

Briefing to the Incoming Minister

November 2023

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“ I think all children need to start on the same platform, all with strong family relationships, food, shelter, and necessities, as well as being able to go to school feeling happy and safe. If all children have this same platform, then they are getting a better start to life and adulthood. ”

Mokopuna

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Foreword

Tēnā koe Minister Upston,

Ko tēnei taku mihi ki a koe me ngā minita o te Karauna, i runga i te tīmatanga o tēnei o ngā Kāwanatanga hou.

I am pleased to provide you with this briefing in your capacity as Minister for Social Development and Employment, and Minister responsible for Mana Mokopuna – Children and Young People's Commission.

Mana Mokopuna is the Independent Crown Entity tasked with advocating for and with children and young people under 18 years old, and young people aged 18-24 years who are in, or have been in, care or custody. Our role is to promote and advance the rights, interests, and participation of children and young people and to improve their wellbeing within the context of their families, whānau, hapū, iwi, and communities.

At a time when the rights and wellbeing of children and young people are facing multiple challenges, and where the day-to-day pressures on families and whānau are growing, the role of Mana Mokopuna is an important one. However, our mandate to provide an independent voice for children and young people, and to amplify the experiences and views of mokopuna, has an enduring importance which extends beyond political cycles. The advocacy Mana Mokopuna undertakes, and that I lead as Chief Children's Commissioner, builds on the history of our 30+ years of Children's Commissioners who have gone before.

I am committed to our Commission providing independent, evidence-informed advocacy for and with Aotearoa New Zealand's mokopuna, grounded in their experiences and views, and supported by relationships with mokopuna themselves, their whānau, hapū and iwi, and the community and Māori organisations working with children and young people. The rights of all children under the United Nations Convention on the Rights of the Child and the rights of mokopuna Māori under Te Tiriti o Waitangi are the guiding foundation for Mana Mokopuna's work, along with the participation and views of children and young people.

I have appreciated the opportunities we have had to work together in previous roles, and I am committed to building and maintaining a constructive and strong working relationship with you in your capacity as Minister responsible for Mana Mokopuna, while providing robust advocacy for children and young people, and specialist advice on children's rights and wellbeing. I look forward to meeting with you at the earliest opportunity to discuss the kaupapa of Mana Mokopuna, understand your expectations of our Commission, and to develop ways of working together. I acknowledge with thanks the already strong relationship between Mana Mokopuna and the Ministry of Social Development and Employment as our Monitoring Agency.

I also look forward to meeting your ministerial colleagues, including the Prime Minister and Minister for Children soon, to discuss the kaupapa of the rights and wellbeing of children and young people. I am copying this Briefing to them for their information.

Nāku noa, nā



Dr Claire Achmad | Chief Children's Commissioner

Wāhinga kōrero

Tēnā koe Minister Upston,

Ko tēnei taku mihi ki a koe me ngā minita o te Karauna, i runga i te tīmatanga o tēnei o ngā Kāwanatanga hou.

E harikoa ana ahau ki te whakarato i tēnei rāpopototanga kōrero mōu e noho nei hei Minita mō te Manatū Whakahiato Ora me te Ohu Mahi, te Minita haepapa hoki mō Mana Mokopuna, arā, te – Children and Young People’s Commission.

He hinonga tū tahi a Mana Mokopuna o te Karauna, ā, ko tana mahi he noho hei māngai mō te hunga taitamariki, taiohi hoki kei raro i te 18 tau te pakeke, me ngā rangatahi i waenga i ngā tau 18-24 te pakeke, kua noho, kei te noho tonu rānei ki raro i te maru o Mana Mokopuna. Ko tā mātou he whakatairanga, he kōkiri i ngā mōtika, i ngā aronga me te whakaurunga o ngā taitamariki, rangatahi hoki ki te kōkuhu, ki te whakapakari ake i ō rātou oranga mauri i roto i te horopaki o ngā whānau, ngā hapū, ngā iwi, me ngā haporī.

He mahi nui tēnei kua uhia mai ki runga i a mātou i tēnei wā tonu, e pākia nei ngā mōtika me ngā oranga mauri a ngā taitamariki, rangatahi e ngā wero maha tonu, ā, e pēhia ana ngā whānau e ngā taumahatanga o te wā. Heoi anō, ko tō mātou mana kōkiri, he whakarato reo mā te hunga taitamariki, rangatahi hoki, me te whakarahi i ngā wheako me ngā tirohanga a ngā mokopuna, koia nei te whāinga matua i tua atu i ngā rauru tōrangapū. Ko tā te tūnga kōkiri o Mana Mokopuna, me taku noho hei Tumu Whakarae mō te Kōmihana, he mea i hangaia i roto i ngā 30 tau neke atu o te hunga nā rātou te huarahi nei i para i ngā rā ki muri.

E kaingākau ana ahau ki tā te Kōmihana tūnga hei whakarato kōkiritanga whai taunaki, noho tū tahi hoki, ā, ko ngā mokopuna, taitamariki, rangatahi hoki o Aotearoa, e noho tokatū nei i roto i ō rātou wheako, i ō rātou tirohanga, e tautokohia nei e ngā tūhononga ki aua mokopuna, ki aua whānau, ki aua hapū, ki aua iwi, ki ngā haporī, ki ngā rōpū whakahaere Māori e mahi tahi ana me ngā taitamariki, rangatahi hoki. Ko te tūāpapa e arataki ana i a mātou, ko ngā mōtika tamariki i raro i te Mōtika Tamariki o te Rūnanga Whakakotahi i ngā lwi o te Ao me ngā mōtika mokopuna Māori i raro i Te Tiriti o Waitangi, whai atu hoki ko ngā whakaurunga me ngā tirohanga a ngā taitamariki, rangatahi hoki.

E mihi atu ana mō ngā ara i mahi tahi ai tāua i ngā rā o mua, ā, e kaingākau ana ahau ki te hanga, ki te pupuri i te kōtuinga whai hua, taikaha hoki, i a koe e noho nei hei Minita haepapa mō Mana Mokopuna, me te kōkiri hiwa nei i ngā take mā ngā taitamariki, rangatahi, me ngā tohutohu kouna e pā ana ki ō rātou mōtika, oranga mauri hoki. E hihiko ana te ngākau kia tūtaki atu ki a koe i te wā ka wātea mai koe, ki te whakawhiti kōrero mō Mana Mokopuna, kia whai mārama ki ō hiahia, ki ngā whāinga e hiahia nei koe kia kawea e te Kōmihana nei, ki te hoahoa huarahi e mahi tahi ai tātou katoa. Ka nui te hari mō te kaha o te kōtuinga i waenga i a Mana Mokopuna me te Manatū Whakahiato Ora me te Ohu Mahi e noho nei hei Umanga Aroturuki.

E hihiko ana te ngākau ki te tūtaki atu ki ō hoa Minita hoki, tae atu ki te Pirimia me te Minita mā ngā Tamariki, ki te whakawhiti kōrero mō te kaupapa o ngā mōtika me te oranga mauri o ā tātou taitamariki, rangatahi hoki. Tēnei te tuku tono atu o te rāpopotanga me te Tari o te Pirimia me te Minita mā ngā Tamariki hoki.

Nāku noa, nā



Dr Claire Achmad | Te Kaikōmihana Matua

Snapshot: Mokopuna in Aotearoa New Zealand

Overview

There are around 1.2 million mokopuna aged under 18 years living in Aotearoa New Zealand, with a wide diversity of experiences, cultures, opinions, and outcomes. Our mandate is to work with and on behalf of all of these mokopuna, including the approximately 4,500 mokopuna under 25 years old within the Oranga Tamariki system.

Although mokopuna make up nearly a quarter of our total population, their rights, interests and wellbeing are not always specifically considered in laws, policies and practices that impact them. Mokopuna often miss out on opportunities to participate and have a say in the things that affect their lives, and make a difference for them and their families, whānau and communities.

While the majority of children and young people in our country are doing well and have what they need to play, learn and grow, long-term disparities remain between groups across many areas. Mokopuna Māori, Pacific and disabled mokopuna, migrant and refugee and rainbow mokopuna continue to experience disproportionately worse outcomes than other groups across a range of measures. These disparities are often created and maintained by our systems and structures, for example through systemic racism and discrimination and inequitable distribution of resources.

Note: the quotes we have used throughout this report are from mokopuna – See Annex Two for sources.

“ Families are the most basic social unit of society, and with better more concrete support from the start, children would feel more included, loved, and hence valued. ”

Note on our use of the word ‘mokopuna’

Mokopuna brings together the kupu moko – imprint or tattoo, and puna - spring (of water). Together, this kupu introduces the idea of intergenerational connectivity, recognising that children are the impression of their ancestors. ‘Mokopuna’ acknowledges that children and young people are unique individuals who also exist within the context of their family, whānau, and wider communities. When we use the kupu ‘mokopuna’ in our work, we are referring to all children and young people covered by our legislative mandate.

Key statistics

90%

89% Pacific
87% Māori

of students aged 12-18 years felt loved by the people who look after or care for them

89%

87% Pacific
85% Māori

of young people aged 12-18 years felt safe at home

24%

72% Disabled
40% Rainbow
26% Māori

of young people aged 15-24 years reported experiencing high or very high levels of psychological distress in the past four weeks

48

66% Pacific
55% Māori

potentially avoidable hospitalisations per 1,000 children aged 0-14 years.

88%

84% Pacific
81% Māori

of young people aged 15-24 years participated in employment, education, or training

78%

83% Māori
82% Pacific
67% Disabled
64% Rainbow

of young people (aged 12-18 years) felt a sense of belonging to Aotearoa/New Zealand

39%

of young people aged 18-24 years reported having trust in parliament

4,300

67% Māori
33% Non-Māori

Mokopuna are in Oranga Tamariki (OT) care – as at June 2023

10%

26% Pacific
19% Māori

of children and young people aged 0-17 years experienced material hardship

24%

28% Māori
20% Pacific

of young people aged 18-24 years experienced discrimination in the last 12 months

15%

19% Pacific
17% Māori

of children and young people aged 0-17 years lived in low-income households (after housing costs)

26%

55% Rainbow
49% Disabled
38% Māori
31% Pacific

of young people aged 12-18 years had seriously considered suicide in the last 12 months

13%

21% Māori
19% Pacific

of young people aged 12-18 years had experienced or witnessed family violence at home in the last 12 months

40%

28% Pacific
27% Māori

of children and young people aged 6-16 years attended school regularly (90% of the time)

37%

40% Māori
28% Pacific

of young people aged 12-18 years experienced bullying in the last 12 months

97%

95% Māori
92% Pacific

of children participated in early learning before starting school

13%

38% Pacific
22% Māori

of children aged 0-14 years live in households where food runs out sometimes or often

“ For my voice and others to be heard
we need people like you to listen
and take in the things we say not
just in one ear and out the other.
Not making promises you know you
can't keep but being honest with us. ”

Mokopuna



Introducing Mana Mokopuna

Our mandate

Mana Mokopuna – Children and Young People’s Commission (Mana Mokopuna) is an Independent Crown Entity with the mandate to advocate for all mokopuna aged under 18 years of age, including those in the Oranga Tamariki system and in places of detention. Our mandate extends to advocacy for and with mokopuna with care or custody experience, aged up to 25 years.

Our vision is “Kia kuru pounamu te rongo” – for all mokopuna, regardless of their background, to grow up knowing they belong with their whānau and have what they need to live their best life. This vision carries over from our predecessor, the Office of the Children’s Commissioner (OCC), and is a vital thread from our past into the future.

Mana Mokopuna was established in July 2023, under the Children and Young People’s Commission Act 2022.¹ Our inspiring new name carries a challenge to honour its promise; to uphold, promote, and protect the mana and rights of all mokopuna to flourish and fully participate in Aotearoa New Zealand.

As an Independent Crown Entity, we are uniquely positioned to foster collaboration, and bridge the gap between government decision-making and what’s actually happening at a grass-roots level for mokopuna. We seek to hold government to account for positive, meaningful and enduring progress for and with mokopuna, and to provide effective, specialist advisory on kaupapa relating to mokopuna and their lives.

The frameworks we are governed by provide opportunities to influence decision-making through our advocacy. Our work is guided by Te Tiriti o Waitangi (Te Tiriti), domestic law and international human rights instruments, most notably the United Nations Convention on the Rights of the Children (the Children’s Convention). Our work is also grounded in, and deeply informed by, the lived experiences of mokopuna, and their perspectives and voices. Taking a children’s rights approach enables us to recognise and respond to the diversity of mokopuna experiences, cultures, opinions and outcomes.

Under the Children and Young People’s Commission Act 2022, our purpose is to promote and advance the rights, interests, participation, and wellbeing of mokopuna, within the context of their whānau and communities. This involves:

- building and maintaining relationships that enable the Commission to work alongside mokopuna, hapū, iwi, communities, youth-led organisations, organisations working with and for mokopuna, and government and public sector agencies
- sharing and growing knowledge and understanding of children’s rights
- supporting government to make decisions that impact positively on mokopuna and their whānau

¹ <https://legislation.govt.nz/act/public/2022/0044/15.0/LMS733206.html>

- encouraging the views and experiences of mokopuna to be listened to and acted on, including modelling and promoting best practice in children's and young people's participation
- prioritising mokopuna who are disadvantaged, and the issues affecting them
- undertaking work that supports improved outcomes for mokopuna Māori within the context of their whānau, hapū and iwi
- raising the visibility, and recognising the diversity of mokopuna, while helping to shape the way they are viewed and valued in society.

“ Having a voice means that an adult listens and acknowledges what you are saying and that what you said is taken into account when they make the decision. ”

Mokopuna

The history we build on

While Mana Mokopuna is a new entity, it is built on a rich whakapapa. The role of the Children's Commissioner was established in 1989 as an independent advocate for children – a voice for children in the corridors of power. Since its inception, there have been eight Children's Commissioners, all with an unwavering commitment to mokopuna and advancing their rights and wellbeing. The essence of our role and many of our functions, powers and duties remain the same as those previously held by the Office of the Children's Commissioner (OCC).

We acknowledge and pay our respects to the previous Children's Commissioners of Aotearoa New Zealand: Tā Ian Hassall, Laurie O'Reilly, Hon. Roger McClay, Dame Cindy Kiro, Dr John Angus, Dr Russell Wills, Justice Andrew Becroft, and Judge Frances Eivers.

With the shared recognition of the inequitable barriers placed by the system on specific groups of mokopuna, each Commissioner has developed their own approach and set of priorities. Commissioners' work has both reflected and helped to shape the way mokopuna are considered by the Government and wider public.

Key examples include:

- creating the pathway for the repeal of Section 59 of the Crimes Act 1961 (sometimes referred to as the 'anti-smacking bill'), with legislation passed in 2007
- establishing the Child Poverty Monitor report, which became instrumental in the later development of the Child Poverty Reduction Act (2018)
- spotlighting failings affecting mokopuna within the Police, family and criminal courts, schools, and the state care system
- playing a key role in the establishment of a monitoring framework for the Department of Child Youth and Family Services (now Oranga Tamariki), and the ongoing strengthening of systematic monitoring
- monitoring and undertaking various reviews of Child, Youth and Family / Oranga Tamariki, helping to form an irrefutable case for the transformation of the care and protection and youth justice system
- monitoring children's rights and reporting to the United Nations' Committee on the Rights of the Child under periodic reviews of New Zealand
- listening to and amplifying mokopuna voices, including leading a number of engagements that have informed significant government programmes, e.g., the Child and Youth Wellbeing Strategy, Te Aorerekura: The National Strategy to Eliminate Family Violence and Sexual Violence, and several education and justice reforms.

Aside from priorities identified by individual Children's Commissioners, the OCC's focus areas were also shaped by legislated functions and duties, the Children's Convention and other rights instruments, a growing commitment to Te Tiriti, and what was heard from mokopuna themselves, all of which we are building on in our work as Mana Mokopuna.

Establishment and transition phase

Mana Mokopuna was formally established on 1 July 2023. It is governed by a board currently comprising five members, led by Chief Children's Commissioner, Dr Claire Achmad. This means that as a Commission, our strategic priorities will be set collectively by our Board of Commissioners, with day-to-day advocacy undertaken by the Chief Children's Commissioner and the kaimahi at Mana Mokopuna. As at 30 June 2023, we had 40 staff (excluding our Board), based in our office in Wellington.

Mana Mokopuna is currently in an establishment and transition phase. Work to support this phase includes:

- recruiting a foundational Chief Executive Officer, with a view to the CEO being in-position by February 2024 - interim operational leadership arrangements are in place until then
- continuing to progress the development of systems, frameworks, policies, processes, and documentation that reflect and support our new legislation and obligations
- developing our strategic priorities, and ensuring that our resources are focused on areas where we can make the greatest difference for and with mokopuna.

The Ministry of Social Development (MSD) is our monitoring agency and advises you on our performance. You will receive our draft Statement of Intent 2023-2027 by 21 December 2023.

Our role

Our role is to promote and advance the rights, interests, and participation of mokopuna, and to improve their wellbeing within the context of their families, whānau, hapū, iwi, and communities. Under our Act, this role includes²:

- advocating for the wellbeing and interests of tamariki and rangatahi collectively, including through reports and submissions (section 20(a), (b), and (i))
- supporting tamariki and rangatahi to engage with agencies to facilitate the resolution of issues (section 20(c))
- providing information to members of the public who have questions about matters relating to the rights, interests, or wellbeing of tamariki and rangatahi (section 20(d))
- receiving and inviting representations from members of the public on any matter that relates to the rights, interests, or wellbeing of tamariki and rangatahi (section 20(e))
- raising public awareness of, undertaking and promoting research into, and reporting on matters that relate to the rights, interests, or wellbeing of tamariki and rangatahi (section 20(a), (e), (h) and (l) and section 21(a))
- inquiring generally into systemic matters that relate to, or affect the rights, interests, or wellbeing of tamariki and rangatahi (section 20(i))
- reporting, with or without request, to the Prime Minister on matters affecting the rights of children and young people (section 20(h))
- monitoring the application of, and advocating for, the advancement of the Children's Convention (section 21)
- encouraging and promoting the voices and participation of tamariki and rangatahi (section 22)
- membership of the Oversight of the Oranga Tamariki System, with a focus on mokopuna and their whānau, working to ensure their rights are upheld, and that their interests and wellbeing are prioritised (section 7)
- independent monitoring of places where mokopuna are held in detention, in accordance with the Optional Protocol to the Convention against Torture (OPCAT) (section 23).

Our role in monitoring how well the Government is implementing and upholding the rights of children includes convening the Children's Convention Monitoring Group (other members include the Human Rights Commission, the Children's Rights Alliance Aotearoa New Zealand, Save the Children New Zealand and UNICEF New Zealand). The Children's Convention Monitoring Group engages directly with the government's Deputy Chief Executives Group for the Children's Convention, chaired by the Ministry of Social Development. We work closely with the Ministry of Social Development on the cross-government Children's Convention work programme, which responds to the Concluding Observations of the UN Committee on the Rights of the Child.

² A full list of the Commission's functions, duties and powers is set out in [sections 20-26](#) of the Children and Young People's Commission Act 2022.

We provide independent and expert advice on the interests, rights, and wellbeing of mokopuna to Select Committees, Ministers, government agencies, courts, and others, influencing policy and legislation. This includes our statutory membership on the Advisory Committee on Assisted Reproductive Technology Committee³. We also advise, encourage and support agencies to embed best-practice child and youth participation processes into their work, to hear the voices of mokopuna and meaningfully act on these.

Mokopuna who have had, or are vulnerable to having, their rights, interests and wellbeing compromised are often living in situations of disadvantage, in the care of Oranga Tamariki, or in contact with the broader Oranga Tamariki system. We have specific responsibilities for these mokopuna. These responsibilities flow from our legislation and via our responsibilities in relation to the Children's Convention, both of which require a focus on the rights of mokopuna who are disadvantaged or otherwise vulnerable to breaches of their rights.⁴ Under our Act, our responsibilities cover all mokopuna up to age 18, and have been extended to include those aged under 25 years if they are, or have been, in care or custody.

“ Things that get in the way [of wellbeing] is the stigma that comes with being in the system. People thinking you are an out-of-control teen who is always doing something bad and can't be trusted. So, getting rid of that stereotype and showing more of the kids who have come out of care on top. ”

Mokopuna

3 (s.34(5) of the Human Assisted Reproductive Technology (HART) Act 2004).

4 As reflected in the principles governing the work of the Commission, section 5 Children and Young People's Commission Act 2022 and in the 2023 Concluding Observations of the UN Committee on the Rights of the Child, paragraph 16.

Our mahi and the approaches we advocate for

Our purpose in the new Children and Young People's Commission Act increases our focus on advocacy and provides significant opportunities for us to speak up for and make a real difference for all mokopuna in Aotearoa New Zealand – including those connected to the Oranga Tamariki system.

Our mandate under the Act prioritises a rights-based approach, grounded in Te Tiriti and the Children's Convention. These instruments centre the voices of mokopuna and whānau, providing a strong foundation for our mahi. The Act creates opportunities for us to work in a way that:

- recognises and respects the Crown's responsibility to Te Tiriti
- is rights based
- recognises the diversity of mokopuna
- holds high aspirations for all mokopuna
- gives priority to those who face disadvantage, and
- requires hearing from mokopuna themselves.

While we have an important mandate to advocate in specific cases, the long-term wellbeing of all mokopuna also requires structural change. In our independent capacity, we aim to influence decision-makers to prioritise the change needed and, where necessary, to lead calls for change, working in partnership with others – including mokopuna themselves.

The Children's Convention and other relevant international human rights treaties and obligations

Mana Mokopuna has a strong legislative mandate to work alongside civil society and with the government of the day, to enable the progressive realisation of all children's rights for all mokopuna, and in all circumstances, including times of emergency or crisis. This involves raising awareness and understanding about the rights mokopuna have, and monitoring how well the Government is upholding and progressing the rights of mokopuna.

We work with organisations in the Children's Convention Monitoring Group⁵ which we convene, and report regularly to United Nations Committee on the Rights of the Child (UNCROC) on how well Aotearoa New Zealand is doing.

The Children's Convention provides a framework for thinking about and addressing all the interrelated issues affecting mokopuna - like health, education, play, family, language, culture, identity, privacy, the environment and having a say - in a way that enhances their wellbeing. The rights in the Children's Convention are interdependent and indivisible – all mokopuna have a right to experience all of the rights set out in the Convention, at all times. They are foundation stones for mokopuna to experience holistic, flourishing wellbeing. These rights sit

⁵ [Our role in the Children's Convention | Mana Mokopuna](#)

alongside other United Nations treaties that New Zealand has committed to, including those relating to indigenous⁶ and disabled⁷ peoples, including mokopuna.

The UN Committee on the Rights of the Child's most recent review of New Zealand's progress (January 2023) resulted in a comprehensive set of recommendations to guide New Zealand's implementation of children's rights. These recommendations are made to the Government, and include recommendations for urgent action to address things like racism and discrimination, violence against mokopuna, poverty and housing, inequity experienced by mokopuna Māori, upholding the rights of disabled mokopuna, and doing better for mokopuna in care, particularly those in places of detention. We look forward to working closely with the Government to ensure implementation of the UN Committee's recommendations.

“ No one taught me that I
have a right to speak up. ”

Mokopuna

Te Tiriti o Waitangi

Te Tiriti o Waitangi provides a unique context in which to apply the Children's Convention. Te Tiriti provisions in our Act aim to advance the wellbeing of all mokopuna, within the context of their families, whānau, hapū, iwi, and communities.

Our new legislation requires the Board to set strategic priorities and work programmes that support improved outcomes for mokopuna Māori. It also requires the Board to build and maintain relationships with hapū, iwi, Māori organisations, community organisations and agencies with a strong focus on the rights, interests, and wellbeing of mokopuna Māori.

Honouring and embedding te Tiriti o Waitangi is a core responsibility for our Commission, and all of our strategic work incorporates a te ao Māori lens.

“ My culture means everything!
It's my background, my heritage
and basically my heart! ”

Mokopuna

⁶ [United Nations Declaration on the Rights of Indigenous Peoples.](#)

⁷ [United Nations Convention on the Rights of Persons with Disabilities](#)

Full participation - mokopuna as active citizens and experts in own lives

Mokopuna can only live their best lives when they have a genuine say about things that affect them. Listening to mokopuna respects them as active participants in their own lives, consistent with Te Tiriti and the Children's Convention.

Mokopuna views and voices are a critical thread in the fabric of the Commission, helping to ensure our advocacy is informed, accurate, and impactful. We champion mokopuna participation and voices, by advocating for mokopuna to participate in the decisions that affect their lives.

Our Act includes a requirement to model best practice engagement, support others to engage well with mokopuna, and to amplify the views and voices of mokopuna. We listen to, engage with, and reflect the voices of mokopuna, sharing their insights and perspectives so they can inform both government and community decision making, as well as the work we do as a Commission. Currently, we are asking mokopuna to help shape the strategic priorities of Mana Mokopuna, through a one question survey asking: "I tōu ao, he aha ngā mea nui? – In your world, what matters most?"

Recognising that mokopuna thrive and exist in the context of their families, whānau, hapū, iwi and communities, we work in partnership with those who form part of the ecosystem wrapped around mokopuna. When undertaking engagements, we work with community partners (for example NGOs, community and Māori organisations, ECEs, schools, alternative education and social service providers) and use a range of methods, including online and in-school surveys, and face-to-face and community engagements, to hear from mokopuna in a way that protects their privacy, upholds their rights, and creates an enjoyable experience. We also work with and support our partners to involve mokopuna in the design of initiatives and services, and inclusion as decision-makers on kaupapa affecting them in their communities. We amplify the voices of mokopuna, so they reach a wider audience and have maximum impact.

Additionally, we support agencies and organisations to engage ethically with mokopuna, and ensure their insights and perspectives are listened to and acted upon, and become a normalised part of the decision-making process.

“ have gone to all of the climate change protests to show the leaders that climate change is important to people my age and they need to start to do something about it before things get too bad and the damage can't be undone.

”

Mokopuna

Monitoring and Oversight of the Oranga Tamariki System

As one of three organisations making up the Oversight of Oranga Tamariki System introduced in 2022/2023, we retain our role as a strong and independent advocate and monitor. Our focus is on mokopuna and their whānau, working to ensure their rights are upheld, and that their interests and wellbeing are prioritised within the system. This includes helping mokopuna and their whānau to resolve issues, which might involve connecting them with appropriate agencies and organisations. We work closely with our Oversight System partners, Aroturuki Tamariki the Independent Children's Monitor, and the Ombudsman, to uphold the 'no-wrong-door' approach, and to identify areas where systemic change is needed.

Related to our role as a member of the Oversight System, we are also a designated National Preventive Mechanism (NPM), under the United Nations Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment (OPCAT⁸). In this capacity, we independently monitor places where mokopuna are held in detention.

The facilities we monitor include Oranga Tamariki and NGO-run care and protection residences, youth justice residences, growing numbers of remand homes, two youth forensic units, three child and adolescent mental health units, and three mother and baby units in prisons. Of the 16 remand homes, four are run by Oranga Tamariki, four are mixed care and protection/ youth justice, and the remainder are community/iwi provider led.

The inspections focus strongly on the voices and experiences of mokopuna themselves, ensuring a child-centred approach to monitoring. Recommendations are aimed at preventing harm and strengthening protections for mokopuna.

You will receive our OPCAT monitoring reports before they are published on our website.

Starting early, strengthening prevention, and thinking intergenerationally

One of the key insights mokopuna have repeatedly shared with us is that their wellbeing is intrinsically tied to the wellbeing of their whānau. When parents, caregivers and whānau are supported to improve their family environment, mokopuna directly benefit and feel a greater sense of belonging, love and being valued.

Prenatal and early childhood experiences have profound and lasting impacts on mokopuna development and wellbeing, setting the foundation for lifelong learning, behaviour, and health.

Mokopuna thrive when they are living in families with adequate resources, mentally healthy mothers before and after birth, and positive parent and whānau relationships, as these contexts all play important roles in shaping early development. Mokopuna born to mothers who are stressed, living in poverty, or with poor mental health, are at risk of impaired executive

⁸ The Crimes of Torture Act 1989 (COTA) gives effect to OPCAT and sets out the powers and responsibilities of the Commission to examine and monitor the treatment and conditions of tamariki and rangatahi held in certain places of detention, including: care and protection and youth justice residences; community based remand care homes; and health and disability places of detention established specifically for the care of tamariki and rangatahi, including youth forensic units and child and adolescent mental health units.

function and lower resilience. This can have downstream effects on relationships, education, and employment, and can lock in intergenerational disadvantage⁹.

There is considerable evidence about the types of approaches and responses most likely to make a positive difference, including things like: nurturing safe environments and reduced stressors, high levels of maternal and whānau wellbeing, and strengths-based and holistic supports delivered by trusted support networks, both formal and informal.

We advocate for policies and interventions that promote protective factors and focus on healing and supporting whānau as part of child and youth development, both pre and post birth. The drivers of distress and disadvantage are often systemic, so we advocate for approaches that address disparities, reflect an intergenerational perspective, and sustain investment beyond the cycle of crisis responses.

In short, we are committed to seeing mokopuna outcomes supported by equitable support that starts early, investment and support that focuses on building strengths and preventing harm, and which sees mokopuna in the intergenerational context in which they exist.

“ It's pretty easy to just go platitudes of, like, we've heard you. And that's so important and yadda yadda yadda, but if nothing changes, it can be a pretty demoralizing experience ... talking into a system that isn't listening. ”

Mokopuna

Our Board and our team

The shift from a sole Commissioner model to a Board of Commissioners allows for greater diversity and a wide range of skills and experience to contribute to Mana Mokopuna's governance. The Board (currently made up of five members, with the capacity to have up to six) brings a strategic focus and oversight to the organisation. The Board Chair – who is also the full-time Chief Children's Commissioner – enables the continuation of a high-profile figure who is recognised and visible as the advocate for mokopuna in our country, with agility to advocate on their behalf.

Our Act requires that the Board has among its members "knowledge and understanding of Te Tiriti o Waitangi", and that at least half of the Board must have Māori knowledge and experience in, and knowledge of, tikanga Māori (section 13). These requirements aim to support the Board's responsibilities with regard to mokopuna Māori, including under Te Tiriti o Waitangi.

Dr Claire Achmad

Board Chair & Chief Children's Commissioner

Dr Achmad is a recognised advocate for children in Aotearoa New Zealand and internationally, having worked in a wide range of areas relating to children's rights, including from legal, policy and practice perspectives. Claire started as Chief Children's Commissioner and Chair of the Commission from 1 November 2023, having previously held the Deputy Chair role from 1 July 2023. Her appointment is for a total term of five years.



Claire holds a doctorate in international children's rights law and has published internationally on a range of children's rights issues. She also holds degrees in Arts and Law. Previously, Claire served as Chief Executive Officer of Social Service Providers Te Pai Ora o Aotearoa and has worked for children's NGOs and international organisations in Aotearoa New Zealand, Australia, and Europe. She held a senior role within Te Kāhui Tika Tangata - the Human Rights Commission and practised as in-house legal counsel in the Ministry of Social Development. Claire holds a Guest Lectureship in the Child Law Department of Leiden University and is a member of the Asia New Zealand Foundation Leadership Network.

Claire was born and grew up amongst kauri and kererū in the Waitākere Ranges and is of New Zealand and Indonesian heritage.

Donna Matahaere-Atariki

Deputy Chair

(Ngāi Tahu, Ngāti Ruanui, Te Atiawa, Ngā Rauru, Ngā Ruahine and Tuwharetoa)

Donna Matahaere-Atariki is our Deputy Chair. She has a background in education, health and social services, and governance experience with the Gambling Commission and the University of Otago. She is the Chair of Ōtākou Health Limited, and was previously Chair of Te Kāhui, the Māori Advisory Group to Aroturuki Tamariki, the Independent Children's Monitor.

Donna has strong knowledge of child protection and hapū and hāpori, and extensive relationships and networks with iwi, hapū, and community development organisations.



Dr Julie Wharewera-Mika

(Ngāti Awa, Ngāti Tūhoe and Te Whānau ā Apanui)

Dr Wharewera-Mika is a registered senior clinical psychologist and Kaupapa Māori researcher who has a Doctorate in Clinical Psychology. An initial member of the Mental Health and Wellbeing Commission, she has extensive experience working in the mental health and addictions sector, advocating for system-wide transformation that is responsive to the needs of children and whānau.

Julie has strong stakeholder relationships with Māori and Pacific communities and across the children's sector. She is a long-standing business consultant, Head of the Medical Assurance Society Foundation, and Chair of Whānau Oranga Pūmau, ACC's Māori Customer Advisory Panel.



Ronelle Baker

(Ngāti Porou, Te Aitanga a Hauiti, Ngāi Tāmanuhiri, Ngāti Apakura and Ngāpuhi)

Ronelle Baker has extensive experience across the health, disability, NGO and government sectors, and is currently Principal Advisor Accessibility at Stats NZ and Chair of Spectrum Care Ltd.

Ronelle has skills and experience in brokering solutions that balance the needs and aspirations of stakeholder groups.

Ronelle is a passionate advocate for improving wellbeing, equity and inclusion for whānau who experience disability. Ronelle has lived experience of the State care system as a Court-appointed whānau carer for two nieces.



Josiah Tualamali'i

Josiah Tualamali'i brings frontline youth advocacy experience to his role through a range of health, leadership, and young people's networks.

In his teens, Josiah helped create the Pacific Youth Leadership and Transformation Trust and helped establish Youth Voice Canterbury, to strengthen the youth voice sector in the aftermath of the Christchurch earthquakes. Josiah was a panel member of the Government Inquiry into Mental Health and Addiction and a member of the advisory group for the Ministry of Education's Civics and Citizenship Education Teaching and Learning Guide (2020). Josiah co-led younger Pacific communities support of the call for the Dawn Raids apology. He serves as co-chair of Pacific wellbeing organisation Le Va and is also a director of Te Pou and trustee of the Rātā Foundation.

Josiah is of Samoan descent the villages of his aiga are Salelesi, Satuiatua, Lepa, Aufaga and Fagaloa.



Mana Mokopuna kaimahi: Our team

Our kaimahi have skills and experience across a broad range of areas including mātauranga Māori, policy, law, children's rights, human rights, social work, youth development, advocacy, youth justice, care and protection, mental health, family violence prevention and response, youth participation, youth engagement, community engagement, health, education, teaching, communications, finance, and human resources.

As at 30 September 2023, Mana Mokopuna had 37 kaimahi (35 permanent and 2 fixed-term) and a total of 35.63FTEs, not including the Chief Children's Commissioner.

Gender	2023	%
Female	30	81%
Male	7	19%
Ethnicity¹⁰		
NZ Māori	15	41%
Pacific Peoples	9	24%
NZ European/Pakeha	23	62%
Asian	3	8%
European	1	2%
MELAA	1	2%
Other	3	8%

Disability profile

There are 5 employees with a disability.

Working together

As an Independent Crown Entity, Mana Mokopuna sits at 'arm's length' from Ministers and as such, is generally not required to have regard or give effect to government policy. We are subject to the Crown Entities Act 2004 and Public Finance Act 1989, and adhere to the 'It Takes Three' Operating Expectations Framework for Statutory Crown Entities published by Te Kawa Mataaho the Public Service Commission, in working with you as our responsible Minister and with the Ministry of Social Development as our monitoring agency. We have a current Letter of Expectations, but look forward to your confirmation around any changes or updates to Ministerial expectations.

Working with the Ministry of Social Development, we have agreed to a draft Memorandum of Understanding to intended to be a guide between Mana Mokopuna, MSD and you as the responsible Minister to set expectations for payments, reporting and general roles and responsibilities. We look forward to this MoU being progressed towards your sign-off at your earliest convenience.

Setting our direction

Under the Crown Entities Act 2004, we are required to produce a four-year Statement of Intent (SOI) and annual Statement of Performance Expectations (SPE). These will reflect the Children and Young People's Commission Act 2022, and how the Commission intends to meet its new responsibilities, including its role as part of the Oversight of Oranga Tamariki System.

As agreed by the previous responsible Minister, we are currently working to provide you with a draft four-year SOI by 21 December 2023, with a final version due in February 2024. A final 2023-24 SPE will be provided to you by 29 March 2024, followed by a draft 2024-25 SPE by 1 May 2024. These deadlines reflect the previous Minister's agreement to extend the timeframes, in light of Mana Mokopuna's establishment and transition from the former Office of the Children's Commissioner. Subject to your satisfaction, the SOI and SPE will be presented to the House of Representatives, under section 149 of the Crown Entities Act 2004.

Keeping you informed

We operate on a 'no-surprises' basis. We will always inform you of our upcoming publications, key speaking events, and times when we have given media comment that may significantly impact you. We will work with your Office and the Ministry of Social Development to implement an MoU that ensures we have an agreed way of operating our no-surprises approach.

By way of regular reporting from Mana Mokopuna, you will receive:

- three quarterly reports on our activities and progress (two in-depth and one summary)
- one annual report
- monitoring reports throughout the year that assess the performance of Oranga Tamariki and contracted care providers (under our OPCAT National Preventative Mechanism mandate)

- copies of our upcoming publications.

The Chief Children's Commissioner welcomes the opportunity to meet with you soon, and the establishment of regular meetings. Staff are also available to provide expert advice on issues concerning the rights and wellbeing of children and guidance on taking a children's rights-based approach. This offer is open to your Office, as well as your colleagues with related portfolios, for example (but not limited to) the Ministers for Children, Disability, Education, Justice, Health, Mental Health, Youth.

Looking ahead: Independent review

We note that section 38 of the Children and Young People's Act 2022 requires the Minister to arrange for an independent review of the operation and effectiveness of the Act, and the operation of the Commission under the Act. The review must begin within three years of the commencement of the Act (by July 2026).

Contact details

Key contact	Dr Claire Achmad Chief Children's Commissioner Claire.Achmad@manamokopuna.org.nz
Physical address	Level 7, 110 Featherston Street Wellington
Website	www.manamokopuna.org.nz
Facebook	www.facebook.com/ChildrenandYoungPeoplesCommissionNZ/
LinkedIn	https://www.linkedin.com/company/mana-mokopuna-children-and-young-people-s-commission/mycompany/verification/
Instagram	https://www.instagram.com/childrenscommnz/

Annexes



Annex 1: Children and Young People's Commission – Draft Budget 2023/24¹¹

Statement of Revenue & Expense				
	2023/24 Budget	2022/23 Actual	2022/23 Budget	2022/23 Variance
Revenue				
Revenue from the Crown		5,147,000	4,797,000	350,000
Revenue - Other		215,051	287,000	100,928
Interest		103,025	5,000	98,025
TOTAL		5,465,076	5,089,000	548,953
Expenses				
Personnel		4,355,886	4,564,150	235,345
Operating		692,867	833,415	140,373
Projects		284,731	342,000	38,708
Depreciation		5,534	3,000	-1,054
Amortisation		52,347	47,000	-4,783
TOTAL		5,391,365	5,789,565	408,589
Net Surplus (Deficit)		73,711	-700,565	140,364

Redacted under section 9(2)(f)(iv) of the
Official Information Act
- advice still under consideration

¹¹ This is the indicative Budget, as at 1 July 2023

Statement of Financial Position			
	2023/24 Actual \$000	2022/23 Actual \$000	2021/22 Actual \$000
Current Assets	TBC	1,920	2,021
Current Liabilities	TBC	566	759
Net Working Capital	TBC	1,354	1,262
Fixed Assets	TBC	77	95
Net Assets	TBC	1,431	1,357

Statement of Equity			
	2023/24 Actual \$000	2022/23 Actual \$000	2021/22 Actual \$000
Capital contribution	Redacted under section 9(2)(f)(iv)	133	146
Current Year Earnings		74	51
Retained Earnings		1,224	1,160
Balance		1,431	1,357

Annex 2: Quote Source References

Page 2:	What makes a good life? (manamokopuna.org.nz)
Page 5:	What makes a good life? (manamokopuna.org.nz)
Page 8:	English-Tamariki-Rangatahi-Maori-Summary-Report (1).pdf
Page 10:	Mokopuna voices summary: How do you want to be heard?
Page 14:	English-Tamariki-Rangatahi-Maori-Summary-Report (1).pdf
Page 16:	Summary Report of engagements with children and young people to inform the Strategy Review.pdf (childyouthwellbeing.govt.nz)
Page 16:	Child and youth voices on their positive connections to culture in Aotearoa Mana Mokopuna
Page 17:	Better Futures 2020 (sbc.org.nz)
Page 20:	Summary Report of engagements with children and young people to inform the Strategy Review.pdf (childyouthwellbeing.govt.nz)