



Media release

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Statement on Oranga Tamariki practice review into the Hastings Case

Birth of a pēpē should be a time of joy for all whānau, not a fight to stay together says Children's Commissioner Andrew Becroft.

"I would like to acknowledge the whānau at the centre of this tragic situation. The whānau of this pēpē, particularly the mother, have been incredibly strong. Clearly, they have experienced significant trauma from this process.

"The practice review released by Oranga Tamariki today is rigorous and robust. However, it describes a litany of failure at every step. It is a damning indictment of inadequate social work practice. Many social workers will welcome the light being shone on this case.

"This report details the situation for just one whānau. It's important that the lessons learned from this case are used to bring about systemic change, as it is unlikely this is an isolated incident.

"Between 2015-2018 the removal of pēpē (aged 0 – 3 months) from their whānau increased by 33 percent. This was almost entirely due to an increase in Māori babies entering State care. It is hard not to conclude that this shows significant structural racism in our care and protection system.

"Recommendations in the report must be implemented with urgency. These include the tightening of processes around the 'subsequent child' provisions introduced in 2015. In my view, these provisions are draconian and should be repealed. Although the provisions were not relied on in this case, it is likely they have significantly coloured social work practice and negatively impacted on decision making about second or subsequent babies.

"It is also clear that applications for Court ordered 'without notice' removals of pēpē must only be used when absolutely necessary, in cases of clear and imminent danger. This was simply not the case for this pēpē and the actions of those involved only served to cause additional trauma.

"We need urgent and transformative change. Oranga Tamariki and other agencies of the State must work with and empower Māori to act for their whānau. In particular, Oranga Tamariki must work more closely with whānau, hapu and iwi as it is required to do under law.

"My office is undertaking an inquiry on what needs to change to ensure pēpē Māori can remain in the care of their whānau, in situations where Oranga Tamariki has been notified of care and protection concerns. An interim report will be published early next year.

“It is deeply distressing that an agency of the state in New Zealand has misused its power in the way that has occurred in this situation. Birth of a pēpē should be a time of joy and togetherness for every whānau,” says Commissioner Becroft.

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