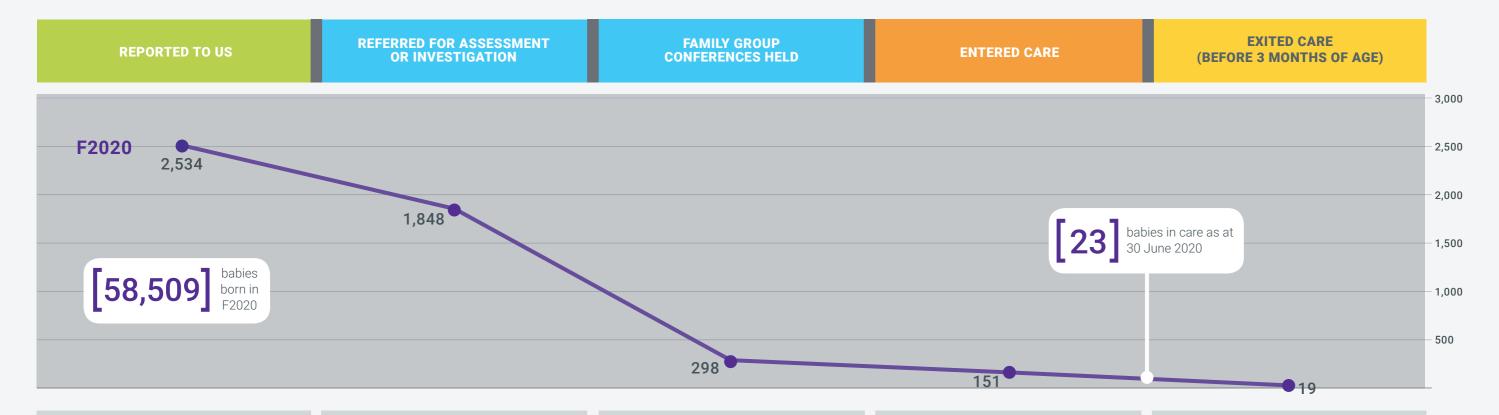


# **Babies Entering Oranga Tamariki Care**

### **Care and Protection Interactions**

The chart below shows the process and flow of children aged <u>unborn to three months old</u> through the care and protection system during F2020, from receipt of reports of concern through to eventual exit from care and protection. This is a count of *distinct* children at each interaction point - counting each child only once regardless of how many times they had a given interaction over the period.



Anyone who is worried about a child or young person can make a report of concern to Oranga Tamariki or the Police. This usually happens when they believe a child or young person has been, or is likely to be, harmed, ill-treated, abused, neglected or deprived. Or, they have serious concerns about the child or young person's wellbeing.

When we receive a report of concern we may:

- take no further action where either there is no indication of harm to the child or where the referrer is able to make referrals to support the
- provide advice about support available to the whānau
- refer the matter to other social services including our iwi or cultural social services partners
- complete a child and family assessment or, where concerns meet the Child Protection Protocol, undertake a joint investigation with Police.

An assessment occurs when there may be concerns about the care, safety or wellbeing of te tamaiti. A joint investigation with Police occurs when there are allegations of serious harm which may constitute a criminal offence. Child and family assessments and investigations:

- assess the safety of te tamaiti and identify care or protection needs that could be addressed to reduce the risk of harm to te tamaiti
- identify the strengths in te tamaiti, their parents and family/whānau and environment
- identify unmet needs that contribute to potential harm for te tamaiti
- identify services that could address these needs either during or after the assessment.

During the assessment or investigation, we will usually visit the home of te tamaiti and their parents and whānau, talk with or observe the child and seek the views of others involved with te tamaiti and their whānau. We will arrange a huia-whānau or family meeting to bring together the family/whānau to build understanding, discuss the concerns and develop a plan to address these.

If during the assessment or investigation, the social worker believes there are serious concerns which mean the child may be in need of care or protection (as defined in the Oranga Tamariki Act 1989) they must refer the matter to a Care and Protection Co-Ordinator to convene an FGC. In other situations, a plan might be developed for the family/whānau to be referred to another agency for support or no further action may be taken.

Where the assessment or investigation determines a child is not in need of care or protection but that a family group conference (FGC) may best assist in formulating a plan to address significant wellbeing concerns, we can refer for an FGC under section 18AAA.

Where the assessment or investigation determines a child is in need of care or protection the social worker must refer this for a care and protection FGC. This means that a social worker believes a child is being, or is likely to be, harmed. Those who are legally able to attend the FGC include te tamaiti if appropriate, the current parent or guardians, family/whānau members, and people they invite such as hapū or iwi members, the coordinator, lawyer for child and the police officer or social worker who made the referral. Other people, such as professionals working with the whanau or tamaiti can attend by agreement but their role is to bring information rather than being part of the decision making. At a Family Group Conference, the family/whānau decides if they agree there are care and protection concerns and develops a plan as to how these concerns can be addressed.

Oranga Tamariki can be granted legal custody of a child if a social worker, after completing an assessment, forms a belief that a child needs care or protection, there are no other identified means of the child being kept safe and the parents and/or Family Court agree the child should be in the custody of Oranga Tamariki.

Wherever it is safe and possible to do so, the child's whānau and other people supporting the whānau will be involved in this decision.

A child enters care when the Court and/or the parents agree that Oranga Tamariki needs to have the legal custody (responsibility for the child's day to day care). Having such an order in place does not automatically mean the child will always be removed from their parent's care, but it does give Oranga Tamariki the authority to do so. A child may enter care:

- by agreement the parents, family/whānau and Oranga Tamariki (either informally or at an FGC) may agree that te tamaiti needs to enter into care for a specified period of time whilst work is done with the family/whānau to support the safe return back home
- by arrangement in situations where there is not a serious, urgent risk to the safety of te tamaiti, an application can be made to the Family Court for a custody order
- by emergency action when there is a serious, imminent risk to the safety and wellbeing of te tamaiti, an application can be made by Oranga Tamariki to the Family Court for a custody order.

An exit from care occurs when the custody order is discharged or lapses, or a care agreement is ended or expires

This typically occurs when everyone is satisfied that te tamaiti is safe and there is a long-term plan to support their needs. They may have returned to live with their parents, be living with their family/whānau, or for some tamariki they may be living with another family.



## **Babies Entering Oranga Tamariki Care**

### **Scenario Example of Interactions with Oranga Tamariki**

The chart below provides an example of how Oranga Tamariki may interact with a baby and their whanau throughout the different stages of the care and protection process.

#### REPORTED TO US

## REFERRED FOR ASSESSMENT OR INVESTIGATION

### FAMILY GROUP CONFERENCES HELD

#### ENTERED CARE

#### **EXITED CARE**

A midwife contacts us with concerns about a mother with a newborn baby. The midwife is concerned the mother is acting in an unpredictable way, is having trouble feeding the baby, and the baby is not putting on weight. It's not clear to the midwife if she is just struggling with baby or there are more serious issues at play.

After an Oranga Tamariki social worker discusses the extent of the concerns with

the midwife, and understands whether or not

there had been other worries about this family

and the support of wider whānau in place for

Mum and baby, they agree that what's best

at this stage is for the midwife to continue to

have ongoing contact with the family for the

suggest referrals to some community based

again. The concerns are recorded as a report

of concern, but no further action is taken by

Oranga Tamariki as there are supports and

safety in place for baby in his Mum's care.

next few weeks. She will have a discussion

with the mother about her concerns, and

support services if the mother agrees. We

agree that if more concerns develop, the

midwife should contact Oranga Tamariki

After discussing the extent of the concerns with the midwife, it becomes apparent there may be drug use or other serious issues at play, and that there may have been concerns for some time. We agree with the midwife that an assessment is needed to ensure the baby is safe and has his needs met.

During our core assessment phase, further information is sought from Mum, Dad, the midwife, whānau and other professionals and it becomes clear there are concerns for the safety of the baby due to Mum using alcohol to cope and the baby being exposed to family violence.

The next step is for Oranga Tamariki to bring together the parents, their whānau and others who are able to support the whānau and talk about what is needed to ensure baby's safety and wellbeing. This is usually done via a hui a whānau (family meeting).

The social worker consults the Care and Protection Resource Panel.



During the hui-a-whānau (family meeting) a comprehensive plan with whānau and community agency support is agreed. A community agency is going to take the lead on supporting the family, managing the concerns and ensuring the plan is implemented (this includes Mum receiving support for her addiction, anger management support for Dad, and parenting support for both parents).

It also involves whānau members supporting the parents in a number of ways (e.g. helping with some of the household chores and preparing a few meals every week, and caring for baby a few hours each day so Mum can catch up on some sleep).

Oranga Tamariki is satisfied the concerns are being addressed and so no further action is taken by Oranga Tamariki. The community agency and whānau members understand that they can contact Oranga Tamariki if they need more support with the plan or if further concerns arise.

The concerns around the care and safety of baby with his Mum and Dad are shared by whānau and a safety plan is agreed to keep baby safely at home until a family group conference (FGC) can be held.

An FGC is held involving the parents, the grandparents, other whānau members and social worker. The midwife comes along to provide information only.

At the FGC, whānau members agree there are concerns for baby and a plan to address these concerns is developed and agreed by the whānau. This involves Mum getting support to help with her alcohol use, Dad being supported to manage his aggression, and both parents developing their parenting skills.

It also involves whānau members supporting the parents in a number of ways (e.g. helping with some of the household chores and preparing a few meals every week, and caring for baby a few hours each day so Mum can catch up on some sleep).

There is also agreement for Mum to be supported by a service for mums and babies (Family Start).



The plan developed at the FGC is implemented and followed. The whānau work with Oranga Tamariki and the community agencies in place. After six months, the supports provided to the parents mean they are confident caring for baby, and better able to manage conflict without relying on violence or alcohol. The plan is reviewed; Oranga Tamariki is satisfied there are no longer safety concerns for the baby and he is doing really well living with his Mum and Dad, who have the ongoing support of their wider whānau and community networks. Oranga Tamariki no longer needs to be involved.

The community networks and whānau members understand that they can contact Oranga Tamariki if further concerns arise.

The FGC plan is not meeting the needs of the baby. Despite holding several hui-ā-whānau and a further FGC to adjust and strengthen the plan, the changes needed are not happening and there are ongoing concerns for the baby's safety and wellbeing. One day, an incident happens where Dad assaults Mum while she is holding baby. Oranga Tamariki meets with Mum and Dad to try and make a safety plan, but agreement about how to keep baby safe can't be reached. Social workers believe that in order to keep him safe, baby can no longer remain in his parent's care. Mum and Dad both agree that baby will move to his maternal aunty, who agrees to care for baby for as long as is needed. Another FGC is held and everyone agrees to support this plan. Oranga Tamariki assists with supporting aunty, and aunty receives financial support from Work and Income.

Or, there is no agreement within the whānau about who can provide safe care, and social workers consider a care agreement or Family Court order. In any of the below options, Oranga Tamariki would start by exploring whānau options and support whānau members to become approved caregivers.

- Care agreement Mum and Dad agree that baby should be placed in the care of Oranga Tamariki temporarily (s139) while further work is done to make a safety plan and return baby to their care. Baby stays with his grandparents who are approved as caregivers and supported by Oranga Tamariki.
- Emergency action (on notice) Mum and Dad do not agree to work with Oranga Tamariki to build safety around baby. Mum and Dad are informed that Oranga Tamariki are applying for a Court order to ensure baby's safety. They are given an opportunity to respond before the Court decides to grant the Order. The Court allocates a time for the application to be considered and after hearing from both Oranga Tamariki and the parents, the Court agrees a custody order is required.
- Emergency action (without notice) Mum and Dad do not agree to work with Oranga Tamariki to build safety around baby and there is an escalation in the concerns about baby's immediate safety. Keeping baby safe is an urgent priority and to do this, baby needs to be moved away from his parents to a safer place. Oranga Tamariki applies for a Court order without notice (either a s78 custody order or Place of Safety warrant) to make sure baby is safe. The Court decides the concerns are serious enough to grant the order.

The Family Court grants Oranga Tamariki a custody order, which means it can make decisions about where baby lives and how baby is best cared for, and baby enters care. It also means Oranga Tamariki will report regularly to the court on how baby is and what the long-term plans are for his care.

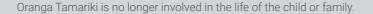
Mum and Dad work with their whānau,
Oranga Tamariki and community agencies
to address the concerns about baby's safety.
Over time, the home environment becomes
safe enough for baby to return to Mum and
Dad's care. Oranga Tamariki report back to
the court on the progress that has been made
and the things that will continue to support
baby's safety and wellbeing into the future.
The Court agrees to discharge the custody
order. The grandparents and other community
networks continue to play a significant role in
supporting Mum and Dad.

Despite trying to address the concerns, Mum and Dad have not been able to make the changes needed to make the home safe for baby. The parents and grandparents agree that baby should remain living with his grandparents permanently, so the grandparents apply to the Court for a parenting order with the support of Oranga Tamariki. The Court discharges the Oranga Tamariki custody order and makes a parenting order in favour of the grandparents. The grandparents have the necessary support to keep baby connected to his Mum and Dad, and to care for baby.











# **Babies Entering Oranga Tamariki Care**

### **Care and Protection Interactions - By Year**

The table and graphs below show the process and flow of children aged unborn to three months old over each twelve month period between 1 July 2003 and 30 June 2020, from receipt of reports of concern through to eventual exit from care and protection. This is accompanied by a count of distinct children at each interaction point - counting each child only once regardless of how many times they had a given interaction over the period.

	TOTAL LIVE BIRTHS IN NEW ZEALAND	REPORTED TO US		REFERRED FOR ASSESSMENT OR INVESTIGATION		FAMILY GROUP CONFERENCES HELD		ENTERED CARE		EXITED CARE	
	Live Births	Total Count	Distinct Children	Total Count	Distinct Children	Total Count	Distinct Children	Total Count	Distinct Children	Total Count	Distinct Children
F2004	57,870	1,112	970	979	897	97	94	195	195	16	16
F2005	57,987	1,412	1,177	1,186	1,061	150	140	217	217	32	32
F2006	58,251	1,740	1,426	1,405	1,231	170	160	235	235	26	26
F2007	61,614	2,295	1,890	1,648	1,473	224	208	269	267	38	38
F2008	64,143	2,849	2,236	1,675	1,477	246	227	225	225	52	52
F2009	62,964	3,536	2,676	2,143	1,838	267	241	232	231	57	57
F2010	64,119	4,110	3,051	2,406	2,075	343	307	273	271	79	79
F2011	62,658	3,663	2,812	2,557	2,191	417	369	240	235	59	59
F2012	61,032	3,899	3,134	2,906	2,528	467	411	255	246	53	53
F2013	59,862	3,984	3,228	3,012	2,623	479	441	254	243	55	55
F2014	58,611	3,781	3,048	2,645	2,346	474	417	259	251	44	44
F2015	59,616	3,650	2,903	2,423	2,160	456	405	238	228	36	36
F2016	58,992	3,730	3,036	2,368	2,139	463	417	279	263	53	53
F2017	58,344	3,581	2,930	2,161	1,979	415	373	303	299	48	48
F2018	60,324	3,624	2,887	2,105	1,899	418	377	305	299	42	42
F2019	58,374	3,178	2,592	1,901	1,737	387	341	246	247	21	21
F2020	58,509	3,034	2,534	1,970	1,848	322	298	152	151	19	19
TIMESERIES GRAPHS OF DISTINCT COUNTS		REPORTED TO US		REFERRED FOR ASSESSMENT OR INVESTIGATION		FAMILY GROUP CONFERENCES HELD		ENTERED CARE		EXITED CARE	
		F2004 F2005 F2006 F2006 F2007 F2007 F2010 F2011 F2011 F2012 F2014 F2015 F2016 F2017 F2018		F2004 F2005 F2006 F2007 F2009 F2010 F2011 F2012 F2013 F2014 F2015 F2016 F2017 F2019		F2004 F2005 F2006 F2007 F2009 F2010 F2011 F2012 F2013 F2014 F2015 F2016 F2016 F2019 F2019		F2004 F2005 F2006 F2007 F2009 F2011 F2012 F2014 F2014 F2015 F2017 F2019 F2019		F2004 F2005 F2006 F2007 F2007 F2010 F2011 F2011 F2012 F2014 F2014 F2015 F2016 F2017 F2019	