Hāhā-uri, hāhā-tea

Māori Involvement in State Care 1950-1999

Appendices

Accessible version

Ihi Research

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# Appendix 1: Chapter 5 The Three Articles

##### Article the First

The chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual chiefs respectfully exercise or possess, or may be supposed to exercise or to possess over their respective territories as the sole sovereigns thereof.

##### Article the Second

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates, Forests, Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession, but the chiefs of the United Tribes and the individual chiefs yield to Her Majesty the exclusive right of Pre- emption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective proprietors and persons appointed by Her Majesty to treat with them on that behalf.

##### Article the Third

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand her Royal Protection and imparts to them all the Rights and Privileges of British subjects.

 Note: These are the English version of the three articles of the Treaty of Waitangi as they appear in Puao-te-Ata-Tū. A literal English translation of the Māori version of these same articles follows (source: Project Waitangi).

##### This is the First

The Chiefs of the Confederation and all these chiefs who have not joined in that Confederation give up to the Queen of England for ever all the Governorship (kawanatanga) of their lands.

##### This is the Second

The Queen of England agrees and consents (to give) to the Chiefs, hapus and all the people of New Zealand the full chieftainship (rangatiratanga) of their lands, their villages and all their possessions (taonga: everything that is held precious) but the Chiefs give to the Queen the purchasing of those pieces of land which the owner is willing to sell, subject to the arranging of payment which will be agreed to by them and the purchaser who will be appointed by the Queen for the purpose of buying for her.

##### This is the Third

This is the arrangement for the consent to the governorship of the Queen. The Queen will protect all the Māori people of New Zealand and give them all the same rights as those of the people of England. From Parata (1994).

# Appendix 2: Data from historic abuse claims

* Total N - As at 31 March 2021, Ministry of Social Development had 4,624 Historic Claims claimants.
* Ethnicity
	+ Over half of claimants (53%) identiﬁed as Māori
	+ Just under half (43%) identiﬁed as New Zealand European
	+ 4% of claimants identiﬁed as Paciﬁc Islander
	+ 13% combined ‘other’ and ‘not disclosed’
* Age – as at 31 March 2021
	+ 27% of the claimants were 15-39
	+ 54% of the claimants were 40-59
	+ 20% were 60 and over
* Gender
	+ 70% male
	+ 29.2% female
	+ 0.1% gender diverse
	+ 0.7% not disclosed
* Type of allegations - Claims received covered a wide range of abuse and neglect allegations and alleged failures in the provision of care. Claimants have made allegations about sexual, physical, verbal, emotional and psychological abuse and neglect. These allegations relate to residential institutions, foster care, 31 family homes, Ministry caregiver placements, approved church and community organisations and by staﬀ members. Concerns also relate to decisions made by social workers, such as failing to remove a child from an unsafe family environment or failing to provide the necessary support to a child in care.
* Period claims relate to - In the early years of the Historic Claims Process, claims generally related to events that took place during the 1960s, 1970s and 1980s. Though, as time has progressed and the deﬁnition of historic has been broadened, the Ministry now has a much broader spread of claims and now regularly receives claims relating to events in the 2000s.
	+ Consistent themes of engagement with claimants, many claimants:
		- have low income,
		- have health or mental health diﬃculties,
		- have diﬃculties ﬁnding or retaining work,
		- are transient and some have been in prison at some point since leaving State Care.
* Many claimants attribute the diﬃculties they have faced to their experiences as a child in State Care. Overcoming these challenges may not be possible without an understanding and acknowledgment of that experience. Experiences in State Care have also contributed to a distrust of government, and a resulting reluctance to engage with government services that may be able to oﬀer assistance to claimants and their families.

Source: Demographic information obtained from Historic Claims, Ministry of Social Development (personal communication, May 27, 2021). The content of the claims was obtained from the Brief Evidence of Simon MacPherson (Deputy Chief Executive for Ministry of Social Development (for the Abuse in Care Royal Commission of Inquiry hearing).

# Appendix 3: State Care Timeline

This timeline lists major institutional and legislative changes and reports across the welfare, justice, education and health sectors. Prepared by the Secretariat, Crown Response to the Abuse in Care Inquiry.

**1909 Native land Act** - Prevented Māori from adopting children in accordance with Māori custom. The Native Land Court could make orders for adoption by Māori, but only of Māori children. Also affected marriages between Māori.

**1911 Mental Defectives Act** - Consolidated regulations to detain ‘mentally defective’ persons, allowing voluntary admission, licencing and basic requirements for institutions. Also enabled the transfer of ‘feeble-minded’ minors from a mental hospital to a special school.

**1924 Borstals Act** - The Prevention of Crime (Borstal Institutions Establishment) Act. Offenders aged 15-21 could be detained in Borstals for one to five years for ‘reform’, which included occupational training.

**1925 Child Welfare Act** - Established the Child Welfare Branch in the Department of Education and Children’s Courts. Allowed for a range of residences: receiving homes, probation homes, convalescent homes, training farms and schools. Set the age of criminal responsibility at 7 years. It also required all illegitimate births to be notified to Child Welfare Officers (which continued until 1983).

**1926 Child Welfare Branch set up** - Based in the Department of Education, it had responsibility for the welfare of all children (whether in institutional care or in the care of family). The Superintendent of Child Welfare was responsible to both the Minister of Education and the Minister in Charge of Welfare.

**1928 Mental Defectives Amendment Act** - Established the Mental Hospitals Department and broadened the definition of ‘mental defective’, so it applied to more people. It set up residential institutions for people with intellectual disabilities and set up a Eugenics Board (disestablished in 1932).

**1931 Native Land Act** - Removed recognition of adoptions by Māori custom for things such as succession to native land where there was no will (unless the adoption had been registered pre-31 March 1910 and was still in place). Also impacted land development and title.

**1932 Health Camps** - The ﬁrst permanent Children’s health camp was built at Otaki.

**1940 Māori Purposes Act** - Marriages in accordance with Māori custom, and certain earlier adoption orders, were deemed valid for speciﬁc land purposes.

**1941 Separate schools added to health camps** - A separate school was added to the Otaki Children’s Health Camp, and subsequent permanent children’s health camps were built with an associated school attached. School staﬀ were employed and managed by the Department of Education.

**1945 Māori Social and Economic Advancement Act** – Established Tribal Executive Committees, Māori Wardens and Māori Welfare Oﬃcers. The latter did not have statutory responsibilities but worked with child welfare oﬃcers from under the Child Welfare Branch of Education. The Act also removed discrimination in social security that had disadvantaged Māori.

**1948 Child Welfare Division** - The Child Welfare Branch of the Department of Education was renamed the Child Welfare Division.

1950 Mental Defectives Amendment - Made it compulsory for institutions caring for ‘mentally defective persons’ to have a medical superintendent (a qualiﬁed doctor) and for an institution with more than 100 patients to have a medical oﬃcer living in residence.

**1953 Aitken report and the Burns report** - The Consultative Committee on Intellectually Handi-capped Children (Aitken Report) advocated an expansion of the residential institutional model for the ‘great majority of imbecile children’.

**1953 Māori Affairs Act** - The Burns report advocated for small-scale facilities in communities.

**1954 The Mazengarb report** - Consolidated legislation on Māori land and set up the Department of Māori Aﬀairs and the Board of Māori Aﬀairs. It separated more whānau from land to which they had whakapapa links, and further limited the recognition of marriages and adoptions done in accordance with Māori custom.

**1955 The Adoption Act** - Codiﬁed adoption practices around a ‘nuclear’ family using a model of closed adoption. This cut across tikanga Māori, as it did not recognise the custom of whāngai. It also removed the restriction that Māori could only adopt Māori children. If an applicant was Māori, the adoption order was heard in the Māori Land Court.

**1955 National Committee on Māori Education** - The Minister of Education appointed a National Committee on Māori Education (with majority Māori membership), which agreed there should be one system of State schooling for both Māori and Pākehā. The Committee was reconstituted as the National Advisory Committee on Māori Education in 1956, reporting annually to the Minister of Education.

**1956 Health Act** - Aﬃrmed the Department of Health’s administration of the Mental Defectives Act 1911.

**1957 The Hospitals Act** - Established 18 District Health Oﬃces and 29 locally elected Hospital Boards, to oversee hospitals and some other services. It also set up the Hospitals Advisory Council to advise the Minister of Health on the provision, control, and management of the Hospital Boards.

**1957 to 1958 The Juvenile Crime Prevention Section** - Established by Police in Christchurch in 1957 and expanded to other centres in 1958. Aimed to divert young, minor, oﬀenders away from the Courts, so long as they admitted guilt, agreed to make amends, and their parents took responsibility for their behaviour. Policewomen were targeted to staﬀ the Section.

**1959 Superintendent of Registered Children’s Homes and Child Care Centres** - Appointed by the Department of Education to oversee the inspection of children’s homes and childcare centres and provide advice. Part of a response to a public outcry over neglect in a day-care facility in 1958. The Child Welfare Division regulated the registration, licensing, and control of childcare centres, and appointed specialist oﬃcers to supervise them.

**1960 Child Care Centre Regulations** - Established minimum standards for childcare centres (also in response to the 1958 neglect case). All premises caring for three or more children had to be registered with the Child Welfare Division.

**1960 The Police Offences Amendment Act** - Criminalised minors’ possession or drinking of alcohol. Stricter measures were introduced for dealing with older youth oﬀenders, including detention centres for those aged 16 to 21 years.

**1961** **The Hunn report** - The Department of Māori Aﬀairs’ report identiﬁed disadvantage and concluded that Māori were a ‘depressed ethnic minority’. The Report noted education had a major role to play in the economic and social advancement of Māori and recommended abandoning the policy of assimilation in favour of integration.

**1961 The Māori Education Foundation Act** - Set up after the Hunn report, mainly using Department of Education staﬀ, to lift Māori education standards ‘equal to that of the Pākehā’ by encouraging Māori into secondary and tertiary education.

**1961 The Crimes Act** - Raised the age of criminal responsibility from 7 to 10 years and included statutory conﬁrmation of the common law principles that parents, care providers and schools could use force to correct the behaviour of children (Section 59).

**1961 The Child Welfare Amendment Act** - Amended the Child Welfare Act 1925 to allow a child or parent to request, after one year, a review of a committal or supervision order.

**1962 The Māori Welfare Act (later the Māori Community Development Act)** - Updated the Māori Social and Economic Advancement Act 1945. It enabled the appointment of Honorary Welfare Oﬃcers, established the New Zealand Māori Council, and added speciﬁc functions for Māori Wardens. Tribal committees were replaced by committees representing mainly geographic areas that did not always reﬂect iwi areas of interest. In 1979 the Act’s title was changed to the Māori Community Development Act.

**1962 Māori Land Court adoptions ceased** - All adoptions became processed by the Magistrates Court, and the separate Māori birth and death registers were combined.

**1962 Mental Health Division** - The Department of Health was reorganised into six divisions, including one mental health division.

**1962 The Currie report** - Report of the Commission on Education in New Zealand reinforced the State’s provision and control of education. Advocated equality of opportunity, drew attention to the disparity in Māori education and recommended Te Reo as an optional subject at secondary level.

**1964 The Education Act** - Allowed the Minister to establish ‘any special class, clinic, or service’ and outlined conditions to compulsorily enrol ‘certain children’ who might be required to attend.

**1968 Police Youth Aid Section** - Children ‘suﬀering from a disability of the body or mind’ were not eligible to enrol in regular schools, and parents remained responsible for their education. The Act also provided for the training of teachers for special education.

**1968 The Guardianship Act** - Established after an overhaul of the old Juvenile Crime Prevention Section to work more closely with young people and avoid them entering the Court system.

**1969 The Status of Children Act** - Deﬁned and regulated the authority of parents as guardians of their children, their power to appoint guardians, and the powers of the Courts in relation to the custody and guardianship of children.

**1969 The Mental Health Act** - Replaced the Mental Defectives Act 1911, revised the deﬁnition of mental disorder, and included ‘informal patients’ admitted to a psychiatric institution outside the Act who could leave at any time (provided they were not ‘disordered’). For the ﬁrst time the Act set time limits around patients being subject to compulsory detention.

**1969 Integrated schools** - The separate Māori school system administered by the Department of Education was abolished. Management of the 105 Māori primary schools and remaining Māori district high schools were transferred to education board control. Māori High schools had been closing or transferring since the mid-1950s.

**1971 Joint ‘J’ Teams** - Set up to support young Māori in cities. Included Police, Child Welfare, Māori Aﬀairs and voluntary groups (disbanded in 1980).

**1971 to 1972 The Department of Social Welfare Act** - Merged the Department of Social Security and the Department of Education’s Child Welfare Division to form the Department of Social Welfare (DSW), which began operating on 1 April 1972. DSW was responsible for child welfare, but residential special schools for ‘hearing handicapped, maladjusted and backward children’ remained with the Department of Education.

**1972 Mental Health Amendment Act** - Transferred control of psychiatric hospitals from the Department of Health to Hospital Boards.

**1972 Lake Alice Child and Adolescent Unit opened** - The Unit operated for six years but children and young people may have been treated in Lake Alice prior to the unit being opened.

**1973 The Social Security Amendment Act** - Established the Domestic Purposes Beneﬁt (DPB), to support sole parents (over the age of 16). The DPB was also available for people to care for an adult who otherwise would have needed to be in hospital. The DPB helped give women economic independence and may have helped some whānau Māori keep their children.

**1973 Royal Commission of Inquiry into Hospital and Related Services** - Rejected the view that the majority of mentally handicapped people should be placed in institutional care from the age of ﬁve. Recommended review of psychopaedic services and that mentally handicapped people should not be in psychiatric hospitals.

**1974 Children and Young Persons Act** - Replaced the Child Welfare Act 1925 and separated children (aged under 14 years) and young people (14–17 years). Only young people could be referred to the Children and Young Persons Court. The Act also modernised the framework for Youth Aid Services, including preventative work with young people, including the use of informal warnings or sanctions as an alternative to arrest.

**1975 Treaty of Waitangi Act** - Established the Waitangi Tribunal and began to recognise Māori rights under the Treaty. Initially, its scope of was limited to contemporary grievances arising after 1975, but a 1985 amendment enabled the Tribunal to investigate claims going back to 1840.

**1975 The Disabled Persons Community Welfare Act** - Provided ﬁnancial and other assistance for disabled people, and support for private organisations that provide facilities for disabled people to help them stay in the community. Allowed the Department of Social Welfare to pay up to four weeks respite care for a disabled child, and a Disability Allowance of up to $8 a week, subject to an income test.

**1975 Private Schools Conditional Integration Act** - Facilitated the conditional and voluntary integration of a private school into the State education system, on the basis that the school’s special character (religious or philosophical belief) would be ‘protected’ and ‘safeguarded’. 249 Catholic and 9 non-Catholic private schools had integrated by 1983.

**1976 McCombs report (Towards Partnership)** - Criticised the lack of Māori, Paciﬁc people and women in school governance, the isolation of school boards from communities and the concentration of power in the Department of Education.

**1978 Lake Alice Child and Adolescent Unit closed** - The Child and Adolescent Unit at Lake Alice psychiatric hospital closed.

**1979 Intensive foster care schemes** - The Department of Social Welfare established Intensive Foster Care schemes to match more diﬃcult children with carefully selected foster parents, who received training, advice and support.

**1980 The Family Court Act** - Established the Family Court. Its jurisdiction included marriage and its dissolution, adoption, guardianship, paternity, matrimonial property and spousal and child maintenance. (Later expanded further to include care of children and child protection and welfare)

**1981 Borstals closed** - The last of the borstals was closed by the Criminal Justice Amendment (No 2) Act 1980.

**1982 Police national register of complaints** - The ﬁrst system to track Police complaints, and how they were dealt with. The register revealed more complaints than expected, the prominence of excessive use of force (especially at stations after arrest), prevalence of some bad practices (such as strip-searches in public), and the recurrence of some oﬃcers’ names in complaints.

**1982 Kōhanga reo** - The ﬁrst kōhanga reo was supported by the Department of Māori Aﬀairs. A year later, there were 100 (currently over 460). As well as reviving Te Reo Māori, the aims included immersing children and whānau in Māori child rearing practices.

**1982 The Johnson report** - Followed a 1979 Human Rights Commission Inquiry into Auckland residences and the 1978 Auckland Committee on racism and Discrimination (ACORD) inquiry conducted by a group of social workers into residences in Auckland. Identiﬁed signiﬁcant problems with residential practice including: overcrowding, use of secure care and disrupted social work practice.

**1983 The Area Health Boards Act** - Established 14 Area Health Boards to gradually replace the Hospital Boards and District Health Oﬃces. The change was completed when the Local Government Act 1989 abolished Hospital Boards.

**1983 Police Directorate of Internal Affairs** - Established to manage discipline, complaints and related appeals. New policies were introduced for dealing with complaints made in Police custody.

**1985 The Adult Adoption Information Act** - Enabled adopted children and birth parents to access information about each other but allowed birth parents to request a veto on their information so that the child may not have access to the information.

**1986 Ministerial Review of Department of Education Residential Special Schools** - Examined the seven residential special schools (which served 396 children and employed 350 staﬀ) and recommended they be consolidated, as some children’s needs could be met in their local area. The review resulted in the closure of Campbell Park School, with services consolidated at Salisbury and Hogben Schools.

**1986 Residential Care Regulations** - The Children’s and Young Persons (Residential Care) Regulations represented the ﬁrst time that practices for the care of children and young people in social welfare residences were set out in statute.

**1986 Early childhood services integrated within the education system** - Responsibility for the funding and administration of early childhood care and education services was transferred from the Department of Social Welfare to the Department of Education on 1 July 1986.

**1986 Te Whainga i Te Tika – In Search of Justice** - The report of the Advisory Committee on Legal Services raised concerns about: children lacking eﬀective legal protections; young people not understanding what was happening in courtrooms; institutional racism; and identiﬁed children and young people under the control of government departments as especially vulnerable.

**1987 Corporal punishment** - Corporal punishment in schools was abolished in practice (by policy) in 1987 but not legislatively until 1990.

**1988 Puao-Te-Ata-Tū** - The Report of the Ministerial Advisory Committee on a Māori Perspective for the Department of Social Welfare (DSW). It identiﬁed institutional racism in DSW and in wider New Zealand society and found DSW to be a ‘highly centralised bureaucracy insensitive to the needs of many of its clients’. It also suggested funding community work to strengthen Māori networks and family links.

In response, DSW accelerated moves away from foster care and residential institutions, closing most institutions, reorganising those that remained, introducing new residential care regulations and reallocating resources to community-based alternatives.

**1988 The Mason report** - The “Committee of Inquiry into Procedures used in Certain Psychiatric Hospitals in Relation to Admission, Discharge or Release on Leave of Certain Classes of Patients”, investigated the treatment of patients who had a crossover with the justice system (particularly violent oﬀenders). As a result, a network of regional psychiatric secure units such as Auckland’s Mason Clinic was set up. It also called for integrated bicultural services to better meet Māori needs, acknowledging that psychiatric assessments used a western model that did not consider family, culture and spiritual identity.

**1988 The Picot report and Tomorrow’s Schools** - The Picot Report (Administering for Excellence: Eﬀective Administration in Education) identiﬁed: over-centralised decision-making; complexity; lack of information and choice; lack of eﬀective management practices; and powerlessness among parents, communities and staﬀ. Government’s policy response, Tomorrow’s Schools, agreed with the Picot Report, and by the end of 1991, most of its major reforms were either in place or underway.

**1989 The Education Act (Department of Education to the Ministry of Education)** - Gave eﬀect to Tomorrow’s Schools, devolving the school system into approximately 2,600 self-managing schools, governed by elected boards of trustees (the legal employer of all school staﬀ) and managed by Principals (as standalone Crown entities). Boards of trustees were responsible for making sure their schools were physically and emotionally safe places for students and staﬀ.

The Department of Education was abolished (along with the regional Education Boards and Boards of Governors) and replaced with a smaller Ministry of Education. A range of new regulatory agencies were introduced, including the Education Review Oﬃce, NZ Qualiﬁcations Authority, and the Teacher Registration Board.

The Act also provided for special education for people under-21 in schools, special schools, special classes, clinics or services.

**1989 The Children, Young Persons, and Their Families Act** - Arose from concerns about over-formalised treatment of juveniles, allegations of harsh treatment and racism (e.g. in Puao-te-Ata-Tū), and a lack of public accountability for its actions. Internationally, there was increasing recognition of children as having legal rights.

Distinguished between ‘care and protection’ and ‘youth justice’, acknowledged the rights and responsibilities of families and set up Family Group Conferences. Imprisonment became an intervention of last resort and Police Youth Aid dealt with most oﬀending. The Act also established the Oﬃce of the Children’s Commissioner.

**1990 The Education Amendment Act** - Prohibited the use of force (by way of correction or punishment) by anyone employed by a board of trustees, or supervising or controlling children, in an early childhood service, home-based care service or registered school.

**1990 Police Complaints Authority** - In its ﬁrst year 795 complaints were received, including death/serious injury, harassment/excessive attention, suicide in Police care and the mistreatment of children. The Authority estimated 20 percent of complaints were wholly or partially sustained.

**1990 Te Kōhunga Reo** - Following the disestablishment of the Department of Māori Aﬀairs, kōhanga reo operations were moved to the Ministry of Education.

**1992 Department of Social Welfare restructure** - Five business units were created: the New Zealand Income Support Service; New Zealand Children and Young Persons Service; New Zealand Community Funding Agency; Social Policy Agency; and, the Corporate Oﬃce.

**1992 The Education (Home-based Care Order)** - Set out a code of practice for chartered home-based early childhood education services (providing education or care to fewer than ﬁve children under the age of 6 years). The regulations were replaced by Licensing Criteria for Home-Based Education and Care Services 2008.

**1992 The Mental Health (Compulsory Assessment and Treatment) Act** - Replaced the Mental Health Act 1969 and revised provisions for compulsory assessment and treatment. The Act had a new deﬁnition of mental disorder and set out patients’ rights, and processes, reviews and inquiries to protect them. The intent was to provide treatment in the least intrusive and restrictive way.

**1992 Police internal tribunal system** - Established to deal with disciplinary matters of insuﬃcient seriousness to place before the criminal Courts.

**1993 Ministry of Health, Regional Health Authorities and Crown Health Enterprises** - Established to replace Department of Health and Area Health Boards. Residual Health Management Unit (later renamed the Crown Health Financing Agency) took over the remaining responsibilities for Area Health Board assets and liabilities not transferred to Regional Health Authorities and Crown Health Enterprises.

**1996 The Education Amendment Act** - Increased the Teacher Registration Board’s responsibility to ensure teachers met ‘satisfactory teacher’ standards throughout their careers. It required all teachers to show evidence of meeting the standards when renewing their practising certiﬁcates and made it illegal for state and state-integrated schools, other than kura kaupapa Māori, to employ people in permanent teaching posts who did not have a practising teachers’ certiﬁcate.

**1998 Department of Work and Income (known as WINZ)** - Established with the merger of Income Support Service and the New Zealand Employment Service, Community Employment Group and Local Employment Co-ordination.

**1998 Education (Early Childhood Centres) Regulations** - Required all early learning services (caring for three or more children under the age of 6 years) to be licensed, and set minimum standards for child protection, health and safety, curriculum, premises /facilities, qualiﬁcation levels, and management. Allowed the Secretary for Education to immediately suspend a centre’s licence.

**1999 Department of Child, Youth and Family Services establishment** - Children, Young Persons and their Families Agency established with the merger of the New Zealand Children and Young Persons Service and the New Zealand Community Funding Agency. Later in the year, it became the stand-alone Department of Child, Youth and Family Services (known as Child, Youth and Family).

**1999 Ministry of Social Policy** - Established by the amalgamation of the Social Policy Agency and Corporate Oﬃce of the former Department of Social Welfare with the addition of a new Purchasing and Monitoring Group.

**2001 The Education Standards Act** - The Act regulated school boarding houses, introduced compulsory registration for kura kaupapa and early childhood teachers, and required complaints about teachers conduct, competence, or serious misconduct to be reported to the Teachers’ Council. It also amended the Education Act 1989 to require mandatory police vetting for all teachers, non-teaching staﬀ, and contractors every three years.

**2001 Ministry of Social Development** - Established by the amalgamation of the Ministry of Social Policy and the Department of Work and Income.

**2001 District Health Boards** - District Health Boards established, replacing the Crown Health Enterprises.

**2001 to 2002 Lake Alice apology** - Government apology and compensation to approximately 180 former patients of the Lake Alice Hospital Child and Adolescent Unit (1972–1978) after a private inquiry into mistreatment in the Unit.

**2002 Oﬃce for Disability Issues** - Established within the Ministry of Social Development.

**2005 The Education (Hostels) Regulations** - Prescribed a hostel licensing system and checks on operators, with options for direct intervention if serious safety concerns were identiﬁed. (Hostels do not include private boarding arrangements, but include: residential special schools, health camps, state and state-integrated schools, boarding hostels, and private hostels for international students attending registered schools).

**2005 Child, Youth and Family merger** - Child, Youth and Family merged as a service line within the Ministry of Social Development.

**2006 Kimberley Centre closed** - The last residential disability care facility was closed (the Kimberley Centre in the Horowhenua).

**2006 Claims Resolution Team** - Set up inside the Ministry of Social Development to respond to claims of historic abuse or neglect against Child, Youth and Family or its predecessor agencies.

**2007 Te Aiotanga** - The Report of the Conﬁdential Forum for Former In-Patients of Psychiatric Hospitals (Te Aiotanga) summarised and evaluated the process of the Conﬁdential Forum, and summarised what the Forum heard from former patients and their family members and support people, and former staﬀ. Follow up actions were described.

**2008 The Conﬁdential Listening and Assistance Service (CLAS)** - An independent body set up for people to talk conﬁdentially about their experiences, to help them identify (and get assistance to meet) their needs, and to refer those who want to follow up their concerns to a Government agency. When it closed in 2015, the Conﬁdential Listening and Assistance Service reported that of the 1,103 people they had met 626 reported being abused while in the care of the State.

**2012 Crown Health Financing Agency** - The Crown Health Financing Agency was disestablished, and its assets and liabilities transferred to the Ministry of Health, including responsibility for addressing claims of any historic abuse that occurred before 1 July 1993.

**2012 Health camp schools closed** - Following the Education Review Oﬃce’s recommendation that the Ministries of Education and Social Development examine the role of health camps and their schools within the wider provision of services for students with moderate to severe behaviour diﬃculties, the health camp schools were closed. Responsibility for helping children with behavioural and social needs was contracted to Stand Children’s Services.

**2014 The Vulnerable Children’s Act** - The Act introduced new requirements for children’s worker safety checking. State services and organisations providing government-funded services to children and families were required to have a Child Protection Policy setting out their commitment to child protection and providing information on how staﬀ should respond when they have concerns about the safety and wellbeing of children. The regulations set out the details of the mandatory safety check. Anyone convicted of a speciﬁed oﬀence could not be employed as a core children’s worker unless they had an exemption.

**2017 Oranga Tamariki** - The Ministry for Vulnerable Children, Oranga Tamariki was established, as a separate agency to replace Child, Youth and Family.

**2017 The Education (Update) Amendment Act** - Provided a legal framework for the appropriate use of physical restraint by teachers and authorised staﬀ, allowing physical restraint only where there was a serious threat to safety. It also prohibited the use of seclusion in early childhood services, ngā kōhanga reo, schools and kura.

**2018 Abuse in Care Royal Commission** - The Government announced the establishment of the Royal Commission of Inquiry into Historical Abuse in State Care (later extended to include Faith-Based Institutions). The Royal Commission’s contextual hearing, its ﬁrst substantive public hearing, was held in November 2019.

# The Research Team

**Catherine Savage**

(Kāi Tahu, Kāti Māmoe)

Catherine was adopted as an infant into a Pākehā family, as part of the closed adoption system. She is the lead researcher at Ihi Research and is interested in community development and social justice. She has previously worked as a psychologist and an academic.

**Paora Crawford Moyle**

(Ngāti Porou - Te Whānau a Tūwhakairiora)

Paora was raised in the custody of the State, in both state and faith-based settings. Paora is a long serving social worker, a registered professional supervisor, and currently completing a PhD through Victoria University, on stolen tamariki and mokopuna Māori in Aotearoa.

**Larissa Kus-Harbord**

Larissa Kus-Harbord, at 4 years old, migrated with her family from Ukraine to Estonia to live in a new cultural and language environment. Twenty-five years later she came to Aotearoa to complete her PhD in cross-cultural psychology. Larissa works as a researcher in Ihi Research. As a mother of a little girl, she is interested in children’s wellbeing, social justice and cross-cultural interactions.

**Annabel Ahuriri-Driscoll**

 (Ngāti Porou, Ngāti Raukawa, Ngāti Kahungunu)

Annabel was adopted as an infant into a Pākehā family, as part of the closed adoption system. She is currently a lecturer in hauora Māori/public health at the University of Canterbury, where she recently completed her doctoral studies, investigating the lived experiences of Māori adoptees.

**Anne Hynds**

Anne Hynds is Pākehā, and a senior researcher for Ihi Research. She has a research interest in social justice. She has previously worked as a teacher within Deaf education, and has held academic roles at Victoria University of Wellington and the University of Auckland.

 **Kirimatao Paipa**

(Ngāti Pōrou, Ngāti Whakaue, Tukorehe)

Kirimatao is a mother and a grandmother and has a brother and sister who were whāngai to different siblings of her father - one was successful, one was not. She works as an evaluator, researcher and teacher and is interested in using those skills to enable indigenous communities, whānau, hapū and iwi.

**George Leonard**

(Ngāti Rangiwewehi, Ngāti Raukawa, Ngāti Whakaue, Ngāi Tūhoe)

George is a recent law graduate from Canterbury University. George is interested in criminal law and the treatment of rangatahi in the justice system.

**Joanne Maraki**

(Ngāti Porou, Rongomaiwahine, Rakaipaaka)

Jo is the whāngai of her whānau. A privilege she believes taught her to value relationships between people, places, and situations. Joanne works in health and social services and is interested in the role of evaluative research in contribution to community, hapū and iwi development.

**John Leonard**

(Ngāti Rangiwewehi, Ngāti Raukawa, Ngāti Whakaue, Ngāi Tūhoe)

When John was 25, he met his older sister who was adopted through the closed adoption system in the 1960's. John is the managing director of Ihi Research and interested in indigenous approaches to healing men's trauma.