

A key starting point is understanding how we adjust to working with complexity. To quote from a recent report on working with complexity:

We are not lone rangers, and we shouldn't seek to be. Our strength lies in positive collaboration, in honesty, openness and generosity in sharing what does and doesn't work – and in hearing, acknowledging and responding to others' views on this, too. (Davidson Knight et al., 2017)

In short, this means relationships are the lifeblood of the system. There are four principal domains where healthy relationships are essential to sustain a vibrant system. Valuing the intervention logic between these domains in critical. Primary are the relationships within the whānau (encompassing connections between tamariki, whānau, hapū/extended family), and next is the relationship with the key 'professional' worker (state or NGO/iwi), then the network of relationships at a community/regional level. Encompassing these is the national framework of legislation, policies and resources. The intervention logic of each dimension is to enhance wellbeing within the prior domain.

First and foremost, I have learnt over the years that whānau-led is more effective than and very different from whānau-centred. Any change, to be sustainable, has to be owned by the person/group seeking change. Given the power imbalance in the relationship between a paid social worker and whānau, unless the relationship is whānau-led, then the power remains with the professional. Successful solutions are seldom imposed.

The next dimension of relationships is a community and local one. This involves mana whenua, neighbourhood actors, businesses, sports clubs, community organisations – the range of agencies that have something to offer whānau under stress. The Child Rich Communities initiative supported by Barnardos, Plunket,¹ UNICEF and Inspiring Communities is highlighting the value of recognising and mobilising these community assets to support positive outcomes for children under stress.

Holding all these relationships is the national domain. This entails monitoring, researching, resourcing and generally supporting a healthy flow of relevant information across the whole system and helping maintain healthy relationships

between all key players. Equally important is linking with other national policy fields such as housing, income support and the like that have an impact on family stress.

Weaving through all these levels, we need to give life to te Tiriti o Waitangi. The whole system needs to appreciate that the indigenous culture of Aotearoa holds profound insight and strengths for how we sustain positive relationships between peoples and our natural world. Instead of being viewed simply as something to be adhered to, te Tiriti is a potent, unique strength of our communities and child welfare system in Aotearoa. A Tiriti o Waitangi informed-approach would cease mining and remove the need for canaries to act as beacons of risk.

1. <https://www.youtube.com/watch?v=pG5pUkePNLg&t=4s>

Reference

Davidson Knight, A., T. Lowe, M. Brossard and J. Wilson (2017) *A Whole New World: funding and commissioning in complexity*, Newcastle: Centre for Knowledge, Innovation, Technology and Enterprise, Newcastle University Business School and Digital Civics

Claire Achmad

Realising treaty-based protection in Aotearoa's child welfare system

In 2020 in Aotearoa New Zealand it is clear that a significant opportunity exists to strengthen our child welfare system. Embracing this opportunity is imperative. Not only are the numbers of children in state care at an all-time high,

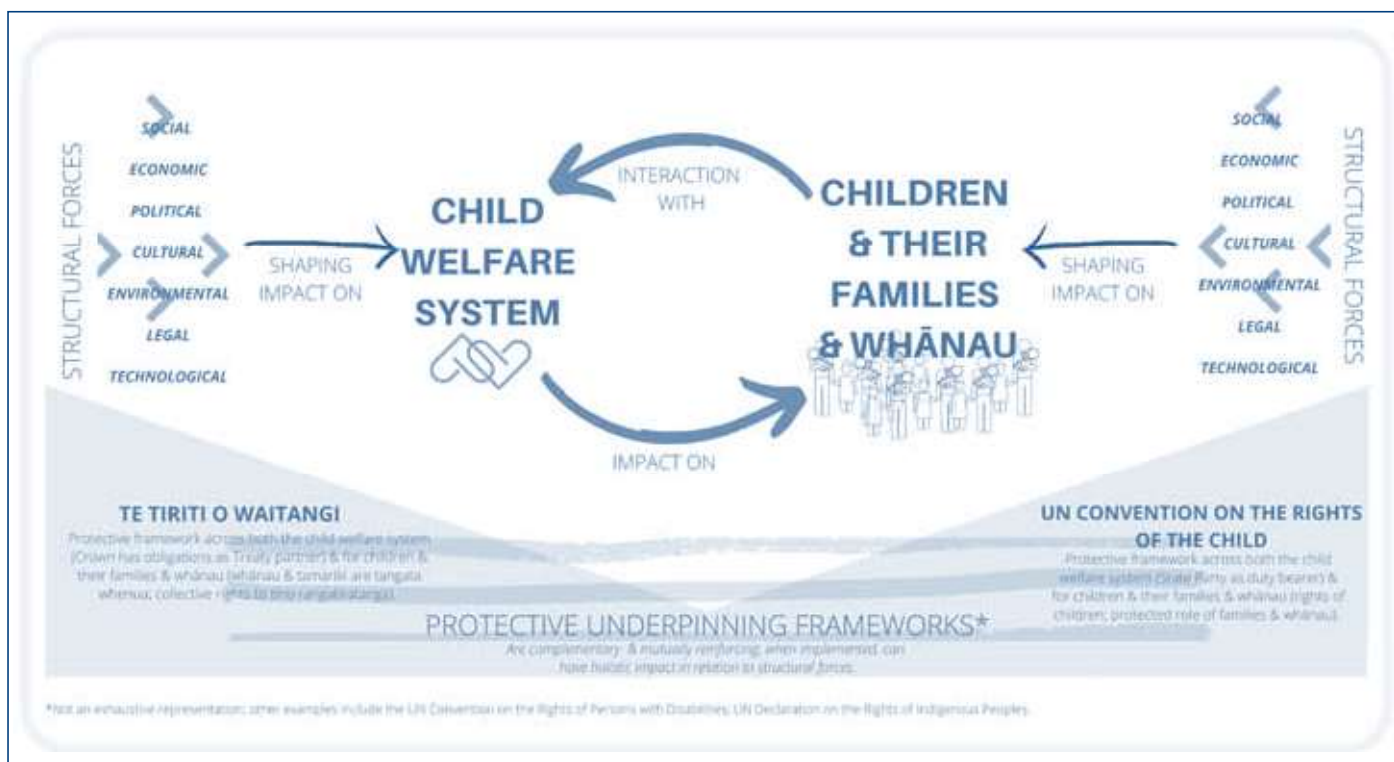
but official statistics show that Māori tamariki are disproportionately more likely to enter state care, and to experience abuse in state care. We must strengthen the system in ways that prioritise the needs and rights of children and tamariki. Moreover,

this must be done in ways that strengthen the system to be holistic in its engagement with families and whānau. After all, it is children and their families and whānau who are the people that the system exists to serve.

The child welfare system is there to protect the welfare of children and tamariki and to prevent harm in the short term. We must never lose sight of the fact, however, that the system can and should enable

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Figure 1: The child welfare system and associated underpinning framework and structural forces



C. I. Achmad, 2020

positive long-term outcomes in children’s lives, and the lives of their families and whānau. For example, the child welfare system can help families and whānau to effectively process and manage the impacts of intergenerational trauma, supporting family and whānau hauora. This is especially powerful if coupled together with preventative approaches. A rich evidence base illustrates that when families and whānau are thriving, it is more than likely that their children and tamariki are thriving too.

Our efforts to strengthen Aotearoa’s child welfare system so it effectively serves children, tamariki and their families and whānau need to pay attention to the structural forces that shape our system. These structural forces also have a shaping impact on the lives of children, tamariki, families and whānau at the day-to-day level. These forces can be cultural, economic, environmental, legal, political, social and technological. They can, of course, be shaping forces with positive and/or negative effects. In today’s context, the negative effects of some of these structural forces are significant: inequality and poverty, abuse, neglect and family violence, mental distress among families and whānau, and restrictions on availability of

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resources are among those with a day-to-day impact. The layering of such structural stressors on children, families and whānau flows on to impact the child welfare system, triggering broader system-level

repercussions too. Without intentional and comprehensive counter-actions, this can end up creating a looping effect of structural stressors. This leads to negative shaping impacts coming from multiple directions, leading to outcomes inconsistent with children’s rights and positive family and whānau outcomes.

Te Tiriti and the United Nations Convention on the Rights of the Child: complementary protective frameworks that can provide solutions

An opportunity exists, however, to make real the promise of the existing underpinning protective frameworks in the lives of children and tamariki and their families and whānau in Aotearoa New Zealand. Te Tiriti o Waitangi and the United Nations Convention on the Rights of the Child are two integral protective frameworks in the context of Aotearoa New Zealand’s child welfare system. They are complementary instruments: both have at their heart the notion of collective wellbeing. The texts of both te Tiriti and the convention are protective of the concept of children thriving best as part of a collective – namely, a family or whānau. The convention takes a holistic view of the child and their connections to family, and

te Tiriti makes clear the essential nature of connections among tangata whenua to the wider collective – including hapū, iwi and innate whakapapa connections – and the central importance of self-determination.

The potential of both te Tiriti and the UN Convention to have a greater protective effect in the lives of children and tamariki and in the functioning of our child welfare system is huge. The strengthening effect of these frameworks within the child welfare system remains untapped. To date, we cannot say that either of these treaties has been implemented in a manner that fulfils their true potential in the lives of Aotearoa's children and tamariki, including in the context of the child welfare system. There are, however, some notable recent signals that we are finally on the precipice of an age of implementation. This is observed in developments such as new sections 5(1)(b) (i) and 7AA of the Oranga Tamariki Act 1989; the Child and Youth Wellbeing Strategy with its principles reflecting the Convention and te Tiriti; and the government's pledge of recommitment to the Convention in November 2019.

To work, solutions need to be mana-enhancing

Taken together, te Tiriti and the UN Convention on the Rights of the Child make clear that all children and tamariki have inherent dignity and mana, that they are taonga who must receive appropriate protection, and that family and whānau are the bedrock of children's and tamariki hauora and holistic wellbeing. This is a strong foundation for Aotearoa New Zealand's child protection system to centre upon and build from. If implemented, these protective frameworks can help to address the structural forces influencing the lives of children, families and whānau and shaping the child welfare system. Such implementation can also help to ensure that the child welfare system itself takes consideration of the holistic rights and needs of children and their families and whānau, to better prevent harm and to be more responsive in protecting and promoting their rights and needs in enduring ways (see Figure 1).

At its heart, taking an approach to Aotearoa New Zealand's child welfare

system that seeks to uphold and give life to te Tiriti and the Convention on the Rights of the Child should lead to a system that holds the inherent dignity of each child, family and whānau central. This should create an approach that is mana-enhancing for all who engage with it. The experience can be one that enables children, families and whānau to experience a child welfare system where children's rights are protected and respected, families' and whānau's specific needs and experiences are central in decision making, and all involved can participate in ways in which their views are meaningfully heard. A system where help is provided early to prevent child harm, and where this is done in collaboration across the system, working proactively with families and whānau. To fulfil the promise of te Tiriti and the Convention in the child welfare system would be to make real the rights and obligations of these fundamental underpinning frameworks, for the benefit of Aotearoa's children, tamariki, families and whānau.



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