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Responding to the Royal Commission into Historical Abuse in Care's Redress Findings—Report Back on Immediate Projects to Improve Survivors' Experience of Seeking Redress

Office of the Minister for the Public Service

Cabinet Social Wellbeing Committee

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Responding to the Royal Commission into Historical Abuse in Care's Redress Findings—Report Back On Immediate Projects to Improve Survivors' Experience of Seeking Redress

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This is a summary of a Cabinet paper from the Minister for the Public Service that seeks Cabinet agreement on immediate projects to improve survivors' experience of seeking redress.

You can see the full Cabinet Paper and other alternate formats at:

Rauemi-Resources:

<https://www.abuseinquiryresponse.govt.nz/rauemi-resources/#Cabpapers>

Alternate formats:

<https://www.abuseinquiryresponse.govt.nz/mo-matou-about-us/alternate-formats/>

Summary

The Abuse in Care Royal Commission of Inquiry's (the Royal Commission's) December 2021 redress report recommended immediate areas of work to help improve survivors current experience of redress. Cabinet previously agreed for the Crown Response to the Abuse in Care Inquiry (the Crown Response) to work rapidly on projects on the establishment of an interim listening service, records improvements, rapid payments to ill and elderly survivors, and to begin work on the preparation of a public apology. This paper outlines progress with and next steps for these projects.

Listening service

I recommend Cabinet agree to establish an interim listening service providing a secure way for survivors to share their experiences once the Royal Commission ends, to help support healing.

The service should be housed within the Department of Internal Affairs and built off the tools and processes developed for the Royal Commission's current survivor accounts process, with some adaptations. The operation of the service should be overseen by an independent Board that has a strong Māori and survivor voice.

The proposed service should provide a forum in which survivors can share their experiences in a trauma-informed and culturally responsive setting to facilitate healing. The

service would use the experiences shared to inform State agencies, non-State care institutions, and the general public's understanding of the nature and impacts of abuse. The service would not be responsible for undertaking any investigations, seeking to establish the truth of survivors' experiences, or making any recommendations relating to redress. It would not have any monitoring or oversight functions.

The proposed service would be available to people who were abused in State or non-State care, both historically and recently, and also available to whānau to recognise the wider impacts of trauma.

Records improvements

People who have been in care highlight the value they place on their care records for filling gaps in their knowledge about why they were in care and what happened while in care. This can be to help them build their sense of identity and belonging, to help them when seeking redress, and to exercise their rights to access and control their own records.

I am seeking Cabinet agreement to five initiatives that can be progressed before the new redress system is established and without new legislation:

- a) a shared set of principles to guide record holders on trauma-informed and rights-based processes;

- b) a new website on care records, to provide a central source of information on how to request records from the many different agencies and organisations that hold records, and advice on what such requests may involve;
- c) a records support service, where survivors can access support to help navigate requesting and receiving records, to mitigate the potentially harmful impacts of accessing records;
- d) bringing forward a records retention and disposal project, to protect and preserve key records through a review of disposal authorities; and further cataloguing, indexing, and digitising of care records to improve survivor access to a broader range of existing records, enabling records holders to respond to survivors' records requests more easily and thoroughly.

Public apology and accompanying tangible actions

I am seeking Cabinet agreement to the delivery of a public apology in August 2023, so it can be delivered as soon as possible after the Royal Commission's final report is received in June 2023.

Cross-party involvement in the design and delivery of the proposed public apology will be sought, to recognise the enduring impact abuse in care has had across different Government terms. This will be important to demonstrate

to survivors the shared commitment the Crown has to address the needs of survivors and prevent further abuse.

The public apology should be accompanied by a set of tangible actions that will demonstrate the Crown's commitment to survivors and their whānau.

Rapid payments

A rapid payment approach for agencies operating current historic claims processes has been agreed by relevant Ministers. The Ministry of Social Development has started rolling out its version of the approach which is focused on ill and elderly claimants, and those who have been waiting the longest to have their claims considered.

Recommendations

1. It is recommended that the Committee:

Interim listening service

- 1) **agree**, in principle and subject to Budget 2023 decisions, to establish an interim listening service to commence operation once the Royal Commission concludes through to the establishment of a new redress system;
- 2) **agree** the interim listening service should be:
 - a) available to people who were abused in State care, as well as non-State based institutions;

- b) focussed on people who experienced historical abuse and neglect (prior to 1999), but also accessible to people with more recent (post 1999) experiences; and
 - c) focused on direct survivors, with an emphasis on outreach to survivor groups who have not accessed previous listening services to the same extent, but also available to whānau members;
- 3) **agree** the interim listening service build off the model and infrastructure already established by the Royal Commission for its survivor accounts process, with some key adaptations to ensure the service is survivor-focussed, trauma-informed, culturally responsive, and accessible to diverse Deaf and disabled survivors;
 - 4) **agree** the interim listening service be housed within the Department of Internal Affairs;
 - 5) **agree** to the establishment of an independent Board to oversee the operation of the interim listening service that has a strong survivor voice and is appointed through the Appointments and Honours Committee;

Records

- 6) **agree** the following initiatives for implementation in 2023, subject to Budget 2023 funding:
 - a) design and implementation of principles on providing access to records;

- b) new central website on care records, providing care leavers, survivors, whānau and their support people with practical advice on how and where to access their records, their rights to access and influence records, and on what to expect from the experience;
 - c) extending work on cataloguing, indexing and digitisation of care records to improve the findability of information in records and continuing digitisation of public archives of this type; and
 - d) bringing forward a sector-based review of disposal authorities with the involvement of survivors and care leavers;
- 7) **agree** to the accelerated design through 2023 of a new records support service for survivors, with a view to seeking funding through Budget 2024 for implementation from July 2024;

Apologies and accompanying tangible actions

- 8) **agree** to the delivery of a public apology in Wellington in August 2023, with the option of concurrent regional events, followed by, subject to Budget 2023 funding, a series of tangible actions to support reconciliation between the Crown and survivors; and
- 9) **agree** to delegate decisions around the detailed design of the apology and accompanying tangible actions, including options relating to scaling and phasing, to

myself (Minister for the Public Service), the Ministers of Māori Development, Pacific Peoples, Disabilities, Crown Māori Relations, and Culture and Heritage.

Hon Andrew Little

Minister for the Public Service

End of Responding to the Royal Commission into Historical Abuse in Care's Redress Findings—Report Back on Immediate Projects to Improve Survivors' Experience of Seeking Redress