



Cabinet Legislation Committee

Minute of Decision

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Oversight of Oranga Tamariki System Legislation Amendment Bill: Approval for Introduction

Portfolio **Social Development and Employment**

On 24 October 2024, the Cabinet Legislation Committee:

- 1 **noted** that the Oversight of Oranga Tamariki System Legislation Amendment Bill (the Bill) holds a category 5 priority on the 2024 Legislation Programme because of the Government's commitment to establish a truly independent oversight and monitoring of the Oranga Tamariki system, as set out in the National-Act coalition agreement;
- 2 **noted** that the Bill will:
 - 2.1 disestablish the Independent Children's Monitor as a departmental agency and establish the Monitor as an independent Crown entity governed by a board that must consist of three members; and
 - 2.2 disestablish the current Children and Young People's Commission and establish a new corporation sole Crown entity, which is governed by a Children's Commissioner;
- 3 **noted** that three Ministers were delegated responsibility to make decisions on transitional arrangements and officials provided advice to these Ministers in August 2024, which has informed drafting of the Bill;
- 4 **agreed** that the Independent Children's Monitor will be governed by a board that must consist of three members, noting that this differs from SOU-24-MIN-0077, which agreed that the Monitor be governed by a board of at least three members;
- 5 **agreed** to include an independent review of the relevant legislation that sets out the functions and duties of the Independent Children's Monitor and Children's Commissioner commencing no later than five years from the commencement of the Bill;
- 6 **authorised** the Parliamentary Counsel Office to make minor changes to the Bill to settle technical matters in line with Cabinet's previous policy decisions and incorporate feedback from their quality assurance processes up until the Bill is introduced in November 2024;
- 7 **approved** the Oversight of Oranga Tamariki System Legislation Amendment Bill [PCO 26240/8.0] for introduction in November 2024, subject to the final approval of the Government caucuses and sufficient support in the House of Representatives;

- 8 **agreed** that the introduction of the Oversight of Oranga Tamariki System Legislation Amendment Bill be aligned with the Prime Minister's public apology, which is intended to be made on 12 November 2024;
- 9 **agreed** that the Government propose that the Bill be:
- 9.1 referred to the Social Services and Community Committee for consideration for a period of four months;
- 9.2 enacted by 31 May 2025, with a commencement date of 1 July 2025.

Tom Kelly
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Chris Bishop (Chair)
Hon Simeon Brown
Hon Paul Goldsmith
Hon Louise Upston
Hon Tama Potaka
Hon Casey Costello
Hon Nicole McKee
Hon Simon Watts
Hon Nicola Grigg
Hon Andrew Bayly
Hon Scott Simpson, MP
Jamie Arbuckle, MP
Todd Stephenson, MP

Officials present from:

Official's Committee for LEG
Prime Minister's Office
Leader of the House's Office