



23 June 2022

Tēnā koe

On 26 May 2022, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- *In 2011, the UN said that NZ "could do more" in bringing legislation into line with the UN Convention on the Rights of the Child. Since then, MSD has provided a child impact assessment tool available at: <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/resources/child-impact-assessment.html>*
- *The nature of my request ties together the tool and the UN advice from 2011. Is MSD able to provide information on what laws (Acts) have been passed by the government in New Zealand that have a child impact assessment report, like the MSD tool, attached since the UN 2011 advice was issued?*

A Child Impact Assessment (CIA) Tool has been developed to help government and non-government organisations in New Zealand to assess whether policy proposals will improve the wellbeing of children and young people. The CIA Tool was finalised in 2018 as part of the cross-agency work programme to progressively implement the United Nations Convention on the Rights of the Child (Children's Convention) in New Zealand. The Ministry also works with the Treasury to include child impact assessments in Regulatory Impact Assessments. This action is closely related to the child rights training being developed by the Ministry and the Office of the Children's Commissioner.

For further information on what New Zealand is doing to meet its obligations under the Children's Convention, please find the following link: www.msd.govt.nz/about-msd-and-our-work/publications-resources/monitoring/uncroc/what-is-nz-doing-to-meet-obligations.html.

The tool includes templates that agencies can use to test and assess any proposed law or policy for consistency with the intent of the Children's Convention.

Children and young people's rights provide a basis for holistic, child and youth-centred policy advice. Government agencies are required to consider and apply the principles of the Children's Convention in their work with and for children and young people.

The CIA Tool enables agencies to identify, analyse and assess the impacts of any proposed law or policy on the rights and wellbeing of children and young people. The impacts can be direct or indirect; short, medium or long-term; and positive, negative or neutral.

The Ministry does not hold a centralised list of Acts across government in which the CIA tool was used to assess the Act before each was passed. Each government agency is responsible for using the CIA tool to assess policies and Bills as required. In order to collate this information, the Ministry would have to consult with all government agencies to identify Acts which have been assessed using the CIA tool, and substantial manual collation would be required to locate and prepare all documents within scope of your request. As such, I refuse your request under section 18(f) of the Act. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

In regard to the Ministry's use of the CIA tool specifically, the Ministry actively uses the CIA tool to assess policy and bills. This includes the Oversight of Oranga Tamariki System and Children and Young People's Commission Bill. The CIA tool is publicly available at the following link: www.parliament.nz/en/pb/sc/submissions-and-advice/document/53SCSS_ADV_116701_SS3086/ministry-of-social-development-child-impact-assessment.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public. The Ministry will do this by

publishing this letter on the Ministry's website. Your personal details will be deleted, and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with this response, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui



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