



waves

Waitakere Anti-Violence Essential Services

WAVES Trust

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Submission on the Green Paper on Vulnerable Children

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We wish to speak with the Ministry about our submission if that is possible

WAVES Trust is an interagency family violence network organisation. The membership is primarily government and non-government service providers who work in the area of family violence. There are also members who are not specifically family violence agencies but their work complements or supports efforts to reduce violence in Waitakere.

We are committed to strengthening the work of those who support and inform victims of family violence and those who hold offenders accountable and support them to make positive changes to their behaviour. WAVES acts to support and resource all member agencies to practice to the highest standards of integrity and professional ethics.

WAVES Trust provides:

- A networking forum to encourage and support statutory and community services to provide integrated and collaborative services to reduce family violence
- Links to other organisations through the interagency network
- Community advocacy and representation on initiatives that target family violence
- Information about best practice in family violence intervention and support for the implementation of best practice

- Primary prevention, capacity building and education opportunities for those working to reduce family violence
- Contract management of interagency projects and contracts
- Access to current, relevant research Monitoring of community initiatives such as the Waitakere Family Violence Court
- An overview of information deficits and initiation of local research

WAVES Trust is a charitable trust. Governance is vested in the Board chaired by trustee Waitakere Family Court Judge David Mather. There are 5 trustees including David Mather, Penny Hulse (Auckland Council Deputy Mayor), Chris Davidson (NZ Probation Service), Steve Kehoe (NZ Police) and Tiaria Fletcher (Lifewise Family Services).

There are currently four staff members – a Manager, two part-time Coordinators, and an Administrator, as well as one contracted part-time Project Leader.

Background

The Trust's role in the community is to provide services and information to the network of family violence service providers and related agencies in Waitakere. For the past three years WAVES Trust has been actively addressing gaps in service provision to children living with family violence and child maltreatment in Waitakere. These activities have contributed valuable experience and knowledge to our submission.

The family violence sector engages with individuals and families affected by family violence, which includes perpetrators and victims of, and witnesses to, violence directed at intimate partners, at children, or towards other members of the family/household such as elders and extended family.

In preparation for this submission we have co-hosted two stakeholder meetings with representatives from the following agencies and sectors:

- WAVES Family Violence Network
- Waitakere Taskforce on Family Violence
- Waitakere Community Law Service
- Waitakere wider community
- Other family violence networks in the Auckland region

We have also attended the MSD presentation on the Green Paper hosted by Lifewise Family Services (3 November 2011) and the Social Services Providers Aotearoa Seminar (1 February 2012). We thank John Hancock from the Office of the Children's Commissioner for his support during the development of our submission.

Summary

We thank the Ministry for giving us the opportunity to make this submission. We have structured our submission in three sections: firstly providing direct answers to some of the questions or propositions made in the Green Paper and secondly, a more general discussion about the structure of the Green Paper and the support needs of children reflecting the views of participants at stakeholder meetings and supported by national and international literature. Finally, our submission closes with a **recommendation to enact a Children's Act including an Action Plan for New Zealand Children.**

Stakeholder meetings with our network and other research undertaken to prepare for this submission identified the need for a coherent and agreed vision of what constitutes children's wellbeing and a corresponding commitment on the part of present and future Governments to uphold that vision across sectors and within government across ministerial portfolios.

The primary goal of any policy/practice changes for children must be to:

- 1. provide primary prevention and early intervention strategies to reduce the numbers of children experiencing harm, and**
- 2. respond better to children and families identified as at risk in order to reduce cumulative harms to children.**

WE RECOMMEND:

1. That government undertake service reviews within a coordinated plan of action that is evidence-based and evaluated with the aim of improving services to children and reducing service gaps and deficiencies.
2. That a **Children's Act** be developed appointing Government and Community Boards and ensuring political independence of the Office of the Children's Commissioner. These Boards and the Commissioner would oversee the development, implementation, and reporting on an Action Plan for All New Zealand Children and a national strategy on child maltreatment.
3. That government should not limit its discussion to targeting vulnerable children in the forthcoming White Paper and should produce an **Action Plan for All Children.**
4. That government make reducing child poverty a key priority for this term and ensure that progress is assessed and evaluated.
5. That government investigate and implement solutions to promote children's interests across ministerial portfolios and seek cross-party support for these measures.

6. That all New Zealand government policies and legislation affecting to children be brought into line with UNCROC and Te Tiriti o Waitangi/The Treaty of Waitangi as soon as opportunities arise.
7. That existing and future government reviews with potential impacts for children immediately be revised ensuring that impacts on children are assessed as part of the review process and solutions implemented to mitigate any adverse consequences.
8. Government investigate ways to promote and support inter-agency collaboration for children and fund these accordingly.
9. That the forthcoming White Paper place greater emphasis on recognising government's role in supporting prevention and early intervention strategies to reduce the harmful experiences for our children.
10. That government ensure they engage with social services and NGO sector agencies when formulating quality standards for the workforce for children and extend these standards on to those working with families.
11. That government undertake wide and comprehensive consultation when developing common principles and standards, assessment frameworks, protocols and accreditation processes to ensure these are applicable across the spectrum of the workforce for children.
12. That government commit to funding professional development of the workforce for children and providing adequate funding for their employment.
13. That government incorporate the points listed in Section Three of this submission into plans for a Children's Act and Action Plan for All Children the forthcoming White Paper.

SECTION ONE: RESPONSES TO GREEN PAPER QUESTIONS

Share responsibility

What services and programmes could government agencies consider in a review of support for parents and caregivers?

Stakeholders felt it was inappropriate for Government to ask the public to nominate services and programmes for government review. They were concerned that the Green Paper did not specify what was meant by ‘review’, and thought that the question was too concerned with fiscal objectives and was not child-focused. They felt that service and programme reviews should be conducted with care and caution within a coordinated programme of evaluation and aimed at improving the quality of services and reducing gaps in service delivery. These ideas will be discussed further in Section Two.

Have government agencies got the balance right in supporting parents, caregivers, family and whānau, to meet their responsibilities, while also protecting the needs of vulnerable children?

Stakeholders did not think the government needs to intervene earlier or more often in children’s lives for their protection. But they were of the opinion that government investment in parenting and childhood is currently insufficient, evidenced by the high levels of child poverty in New Zealand for example. As representatives of social service agencies working with children and families who often do not qualify for CYF interventions, these stakeholders argued that government could do more to support early intervention by community agencies to prevent family problems escalating to the point where CYF become involved. They argued that *laissez-faire* approaches to children’s wellbeing which assume that parents who need help will naturally know where and how to ask for it (or indeed understand that they have a problem) have been shown to be inefficient and ineffective. Models supporting children’s well-being are discussed later in this submission.

When should government agencies step in and intervene with families and whānau?

Stakeholders did not believe that government needs to extend its child protection responsibilities but many argued that government needs to improve its performance in meeting its current obligations. Stakeholders were concerned that CYF is under-resourced to meet the volume of notifications it receives annually and that systemic problems within the organisation contributing to children’s experience of harm remain unidentified or unaddressed.¹

How can government encourage communities to take more responsibility for the wellbeing of their children?

Stakeholders upheld the ‘It’s Not OK’ campaign and associated help-line/referral service as

¹ This comment was made in relation to the findings of Mel Smith’s 2011 inquiry into the services delivered to the 9-year-old Waitakere girl ‘M’, which makes little comment on how the organisation might remedy the structural gaps that had allowed the failings in practice and supervision of one social worker to pass unremedied for two years. See http://img.scoop.co.nz/media/pdfs/1112/Smith_report.pdf (Accessed 9 January 2012).

an example of effective and well-supported social marketing that could be reframed to inform communities of their role in promoting children's wellbeing.

In terms of inter-agency communication and referral, within the family violence field the Te Rito strategy could be used as a model for child-focused agency collaborations. Te Rito has been favourably evaluated for its emphases on timely referrals between statutory agencies and NGO's and inter-agency collaboration.²

What barriers need to be removed to allow communities to take responsibility for the wellbeing of their vulnerable children?

One of the key barriers identified by stakeholders is the lack of understanding of what 'having a child-focus' means. They note that this occurs within the general public, within service provision,³ and in government particularly at the policy development level. Alongside this problem, others felt that within communities there was a general sense of helplessness over the issue of child abuse coupled with failure to recognise how important community support is for children who live with adversity at home — especially those who do not meet the threshold for CYF intervention.

Stakeholders felt that there needs to be a national strategy for bringing communities into conversation about children and adequate funding provided by government for social marketing and evaluation (see comments about the 'It's Not OK' campaign above). A number of stakeholders recommended communities need to be encouraged to recognise how empowering their support is for children.

WE RECOMMEND: That government undertake service reviews within a coordinated plan of action that is evidence-based and evaluated with the aim of improving services to children and reducing service gaps and deficiencies.

Show Leadership

How can an action plan improve outcomes for vulnerable children?

Stakeholders were adamant that an action plan must define desirable outcomes for all children, which would then provide the basis for identifying those who are not likely to achieve those outcomes and require targeted services.

What goals could the government include in a plan?

Some examples given by stakeholders include:

- Removal of child poverty
- Adequate housing, food, warmth, clothing, personal safety
- Access to culture

² <http://www.nzfvc.org.nz/sites/default/files/Te%20Rito%20Fund%20review%20OIA%20release.pdf> (Accessed 2 February 2012).

³ See for example comments by Mel Smith about service providers becoming 'captured' by the adults in families http://img.scoop.co.nz/media/pdfs/1112/Smith_report.pdf (Accessed 9 January 2012).

- Access to recreational activities
- Literacy and numeracy
- Supportive relationships and communities
- Financial and social support for parents
- Adequate household income and job security for families with dependent children

What actions could be included in a plan?

Stakeholders would like to see investment in universal services and targeted actions addressed within a plan. Their vision for the plan is discussed later in this submission.

What could be the priorities for vulnerable children for the early years, for primary school-aged children and adolescents?

What do you see as the value of using legislation to underpin a Vulnerable Children's Action Plan?

What other actions or principles would you like to see included in legislation?

Who could legislation require to report on national progress against an Action Plan?

Stakeholders want a Children's Action Plan that is enduring. Legislation is required to ensure that the principles of the plan remain government priorities across administrations and foster cross-party support by limiting the influence of adversarial politics. Therefore we support the enactment of a Children's Act to provide overarching legislation facilitating joined up service delivery to children.⁴ A Children's Act should include the following:

- A requirement on government that its activities improve the wellbeing of children (defining wellbeing in the broadest sense)
- Develop an Action Plan for All New Zealand Children (see Section Three of this submission)
- Establish a Board of high-level government officials to oversee implementation and observance of the Action Plan and report annually on Government actions across Ministries and Departments
- Establish a Community Oversight Board made up of non-government sector leaders (e.g. CEOs of organisations such as Barnardos, Child Matters Trust, and members from coalitions such as Every Child Counts)
- Maintain the current role of the Children's Commissioner under the Children's Commissioner Act 2003, but vest control of leadership appointments in the Community Oversight Board to ensure political independence
- Develop a national strategy to raise awareness of child maltreatment (including abuse and neglect) and educate communities on ways to support children (similar to the 'It's Not OK' campaign)

WE RECOMMEND: That a Children's Act be developed appointing Government and Community Boards and ensuring political independence of the Office of the Children's Commissioner. These Boards and the Commissioner would oversee the development,

⁴ John Hancock, 'Has the time come for a Children's Act?', *Children*, 78, Spring 2011, pp. 35–8.

implementation, and reporting on an Action Plan for All New Zealand Children and a national strategy on child maltreatment.

What things could be included in such a report?

This is discussed in a later section of this submission.

How could government work in partnership with iwi, Māori organisations and their leaders to deliver services for vulnerable tamariki and their whānau?

What services or programmes are working well to achieve tamariki ora?

What could be improved to ensure that services generate tamariki ora?

How can we get services to hard-to-reach Māori whanau?

National and international experts agree that universal services for all children provide the best platform for identifying additional needs in so-called ‘hard-to-reach’ families.⁵ For Māori whanau it is important that universal services such as schools, medical care, and early childhood education are well represented in rural and iwi communities, that there is strong local input and connections with the community, and that collectively services deliver a choice of culturally-appropriate mainstream and kaupapa Māori options.

Make child-centred policy changes

Do you think the government should provide more targeted services for vulnerable children?

If yes, from where should funding be taken to do so?

Stakeholders were ambivalent about this question, as discussed earlier in this submission. Their views are expanded upon in the section below on concepts of vulnerability and targeting.

Should the government reprioritise spending to provide more early intervention; that is, more services for younger children and/or services for children that address problems as they are beginning to surface?

If so, from where should funding be taken?

Again, stakeholders were wary of questions about funding cuts or reprioritisation. They felt uncomfortable being asked to nominate services for cuts without any information about the cost/benefits to the children concerned. They viewed these questions as fiscally-driven and not at all child-focused nor child-friendly.

What priority should the government give to the families and whanau of those caring for vulnerable children when allocating services that impact on the children they are caring for?

Stakeholders felt that supporting children requires support for the family unit as a whole, and that parental health or family circumstances can be key drivers of poor outcomes for some children. This is certainly evident in the high demand for emergency housing for example. Stakeholders had no objection to needs assessments recognising that the needs of a family

⁵ Leah Bromfield, ‘Minimising Cumulative Harm for Vulnerable Children: Does the Green Paper Reflect International Best Practice’, Adelaide, 2011, (accessed via the Social Service Providers Association of New Zealand), p.6.

might be greater than the needs of an individual. However, some did wonder whether the need to prioritise families with children should instead be read as evidence of insufficient service funding or the need for better preventive measures. These ideas are expanded and discussed later in this submission.

What services do you think should be included in this policy? When should adults who care for vulnerable children be prioritised for services over others?

Stakeholders identified the following as having a strong impact on child wellbeing:

- Housing
- Adequacy of welfare benefits
- Access to early childhood education
- Financial support to enable parents to work part time
- Drug and alcohol and gambling rehabilitation programmes
- Affordable medical care

How much monitoring of vulnerable children should the government allow?

Who should monitor vulnerable children and under what circumstances?

How can the negative consequences of increased monitoring be minimised?

Stakeholders were ambivalent about monitoring. Many stakeholders working with children who have had CYF interventions felt that monitoring and cross-sector information-sharing was justified for these children and any siblings remaining in their parents' care. Some supported the suggested 'red flags' on school, health, or welfare databases to ensure that professionals coming into contact with families for the first time are aware of current or previous CYF involvement enabling them to assess information or behaviours as potentially indicative of on-going abuse and allow earlier notifications to CYF.

Stakeholders generally did not support blanket monitoring of all children, although the point was made at one meeting that this would de-stigmatise monitoring. However, the majority preferred investment in children's wellbeing rather than surveillance. Many would like to see greater government investment in prevention measures such as raising community awareness of what constitutes an at risk family, how to intervene personally, and which services can work with families before abuse occurs similar to the current 'It's Not OK' campaign. There is also support for greater investment in early intervention measures such as extension of health- and home-based post-natal services and family support services for high-risk families.

What other mechanisms could be used to keep track of vulnerable children and their families and whanau?

One option is to raise public awareness of the precursors to child abuse through education, supporting the public and social services to make notifications or referrals that are appropriate to the situation they encounter. Stakeholders felt that mandatory reporting to CYF of any concerns about children by service providers and professionals would overwhelm the service unnecessarily. Some stakeholders had experience of mandatory reporting policies, which required them to report disclosures of abuse even if these were not sufficiently serious as to warrant intervention by CYF. They felt that referral to a parenting

program or similar low level intervention would be more helpful to families and would not jeopardise the service's relationship with the family, as many families withdraw after being reported to CYF.

Instead, some argued that NGO service providers should be required by government to have compulsory referral policies for those families with children in the grey area where there are concerns about wellbeing that do not meet the threshold for CYF involvement. Anecdotal evidence from the family violence sector indicates that many parents may not make the first move to seek out additional supports for their children but will take up offers of support if contacted directly by a sympathetic service provider in a non-stigmatising way.

What information should professionals be able, or required, to share about vulnerable children?

Under what circumstances should they share information?

Who should be able to share information and with whom?

Some stakeholders recognised the need for agencies to have robust policies for obtaining client consent to discuss their needs with other services and defining or limiting the scope of information-sharing. Many stakeholders felt that social service sectors should have agreed best practice principles for information-sharing that are regularly reviewed and updated, such as being conducted with consent and in good faith, and holding the child's interests paramount.

Although there is much discussion in the media about whether there should be mandatory reporting/information-sharing within the health sector, stakeholders wanted to see a much wider scope for information-sharing including NGOs and government agencies where appropriate. Others would appreciate legal advice and training on the Privacy Act and its implications for information sharing.

We note that the Privacy (Information-sharing) Bill is currently before the Select Committee. We urge the government to extend its provisions beyond government agencies and NGO's holding an MOU with government. The entire NGO sector should benefit from its provisions regardless of whether they have a direct relationship with government.

What else can the Government do to make sure professionals and services have all the information they need to make the best decisions about services for vulnerable children and their families and whanau?

Stakeholders were concerned that simply asking service providers to commit to information-sharing would not adequately address the needs of children living in families with multiple and complex needs. Discerning whether a child is at risk requires a degree of interaction with other service providers that goes beyond simple information-sharing. Instead a number of service providers argued for the need to promote robust inter-agency relationships found in collaboration frameworks, which are discussed in more detail in the next section.

Make child-centred practice changes

What can be done to improve or promote collaboration between professionals and services?

New Zealand already has the bones of an interagency collaboration framework for services working with families that have multiple and complex needs in the form of the Te Rito Family Violence Strategy. New Zealand's family violence sector has been waiting to hear from government since April 2011 whether Te Rito will continue to be funded and if yes, in what form. We note that Australia has a similar strategy focused upon families and children: the Facilitating Partnership Model.⁶ A number of Waitakere stakeholders drew attention to the fact that Te Rito could be modified to focus on children and incorporated into a Children's Action Plan to bring comprehensive change to the way that government and NGO service providers interact with each other and improve service provision to children and their families. We note also that the Privacy (Information-sharing) Bill 2011 goes some way to addressing some of the issues with the Privacy Act that impede inter-agency information sharing.

What principles, competencies or quality standards should be included in the minimum standards for a workforce for children?

A number of stakeholders were concerned that there are few requirements for NGOs to employ staff qualified to work with children, and few practice qualifications focused specifically on how to work with children. To help address this gap the Waitakere Taskforce on Family Violence, its advisory group, and WAVES Trust have been discussing ideas for a local quality standard for the children's workforce. This is a project that we expect will be completed during 2012.

Who should be included in a workforce for children?

Stakeholders drew attention to the fact that 'a workforce for children' often co-exists with the wider workforce engaging with parents and families. They felt that standards should be extended to the wider family-focused workforce and not limited to those who specialise in working with children. Most stakeholders agreed that in order to be effective family workers must be equipped to see children as both individuals and part of the wider family, so would benefit from education in child-focused competencies.

What other changes could be made to increase the effectiveness of those who work with vulnerable children?

Within the family violence sector some have expressed concerns that there are too few impediments, other than capital, to starting an agency and touting for clients. This means that services can start up with few or no experienced/qualified staff and be heavily reliant on volunteers. On the one hand this allows the sector a degree of local and regional flexibility to fill service gaps quickly. On the other hand, however, existing agencies are concerned that high and complex needs families may not receive an appropriate service because these new

⁶ Myfanwy McDonald and Kate Rosier, 'Interagency Collaboration: Part A', Australian Family Relationships Clearinghouse, Briefing Paper 21-A, 2011, <http://www.aifs.gov.au/afrc/pubs/briefing/b021/bp21a.pdf> (Accessed 25 January 2012).

agencies' have little investment in staff competency and best practice principles. Stakeholders suggested that ways to reduce these problems might include:

- Mandating core competencies/minimum staff qualifications for agencies working with families and children.
- Government funding to encourage existing agencies to partner with community members/groups to identify and address service gaps
- Government funding to support new agencies to meet core competencies and minimum staff qualifications

How can the government's frontline services better connect vulnerable children and their families and whānau with the services they need?

Stakeholders were concerned that CYF is not well resourced to cope with the large volume of notifications that are not picked up for further action and were concerned that communities relied too much on CYF to address issues that are not really within its jurisdiction. They offered the following potential solutions:

- Government providing (or contracting out) a non-stigmatising family support service that could undertake assessments and screening for the purpose of making referrals to statutory child protection services (CYF) or community sector NGOs. Examples of existing national services that might be well placed to offer such a service include the SKIDS programme, Plunket Society, Social Workers in Schools.
- Others believed social marketing campaigns like 'It's Not OK' could help inform communities on the range of referral options available to them locally, for example through the existing 0800 helpline, reducing reliance on CYF as the only referral point for child welfare concerns.

What other changes do you think could be made to ensure vulnerable children are connected to the services from which they would benefit?

Stakeholders supported the Te Rito Family Violence Strategy as an example of a good model of government agency and NGO collaboration, as well as the Family Violence Inter-Agency Response System run by NZ Police.

How could early childhood education centres and schools be better used as sites for delivery of a wider range of services?

What services could be better connected and how?

WAVES Trust is currently has a project underway to examine the service support needs of schools in relation to children known to live with family violence at home. Whilst we endorse the view that schools and ECE providers would benefit from training and support to help staff better recognise children affected by family violence, we are wary of imposing a duty upon them to act as social workers. We believe that providing opportunities for schools and ECE providers to participate in the wider network of agencies providing services to children and encouraging the development of good relationships and referral processes between the education sector and social services will provide invaluable support to families and children in need. However, investment is needed to form and develop these connections,

including resourcing sectors with staff dedicated to fostering these relationships and acting as mediators, educators and facilitators.

Overseas, early childhood education is recognised as a universal service that has a crucial role to play in supporting families at risk. Stakeholders felt that government policies to upskill staff in these institutions and to support universal participation are vital conduits to getting more at-risk families timely and appropriate support.

What other opportunities exist to deliver services more effectively for vulnerable children, and their families and whānau?

The current government emphasis on children presents numerous opportunities to do more for children. For example, recommendation 9 in Mel Smith's report 'Following An Inquiry into the Serious Abuse of a 9 Year Old Girl...' suggests that the government should initiate 'an intensive public communication programme' on the implications of the 'failure to protect' provisions in the 2011 Crimes Amendment Act.⁷ We agree with Mr Smith that this legislation has the potential to rise above a simple punitive response to substantiated child abuse if coupled with public awareness campaigns that incentivise bystanders to protect children. Punishing those who overlook or collude with child abuse may satisfy the vengeful public but will not reduce the harm experienced by children. A key goal of government must be to prevent children experiencing harm in the first place.

⁷ http://img.scoop.co.nz/media/pdfs/1112/Smith_report.pdf, p. 94 (Accessed 9 January 2012).

SECTION TWO:

Stakeholders and participants at the various meetings we attended consistently expressed concerns about some of the Green Paper content. This section outlines those concerns and offers alternative suggestions supported by national and international research.

Vulnerable Children and Targeting

Participants at stakeholder meetings endorsed the view expressed in the Green Paper that too many New Zealand children do not currently receive the support they need to thrive. However, stakeholders felt that the subsequent discussion in the Paper on the undefined category of ‘vulnerable’ children was too vague and imprecise and did not support holistic service delivery via inter-agency or inter-sector collaboration, a key principle of the government’s Whānau Ora programme. Instead stakeholders could foresee that different sectors might uphold industry-specific definitions of vulnerability leading, potentially, to competition on priorities between social service agencies and professionals and risking creating new groups of children who miss out on the support they need to thrive. These views are endorsed by international literature and this section elaborates on those concerns.

A key concern about the Green Paper is its lack of discussion about the fact that in many disciplines vulnerability is not the same as risk:

risk describes a broad array of factors associated with an increased probability of the occurrence of a disorder’

whereas

vulnerability represents a subset of risk that refers to factors endogenous to the individual that may serve as mechanisms in the development of [a] disorder⁸

Stakeholders were concerned that the Green Paper asks them to endorse the concept of targeting the vulnerable without being clear that this concept did not mean all children considered at risk. **Stakeholders reject the implication in the Green Paper that the State need not be concerned about minimising risk factors for children.**

Focusing on only vulnerable children at risk may mean that the needs of other children experiencing similar risk factors are overlooked. If support will only be available to defined groups of vulnerable children there is a risk of reproducing the dilemma currently faced by siloed services: where children present as obviously in need of support but do not meet the criteria for service provision simply because they do not fit any identified category of vulnerability.⁹ Whether definitions of vulnerability are drawn from modern medical or social science understandings of the mechanisms of disorders/maladjustment or driven by popular causes and cultural or moral judgements, none will adequately provide for a framework that prioritises delivering to all children what they need to promote wellbeing.

New Zealand’s Ministry of Social Development acknowledges that exploring vulnerability factors is a relatively new area of research, which is incomplete and requires substantial

⁸ Rick Ingram and Joseph Price, *Vulnerability to Psychopathology: Risk across the Lifespan*, 2nd ed., The Guildford Press, 2010, p.19.

⁹ McDonald and Rosier, p.6.

judgement calls in order to define populations of concern.¹⁰ Furthermore, overseas experience suggests that governments can be unduly influenced by high-profile tragedies and charity media campaigns, leading to policies that fail to address less publicised areas of need. As Charles Meth has argued in relation to South African social policy:

*The creation of categories of ‘especially vulnerable children’ such as street children, AIDS orphans and child sex workers has led to disproportionate attention at the expense of other children suffering similar but less visible threats to their protection. It also appears that the vulnerability of [the identified] groups is in many cases overstated or misplaced, and being singled out in such a way may unintentionally further their stigmatization.*¹¹

We were also concerned that the estimate given in the Green Paper that 15 percent of children can be considered vulnerable is inadequately supported for two reasons. Firstly, because it is drawn from longitudinal studies and is therefore historic. This estimate does not reflect the impact of the benefit changes of the 1990s,¹² nor the impact of the current recession on children (nearly 34,000 more children are being supported by welfare benefits in 2011 compared to 2008).¹³ Secondly, the studies were conducted in Dunedin and Christchurch, which the Ministry of Social Development categorises as lower need and moderate need respectively and therefore may not reflect volumes of vulnerable children in other urban areas (e.g. South Auckland) or rural areas (e.g. Northland) where many children live in extreme hardship.¹⁴

Stakeholders also expressed concerns about the Green Paper’s emphasis on targeting services to the ‘vulnerable’ by redirecting funding from other children. Their views were consistent with the New Zealand Council of Christian Social Services, which has argued that:

*policies need to ensure every child has sufficient support while ensuring that the most disadvantaged children receive well targeted assistance to help them get ahead.*¹⁵

The statement above echoes the original intention of Britain’s Green Paper: *Every Child Matters*, which held that:

*child protection cannot be separated from policies to improve children’s lives as a whole. We need to focus both on the universal services which every child uses, and on more targeted services for those with additional needs.*¹⁶

¹⁰ Centre for Social Research and Evaluation, *Vulnerable Children: Numbers and Risk Factors*, MSD, Wellington, 2011, p.2.

¹¹ <http://www.epri.org.za/CharlesMethFullPaper.pdf>, p.11 (our emphasis).

¹² Nicola Atwool, Presentation to the SSPA Seminar Series, Waipuna Lodge, Auckland, 1 February 2012.

¹³ Child Poverty Action Group report on the Children’s Social Health Monitor, 2011 see: <http://www.stuff.co.nz/national/5521345/Children-silent-victims-of-the-recession> (Accessed 6 Dec 2011).

¹⁴ See map of Territorial Authorities and Family Violence needs which is calculated based upon four vulnerability indicators that are relevant to children: CYFS referrals, Police FV callouts, volume of Protection Orders, and income deprivation/no.s on welfare benefits:

<http://www.familyservices.govt.nz/documents/working-with-us/funding-and-contracting/application-forms/family-centred-services-fund-map-of-need.pdf>

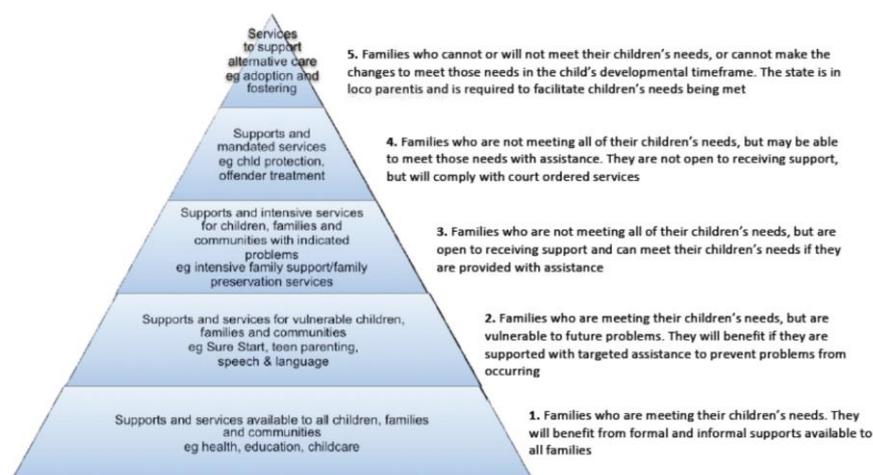
¹⁵ [http://www.nzccss.org.nz/uploads/publications/KeteKupu%2019%20\(6\).pdf](http://www.nzccss.org.nz/uploads/publications/KeteKupu%2019%20(6).pdf), p.4.

¹⁶ *Every Child Matters*, 2003, p.5.

British research has shown that policies aimed solely at a targeted group during the late twentieth century were expensive, produced ‘insufficient coherence’ across sectors, and sat uncomfortably with an ‘emerging acceptance that outcomes should be the same for *all* children.’¹⁷ For these reasons British policy emphasises on targeting of resources to the vulnerable have since been superseded by a focus on equality of outcomes for children, as discussed in *Every Child Matters* and subsequently in research on social inequalities.¹⁸ New Zealand should heed these developments because we have one of the fastest growing rates of inequality in the OECD.¹⁹ For these reasons WAVES supports Every Child Counts’s argument that government investment in all children starting with early childhood education is needed to secure the best possible outcomes for the nation in the long term.²⁰

Australian expert on child protection Leah Bromfield argues that New Zealand needs a both/and approach to children that ensures all children receive support to help them thrive, belong and achieve, whilst also providing extra resources for those who need more help. She presented the following diagrammatic representation ‘of the different populations of vulnerable children and their families, and the varying levels and intensity of services required to meet their needs.’²¹ Every Child Counts presents a similar diagram is used to show the inter-relationships between universal and targeted services.²²

Services and supports matched to different populations of vulnerability



(Source: Bromfield, p. 3)

¹⁷ John Rowlands, ‘Need, Well-being and Outcomes: The Development of Policy-Thinking for Children’s Services 1989–2004’, *Child & Family Social Work*, 16, 2011, p.260 (his emphasis).

¹⁸ Rowlands, pp. 262–3. Inequality and its impact on wellbeing around the world is discussed by Richard Wilkinson and Kate Pickett, *The Spirit Level*, London, 2009.

¹⁹ <http://www.scoop.co.nz/stories/WO1112/S00172/record-gap-between-rich-and-poor.htm>

²⁰ <http://www.everychildcounts.org.nz/w/wp-content/uploads/2011/08/InvestmentinchildrenShortVersion.pdf>

²¹ Bromfield, p. 3.

²² *Every Child Counts*, p. 21.

WE RECOMMEND: That government should not limit its discussion to targeting vulnerable children in the forthcoming White Paper and should produce an Action Plan for All Children which provides for universal services to all children and targeted extra support for at risk children.

WE RECOMMEND: That government make reducing child poverty a key priority for this term and ensure that progress is assessed and evaluated.

Need for Government to Better Coordinate Approaches to Children

As was briefly mentioned in the previous section on vulnerability and targeting, there are aspects of the Green Paper that fail to reflect current government policies, such as Whānau Ora. Likewise, other current government reform processes in other areas lack discussion about their impact on children, for example welfare reform and the Family Court Review. This section of our submission discusses these concerns and why it is important to have a coordinated approach to policies and issues affecting children across government ministry portfolios.

All too often children are not the focus of policies which have a profound effect on their wellbeing. The current welfare reform for sole and/or unemployed parents is a good example of the way that policy ignores the possible impact on children. It has been reported that benefit payments will be cut by 50% or more if beneficiaries categorised as ‘jobseekers’, including those raising children, fail to meet specific targets.²³ Government has yet to deny this claim or indicate an interest in ameliorating its impact on children. Cutting benefit payments to parents will severely impact on the wellbeing of their children and will not address the underlying reasons why parents are unable or unwilling to comply with the government’s jobseeker requirements.²⁴ Punitive approaches will not work to encourage healthy family functioning and will flow-on to impact parental and child mental and physical health. As Professor Innes Asher has stated, ‘[c]uts in welfare in 1991 drove children into poverty, not parents into work’.²⁵ It is well documented that poverty results in an increasing burden on the health, justice, and welfare systems,²⁶ calling into question whether such a practice would in any way benefit the nation in the long term.

A number of stakeholders at consultation meetings with regard to the Ministry of Justice Family Court Review have questioned why that Review is being conducted at the same time as the Green Paper consultation and yet neither refers to the other. Stakeholders were also concerned about the lack of a focus on children in the Family Court Review. The Review document identifies Care of Children cases as the largest contributor to rising costs at the

²³ <http://www.nzdoctor.co.nz/in-print/2011/november-2011/16-november-2011/welfare-reforms-unhealthy-for-kids.aspx> (Accessed 9 February 2012). See also <http://www.scoop.co.nz/stories/PO1107/S00090/call-for-focus-on-child-wellbeing-in-welfare-debate.htm> (Accessed 9 February 2012).

²⁴ A more effective system would utilise the strengths of Whānau Ora and look at ways to identify and address unmet needs that impede workforce participation, which might include addictions, undiagnosed mental health issues, or high need dependents in the family; but could also include a lack of suitable employment prospects.

²⁵ Ibid.

²⁶

Family Court. It asks us to accept at face value that limiting the numbers of parents gaining access to the Family Court will thereby benefit children with faster turnaround. The Review document does not explore current outcomes for children in any great detail and does not propose to monitor the effect on children of any of the suggested changes. Many of our network members suggest that the only beneficiary of faster and cheaper turnaround is the State. They argue that limiting parents' access to the court will remove one of the few available windows opening onto their children's distress but it will not change the harm experienced by those children and could potentially increase it. **Stakeholders were adamant that the primary purpose of any review of services for/affecting children must be to reduce the harms experienced by children.**

Stakeholders also expressed concerns about the lack of a comprehensive approach to children in Bills and legislation. They point to an urgent need to address the lack of government commitment to upholding New Zealand's obligations under the United Nation's Convention on the Rights of the Child (UNCROC). Opportunities to bring legislative definitions of children and youth into line with UNCROC continue to be overlooked or avoided. For example, since March 2010 WAVES has submitted on three Government Bills, and in each submission we drew attention to anomalies in definitions of youths:

- Child and Family Protection Bill, clause 6. WAVES requested inclusion in the Bill of an amendment to the Domestic Violence Act to extend the age of youths up to their 18th birthday.
- Crimes Amendment Bill No. 2, clause 7. WAVES requested removal of section 195A(3)(a)(b) from the Bill, which attempted to impose adult consequences on parents aged under 18 years.
- Victims of Crime Reform Bill, WAVES requested inclusion in the Bill an amendment to section 4(1) of the Victims' Rights Act extending the age of a young person up to their 18th birthday and removing any reference to marital status.

The New Zealand government ratified UNCROC in 1993. **After nine years it is extraordinary that government is still drafting Bills that overlook opportunities to bring New Zealand legislation into line with this treaty.**

Stakeholders consistently pointed out that discussion in the Green Paper about the large number of New Zealand children living in poverty was too limited. They were concerned that it did not acknowledge ground-breaking New Zealand research which argues that **socio-economic disadvantage in childhood is associated with poor outcomes in adulthood.** This research shows that the popular narrative of upward social mobility in response to childhood poverty or 'pulling oneself up by one's bootstraps' is the exception rather than the norm. For the vast majority, childhood experience of poverty and family disadvantage is likely to be reproduced in adulthood with poor outcomes ranging from the experience of welfare dependence and poverty to health-related issues such as smoking.²⁷ Continuing to

²⁷ See for example Dannette Marie, David Fergusson, and Joseph Boden, 'Ethnicity and Pathways to Welfare Dependence in a New Zealand Birth Cohort', *Policy Quarterly*, 7, 2, 2011, 14–22; David Fergusson, L. John Horwood, and Sheree Gibb, 'Childhood Family Income and Later Outcomes: Results of a 30 year Longitudinal Study', *Children*, No. 79, Summer 2011, 24–8; Dannette Marie, David Fergusson, and John Boden, 'Does

ignore our current high levels of child poverty (around 20% of all children, including 39% of Maori children and 51% of Pasifika children) is likely to produce adults whose lives continue to be blighted by poverty and who reproduce the experience of child poverty for their own children, affecting the long term prosperity of the nation in the process.²⁸

New Zealand's ongoing failure to address the issues facing Maori children caused particular concern for many stakeholders. For many stakeholders, government must meet its obligations under the principle of protection contained in Te Tiriti o Waitangi/The Treaty of Waitangi by ensuring that Maori children have equal or better outcomes than others in the population. As discussed by Henare et al., New Zealand has a long way to go towards meeting that standard.²⁹

At stakeholder meetings we heard a variety of ideas on how to improve coordination of approaches to children across government. **Most stakeholders wanted to see greater commitment from government to exploring ways to promote the interests of children across ministerial portfolios.** Some of the suggested ways forward included a Ministry for Children, expansion of the role of the Office of the Children's Commissioner, or development of an independent Children's Ombudsman.

It should also be noted that some stakeholders were critical that the person attributed to be the author of the Green Paper had no direct experience or qualifications in relation to children, and felt that this lack of experience was reflected the Green Paper's deficiencies in child-focus. After hearing that this person was appointed to the role of Deputy Commissioner by the Minister for Social Development, some stakeholders felt less confident in the independence of the Office of the Children's Commissioner and felt that its expertise on matters relating to children was being eroded. **We concur with the view that if government wishes the Office of the Children's Commissioner to be viewed as independent then appointment processes need to be more transparent and employees should be qualified to speak on behalf of children.**

WE RECOMMEND: That government investigate and implement solutions to promote children's interests across ministerial portfolios and seek cross-party support for these measures.

WE RECOMMEND: That all New Zealand government policies and legislation affecting to children be brought into line with UNCROC and Te Tiriti o Waitangi/The Treaty of Waitangi as soon as opportunities arise.

socioeconomic inequality explain ethnic differences in nicotine dependence? Evidence from a New Zealand Birth Cohort', *Australian & New Zealand Journal of Psychiatry*, 44, 2010, 378–83.

²⁸ For further discussion on this point see Manuka Henare et al., *He Ara Hou: The Pathway Forward, Getting it Right for Aotearoa New Zealand's Maori and Pasifika Children*, Auckland, 2011, pp. vii–viii. See also Bryan Gould, 'Failings at School will Hurt our Economy', *NZ Herald*, 9 February 2012, http://www.nzherald.co.nz/opinion/news/article.cfm?c_id=466&objectid=10784238 (Accessed 9 February 2012).

²⁹ Henare et al.

WE RECOMMEND: That existing and future government reviews with potential impacts for children immediately be revised ensuring that impacts on children are assessed as part of the review process and solutions implemented to mitigate any adverse consequences.

WE RECOMMEND: Government investigate ways to promote and support inter-agency collaboration for children and fund these accordingly.

Need to Invest in Prevention and Early Intervention Strategies

As has been discussed in the first section of this submission, stakeholders had mixed views about whether government should increase its intervention into the lives of children where abuse has been substantiated. But **most stakeholders agreed that current government investment in abuse prevention and early intervention initiatives for children is insufficient.** They see the lack of discussion on this area is a fundamental weakness in the Green Paper that stakeholders wish to see corrected in the forthcoming White Paper. The following discussion outlines why attention to prevention measures is so important.

Most of the stakeholders contributing to this submission work within or alongside the family violence sector. They frequently work with children who do not reach the threshold for CYF intervention but who nonetheless are traumatised by violence at home and are more likely than other children to develop ongoing mental and physical health problems.³⁰ These children sit in a very large ‘grey area’ between those who are blessed with healthy and happy childhoods and those who are so damaged by abuse that the State must intervene for their protection. Children in this grey area are at greatest risk of cumulative harm, are highly likely to be in contact with social service sector agencies, and will benefit from early intervention by collaborating agencies and abuse prevention strategies.³¹

It is well documented that investment across the population in prevention strategies, such as parenting education, reduces the numbers of children requiring interventions later in life, for example through youth justice systems. Early prevention measures are more effective and considerably cheaper than later interventions.³² Many of the stakeholders we consulted felt it was a ‘no-brainer’ that supporting prevention and early intervention would flow on to reduce the number of children experiencing harm. **They would like to see any Action Plan developed for children to have a key goal of preventing children from experiencing harm.**

Stakeholders also felt that government support for coordinated approaches to early interventions for children within the NGO sector is patchy at best. By way of example, family violence sector members pointed to the current government’s silence on the future of the Te Rito Family Violence Strategy. This strategy and the related social marketing

³⁰ Research suggests that these problems can include depression and anxiety, low educational attainment, perpetrating crimes against property and substance abuse in adolescence, and chronic mental health problems and inflammation-related diseases such as heart disease into adulthood. See Joanne Richdale, ‘Children and Family Violence: A Review of Recent Literature’, WAVES Trust, Auckland, 2011, http://www.waves.org.nz/media/Children_and_FV_Lit_Review.pdf (Accessed 12 February 2012).

³¹ Bromfield, pp. 3–4, 7.

³² Bromfield, p. 5.

campaign ‘It’s Not OK’ have been praised as highly effective at improving community understandings of family violence and inter-agency collaboration resulting in good outcomes for clients within the sector.³³ Stakeholders recognised that these initiatives could readily provide the basis for a collaboration strategy for children. Recent research into collaboration frameworks in Australia has found that good collaboration occurs when initiatives are well funded and integrated at all levels of the organisation, requiring investment in relationships across organisational boundaries.³⁴ Government may not participate in collaboration activities directly but it creates the environment that fosters these relationships through its funding and strategic guidance functions.

WE RECOMMEND: That the forthcoming White Paper place greater emphasis on recognising government’s role in supporting prevention and early intervention strategies to reduce the harmful experiences for our children.

Improving Services for Children

As mentioned in the first section of this submission, there are currently few service provider qualifications or staffing requirements needed before community services can start offering services to children and families. Whilst this situation allows for community responsiveness to local needs it also contributes to the ongoing low level of qualifications among the community workforce for children.

Working with children within the wider context of the family is complex and requires workers to keep the interests and wellbeing of children to the fore in their interactions with the family as a whole. As indicated by Mel Smith in his recent report on the service provision to 9-year-old ‘M’, it is easy for service providers to lose sight of children when faced with families whose needs are complex and when parents demand support for themselves.³⁵ Therefore we are anxious that any changes for the workforce for children must include the workforce for families. Smith’s report illustrates the need for family workers to understand and adopt the principle of the paramountcy of children when working with families.

Stakeholders supported the arguments within the Green Paper that the workforce for children would benefit from improvements in skills, standards, and training.³⁶ However a number pointed out that funding must be provided to implement these goals and that inadequate funding for services is a key reason why community services employ some unqualified staff.

Stakeholders were supportive of the idea of common principles and standards, assessment frameworks, protocols and accreditation. But they are concerned that the processes developing these must be inclusive and allow for representation from multiple sectors. If this

³³ <http://www.nzfvc.org.nz/sites/default/files/Te%20Rito%20Fund%20review%20OIA%20release.pdf>

(Accessed 2 February 2012).

³⁴ McDonald and Rosier, Part A & Part B.

³⁵ Smith.

³⁶ *Green Paper*, p. 26.

does not happen then government risks implementing standards and protocols that are unworkable for or irrelevant to some sectors engaging with children.

WE RECOMMEND: that government ensure they engage with social services and NGO sector agencies when formulating quality standards for the workforce for children and extend these standards on to those working with families.

WE RECOMMEND: that government undertake wide and comprehensive consultation when developing common principles and standards, assessment frameworks, protocols and accreditation processes to ensure these are applicable across the spectrum of the workforce for children.

WE RECOMMEND: That government commit to funding professional development of the workforce for children and providing adequate funding for their employment.

SECTION THREE: A CHILDREN'S ACT AND ACTION PLAN FOR ALL CHILDREN

In Section One we recommended that a Children's Act be enacted to provide oversight of government and non-government activities in relation to children that is enduring across time and administrations. A Children's Act should include:

- A requirement on government that its activities improve the wellbeing of children (defining wellbeing in the broadest sense)
- Provide for an enduring Action Plan for All New Zealand Children
- Require Government ministries and departments to report annually on the impact of actions and policies on children
- Require government ministries and departments to:
 - bring all New Zealand policies and legislation into line with the United Nation's Convention on the Rights of the Child (UNCROC)
 - uphold the principle of protection for Maori contained within Te Tiriti o Waitangi/The Treaty of Waitangi and act to ensure equal or better outcomes for Maori children
 - implement UN recommendations on New Zealand's progress towards meeting its commitment to UNCROC
- Institute a Community-based Board and enable it to work with the wider NGO sector to support the professional development of the workforce for children and develop standards for those agencies working with children and families
- Enable the Children's Commissioner to continue his/her role under the Children's Commissioner Act 2003 such as produce regular audits and report to the public on government progress towards meeting its obligations to children under the Action Plan and in relation to UNCROC
- Develop a national strategy to raise awareness of child maltreatment (including abuse and neglect) and educate communities on ways to support children (similar to the 'It's Not OK' campaign)

The Children's Act should provide for an Action Plan for All Children. An Action Plan should:

- Institute processes to define measures of children's wellbeing which are regularly updated, including children in the decision-making process wherever possible
- Set out a long term plan for reducing inequalities in children's wellbeing and set targets for improving the wellbeing of those children considered at risk
- Contain specific plans to address the following areas:
 - defining children's wellbeing and its cultural, economic, and social antecedents
 - reducing child poverty
 - identifying areas of need among the child population
 - improving community engagement with children, including enhancing community awareness of concepts of child wellbeing and child maltreatment
 - creating an environment where families can interact with NGO service providers in a non-stigmatising way (e.g. through universal services such as early childhood education in collaboration with specialised services.)

WE RECOMMEND: That government incorporate the points listed in Section Three of this submission into plans for a Children's Act and Action Plan for All Children the forthcoming White Paper.