures** (using the same financial year as a reference median income) or **fixed-line income measures** (using a selected financial years as the reference median income). The fixed-line measure gives more accurate reading of how the incomes of poor households have risen or fallen in real terms year to year, but over time, does not capture the difference in the wider economy with changing median incomes. The relative measure can result in ambiguous year to year variation caused by economic blips impacting the median, but over the long term (5+ year) gives a better picture of trends.
 - > **Before housing costs or after housing cost measures**. Because housing costs are such a significant part of living expenses, these give a better picture of the resources families have to live on. Very few countries collect housing costs data as well as NZ, so while a better measure, it is not often used internationally.
- 37 Countries vary in their usage of the 40%, 50% and 60% of median income poverty line. A 60% of median income measure sets the poverty line at a relatively higher income level, while a 50% and 40% of median income measure sets the poverty line at a lower income level (i.e. are more stringent about incomes defined as insufficient and are seen to measure more severe poverty). Previously, qualitative research in New Zealand (with groups of low and middle-income people) has been undertaken to help identify a meaningful income poverty line. That line was identified at an income of around 60% of median income.⁶ To inform poverty measurement and manage some of the on-going public questions about the meaningfulness of relative income poverty lines, research of this nature should be undertaken regularly to inform the poverty measurement process undertaken by the Statistician.

Rec 2: The Bill includes regular qualitative research with New Zealanders to assist the Statistician in setting and confirming relative income poverty lines. Children's experiences should be captured in the process.

- 38 While the income measures in the Bill cover all these aspects of income poverty we would expect, it is not clear that the selection of each as primary or secondary has a strong rationale. The *Child Poverty Monitor*, on advice of independent experts, has been using as a headline measure "60% relative median, after housing costs, income measure" for over five years. This measure is both a relative measure and after housing costs measure, giving a clear picture of how low income families are experiencing poverty over time. The *Child Poverty Monitor Technical Report* contains all the other measures for comparison; and puts them in appropriate context of what they tell us. We are concerned that the primary measures selected will not provide the same clarity or context.

"Not having enough money could be a barrier on the type of house you have. Bad housing could mean bad health."

(Young person, Our Views Matter. OCC)

⁶ Waldegrave, C. and Stuart, S. 'Participation in poverty research: drawing on the knowledge of low-income householders to establish an appropriate measure for monitoring social policy impacts'. *Soc Policy J New Zeal.* 1996;7:191–206.

39 We support the use of both before and after housing costs measurements in the primary income measures. In New Zealand, housing costs are high in comparison with other countries. The cost of housing to families on low incomes is significantly higher (as a proportion of income) than all other income groups.

40 We would like to see the primary measure that is both a relative measure and after housing costs measure.

Rec 3: The Bill includes a primary measure of either 60% relative median after housing costs, or, 50% relative median after housing costs.

41 We support the use of a measure of material hardship in the Bill Section part 2, Section 12 and severe hardship, Section 19. We note, however, that a definition for these two levels of material hardship has not been provided in the Bill.

42 We recommend that, as with the specific definitions given for income poverty, definitions are also provided for material hardship. We would encourage the selection of a material hardship measure and definition that makes it possible to draw international comparisons, assisting in reporting on our achievement of the Sustainable Development Goals and the Children's Convention.

Rec 4: The Bill includes specific definitions and measures for material hardship and severe material hardship, and that these measures can be used to make international comparisons.

43 We support the inclusion of a measure of persistence poverty (Clause 13). It is important to track the pattern of poverty from birth and throughout childhood. Experiencing poverty in certain periods of childhood has longer lasting effects than others. Long term or entrenched poverty may also be worse. Keeping children out of poverty across their childhood is an important goal. A persistence measure will help assist with that goal.

44 International data, and data from earlier longitudinal surveys of income and wealth in New Zealand, have shown us that families and children move in and out of poverty. Tracking income volatility, using a poverty persistence measure, will add important information to poverty policy analysis.

"Children who don't have much money don't have as many opportunities as more privileged kids."

(Young person, Our Views Matter. OCC)

Breaking down measures for different groups of children

45 The single largest group of children who experience poverty are Pākehā children with two parents, but the rates of poverty for different groups show that the likelihood of poverty is greater amongst some groups. For example, tamariki Māori, children of sole parents, Pacific children, and, children with parents who have a disability or who have a disability themselves, are more likely to experience poverty and for longer periods of time. This unequal burden of poverty can be masked by measures that do not explicitly seek to capture differences between groups of children.

46 We recommend the measurement of poverty rates for Māori and non-Māori. Specifying the measurement requirement will guide the design of the base survey.

Rec 5: The Bill specifies that child poverty and hardship data collection be designed to ensure analysis and reporting of poverty rates for Māori specifically.

- 47 We recommend the Bill includes a requirement to measure the rates of poverty between other key groups of children in New Zealand, especially those more vulnerable to living in poverty (to show a commitment to reducing inequity between children). Consideration will need to be given to the methodology, including the sampling of the Household Economic Survey, to allow for meaningful analysis between smaller groups of children. Further investment in the Household Economic Survey will be necessary.

Rec 6: The Bill specifies that child poverty and hardship data collection be designed to ensure analysis and reporting of poverty rates for key groups of children more likely to experience poverty. The groups should be specified (e.g. children of sole parents, children with a disability, Pacific children).

- 48 We recommend the Bill includes a requirement to ensure the poverty data captures and reports on families and children in all living circumstances, most notably those who are homeless, or who may be difficult to locate.

Rec 7: The Bill specifies that child poverty and hardship data collection be designed to ensure inclusion of all children, regardless of living circumstances.

Other possible measures

- 49 We note that the measure of poverty persistence has yet to be designed and is not planned to be in place till 2025. We recommend the Government to take the opportunity to design a longitudinal data collection system that will also measure children's wealth and debt.
- 50 As the pattern of economic activity changes over time, income has become an insufficient measure of the economic resources available to households. Increases in income inequality in New Zealand, which occurred in late 1980's and early 1990's, have cemented. However, there are indications that wealth inequality is continuing to grow. More wealth is now concentrated in fewer households, while the number of households in debt or with no wealth has also grown⁷.
- 51 For families in negative equity or with no assets, income may be an inaccurate measure of poverty, while for families with a large number of assets and no declared income the same is true. While a cross sectional material deprivation measure (as is proposed) is an important non-income measure does not help us understand the experiences of children in the same way a measure of wealth could.

Rec 8: The Government develops a longitudinal measure of children's relative wealth, and wealth inequality.

Targets

- 52 The Bill states that both long and short-term targets are to be set for reducing child poverty. We support the requirement to make immediate reductions in rates of child poverty, while also focussing on longer term reductions. The Bill specifies the time frame for targets but

⁷ Statistics New Zealand. Family net worth. Wellington: Statistics New Zealand; 2008.

not the targets themselves. We support this approach as baseline poverty data must be reliable and valid before setting targets to reduce from that baseline.

- 53 We note that the New Zealand Government has already committed to the Sustainable Development Goal of halving poverty by 2030.
- 54 We note that the six supplementary measures in the Bill do not have targets attached to them. We would highlight the risk that measures without targets are seen as less important in policy making. We recommend targets to be associated with these supplementary measures also. We suggest that targeting “a downward trend” over a 10-year time frame, as opposed to a specific number may be appropriate to avoid problems that can be associated with tight specific targets.

Rec 9: The Bill specifies that all supplementary measures include a 10-year target to achieve a significant downward trend in poverty rates.

“I’m always hungry. It’s shame as to say you don’t have kai so I just act full. The kids can [free lunch] would be good but you have to sign up and everybody knows.

So nah.”

(Young person, Education Matters To Me, OCC)

- 55 We have recommended the Bill includes measurements that monitor the poverty rates for Māori and non-Māori tamariki specifically. The Expert Advisory Group recommended the government take action and mitigate its effects on tamariki and rangatahi Māori so that they are on par with other children in New Zealand. We continue to support that approach, and recommend that a specific target is set to reduce to zero over time the difference between Māori and non-Māori poverty rates.

Rec 10: The Bill specifies a target to reduce the difference in poverty and deprivation rates between Maori and non-Māori children to zero.

- 56 Setting targets specifically for children we know have systemically been let down by policy responses – including children with disabilities, Pacific children, Māori tamariki, children of sole parents – will ensure that policy is designed with those with the greatest need in mind, while also working to reduce child poverty rates overall. Such an approach is one way to ensure a proportionate universal approach to policy is taken.
- 57 We recommend the Bill includes targets to reduce poverty differences between different groups of children.

Rec 11: The Bill specifies that a target is set to both reduce overall child poverty and reduce the difference in poverty and deprivation rates between groups of children most at risk of experiencing poverty and those least at risk.

- 58 Clause 21 (4 A) specifies that a target may be changed before the end of the period. We highlight the risk this poses to the meaningfulness of the data and would encourage strong statistical oversight where this is deemed a requirement. We would encourage changes to be limited to occurring at the review period (Clause 26).

Reports

- 59 Section 31 Reports: Content (1), specifies how statistics on poverty are to be reported. In line with our recommendation to include measures and targets for rates of poverty between key groups of children in New Zealand, we recommend at a minimum that poverty statistics be reported by the following factors: age, gender, disability, family type, geographic location, ethnic origin. This will help strengthen analysis of the situation of all children, and understanding where the burden of poverty is disproportionately high.

Rec 12: The Bill includes reporting on poverty rates for different population groups, including but not limited to, tamariki and rangatahi Māori, Pacific children, children in care, and children with disabilities.



“When housing is stable my future is stable”

“Increase the pay for people on low wage”

“Sometimes there’s not enough money to buy food to fill your tummy”

“Some parents can’t afford a uniform. Students who come to school with the wrong uniform on shouldn’t be punished for not having the right uniform”

“You can’t afford basic necessities. Can’t afford to go to the doctors. Live in shit damp, cold houses”

“Can’t pay for the basics like bills, hot water, rent etc, not enough food”

(Voices of children and young people on their experience living in poverty, Our Views Matter. OCC)

The Public Finance Act (1989) – reporting during the budget

- 60 We are encouraged by the explicit connection being made between the budget process and child poverty through the amendments to the Public Finance Act (Clauses 38 and 39).
- 61 The Bill proposes that budget information must include in 15EA (2A) to discuss progress made in reducing child poverty consistent with the targets. This is relatively straight forward, in so much as that measures, targets and reporting planned for provide that information.
- 62 The second proposal is to indicate whether and to what extent the measures in the budget will affect child poverty. This will be more difficult to achieve in the short-term, given complexities with the existing data. We would encourage the government to take time to determine the best methods to use to report on how the Appropriation Bill will quantitatively affect child poverty.
- 63 We encourage the reporting on child poverty in the main Appropriation Bill to align with the (soon to be developed) Living Standards Framework over time. In this sense child well-being is an important component for inclusion into the New Zealand Living Standards Framework. Measuring the impact of each budget on child well-being would help focus policies (and spending) on the needs of children.
- 64 Not every policy and action can be assigned a monetary value and nor should we wish to encourage this with regard to children’s well-being. We encourage the government to consider using qualitative analysis that provides the change theory of the policies and funding, where appropriate. The best approach would be to include both quantitative and qualitative analysis.
- 65 We also highlight a risk with the proposed budget reporting: that the very narrow focus on financial implications of policies will de-incentivise investment in long term actions that will improve outcomes for children across generations, in favour of shorter term ones. Actions, of which the benefits are hard to assign a monetary value to, may still have enormous value to individuals and society over the long term.

**Families have to turn to cheap food
e.g. takeaways.**

You can’t afford to go to the doctors.

Can’t afford a nice house

(Young person, Our Views Matter. OCC)

1.3 Additional consideration related to child poverty measures and reporting

In this section we address the processes described in the Bill for the setting of measures and targets and reporting of the statistics being collected on child poverty. Specifically, we suggest a way to improve transparency and advice in the collection and reporting of poverty statistics.

Improving transparency and advice on data measures, collection and reporting

- 66 The OCC supports the requirements for child poverty measures to be defined, collected and reported by Statistics New Zealand (the Statistician in the Bill). Arm's length data analysis is very important when there are political decisions associated with that data.
- 67 Clauses 33 and 34 of the Bill deal with statistical process, stating the Statistician decides how statistics are produced (including the methodology) and that "the Statistician and the chief executive must, whenever it is reasonably practicable to do so, follow statistical best practice".
- 68 In deciding on the methods and following best statistical practice, the Statistician and chief executive must consider ethical issues of data collection (including consent), the setting of definitions – Section 6 (1) - design of data collection, and the data analysis and reporting. Determining the appropriate methods and best statistical practice could be improved with input from an independent advisory group.
- 69 An independent advisory group would support the Statistician with additional expertise, give the Government confidence in the data, and enable the public to see a clear commitment to transparent data collection and reporting. This advisory group should include expertise in statistics, understanding of cross-agency data sharing mechanisms and child well-being measures. We would encourage this advisory group to include children's voices, especially in relation to ethical considerations.
- 70 The inclusion of an independent advisory group also reflects that a greater level of precision regarding the data is needed now than in the past, and current systems may need to change to provide this. We believe that having an independent advisory group provide advice and oversight to the process should be specified in the Bill and that Section 33 (2) should specify that the Statistician must consult with not only the chief executive on proposed decisions as they relate to concepts and terms and the data and statistical methodology, but also with an independent advisory group.

"Children who don't have much money are treated differently" (Young person, *Our Views Matter*. OCC)

Rec 13: The Bill includes provision for an independent statistical advisory group, to assist the Statistician with defining concepts and terms, and the data and statistical methodology. The Statistician must consult with this group.

- 71 We also believe there needs to be independent oversight of the methodology, preparation and release of measures that provide assurance of the policies and services deliver on the intentions of this Bill, to reduce poverty and hardship poverty among families and whānau with children.

Section 2: Child Well-being Strategy (Part 3 of the Bill)

2.1 Benefits of the Children’s Amendment Bill: the Child Well-being Strategy

In this section we discuss why we support a well-being strategy in addition to a child poverty reduction bill. The strategy is critical to developing an aspirational vision for all children. It must centre children at the heart of the complex eco-system of family, institutions, non-government and government actions. This will provide a clear map of the benefit the strategy will bring to all children, and specifically to tamariki Māori.

The development and implementation of the Child Wellbeing Strategy, including action to reduce child poverty, should be consistent with and uphold the principles of Te Tiriti o Waitangi and respect tamariki Māori as tangata whenua.

How we understand child well-being

- 72 Much like how we define and measure child poverty matters, how inclusive your definition of child well-being is also important. We take this opportunity to highlight why the inclusion of child well-being is so critical in the Child Poverty Reduction Bill. Reducing poverty matters because poverty affects children’s potential and participation – it prevents them from thriving. If reducing child poverty is a tool, well-being is the whare that we are building with that tool.
- 73 We are excited that this Bill signals a positive, aspirational trajectory for children’s outcomes, rather than simply looking to reduce deficiencies. Child poverty measurement focusses on tracking and reducing the material deficits in a child’s life. This is a necessary but not sufficient condition for achieving well-being. A well-being focus widens the lens to allow consideration of the many positive conditions required for children to achieve their potential, have their rights fulfilled and be fully included in New Zealand society.
- 74 The OCC takes a child-centred approach to all we do. This means considering children’s rights, best interests and well-being within their families, whānau, and communities. We know that children are significantly impacted by the well-being of their families. This recognises that providing children with resources and support that enables them to develop and thrive is the primary role of parents, family, whānau and caregivers. From our perspective, helping the family do well enables them to support their children to thrive.
- 75 This is consistent with the Children’s Convention, which sees children and their families, or wider families, as part of an integrated whole. For instance, Article 5 of the Convention

“Feeling well emotionally and physically. Feeling happy about the place you are in and optimistic towards your future” (13 year old student, when asked what the word ‘wellbeing’ means to them. OCC)

respects the rights, responsibilities and duties of parents, or wider family, to guide and direct children on exercising their rights in accordance with their evolving capacities.

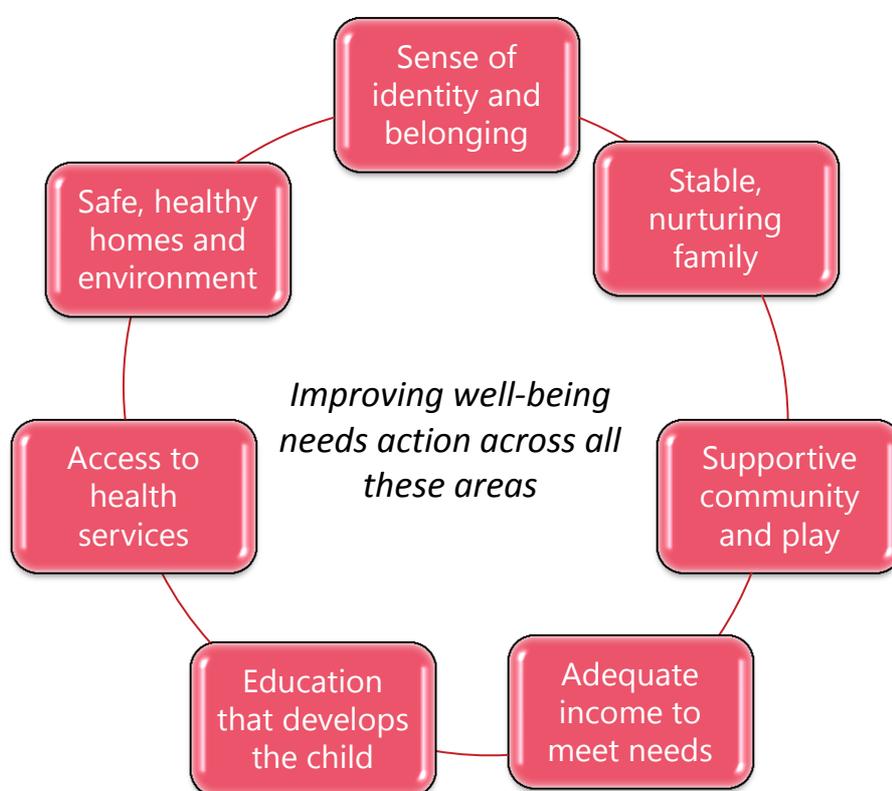
- 76 As signatories to the Children’s Convention, New Zealand must also ensure children are not discriminated against, their best interests are being served, they have the right to survival and development and that their views are properly accounted for. Tamariki Māori in particular, who face a disproportionate burden of poor health and well-being, need far more action than simply a removal of economic stress.
- 77 We have been focusing on well-being within the OCC for some time, and can provide some guidance on the possible definition, scope and lenses that might be considered.
- 78 While there are many possible definitions, our offices considers that:

Child well-being is where all children have the resources and support that is required for them to develop and thrive, are able to enjoy their rights, achieve their full potential and participate as equal members of New Zealand society.

Child well-being is inseparable from family and whānau well-being.

- 79 Using this definition would ground the strategy with values of equity, inclusion and compassion.
- 80 We have considered the domains of well-being that reflect the Children’s Convention, the plethora of academic research, and our New Zealand context, illustrated in the following diagram.

Diagram 1: Children’s Commissioner Well-being Wheel



- 81 Many child well-being frameworks are based on deficit models where indicators point to where children are not having good outcomes. While this can isolate problems, it is not useful for understanding what policies and practices can enhance well-being and resilience.

- 82 We have developed a tool for understanding the lived experience of children and young people using Te Ao Māori concepts. Our *Mana Mokopuna* lens recognises and gives value to Māori social structures and beliefs, including that mana is the inherit value we all possess and enhancing mana will support children to feel valued and to value themselves. Tools such as *Mana Mokopuna* are essential to consider how we bring strength-based and resilience factors into an aspirational well-being strategy.
- 83 The well-being strategy gives us the opportunity to centre children’s well-being within the complex eco-system that influences their lives. Research highlights the need to lift the burden of stress in their families, enabling strong self-determining communities. Intergenerational planning to provide stable and healthy housing in the right location, alongside education, justice, health, social, and employment systems that are free from discrimination, are just some of the positive conditions that will enable children to thrive.
- 84 It will be crucial to involve tangata whenua in the decision making for all aspects of this work, including the design, development and implementation of the strategy.
- 85 There is a significant role for non-government organisations and community groups to work alongside government in creating these positive conditions that children and families need, while government works to reduce poverty.
- 86 A comprehensive well-being strategy will provide a roadmap for the sector and government. It will identify the outcomes that the entire sector can work towards and give effect to the legislation in the Bill through specific policy and practice.



***“A healthy community is co-operative, supportive, respectful, honest, and trustworthy, provides services to support, upgrades existing facilities and includes organisations like Youthline*”**

“A great community where people look after one another”

“All children should have a house they can call home and that is stable and secure”

(Voices of children and young people living in poverty on what is important to them, Our Views Matter. OCC)

2.2 Our view of proposals and some suggested enhancements

In this section we discuss the specific details currently included in the proposed legislation. We highlight support for the purpose of the bill, ways to focus on the different needs of different groups of children, and some measurement issues.

Children's Amendment Bill

- 87 The OCC is very encouraged by the removal of the word vulnerable throughout the Children's Amendment Bill. It shows a commitment to the well-being of all children in New Zealand and recognises that it is not just children formally identified by the social care system who require a commitment to their well-being. It supports the intergenerational nature of well-being.
- 88 The purpose of Part 1 of the Children Amendment Bill as stated in Clause 4: Purpose of this Act, is supported by this office. The purpose highlights both the need to support the well-being of all children while simultaneously attending to the higher needs of particular groups of children. It encompasses a proportionate universalist approach to well-being, which the evidence supports.
- 89 Our core mandate, as specified in the Children's Commissioner Act 2003, is to represent the voice of children in decisions that affect them and advance their rights and best interests. Because of this we believe we should be included in the list of children's agencies under Section 5. This would provide the Children's Commissioner the mechanism for bringing the children's voice into the process and enable us to give effect to our legislative mandate.

Rec 14: The Children Commissioner Act 2003 should be included in Section 5 acknowledging the Children's Commissioner as a children's agency.

Definition of child well-being

- 90 We note there currently is no definition of well-being or child-well-being in the Bill. We understand the difficulty in specifying this in the Bill at this stage, but an alternative may be to specify that a definition of well-being be included in the first strategy and that it be co-designed with tangata whenua and children and young people. This is a process that will help formally define well-being in a collaborative way. It does not include the need for measures to be co-designed.
- 91 We put forward the following definition for child well-being as a starting point for discussions for the strategy:

We strive toward high levels of child well-being, where all children have the resources and support that is required for them to develop and thrive, able to enjoy their rights,

**"Being happy, confident,
and not living in poverty"**

*(13 year old student, when asked
what the word 'wellbeing' means
to them. OCC)*

achieve their full potential and participate as equal members of New Zealand society. Child well-being is inseparable from family and whānau well-being.

Rec 15: The Bill specifies that a definition of child well-being be included in the first strategy and that the definition is co-designed with tangata whenua and children and young people.

Strategy content

92 We support the proposed content of the strategy as outlined in Section 6 (1) (a-d) and are encouraged by the inclusion of the need to specify not just reducing child poverty, but also mitigating the impacts of child poverty in Section 6 (1) (c).

93 The Children's Amendment Bill lists the areas the strategy must address, which includes improving the well-being of all children and those with greater needs, reducing child poverty and mitigating the impacts of poverty. We emphasise the need for the strategy to serve all children in New Zealand – including (but not limited to) those the systems are not well serving: tamariki Māori, Pacific children, children with disabilities, children from minority and refugee communities, and children of diverse sexual orientation, gender identity and sex characteristics (SOGISC). We recommend the commitment to well-being for all these groups is clarified by specifying them in Section 6 (1) (b).

“Schools should make uniforms simpler, cheaper and comfortable and help families who can’t afford them.” (Young person, *Education Matters to Me, OCC*)

Rec 16: Section 6 (1) (b) in The Children's Amendment Bill makes explicit reference to the well-being of the following groups of children the systems are not well serving: tamariki Māori, Pacific children, children with disabilities, children from minority and refugee communities, and children of diverse sexual orientation, gender identity and sex characteristics (SOGISC)

94 The Children's Convention provides an existing framework that should underpin the child well-being strategy. We recommend specifically that the four general principles of the Children's Convention are clearly embedded in the strategy, these are:

- 1) Non-Discrimination.
- 2) Best interests of the child
- 3) The right to survival and development
- 4) The views of the child.

Rec 17: The Bill specifies that the well-being strategy adheres to the general principles of the Children's Convention.

Strategy consultation

95 We are pleased and very strongly supportive of the section Section 6A in the Bill that specifies consultation before the strategy is adopted or changed must include children and representatives of classes of children, and representative of iwi and Māori are specified.

“Get to know us, listen to us, talk to us!” (Care experienced child, *Views and voices of younger children in care, OCC*)

96 We further recommend the Office of the Children’s Commissioner is added as (c), as the statutory body mandated to provide a voice and advocate for the interests, rights and well-being of children in New Zealand.

Rec 18: The Children’s Commissioner should be included in Section 6A (1) as an organisation to be formally consulted on the adoption or change of the child well-being strategy.

97 We also propose that the required consultation on the strategy be more inclusive than is proposed in the Bill (6A), given the role that other organisations will have in creating the right conditions for child well-being in New Zealand. We discuss this more in section 2.3 of this submission.

98 To recognise the important role of the wider sector in working towards child well-being in New Zealand we recommend that “the Strategy” is not referred to as the Government Strategy, but instead is called New Zealand’s Strategy for Child Well-being.

Rec 19: Rename the Government Strategy, New Zealand’s Strategy for Child Well-being throughout the Bill.

Strategy outcomes

99 We are encouraged that the strategy must include what outcomes are sought for improved child well-being, improving well-being for children with greater needs, reducing and mitigating the impacts of child poverty, and improving the well-being of core populations of interest to the department. We suggest that the range of indicators across health, education, housing, income sources, disability and economic conditions, as reported in the *Child Poverty Monitor Technical Report*, provide a foundation for this work.

100 We note that not all of the identified outcomes must be measurable Section 7(2) (a). The focus of the strategy should be on being able to measure and make an impact on the outcomes that matter to children and whānau and communities. There are many measurable outcomes for well-being if we look wider than administrative data. This includes information on lived experience and community cohesion. We encourage the Government to maintain a focus on measuring outcomes, with the understanding that data may not all be currently collected.

101 We support analysis of differences in outcomes between different groups of children Section 7 (2) (b) (ii). Socio economic disadvantage is referred to in the legislation - it is however, a relatively generic term and may or may not include within it measures of income poverty or deprivation, which can complicate analysis. We recommend defining the term and identifying particular New Zealand specific measures of socio economic disadvantage, for example the Index of Multiple Deprivation. We also recommend the outcome disparity analysis to include other very important comparisons, most specifically ethnicity, disability, family type, age group, children from minority and refugee communities, and children of diverse sexual orientation, gender identity and sex characteristics (SOGISC).

“My family made me happy by giving me everything i want and supported but also my friends helped me along the way.”

(Primary school student, Māori/ NZ European/Pacific Peoples, Education Matters to me engagement, OCC)

Rec 20: The legislation contains a definition of the term ‘socio economic disadvantage’ and identifies clearly a New Zealand specific measure.

102 We are encouraged that the strategy must include an assessment of the “likely effect” of government policies that have a specific aim of reducing child poverty and mitigating impacts of it Section (7) (3) (a) (b). We highlight the fact that many government policies that have no specific intentions towards child well-being still have a major impact on these issues. For example, current tax policies have a significant impact on housing poverty and school transience experienced by children. We suggest that the strategy also needs to include the likely impacts of other key government policies on children’s well-being to underscore the evidence that many policies that affect children’s well-being do so without that specific intention. It would encourage an across government approach to child well-being.

103 The government has a tool to assess the impact of policy on child well-being: the child impact assessment tool. This newly developed tool supports better policy advice and child-centred practice by helping policy makers consider impacts on children and young people. We recommend the tool is embedded in the legislative and policy development process to assess the likely impacts of both government policies specifically directed towards reducing child poverty and enhancing child well-being, and those without that specific intention. We also recommend the tool not be limited to use by central government agencies but that it be adapted and used by Select Committees, local government and service providers.

Rec 21: The legislation specifies the use of the Child Impact Assessment Tool to assess the impacts of government policy on child well-being.

Strategy governance

104 The strategy will need to outline appropriate governance and accountabilities. We suggest this requirement is included in the legislation. Independent oversight of the well-being strategy development and process may also be considered.

105 For the well-being strategy to be truly transformative, it will need to do things differently. Moving away from a strong central agency control of the strategy is one important element to consider. More of, or a slightly better version of, the same will not achieve the significant changes we all seek.

106 In section 2.3 of this submission we outline some principled approaches that could drive a different type of strategy – one that harnesses the support and energy from local communities for collaborative action on well-being for children, their families and their communities.

107 Depending upon your interest in creating transparency and accountability over time and across governments for the goals of the well-being strategy, we could discuss how the OCC could provide independent oversight of the planning, implementation and reporting of the strategy.

“You actually find that a lot of these families [who don’t have much money] have a strong family base because they help each other and when they know that someone is struggling they look after one another” (Young person, *Our Views Matter, OCC*)

The Oranga Tamariki Action Plan

- 108 We note the inclusion of the Oranga Tamariki Action Plan in the Children's Amendment Bill and are encouraged by the commitment to the well-being of children at greater risk of involvement with Oranga Tamariki and those receiving assistance or care or support from the department and those under 21 years who have been under the care of the department.
- 109 The specified aims of the action plan Section (9) (2) (a-f), covers many of the aspects of well-being that are important to the children themselves. We support a focus on specifying how to increase children's participation in both decisions made about them (e). We suggest that the second half of this sentence regarding 'contribution to society is confusing'. Is it concerned with children's participation in society or their decisions about their appropriate contribution to society? These are distinct, and important, issues. We suggest adding an aim specifically to increase children's inclusion and participation in society.
- 110 This office is concerned that the legislation does not make it sufficiently clear how the Oranga Tamariki Action Plan fits within the child well-being strategy. Our primary concern is that there is a risk of either a replication of the work, given that the strategy specifies the inclusion of "at-risk" groups of children Section (6) (1) (d), or that the two activities are carried out without reference to each other. "At risk" children are not a discrete group of New Zealand children, as they have multiple identities and experiences; nor are they always in contact with government systems. We are concerned that the action plan as currently outlined in the Children's Amendment Bill reinforces approaching these children as "other" from most New Zealand children in well-being policy approaches.
- 111 A simple solution for the Bill may be to make clearer in Section 6 (1) (d) that the Oranga Tamariki Action Plan forms this part of the well-being strategy by naming it. Alternatively create a separate clause under the well-being strategy content Section (6). In addition, specify in Section (8) that the Oranga Tamariki Action Plan is the content required for the well-being strategy as it relates to improving the well-being of core populations of interest - currently Section (6) (1) (d).

"We want to be treated like normal kids! It wasn't our choice to be taken from our family" (Care experienced child, Views and voices of younger children in care, OCC)

Rec 22: The legislation make very clear that the Oranga Tamariki Action Plan forms part of the well-being strategy and that the action plan is the content required for the well-being strategy as it relates to improving the well-being of core populations of interest Section (6) (1) (d).

"[What puts me off being at school is] **Family circumstances like I can't afford to do things or when I need to do things for my family and church.**" (Young person, Education Matters to Me, OCC)

"We need love. We need adults who don't just see us now, but what we can be in the future" (Rangatahi, Engaging with tamariki and rangatahi at Ngā Manu Kōrero, OCC)

2.3 Additional considerations for the Well-being Strategy and the Oranga Tamariki Action Plan

In this section we have taken the opportunity to provide ideas for developing the child well-being strategy. We outline some values and principles that may be useful to guide the strategy development, and present additional frameworks to build child well-being action around, including a framework specifically focussed on what matters for Māori. Finally, we discuss issues in relation to the identification of children with early risk factors.

Values, principles and approaches for growing well-being

112 It is critical that the Child Well-being Strategy is grounded in values and principles. We offer three elements here for consideration:

1. *See child well-being within the context of their family, whānau, hapū and iwi, and within a complex social system*

Child, family, whānau and community well-being occurs within a complex social eco-system. Researchers have for many years identified that there are multiple factors that act, react, and interact to influence well-being. Family and whānau have strength, resilience, knowledge of what can make a difference for them and their children. This is one of our greatest assets to bring about change.

2. *Recognise the role of government and community collaboration in a complex eco-system*

If the child well-being strategy embraces social complexity, so too will it need to accept the nonlinear interconnectedness of people and institutions. This means the Government needs to recognise it has some of the levers that can be pulled to affect well-being, *but not all of them*. Collaboration with local community means being prepared to agree the long-term outcomes sought but let local leadership work out how this will be best achieved in their communities.

3. *Government must act as an enabler: trust communities and enable self-determining solutions*

Government cannot lead in design and delivery to address all the aspects of child-well-being as it cannot know or predict the precise needs of all children and families. Being explicit in the role government plays, and where it is an enabler or funder, but not leading, would be a transformative shift in governance and decision-making.

Communities may need to build capacity, power and resources, and will need to be enabled to do so by government. Trust, power sharing and collaboration is required. Research shows that families on low incomes see greatest improvements in their well-being when sufficient support is offered in a non-prescriptive manner, and the emerging research finds the same with community-led initiatives. Trust also requires an acceptance that community-led solutions may need time to learn, adapt and see gain. It is an iterative process and involves some risk of failure and indeed inevitable failures.

For example, for Māori a trust-based system of support is key to overcoming some of the on-going problems that occur when non-culturally appropriate and top-down



“Just cos people are poor doesn’t mean that they can’t be strong. Support from your family and supporting families helps” (Young person, *Our Views Matter*. OCC)

models are specified by institutions that are not their own, to address issues of child well-being.

Rec 23: The child well-being strategy is grounded in values and principles that recognise the child within a wider eco-system system, the social complexity of well-being, and the importance of self-determination.

Frameworks to build on

113 The Children’s Convention provides an existing framework that should underpin the child well-being strategy. We recommend specifically that the four general principles of the Children’s Convention are clearly embedded in the strategy.

114 We also support principles similar to those set out in section 5 of the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 be used so that the Bill embeds children’s rights, is mana enhancing and gives effect to the principles of whakapapa and whanaungatanga.

115 The Strategy should also adequately consider and be closely connected with the existing government ‘UN Convention on the Rights of the Child Work Programme’ which is governed by a Children’s Convention Deputy Chief Executive Group, chaired by the Ministry of Social Development.

116 We recommend centring Māori concepts of well-being in the strategy to guide policy and action. Tamariki and rangatahi and their families and communities are exceptionally burdened by the impact of poverty. Government must centre on tamariki Māori and their families’ needs if we are to finally deliver what has been agreed through Te Tiriti o Waitangi.

117 One practical way to centre on the well-being for Māori children within their whānau, hapu, and iwi would be to use a framework for well-being such as Te Pae Mahutonga, developed by Sir Mason Durie. It sets out the seven stars that guide well-being for Māori as thus:

- *Mauriora. Access to te ao Māori: promoting security of cultural identity by facilitating access to te ao Māori.*
- *Waiora. Environmental protection: reflects the role of the environment in well-being. For example, access to healthy built environments with adequate opportunities for active transport, healthy food and clean water.*
- *Toiora. Healthy lifestyles: this relates to individual behaviour but in the context of the disproportionate risks which face different groups in society. Toiora talks to facilitating opportunities for individuals to make healthy lifestyle choices.*
- *Te Oranga. Participation in society: relates to equitable participation and representation in all parts of society – the economy, political leadership, education, employment etc.*
- *Ngā Manukura. Leadership: strong and responsive, culturally safe leadership in which reflects the aspirations of the community.*
- *Te Mana Whakahaere. Autonomy: self-determination and self-governance. Policy and action which aligns with Te Mana Whakahaere emphasizes the ability of Māori to lead hauora-enhancing activities based on what the community wants.*

The Convention underpins all of our work.
These four elements represent the essence of the Convention.



PROTECTION



PROVISION



PARTICIPATION



PROMOTION

118 Taking a complex system view of child well-being, such as is expressed in both Te Pae Mahutonga and a child rights framework, will encourage and support the necessary co-operation and collaboration between government and non-government that we highlighted in the guiding principles for a child well-being strategy.

119 A Māori lens of child well-being will encourage working with tamariki and whānau to identify how well-being outcomes look to them. The approach will guide the development of policies that encompasses the complex systems child-well-being is centred within.

“Whakapapa is important because you need your whānau. They will be there for you.”

(Rangatahi, Engaging with tamariki and rangatahi at Ngā Manu Kōrero, OCC)

Rec 24: The child well-being strategy centres on a Māori model of well-being and incorporates a child rights framework to ensure subsequent policy is focussed on improving the wider systems that impact child well-being (e.g. whānau, cultural identity, inclusion).

Children with “early- risk factors” (in the Oranga Tamariki Action Plan)

120 The Children’s Amendment Bill contains reference in a number of sections to “children who have early risk factors” for future involvement in the care and protection and youth justice systems under Oranga Tamariki Act. The Bill identifies these children as requiring particular attention for improved well-being.

121 The OCC supports the intention that children at greater risk of not achieving their full potential or being able to participate as equal members of New Zealand society, receive appropriate assistance to overcome such risk. We take this opportunity, however, to highlight the risks as we see them.

122 We have three main areas of concern as follows:

1. *Lack of precision in risk modelling.*

The lack of precision in the risk modelling should give pause to government to use early risk factor modelling as a reliable way to identify children in need. We note that there is a significant body of high quality published research both from overseas and within New Zealand that identifies what puts children at risk of not thriving as adults.

The modelling based on the integrated data infrastructure (IDI) shows this approach is not yet sufficiently robust for identifying children in need. It also does not include the growing body of evidence on resilience to risk factors, or have a strong plan of how to collect and include this data.

2. *Identifying individuals*

Risk modelling should not be used to pinpoint and deliver services to individuals. The data collected within administrative systems was not designed for such a purpose, and nor would it be ethical to use it in such a way. Risk modelling simply identifies clusters of factors, which themselves can be used to guide and direct policy and practice. We emphasise the need for government to be clear on what risk modelling analysis is and is not appropriate for, especially with regard to children and families who are already under intense scrutiny.

3. Entrenching bias in the system

With a growth in the use of the IDI by government, especially as it relates to children's well-being, we highlight our concerns with regard to entrenching bias with these data systems. A concentration of government and non-government service provider's attention on children with identified risk factors, leads to their more frequent appearance within the administrative data sets, data which is then used to model further risk and direct further attention. The system itself becomes a risk factor for poorer outcomes.

The danger is that the methods of identification entrench certain groups of children within the system. It is an issue of particular risk to tamariki Māori who appear much more frequently in care and protection statistics for reasons not simply associated with poorer outcomes. We do not see what we do not look for, while we look for confirmation of what we already see.

123 Child well-being, especially for children at greater risk, is an area that attracts much public and political attention. The tools we are using are changing rapidly, but we need to be careful not to assume better technology means better information. And as tools are changing, so too are the ethical implications. Simply obtaining 'social licence' for collecting and using data may be insufficient in this changed environment. Children's consent (and their ability to withhold consent) for the use of all data as it pertains to them must be taken seriously.

Rec 25: The use of the integrated data infrastructure for identifying and monitoring children by government agencies is overseen by an independently appointed IDI ethics advisory board, it should include children and tangata whenua.

124 This office would emphasise that we don't need to rely on unproven data models to identify children requiring support or to deliver a well-being strategy. We have already asked children and their families many times what they need and they have shared their views and lived experiences generously. We also know from years of accumulated research what children need and do not need to thrive. Why are we not acting on what we already know, from both children and their families and from practitioners? We need to preference the voices of those most affected. Data to better inform the government "as the system deliverers" is important, but more important is taking a child-centred approach to the issue.

"Listen to the community and children. Make fair decisions that are good for communities and children. Find solutions that are good for everyone"

(Young person, Our Views Matter. OCC)