

# Oversight of Oranga Tamariki System and Children and Young People's Commission Bill

## What?

The Bill has been introduced to Parliament and is open for public submissions till 26 January 2022. It does two main things:

1. Replaces the Office of the Children's Commissioner with the Children and Young People's Commission.
2. Establishes a new entity – the Independent Monitor of the Oranga Tamariki System.

## Why?

The Bill, introduced by Government, seeks to achieve a ["comprehensive, cohesive system to improve outcomes for children and young people, tamariki and rangatahi, across New Zealand"](#). It intends to strengthen the care system through monitoring, and improve advocacy for children and young people through the new Commission.

## How?

Key elements include:

- The Independent Monitor will assess the quality of Oranga Tamariki System service delivery and compliance with its Act. This will mean the Children's Commissioner will no longer be the Oranga Tamariki monitor.
- The Ombudsman will undertake oversight of complaints and investigations related to the Oranga Tamariki System.
- System level advocacy for all children and young people in New Zealand will be strengthened by expanding and enhancing the functions and activities of the new Commission.
- The oversight bodies will be required to demonstrate a practical commitment to Te Tiriti o Waitangi.

## Impact on the Office of the Children's Commissioner

Key changes include:

- Replacing the Children's Commissioner with a board of 3 – 6 members, with no requirement for a named Children's Commissioner.
- Removing the statutory responsibility for monitoring Oranga Tamariki, and expanding the Commission's advocacy through three key functions:
  1. Promoting the interests and wellbeing of children and young people.
  2. Promoting and advancing the rights of children and young people.
  3. Encouraging children's and young people's participation and voice.
- There will also be expanded responsibilities to advocate for care-experienced young people under 25, give effect to Te Tiriti o Waitangi, include Te Ao Māori approaches in our work, and advocate for the full diversity of children.

## Our View

We think the Bill could be improved to work better for mokopuna and whānau. There's an opportunity to improve it at Select Committee by:

- Making sure there will always be a named Children's Commissioner
- Requiring a robust Tiriti o Waitangi model of governance
- Ensuring the Commission retains the ability to investigate and follow up on complaints on behalf of mokopuna
- Establishing the Monitor as independent from Government and ensuring it has adequate powers to stand up for children and young people and be required to make recommendations for improvements.
- Ensuring that the vision of transformation of the care and protection system to deliver for Māori by Māori extends to the Monitor.

## What do you think?

Your voice can help strengthen the Bill. Have your say here: <https://bit.ly/3feXqDn>



Children's Commissioner Judge Frances Eivers represents the 1.2 million people in Aotearoa New Zealand under the age of 18. The Commissioner advocates for their interests, ensures their rights are upheld, and helps them have a say on issues that affect them.

For more information:



[www.occ.org.nz](http://www.occ.org.nz)



@occnz



Our Newsletter



@childrenscommnz