



Office of the Children's Commissioner Submission June, 2021

Redress for Abuse in Care

About this Publication

This is a submission to the Royal Commission of Inquiry into Abuse in Care on the Redress Process. We have chosen to answer the questions provided by the Royal Commission in the form of a submission with recommendations.

The redress process looks at the actions that can be made to set right, make remedy for and provide reparations for the harms or injuries caused by Abuse in care.

Office of the Children's Commissioner

Like most New Zealanders, we want every child to grow up knowing they belong with a whānau that has what they need to live a good life.

The OCC represents 1.2 million people in Aotearoa New Zealand under the age of 18, who make up 23 per cent of the total population.

We advocate for their interests, ensure their rights are upheld, monitor places where children and young people are detained, amplify their voices and ideas, and help government agencies to listen and act on them.

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Summary Recommendations

The Office of the Children’s Commissioner (OCC) provides the following set of recommendations for the redress system in response to the redress public engagement questions. We call on the Government to recognise the extent of harm caused to significant populations across many government agencies with wide-ranging implications multi-generationally. Now is the opportunity to take steps towards righting wrongs that have broken and harmed whānau¹ across our country.

The OCC understands that an out-of-court redress system has the potential to acknowledge the harm, provide an apology and provide layers of redress to support whānau to be able to better manage the consequences and effects of abuse.

Recommendation 1

The redress entity is set up as an independent entity that is adequately funded and resourced in a way that can meet the extensive needs of the survivor community. The OCC agrees with the Interim Report Principles of effective redress as the starting point of what is required².

Recommendation 2

Giving effect to Te Tiriti o Waitangi (te Tiriti) is central to the service. This includes the responsibility to develop relationships and partner in substantive ways with hapū, iwi and Māori as negotiated and requested by Māori and recognition to the value of te reo Māori me ōna tikanga and mātauranga Māori as essential.

The focus on the needs of the survivor community need to include balancing the potential needs and provisions for hapū and iwi to grow and develop in response.

Recommendation 3

Mokopuna rights and voices as understood in te Tiriti and UNCRC need to be at the centre of the redress system. This includes the right to participate in the design of the system and being heard on all matters affecting them. Inclusion of mokopuna³ expertise in a way that keeps them safe is essential. As mokopuna do not live in isolation of their whānau, mokopuna rights and voice both exist separately and are intertwined with those of their whānau.

Recommendation 4

The redress system development group should include significant experts from the survivor group as lived experience is essential knowledge of what is needed.

¹ Whānau is the representation of relationships in a te āo Māori worldview .

² Tāwharautia: Pūrongo o te wā, Interim Report, Abuse in Care, Royal Commission of Inquiry, December 2020

³ For the purpose of this report mokopuna is used to describe all children and young people in Aotearoa New Zealand under the age of 18.

At least 50% of this group should be Māori, endorsed by their communities or/and Māori survivors as a minimal starting point in recognition of the disproportionality of Māori as survivors.

Representatives from disability and the other minority groups who are more likely to require nuanced responses including gender diversity, the rainbow community and Pacific communities.

To be fully accessible, in recognition of the trauma effects of surviving abuse in care, the redress system needs to be developed to deliver a service without re-traumatising survivors.

Recommendation 5

We strongly advocate for a truly independent monitoring system for the child protection system which is perceived and separate from government. Its functions should ensure that policy and practice consistently up-holds the humanity of New Zealand's children while in the care system.

Recommendation 6

A review and/or development of current reporting and complaints mechanisms across all agencies where abuse has been identified is needed.

Whānau-centred processes that support mokopuna and their whānau to raise concerns and complaints should then be developed where there are gaps in adequate provisions.

Recommendation 7

The new redress entity should be accessible to all disabled people without compromise.

Recommendation 8

The OCC supports the survivor voices in their calling for comprehensive and holistic supports and services ranging from counselling, secure housing, education, health and financial supports. The OCC recommends a mixed menu approach to redress as designed by the identified needs of survivors with survivors as part of the design team. This should include financial compensation considerations.

Recommendation 9

An apology is an important part of any process of seeking redress for survivors of abuse. The OCC supports a process that starts with formal apologies and acknowledgements of the harm caused. An important aspect of any apology is the provision of evidence and commitment to show that harmful policy and practice of the past no longer impacts those in state care today.

Recommendation 10

The process of redress must include actions towards ensuring that the multiple system failures that have led to abuse occurring in multiple agencies for many survivors does not happen again. This will require government action across agencies and continued auditing of policies and processes.

In order to ensure the changes occur across agencies and independent crown entities including the Office of the Children's Commissioner; the Children's Monitoring the Office of the Ombudsman; the Health and Disability Commission and the Human Rights Commission will need to have obligations to work collaboratively towards the common goal of abuse prevention. At a minimum this should include health, education, justice and Oranga Tamariki

Introduction

1. The Office of the Children's Commissioner (OCC) welcomes the opportunity to submit on the redress process in relation to the Royal Commission of Inquiry in to Abuse in Care (Royal Commission) and the vision of providing substantial redress that aims to remove the life barriers for survivors of abuse.
2. The OCC is committed to ensuring that te Tiriti of Waitangi (te Tiriti) is centred in all of our thinking around the rights of mokopuna Māori and their whānau, hapū and iwi as redress mechanisms are developed.
3. The OCC supports the Human Rights Commission's description of international human rights laws outlined in its submission on the Lake Alice Hearing⁴. These include:
 - Convention Against Torture (CAT)
 - The ratified Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (UNCAT)
 - Universal Declaration of Human Rights (UNHR)
 - International Covenant on Civil and Political Rights (ICCPR)
 - International Covenant on Economic, Social and Cultural Rights (ICESCR)
 - United Nations Convention on the Rights of the Child (UNCRC)
 - Convention on the Rights of Persons with Disabilities (CRPD).
4. The OCC accepts and references the Royal Commission definitions of abuse in its terms of reference, clause 17.1 which are consistent with the Oranga Tamariki Act (1989). These place equal responsibilities on alternative care arrangements (state agencies and faith based) as are expected of families and whānau. These include physical, sexual, emotional, psychological or neglect as forms of abuse in care.
5. The Abuse in Care interim report additionally provides for the scope and extent of abuse in care and the long-term and multi-generational effects that this has had on whānau. The systemic and structural factors that caused and contributed to abuse of individuals and the impact on individuals, their families, whānau, hapū, iwi have been well demonstrated by the Royal Commission. The OCC aligns with the interim report findings and will utilise this as a basis for the recommendations in this submission.

⁴ Submission of Te Kahui Tika Tangata, Human Rights Commission on investigation into abuse in state psychiatric care; Lake Alice Hearing: 14-25 June 2021, 28 May 2021.

Recommendation 1. The redress system must be independent

6. In order for the redress system to implement processes that are not influenced by government and fiscal restraints the OCC recommends that the redress system is set up as an independent entity with responsibilities under legislation to give effect to te Tiriti and as such, to partnering with hapū and iwi in the delivery of redress.
7. The government has existing models of Independent Crown Entities as a starting point of conversations alongside Māori and survivor stakeholders.
8. The importance of an independent permanent redress system for mokopuna and whānau is amplified by the cut-off date for the Royal Commission which is 2000. We know, and it is well accepted that abuse in state care continues after this date. Mokopuna and whānau need to be assured that they will have continued unfettered access to a redress system when needed.
9. As the state has perpetuated much of the survivor abuse it is not appropriate that the mechanism for redress also sits with the state. We understand that there will need to be governmental oversight, but this is best placed in an independent entity that ensures survivor rights are not diminished by conflicting priorities.
10. The OCC supports the redress system being independent of ACC. ACC has a varied reputation in being effective and current wait lists reported in the media demonstrate a system not able to respond to public need⁵.

⁵ <https://www.rnz.co.nz/news/on-the-inside/444862/sexual-violence-survivors-cannot-wait-a-year-for-help-from-acc>

Recommendation 2. The redress system must centre Māori rights as articulated in Te Tiriti o Waitangi.

“the system is designed to fail us as Māori... the system does not want us to progress, to be successful. So, one, I don’t have any faith in you [Oranga Tamariki], and I don’t have any faith in whatever you’re trying to design for us. And pretty sure we’ll figure it our ourselves.”⁶

11. The Interim Report provided by the Royal Commission details how the impacts of abuse in care are felt and experienced disproportionately by whānau, hapū and iwi. Māori structures have been affected in such a way that redress will need to consider ways in which whānau, hapū and iwi can be enabled to develop their own redress plans. This includes provision for growth and development. Redress for removal of mokopuna Māori from their place in Māori society and from their place in the papakāinga will require working with Māori communities around what is needed to reconcile 181 years of colonial destruction upon tangata whenua.
12. The rights of Māori to whakapapa and belonging is at the heart of a redress plan for Māori. Centring Māori rights, hapū and iwi, te Tiriti and UNDRIP will provide a platform for reconnection and healing. We make particular reference to Te Tiriti and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
13. Statistics since Puao-te-ata-tu⁷ have shown a rapid increase of Māori in state care. Current figures of mokopuna Māori are 68% of those in the foster system⁸ and 82% in custody under youth justice⁹. Colonisational effects and failure of the crown to honour te Tiriti and UNDRIP have resulted in these disproportional rates for Māori.
14. The redress system will need to give effect particularly to te Tiriti o Waitangi in order to meet Māori rights, interests and wellbeing. Article two confers the continued rights of Māori to exercise rangatiratanga over lands, villages and treasures. This includes authority over the kāinga, the home and village. Article three provides additional protection in guaranteeing equity in rights to citizenship.

⁶ Whānau, page 45, Te Kuku o Te Manawa; Moe ararā! Haumanutia ngā moemoeā a ngā tūpuna mō te oranga o ngā tamariki, report two of two, Office of the Children’s Commissioner, November 2020

⁷ Ministerial Advisory Committee. (1986). Puao-te-Atatu: The report of the Ministerial Advisory Committee on a Maori perspective for the Department of Social Welfare. *Wellington: Department of Social Welfare.*

⁸ See [Care and protection – statistics | Oranga Tamariki — Ministry for Children](#). For the total number of tamariki Māori in care we have combined the number of children who identify as “Māori” (57%) and “Māori & Pacific” (11%).

⁹ Oranga Tamariki data as at 31 March 2021, <https://orangatamariki.govt.nz/about-us/reports-and-releases/quarterly-report/youth-justice-statistics/>

15. The Waitangi Tribunal (the Tribunal) final report of the Urgent Inquiry of Oranga Tamariki, *He Pāharakeke, He Rito Whakakīkinga Whāruarua*¹⁰ found a breach of Article two, including emotional abuse of mokopuna and whānau through removal from the kāinga and the social structures of the whānau, hapū and iwi felt for future generations. Multiple levels of institutional racism across many agencies, centred on governments' misinterpretation of their authority over Māori was found. The Tribunal recommended that the Crown adequately fund and step aside allowing Māori the space to build solutions. This is in line with the OCC recommendations regarding the need for by Māori for Māori approaches¹¹.
16. As a nation we have the opportunity to learn from international experiences of redress. Particularly we can draw on the expertise gained from the Truth and Reconciliation Commission in Canada¹². In this work Canada has acknowledged UNDRIP as foundational and the status of Indigenous Peoples as a central right. Reconciliation is seen a process of public truth sharing, apology, commemoration and redress.
17. A report by the Aotearoa New Zealand Centre for Indigenous Peoples and the Law to the United Nations¹³ has carefully considered the intersections of government responsibilities to te Tiriti, UNDRIP and UNCRC in regard to mokopuna in care, it stated "*The taking of so many tamariki Māori into State care, over generations, has also damaged Māori communities and struck at the heart of tikanga Māori and tino rangatiratanga/ self-determination*¹⁴."
18. Disparities for mokopuna Māori in the state care system respond to the Royal Commission high rates of abuse in care of Māori. These are interlinked with disparities of child poverty, poor health indicators, unmet housing needs, and high youth suicide and youth justice rates.
19. In the redress system, action to address the colonial legacy across education, culture, languages, health, child welfare, justice and loss of economic base is required in a manner that resolves the underlying inequity and growing exclusion in society that Maori experience. The OCC acknowledges the steps this government has taken in creating a Māori Health Authority and encourages this, or a similar approach, across all Ministries.

¹⁰ He Pāharakeke, He Rito whakakīkinga whāruarua, The Urgent Inquiry in to Oranga Tamariki, WAI 2915, 2021.

¹¹ Te Kuku o Te Manawa; Moe ararā! Haumanutia ngā moemoeā a ngā tūpuna mō te oranga o ngā tamariki, report two of two, Office of the Children's Commissioner, November 2020

¹² Truth and Reconciliation Commission Final Report, Canada, 2015. https://ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Executive_Summary_English_Web.pdf

¹³ Claire Mason and Claire Charters, *Aotearoa New Zealand Centre for Indigenous Peoples and the Law's Submission on the Expert Mechanism on the Rights of Indigenous Peoples' Study on the Rights of the Indigenous Child under the UN Declaration on the Rights of Indigenous Peoples* (Aotearoa New Zealand Centre for Indigenous Peoples and the Law, Auckland, 2021).

¹⁴ Claire Mason and Claire Charters, *Aotearoa New Zealand Centre for Indigenous Peoples and the Law's Submission on the Expert Mechanism on the Rights of Indigenous Peoples' Study on the Rights of the Indigenous Child under the UN Declaration on the Rights of Indigenous Peoples* (Aotearoa New Zealand Centre for Indigenous Peoples and the Law, Auckland, 2021).

Recommendation 3. The redress system centres Mokopuna and whānau

“When [staff] found out I put a grievance, they gave me sh*t about it” (Māori young woman)¹⁵

20. Mokopuna have rights provided to them under the UNCRC. Article 19 of the UNCRC expects that States provide adequate measures to protect them from abuse. This must include mechanisms to hear and respond to abuse and action solutions to abuse issues that are systemic in nature.
21. The expectation is that mokopuna are enabled and encouraged to participate in all matters that affect them (Article 12). This requires grievance systems and the redress system that allows them to be heard and adequately responds to their voices.
22. In considering and including mokopuna in any design of the redress system the OCC Mai World (Voices) team is available for advice and may be able to provide further support.
23. Mokopuna wellbeing includes understanding and responding to the intergenerational effects handed down when whānau have been abused in care. The flow on effects of abuse in care are felt by mokopuna multi-generationally in many ways.
24. Mokopuna of whānau who carry histories of being abused in care live in homes where adults are managing and processing trauma. These struggles may be unseen to those outside the whānau or visible ones such as having a parent incarcerated or with mental unwellness. Both affect whānau and mokopuna as they navigate issues such as disconnection or the efforts of reconnection.
25. To support mokopuna to live their best lives, we must ensure that whānau are well supported. Redress needs to ensure that mokopuna can thrive and that survivors have the very best chance to parent without barriers.
26. Mokopuna Māori cannot be seen as separate to whānau, hapū or iwi. They exist within whānau and in order to meet mokopuna needs the whānau needs must therefore also be met. How whānau are reconnected to hapū and iwi and supported in cultural practices of healing and belonging is essential to the redress system.

¹⁵ Office of the Children’s Commissioner, quotes from young people in residences.

Recommendation 4. The redress system development needs to recognise expertise and diversity of experience.

27. Survivors are the greatest experts of what a redress system will need to look like and how the experience of engaging with it will need to feel like. This is essential expert knowledge that should be prioritised in system development. The OCC recommends that survivors are part of the design group for the redress system. It is important that the independence of the survivor-led process is not compromised.
28. Māori make up a substantial amount of the survivor numbers with wide-ranging whānau, hapū and iwi impacts. Māori are also te Tiriti partners. Both of these realities require a preferencing of Māori in the design and development group. We recommend that this is at a minimum 50% and includes ensuring that Māori are equally represented across the diversity of the group. Mātauranga Māori experts, te reo Māori me ōna tikanga experts, hapū and iwi endorsed Māori and Māori survivors will bring rich thinking and knowledge to the task of creating a robust redress system.
29. Tāwharautia: Pūrongo o te Wā, the Royal Commission Interim Report identified disabled people as noteworthy in numbers. We agree with this assessment, and additionally add the significance of ensuring that other minorities are included in system design and development.
30. While Aotearoa, New Zealand has not yet ensured that data is collected to inform practice regarding the rainbow community we know that the challenges that these survivors face is considerable and the redress system will need to be alert to their needs. The best way to be responsive is to include their voices, ideas and participation.
31. There are other communities that will require engagement, including our Pacific communities and we would urge the redress system development to ensure that diversity is represented.
32. A risk in any redress system is the potential of re-traumatising survivors when they are seeking a space to be heard, an apology and redress. It is important that survivors are not re-traumatised and have adequately trained advocates supporting them. As many survivors have already gone through the Confidential Listening Service, the MSD Historical Claims process and now the Royal Commission there will be many survivor experts who will be able to guide the redress system development towards processes that minimize risk for survivors.
33. VOYCE Whakaronga Mai is now established and providing an independent advocacy service for young people in Oranga Tamariki care. This is a good starting point to consider how lived experiences of young people can be utilized as expertise, as well as having a template for what advocacy support might look like in a redress system

Recommendation 5. An independent monitoring system

34. The OCC strongly advocates for a truly independent system which is both perceived as independent by the public and separate in entity. Government recently announced the Independent Children’s Monitor (ICM) will be located with the Educational Review Office (ERO). We are seriously concerned with this decision and the compromise this has on the monitor as an independent entity and the impact location will have on challenging government on practice and policy when needed.
35. Equally of concern is the narrow functions on system compliance with no inclusion of oversight of effective policy review. The current proposal is focused on compliance of standards and practice which will only identify delivery issues without looking at policy problems.
36. The State is responsible for a significant amount of the abuse that has occurred and is occurring. This year already, the OCC has raised issues of mothers being handcuffed during labour¹⁶ and continued strip searching of youth in residences¹⁷. These provide current examples of human rights violations and demonstrate a potential for future claims against the state for abuse while in care. There must be mechanisms of independent monitoring in place to assess and act on systemic issues as they are identified.
37. In our submission to the Royal Commission in 2019 the OCC highlighted the need for an “effective independent monitor to help prevent, address and eliminate abuse of children and young people in State care”. This remains the position of the OCC. We encourage the Government to work closely with the Royal Commission to consider how to ensure this is enacted, including independence from government.

Recommendation 6. Whole of system approach to abuse that encourages system change and supportive complaints mechanisms

38. We know that abuse is an ongoing issue in Aotearoa across multiple agencies including health, education, justice and our social service agencies including Oranga Tamariki. In order to sufficiently address the policies and practices that contribute to abuse occurring or continuing, the redress system will need to work with agencies to review the current situation.

¹⁶ <https://www.occ.org.nz/publications/news/end-to-some-handcuffing-of-mums-welcomed/>

¹⁷ <https://www.newshub.co.nz/home/politics/2021/05/oranga-tamariki-strip-searches-to-be-phased-out-minister-for-children-kelvin-davis.html>

39. Survivors have repeatedly called for assurances that their experiences will not be replicated for future generations. The way to ensure this is to review and respond across the identified agencies.
40. OCC backs a plan for government and the redress system to work across these agencies in developing plans that respond to policy and practice issues as an ongoing commitment to survivors.
41. Part of this will need to be the development of complaints mechanisms that are mokopuna and whānau centred and respond to grievances in a way that is consistent with te Tiriti obligations and those held under UNCRC.

Recommendation 7. The redress system needs to work for disabled mokopuna and whānau, including by being fully accessible

42. The redress system should challenge oppressive systems that continue to discriminate against disabled people. As a country we continue to fail in our obligations to both mokopuna who are disabled and/or are children of disabled parents.
43. The Interim Abuse in Care report has identified that the extent of abuse in care for the disability community is not well known but thought to be significant in numbers. Currently Oranga Tamariki reports that 14 % of children in out of home care have disabilities¹⁸. In youth justice this is higher and these young people face challenges in being incarcerated without a complete understanding of their disabilities. Additionally, many mokopuna are still without a gateway assessment even under a custody order to the State¹⁹.
44. Redress will also need to extend to disabled parents who have unjustly had their parenting rights removed due to incorrect assumptions about their lack of parenting abilities. The Ombudsman Inquiry into Oranga Tamariki found disabled parents were subject to outdated medical model assessments and a lack of supports to keep mokopuna and parents together, which went against human rights legislation.²⁰ The recommendations from this report could be utilised to inform the redress system when looking at preventing ongoing abuse.
45. It will be important that the redress system ensures that identification of disabilities and adequate responses to the needs that arise from living with a disability are part of the wider redress of system reform.

¹⁸ Children and Young People with Impairments, Oranga Tamariki Evidence center, 2020. <https://www.orangatamariki.govt.nz/assets/Uploads/About-us/Research/Data-analytics-and-insights/Children-and-young-people-with-impairments.pdf>

¹⁹ <https://www.orangatamariki.govt.nz/about-us/reports-and-releases/quarterly-report/care-and-protection/>

²⁰ He Taki Kōhukihuki, Ombudsman, 2020. https://www.ombudsman.parliament.nz/sites/default/files/2020-10/He_Take_Kōhukihuki_A_Matter_of_Urgency-OT_Report-102020-DIGITAL.pdf

46. The development of a system will need to work closely with the disability community, including disabled survivors, to understand how to make available supports and services fully accessible. This includes addressing physical and emotional barriers to access.
47. All disabled people who have experienced abuse in care should be provided advocates when needed and adequate options to ensure they are able to benefit from the redress system. This should extend to disabled parents who have wrongly had their children removed and where relationships have now been severely impacted.

Recommendation 8. The redress system needs to be holistic and responsive to survivor needs.

48. The OCC does not want to be prescriptive of the range of services and supports that the redress system should include. We refer the Royal Commission to the extensive expert knowledge that has already been gathered. We support the value of developing of needs and responses with survivors and external stakeholders, many already identified by the Royal Commission.
49. The essential component of a holistic and responsive redress system is the importance placed on flexible and adaptive services with an ongoing commitment to support survivors, their whānau and their communities including hapū and iwi.
50. Due to the already outlined nature of intergenerational trauma from abuse and wider community impacts there should be no barriers to accessing the redress system, either in terms of past redress or when the abuse occurred. The OCC is supportive of the redress being available to all survivors and affected whānau regardless of any previous piecemeal payouts.
51. The OCC encourages and supports the use of experts that can provide a road map of some base entitlements and rights for survivors. These no doubt will include but are not be limited to:
 - Health needs
 - Secure housing
 - Educational responses
 - Financial supports

Recommendation 9. A formal apology from the state is an important part of the redress process

52. Formal apologies and recognition of the harm done should be an important part of the redress process. We support discussions occurring directly with the survivor community about how this would best be achieved in a way that upholds their mana.
53. Apologies should not come from the independent redress system but from the agencies and organisations that were responsible for the care of mokopuna at the time of the abuse. This will require government agreement and commitment to the importance of these acknowledgements.
54. Survivors also have indicated that the process of being heard is an important part of the redress and connected to a process of apology. This is re-iterated in the Canadian Truth and Reconciliation Commission process as evidence of the importance of being heard. Our Waitangi Tribunal Hearings Process also replicates a redress process that can provide insights of what is required in recognising harm.
55. The redress process equally needs to provide assurances that the harmful policies and practice in place at the time of survivor abuse are not still occurring.

Recommendation 10. Redress needs to ensure the systems are taking steps to prevent further abuse

“I’ve tried to kill myself... and I hurt myself, many times... when I go for walks, I pick things up, just to hurt myself” (girl living in secure residence)²¹

56. While the redress systems independence is important. There will also need for agencies to work collaboratively to ensure that the goal of preventing further abuse in care is actioned across agencies who hold responsibilities for some of the levers for change.
57. The OCC completed two reports in 2020 aimed at reviewing the practices of Oranga Tamariki to enable pēpi aged 0-3 months to stay in the care of their whānau, *Te Kuku o te Manawa*. The first report²² focuses on the insights gained from mums and whānau, providing a statistical snapshot and developed 6 key areas for change. The second report²³ follows on from report one with

²¹ Office of the Children’s Commissioner (2019) A Hard Place to be Happy: Voices of the children and young people in care and protection residences. Insights Report.

²² Te Kuku o Te Manawa; Ka Puta te riri, Ka momori te ngākau, ka heke ngā roimata mo tōku pēpi, report one of two, Office of the Children’s Commissioner, June 2020

²³ Te Kuku o Te Manawa; Moe ararā! Haumanutia ngā moemoeā a ngā tūpuna mō te oranga o ngā tamariki, report two of two, Office of the Children’s Commissioner, November 2020

additional new evidence, an environmental scan and a set of recommendations for transformational change.

58. The key findings of both reports indicate that racism, colonial impacts and socio-economic disadvantage are entrenched in the current system. Inequalities in decision making and the outcomes for mokopuna Māori continue to be evident in the care system. In a system that remains flawed the likelihood of continued instances of abuse is high.
59. This Royal Commission must be the last of its kind. Those who have experienced abuse in care deserve a commitment by government to reform the systems so there is confidence that this will not continue to occur to others.
60. An essential part of the redress must be a shift of resources and power from the State to hapū, iwi and Māori as stated in our Te Kuku o Te Manawa Reports and in line with *He Pāharakeke, He Rito Whakakīkinga Whāruarua*.
61. Unfortunately, in the current environment we know that abuse is an ongoing issue in Aotearoa across multiple agencies including health, education, justice and our social service agencies including Oranga Tamariki.
62. In order to honour the shared stories and experiences of those brave survivors, the redress system must be able to influence government and ensure future abuse is unlikely to occur. We have outlined some steps towards providing survivors, whānau, hapū, iwi and communities the confidence to believe that the widespread abuse in care we are now aware of will not happen again. This includes.
 - Giving effect to te Tiriti
 - Inclusion of mokopuna and whānau voices
 - An independent monitoring entity
 - Review and development of policies and practices across agencies
 - Listening to the diversity of survivor voices
 - Cross agency commitment in government to do better
 - Responding to the systemic institutional racism in agencies

Conclusion

63. The OCC thanks the Royal Commission for the opportunity to submit on this important issue.