



03 NOV 2016



On 1 August 2016 you emailed the Ministry requesting, under the Official Information Act 1982, information regarding children in care.

For the sake of clarity, I have addressed each of your questions in turn.

- *Please provide the numbers behind Fig.6.9 on page 64 of the Interim Report of the Expert Panel on Modernising CYF, showing individual children and young people with (a) notifications of concern, (b) investigations, (c) findings of maltreatment, and (d) in CYF custody at any point, from 2001 to 2014.*
- *Please provide long-term trend data for the fiscal years ending June 2001 to 2016 for "Care and protection reports of concern that required further action, by notifier type", including "Reports of Concern" and "Reports of Concern Requiring Further Action", as reported for 2015-16.*
- *Please provide the numbers of distinct children and young people for whom care and protection concerns were reported who (a) had previously been reported to CYF, and (b) had not previously been reported to CYF, for the fiscal years ending June 2001 to 2016, as collected for Fig 7.2 on page 91 of the Interim Report of the Expert Panel on Modernising CYF. (Note: please provide the actual numbers of children, not just the percentages summarised in the graph, and extend the numbers to the June 2016 fiscal year). Please comment on the reasons for the rising proportion of repeat notifications?*

The Expert Advisory Panel was established to provide advice to the Minister for Social Development, Hon Anne Tolley, about the development of a new operating model to improve the outcomes for children and young people. In their analysis, they used a range of data, including operational data which is not typically used for external reporting because it may not be replicated in the same way. The data provided to you in this response is official data. This means it may differ slightly from the operational data published in the Interim Report of the Expert Panel.

Reports of Concern

Child, Youth and Family always works with the best interests of the child or young person in mind and is guided by the Children, Young Persons, and Their Families Act 1989. When responding to a notification regarding alleged abuse or neglect, the welfare and interests of the child or young person are the first and paramount consideration.

When a concern is expressed to Child, Youth and Family that a child or young person may be at risk of abuse or neglect, a report of concern is recorded. Every report of concern is treated seriously; is assessed by a social worker and the immediate and future risk to the child or young person is considered.

Not all reports of concern received by Child, Youth and Family result in further action as it may become evident early in the process that there are no issues warranting further assessment. Cases requiring no further action by Child, Youth and Family may lead to referrals for other avenues of advice and support being made available to the family, including partnered responses with other organisations. Consequently, although a formal investigation may not be required, this does not mean that there was no further involvement with the family.

A child is only removed from their immediate family when Child, Youth and Family consider the child's safety will be compromised. If no wider family member is identified as being able to safely care for the child, then the child will be placed with an approved Child, Youth and Family caregiver. Wherever possible and appropriate, the relationship between the child and their family is maintained and strengthened.

Further information regarding Child, Youth and Family notifications and investigations, is available on Child, Youth and Family's website at <http://www.cyf.govt.nz/about-us/key-statistics/>.

Please note that I am unable to provide you information for all of the periods you have requested, as the Ministry's reporting capabilities have changed over time. The time periods provided represent data which the Ministry has available. To provide earlier years would require substantial manual collation and as such these years are refused under section 18(f) of the Official Information Act. 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.

- Table One: Distinct children with reports of concern for the financial years ending June 2004 to 2015.
- Table Two: Distinct children with substantiated findings of abuse for the financial years ending June 2004 to 2015.
- Table Three: The number of children and young people in the custody of the Chief Executive, as at the end of June 2008 to 2015.
- Table Four: The number of care and protection reports of concern that required further action, broken down by notifier type, for the financial years ending June 2011 to 2015.

- Table Five: The number of children and young people with Child, Youth and Family investigations and Child and Family Assessments completed in the financial years ending June 2014 and 2015.

These tables provide information to address your request for long-term trend data for the fiscal years ending June 2001 to 2016 for "Care and protection reports of concern that required further action, by notifier type", including "Reports of Concern" and "Reports of Concern Requiring Further Action".

In response to your question for comment on the reasons for the rising proportion of repeat notifications (reports of concern), it is important to note that an increasing proportion of the children being referred to Child, Youth and Family each year are already known to the agency. Please see Section 6 of the Expert Advisory Panel's Final Report for more detail.

This report is available on the Ministry's website at:

<http://www.msd.govt.nz/documents/about-msd-and-our-work/work-programmes/investing-in-children/investing-in-children-report.pdf>

As you are aware, the Government has announced that it will be introducing major state care reforms and a complete overhaul of Child, Youth and Family to improve the long-term outcomes for New Zealand's most vulnerable children. These reforms include the establishment of a new agency, the Ministry for Vulnerable Children, Oranga Tamariki, and a new child-centred operating model, with a greater focus on trauma prevention and early intervention.

The Government's decisions on the reforms are available on the Ministry's website at <http://www.msd.govt.nz/about-msd-and-our-work/work-programmes/investing-in-children/index.html>.

- *Please provide the numbers of allegations of abuse or neglect by (a) CYF staff, and (b) CYF-approved caregivers, in each fiscal year ending June 2001 to 2016.*
- *Please provide the numbers of substantiated cases of abuse or neglect of children and young people in the custody of CYF by (a) CYF staff, (b) CYF-approved caregivers, (c) the child's family members and relatives (including step-parents), and (d) other people, for the fiscal years ending June 2001 to 2016.*

Child, Youth and Family staff

Child, Youth and Family takes its commitment to provide safe, professional and ethical services to children, young people and their families seriously. It is recognised that social workers are often dealing with vulnerable clients and that any allegations of abuse should always be reported and investigated thoroughly to determine whether the allegations are substantiated or not. This is a protection for both our clients and our staff members. Where allegations are substantiated, Child, Youth and Family proceeds to take appropriate action which may involve disciplinary actions up to and including dismissal. If the allegations made are of a criminal nature they are referred to the Police and, if appropriate, the Social Workers Registration Board.

I have included a link below to a copy of the Child Protection Protocol and the memorandum of understanding between Police and Child, Youth and Family.

<http://www.cyf.govt.nz/documents/working-with-others/final-child-protection-protocol.pdf>

<http://www.cyf.govt.nz/documents/working-with-others/police-memorandum-understanding.pdf>

Child, Youth and Family caregivers

Caregivers play an essential role in helping to look after some of New Zealand's most vulnerable and troubled children and young people. They provide emergency, respite or longer-term alternative care for children and young people of all ages.

All Child, Youth and Family caregivers go through a rigorous assessment process before they are approved to have children or young people placed in their care. This process includes comprehensive Police and health checks for all household members aged 17 years and over, the provision of referees and at least two interviews, one of which is conducted within the potential caregiver's home.

All approved caregivers receive mandatory training from child and family support services, iwi social services and cultural social services. Additional training is available to all caregivers, including those looking after relatives.

A list of the required checks made by Child, Youth and Family before approving a caregiver status is available through the Practice Centre website at the following links:

<http://practicecentre.cyf.govt.nz/policy/caregiver-assessment-and-approval/resources/ways-to-care-process.html>

<http://practicecentre.cyf.govt.nz/policy/caregiver-assessment-and-approval/index.html>

Child, Youth and Family policy regarding allegations against caregivers

Child, Youth and Family has a clear policy and guidelines in place for staff in their response to any complaints or allegations against a caregiver. Detailed information about Child, Youth and Family's policy regarding allegations against caregivers is available on the Child, Youth and Family practice centre website at:

www.practicecentre.cyf.govt.nz/policy/allegations-against-caregivers/index.html.

Where an abuse allegation involves a Child, Youth and Family caregiver, Child, Youth and Family immediately undertake an investigation into the allegation including a safety assessment of the child or young person placed with the caregiver. Then, if the allegation involves serious physical abuse, sexual abuse or serious neglect the allegation is referred to Police to initiate their own investigation to establish whether there are criminal charges to be laid. Please see the Child Protection Protocol for further information.

Child, Youth and Family's investigation into allegations of abuse by caregivers may result in a caregiver's approval being revoked.

Please note that all caregiver approvals are reviewed annually with updated Police checks and medical checks completed every second year. Further information about caregiver reviews is available on the Child, Youth and Family practice centre website at:

<http://cyf-practice-centre.ssi.govt.nz/policy/caregivers-support-and-review/index.html#Reviewofapprovalstatusandsupportneeds11>

I am unable to provide you with the number of allegations of abuse or neglect by Child, Youth and Family staff or Child, Youth and Family approved caregivers as this information is held on individual case files. In order to provide you with this information Ministry staff would have to manually review thousands of files. As such I refuse your request under section 18(f) of the Official Information 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.

Abuse of children and young people in the custody of the Chief Executive

You will find enclosed a table (Table Six) which provides the number of substantiated cases of abuse or neglect of children and young people in the care of Child, Youth and Family for the 2010/11 to 2014/15 financial years, broken down by alleged perpetrator. This information is produced as part of the Abuse of Children in Care evaluation for the Ministry's Annual Report.

Please note that the methodology for reporting Abuse of Children in Care for 2015/16 is changing quite dramatically from previous years. The approach being taken for the 2015/16 financial year is that all types of abuse are being considered (not just serious abuse according to the child protection protocol as was the case from 2010/11 to 2014/15) against a larger population. This will give the Ministry a more accurate picture of Abuse of Children in Care, however will mean that the numbers will look quite different to the previous financial years.

- *For each category (a) to (d) in each year, how many cases were reported to police, how many offenders were prosecuted, and how many were convicted of offences against the children in CYF custody?*

You will also find enclosed three tables (Table Seven to Nine) which provide the number of alleged perpetrators of substantiated cases of abuse, broken down by type of perpetrator and outcome, for the 2012/13 to 2014/15 financial years. Due to a change in reporting, corresponding data is not available for earlier years.

The statuses of the charges/convictions in the tables are current as at the time that the evaluation was carried out. This would be during the financial year or at the most, a few months after the end of the financial year. Where the status is 'Police investigation outcome still pending', this may have since been resolved. Information on charges and convictions are held by the Police and the Ministry may not have had

this information at the time of reporting and therefore the data is representative of a snapshot in time. In addition, going back to each of the cases to update the case status retrospectively would require substantial manual collation.

The Ministry has a zero tolerance policy for abuse on children and young people in care, unsafe placements and client transfers and have the expectation no child in state care will be abused in care or be in an unsafe placement. The Ministry reports this information in the Annual Report.

As the Abuse of Children in Care evaluation was first undertaken in 2010/11, information regarding substantiated cases of abuse or neglect of children in the care of Child, Youth and Family prior to this date is not centrally collated. Your request for this information is therefore refused under section 18(f) of the Official Information Act, as this information is held in notes on individual case files. In order to provide you with this information Ministry staff would have to manually review thousands of files. 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.

- *How many (a) CYF staff and (b) CYF-approved caregivers were (i) stood down temporarily and (ii) dismissed because of allegations and/or substantiated cases of abuse or neglect of children and young people in each of the fiscal years ending in June 2001 to 2016?*

Child, Youth and Family staff dismissals

A key value of the Ministry of Social Development is to help New Zealanders to help themselves be safe, strong and independent. I can assure you that we work hard to ensure that our people feel respected, valued and connected to the Ministry and that they have opportunities to reach their full potential and feel appropriately rewarded.

We are committed to building our people capability. To help ensure this we have a focus on:

- attracting and recruiting the people we need for the future
- identifying and developing our future leaders
- developing staff capability and organisational performance.

Child, Youth and Family continues to work hard to maintain an environment where all employees understand our high standards for conduct and integrity and know that unacceptable, abusive and unethical behaviour will not be tolerated. The standards of behaviour expected of each employee are contained in the Code of Conduct document. Upon joining the Ministry, all staff are required to read and sign that they understand the Ministry's Code of Conduct.

I can confirm that in the 2012/13 to 2015/16 financial years, there were eight dismissals for excessive use of force. Please note that excessive use of force includes

force or inappropriate hold used to restrain a young person in Child, Youth and Family care. As such, it does not necessarily mean that this was an assault. Where relevant, an incident involving excessive use of force may be referred to Police as per the Child Protection Protocol for investigation.

There are occurrences in Residences where physical intervention by staff is required. Physical intervention when dealing with a child or young person must be kept to an absolute minimum and is only used in extreme circumstances and when staff have reasonable grounds for believing that the use of physical force is necessary. The Ministry regularly trains staff to use strategies to de-escalate situations with young people to ensure the safety of both young people and staff. There are no circumstances where excessive use of force is acceptable. The Ministry monitors all incidents where force is used to ensure that it is not excessive.

The Ministry is unable to report the number of staff that have been suspended over the last five years. This part of your request is refused under section 18(e) of the Act as it does not exist in the form requested. The need to take disciplinary action and the type of action that is appropriate depends on the type and nature of the employee's behaviour or action. An employee may be placed on paid leave of absence in cases of alleged serious misconduct while a full investigation is undertaken, or where the presence of the employee in the workplace could compromise the investigation or pose a risk to the Ministry. The Ministry does not have a specified coding that would enable the reporting of this data.

Tables Seven to Nine contain information relation to CYF staff and CYF-approved caregivers were (i) stood down temporarily and (ii) dismissed because of allegations and/or substantiated cases of abuse or neglect of children and young people.

- *Please provide the numbers of children and young people in the custody of CYF who died in each fiscal year ending June 2001 to 2016, and a breakdown of the main causes of their deaths.*

Deaths of children and young people in care of the Chief Executive

Tragically, a small number of children and young people die while in the custody of the Chief Executive. When a child or young person involved with Child, Youth and Family dies as a result of suicide or homicide, the Office of the Chief Social Worker examines each case and provides a report to the Deputy Chief Executive of Child, Youth and Family. This report is also provided to the Children's Commissioner as an independent monitor of Child, Youth and Family.

You will find enclosed a table (Table Ten) showing the number of children and young people who have died since 2000 while in the custody of the Chief Executive, broken down by cause of death. It is important to note that some of the children and young people in this group came into care because they were born with, or developed, a terminal illness or other complex health needs or disability that required specialist care.

All deaths by suspected homicide are investigated by the Police. Child, Youth and Family liaises closely with the Police at all times and assists them with any such investigation.

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

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Murray Edridge', written over a faint, larger version of the same signature.

Murray Edridge
Deputy Chief Executive, Child, Youth and Family

Table One: Distinct children with reports of concern for the financial years ending June 2004 to 2015

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
	32,771	38,431	46,045	51,343	61,403	74,340	80,218	65,144	64,514	64,726	63,250	59,713

Table Two: Distinct children with substantiated findings of abuse for the financial years ending June 2004 to 2015

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
	7,048	10,231	11,436	13,110	13,249	15,643	16,945	18,167	18,277	18,595	16,289	13,833

Table Three: The number of children and young people in the custody of the Chief Executive, as at the end of June 2008 to 2015

	2008	2009	2010	2011	2012	2013	2014	2015
	6,136	5,689	5,446	5,020	4,979	4,960	5,188	5,026

Table Four: The number of care and protection reports of concern (RoC) that required further action (FAR), broken down by notifier type, for the financial years ending June 2011 to 2015

Notifier group	2011		2012		2013		2014		2015	
	RoC	FAR	RoC	FAR	RoC	FAR	RoC	FAR	RoC	FAR
Court	805	688	615	513	569	501	423	546	594	461
Education	8,123	6,061	9,489	7,153	9,580	7,411	6,668	9,400	8,792	5,814
Police (family violence)	25,278	12,665	16,297	9,712	12,812	7,858	5,560	11,027	7,497	3,524
Family	10,814	6,250	10,466	6,430	10,583	6,529	5,561	9,849	8,844	4,368
Health	11,028	6,910	12,522	8,106	12,762	8,648	7,220	12,102	12,122	6,233
Non Government Organisations	1,032	698	1,142	849	1,243	955	807	1,216	3,544	2,149
Other Government	6,650	4,812	6,827	4,959	8,610	5,989	6,009	9,040	10,125	5,680

Notifier group	2011		2012		2013		2014		2015	
	RoC	FAR	RoC	FAR	RoC	FAR	RoC	FAR	RoC	FAR
Police other (ie reports of concern not related to family violence)	14,986	10,215	16,702	11,612	19,087	13,476	20,042	12,385	22,224	11,814
Other notifiers	15,240	9,484	16,669	10,996	15,647	10,510	15,546	9,432	10,129	5,420
Total	93,956	57,783	90,729	60,330	90,893	61,877	88,768	54,065	83,871	45,463

Notes

Reports of concern have been assessed by a Child, Youth and Family social worker to decide if further action is required by Child, Youth and Family. Some children and young people may have more than one report of concern requiring further action in the period shown.

Table Five: The number of children and young people with Child, Youth and Family investigations and Child and Family Assessments (CFAs) completed in the financial years ending June 2014 and 2015

Type	Financial year ending June	
	2014	2015
Child and Family Assessment	33,687	27,465
Investigations	9,918	9,458
New Zealand Total	43,605	36,923

Notes

This data shows the number of children and young people with investigations and CFAs due and completed in the relevant financial years. A CFA is an outcome and response option appropriate when the report of concern involves an allegation that indicates the care, safety or wellbeing of the child or young person may be at risk; but does not indicate that the response should involve Police or require a medical or evidential response. An investigation response is appropriate when the notification involves an allegation of serious child abuse that may require Police involvement.

Table Six: The number of substantiated cases of abuse of children in the care of Child, Youth and Family in the 2010/11 to 2014/15 financial years, broken down by perpetrator type

Financial Year	CYF non-family/whānau caregiver	CYF family/whānau caregiver	Child and Family Support Service	Parents or other family members *	CYF staff member	Other**	Total Children and Young People
2010/11	31	17	13	20	-	13	94
2011/12	4	19	12	29	2	27	93
2012/13	18	19	4	35	-	40	116
2013/14	11	28	6	39	1	34	119
2014/15	15	25	9	41	3	35	128

Notes

*Abuse occurred while on contact visits either with parents or other family members, and includes adults and children as perpetrators or while living at home with a parent.

**Other includes adults such as an alternative education worker, friend's father, a caregiver's partner (not assessed), son of a Child, Youth and Family caregiver, uncle of Child, Youth and Family who was living in the home, acquaintances of the young people, or other children in the placement. This is a count of substantiated findings, and not children

Table Seven: The number of alleged perpetrators of substantiated cases of abuse, broken down by type of perpetrator and outcome for the 2012/13 financial year.

Status of charges/convictions	Perpetrator type							Total
	CYF non-family/whānau caregiver	CYF family/whānau caregiver	Child and Family Support Service caregiver	Parents or other family/whānau members	CYF staff member	Other	Total	
No information available	3	1	2	8	-	15	29	
Charges not laid	8	14	1	17	-	17	57	
Police investigation outcome still pending	-	1	-	3	-	3	7	
Charged, not convicted	-	-	-	1	-	-	1	
Charged, conviction still pending	6	3	1	5	-	8	23	
Charged and convicted	1	-	-	2	-	2	5	
Total	18	19	4	36	-	45	122	

Notes: Information on charges and convictions are held by the Police and the Ministry may not have had this information at the time of reporting and therefore the data is representative of a snapshot in time.

Table Eight: The number of alleged perpetrators of substantiated cases of abuse, broken down by type of perpetrator and outcome for the 2013/14 financial year

Status of charges/convictions	Perpetrator type							Total
	CYF non-family/whanau caregiver	CYF family/whanau caregiver	Child and Family Support Service caregiver	Parents or other family/whanau members	CYF staff member	Other		
No information available	1	-	2	1	-	4	8	
Charges not laid	7	23	3	28	2	27	90	
Police investigation outcome still pending	-	4	2	-	-	1	7	
Charged, not convicted	-	-	-	2	-	4	6	
Charged, conviction still pending	3	6	-	14	-	2	25	
Charged and convicted	-	1	-	9	-	3	13	
Total	11	34	7	54	2	41	149	

Notes: Information on charges and convictions are held by the Police and the Ministry may not have had this information at the time of reporting and therefore the data is representative of a snapshot in time.

Table Nine: The number of alleged perpetrators of substantiated cases of abuse, broken down by type of perpetrator and outcome for the 2014/15 financial year

Status of charges/convictions	Perpetrator type							Total
	CYF non-family/whanau caregiver	CYF family/whanau caregiver	Child and Family Support Service caregiver	Parents or other family/whanau members	CYF staff member	Other		
No information available	-	1	-	-	-	-	1	
Charges not laid	9	6	7	12	3	23	60	
Police investigation outcome still pending	5	15	1	10	-	11	42	
Charged, not convicted	-	-	-	1	-	1	2	
Charged, conviction still pending	1	3	1	9	-	3	17	
Charged and convicted	-	1	-	6	-	2	9	
Total	15	26	9	38	3	40	131	

Notes: Information on charges and convictions are held by the Police and the Ministry may not have had this information at the time of reporting and therefore the data is representative of a snapshot in time.

Table Ten: The number of children and young people who have died since 2000 while in the custody of the Chief Executive, broken down by cause of death

Financial year	Homicide / Manslaughter / Child Abuse	Natural Causes	Accidental	Suicide (Suspected / Confirmed)
2014/2015	0	0	0	0
2013/2014	0	2	2	1
2012/2013	0	5	0	0
2011/2012	1	3	0	0
2010/2011	0	3	2	1
2009/2010	0	3	0	1
2008/2009	0	2	1	2
2007/2008	1	0	1	0
2006/2007	0	6	2	1
2005/2006	2	0	3	0
2004/2005	0	3	3	3
2003/2004	0	1	2	1
2002/2003	0	2	2	2
2001/2002	1	3	1	1
2000/2001	1	5	0	1
Total	6	38	19	14