

House of Representatives

Supplementary Order Paper

Wednesday, 5 July 2017

Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Bill

Proposed amendments

Marama Fox, in Committee, to move the following amendments:

Clause 12

In *clause 12*, *new section 7AA(2)(c)*, replace “seeks to develop” (page 24, line 9) with “must develop”.

In *clause 12*, *new section 7AA*, replace *subsection (2B)* (page 24, line 32) with:

- (2B) Where an invitation to enter into a strategic partnership is received under **subsection (2A)**, the chief executive must—
- (a) consider and, as far as is practicable, implement the strategic partnership in an effective manner; and
 - (b) inform the relevant organisations of the reasons why any aspects of the strategic partnership are not implemented.
- (2C) In considering how to implement the strategic partnership under **subsection (2B)**, the chief executive must adopt a social investment approach that promotes the department and iwi working together to improve outcomes for Māori children, young persons, and their whānau.

Explanatory note

This Supplementary Order Paper would amend *new section 7AA(2)(c)* in *clause 12* in the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Bill. We propose that the chief executive must ensure that the department “must develop”, rather than just “seek to develop”, strategic partnerships with iwi and Māori organisa-

tions to better reflect a practical commitment to the principles of the Treaty of Waitangi.

The current wording of *new section 7AA(2B)* in *clause 12* confers too great a discretion on the chief executive, who could potentially decline any invitation on the basis of financial considerations (or any other considerations), thereby diminishing the practical commitment to the principles of the Treaty of Waitangi.

While it could be argued that the establishment of a proposed Iwi-Crown Partnership would suffice, our preference is for it to be legislated for in *new section 7AA(2B)*, with the strongest possible wording, to ensure that the strategic partnerships with iwi must be more than just considered by the chief executive, and must be effectively implemented.

We also propose that *new section 7AA(2C)* link strategic partnerships to a social investment approach that promotes Government and iwi working together on improving outcomes for Māori children, young persons, and their whānau.