

## **In Confidence**

Office of the Minister for Child Poverty Reduction  
Cabinet Social Outcomes Committee

## **Update on Government Response to the Dame Karen Poutasi Review**

### **Proposal**

- 1 This paper proposes that the Government:
  - 1.1 accepts the recommendations from the report by Dame Karen Poutasi on the Joint Review into the Children’s Sector: Identification and response to suspected abuse (the Poutasi Review);
  - 1.2 notes that steps have already been taken to implement the Poutasi Review recommendations, with two complete and four underway; and
  - 1.3 takes an integrated, all-of-Government approach, focussed on safeguarding children, to implement the remaining Poutasi Review recommendations with urgency.

### **Relation to government priorities**

- 2 This proposal relates to the Government priority of delivering better public services. It also aligns with the Government’s Child and Youth Strategy 2024-2027 priority of preventing child harm, the 2025-2030 Oranga Tamariki System Action Plan, the second Te Aorerekura Action Plan to address family violence and sexual violence, and the Crown’s response to Whanaketia, the final report of the Royal Commission of Inquiry into Abuse in Care.

### **Executive Summary**

- 3 The Poutasi Review made 14 recommendations for changes to improve the system of safety nets for preventing harm in the children’s system. Some of these recommendations have already been completed, and others are underway. This paper provides an update on the Government response and sets out a direction of travel for implementing the remaining recommendations.
- 4 The starting point for the Government is to accept all the recommendations from the Poutasi Review, especially the call for inter-agency collaboration and accountability to ensure the safety of children. The recommendations intersect and reinforce each other – therefore, as Chair of the Child and Youth Ministers Group, I have asked Chief Executives to drive an integrated all-of-Government change approach focussed on improving child safety.

- 5 This approach is designed to take immediate steps to maximise child safety, while sequencing further actions to build capacity in the system and mitigate potential risks. Further policy and design work is required on the details. I intend to return to Cabinet in November to seek detailed in principle policy decisions. § 9(2)(f)(iv)

## Background

- 6 It has been four years since a five-year-old child died as a result of physical abuse by his caregiver while his sole parent was incarcerated. Three years have passed since the Poutasi Review identified five gaps in the system of safety nets for preventing harm in the children's system and made 14 recommendations to address these gaps (see Appendix A).
- 7 Agencies have been progressing work to respond to the Poutasi Review recommendations. This paper proposes that the Government signals our acceptance of the recommendations and advances implementation at pace for the safety of these vulnerable children.

## The Government accepts the Poutasi Review recommendations

- 8 Child safety is paramount in the children's system. It is clear from the Poutasi Review that significant improvements are needed to ensure adequate safeguards to protect against and respond to child harm.
- 9 The Child and Youth Ministers Group, of which I am the Chair, is overseeing implementation of the Government response to Dame Karen Poutasi's recommendations.
- 10 We propose that the Government accepts the recommendations of the Poutasi Review, on advice from officials that an all-of-Government response to the recommendations will achieve the following outcomes:
- 10.1 children are safer, with a focus on supporting children whose sole parent is incarcerated; and
  - 10.2 the children's system has a mature and consistent approach to sharing information on, reporting on, and responding to suspected abuse.
- 11 We have been clear about our expectations that this work is progressed at pace to ensure child safety. We also recognise that the implementation approach needs to mitigate the potential risks associated with some of the recommendations, for example in relation to mandatory reporting. This is discussed further below.

## An integrated response to deliver on the recommendations

- 12 The 14 recommendations in the Poutasi Review are not standalone. They have common themes, cross over, and reinforce each other. Therefore, inter-agency collaboration and accountability is key to effective implementation.

- 13 As Chair of Child and Youth Ministers, I have asked Chief Executives to drive an integrated all-of-Government change approach, focussed on improving child safety. Monitoring the impact of change will be critical to ensuring that efforts are having a positive impact and enabling us to make any adjustments necessary to keep focussed on better outcomes.
- 14 The 14 recommendations are attached at Appendix A. Recommendation 11 is complete, and recommendations 3, 4, 5 and 10 are underway.
- 15 Recommendation 14 – for the Independent Children’s Monitor (ICM) to review progress on the recommendations one year after the Poutasi Review – is technically complete given that the ICM published this review in August 2024. However, the ICM has signalled that it will undertake further annual reviews, with the second review expected to be published in January 2026. Cabinet decisions from this paper and the ongoing work can inform this review.
- 16 Some actions have been taken to improve information sharing under the Oranga Tamariki Act 1989, as outlined in recommendation 7. Further work to implement this is outlined in paragraph 28.
- 17 Alongside implementation of the Poutasi Review recommendations, in May 2022 the Chief Social Worker reviewed the circumstances, practices and actions of Oranga Tamariki in relation to the case that triggered the Poutasi Review. The review found that there were significant failures in the Oranga Tamariki response to the child and his whānau. All 30 of the review recommendations have been fully implemented.

### **Implementing the remaining key recommendations**

- 18 Given the complexities and scale of the changes required to implement the recommendations, I propose a staged approach to the Government response. This approach includes immediate steps to improve safeguards, while sequencing further actions to build capacity and capability, and prevent system overwhelm.
- 19 There will be a focus on four key areas of action, as follows.

#### *Introduction of a mandatory child protection training and reporting regime for defined workforces (including public education) (recommendations 8, 9 and 13)*

- 20 The Poutasi Review recommended introducing a mandatory reporting regime. This would mean that certain workforces who work with children will be mandated to report suspected abuse to Oranga Tamariki. Introducing a mandatory reporting regime will be a significant change to our child protection system, reflecting the importance of child safety.
- 21 International evidence, including from Australia, indicates that mandatory reporting on known and suspected child sexual abuse can significantly increase substantiated case identification for this type of abuse.<sup>1</sup> However,

---

<sup>1</sup> Mathews, B., Lee, X. J., & Norman, R. E. (2016). Impact of a new mandatory reporting law on reporting and identification of child sexual abuse: A seven-year time trend analysis. *Child Abuse & Neglect*, 56, 62–79.



total reporting volumes can also increase significantly, putting pressure on systems and ultimately diverting resources away from other critical services and components of child protection systems.

- 22 To mitigate this, we propose taking a stepped implementation approach, beginning with mandatory child protection training for designated workforces. This would ensure they have the knowledge and capability required to report suspected abuse. It would also reduce the likelihood of flooding the system with low-risk reports of concern. Concurrently, we propose that children's agencies<sup>2</sup> and the Department of Corrections bolster their systems to ensure that when mandatory reporting comes into force, they are ready and able to respond in a timely way, with ongoing monitoring. This work will be reinforced by a public campaign to increase awareness of the signs of abuse.

- 23 § 9(2)(f)(iv) [Redacted]

*Enhancements to the existing Report of Concern process to ensure that children whose sole parent is arrested and/or taken into custody are identified and their needs met (recommendations 1, 2 and 6)*

- 24 The best available estimate using the Integrated Data Infrastructure is that between 1,280 and 1,430 sole caregivers are incarcerated a year. Across these there are an estimated 2,000 to 2,300 children. Modelling indicates that children whose parents are incarcerated have significantly worse outcomes than other children, and there are further risks where the incarcerated parent is a sole caregiver and therefore unable to monitor and ensure their child's safety.

- 25 § 9(2)(f)(iv) [Redacted]

- 25.1 § 9(2)(f)(iv) [Redacted]
- 25.2 [Redacted]
- 25.3 [Redacted]
- 25.4 [Redacted]
- 25.5 [Redacted]

<sup>2</sup> Children's agencies as defined in the Children's Act 2014 are: Ministry of Justice, Ministry of Education, Ministry of Health, Oranga Tamariki, New Zealand Police, and Ministry of Social Development.



26

s 9(2)(f)(iv)

27

s 9(2)(f)(iv)

*Reinforcing a clear expectation that agencies<sup>3</sup> share information where there are safety and wellbeing concerns for a child (recommendation 7)*

- 28 Multiple agencies may hold information relating to children and their family and whānau. Therefore, to understand what support may be required, agencies need to share information. There are no legislative barriers to information sharing where there is a safety concern for a child. However, recent reviews and frontline feedback indicate there are still pockets of practice where there is a lack of clarity about information that can and should be shared, some of which may be driven by concerns around mishandling personal data and the possibility of breaching the Privacy Act 2020.
- 29 The Privacy Commissioner has agreed to communicate a clear expectation that information is shared where there are concerns about the safety of a child, and will work with officials to reinforce messaging, participate in workshops, and lead proactive messaging. Incorporating this into mandatory training will further assist workers to know and confidently deliver on their information sharing obligations.

*Strengthening collective accountability for child safety (recommendation 12)*

- 30 Recommendation 12 – to include in the founding legislation of children’s agencies that they share responsibility for checking the safety of children – is not possible to implement in the terms envisaged in the Poutasi Review because not all children’s agencies have founding legislation. However, given the integrated approach being taken to the recommendations, it is important to consider this recommendation in the context of the other changes across the programme of work.
- 31 Changes, including those in relation to recommendations 8 and 9 (mandatory training and reporting) and recommendations 1, 2 and 6 (identifying the needs of a dependent child), will strengthen agency accountability for checking child safety. Shared responsibility for checking the safety of children already exists in Part 2 of the Children’s Act 2014, which is the legislative basis for child protection policies. Officials will take immediate steps to ensure all children’s agencies are complying with these provisions. s 9(2)(f)(iv)

<sup>3</sup> Child welfare and protection agencies as defined in the Oranga Tamariki Act 1989

*Next steps*

32 Further policy and design work is required to implement the key parts of the Government response. I plan to return to Cabinet in November 2025 to seek in principle policy decisions on the details of this. That paper will also identify further implementations risks and outline how they will be mitigated.

33 s 9(2)(f)(iv) [Redacted]

34 s 9(2)(f)(iv) [Redacted]

35 As part of developing the implementation plan, officials will consider opportunities to build on broader work where relevant. This could include the Crown response to the final report of the Royal Commission of Inquiry into Abuse in Care (noting there are overlapping recommendations and work underway across both responses), and the second Te Aorerekura Action Plan 2025-2030 to address family violence and sexual violence.

**Cost-of-living Implications**

36 This proposal is not likely to impact the cost of living.

**Financial Implications**

37 While the proposals in this paper will not have any direct financial implications, there will be costs associated with implementing the changes. For example, to deliver the enhanced service focused on children whose sole carer is incarcerated, and build capacity in the children's system to manage and respond to the likely increase in reports of concern (and the increase in demand for an already under-resourced social work workforce). Further work is required to quantify the costs and additional resources required. [Redacted]

**Legislative Implications**

38 The proposals in this paper have no direct legislative implications.

39 s 9(2)(f)(iv) [Redacted]



## Population Implications

- 40 Children with an incarcerated parent tend to come from families with multiple existing risk factors that may persist over generations. Māori are overrepresented in this cohort. The package of proposals is likely to affect Māori children and whānau, and Pacific children and families. Disabled children and young people are more likely to experience violence than non-disabled children and young people. Therefore, it will be important to consider these population groups in any service design following detailed in principle policy decisions in the November Cabinet paper.
- 41 It is important that the children's system is set up to ensure the safety of all children. The Government response outlined in this paper is focussed on achieving a positive impact on this outcome.

## Human Rights

- 42 The focus of the proposals in this paper on improving child safety will assist the Government to meet its responsibilities under the United Nations Convention on the Rights of the Child.
- 43 The proposed response to recommendations 1, 2 and 6 seek to uphold the right of a child to safety while recognising the right of a parent or guardian to be involved in decisions affecting their child's life.

## Privacy Commissioner Statement

- 44 The Privacy Commissioner has requested the following statement be included in the Cabinet paper. "The Privacy Commissioner strongly supports any work that is intended to remove barriers to keeping children safe and is committed to communicating his clear expectation that information is shared where there are concerns about the safety of a child, and that there are no legislative barriers to doing so. The Commissioner notes that the further policy and design work to be undertaken for the November Cabinet paper will be required in order to assess the privacy implications of the proposals."
- 45 In undertaking the work for the November Cabinet paper, agencies will work closely with the Office of the Privacy Commissioner to assess the privacy implications.

## Use of external Resources

- 46 To develop the proposals in this paper, one contractor was engaged for three weeks to work across agencies to develop the approach.

## Consultation

- 47 The following agencies were consulted in the development of the proposals in this paper: Oranga Tamariki, the Ministry of Health, Health New Zealand, the Ministry of Education, the Ministry of Justice, the New Zealand Police, the Department of Corrections, the Social Investment Agency, the Centre for Family Violence and Sexual Violence Prevention, Te Puni Kōkiri, Whaikaha,



the Treasury, and the Public Service Commission (Crown Response Office), the Ministry of Business, Innovation & Employment, and Sports NZ.

48 The Department of Prime Minister and Cabinet was informed.

### Communications

49 I plan to inform the ICM, Children's Commissioner, Ombudsman, and Coroner of the outcomes of this paper.

50 In October 2025, I plan to announce that the Government accepts the Poutasi Review recommendations and is taking an integrated approach to implementing them, focussed on child safety.

### Proactive Release

51 I intend to proactively release this Cabinet paper, consistent with the Official Information Act 1982, within 30 days of Cabinet decisions.

### Recommendations

The Minister for Child Poverty Reduction recommends that the Committee:

- 1 note the report by Dame Karen Poutasi on the Joint Review into the Children's Sector: Identification and response to suspected abuse (the Poutasi Review) identified five gaps in the children's system for preventing harm and provided 14 recommendations for closing these gaps;
- 2 agree to accept all recommendations from the Poutasi Review;
- 3 note that of the 14 recommendations:
  - 3.1 one is complete (recommendation 11);
  - 3.2 one is complete but will be repeated (recommendation 14); and
  - 3.3 four are underway (recommendations 3, 4, 5, and 10);
- 4 note an integrated all-of-Government approach focussed on safeguarding children is being taken to implementing the remaining Poutasi Review recommendations, overseen by Child and Youth Ministers;
- 5 note the outcomes to be achieved from implementing the Poutasi Review are:
  - 5.1 children are safer, with a focus on supporting children whose sole parent is incarcerated; and
  - 5.2 the children's system has a mature and consistent approach to sharing information and responding to suspected abuse;
- 6 note the Government is focussed on the following key areas of work to progress implementation of the remaining recommendations:

IN CONFIDENCE

- 6.1 introduction of a mandatory child protection training and reporting regime reporting for defined workforces (recommendations 8, 9 and 13);
  - 6.2 enhancements to the system to ensure that children whose sole parent is incarcerated are identified and their needs met (recommendations 1, 2 and 6);
  - 6.3 reinforcing a clear expectation that children’s agencies share information where there are safety and wellbeing concerns for a child (recommendation 7); and
  - 6.4 strengthening collective accountability for child safety (recommendation 12);
- 7 note that in regard to mandatory training and reporting, the Government proposes to take a stepped approach beginning with training to mitigate risks;
- 8 note I plan to return to Cabinet in November 2025 seeking detailed in principle policy decisions, s 9(2)(f)(iv) [REDACTED]
- 9 s 9(2)(f)(iv) [REDACTED]
- 10 note the Independent Children’s Monitor published a 12-month review of agencies’ progress on the recommendations on 12 August 2024 in response to one of the recommendations, and a second review is expected to be published in January 2026; and
- 11 note I intend to announce the Government acceptance of the recommendations, progress to date and next steps in October 2025.

Authorised for lodgement.

Hon Louise Upston

Minister for Child Poverty Reduction