



Were you abused or neglected while in state care?

If you believe you have been badly treated or neglected while in the care of the Child Welfare Division, the Department of Social Welfare, or Child, Youth and Family, the Ministry of Social Development wants to work with you to see if we can help.

For more information go to www.msd.govt.nz/historicclaims

Who can make a claim?

You can make a claim of abuse or neglect if you:

- were in the care, custody, guardianship, or came to the notice of the Child Welfare Division, the Department of Social Welfare, or Child, Youth and Family **before** 2008, and
- believe you were harmed as a result of abuse or neglect while in care, and
- are **not personally** a current client of Oranga Tamariki—Ministry for Children (Oranga Tamariki can be working with your children or another family/whānau member).

How do I start the claim process?

Please get in touch with us by:

- writing to the Ministry of Social Development, Claims Resolution, PO Box 1556, Wellington 6140
- calling 0800 631 127 and asking to speak with a social work advisor in Claims Resolution
- calling 0800 400 611 (for people in prison)
- emailing: claimsresolution@msd.govt.nz

Alternatively, you can speak with a lawyer to get their assistance to make a claim. You can also speak with the lawyer about whether or not you qualify for legal aid.

Sometimes you might have questions about your time in care to help you understand why some decisions were made or why certain things happened. You can talk this through with us before you decide if you want to make a claim.

What happens when I make a claim?

Access to your personal information

You will be asked if you want to have your personal files from your time in care. If you do, we will arrange to have these sent to you. Some information in your file may be blacked out as required under the Privacy Act 1993, for example information about other people.

You will have time to look at your files before your claim is assessed. You may find that the information from your files gives you some answers about your time in care.

Listening to your concerns

We'll listen to you about your experience; usually in person but sometimes by phone or video. Talking about difficult things that have happened in the past can be upsetting so please let us know how we can make that conversation as easy as possible for you. You are welcome to have a support person with you. This could be, for example, your partner, friend, family member or counsellor.

Assessing your claim

Your claim will be assessed by a senior social work advisor. They will look at the social work service and the care you received. This is to see if your care was of an acceptable standard and to understand how you have been harmed. To do this they will review a range of records including information about:

- your involvement with the Ministry
- the staff and carers who worked with you
- the places you stayed, and
- any other information held by the Ministry that may assist in assessing your claim.

A social work advisor may also make contact with you during the assessment process to talk about some of the information.

Where we have got it wrong we will apologise to you. Our assessment of your claim will recognise the responsibility the Ministry had for you.

What will you do with the information I share with you?

The information you give us is collected and held by the Ministry so we can assess and respond to your claim of abuse while in the care of the state before 2008. As part of the assessment process we may share your information or make contact with other government agencies or Non-Government Organisations (NGOs) who were involved in your care. If you have any concerns about your information being shared, for example if you are concerned that this may put you at risk in any way, please let us know so we can talk with you about this and what we can do to address your concerns.

Our Privacy statement provides you with more information about why we collect information and what we will do with it. You can find our full Privacy statement on our website or ask us and we will send a copy to you.

Can I stop my claim at any time?

You can put the assessment of your claim on hold at any time. This means we will not do any further work to progress your claim. This hold can be removed at any point if you change your mind.

What happens next?

- When our assessment of your claim is finished, our senior social work advisor will arrange a meeting with you to talk about what they found out.
- At that time we will also discuss with you what, if anything, the Ministry may be able to do that you would find helpful in dealing with the issues you have about your time in care.
- If a payment and an apology is to be made to you we will explain how that happens. These payments are based on what's considered fair and reasonable and are not negotiable.
- If you are not happy with the outcome, we can talk with you about your options.
- It can take three years or more to complete an assessment of a claim. Please make sure that you speak with us if you need support at any stage during the assessment process. This can include counselling. Also, please let us know if your contact details change.
- If your complaint is about criminal conduct then the Ministry may, after ensuring it has the appropriate authority, share information about the alleged offending with the Police. If you would like the Police to investigate what happened to you, we would encourage you to contact them. We can help connect you with someone there you can share your experience with.

Will the Royal Commission of Inquiry into Abuse in State Care affect my claim?

We expect the Inquiry will look into how claims are resolved, which may result in possible recommendations for improvements to our service in the future. The inquiry is expected to issue its final report, containing findings and recommendations, in writing within the current parliamentary term. Once this is complete the Ministry will work with the Minister to determine what changes we may need to make to how we process claims.