MANA MOKOPUNA: The ongoing violations of Oranga Tamariki

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He Whakamārama (Abstract)

Mokopuna Māori are over-represented within the New Zealand government's child protection service, Oranga Tamariki. The research question being investigated is, "What happens to whānau Māori while under investigation by Oranga Tamariki?" The first aim is to explore the experiences of whānau Māori who have been under investigation by Oranga Tamariki. The second aim is to produce evidence for whānau-hapū-iwi to determine solutions that mitigates the impact of Oranga Tamariki on whānau Māori. Using a Kaupapa Māori approach, analysing data using Interpretative Phenomenological Analysis and Thematic Analysis, interviews with eight whānau Māori who had experienced being under investigation by Oranga Tamariki were completed. Four main themes emerged from the data; mamae, whakapapa, kāwanatanga and te Ao o Nehe. The findings include institutional racism, systemic collusion, culturally incompetent kaimahi, the system rewriting whakapapa, unmonitored practices and processes that perpetuates the continued failing of mokopuna Māori by Oranga Tamariki. Recommendations are focussed on the affected whānau and mokopuna, the wider whānau-hapū-iwi, Oranga Tamariki, Social Workers and Psychologists, and government legislation and policy. Broadly, those recommendations include apologies, healing, wānanga, Māori led solutions as well as a co-design of a structure fit for purpose with whānau.

Rārangi Kupu Māori (Glossary of Māori Words)

āhua	appearance, condition
aroha	love, breathe on all in front of
ao	world
Aotearoa	New Zealand, long white cloud
ātaahua	beautiful
atua	god
awhi	care
hā	breath
haka	to perform
hapū	sub-tribe, well of breath
harirū	handshake
he	a
hea	where
hui	meeting
iwi	tribal group
Kahungunu	tribal group of the southern North Island east of the ranges from the area of Nūhaka and Wairoa to southern Wairarapa.
kai	food
kaitiaki	guardian
katoa	all
kawa	lore/law
kāwanatanga	government
kaimahi	worker
karanga	call
kaupapa	purpose
kei	at, on, in - particle marking present position or time
kōrero	talk
kōura	crayfish
korowai	cloak
kupu	word
mahana	warm
mamae	pain

mana	authority
māma	mother
manu	bird
Māori	normal
marae	courtyard - the open area in front of the *wharenui*
mata	face
matakite	to see in the future, prophecy, knowing
matua	father
mātua	parents
maunga	mountain
mauri	life essence
mihi	acknowledge
moana	ocean/sea
moemoeā	dreams
mokopuna	grandchild, well of identity
nehe	ancient
nga	plural of 'te'
ngakau	heart
ngāti	prefix for a 'iwi'
nui	big/large
ōku	plural of 'toku'
ora	alive, well
oranga	health
oritetanga	equity
pā	fortified village, sir
pākehā	english settlers
papatūānuku	mother earth
paru	mud
pātai	question
pēpi	baby
pīwakawaka	fantail
pono	truth
Puao-te-ata-tu	daybreak of the dawn stands
puhi	woman of high rank, virgin

rākau	branch
reo	language
takahi	to trample on
tamariki	children
tangata	people
tapa	side
tapu	sacred
tautoko	support
te	the
tika	right
tikanga	right process
tiriti	treaty
tohu	sign
tohunga	expert
tūī	tūi
tūpuna	ancestor
tūrangawaewae	place where one has the right to stand
wairua	spirituality, two waters
waitangi	crying water
whā	four
whakamā	shame
whakapapa	genealogy
whakawātea	to free, to clear
whānau	family
whānaungatanga	connecting
whānui	wider
whare	house
wheke	octopus

Pepeha (Introduction)

Ranginui, e pa, e whare, e kaitiaki, ngā mihi, ngā mihi, ngā mihi

Papatūānuku, e whaea, e whenua, e whakapapa, ngā mihi, ngā mihi, ng mihi

Ōku tūpuna katoa, tōku wairua, tōku mata, aroha nui, haere, aroha nui, haere, aroha nui, haere

Ōku whānau katoa, tōku ha, tōku ngakau, aroha nui, ora, aroha nui, ora, aroha nui, ora

I te taha o tōku pāpā

Ko Orowhana te maunga

Ko Rangiheke te awa

Ko Manukau te marae

Ko Ngati Kuri o Wairupe te hapū

Ko Ngati Kuri o Wairupe te iwi

Ko Hare Tatana rāua ko Matarora Hapakuku

ōku mātua tūpuna tuarua

Ko William Patrick Tatana tōku mātua tūpuna

I te taha o tōku māmā

Ko Tutamoe te maunga

Ko Ripiroa te moana

Ko Taita te marae

Ko Ngāti Torehina te hapū

Ko Nga Puhi te iwi

Ko Hone Nathan raua ko Hera Beazley

ōku mātua tūpuna tuarua

Ko Te Awaitaia Nathan tōku mātua tūpuna

Ko Maungataniwha te maunga

Ko Rangaunu te awa

Ko Te Paatu te marae

Ko Te Paatu te hapū

Ko Te Paatu te iwi

Ko Kereama Latimer rāua ko Lillian Kenworthy

ōku mātua tūpuna tuarua

Ko Laurel May Latimer tōku whaea tūpuna

Ko Laurie Howard Tatana tōku pāpā

Ko Parangiora te maunga

Ko Waikotekote te awa

Ko Kenana te marae

Ko Matarahurahu te hapū

Ko Ngāti Kahu te iwi

Ko Kaewa Hapa rāua ko Heeni Te Ohu

ōku mātua tūpuna tuarua

Ko Lesley Hapa tōku whaea tūpuna

Ko Alexis Nathan tōku māmā

Ko Lee-Anne Sarah Tatana ahau

Ko Simon Ihaka tōku hoa tane

Ko Radijn Syrus Ihaka rātou ko Taylah-Mae Tatana, ko Heemi Aparahama Ihaka ōku

tamariki. Ko Jasmine Hilita Johnson toku whangai.

Ko Kaiser Uenuku Haimona Ihaka rāua ko Alexiah-Lee Tatana ōku mokopuna

To my whānau at home, thank you all. Simon thank you for your patience. My tamariki, thank you for choosing me to be your māmā. My mokopuna, you are so delicious, and I love you all.

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1.   Introduction

Te tau o taku ate

The seat of my affections (mokopuna)

Oranga Tamariki – Ministry of Children, previously known as Child, Young People and Family Services (CYFS), is uplifting more Māori tamariki than non-Māori than ever before (Kedell & Hyslop, 2019; Cram et al., 2015). Oranga Tamariki – Ministry of Children will be referred to as Oranga Tamariki in this document. More Māori tamariki than non-Māori are being investigated, are in government care and are being harmed while in Oranga Tamariki care (Oranga Tamariki, 2019e). In June 2019, whānau Māori live-streamed on social media repeated attempts by Oranga Tamariki social workers to uplift their mokopuna for all to witness. This set off a series of events that culminated in multiple reviews by government and community leaders throughout New Zealand.

This study explores the experiences of Oranga Tamariki through the eyes of whānau Māori who have been under investigation. By exploring Māori experiences of Oranga Tamariki, evidence gathering can begin to uncover why so many whānau Māori are being investigated, what the processes of Oranga Tamariki were, how they were experienced and what the outcomes were for the tamariki and the whānau? All from a Māori lens. The pātai being put forward is, "What happens to whānau Māori under investigation by Oranga Tamariki?"

The following sections of this chapter will describe the live stream of the attempted uplift now known as 'The Hawkes Bay Case', and the chain of events that followed. The 'Hawkes Bay Case' is being presented because it caused thousands of viewers to witness and disagree with Oranga Tamariki Social Worker practices which were shared on Social Media. What follows next will be the background context around Māori, colonisation and Te Tiriti o Waitangi as well as traditional Māori values around mokopuna and parenting. To conclude, the role of Oranga Tamariki will be discussed.

1.1   The Hawkes Bay Case

In June 2019 on the social media platform, Facebook, a young Māori māmā and her whānau shared their experiences when social workers from Oranga Tamariki attempted multiple times over two days to uplift their mokopuna from Hawkes Bay Hospital (Newsroom, 2019). The process involved four Oranga Tamariki Social workers, the Oranga Tamariki lawyer, the Oranga Tamariki Regional Manager, New Zealand Police Officers, two DHB communication representatives, the DHB head of security, DHB security guards, the DHB kaumātua, a reporter, a camera man, two whānau family lawyers, two Māori midwives, the local kaumātua, the whānau, the māmā and the new-born mokopuna. The whānau recorded the traumatising events on their cell phones (Newsroom, 2019).

The live videos provided evidence of repeated attempts by Oranga Tamariki Social workers to persuade the māmā and her whānau to give up their mokopuna using unprofessional practices and procedures. These included giving false information, changing the care plans, over-turning a Court injunction, isolating the māmā, lying to a Family Court Judge and causing harm to the māmā. All these practices were seen by the public of New Zealand and set off a chain reaction.

The public demanded action. Māori leadership put a karanga out to whānau Māori to hui with the intention to stop Oranga Tamariki (Whānau Ora Commissioning Agency, 2019a). Two hui were held in July and August 2019 with whānau, kaimahi, clinicians and academics as a precursor to launching the inquiry.

The Chief Executive of Oranga Tamariki commissioned a practice review from the Chief Social Worker/Deputy Chief Executive. This was to be undertaken by the Chief Executive of Ngāti Kahungunu, a representative from the Children's Commissioner and an independent person. Their focus was on the professional practises used throughout 'The Hawkes Bay Case'.

The Children's Commissioner focused their research on the practise of removals of Māori new-borns. Their reasoning was the large public response to 'The Hawkes Bay Case' as well as the Oranga Tamariki statistics that showed increases in the number of uplifts for Māori

(Office of the Children's Commissioner, 2020). The Children's Commissioner also has statutory responsibilities and separate responsibilities to monitor and assess Oranga Tamariki.

The Ombudsman Systemic Improvement Investigation into Oranga Tamariki was self-initiated and also focussed on the removal of new-borns. The two key focus points were Oranga Tamariki decision making around section 78 interim custody orders and removal of new-borns after a section 78 has been granted.

The Waitangi Tribunal Inquiry, WAI 2915, relates to the policies and practices of Oranga Tamariki. The focus is the implementation of the Oranga Tamariki Act 1989 and the Child Youth Well-being Act 1989 throughout the process of removing children from whānau (The Waitangi Tribunal, 2019). The WAI 2915 is a consolidation of nine other Waitangi Tribunal claims against Oranga Tamariki.

At the same time there is a Royal Commission of Inquiry into Abuse in Care. Between 1950 and 1980, the state removed over 100,000 tamariki based on child neglect and abuse within their homes and put them into government facilities where they experienced neglect, violence, medical abuse, isolation and electro-convulsive treatment (Stanley, 2016). The inquiry was announced in 2018 and victims who were abused in care between 1950 – 1999 started sharing their stories in May 2019 (Royal Commission of Inquiry, 2019).

1.2   Topic and Context

Mokopuna include tamariki and rangatahi in this research. Mokopuna are the most important taonga of whānau-hapū-iwi because they are the seed of future generations. However, they are also the most vulnerable members of whānau-hapū-iwi. Mokopuna Māori are the highest group represented in Aotearoa's Child Protection system (Hyslop, 2017).

This kōrero looks at whānau Māori experiences while under investigation by Oranga Tamariki. To do this one needs to know the context which is made up of three histories. The first is the history of Aotearoa/New Zealand. First and foremost, the whānaungatanga between Māori and the Crown. This relationship was validated by the Crown in 1840 with

two versions of one Treaty. Or so everyone assumed. Due to the two treaties being written in two different languages a foundation for the relationship was formed and is still enacted today.

The second setting is the traditional history of Māori. Not the wrong history of Māori that comes from the colonised seed and is still taught in mainstream education (Smith, 1997). The reader is encouraged to learn how Māori lived pre-colonisation. This opens doors to understandings of Māori concepts, tikanga and values around mokopuna and parenting before the influence of outsiders.

The third and final setting the reader needs to know is the government system from which Oranga Tamariki has been created to care for and protect the mokopuna of Aotearoa. The history of Oranga Tamariki involves many changes dependent on the political space at the time. Legislation, policies, practices and Social workers continue to be influenced and impacted on by the bigger engine of the New Zealand government.

1.2.1   *Māori, Colonisation and te Tiriti o Waitangi*

This thesis considers the position of mokopuna whenua who come from the tangata whenua of Aotearoa, otherwise known as Māori.

"Māori means that ordinary thing that just is. We told Pākehā, we told them that's what we are. We weren't telling them we were a race we weren't telling them this is our iwi, we told them oh we're just the normal People from here. So, we just are. Just as our language is and our tikanga are. We just are" (Whānau Wheke, personal communication, December 20, 2019).

Tangata whenua otherwise known as the indigenous people of Aotearoa or Māori have their roots firmly planted in the whenua of New Zealand. The exact date of their arrival has been robustly debated. Many Māori will state that their ancestors have always been here (Marsden, 1992). Others state that evidence suggests their arrival around 1300AD (King, 2004). Oral traditions in the North state approximately 1000 years ago or so Māori voyaged here with non-Māori turning up 700 years later (Mutu, 2010).

First contact with non-Māori according to school curriculum has this around the 1640s. Orange (1992) argues that Māori had been interacting with non-Māori for some seventy years prior to the Treaty of Waitangi which is around the 1770s. Māori will argue they have been trading with indigenous peoples for as long as they have been navigating waka (Marsden, 2003).

Māori have a relationship with the Crown validated by Te Tiriti o Waitangi signed in 1840. Before the Treaty, He Whakaputanga o te Rangātiratanga o Niu Tireni asserted that Aotearoa was independent of the British Crown, therefore the power stayed with Māori and the Crown would not be allowed to make any laws (Healy et al., 2012). Otherwise known as the Declaration of Independence it is a constitutional document of historical and cultural significance drawn up by the English and first signed on the 28th of October 1835. Orange (1992) states the declaration was asking the King of England to protect Aotearoa from other invaders' and this was received and acknowledged. Mutu (2010) states it declares no rangātira will allow any persons or kāwanatanga to make laws over its lands, however the English version sent to the King of England was not interpreted correctly. This act of misinterpretation will become the first of many.

Colonisation, religion and the state impacted on Māori in a huge way (Jackson, 1988). Disease, musket warfare, starvation and land alienation also influenced the demise of Māori, Māori identity and well-being (Durie, 1997). The laws dished out to Māori were brutal, intentional and punished many. Not only their land was stolen, but their way of living, their culture, their identity, their children (Taonui, 2010).

Outcomes for Māori since the signing of te Tiriti haven't been good and promises made have never been kept. For our mokopuna Māori, many died after the signing of the Treaty. Taonui (2010) found mokopuna Māori died by the hands of the colonial cavalry over battles for land; scorched earth campaigns, bounties for heads and disease. Pihama et al., (2014) highlight evidence of genocide. Rau and Ritchie (2011) state the losses for mokopuna Māori post Treaty involved loss of te reo Māori, mātauranga Māori, tikanga Māori and their traditional institutional infrastructures. The promises made in both te Tiriti and the Treaty did not protect the rights of the mokopuna nor the resources of the mokopuna.

1.2.2   *Traditional Māori Values around Pēpē and Parenting*

Te Ao o Nehe, the ancient Māori world was a collective whānau environment. Whānau had land, tikanga, kawa, good leadership, secure housing, stockpiles of kai, and mana (Durie, 1997; Walker, 1988; Jackson, 1988). The whānau unit was the most important structure (Jackson, 1988; Walker 1990).

Māori lived in hapū and had rangātira and tikanga to guide their way of living. Hapū controlled the lands, waters, resources and People under the leadership of their rangātira (Mutu, 2010). Māori utilised resources from the environment to feed, house and provide the basic needs for their People. Hapū interacted with other hapū when they needed to. Women were highly respected due to their role of te whare tangata as well as holders of mātauranga Māori (Koea, 2008).

Tangata whenua lived in balance with the environment and all living things where every person kept the equilibrium of the hapū in unison in the now, the before and the after (Mikaere, 1994). In other words, the hapū thrived when everyone fulfilled their role resulting in collective harmony. Everyone was important. Everyone was valued.

Everybody had a role involved with the upbringing of mokopuna. Besides the parents, mokopuna had teams of family around them rendering the mokopuna hardy, morally and physically well (Jenkins & Harte, 2011). The mokopuna were as important to distant relatives as they were to their immediate whānau (Jenkins & Harte, 2011).

Jenkins and Harte (2011) found evidence of mokopuna Māori being held in high esteem, whānau were child-focused and whānau shared care and did not punish mokopuna, as recorded by the earliest non-Māori visitors to Aotearoa. The sharing of childcare was very different to non-Māori as predominantly women carried out this role (Love, 2002). For Māori, mokopuna belonged to everybody, therefore everybody was responsible.

A trader named Joel Polack in 1836 recorded tamariki Māori were much stronger than European children, steering waka, sitting in hui with their parents and were happy, playful and very active (Jenkins & Harte, 2011). Mokopuna Māori were important and treasured

members of whānau. In this example, mokopuna were mentally and physically prepared for life as well as respected.

Taonui (2010) found any abuse on mokopuna was a rare situation rather than a rule when looking at pre-colonisation parenting practices. It took an exceptional circumstance for a whānau member to punish the mokopuna. He also found fathers formed strong attachments to the mokopuna as well as shared caring practices which provided a safety plan for the mokopuna and was supported by the whānau whānui (Taonui, 2010).

Many whakatauki also focused on positive parenting and the importance of tamariki Māori. Whakatauki are like proverbs. Mead and Grove (2001) wrote about:

"māku e kapu i te toiora o ā tāua tamariki"

which translates to *'by my hand our children will be kept unharmed'* highlighting the importance of keeping mokopuna safe. Another whakatauki is

"he aroha whāereere, he pōtiki piri poho"

which translates *'a mother's love, a breast-clinging child'* showing the strong bond between a māmā and a mokopuna (Mead & Grove, 2001). There are many more whakatauki that highlight the importance of mokopuna to whānau Māori. Mokopuna play an important future role for whānau-hapū-iwi as well as provide a connection to the past of whānau-hapū-iwi.

Tikanga Māori is made up of important values that are necessary to promote the importance and safety of mokopuna. Whānaungatanga prioritises good relationships and manaakitanga emphasises caring. Aroha, tika and pono are about compassion, doing what is right and honesty. Mokopuna were raised within whānau-hapū-iwi that lived and breathed tikanga.

1.2.3   The Role of Child Youth and Family/Oranga Tamariki

The context of the research involves Oranga Tamariki. Oranga Tamariki was established on April 1, 2017 to:

"support tamariki, family and whānau to restore their mana, their sense of self, their important connections and relationships, their right to heal and recover, and reach their potential" (Oranga Tamariki, 2019a).

They are a New Zealand government organisation in place to care for and protect all mokopuna of Aotearoa. The governments vision and purpose for Oranga Tamariki are:

"New Zealand is the best place in the world for children and young people including children and young people are safe and nurtured in their families, whānau and homes. Our purpose is to ensure that all tamariki are in loving whānau and communities where Oranga Tamariki can be realised." (Oranga Tamariki, 2019b).

New Zealand rank as third highest for child abuse deaths in 27 OECD countries (UNICEF Innocenti Research Centre, 2003). The Organisation for Economic Co-operation and Development (n.d.) was founded in 1961 and has 37 member countries classed as highly developed. Aotearoa has an international reputation for child deaths caused by their carer's. Daniel John Marshall in 2001; Saliel Jalassa Aplin and her sister Olympia Marissa Jetson (aka Aplin) in 2001; Coral-Ellen Burrows in 2003; Seini Unaloto Ikamanu in 2010; Anna Sangha in 2010; Jade Louise Bayliss in 2011; Leon Michael Jayet-Cole in 2015 are a few of the many children killed by abusers in New Zealand.

The Māori child homicide rate is double that for non-Māori in New Zealand (Ministry of Social Development, 2004). High profile Māori child abuse resulting in death include Delcelia Witika in 1991; James Whakaruru in 1999; Hinewaoriki Rerenoa Karitiana-Matiaha aka Lillybing in 2000; Christopher and Cru Kahui in 2006; Nia Glassie in 2007; Jhia Te Tua in 2007; and Moko Sayviah Rangitoheriri in 2015. The fact is New Zealand has a huge issue when it comes to child abuse therefore a need for an effective child protection service is relevant (UNICEF Innocenti Research Centre, 2003). Let's also not forget that poverty contributes to child abuse, therefore policy needs to also change (O'Brien, 2016).

1.3 Focus and Scope

The focus of the research is to improve outcomes for mokopuna Māori so that they can live in safe and healthy environments. The scope of the research is the historical and contemporary investigations of whānau Māori by Oranga Tamariki and the harmful outcomes of their practises.

1.4 Relevance and Importance

Oranga Tamariki is currently under immense pressure now because of the injustices witnessed in '*The Hawkes Bay Case*' (Newsroom, 2019). Continued public outrage and intense media scrutiny keeps the spotlight on their practices and policies. This is due to more whānau Māori live streaming the uplifting of their mokopuna by Oranga Tamariki.

The Professional Practise Group Practise Review into the Hastings Case commissioned by the Chief Executive of Oranga Tamariki was released in November 2019. Findings included significant gaps in the process, lack of analysis, and a failure of Oranga Tamariki mechanisms to keep Social workers safe (Oranga Tamariki, 2019i). Also, whānau-hapū-iwi were not looked at for possible carers, tikanga Māori was not upheld, a lack of understanding around the trauma sitting with the whānau, no whānaungatanga, and whānau were not involved in decision making (Oranga Tamariki, 2019i).

Whānau Ora released a 200-page report Ko Te Wā Whakawhiti: It's Time for Change - A Māori Inquiry into Oranga Tamariki in February 2020 (Whānau Ora Commissioning Agency, 2020).   Members of the Māori inquiry governance group were Sir Toby Curtis, Sir Mason Durie, Dame Rangimarie Naida Glavish, Dame Areta Koopu, Dame June Mariu Lady Tureiti Moxon, Merepeke Raukawa-Tait, Sir Pita Sharples, Sir Mark Solomon, Dame Iritana Tāwhiwhirangi and Dame Tariana Turia (Whānau Ora Commissioning Agency, 2020). All prominent Māori rangātira.

The Children's Commissioner, his honour Judge Andrew Becroft released the first of two reports. Te Kuku O Te Manawa – Ka puta te riri, ka momori te ngakau, ka heke nga roimata

mo tōku pēpē in June 2020 (Office of the Children's Commissioner (2020). The second report will be published soon.

The Ombudsman report and the Treaty of Waitangi claim 2915 are still in progress. All these efforts strengthen the relevance and the importance of this research. The timing is right. Matariki is a time to gather to reflect on the past, celebrate the present, and plan for the future.

1.5   Questions and objectives

The research question is what happens to whānau Māori while under investigation by Oranga Tamariki. The study has two aims. The first aim is to explore the experiences of whānau Māori who have been under investigation by Oranga Tamariki. The second aim is to produce evidence for whānau-hapū-iwi to find solutions to decrease the number of whānau impacted by Oranga Tamariki.

Using a kaupapa Māori research approach, eight Māori whānau who have were involved with Oranga Tamariki will be interviewed to hear their lived experience. Interpretive phenomenological analysis will be used because it prioritises the lived experiences of research participants and their voice in that experience. Thematic analysis will also be used to draw out the key themes of the Māori whānau experiences.

This will involve prioritising the lived experiences of whānau Māori and their journeys with Oranga Tamariki. By prioritising the voices of whānau Māori, we can better understand their experiences. To better understand whānau Māori experiences, we can share solutions that will further empower whānau-hapū-iwi.

1.6   Overview of thesis structure

This kōrero began with a horrific traumatic event experienced by a whānau Māori. The vulnerable young Māori māmā who had just given birth to her pēpē ataāhua. The vulnerable

young and frustrated pāpā. All were enveloped in aroha by the whānau, their midwives and a reporter with her camera man. In this case, Oranga Tamariki Social workers, the New Zealand Police and members of the Hawkes Bay District Health Board were deemed the offenders.

To understand the standoff between the two sides one needs to gain insight into how all those present were involved and why. Chapter one provides a brief introduction to *'The Hawkes Bay Case'* and all the histories involved. The history of Māori and Oranga Tamariki which involved a traditional view of mokopuna Māori and parenting, the colonisation of Māori as well as Te Tiriti.

The literature review features in chapter two. This is necessary to position this research amongst other research that shares the same or near same focus. Internationally, the research focuses on the indigenous people's interactions with Child Protection Services of the United States of America, Canada and Australia. Then local research looking at Māori experiences with Oranga Tamariki includes legislation, policies, practices and kaimahi will help to ground the reader back in Aotearoa. To compliment this, sections on Māori Research and Māori Tikanga will complete the picture.

In chapter three, methodology is the key. How the research was approached and conducted sits within this section. This looks at the data collection process, the methods to gain the data, how the participants are recruited and the procedure the researcher followed. Then the data analysis which extricates the data necessary to answer the research question.

The results section features in chapter four. Here the focus is on letting the data speak with emphasis on the kōrero. Evidence will be presented. Then follows the discussion and conclusion which summarises the total research project.

2.   Literature Review

He kitenga kanohi, he hokinga mahara

Meeting people connects us to all their memories and ancestors

The literature review process for this thesis started with the database PsychINFO and used the key terms 'Māori', 'whānau', 'tamariki', 'New Zealand', 'Oranga Tamariki', 'Child Youth and Family Services. No publications were found about whānau Māori experiences of Oranga Tamariki, so the database Discover was then used. This search strategy returned only one piece of research from the whānau perspective. Other key terms were added to broaden the search including 'child abuse', 'child neglect', 'Child Protection Services' and 'child deaths.'

The search was further widened in the hope of finding any published research, and this time even international research about indigenous experiences of Child Protection Services worldwide was targeted. The rationale for searching for international experiences of indigenous peoples was that it was expected to show similar experiences for the indigenous peoples of Canada, Australia and the United States of America with Māori experiences in Aotearoa New Zealand because of the shared experiences of colonisation in these countries. However, even this expanded search strategy returned only a small number of studies that focussed on the views of indigenous family's' experience of Child Protection Services.

A few points are noted here on findings when researching the United States of America. First Nations include both the Métis and Inuit. The researcher included the African American People in this literature review not as an indigenous people of the United States of America but because they also have a long history with the land and Child Protective Services. Classifications of Indians and Blacks were found which bothered the researcher. There was far more research supporting negative narratives for both beautiful people.

The literature review began with an international context about indigenous people's involvement with their relevant government versions of Child Protection Services. Primarily this involves the United States of America, Canada and Australia. There is much research on

indigenous peoples within care and protection services from these three countries, however not many studies from an indigenous experience perspective.

Following this, the literature review will look at local research found done on Oranga Tamariki including theses. The focus being the processes used by Oranga Tamariki. Again, there was little research from a whānau experience perspective with Oranga Tamariki, hence the importance of this research.

2.1 Indigenous Peoples and Child Protection Services

Internationally the literature around government Child Protection Services impacting on indigenous peoples are abundant. However, there is very little research done from an indigenous people's perspective even though indigenous families are navigating through government Child Protection Systems more than non-indigenous families worldwide.

A focus on the United States of America, Canada and Australia is where this review begins, followed by Aotearoa. Each will begin with a history of the relationship between the indigenous people and the state system dealing with Child Protection. Then the review will move towards contemporary issues.

2.1.1 United States of America

It is estimated that one in three children will experience Child Protective Services (Kim et al, 2017). However, this affects more populations than others. First Nation children and African American children are disproportionately represented throughout most of the Child Protective Service processes (Maguire-Jack et al., 2020).

In the United States of America, the indigenous people are the First Nations. First Nations experienced massive disruption. Loss of lives, land, and culture from non-indigenous contact and colonisation resulted in a long legacy of chronic trauma and unresolved grief across

generations (Braveheart & De Bruyn, 1998). The United States of America also has a traumatic, long history of slavery of the First Nations People (Miller, 2008).

First Nations were the first people enslaved in North America followed by the African American (Crofoot & Harris, 2012). Slavery destroyed the African family culture which revolved around kinship, collective support and child protection (Jimenez, 2006). The systems and processes around slavery gave power to child welfare institutions to remove children (Billingsley & Giovannoni, 1972).

Earlier research shows the focus of child welfare was on poor white immigrant children as neither First Nations nor African American children were seen as worthy of assistance (Hill, 2008). Instead African American children were placed into institutions for delinquents or prison when they had care issues (Bilingsley & Giovannoni, 1972). Residential schools were used to take First Nations children where they were subjected to much abuse (Graham, 2008). Only white children were able to access government services for children in the first decades of the 20th century (Jimenez, 2006).

First Nation children were found less likely to have an investigation, more likely to have a confirmation of maltreatment yet placed in foster care in disproportionate rates than white American children, suggesting Child Protective Services target Native Americans (Yi & Wildeman, 2018). African American children and families are over-represented within child protective services in the United States of America (Font et al., 2012; Hill, 2006). They have higher rates for abuse and neglect notifications, uplifts and foster care placements than non-African American children within the United States of America (Bartholet, 2009).

Fong (2019) found disproportionate rates of reporting and investigations of Child Protection Services in poor neighbourhoods and children in non-White neighbourhoods. Both First Nations children and African American children live in extreme poverty and ethnically defined neighbourhoods therefore are more likely to experience Child Protective Services which is entrenched in systemic racism (Kim et al., 2017). Hines et al. (2004) found that First Nation children represent 1% of the total population however 2% of the child welfare system of the United States. Kokaliari et al. (2019) found disproportionate rates of African American children experiencing child maltreatment, and child removal as seen through the eyes of African American parents' experiences.

The work of Mannes (as cited in Crofoot & Harris, 2012) in 1969, found 25% - 35% of First Nation young People had been removed from their homes and were experiencing more out of home placements than non-First Nation young people.   The Indigenous Child Welfare Association found the child protection system failed to identify, protect, communicate, place with kinship carers and understand cultural parenting practices for First Nation children (Carter 2009; Jones et al., 2000; Wasak, 2010). Outcomes for both First Nation and African American children who had been placed in foster care either temporarily or permanently were negative. Increased risk of substance use (Aarons et al., 2008), unemployment (Barth, 1996), teen pregnancy (DeGue & Widom, 2009), poor mental health (Ryan & Testa, 2005), and lower levels of educational achievement and incarceration (Watt & Kim, 2019).

However, better outcomes in mental health, behaviours, wellbeing, permanency, protection (Winōkur et al., 2014); positive identity, community connectedness, protective factors and racial awareness (Schwartz, 2007) were found when minority children were kept in kinship placements. Carter (2009) also found better found better outcomes for First Nation children because of their historical trauma. This surprised the researcher.

2.1.2   *Canada*

Canada has ten provinces and three territories governing their Child Protection Services (Choate, 2019). Farris-Manning and Zandstra (2003) found approximately 76 000 children are in Child Protective Services. First Nations children were 4.2 times more likely to be investigated by Child Protective Services (Sinha et al., 2013).

First Nations children have been dramatically over-represented in the Canadian child welfare system for more than 50 years (Blackstock, 2009). Braveheart and De bruyn (1998) discuss how First Nations children were forced into residential schools by the state. The Truth and Reconciliation Commission of Canada (1996) state that residential education was forced assimilation by both the church and government, destroying First Nations families.

Blackstock (2007) maintains that the 'scooping', the term given to the process of indigenous children being scooped up from their family and taken away, continues today. Ma et al.,

(2019) found that First Nations children represent 7.4% of child abuse investigations, were investigated three times more than non-First Nations children even though they are 2.5% of the child population. They were also over-represented in substantiation rates, time spent in Child Protection Services and placements (Ma et al., 2019).

Tweedle (2007) report outcomes after care for First Nation children include high levels of poverty, isolation, lower levels of education and unemployment. No family network, a lack of life skills, low self-esteem, homelessness, drug abuse and increased incidences with the Justice System were also present (Tweedle, 2007). Braveheart and De bruyn (1998) show how First Nation children in residential schools were deprived of their culture but learnt abuse from the authorities leading to them being unable to raise the next generation from within their traditional worldview.

The use of Eurocentric measures to assess the parenting of indigenous families and children is proven to not be valid (Choate et al., 2019; Choate & McKenzie, 2015). Choate and McKenzie (2015) reviewed parenting capacity assessment manuals and completed a literature review on norming of evidence supporting the validity of these tests used on indigenous people. They found no confidence regarding the norms to be representative of indigenous people and the assessments therefore should not be used on indigenous people.

Choate et al. (2019) evidence that attachment assessments being used on indigenous peoples come from a dyadic relational theory recommending they have no place being used on indigenous peoples. Indigenous peoples have their own values and parenting practices. Yet these parenting assessments are still being used today to measure indigenous people worldwide.

Since all the atrocities, many governments have talked about making amends. Many documents have been developed recommending a plethora of expectations from indigenous peoples worldwide. However, the numbers of indigenous children in the child protection systems are still unsettling.

2.1.3   Australia

Australia has eight Child Protective Services in the different states and territories of Australia governed by their own legislation, policies and practices (Baidawi et al., 2016). Colonisation, segregation, merging, absorption and assimilation were all strategic moves made by the earlier European settlers to destroy the indigenous people and enabling them to forcibly remove indigenous children from their families (Human Rights & Equal Opportunity Commission, 1997). There were no accurate numbers pertaining to the removal of indigenous children in Australia, but the estimate lies somewhere between 1 in 3 and 1 in 10 (Human Rights & Equal Opportunity Commission, 1997; Cuthbert & Quartly, 2013).

Aboriginal children are ten times more likely than non-Aboriginal children to be put in care (O'Donnell et al., 2019). The number of children in care in Western Australia has more than trebled since 1996 (Bilson et al., 2017). The aboriginal families have five times more notifications made against them, are seven times more likely investigated, are found guilty of accusations eight times more, receive court orders ten times more, and their children uplifted 14 times more than non-aboriginal families (Liddell, 2005).

O'Donnell et al., (2019) found in their research high numbers of Aboriginal families living in the most deprived communities. Bilson et al's., (2017) research found neglect was the main cause of Aboriginal children entering care as well as there being little chance of their families getting them back.

Outcomes for Aboriginal children who had transitioned out of care include poverty, lower levels of education, early pregnancy and loss of identity (Baidawi et al, 2013). Also, they were more likely to enter prostitution, experience a lack of social support, low health outcomes and higher interactions with the Justice System (Mendes, 2005). Cashmore and Paxman (2006) found that children with better security felt more stability and improved outcomes.

The Australian government has also issued apologies for their part in harm caused to the aboriginal children of Australia. However, Cuthbert and Quartly (2013) identify their governments apology to the stolen generations of indigenous Australians are missing acknowledgement of the injustices, the racism, the violence and the power structures. If the

state fails to acknowledge the core reasons for the harm perpetuated onto a people, what's the point? And then what happens after an apology? And who is responsible to ensure changes take place? The state who caused the horrors. So many questions and with no answers.

2.2   Aotearoa NZ and Child Youth and Family/Oranga Tamariki

As at the end of June 2018, the Māori population grew by 10,600 (1.4 percent) and New Zealand's estimated Māori population was 744,800, making up 16.5% of the total population (Statistics New Zealand, 2018). Māori rangatahi and tamariki aged 18 and under are estimated at 283,300, making up 38% of the total Māori population (Statistics New Zealand, 2018b). Māori have an increasing younger population.

Māori are over-represented across a range of poor outcomes (Kedell & Hyslop, 2019). Walker (2006) argues that disconnection from whakapapa leads to negative impacts for tamariki. Both the Ministry of Justice and Oranga Tamariki systems impact on Māori. The impacts on Māori children are linked to their identity. Half of children in care have clinically significant mental health difficulties (France & Tarren-Sweeney, 2011; Worral, 2009). Hyslop (2017, p 1804) states that child protection in Aotearoa focus on "early permanency and resocialisation is particularly regressive for Māori children and their families". Many end up incarcerated (Stanley, 2016).

2.2.1 Te Tiriti o Waitangi and Oranga Tamariki

Te Tiriti o Waitangi is seen by many Māori as the valid version of the Treaty of Waitangi. The Treaty of Waitangi is seen by many as the foundation document of Aotearoa New Zealand. Te Tiriti or the Treaty represents an agreement reached between two parties. The two parties involved were the British Crown and the tangata whenua of Aotearoa.

Te Tiriti o Waitangi was signed by the majority of Māori rangātira and has three articles, as does its counterpart. The entire version is written in te Reo Māori from the 1800s. The first article states:

> '*Ko nga Rangātira o te wakaminenga me nga Rangātira katoa hoki ki hai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu – te Kāwanatanga katoa o o rātou wenua.*'

This translates to 'The Chiefs of the Confederation and all the Chiefs who have not joined that Confederation give absolutely to the Queen of England for ever the complete government over their land.' The literal English translation was done by Sir Hugh Kawharu in 1989.

The second article states:

> '*Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangātira ki nga hapū – ki nga tangata katoa o Nu Tirani te tino rangātiratanga o o rātou wenua o rātou kainga me o rātou taonga katoa. Otiia ko nga Rangātira o te wakaminenga ne nga Rangātira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te wenua – ki te ritenga o te utu e wakaritea ai e rātou ko te kai hoko e meatia nei te Kuini hei kai hoko mona.*'

For Māori the second article translates to Māori being able to exercise chieftainship over their lands, villages and all their treasures. They will also sell land to the Queen at a price agreed upon negotiation through her agent.

The third article states:

> '*Hei wakaritenga mai hoki tenei mo te wakaaetenga ki te Kāwanatanga o te Kuini – Ka tiakina e te Kuini o Ingarani nga tangata Māori katoa o Nu Tirani ka tukua ki a rātou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.*'

This final article translates to Māori being offered full protection of the Crown. This also meant they will be given the same rights and duties of citizenship as the People of England.

There have been many translations offered from the time of its conception to today. Another translation of the three articles suggested by Māori involves the Queen of England will take responsibility for her People living in Aotearoa; the Queen will respect and uphold the mana and rangātiratanga of the rangātira and the hapū; rangātira will allow the Queen or her agent temporary land use rights; and the Queen would act with reciprocity and give the same care for all Māori here as she does to her own People (Mutu, 2010). More than five hundred rangātira signed Te Tiriti o Waitangi over the next few months as it travelled around Aotearoa agreeing with what they were read in te reo Māori (Mutu, 2010).

The English version of Te Tiriti, the Treaty of Waitangi also has three articles. The first article of the English version of the Treaty of Waitangi gave up all Māori rights and powers of sovereignty over their land. The second article Māori were guaranteed 'exclusive and undisturbed possession of their lands and estates, forests, fisheries and other properties' as well as to the Crown's exclusive right to purchase their land. In the third article, Māori were being offered full protection of the Crown and the same rights and duties of citizenship as the People of England. Less than 50 Rangatira signed this version of the Treaty (Mutu, 2010).

Here is a relationship negotiated and agreed upon in two different languages, worldviews and understandings have obvious differences. This shared history can be seen as either a blessing of the Crown on the native savages of Aotearoa or the demise of the indigenous people due to the colonising beast called the Crown. Like a marriage, two histories of People coming together create a space for two worldviews, two whakapapa and two understandings. A healthy relationship would negotiate these terms out to find a safe space for two people to live together in a safe and healthy manner that empowers both.

Western belief systems came with the colonisers and impacted on Māori by way of religion, patriarchy, disease and behaviours. Many legislative Acts were pushed through to aid in the growth of colonial power and the destruction of Māori systems (Walker, 1990). The Native Land Act 1909 impacted on the structure of whānau Māori by pushing agendas of individualism against collectivism (Mikaere, 1994). The Tohunga Suppression Act 1907 banned tohunga practices and therefore destroyed a whole knowledge system of healing (Durie, 2001). More recently, the 2004 Foreshore and Seabed Act has extinguished Māori title to the foreshore and seabed impacting on the rights of Māori as well as promises made in Te Tiriti (Mutu, 2019).

The partnership has one side exerting dominance of power and resources over the other. Māori are living with continued colonisation (Durie, 2001; Love, 2002), poverty (Durie, 2011), hardship (King et al., 2017), racism (Barnes et al., 2013), trauma (Hall, 2015), grief (Wilson et al., 2016), disconnection from identity (Taonui, 2010), lack of tikanga (Walker, 1990), loss (Smith, 1999), and lower health outcomes (Ministry of Health, 2006). Māori are more disadvantaged than non-Māori (Durie, 2001; Barnes et al., 2013; Hall, 2015; Harte & Jenkins, 2011; Hodgetts et al., 2014; Hyslop, 2017; Kedell, 2018; King et al., 2017; Levy, 2002; Seymour et al., 2016; Smith, 1999; Taonui, 2010; Walker, 1990; Wilson et al., 2016).

Many will argue that the overall intention of the Treaty of Waitangi was to recognise and protect Māori values, traditions and practices (Cram 2003). Māori will argue that it was a colonising strategy to gain power and deploy pathways of destruction with an end goal of deleting the Māori way of being (Taonui, 2010). Mutu (2019) states that colonisers committed atrocities against Māori by using the Doctrine of Discovery, to steal power and evict Māori, leaving them abused and destitute. She goes on to state that the colonisers made up stories to get away with all their illegal behavior with an end goal of an unlawful government enabled to make laws to legitimise their criminal acts, then carefully forgetting it ever happened like that (Mutu, 2019).

Due to the ongoing colonisation and assimilation processes that still exist today in New Zealand society, whānau Māori are still struggling. Māori disparities are well known in health and well-being. Māori poverty and incarceration rates are increasing (McIntosh & Workman, 2013). Māori experience higher rates of abuse (Flett et al., 2004), higher rates for mental health disorders than non-Māori (Baxter et al., 2006), rates of suicide, both attempted and completed are higher than non-Māori (Aupouri-Mclean, 2013) and higher rates of intimate partner violence, child abuse and neglect (Herbert & Mackenzie, 2014).

Pearson et al., (2014) found more Māori live in neighbourhoods of low-quality housing, higher rates of overcrowding and housing related diseases. A 2005 study of 502 Māori showed that 65% of them had experienced one or more traumatic events over their lifetimes (Hirini et al., 2005). Pihama et al., (2014) found Māori have experienced abuse, violence, imprisonment, post-traumatic stress disorder, mental health, and large losses of land adding to the high burden of trauma.

Tamariki Māori have also been consistently over-represented in negative social statistics. Statistics New Zealand (2018c) estimate one in four (23.3%) Māori children live in relative poverty including households that are doing without six or more of the 17 material basic needs. Tamariki Māori have higher rates of low birth weight babies, higher infant mortality, lower immunisation rates, poorer hearing and oral health, higher rates of obesity and cigarette smoking and higher rates of youth suicide (Ministry of Social Development, 2008). Tamariki Māori have higher rates of school truancy, lower rates of attendance in early childhood education, lower mean scores for reading, mathematical and scientific literacy as well as being less likely to stay at school to complete higher qualifications (Ministry of Social Development, 2008). A disproportionate number of Māori children come to the attention of the child protection system and these children are also more likely to receive high-tariff responses (Hyslop, 2017).

Principles of Te Tiriti of the Treaty were established in 1988 by the Royal Commission on Social Policy of partnership, participation and protection to provide a contemporary guide for all institutions, organisations and people of Aotearoa (Durie, 1994). These were recognised by the government and have been pushed through many strategies, documents, ethics, charters and policies. Hudson (2004) states the state is therefore required to recognise tino rangātiratanga from a Māori lens as well as protect all things Māori. However, the understanding has to incorporate two worldviews (Hudson & Russell, 2009).

Many institutions use Te Tiriti or the Treaty within their own policies, goals and strategies. However, words are just words when no attempt to action Te Tiriti is made. For example, in one tertiary institution you will find Te Tiriti being used to imply that they acknowledge and uphold the treaty, but their processes and procedures do not.

> "As a Tiriti-led University we are committed to demonstrating authentic leadership in a contemporary Aotearoa New Zealand as we uphold Te Tiriti o Waitangi, the founding document of our nation, and its principles through our practice. Massey embraces this not just as an obligation but as a real opportunity for the nation and its Peoples. The University will champion new strategies for advancement and integration of te reo Māori and Māori knowledge. It will demonstrate informed practices consistent with tikanga Māori and will embrace kaupapa Māori across our

activities. Massey's teaching and research will contribute to advanced outcomes for whānau, hapū and iwi" (Massey University Strategy, 2018).

Yet there are less Māori leaders, less Māori courses and even less Māori lecturers than 10 years ago. Māori needs for a marae in Albany has been argued for by researchers, staff and students and again empty promises but no space provided in Albany (Durie, 2003b). Words are just words.

As there are two understandings to the Treaty of Waitangi, there will continue to be two sides to every interaction between Māori and non-Māori throughout history. There is the non-Māori worldview and there is the Māori worldview. There is te reo Māori and English.

2.2.2   History of the Aotearoa Legislation and Government Departments

There is quite a history of how child protection has been formed, moulded and adjusted by many influences. These include the political economy (Hyslop, 2017), social inequality (Cree, 2013), policies (O'Brien, 2016) and child deaths by the hands of their carer's (Jenkins & Harte, 2011). Many discussion pieces have also been developed and published to add further justifications to the changes being proposed such as the Green Paper (Ministry of Social Development, 2011), the White Paper on Vulnerable Children (Bennet, 2012), Modernising Child Youth and Family - Final Report: Investing in New Zealand's Children and Their Families (Expert Panel, 2015). While the claims have always been about reducing numbers of children in care, the numbers evidence the government's attempts at policies continue to fail (Keddell, 2018).

Oranga Tamariki has a vision of partnership based around the Treaty of Waitangi and two key documents Puao-te-Ata-tu and the 2015 Expert Advisory Panel report. The Treaty of Waitangi is used all throughout Oranga Tamariki models, policies and frameworks. In the Oranga Tamariki operating model they identify protecting the interests and wellbeing of tamariki and rangatahi Māori; develop meaningful measurable outcomes for tamariki and rangatahi Māori; and visibility of disparities in outcomes for tamariki and rangatahi Māori as the three key foci to uphold the Treaty (Oranga Tamariki, 2019h).

One can argue that these statements are tokenistic and are of no relevance to either the Treaty or Māori. The first point which is led with kāwanatanga/government is about delivering governance in a way that recognises partnership yet there are more non-Māori in governance than Māori. The second point led by rangātiratanga/chieftainship is about developing partnerships with iwi/Māori to address systemic issues, however Oranga Tamariki still have the final decision for all children. The last point is about Oritetanga/equity will highlight disparities from a government department lens. Not from a Māori lens. How is this relevant to Māori and their tamariki?

Puao-te-Ata-tu (Ministerial Advisory Committee,1986) is a highly controversial report by Māori on the Department of Social Welfare which made many recommendations to the system that haven't been met. Puao-te-Ata-tu was produced in 1986 by the Ministerial Advisory Committee by request of the Minister of Social Welfare (Hollis, 2006). The report came out with findings that supported the view of the Department of Social Welfare being biased and racist including thirteen recommendations (Ministerial Advisory Committee, 1986).These were to end all forms of racism, provide a space for Māori values in all policies, share resources with Māori, share power with Māori, change recruitment and training practices, strengthen cultural competencies, use a holistic view when looking at social problems and update relevant legislation (Ministerial Advisory Committee, 1986). Came-Friar et al., (2019) found advancement in these recommendations since 1986 have been little, fragile, disjointed and haphazard.

The 2015 Expert Advisory Panel report was led by an economist who had previously led welfare reform, with no experience in child protection yet proposed changes to custody, performance, and attention to timeliness areas (Keddell, 2019). Keddell (2019) also states that:

> "while a set of complex reforms, it focussed on introducing the National-led government's broader social policy of social investment to child protection, where children at risk of future cost to the state could be identified early and intervened upon, as well as a focus on child trauma and responsiveness to children's "voice".

This neo-liberal discourse is cost-focused not child-focused.

The framework underpinning the care and protection system also includes but is not limited to Te Tiriti o Waitangi and the United Nations Convention on the Rights of the Child (the Children's Convention). The Convention is endorsed internationally high lighting a worldwide duty to recognise children as human beings with rights (United Nations, n.d.) New Zealand signed up in 1993 recognising the rights of all children and tamariki. The Commission notes the need to ensure that all whānau, hapū and iwi options have been explored for Māori children before the making of any custody order, including any interim order (Human Rights Commission, 2012).

Oranga Tamariki is governed primarily by the Children, Young Persons and their Families Act 1989 which was noticed internationally as a game changer (Williams et al., 2019). The primary object of the 1989 Act was to "promote the well-being of children, young persons, and their families and family groups" (Oranga Tamariki Legislation Bill, 2017). Hyslop (2017) sees the legal framework of the CYP and F Act revolved around the idea that whānau-hapū-iwi would care for their tamariki if they were given adequate respect, authority, information, continued assistance and financial support (Hyslop, 2017). Williams et al., (2019) found that the CYPF Act 1989 has failed tamariki Māori and whānau Māori with an increase in numbers in state care and whānau in crisis, however the number of Pākehā children in care has decreased. This can also be due to the failure of the government to honour the Treaty of Waitangi and uphold the principle of protection.

Most recently, several amendments to the Oranga Tamariki Act 1989 (Children's and Young People's Well-being Act 1989) came into force on 1 July 2019. The amendments were passed under the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017, the Family Violence Act 2018 and the Oranga Tamariki Legislation Act 2019 (Williams et al., 2019). These involve duties to recognise and commit to principles of Te Tiriti o Waitangi; purpose and principles; transitioning out of care; information sharing; national care standards; monitoring; systemic advocacy; and complaints oversight and investigations (Oranga Tamariki, 2019f).

Under the new section 7AA of the Act, specific duties are imposed on the chief executive of Oranga Tamariki in order to "recognise and provide a practical commitment to the principles of the Treaty of Waitangi (te Tiriti o Waitangi).

> "*These include setting measurable outcomes for Māori children and young persons who come to the attention of the department; having regard to mana tamaiti (tamariki) and the whakapapa of Māori children and young persons and the whānaungatanga responsibilities of their whānau, hapū, and iwi (these kupu/terms are defined in section 2(1)); and seeking to develop strategic partnerships with iwi and Māori organisations, including iwi authorities* (Oranga Tamariki Legislation Bill, 2017)

Oranga Tamariki, (2019b) are also committed to obligations under the Treaty of Waitangi to uphold and protect Māori rights and interests. These have been formed as:

> *"Oranga Tamariki will prioritise that tamariki Māori are connected to, and nurtured by, whānau, hapū, and iwi; will ensure early participation of whānau, hapū, and iwi in decisions affecting tamariki Māori; will work with whānau to prevent the entry of tamariki Māori into state care or a youth justice response; will preference placements for tamariki Māori, and their siblings, with members of whānau, hapū, and iwi; will support tamariki Māori to establish, maintain, or strengthen cultural identity and connections to whānau, hapū, and iwi; and will support, strengthen, and assist tamariki Māori and their whānau to prepare for return home or transition into the community"* (Oranga Tamariki, 2019b).

Love (2002) looked at state child and family services following the whakapapa of colonisation and found that Māori statistics reflect the loss of resources like land, and the state strategically provides minimal resources, such as welfare, to continue holding power over Māori. This shows a cycle of abuse of the state stealing resources then putting a handout to Māori who have no choice but to take that handout. The negative Māori statistics continue to grow. The research also suggests giving complete control of power and resources to Māori or a complete overhaul of the child and family services (Love, 2002).

Today Oranga Tamariki also sits within the justice sector (which is made up of the Ministry of Justice, New Zealand Police, the Department of Corrections, the Crown Law Office, the Serious Fraud Office, Oranga Tamariki - Ministry for Children), who work together to reduce crime and reoffending (Ministry of Justice, 2020).

2.2.3   Child Youth and Family/Oranga Tamariki – Policy and Practice

Oranga Tamariki has two main foci.   One is the care and protection of children and young people which this research is focused on. The other is youth justice for children and young people. They both have different processes but share similar end goals of children and young people living in safe spaces with safe carers.

Oranga Tamariki has three levels to their care and protection process. These are Concerns Reported, Assessment or Investigation, and Safety Plan Created. Concerns Reported is where someone believes there are safety and/or wellbeing concerns for a child or children and notify Oranga Tamariki. This is under section 15. However, a section 42 could also be used by a Police Officer who immediately removes a child at risk of injury or death.

Section 15 involves:

> "*Any person who believes that a child or young person has been, or is likely to be, harmed, ill-treated, abused, (whether physically, emotionally, or sexually), neglected, or deprived, or who has concerns about the well-being of a child or young person, may report the matter to the chief executive or a constable*" (Oranga Tamariki Legislation Bill, 2017). Also known as Reporting of Concerns.

Section 42 involves

> "*Any constable who believes on reasonable grounds that it is critically necessary to protect a child or young person from injury or death may, without warrant; (a) enter and search, by force if necessary, any dwelling house, building, aircraft, ship, carriage, vehicle, premises or place: (b) remove or detain, by force if necessary, the child or young person and place the child or young person in the custody of the chief executive*" (Oranga Tamariki Legislation Bill, 2017).

Otherwise known as a Search without Warrant.

A record is kept, and a decision is made based on the reports given and one of six decisions can be made by the National Call Centre. These are No Action; Support Needed; Low Urgency Response; Urgent Response; Very Urgent Response; and Critical Response. No Action and Support Needed do not require Oranga Tamariki involvement and referrals to the community can be made to help the families or whānau. The next four options all offer timeframes of how soon the safety of the child is assessed being 20 days, 7 days, 48 hours and 24 hours consecutively.

The next stage is Assessment or Investigation where Oranga Tamariki Social workers assess the situation, gather information, present to a Care and Protection Resource Panel (CPRP) and decide. Options are Too Close; Further Assessment; Family Group Conference (FGC); and Hui-A-Whānau. At any part of this stage Oranga Tamariki can apply for temporary custody through a section 39 or a section 78. These orders can be made without informing the families or whānau involved.

Section 39 involves:

> "*removing or detaining, by force if necessary, the child or young person and place the child or young person in the custody of the chief executive; if the child or young person has suffered, or is likely to suffer, ill-treatment, serious neglect, abuse, serious deprivation, or serious harm"* (Oranga Tamariki Legislation Bill, 2017). This is also known as Place of Safety Warrants. A section 78 involves "*it is in the best interests of the child or young person that an interim custody order be made as a matter of urgency"* (Oranga Tamariki Legislation Bill, 2017).

Otherwise known as Custody Of Child Or Young Person Pending Determination Of Proceedings Or In Urgent Cases.

The last phase is the Safety Plan Created stage. This is where the FGC happens, and FGC outcomes are made with or without whānau or family agreement. From here options are No Court Orders; Support Order; and Custody and/or Guardianship Orders. In all these options a safety plan is established that Oranga Tamariki support and the child is no longer in harm's way. At any time during this stage whānau or families can agree to temporary care of the child with Oranga Tamariki under section 139.

Section 139 is known as Agreements for Temporary Care of Children and Young Persons By Chief Executive, Iwi Social Services, etc. It involves:

> "*any parent or guardian or other person having the care of a child or young person who is temporarily unable or unwilling to care for the child or young person may; (a) with the agreement of the chief executive, place the child or young person in the care of the chief executive for a period not exceeding 28 days; or (b) with the agreement of an iwi social service or a cultural social service, place the child or young person in the care of that social service for a period not exceeding 28 days; or (c) with the agreement of the director of a child and family support service, place the child or young person in the care of the director for a period not exceeding 28 days. (2) If the parent or guardian or other person having the care of the child or young person is, or will be, unable to resume the care of the child or young person at the end of the period during which the child or young person is in the care of any person pursuant to subsection (1), the period may, with the agreement of that person, be extended for one further period of up to 28 days*". (Oranga Tamariki Legislation Bill, 2017).

As at the end of December 2019 Oranga Tamariki (2019e) reported having received 85,000 reports of concern (ROC), investigated 43,600 of these, held 8,700 family group conferences (FGC), had 1300 children enter care, 1450 children exit care and currently have 6,150 children in care. These figures are over the 12 months leading up to the end of December 2019.

Of the 6,150 children in care, Oranga Tamariki (2019e) also reported 58% are Māori and 9% Māori and Pacific Island, meaning 67% of the total number of children in care are Māori. In care means Oranga Tamariki have a legal responsibility to keep the child or young person safe and secure, whether they're living with family or with other caregivers, and to ensure their needs are being met (Oranga Tamariki, 2019j). Māori tamariki make up 28% of the population yet 40% of all notifications made to CYFS in 2015 were Māori tamariki and 60% of tamariki in state care were Māori (Youth, 2015). These numbers and Oranga Tamariki uplift processes have caused alarm amongst Māori.

Groom (2018b) found between 2017-2018, 1521 Māori tamariki out of 2323 children were in care, 290 were Māori pēpī aged between 0-12 months. This has increased from 260 between 2015-2016. Uplifts can be horrifying and distressing for both tamariki and whānau (Chill, 2004). In 2017, 45 babies were taken the day they were born with more than half of the new-borns being removed from young Māori mothers (Groom, 2018a).

Cram et al., (2015) study on New Zealand children's administrative information to build an understanding of the high representation of Māori children acknowledge the increased risk due to colonisation and systemic bias. A mixed methods exploratory study on perceptions of Oranga Tamariki social workers and approved non-government organisations who work with Māori tamariki found unconscious bias and a "colour blind" approach to practice may contribute to ethnic inequalities (Kedell & Hyslop, 2019). Hyslop (2017) admits that identifying unsafe whānau is conceptually flawed and avoids looking at the root causes of child abuse being socio-economic disparities and exploitation.

Oranga Tamariki (2019g) show that since July 2008, Oranga Tamariki had taken more than 4300 babies under the age of one into care. Of those, 62 percent were Māori. In the year between July 2017 to June 2018, nearly 80 percent of children were taken into care urgently by Oranga Tamariki or Police. This can be done through urgent applications to the Family Court for warrant by Oranga Tamariki or Police (section 39 and 40) or Section 78, which is an interim custody order or urgent action by NZ Police. Under those conditions the Ministry and Police do not have to notify the family.

Oranga Tamariki (2017b) found the extent of harm amongst a sample of 698, 85 children/young People in care during 2015/16 experienced an incident of harm which they found to be higher than any other historical rates. They also found the numbers of Māori were higher than non-Māori where of the 85 children who reported harm, 62 were Māori children/young People (73%), compared with 23 who were non-Māori (27%) (Oranga Tamariki, 2017b). These incidences of harm were reported incidences meaning the numbers are likely to be higher.

Oranga Tamariki reported in the period January to March 2019, 103 children had 154 findings of harm recorded for them and of these children, 87% were Māori tamariki and 14% were non-Māori (Oranga Tamariki, 2019b). A Royal Commission of inquiry into abuse in

care is currently looking into what happened to children, young People and vulnerable adults in care between 1950 and 1999. Abuse within state care is still happening today.

2.2.4   *Social Workers and Psychologists at Oranga Tamariki*

The Social Work Registration Board and Social Work Registration Act 2003 regulate social workers including the education (Ruwhiu, 2019). There are 7 members with only 2 being social workers (Social Work Registration Board, 2020b). The Social Workers Registration Act (2003) states "to protect the safety of members of the public by prescribing or providing mechanisms to ensure that social workers are competent and fit to practice and accountable for the way in which they practice" (Social Work Registration Board, 2018).

The Social Work Registration Board recognises 10 core competencies that reflect practice standards accepted in social work in New Zealand (Social Work Registration Board, 2020). Standard one - Competence to work with Māori is about a social worker's ability to demonstrate knowledge of the Treaty of Waitangi, te reo Māori and tikanga Māori; articulating how the wider context of Aotearoa New Zealand both historically and currently can impact on practice; maintaining relationships that are mana enhancing, self-determining, respectful, mindful of cultural uniqueness, and acknowledge cultural identity; utilising practice behaviours that ensure mauri ora by ensuring safe space, being mana enhancing and respectful, acknowledge boundaries and meet obligations; engaging in practice that is culturally sustaining, strengthens relationships, is mutually contributing and connecting and encourages warmth (Social Workers Registration Board, 2020). For a social worker to be certified competent, they must evidence training which does not reflect a tikanga Māori process of kanohi ki te kanohi (Bishop, 1996).

Social workers make decisions throughout their processes using professional supervision with experienced, senior practitioners in a supervisory role and Care and Protection Resource Panels (CPRP) that are made up of key community members and professionals. Social Work is an international profession recognised in 144 countries and is highly regulated in New Zealand (Bartley et al., 2011). In 2010 there were 2,485 registered social workers in New Zealand with 9% coming from outside New Zealand registered in another country, 234 were

classed as migrant social workers of which a third took up employment with Oranga Tamariki (Bartley et al., 2011).

Child protection has become more focussed on being dispassionate, clinical, constricted with minimal risks rather than connected, holistic and considerate of the environmental impacts (Hyslop, 2017). Social workers need to understand and take into consideration family histories and realities. Kedell and Hyslop (2019) found Social Worker education was failing in areas of structural issues including the effect of colonisation and racism, as well as reflexivity on individuals' prejudices. In New Zealand, Māori are over-represented within Oranga Tamariki (Seymour et al., 2016).

The high numbers of Māori within social statistics is directly linked to colonisation (Love, 2002). The Puao-te- Ata-tu report (Ministerial Advisory Committee, 1988) found that the overrepresentation of Māori children was due to cultural and institutional racism within the Department of Social Welfare as cited in Hollis (2005). Not much appears to have changed. There are power imbalances between Māori and mainstream services (Tassell et al., 2012). Durie (2011) argues that racism, discrimination and marginalisation continue to affect Māori today and will do so until the system changes.

Child Protection data has also been found to skew social worker's decisions because the software and hardware utilised emphasises disparities, therefore penalise the service user being primarily the poor (Eubanks, 2017). Kedell and Hyslop (2019) found the associating and sharing of Child Protection data is increasing therefore biasing judgements. This increases prejudices used on Māori.

Oranga Tamariki district offices are assessed by 'traffic light reports', that are based on Social Worker performance data defined as practices that have been completed in relation to timing and outcomes (Hyslop, 2017). This suggests the faster Social Work is completed the higher the assessment received by each individual office. Hyslop (2017) has found that Child Protection Social Work is connected to the political and economic environment.

Māori social workers are also faced with dilemmas. Scott (2006) posits the question are they Tangata Whenua Social Work Practitioners or Social Work Practitioners who are tangata whenua? This can be linked to the Māori view of having to walk in two worlds which require

two different streams of values, kawa and tikanga. When time is the priority both the wellbeing of the Social Worker and the whānau is not important, however the harm and practise are (Scott, 2006).

Moyles (2014) study on Māori social workers within Child Youth and Family had 'in between roles' to support non-Māori to influence positive outcomes for whānau Māori. Love (2002) talks about the struggle for the few Māori practitioners who must try and uphold two worldviews and be demonised by the people they work with as well as those they work for. Moyle (2014) also found a lack of Māori practitioners, a practise of 'patch and dispatch', missing children's whakapapa, biased practices within FGCs, an inability to navigate Māori worldviews and supporting significant barriers that whānau Māori experience in care and protection.

Maxwell and Morris (2010) interviewed whānau of 75 young people who had been involved in an arrest leading onto a Family Group Conference. Family Group Conferences are a hui process used by Oranga Tamariki to form a safety plan for the young person involved. They found two thirds of whānau felt very much involved in the process yet only one third of the young people felt involved and didn't say much during the Family Group Conference which is a concern with 95% of Family Group Conferences ending in an agreement but whānau felt coerced (Maxwell & Morris, 2010).

Connolly et al., (2017) acknowledge a shift towards more children being placed in foster care, kinship care being first choice to keep Māori connected to their whakapapa. However, this is not always possible. There is an under-resourcing and under-supporting culture for kinship placements (Hyslop, 2017; Worral, 2009).   The reality for whānau is that there is a possibility of losing their tamariki to non-kin carers and at times the siblings are split apart. Research on siblings' experiences needs to be done to understand the impact of being separated.

Budd (2001) states that parents are suffering from intense stress circumnavigating Oranga Tamariki and the Family Court. When whānau Māori are involved in multiple systems, Māori are more disadvantaged due to a lack of resources and knowledge of processes. Māori generally have lower levels of education (Marie et al., 2008).

When Oranga Tamariki and the Ministry of Justice request psychological services, the two government agencies become the client instead of the whānau therefore prioritising their needs (Seymour & Blackwell, 2011). The whānau being assessed are the third party. Psychologists are engaged to provide assessments and forensic reports for the Ministry of Justice and Oranga Tamariki (Seymour et al., 2016). Māori won't fight this unethical and culturally unsafe process as they perceive themselves at a disadvantage but go ahead as there is still the threat of losing their mokopuna.

Oranga Tamariki social workers can request a Ministry of Justice Family Court mandated psychological parenting assessment to measure the ability of the parent or parents under investigation. Psychological assessments of the parent requested under section 178 of the CYPF Act, 1989 and section 133 are not about diagnosis but about the parent's abilities to meet the tamariki needs. (France & Tarren-Sweeney, 2011). These psychological assessments fall short of having predictive validity (France & Tarren-Sweeney, 2011).

The clinical assessments being used have a western whakapapa and measure western ideals of parenting, which is of no use to indigenous populations (Tassell et al., 2012), and are therefore an ethical issue for psychologists. Measures are deemed unsafe for indigenous populations if based on western groups (Tassell et al., 2012). These assessments do not have New Zealand norms especially for minority cultures (Seymour & Blackwell, 2011). This is in line with the international research findings (Choate et al., 2019; Choate & McKenzie, 2015).

Most clinical psychologists being used to do these western assessments are non-Māori (Levy, 2002). This is because there are far less Māori psychologists (Levy and Waitoki, 2016), yet high numbers of Māori psychological service users (Levy, 2002). The spaces where the assessments are conducted are psychologist offices or at Oranga Tamariki. The language used during the assessment is different to the language used and understood by whānau Māori. Differences exist (Tassell et al., 2012).

The process is neither mana enhancing for the parent nor is it culturally safe. The psychologist who does the assessment can cause harm, the assessment used can cause further harm and the systems involved perpetuate the harm. These three processes together are wounding the most vulnerable in the whānau, the mokopuna.

Western attachment theories are also being argued by Oranga Tamariki and the lawyers for children to enable permanent placements. There is a clear history of misinterpretation of attachment theory by both lawyers and psychologists (McLean, 2010). From a Māori worldview, it can be argued that whakapapa is the strongest attachment (Fleming, 2018). Yet a psychological theory is being used as a weapon of power by those with power. Harris and Hacket (2008) found that internationally, "safety assessments and placement decisions are biased against minority and disadvantaged populations". This is also in line with international research findings.

Stanley (2012) looked at documents of 105 cases and completed 45 in-depth interviews with victims of state abuse and found themes of silencing children, children and structural disadvantage, a culture of child blame, attempts to cope, personal impunity strategies, institutional protectionism and silenced adults. Options of disclosing or remaining silent about abuse, no matter the severity, exists. Overall Stanley (2012) found that because of system failings, system methods, external support and the skillsets of those receiving the disclosures, silencing prevails.

Worral (2009) used a postal survey ending up with 323 responses, representing 526 caregivers in total and 429 children. A 36-item questionnaire collecting demographic and qualitative information in regard to the children, whānau and problems were sent out and findings included family/whānau assessments were controversial, the offer of support is minimal and high financial and emotional stress when seeking permanency (Worral, 2009). Grandparents struggle when trying to take care of their mokopuna and their mokopuna from the state with no awhi or tautoko.

Boulton et al. (2018), research on a whānau perspective of the care and protection of our Māori children involved interviews with Māori parents and grandparents who had experienced State intervention in the care of their children or grandchildren. These whānau had been involved with the Family Court system. They found that a knowledgeable whānau support person and good quality legal navigation would transform whānau outcomes (Boulton et al., 2018).

Oranga Tamariki has a lot to answer for. Even though there is little research done, the research is damning and evidences state failings on all levels of the Child Youth and Family Service now known as Oranga Tamariki. Not only is there evidence of the state creating this hostile environment that maintains a cycle of abuse but then further punishes whānau behind closed doors. Yet they have a website that aspires to positive whānau outcomes.

2.2.5 *Puao-Te-Ata-Tu 1988 – Findings and Recommendations*

The Ministerial Advisory Committee was established to provide a Māori perspective of the Department of Social Welfare. They consulted and gathered information that identified a biased and racist system (Keenan, 1995). The system also ignored Māori systems of knowledge including whānau-hapū-iwi (Dreardon, 1997). Staff from the Department of Social Welfare supported the findings that upheld their Women's Anti-Racist Action Group (Keenan, 1995)

Puao-te-Ata-tu was produced in 1986 by the Ministerial Advisory Committee at the request of the Minister of Social Welfare (Hollis, 2006). The report came out with findings that supported the view of the Department of Social Welfare being biased and racist, and included thirteen recommendations (Ministerial Advisory Committee, 1986). These covered changes to social policy, structures, legislation, processes and the introduction of Mātua Whangai. The under resourced Mātua Whangai program was found to be the most significant result of Puao-te-Ata-tu as it highlighted the importance of Māori tikanga (Durie, 1998).

Puao-te-Ata-tu also found a lot of harm being committed by the Department of Social Welfare (Ministerial Advisory Committee, 1986). Harms executed by the Department included institutional, cultural and personal racism (Nash, 2001) and child abuse (Bradley, 1997). Institutional racism questioned the kaimahi who executed the racist practices that upheld the racist policies and governance (Ministerial Advisory Committee, 1986). Cultural racism was found rooted in the values and worldview of the Pākehā culture highlighting the assumption that they are the superior culture whereas all others were inferior (Ministerial Advisory Committee, 1986). Personal racism was the experiences of Māori based on their being Māori (Ministerial Advisory Committee, 1986). Māori had been shaped by the

Departments perpetual colonial practices which caused outrage and demands for change. The bigger issue was what the Department of Social Welfare was going to do with the findings.

At the time Puao-te-Ata-tu had a mammoth influence which coincided with the government of the day recognising the importance of the Treaty of Waitangi (Durie, 1998). The Child, Young Person and their Families Act 1989 came about (Bradley, 1997). The Mātua Whangai program was fine-tuned and came into play. Keenan (1995) found at the ngakau of Puao-te-Ata-tu was whether the Department would honour the Treaty of Waitangi and commit to practicing according to the three principles of partnership, protection and participation.

However, Rimene (1994) found that even though Puao-te-Ata-tu did address Māori issues caused by the state, institutional racism is still deeply ingrained in the Department of Social Welfare as they continue to make false claims that the recommendations are being implemented. Shannon (1991) states that the issue of the Puao-te-Ata-tu report involved those with the power unable to cede power for positive change disrespecting Māori expectations. Today, Māori are still experiencing the same institutional racism found 33 years ago therefore nothing changed (Kawai et al, 2020, Office of the Children's Commissioner, 2020)

2.2.6   The Whānau Ora Inquiry/Children's Commissioner Report

The Whānau Ora Inquiry into Oranga Tamariki commenced in August 2019 and looked at both historical and contemporary experiences of whānau having children uplifted (Whānau Ora Commissioning Agency, 2020). This was in reaction to *'The Hawkes Bay Case'* witnessed on Social Media in May 2019. Interviews were held across Aotearoa with 1100 people who had experienced the impact of policies and practices of Oranga Tamariki in relation to the uplift of tamariki Māori (Kawai et al., 2020).

Researchers found much harm in the processes used by Oranga Tamariki. One tangata shared "There were good things in my family until Oranga Tamariki came in like Rambo. Now I'm fighting very hard to keep my son and his family together…". Another shared "To this day they [the children] still suffer issues, of being separated, behaviour issues and a

dislike to any new changes in their lives it's been two years out of care for them, but the trauma still exists…"(Whānau Ora Commissioning Agency, 2020).

The final report was concluded in February 2020 and gave three action points of how better to support whānau when engaged with Oranga Tamariki. Those action points include strengthening whānau capability and capacity; a structural analysis and review of Oranga Tamariki systems, policies and practices; and invest in "by Māori for Māori" solutions for long term capability (Kawai et al., 2020). One finding was that putting in more whānau supports such as people who are knowledgeable about Oranga Tamariki policies and practices will help whānau make better informed decisions around their mokopuna. Aroha, tika and pono around policies and processes are needed.

Te Kuku o te Manawa – Ka puta te riri, ka momori te ngakau, ka heke nga roimata mo tōku pēpē was released in June 2020 by the Children's Commissioner (Office of the Children's Commissioner, 2020). This was the first of two reports in response to *'The Hawkes Bay Case',* with the second report still to be released. As mentioned earlier, the focus was on the uplift process of Māori new-borns.

The researchers looked at what needs to change to enable pēpē Māori aged 0-3 months to remain in the care of their whānau in situations where Oranga Tamariki is notified of care and protection concerns (Office of the Children's Commissioner, 2020). In the interviews, eight whānau shared their experiences. One whānau reported that, "I did everything possible to make sure that I was proving [to CYF] that I'm doing right for my unborn… it wasn't till I was halfway through labour I found out there was already an automatic uplift and then it went to sh** straight up" and "I felt completely helpless. Helpless… We're just dealing with years of trauma that's just grown on top of trauma and you give up, you start to get weak and around that – the whole thing is trauma" (Office of the Children's Commissioner, 2020). They found six areas for change, including that Māori values need to be recognised; unprofessional work ethic; better whānau support; racism and discrimination; the culture of the system; and working with whānau-hapū-iwi (Office of the Children's Commissioner, 2020).

2.3 Common Themes of Indigenous Peoples and State Intervention

The literature review identified common threads that indigenous peoples experienced when their families were intervened by the state. Similar strategies used by European settlers are found within all these indigenous histories (Blackstock, 2007; Kartika Bintasari, 2018, Moyle & Tauri, 2016; Human Rights & Equal Opportunity Commission, 1997). Common goals of colonisation and assimilation have allowed the removal of indigenous children by Child Protection Services worldwide (Billingsley & Giovannoni, 1972; Blackstock, 2009; Braveheart & De Bruyn, 1998, Human Rights & Equal Opportunity Commission, 1997; Kartika Bintasari, 2018; Miller, 2008; Durie, 2001; Love, 2002).

The studies by indigenous researchers found that government Child Protection Systems have never worked and continue to fail indigenous peoples (Bartholet, 2009; Bilson et al., 2017; Blackstock, 2007; Choate, 2019; Choate et al., 2019; Choate & McKenzie, 2015; Font et al., 2012; Jacob, 2013; Kartika Bintasari, 2018; Kokaliari et al., 2019; Krajewski-Jaime, 1991; O'Donnell et al., 2019; Hyslop, 2019; Ministerial Advisory Committee, 1986). Indigenous children are being targeted more than non-indigenous children (Blackstock, 2007; Bilson et al., 2017; Enosh & Bayer-Topilsky, 2015; Kartika Bintasari, 2018; Cram et al., 2015; Crofoot & Harris, 2012; Trocme et al., 2004); placed into government Child Protection Services disproportionately (Bartholet, 2009; Blackstock, 2009; Kokaliari et al., 2019; Kedell & Hyslop, 2019; Seymour et al., 2016; Hines et al., 2004; Font et al., 2012); and Child Protection Services are using eurocentric measures to justify removals (Choate et al., 2019; Choate & McKenzie, 2015; Jacob, 2013; Krajewski-Jaime, 1991; Tassel et al., 2012).

Legislation, policies and processes used by government Child Protection Services have been found to be racist and oppressive to indigenous peoples (Barnes et al.; Blackstock, 2009; Bartholet, 2009; Kartika Bintasari, 2018; Jimenez, 2006; Ma et al., 2019; Love, 2002; Ministerial Advisory Committee, 1986; Kim et al., 2017; Braveheart & De Bruyn, 1998; Lidell, 2005; Office of the Children's Commissioner, 2020; Cram et al., 2015; Kedell & Hyslop, 2019). The state fails to place and support indigenous children with kinship carers (Carter, 2009; Jones et al., 2000; Hyslop, 2017; Worral, 2009) Care and protection were not provided by the state for indigenous children (Bartholet, 2009; Graham, 2008; Office of the Children's Commissioner, 2020).

Indigenous peoples who have been in state-care feature in negative outcomes of health, social and education (Kedell & Hyslop, 2019; Ministry of Health, 2006; Baxter et al., 2006; Pearson et al, 2014; Pihama et al., 2014; Barth 1996; De Gue & Windom, 2009; Tweedle, 2007). Also, loss of family, culture and identity (Hunter, 1995; Mendes & Moslehuddin, 2006; Braveheart & De bruyn, 1998). Out of all the outcomes, researchers focusing on incarceration rates posit the idea of a *'pipeline from state care to prison'* due to the high numbers of prisoners having state care backgrounds (Stanley, 2016; McIntosh & Workman, 2013; Pihama et al, 2014; Watt & Kim; 2019; Mendes, 2005).

Poverty (O'Donnell et al., 2019; Bilson et al., 2017; Trocme et al., 2004; Durie, 2011; Kim et al., 2017; Tweedle, 2007; Baidawi, 2013; Hyslop, 2017)) was at the core of the majority of these themes. Colonisation created poverty and indigenous peoples worldwide continue to struggle in it today (Mutu, 2019). Yet, indigenous peoples are still resilient and continue to survive in a world that is built on their inferiority.

In summary, the evidence is plenty. The same story seems to be shared amongst indigenous peoples which on one hand is helpful to awhi one another in sharing struggles and fighting for solutions. On the other hand, colonisation continues to treat indigenous peoples as second-class citizens.

Researchers are inspired to research and make a difference. Yet the research on indigenous peoples and the impact of colonisation exists, but change based on the research findings and recommendations isn't being made. The amount of research that has argued this failing by the system seems to pay more of a lip service than be a pathway for transformation.

This current research will add to the existing research and will aim to help Māori who must navigate through a system set up to fail them purposefully, but based on the what has happened with existing research, it is quite possible that it too will and up sitting amongst all the other good evidence-based research already done with no positive outcomes for whānau and mokopuna. Indigenous peoples' journeys with their governments are worsening. With the ball in the government's court, are they able to cede power for indigenous peoples worldwide?

2.4   Māori and Research

The purpose of this section of the literature review is to look at the journey of Māori research. The kōrero focuses on Māori centered research and Kaupapa Māori research in order to highlight this study is taking a Kaupapa Māori approach.

The quest for knowledge has been around for centuries. All people in all societies have known that knowledge can help empower, enhance and enable. Early researchers such as Smith and Best gathered indigenous knowledge and have left valuable archives of Māori history and culture. This need for knowledge has seen the development of research methods as a way to seek further knowledge, while setting western ideals of what constitutes good research.

The popularity of western scholars researching Māori is well-documented, yet whānau Māori are continually struggling to live in a first world country. Of what use is mainstream research to Māori if there has been little improvement or little benefit for Māori? The need to improve conditions for Māori has seen Māori scholars stepping forward and highlighting the need for Māori research to drive positive change.

Indigenous knowledge has been sought and written about at length by both western and non-western scholars. This knowledge has been used and abused and as noted by Walker (1997) has provided no real benefits for the indigenous people being researched. Bishop (1999) states that many researchers have failed to appreciate Mātauranga Māori for too long. Where is the respect and the aroha for those being studied? If the purpose of research is not to benefit those studied, then where is the mana in that research?

Stokes (1985) highlights how mainstream research has been impacting negatively on indigenous peoples for years. Deloria (1995) draws attention to the racist attitudes received by indigenous researchers labeling non-western research as biased, unsystematic, inferior and purely down to luck. These attitudes continue to divide western and non-western research as well as causing inherent barriers for indigenous scholars. Deloria (1995) notes that

indigenous research has been marginalized, and that successful research is totally dependent on the color of your skin.

Walker (1997) also states that mainstream research creates unequal power relations. How does a western researcher control and own research done on indigenous peoples without being on the same level as the people? How can there be kudos when the indigenous community is still struggling?

The positivism objective stance of mainstream research is also self-serving. Positivism comes from the view that the only valid form of knowledge is through observation and experiment, which totally contradicts indigenous research. How can one help a community from just observing?

Another limitation of mainstream research as identified by Stokes (1985) is the imposition of a foreign worldview. This worldview has positioned itself as being superior and the only way to do research. By imposing such a farce on to the indigenous people of the world, western researchers have created an archive based around individual ego.

Such negative impacts on Māori have encouraged a renaissance of indigenous peoples who have stepped forward and challenged the status quo (Walker, 1990). Māori have experienced first-hand the damage researchers have produced and have had enough. They have also identified huge gaps in mainstream research. Durie states "research cannot be reduced to an independent variable or isolated from human experience, culture, the economy and society" (1996, p. 6). Indigenous research should be about the collective.

This has created a need and a chance for indigenous and Māori researchers to be proactive and self-developing through the whole research process. Two current and popular approaches to Māori research are a Māori centered approach (Durie, 1997) and a Kaupapa Māori approach (Smith, 1999). A Māori centered approach place Māori at the centre of the research and allows western researchers to participate. Kaupapa Māori research is about research done by Māori for Māori placing Māori people and Māori culture as the central focus.

Both have similar goals but are very different approaches. Both research methods exist because of positivist research methods failings; both recognise Māori objectives and understandings; both acknowledge and utilise tikanga Māori to champion the methodology (Forster, 2003). They equally use Te Ao Māori and Mātauranga Māori to further Māori causes and Māori development.

Kaupapa has many meanings in te reo Pākehā as do most kupu Māori. Kaupapa can mean floor, stage, platform or topic, agenda, or subject. Also, both a raft and the main body of a korowai are also translations. When one breaks it down further, 'kau' means naked, pure, and bare followed by 'papa' meaning floor, box or surface many understandings can be made. A pure surface or a naked floor combined with Māori research becomes a pure surface for Māori research. Or a naked floor for Māori research. Both imply a surface with nothing else on it other than Māori research.

Kaupapa Māori research is used to inform the research process. Smith (as cited in Smith, 1999) summarises Kaupapa Māori research as, "related to 'being Māori'; is connected to Māori philosophy and principles; takes for granted the validity and legitimacy of Māori, the importance of Māori language and culture; and is concerned with the struggle for autonomy over our own cultural wellbeing". This is whakapapa, whānaungatanga, tikanga, te reo Māori and tino rangātiratanga validated.

Smith (1999) states that Kaupapa Māori research assumes the validity of Māori knowledge, culture and values. This type of methodology serves Māori tikanga such as whānaungatanga (relationships), kotahitanga (collective action), manaakitanga (generosity), ūkaipō (source) and rangātiratanga (authority). Kaupapa Māori research should aim to make a positive difference (Smith, 1999).

Māori research is about creating the space for other views to be heard and privileged (Forster, 2003). Māori research is about improving the lives of those being researched (Durie, 1996). Māori research looks at the assumptions behind the practices (Smith, 1999).

2.5   Te Ao Māori – Being Māori

As stated earlier, Māori are the indigenous people of this land Aotearoa. Māori have different values, different kete of knowledge and see the world differently to non-Māori. To understand Māori, one must try to grasp key Māori concepts to better comprehend Te Ao o Nehe. The reader must have a willingness to embrace and be open to learning. This section of the literature review is intended to lay the foundation for understanding of the experiences shared by whānau Māori in the results section of this thesis.

Translating Māori kupu into English words does not always convey the intended context and meaning. Tamanui (2013) gives a simple example of the kupu 'muri' translated into English meaning back and 'mua' translated into English meaning front. However, in Māori 'muri' is Māori time for the future and 'mua' is Māori time for the past (Tamanui, 2013). This one example of differences in meaning give some insight into why the Treaty of Waitangi never had a chance at having a simple or direct translation. Māori kupu are not simple.

One also needs to realise that Māori existed in whānau – hapū in Te Ao o Nehe and today whānau – hapū – iwi. These structures highlight further differences as no whānau – hapū – iwi are the same. Māori have a diverse view of Te Ao o Nehe including different dialects. An example of this is Ngai Tahu people know Mt Cook as Mt Aoraki, yet Ngā Puhi people know it as Mt Aorangi. This can be a dilemma for Māori visiting the area. When manuhiri stand on the mana whenua of Ngai Tahu, do they acknowledge the Ngai Tahu maunga as Mt Aoraki or stand in their own mana and call it Mt Aorangi? The issue is never black and white.

Another point to remember is that Māori beliefs are very important to Māori and have changed, been distorted as well as bent from their traditional understandings. The main cause of this is colonisation. Māori were not important to the majority of colonisers and neither were all things that Māori held true. For this kōrero the researcher will explore a small number of relevant concepts in relation to mokopuna Māori as this research is focused on whānau Māori. The researcher will therefore try to awhi the reader through these concepts, so as to better understand the research findings presented later in this thesis.

2.5.1   Mokopuna

A moko is a tattoo representing the wearers journey and connections to their past.   A puna, is a pool of water. When you combine the two words you have mokopuna meaning the pool of the connections of all within one's journey (Love, 2004). Mokopuna is also used to acknowledge grandchildren who represent all the connections within their whānau – hapū - iwi.

Mokopuna are the heart of whānau. When one looks at a flax bush, the mokopuna are represented in the center, surrounded by their whānau. Mokopuna are precious taonga, represent the past and are the future of whānau-hapū-iwi.

2.5.2   Whānau

In te Ao o Nehe, whānau meant giving birth (Durie, 2003). Moeke-Pickering (1996) describes whānau in terms of kinship. Te Momo (2009) defines whānau as "a hybrid of social, political and economic developments that sustains its ability to survive in the future" (p. 125).

Walker (2006) distinguishes two types of whānau as kaupapa whānau and whakapapa whānau. Durie (2003) sees a kaupapa whānau as a group of people who share a kaupapa. A whakapapa whānau is described as human tūpuna connections (Metge, 1995). Walker (2006) further defines whakapapa whānau as original, intrinsic, kin and biological. Whakapapa whānau are related through blood lines descending from one or more ancestors and share marae, whenua, maunga, hapū and iwi.

Whānau are a system of tangata. Hapū are a system of whānau. Iwi are a system of hapū. When the system is running at its best, wellbeing is achieved. Whānau wellbeing is a right under the Te Tiriti o Waitangi.

2.5.3   *Whakapapa*

All members of whānau-hapū-iwi have a whakapapa. Whakapapa can be understood as genealogy and lineage. Te Rito (2007) shows how whakapapa informs relationships. (Walker, 1993) places whakapapa at the foundation of being Māori. Love (2002) highlights whakapapa as an assembly of multiple layers that provide a context to how Māori are situated today. Hudson et al., (2007) states whakapapa connects one to their whenua, their tūpuna, their whānau, their marae, their maunga, and their awa.

Whakapapa is a basic record of all connections of information, environment and people. Whakapapa has a wairua and is also a source of existent being and life (Marsden, 1992). Whakapapa is intertwined with whānau, whānaungatanga, tapu, mana, mauri, whakamā, tikanga, wairua, whakanoa and mokopuna. Everything has a whakapapa.

2.5.4   *Whānaungatanga – Connectable Relationships*

Whānaungatanga is a network that is layered both up and down generations and left and right side by side across whānau, hapū and iwi (Tate, 2010). In a more modern context, whānaungatanga is Kohanga Reo, Kura Kaupapa, whare kura, whare wananga and all connections that are made within one's community. Whānaungatanga is whānau connecting, the extended family. Love (2004) states whānaungatanga refers to kinship and social roles and bonds, continuity of the whānau from the past, through whakapapa, to the preparation and nurturing of future generations.

Tamanui (2013) shares kōrero about whānaungatanga expressing kinship connection, aroha and being with tapu. An example given is when a whānau member dies and the whānau whānui come together to grieve together as Tamanui (2013) highlights in this whakatauki:

> "Pluck out the heart. Pluck out the heart of the flax bush.
>
> And where can the kōmako [bell bird] alight?
>
> If you ask me what is Whānaungatanga?
>
> What is Whānaungatanga to me?
>
> I will tell you

Tis People. Tis People. Tis People

Being collectively present-with-tapu." *(p. 363)*

2.5.5   *Tapu – I Te Po*

Marsden (2003) knows tapu as sacred and defines tapu as a condition of a person or things located under the space of ngā atua. Pa Tate (2010) combines tapu as one concept with multiple interrelated understandings being tapu is controlled access to others, tapu is self and tapu is being-in relationships with others to uphold good relationships. Jackson (1988) sees tapu as intricate with two aspects being that tapu was what held Māori life because everyone was sacred therefore tapu connected the past to the future creating a network of tapu with one's whānau-hapū-iwi.

Tapu is whānaungatanga (Tate, 2010). Tapu also highlights the respect to the person, object or process. Yet it is not sufficient just to acknowledge tangata. It is also essential to acknowledge and respect tangata in all his or her relationships, and thus everything associated with tangata. To violate tangata is to violate those in relationships with tangata.

Tapu represents the whole, the completeness, the details of life in relation to tangata (Marsden, 2003). Tapu is used to ensure no whakanoa has happened, no negative impact on a person's life, no dent on their wholeness. As one learns, all these concepts delicately weave within one another to support a balance.

2.5.6   *Mana – Can't Be Simplified – Te Mana o Tāwhirimātea*

Marsden (2003) defines mana as a spiritual force including ihi. A source of collective mātauranga Māori. Pere (1983) shares her experiences of mana as bestowed and learned influence. A taonga handed down intergenerationally. Tate (2010) understands mana as spiritual power, rights, respect and position.

Each person has mana coming from one's own tapu or others tapu. Mana is tapu-centred (Tate, 2010). Therefore, when one grows one's own tapu and the tapu of others, one's mana

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increases. The balance to this kōrero is that there can also be reasons as to why one's mana is not actuated or not operating.

To stomp on one person's mana is to stomp on that person's mana o te whānau, mana o te hapū and the mana o te iwi. Tate (2010) states

> "To avoid takahi i te mana o te tangata (trampling on the mana of the person) requires that others acknowledge and respect the totality of the tapu and mana of the individual, and his/her relationship with Atua, other tāngata and with whenua" (p. 96).

However, one's pursuits were continuously considered in the time of Te Ao o Nehe, dependent on the greater mana of the group (Jackson, 1988.)

2.5.7   *Whakanoa – Te Riri o Tāwhirimātea*

Williams (1971) defines whakanoa as to make one free from tapu; the removal of or to nullify tapu. Pa Tate (2010) sees whakanoa as a violation that diminishes the state of tapu and therefore the mana is weakened or harmed. To whakanoa is to harm or violate a person, object or even whenua therefore there are offenders who are doing the violating and weakening their own tapu as well as lessening their own mana. Then there are the victims whose tapu is also being weakened and mana compromised.

However as stated earlier Te Ao Māori is not black and white. Whakanoa can also be used to begin a healing process. Puhi and tohunga can do this. Again, Te Ao o Nehe is about balance and harmony. The wrong is the whakanoa and the balance is tapu. A person can be out of balance when harm is caused and not addressed which in turn affects their mana. As stated above, where there is tapu there is mana hence they exist in tandem.

2.5.8   *Mauri - Hineahuone*

Mauri is an energy that begins when it is conceived and exists until it expires. The mauri enters and leaves at the veil which separates the human world from the spirit realm' (Barlow, 1991, p. 83). Everything has a mauri. Mokopuna have mauri. Whānau have mauri. Animals

have mauri. Forests have mauri. Oceans have mauri. They all have their own individual mauri as well as a collective mauri (Love, 2004).

An individual who is ill or has been harmed has a weaker mauri but they can gain nourishment from others mauri. This reinforces the relationship between people and whānau-hapū-iwi and the wider environment. This explains why a person feeling low can sit with someone or somewhere (for example a beach or forest) and feel re-energised again. Mokopuna hold mauri and lay mauri. Edwards (1992) explains that everyone is born with mauri and wairua.

2.5.9   Wairua – Corner of the House Whakatāuki

Edwards (1992) explains that:

> "wairua is from the beginning of time and never changes. Everything and every person has wairua and mauri—your spirituality and your life force— they are something you are born with'' (p. 55). Wairua is central to a Māori worldview, perceived as "the source of existent being and life" (Marsden 2003b, p. 47).

The Treaty of Waitangi opened the gates for the destruction, intertwining and bending of Māori wairua with the coloniser's own spiritual beliefs. With the intertwining of the coloniser's spirituality, being their faith, they set out to destroy all things that they understood as being part of Māori wairua. Over the years this has involved the destruction of tikanga by the church therefore disrupting the tikanga, the kawa and all Māori belief systems.

Māori view wairua as a ''dimension internalized within a person from conception'' (Pere, 1983, p. 14). Everything that is living has a wairua. The reader of this thesis has a wairua as does the thesis. The researcher and participants have a wairua as do their kōrero. Te Tiriti has a wairua.

The continuing ushering in of new faiths impact on Māori tamariki today. It is not the teachings of Māori that hurt our tamariki but the imposter belief systems. Tikanga-a-wairua

can be practised many times throughout the day as it exists within karakia (Ritchie & Rau, 2011).

2.5.10 Kawa – The Space of Nga Tamariki o ngā Atua

Kawa is Māori lore and rules. Marsden (2003) defines kawa as "the ritual approach to all things" (p. 48). He further states that kawa can sustain the balance and the harmony of a system (Marsden, 2003). The system can be a whānau or something bigger such as a forest and when kawa is broken the system is no longer in balance.

Durie (2011) defines kawa as "a set of rules for engagement, a ritual for encounters, and as a mechanism for protection participants within a behavioural code that is concerned with safety" (p.147). In a western worldview, kawa would be law. There would be serious repercussions when broken.

In Te Ao o Nehe kawa involves a relationship with an atua. When kawa was broken or breached, it was seen as an insult to the atua that the kawa was related to. Hence the importance of kawa and the significance of what it meant to the whānau-hapū-iwi. Where there is kawa there is tikanga.

2.5.11 Tikanga – Te Wānanga o Ngā Taramriki o Rangi rāua kō Papa

Tikanga also has a wairua therefore is also alive. Mead (2016) defines tikanga as:

> "referring to the ethical and common law issues that underpin the behaviour of members of whānau, hapū and iwi as they go about their lives and especially when they engage in the cultural, social, ritual and economic ceremonies of their society" (p. 16).

Rau and Ritchie (2011) define tikanga Māori, as the values and practices that are tika (right) for mokopuna as well as a right of mokopuna.

Tikanga is a custom, a process, the right way to be guided in all actions made such as pōwhiri. All hapū have differences in how a pōwhiri is enacted. An example will be when a whānau is called onto a marae and enter the wharenui, Ngā Puhi process is for all manuhiri to walk to the main wall where the photos of the tūpuna are to acknowledge them, however this is different for Ngai Tuhoe.

Tikanga has also changed, been distorted as well as bent from their traditional understandings. This looks like Māori tikanga mixed with the coloniser's customs and practices. Everything now has two translations, two understandings. A Māori translation and understanding as well as the coloniser's translations and understandings.

2.5.12   Mamae - Te wehenga o Rangi rāua ko Papa. The creation of mamae.

A mamae in its simplest western contemporary form can be a paper cut. In a simple Māori form a mamae is a Māori land war. A mamae can be the experience of a pain, a hurt and harm.

When kawa is breached a mamae can be invoked. The mamae can be argued as the physical form of one being out of balance. If one member of a whānau has a mamae, the whole system will be impacted. When a mamae is in action, there is an opportunity for whakamā.

2.5.13   Whakamā

Whakamā in its simplest form is shame. Te whakamā o Rangi rāua ko Papa. Metge (1986) considers whakamā to mean an awareness of a weakness or difficulty. Williams (1971) translates whakamā as shy or ashamed. When a person feels less than someone else or is uncertain about how to proceed in a situation, they are left feeling whakamā.

As in other concepts discussed earlier, when one feels whakamā, the whānau can take on that whakamā. When one is in a state of whakamā they can withdraw physically, spiritually or both. Love (2004) talks about the conflict for Māori when walking in both Māori and Pākehā worlds as well as confusion over the old and new ways. The term plastic Māori is used by

Māori who struggle with the Māori world because they are whakamā to go home to their marae because they don't know what to do when they get there and while they are there. The Māori world is out of their depths from their perception.

Also similar to other concepts discussed here is when one is in a state of whakamā, one's mana is affected. When one's mana is affected one's mauri and ones tapu are affected. All are inter-related on an individual level as well as a collective level.

As stated in the beginning, these are a few Māori concepts that will hopefully awhi one when reading this research. The similarities they all hold are that they have an individual and a collective level as well as they weave in within one another quite beautifully to maintain a balance. When one is out, they are all out. When one is impacted upon, all the whānau are impacted upon.

2.5.14   Kawa Framework

To help understand how the concepts above interplay with each other, the researcher has developed the following framework (next page), which depicts the relationships for an individual. When one maintains their kawa and practices good tikanga a balance is maintained, and one has a stronger and healthier identity. When the intention is good, the individual's mana, tapu and mauri increase therefore adding to the collective source of their whānau mana.

| COLLECTIVE TAPU | COLLECTIVE MANA | COLLECTIVE MAURI |

| TAPU | MANA | MAURI |

| MAINTAINING GOOD KAWA | | PRACTISING GOOD TIKANGA |
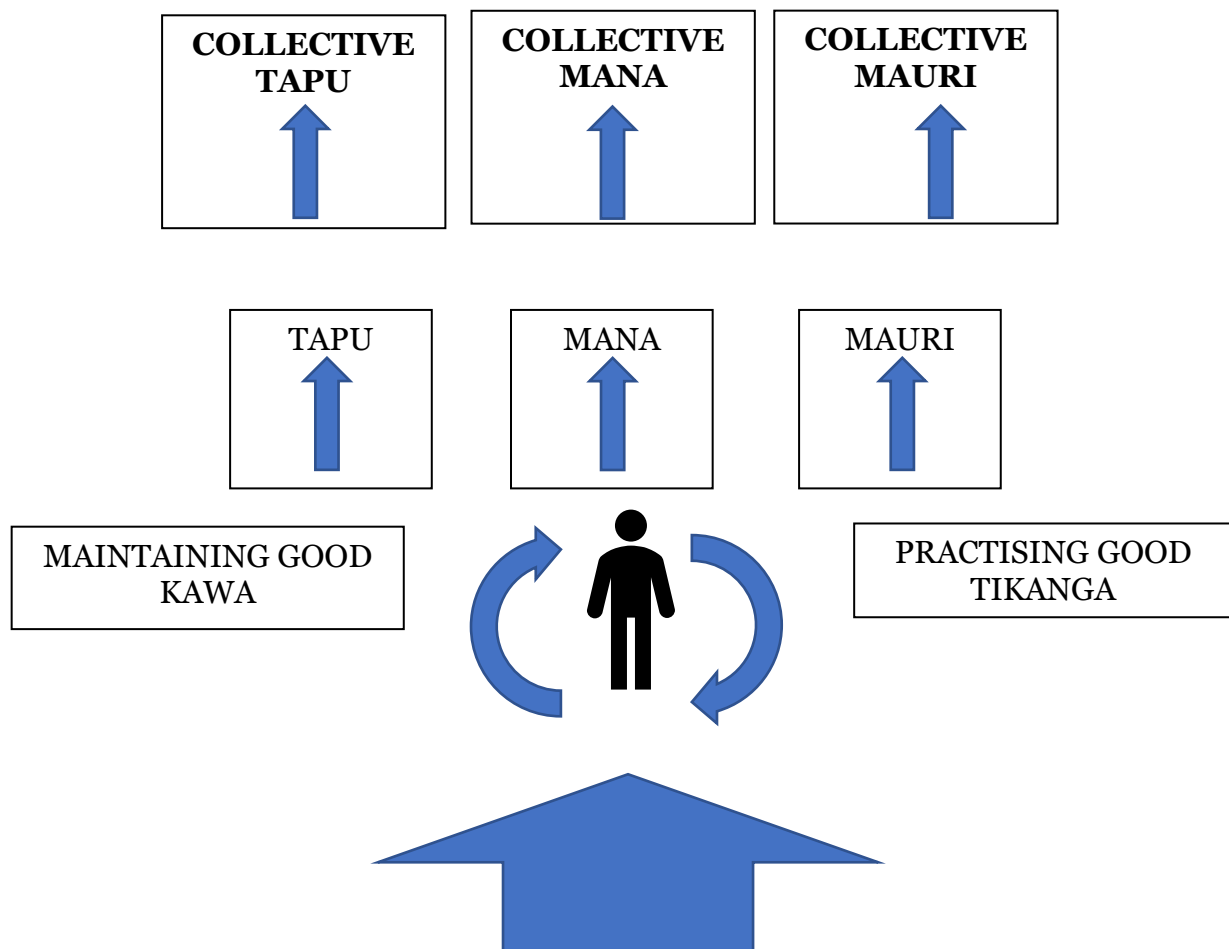
However, when one breaks their kawa, mamae and whakamā are activated. There is no
balance between their kawa and tikanga, so they recreate their tikanga to rationalise their
breach of kawa. All these outcomes diminish the individual's mana, tapu and mauri as well
as their collectives. Opposite to this depletion is the growth of the individual and collectives
puna of whakamā and mamae.

COLLECTIVE TAPU	COLLECTIVE MANA	COLLECTIVE MAURI

TAPU	MANA	MAURI

MAMAE

BREAKING KAWA		RECREATING TIKANGA
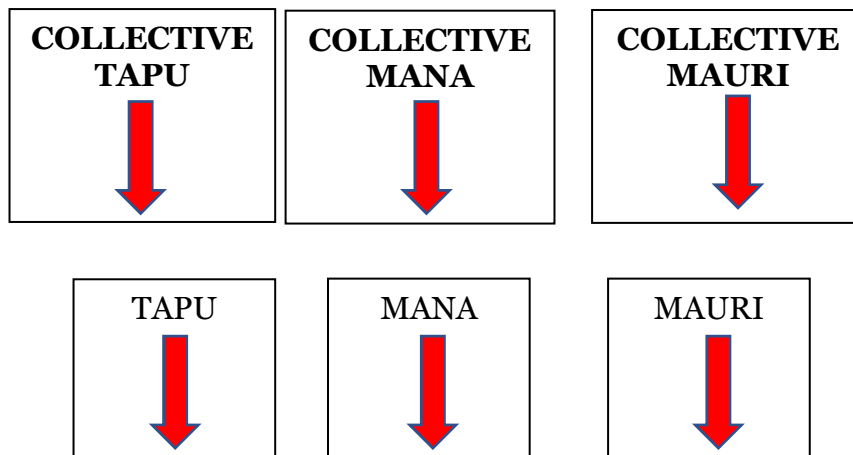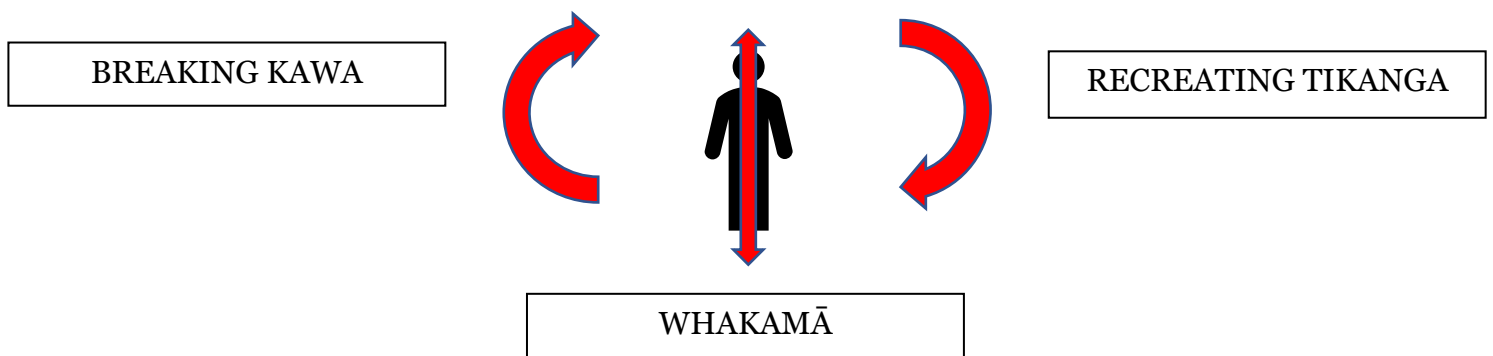
WHAKAMĀ

INDIVIDUAL MAMAE
INDIVIDUAL WHAKAMĀ

COLLECTIVE MAMAE
COLLECTIVE WHAKAMĀ

3.   Methodology

He kokonga whare e kitea, he kokonga ngākau e kore e kitea

A corner of a house may be seen and examined; not so the corners of the heart

3.1   Methodological Approach – Kaupapa Māori

Kaupapa Māori is the main methodology guiding this research and is the most appropriate way to navigate this research as the focus is on experiences of whānau Māori. Kaupapa Māori research challenges the dominant Pākehā worldview (Bishop, 1999) that continues to oppress Māori whānau. Smith (1999) states that Kaupapa Māori research assumes the validity of Māori knowledge, culture and values.

Kaupapa Māori methodology serves Māori tikanga such as whānaungatanga (relationships), kotahitanga (collective action), manaakitanga (generosity), ukaipo (source) and rangātiratanga (authority). Tikanga Māori affirms Māori identity hence using tikanga Māori is important. Rau and Ritchie, (2011) see tikanga as the rights of Māori further validating their Māori worldview.

Hudson et al., (2010) highlights the importance of whānaungatanga in research stating that "meaningful relationships between researcher and research participant forms another axis of consideration for evaluating the ethical tenor of a research project and its associated activity" (p. 11). Whānaungatanga is the very essence of being Māori. Ormond et al., (2006) posit how 'by Māori, for Māori' research opens spaces for whānau Māori to be safe, to be Māori and to be heard.

Bishop et al., (2005) state "participatory as well as participant driven in the sense that the concerns, and preferences of the whānau are what guide and drive the research process" (p. 120). The researcher worked intimately with whānau Māori to ensure a collaborative process which validated their mahi within this project. The negotiation of safe spaces was held by both whānau and the researcher.

Kaupapa Māori research should aim to make a positive difference (Smith, 1999). This research is to support those who in turn support whānau Māori. By having evidence to provide more effective services enables an increase in positive outcomes for whānau Māori and tamariki. This research is also to support whānau, hapū and iwi Māori. Understanding whānau experiences better will enable a clearer picture of how better to awhi and tautoko whānau.

Kaupapa Māori is a Māori framework, the principle investigator is Māori and the participants are Māori. Māori also have a history of perpetual harm caused by colonisation by mainstream, therefore using a colonial way to do this research would be insulting to all participants. Smith (1999) lists the following seven principles for people to use as a guide when utilising Kaupapa Māori Research:

- Aroha ki te tangata (a respect for people)
- Kanohi kitea (the seen face, that is, present yourself to people face to face)
- Titiro, whakarongo, kōrero (look, listen, speak)
- Kia tupato (be cautious)
- Kaua e takahia te mana o te tangata (do not trample over the mana of people)
- Kaua e mahaki (don't flaunt your knowledge).

These principles are good tikanga for all researchers to follow. They are even better for Māori researchers as they uphold Māori values. These values are also well-known by whānau Māori and their tamariki as they validate the Māori worldview.

The research approach is also qualitative and involves both Interpretive Phenomenological Analysis and Thematic Analysis. There are many arguments for using a qualitative methodology when researching whānau. Barnes (2000) states that qualitative methods well suit Māori. This is seen as enabling a more equal conversation to take place where power can be negotiated in ways that are not generally considered or thought possible in more quantitative approaches (Bryman, 1988). Denzin and Lincoln (1994) state that it places researchers within a populations natural setting, to explain their experiences. This would put the whānau experiences centre stage, give a safe space to voice all that they have not been able to do and validate their experiences (Allen, 2011).

3.2   Data Collection

3.2.1   Interviews/Focus Groups

Using a qualitative Kaupapa Māori Interpretive Phenomenological and Thematic analysis approach interviews were conducted with eight whānau Māori. Semi-structured interviews were used to explore the whānau experiences of being under investigation by Oranga Tamariki. By doing this, evidence was gathered to understand what happened to whānau Māori. By understanding what whānau Māori experienced, we can then see through their lens and identify how to improve outcomes for whānau.

3.2.2   Participating Whānau

Whānau participants were found through an advertisement (see Appendix A for details). placed on two Facebook Closed Groups. One group was for victims of domestic violence and the other group was for whānau connected to an iwi. The researcher obtained permission from the administrators of both groups to place the advertisement on their pages. Potential participants were asked to contact the researcher by message, text, email or phone. The researcher then sent them an information sheet and answered any questions. An interview was then arranged with any whānau who were still interested in taking part in the research.

The researcher had a maximum of 8 – 10 whānau to engage with. The practical justification of this is that there would be many whānau who would want to share their experiences. Interviewing 8 – 10 whānau seemed more feasible in terms of the aims of this research, as well as for the purposes of transcription and analysis given the time allocation for completing an MA thesis.

Participating whānau were selected if they were Māori whānau who had been under investigation by Oranga Tamariki in the past and were no longer under investigation at the time of the research interview.

All whānau whakapapa to a combination of the following iwi: Ngā Puhi, Te Aupouri, Ngāti Kuri, Te Rarawa, Ngāti Kahu, Te Paatu, Ngāti Maru, Tama Noho, Ngāti Whatua, Ngāti Mahanga, Ngāti Whatua ki Kaipara, Takiwira Ngāti Whatua, Ngāti Porou, Ngāti Maniapoto, Ngā Puhi Nui Tonu, Ngāti Marua, Ngāti Whatua Tuturu, Ngāti Whitikaupeka, Ngāti Kere, Ngāti Apa and Ngāti Kahungunu. The participants ranged in age from 41 to 72. In total the researcher completed eight whānau interviews with a total of 20 whānau participants.

3.2.3   *Procedure*

The researcher was guided by the following terms for the interviews. These terms were used throughout the entire interview process from organising to completion. They also upheld tikanga Māori which the whānau participants related to. Pitama et al., (2002) set the following terms for their interviewing of Māori whānau:

- Participant selection of the time and place of interview;
- Participants having whānau support whenever desired;
- Minimal use of paper-based tools;
- Plain language description of participant's rights in the research process;
- Allowing time for mihimihi, karakia, kapu ti, depending on the preference of the participating whānau;
- Bringing some kai when interviews took place in participants' homes;
- Provision for participants who travelled to an interview;
- Ensuring participants knew how to contact the researchers after the interview if they wished to withdraw;
- Developing a knowledge of a range of iwi/Māori support people and services should participants require further support.

Places and times of interviews were negotiated with whānau Māori, and all participating whānau preferred that the interview take place in their own homes. However, two whānau asked to change the venue. One was renegotiated and held in another whānau home where the whānau felt safe to kōrero. The other whānau suggested a library and the researcher agreed, thereby ensuring the space was safe and the whānau felt comfortable to share their kōrero.

Participants could include any whānau they wanted to allow a more collective and collaborative approach as well as providing extra support for the emotional journeys they shared with the researcher. Five of the whānau interviews had two whānau members present. Two of the whānau interviews had three whānau members present. One of the whānau interviews had four members present.

Using a Kaupapa Māori approach meant that tikanga was used throughout the research process (Smith, 1997). This involves principle one – aroha ki te tangata. By using and breathing tikanga Māori the researcher validated the Māori space and safety to participants. A starting process of karakia (prayer), whānaungatanga (relationship building) and kawa (rules) was negotiated before all interviews. Both principle two – kanohi kitea as well as principle three – titiro, whakarongo, kōrero were present.

Following the interviews, a process of mihi, koha, karakia and kai took place. This is in line with principle four – manaaki ki te tangata; share and host people, be generous. The entire process was guided by principle five - kaua e takahia te mana o te tangata and principle six - kaua e mahaki. All tikanga principles were in action throughout the research interviews.

Interviews lasted between 90 minutes (minimum) and three hours (maximum) with a space for kai negotiated. The interviews were semi-structured and open-ended. All interviews were digitally recorded on an Olympus WS-811 Digital Voice Recorder.

The researcher arrived at the venues at the agreed times of each whānau interview. All interviews began with a karakia that was completed by the whānau or the researcher. A mihi process then followed by all whānau members as well as the researcher.

When whānaungatanga was completed a copy of the original information sheet (see Appendix B for details). was given to the whānau and the researcher went over this answering any questions. This was done to ensure that the whānau understood what the kaupapa was and how the process would unfold. When whānau were happy to proceed, the individual participant consent forms (see Appendix C for details). were introduced, explained and then given to whānau to complete.

During this time the researcher also asked the whānau to identify a Māori kupu that each whānau and participant would like to be used instead of their real names in order to maintain their confidentiality throughout the research process. The researcher explained that no real names would be used that could identify the whānau including places, schools and any other signposts. Whānau were asked to give their nominated Māori kupu to the researcher before the researcher left the venue.

When whānau completed the consent forms the researcher asked whether whānau wanted copies of their transcriptions sent back to them to keep the process tika and transparent. All whānau disagreed with that process stating that they trusted the researcher. Therefore, no release transcripts forms were needed.

The researcher and the whānau then set the kawa for the interviews and noted these down. Kawa included aroha; tika; pono; one speaker at a time; time out could be called when anyone needed to stop for a break; ending the interview when anyone wanted the process to end with no questions asked; a safety plan included agreeing to not leave the venue without speaking to the researcher; a talking stick was available if needed; respect each other; to be non-judgmental.

The researcher then sent a text to her supervisor at the start of the interview. This was an agreed process to keep the researcher safe. A text at the end of the interview was also sent.

A copy of the questions (see Appendix D for details) was given to the whānau to support them through their own process. Whānau feedback was that they appreciated this as it helped them stay focused. The digital recorder was introduced and explained. Interviews began.

Throughout the interview process the researcher checked in with the whānau to assess their vulnerabilities. The researcher was aware the kaupapa could cause discomfort for whānau when recalling their experiences. Some whānau could have had their mokopuna removed. Tissues were supplied.

When the interview was completed a closing round of kōrero was had by all to complete the process. A karakia was performed by either the whānau or the researcher. All whānau,

members had a break and a whakawātea. The researcher went to the bathroom and washed hands and had some deep hā for cleansing as well as grounding.

The researcher then helped set up the space for kai. A karakia was completed to bless the kai. Kai was had by all. When kai was completed the researcher helped clean up the space for kai and all moved back into the research space.

The researcher than explained the research process from that point. Here the researcher asked for the kupu chosen by the whānau to be used, handed out a list of supports (see Appendix E for details). as well as completing the koha process. This involved gaining signatories of each participant for validation.

The researcher did another mihi to acknowledge the whānau kōrero of those seen and those unseen. An attitude of gratitude was used. A closing karakia was performed to close the process. A round of harirū was done and the researcher left. A final text to the researcher's supervisor was sent on leaving. Any remaining kai was left with the whānau.

The digitally recorded interviews were downloaded to a memory stick held by the researcher. The memory stick was locked in a filing cabinet when it was not being used. Once the interviews were downloaded the interviews were deleted from the digital voice recorder. Then the interview recordings were transcribed by the researcher. Each interview was labelled by the kupu chosen by the whānau participants.

3.2.4   Ethics

To ensure that all stages of the research would do no harm to any of the participants, an ethics application was made to the Massey University Ethics Committee. Hudson et al, (2010) have provided Mãori research ethics guidelines which will also be used to guide us due to the research being done on Mãori participants. These include:

- consideration of the inclusion of whānau, hāpu (sub-tribes), iwi (tribes);
- the importance of whānaungatanga for Māori;

- the inclusion of wairua (spirituality);

- consent from whānau, hāpu, iwi;

- the research belongs to whānau, hāpu, iwi;

- the right methods and methodology for Māori are used;

- diversity is acknowledged;

- and reciprocity adds integrity to the research process.

This project was reviewed and approved by the Massey University Human Ethics Committee: Northern, Application NOR 19/53.

The researcher also had a safety plan. She had regular clinical supervision throughout the research process as well as regular cultural supervision. The research journey was guided by both research and cultural experts. As this is a Kaupapa Māori methodology, hui were held with koroua, supervisors, whānau Māori, stakeholders and others identified throughout this process. This entailed updating research progress, researcher flexibility, cultural safety, tikanga Māori, mātauranga Māori, feedback, guidance and answering any questions arising. Supervision hui proceeded through the entire research process to develop research credibility, whānaungatanga and empower the community about research capabilities and the process. During the Covid 19 lockdown, supervision hui were held online via Zoom in order to support the Covid 19 rāhui and keep everyone safe. It must be noted, however, that all participating whānau interviews were completed several weeks before the Covid 19 lockdown was enforced.

Participating whānau were given a clear explanation of the entire research process including objectives, methods used, outcomes, ethical issues, risk, confidentiality, informed consent, ownership, boundaries and koha. Access to participants involved a history of working with the whānau as a Māori Crisis Advocate between the years of 2009 and 2018. During this time many of the whānau wanted to tell their stories to the media but were advised not to due to safety issues. The whānaungatanga gives the researcher access to these whānau and permission will be gained before any movement forward is made.

Informed consent involved an information sheet clearly explaining the research aim, objectives and participant rights within the research relationship, which were given to

participants to read. Once they fully read and fully understood the information sheet, informed consent was asked for.

Confidentiality and anonymity ensured data collection was used for this research project only, and all tapes and transcripts were stored securely by the researcher. No names were used other than a kupu Māori chosen by the whānau to represent them and maintain their confidentiality and anonymity. No tamariki will be identified ever.

Potential harm to participants was met with koroua offering counselling sessions if needed by the participants. The researcher, with guidance from koroua and supervisors, assessed the vulnerability of the participants, suggesting breaks or just finishing the interview throughout the process. The participants safety was not compromised in any way. Tamariki were not part of the whānau interviews. The data collected will only be used by the research for this study and for no other purpose.

Conflict of interest or roles was about the researcher knowing some of the participants from her time working in the communities where the whānau live. The researcher worked closely with her supervisors to ensure that any potential conflicts that arose were dealt with properly. This type of insider research can only benefit this study especially due to the history of research being done on Māori by Pākehā, and participating whānau also agreed with the appropriateness of this approach.

Cultural safety was an important part of the research for all participants, the researcher, the supervisors and the koroua. This was a vital part of the research process given the experiences of whānau Māori with Oranga Tamariki was that they were too often culturally unsafe. All cultural factors were taken care of respectfully and in the correct cultural manner. The researcher had the support of koroua to assist if needed. In addition, the researcher is well versed in tikanga and has a competent level of te Reo Māori.

3.3   Data Analysis

To analyse the data a combination of Interpretive Phenomenological Analysis and Thematic Analysis were used. Interpretive Phenomenological Analysis was used to prioritise the voices of whānau Māori lived experiences. Thematic Analysis was used to group participants voices and draw out themes.

Interpretive Phenomenological Analysis is a qualitative research approach that involves identifying in detail personal understandings of experience and interpreting them to provide an account of experience (Chamberlain and Murray, 2017). Smith (2004) states Interpretive Phenomenological Analysis aims to investigate participants lives, how participants understand their experiences of life, as well as the researcher trying to comprehend the participants experiences and meanings of those. For this research Interpretive Phenomenological Analysis prioritises the voices of the whānau and their lived experiences. Their voice and lived experiences are identified and written about in the results.

This was important to the researcher who wanted to highlight whānau voices. Māori are marginalised in so many ways that giving them a space to voice their journeys was an acknowledgment of being silenced in so many spaces. There is also a lack of research done from a whānau Māori perspective, so the more voices shared the more this imbalance will be corrected.

A Thematic Analysis was deemed an appropriate research methodology to be used for drawing out themes. Braun and Clarke (2006) state thematic analysis can be free of theory, flexible, accessible and a useful tool providing an abundant informative account of qualitative data. The advantages of using this type of analysis is that it is a practical way which focuses on similarities and differences; creates unforeseen perceptions; creates a space for both psychological and social understandings of data; and can enlighten policymakers (Braun & Clarke, 2006).

A six-step thematic analysis was used to identify themes and patterns within the data, which were then explored in depth. Braun and Clarke (2006) propose six phases of thematic

analysis being total data immersion, the creation of codes, seeking themes, review themes, defining themes and finally the report.

Stage one involved data collection through interaction with participants when being interviewed. These interviews were transcribed by the researcher as soon as the data was downloaded. The researcher started to get familiar with the data.

The interviews were precisely transcribed to maintain the mana, tapu and mauri of the data. The transcripts were checked and re-checked with the original recordings to ensure research credibility. The transcriptions were then read, reread and read again to totally immerse the researcher in the data.

The data was collated and prepared for analysis. Through this process the researcher began to develop initial thoughts about the data. Stage two required the creation of codes. The data was systematically analysed and manually coded until all data had been coded and collated.

Initial Code	Definition
Abuse & Trauma	Harm caused to whānau participants during their interactions with Oranga Tamariki investigations
Whakapapa	Whānau traits/behaviours handed down and historic interactions with the system
Hapū-Iwi	Whānau interactions with hapū & iwi while under Oranga Tamariki
Kāwanatanga	Government department interactions with whānau participants
Identity	All things Māori, tikanga, te reo, matauranga
Karanga Mai	Whānau participants calling out for help
Unprofessionalism	Kaimahi of Oranga Tamariki ill-treatment of whānau Participants
Resilience	Whānau tools and behaviours used to manage their interactions with Oranga Tamariki
Mamae	Grievances, wrongs committed
Whānau Ora	Whānau Ora contracts, services, navigators

Stage three engaged the researcher to seek out themes within the codes created in stage two. Stage four reviewed these themes to refine and reduce. Here the researcher identified the fundamental nature of each theme and its context.

Theme	Fundamental Nature
Mamae	Grievances, wrongs committed, abuse, trauma, pain, awhi mai, karanga mai
Whakapapa	Traits/behaviors, existing system history, identity, tikanga, te reo, matauranga, whānau resilience
Kāwanatanga	Government department interactions and kaimahi
Te Ao o Nehe	Whānau interactions with hapū and iwi and Whānau Ora contracts, services, navigators

Stage five and six can be used to define, relate and produce a report. However, the researcher chose to engage a different type of analysis to strengthen the voices of whānau participants. Interpretive Phenomenological Analysis was now chosen because it aims to provide detailed examination of personal lived experience and ensures that participant's will be heard and given voice (Smith, 2004).

4.   Results

Mehemea he raruraru kei a koe, me wewete e koe

If you have troubles, free yourself

A Kaupapa Māori Thematic Interpretive Phenomenological Analysis approach was used on the interviews that were conducted with eight whānau Māori. Semi-structured interviews were exercised so the whānau could share their experiences of being under investigation by Oranga Tamariki. By doing this evidence was gathered to understand what happens to whānau Māori as voiced by whanau Maori. By understanding what whānau Māori experience, they can then provide insights and help identify how to improve their outcomes. From the Thematic Analysis emerged four recurring themes. These are classified as mamae, whakapapa, kāwanatanga and te Ao o Nehe. The Interpretive Phenomenological Analysis further privileges whānau Māori experiences.

4.1   Mamae

Mamae was the strongest theme discussed by all the participants. All eight whānau Māori shared a lot of mamae in their kōrero. Six sub-themes were identified within the theme of mamae. These were mamae on engagement, mokopuna mamae, the ripple effect of mamae, guilty until proven innocent mamae, parent mamae and intergenerational mamae.

4.1.1   *Mamae on Engagement with Oranga Tamariki*

The following kōrero is about how Oranga Tamariki got involved with whānau Rākau.

> *"There was an incident that happened. There was an emergency uplifting. The mother was sitting at the police station, in the car, and on cameras they witnessed her, physically slap one of the children who was at that time probably two years old"*
> *(Whānau Rākau)*

In this kōrero an initial mamae was caused by the māmā when she physically harmed her pēpē. The pēpē experienced the mamae or pain. The māmā unknowingly created a pathway to Oranga Tamariki.

> *"So, it would have been about two thirtyish three o'clock and my kids catch the bus. So, they [Oranga Tamarki] yeah, they came home while we're on the doorstep because I wouldn't let them inside" (Whānau Te hā he hā)*

Whānau Te hā he hā kōrero show that Oranga Tamariki social workers came to their whare unannounced. This was the second time this had happened. The whānau had remembered and learnt from the last investigation that they did not have to let Oranga Tamariki inside their home.

> *"Well that looked like my girl, at eight years old, trying to hurt herself while I was in the midst of Family Court and I let my Woman's Refuge advocate know, and she contacted them and said that she had to, because she was obliged to by law because she found out and so because it was the safety of my daughter she had to contact Oranga Tamariki and she stated that was in my best interest that she did this" (Whānau Manu)*

Whānau Manu shared about the process after their mokopuna had tried to commit suicide. Whānau were holding the mamae of their mokopuna and went seeking support. They asked for help which opened a pathway to Oranga Tamariki causing another mamae.

> *"Um the first time was when my boy was 3. He went to Kohanga one day with a black eye and um following that somebody had phoned Oranga Tamariki, or CYFS and said that he'd told him that his dad had given him a black eye. Um and then maybe the same night as the complaint was laid, Oranga Tamariki turned up to my house. My friend's mum was my case manager from CYFS. Um and when she turned up, I knew who she was." (Whānau Wheke)*

In this kōrero whānau shared about their first engagement with Oranga Tamariki. Whānau were holding the mamae of their mokopuna who was hurt in an accident. Then Oranga Tamariki turn up unannounced.

4.1.2   Mokopuna Mamae

Oranga Tamariki processes did not keep mokopuna safe. Mokopuna experienced mamae at multiple times through the process. Whānau shared these experiences.

> *"So, the little young babies were actually still confused when they got to me, but I was open arms and cuddling. Yeah, because they had a bad night that night. So, I was told from the social worker that bought them like they were crying they're in a different environment. They didn't know the people who they were with. The social worker was telling me their night didn't go well. To be expected and that freaked me out to actually to be already uplifted. I'm not aware of it. Already placed into a caregiver's house for the night. Before they contacted me." (Whānau Rākau)*

In this kōrero Whānau Rākau had just realised the magnitude of the uplift. Both pēpē were under two years of age. They experienced being uplifted by strangers, taken to a strange house, given to new strangers and fed formula. A lot of mamae for these two precious pēpē. They came from a rural whānau-hapū environment and the youngest was still on the breast.

> *"Um they were scared. They were very scared. And upset. Very upset. And yeah crying. They kept coming to check. They were scared that I was going to be taken away. They didn't want me to go. Screaming actually. Yeah, that was hard. That's why I couldn't leave till their dad got home. Just so that I knew that they had someone here for them that they could trust and feel safe with." (Whānau Te hā he hā)*

Here the mokopuna are witnessing their mum being told to leave by strangers, a Policeman and two Pākehā ladies. Mum is upset and the mokopuna are upset. They had already witnessed their grandparents leaving upset. Everyone is experiencing mamae. The mokopuna are hurting.

> *"My girl was very much over meeting new people. She had so many people coming into her life. She just didn't want to meet any more people. She had a lawyer for child, two Oranga Tamariki social workers, a psychologist, a counsellor, the domestic*

violence program lady not to mention those who were at the supervised visits centers and that. So, she was meeting new people there as well. She was often coming back pissed off because she wanted her dad to herself and there was this person following them around. She was just over meeting new people and she's often said to me it feels like I'm being forced to do things that I don't want to do against my will" (Whānau Manu)

Whānau Manu shares the frustrations of the mokopuna. Moko was hurting. Having to deal with so many strangers had made moko hōhā.

4.1.3   The Ripple Effect of Mamae

As whānau are all interconnected, mamae experienced by one member causes a ripple effect through the whānau. The mamae is then felt by whānau whanui. This is expressed in the next kōrero when Whānau Rākau share the impact of the first action.

> *"You're dealing with whānau who hate the system. You're dealing with whānau that want to take the children away from you. You're dealing with the parents. I mean holy heka. Let alone my own whānau who are trying to be supportive and yet seeing certain decisions made that they believe are inappropriate or didn't agree with"*
> *(Whānau Rākau)*

Here the whānau member who has taken care of the mokopuna is having to deal with mamae from different whānau members. A ripple effect of the original mamae is being felt by all members of the whānau whānui affecting four generations. The initial mamae had magnified and impacted on the collective.

> *"I just feel a little bit hurt yeah hurt. Because I thought if they had spoken to them, I don't know if they even attempted to or not yeah. They know us better than the rest of the school does. But yes, I just don't want really to have much to do with them. Only if it's to do with my kids. parent interviews or their performances or anything other*

than that I don't go to school anymore. And it makes me feel ashamed" (Whānau Te hā he hā)

The mamae from the first investigation completed a year ago with unsubstantiated accusations is still impacting on the whānau. This mamae had never left the whānau. The mamae caused a whakamā that was left unresolved. Now the new mamae has triggered the unresolved mamae. Both mamae came from notifications made by the same teacher from the same school. The whānau see both the teacher and the school as non-Māori. The whānau now avoid the school as they stand in whakamā. The mamae caused a year ago continues to ripple through the whānau.

> *"Seven o' clock at night the Social Coordinator of The Family Group Conference rang me and said that I was excluded. I was unable to come. I said why. And she said that she was told by the police that my son was a very powerful man and that he's very persuasive and had a strong hold over me and that's why I couldn't attend it. I was wild. I was angry. Then they ended up not letting my dad or my sister go either. So, we never ever went, we've never been to any Family Group Conference to do with moko. We were just shut out." (Whānau Pīwakawaka)*

Whānau Pīwakawaka experiences further mamae that all stem from the initial mamae. The entire whānau was not allowed at the Family Group Conference to help make decisions on the outcome for their mokopuna. Oranga Tamariki are causing more mamae for the whānau.

4.1.4   Guilty until Proven Innocent Mamae

Whānau learnt that those accused of being unsafe and unprotective of their mokopuna were deemed guilty until proven innocent. This caused big mamae. Whānau did not understand the process.

> *"And at the time we were living with my mum, my brother and my sister. My cousins were living there at the time. And my mother said you're not taking my moko out of this house. And they sat there for five hours trying to pressure us into letting them have our kids. And we just flat out refused. And after five hours, they said, Oh well.*

As long as the kid's dad leaves the premises for the evening. And while we go and get paperwork, to come and uplift your children, we will happily leave him behind. And he promptly did so. He does whatever it takes to leave my babies at home. I'm off because I never intentionally hit my son. I was swinging him around and playing and he hit the corner of the chair and that's what happened. So, they never came back with paperwork to take my children." (Whānau Wheke)

Mamae was caused by Oranga Tamariki with the threat of taking mokopuna as well as the whānau being called unsafe. The engagement became a standoff. The lead Social Worker is known to the whānau and has no paperwork to remove the mokopuna. The admission by the whānau of what had happened to cause the injury did not stop the process in anyway inflicting further mamae. The dad having to leave was another mamae to keep the mokopuna with the whānau.

"From what I understand the teachers questioned the kids and I can only assume that they then got in touch with Oranga Tamariki and then Oranga Tamariki turned up here with the police officer. I wouldn't let them inside. They sat at the door and said I had to leave, and my mom and grandad had to leave as well… after that happened, they just wanted to go. They couldn't understand and they, but they just wanted to stay away. They didn't want to cause trouble, but they were hurt." (Whānau Te hā he hā)

Three whānau members had to leave the home. If not, threats of uplifts were made to the whānau. Those accused of being unsafe eventually left in shock to prevent losing the mokopuna to Oranga Tamariki. The grandparents were deeply affected by mamae. To be accused of being unsafe and not allowed to be around their mokopuna hurt. As the kōrero states, they couldn't understand what was happening. Whakamā is present.

"Yeah, so then you know when that happened then um Yeah, I let him listen then what probably a couple of days later the social worker rang me while I was at work and told me that I was banned from seeing my moko because I allowed my son to listen to him on the phone on talk. And I apologised for I wasn't aware of that. Because they think I was trying to facilitate a three-way conversation with the mother. But that's

their thinking. He was just wanting to you know, talk or hear you know. (Whānau
Pīwakawaka)

Here the mamae involves no whānau access to the newborn mokopuna. Whānau
Pīwakawaka did not know nor were they told that the father was not allowed to hear his
newborn over the phone. Whānau don't know what they don't know. The whānau were
celebrating their new mokopuna. Now they are banned and carrying mamae.

4.1.5   Parent Mamae

Whānau had assumptions that Oranga Tamariki would help the parents of the mokopuna to
become better parents. Whānau learned this was not their process. No support was offered.

> *"Yeah, if they had better support and if they had someone guiding them through this*
> *long dreary journey. They made silly decisions. They were still making decisions, but*
> *there was no one. They were let loose. Instead of someone sitting there with them, do*
> *you want your mokopuna. Of course, we want our mokopuna. Even if it was sounding*
> *like that. Yes, we can get them back. You know to encourage them like that. You*
> *know how we can get them back. I'm talking lawyer talk you see. Number one, step*
> *one you I'm taking you to CADs. Step two you do parenting course and I'm going to*
> *see you through this." (Whānau Rākau)*

Mamae also impacted on whānau when it came to the parents of the mokopuna. The
expectation of awhi and tautoko from the system went ignored. Parents were the safety issue.

> *"So, it's became no well you need to go and do this and this. No, you have to initiate*
> *yourself. Thank you have a nice day. And it felt like too big to do, for them in their*
> *position. At least the kids will be with mum. Yeah, they started feeling like that. It*
> *was yucky to see because I can't reach out and help because I've got to deal with*
> *these things that they put here. That if you do help yourself with the ticks it will be*
> *good in the courtroom for you. That would have been amazing that you attended five*
> *hui. Because in the beginning stages they tried, and they tried. But they got lashed*
> *down, they got lashed down. They had to prove a lot. She went to her ACC*

assessment she comes back with I didn't get on with her. So you had to be someone
with multi skills, and personalities to be adapting to the situation to help them."
(Whānau Rākau)

The whānau know the parents need support but are also dealing with Oranga Tamariki to gain custody of the mokopuna. The whānau identify not just anybody could do the job that needed to be done and it was a big job. They also identify the mamae building up as the parents try and get knocked down repeatedly. The parents struggled to walk in Te Ao Pākehā on their own.

> *"Oh, it's hard. Like I didn't want to get out of bed. I didn't want to look my kids in*
> *the eye. Um I fully felt like a failure as a parent. Because I'm out there trying to get*
> *all the help in the world for my child and people are looking at me like that's my*
> *problem. Why should we help you? What if that's your fault. That's what it felt like*
> *they were saying to me. It's your fault. You fucken fix it. But I'm telling you I don't*
> *know how to fix it. Help me fix it. I think they're more about um less about*
> *prevention. They're more about picking up the pieces. At the bottom of the cliff.*
> *They're waiting like they fully waited for him to be at crisis point before they*
> *intervened, whereas we already informed them crisis point is almost here. If we're*
> *telling you a child's at crisis, and I'm the parent, why do you think you can wait three*
> *months till he's past crisis point? I had the backing of my son's school, who was*
> *saying, there's something wrong with this kid. They probably justified and it wasn't*
> *what Oranga Tamariki are there for." (Whānau Wheke)*

In this kōrero the parent is giving up. The layers of mamae are clearly present and they see no way forward for them. The whānau tried all they knew how to and now were just sitting in the mamae. Like being stuck in deep paru.

> *"This woman comes in. Pākehā woman. She came in. She assessed what was going on*
> *with my girl and me and she, just came up the wrong way because she constantly sat*
> *there going no, you're doing that wrong. No, you shouldn't talk to her like that. No.*
> *Yeah, so um I felt she was chipping away at my self-esteem. So, I told her don't come*
> *back. Don't fucking come back. I don't want you here. I don't give a fuck if I get in the*

shit with Oranga Tamariki. I don't want you anywhere near me or my child. I called
Oranga Tamariki let them know that I had done that" (Whānau Manu)

The encounter with the parenting service provider contracted by Oranga Tamariki ended badly. The whānau were left feeling judged and had their confidence knocked back. The whānau were dealing with the mamae their kotiro had. The mamae of Oranga Tamariki being in their lives without their permission. Now the mamae of feeling judged by Pākehā.

"It's hard not to be scared. Because at the end of the day they have all the power. You've got nothing. They don't even talk to you as a person. You are already a criminal in their eyes. And they have all the power." (Whānau Te hā he hā)

The last kōrero shows the deep mamae felt by the participant having to deal with Oranga Tamariki a second time. She shares her fear and her whakamā. The whānau is vulnerable like a big open oozing wound. Here they declared they are seen as criminals.

4.1.6   *Intergenerational Mamae*

Mamae can be passed on from generation to generation. After the first generation of a whānau experience mamae, this can be transferred onto the next generation and so on. Mamae left unresolved does this.

"Now I have to live with my grandfather who's actually a mental FART because he's already fucked my dad up. And now I have to go live with him. We have no running water, no bathroom. And we live in a shack and life is a little bit harder, but I really love my life because my koro smokes heaps of weed, and we ride motorbikes all day" (Whānau Wheke)

The following kōrero is from the mokopuna who sees his whānau mamae in plain sight. He sees his dad's mamae caused by his grandfather. The mamae has weighed heavy on whānau and also impacted on generations of the whānau. Mamae the mokopuna now carries from other generations with the addition of the new mamae of being rehomed for safety.

"But I was really scared because I didn't want my son to feel the way that I felt. I thought I was making good decisions but then the family now these people are going into be involved in his life scared me because I didn't want my son to feel alone. If they should do to him what they did to me." (Whānau Koura)

Here Whānau Koura is struggling with Oranga Tamariki being involved with their mokopuna. The whānau know this system as they experienced this system as children themselves. The fear of the mokopuna being harmed in this system is real for victims of the system. The whānau still carry mamae caused by the system.

"They need to make adjustments too, for those whanau that have addictions, and a better understanding. Coz when my family was invited by him to the FGC meetings, the reason why I wasn't inviting them was because I knew about their addictions. So, I didn't want that to impact on their decision with my ability to take care of moko." (Whānau Manu)

Whānau Manu are aware of their intergenerational trauma. Here she is worried about the impact of her whānau. The decision-making process was important as it was about their taonga.

"You know, the Māori that are in prison, that's all part of graduation for Child, Youth and Family. We are failed as children we wards of the state and we end up in the prison system. When you went from their system into the prison system it's really hard to live a life when you know your past is tainted" (Whānau Kōura)

In this kōrero the use of the kupu '*we*' is prominent. We are failed as children implies lots of shared mamae and whakamā. To not only be a child in the state care and protection system but then end up incarcerated is the failed result of the failing system. The whānau see themselves as stained.

In summary, mamae was the strongest theme and experienced by all eight whānau Māori. Whānau experienced multiple mamae on engagement, mokopuna mamae, the ripple effect of mamae, guilty until proven innocent mamae, parent mamae and intergenerational mamae.

Whānau Māori have provided evidence of mamae caused during the Oranga Tamariki investigation process. The mamae are many.

4.2   Whakapapa

Whakapapa is acknowledged as the second theme in the Thematic Analysis and Interpretive Phenomenological stage. This is made up of subthemes of identity, the system in whakapapa and whakapapa resilience. Whakapapa involves connections of context, history and influences experienced through the generations of whānau participants.

4.2.1   Identity

Whānau participants are Māori. Māori whakapapa thru their whānau to their tūpuna to Io. Māori whakapapa to their turangawaewae, their maunga, their awa, their marae, their urupa. Whānau had assumptions that Oranga Tamariki knew tikanga Māori.

> *"First experience was bang slam you don't know tikanga you're up against the Māori family, you don't know the rituals, the protocols and all of that stuff. And it built me up with a burning sensation of I don't like you, you know. I have no understanding of what's happening. Um we got to know each other because I lashed out at her for not knowing protocol and you're gonna go straight in without a prayer. If you're gonna work with a Māori family, you need at least to know this is what we do even though we do wrong things at times. But we would like to open with a prayer. I'd assumed she would know that. I assumed the system would be trained in that because um Māori do that" (Whānau Rākau).*

Whānau learned through interactions that Oranga Tamariki representatives did not identify them as Māori, as tangata whenua, or as treaty partners. For whānau Rākau the experience of a hui with Oranga Tamariki was insulting to them especially as they are mana whenua. Oranga Tamariki are on the whānau turangawaewae bringing their kaupapa with no tikanga Māori. For this whānau, they are Māori, know Māori, live Māori.

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"No, no tikanga for who we are. And that was a hard thing, you know at least our people understand whānau… not with them, they nah not with them, not at all… no understanding, no compassion. nothing" (Whānau Te hā he hā).

Whānau Te hā he hā struggled with their interactions with Oranga Tamariki. Oranga Tamariki made an impression on the whānau that they don't do tikanga Māori, therefore they don't know us. The whānau also acknowledge that if the kaimahi of Oranga Tamariki were Māori then at least they would understand them. Their preference for working with people who understand them is clearly present.

"She was a Pākehā. She was, I built a bond actually got closer because she would try to use the reo and anyone that gave it a go to me. Thumbs up for you Whaea. And then it became personal when she would ask for advice because I'd be going aroha mai Whaea. So, she would ask please forgive my ignorance. Aroha mai, is that another formal way of kia ora. No, it's a way of saying apologies. So that cracked the ice with me, with her trying and going to Marae courses. She found that to be relating to culturally sensitive or being aware" (Whānau Rākau).

Whānau are inclusive. When one is trying to build connections, that is acknowledged. Those who are trying to learn tikanga Māori can be seen as more understanding and compassionate.

"And um we arranged to meet, and she met me the first time at the Marae. And she was Māori so that, really pleased me. I was really pleased that a Māori is coming to talk to me because I believe that only Māori understand Māori without a doubt. So, we had a formalised welcome for her, pōwhiri. Mihi mihi to and fro. Whānaungatanga. All introduced ourselves and then the floor was open" (Whānau Tūī).

The whānau felt respected and important. Partaking in Māori tikanga, validates the whānau Māori identity. Whānau Tui were validated as Māori.

"Rather than put us with people that sit there and judge 100% of the time put us with people that understand us. That know our whakapapa. That know our tikanga. That

know our background. Find out where we're from. You know like if you were to ask
any of those social workers that I had got stuck with where I was from not one of them
would have been able to tell you where I whakapapa to. Do a bit of homework?"
(Whānau Manu)

For whānau Manu the need to know their identity is paramount and achievable. They say,
know our whakapapa, our tikanga, our history, our connections. However, no
whānaungatanga was gained between the whānau and Oranga Tamariki. The whānau Māori
need whānaungatanga and tikanga to be able to hold a meaningful relationship.

> *"You know what I loved about that hui was the whakawhanaungatanga. We done it*
> *our way. That's how our Māori people are it's how we connect to each other and*
> *everybody that stood up and introduced themselves. And um said where they were*
> *from and who they were, you know, for me, one of the hardest parts in there was*
> *seeing my mom cry for my wife and when she told me I love you, and she said to the*
> *lady that had come from Oranga Tamariki she's a good lady, but just seeing my*
> *mother cry for, you know, that was pretty emotional to me. But I love the*
> *whakawhanaungatanga, because that's our people that's who we are. That's what we*
> *relate to that's what we connected to. And that's what we understand just it was such*
> *a wonderful plan that yeah." (Whānau Te hā he ha)*

Whānau were stronger in Te Ao o Nehe, their own worldview than Te Ao Pākehā. The
collective unit came together and brought the Oranga Tamariki Social Worker into their
home, into their worldview. The outcome was positive.

4.2.2   The system in whakapapa

For Māori, to have the system within one's whakapapa is too common. It might be directly
obvious or unknowingly handed down through the generations. Participants were connected
to more than one government system.

> *"13-14, 14-15. Yeah, Oranga Tamariki, Youth Aid, Youth Justice and all that. He*
> *went into the boy's home and he went into the youth jail and then he went into Mount*

> *Eden. He's been to Spring Hill, been to Pari and now been at Auckland South"*
> *(Whānau Pīwakawaka).*

For whānau Pīwakawaka the father of the mokopuna has been in and out of many systems from the ages of 13 -15. His identity is also about these interactions. Here his mother talks about Oranga Tamariki and the Ministry of Justice systems that have been impacting on this whānau for three generations.

The mokopuna is in the system of Oranga Tamariki as was his father. The father of the mokopuna is also in the system of the Ministry of Justice. The grandmother has been dealing with both of these systems for half of her sons' life and has been dealing with Oranga Tamariki for the whole life of her mokopuna. The context of the system layered through the whānau gets bigger with the following kōrero.

> *"Absolutely but when he met her, she'd already been in the state well they already had their eye on them. And then I didn't know that if you've already had your children taken off you before, Oranga Tamariki already got their eye on you when you become pregnant again" (Whānau Pīwakawaka)*

Here the mother of the mokopuna and their siblings are also in the Oranga Tamariki system. They were aware that the mother had had her previous children uplifted by Oranga Tamariki. They learned that when whānau are sitting in the databases of these systems a red flag goes off when a mother who has lost children to their system becomes pregnant again. They also learned that no clean slate is awarded when Oranga Tamariki take custody of a pēpē.

> *"I think when you when you're given a label, like you're a child of the state, it's sort of like this is a label that I don't know for me. It's like, if you associate with the Pākehā kids at school you know you get to go to a Pākehā birthday. It's like you're an outcast still. You know. Where's that if you're a child of the state?" (Whānau Koura).*

Whānau Koura acknowledge the label they carry. They share the experiences of having that label. The label stays with the whānau.

"It never really goes away because it stays in the system. So even though nothing came of it after all of that nothing came of it it's still in their system" (Whānau Te hā he hā).

Even when a whānau is cleared of all accusations the whānau learnt that their whakapapa will sit in the Oranga Tamariki computer system. The whānau talked about how unfair this was and they couldn't do anything about it. The whānau who have experienced violations caused mamae are now aware that their whakapapa has been stolen; taken and used without their permission.

4.2.3   Whakapapa Resilience

For the participants whakapapa involved layers of strengths handed down to them from previous generations. Using these strengths provided whānau needed skill sets. Resilience gave whānau leverage.

"Yeah, they didn't contact us, not me, not grandad. So, grandad went and got a lawyer. Because he left the night we had to leave. He asked them for a business card. So, he took that business card to a lawyer and said I don't know what's going on. I want to know what it is I'm being accused of. I want to have someone there to represent me" (Whānau Te hā he hā).

For whānau Te hā he hā, they were shocked by the accusations. The grandfather's instinct kicked in and he went and sought legal help. The outcome of his resilience is to follow.

"In the end yeah, the lawyer, the lawyer was having to try and contact them, try and find out what's going on. They weren't very forthcoming. They weren't very good at communication. So, grandad would come back. I'd say any news. Grandad cleared his accusation. He was allowed to come home and the lawyer was really nice and didn't charge him for any of that." (Whānau Te hā he hā).

The whānau followed their puku, their intuition and it paid off. Whānau participants utilised many different forms of resilience when working with Oranga Tamariki. However, the impact doesn't disappear but lingers on.

> *"So, I made a complaint about the Social Worker because of what happened at the first FGC meeting. How I felt unsafe how I was being threatened how I was promised a whole heap of things with Oranga Tamariki, but they just never followed through"* *(Whānau Manu)*

For whānau in the system, they learned the system. They did this because all the interactions with Oranga Tamariki were not working for them as Māori. By learning the system, they became more knowledgeable. Here the whānau learnt the complaints process.

> *"By the second FGC meeting, they were counter complaining against me. Now the second FGC coordinator because I stood up to that first one and said to her what the hell are you doing running my FGC meeting. And I said to her I've made a complaint about you, why have you not been stood down"* *(Whānau Manu).*

Whānau Manu had Oranga Tamariki kaimahi counter complain, of which nothing eventuated. However, the whānau gained some power back. The system was working for them.

> *"Because nobody listened. It was just like box checking. Um this is what we need to do. Tick Tick, Tick Tick regardless of what you actually need"* *(Whānau Wheke).*

The whānau learned the system within the system. The whānau learned about ticking boxes. Ticking boxes worked for both Oranga Tamariki and the whānau.

> *"It was easy to manipulate our whole involvement with Oranga Tamariki. Well they just want you to like I said tick the boxes and get through the system as fast and as painless as possible"* *(Whānau Wheke).*

Whānau Wheke got through the system faster with less impact by ticking boxes. They gained their freedom back. Whānau exercised tino rangātiratanga.

"Yep the plan had been made, pretty much foolproof every angle covered everything we needed to do was all pre done before we even stepped inside the door. And so, there was no holes there was nothing they could pick at um and if we had not have had that it may not have turned out as well as it did." (Whānau Te hā he hā).

Whānau learned what was expected of them to increase their chances of a more favorable outcome. Once they knew this, they prepared the plan. The plan was presented, and the outcome was good.

"Having friends and whanau you know, some had been there to help other families that have been through similar circumstances, so they understood how Oranga Tamariki work and what they do. Whereas because we didn't. So, just having someone with that kind of knowledge, could help us create a proper plan a foolproof plan that was acceptable to them. And if we haven't had that we would have had to do that all that day. You know, it wouldn't have been wrapped up as quickly." (Whānau Te hā he hā).

Whānau came together when their whānau were struggling. Whānau Te hā he ha sent a karanga out to their whānau and support came. Together the whānau were stronger.

The theme whakapapa was evidenced by the subthemes of identity, the system in whakapapa and whakapapa resilience. Whānau experienced their whakapapa being ignored, stolen and imprinted on. To meet these challenges whānau used their whakapapa resilience. By understanding the connections one can understand a bigger picture. Whānau exist within a bigger picture.

4.3   Kāwanatanga

The theme kāwanatanga is about the government system. Subthemes of system collusion, kaimahi, Family Group Conference as well as racism and oppression are discussed by whānau participants. Kaimahi is the kupu used for social workers.

4.3.1 System Collusion

Oranga Tamariki is a system that is part of the kāwanatanga of Aotearoa that also colluded with other systems. The Ministry of Justice (MoJ) had many different representatives working with whānau participants under investigation by Oranga Tamariki. They had Family Court, Criminal Court, Lawyers, Lawyers for Child, Probation Officers, the New Zealand Police and Psychologists all interacting with whānau under investigation by Oranga Tamariki.

> *"The judge was told that we couldn't agree on the meeting point because of financial reasons. Now, the judge turned around laughing says, what are they both on benefits?" (Whānau Manu).*

Here, the whānau feel belittled by a Judge in the Family Court. The Judge holds the whānau outcome and makes the final decision. As the Judge makes the racist comment, he laughs.

> *"Yeah, she asked to speak to moko on her own for about 10 minutes, 15 minutes. He's not even four. But you know, I didn't think that that was right. But I did ask my lawyer and she said they're allowed to do that because they're a child. You know, a lawyer, child's lawyer" (Whānau Pīwakawaka)*

Lawyer for child represents the mokopuna. Part of the process is the lawyer has to interview the mokopuna to establish their voice. Whānau Pīwakawaka thinks that this is not ok due the age of their mokopuna. However, the whānau have no say and can't be present.

> *"So, then I guess because they had a Policeman, it made me feel I had to let them in. And they wouldn't take their shoes off which pissed me off. This is our home. You want to come in our home you take the shoes off. They wouldn't take them off and it bothered me a lot. But just to be in the room with them three and I just felt like they were, I felt attacked and I did go into defense mode." (Whānau Te hā he hā).*

The Police and kaimahi have turned up to the home of Whānau Te hā he hā. The whānau member let them in because of the Policeman. To be standing in so much uncertainty on

their own and surrounded by three agents of the government leaves the whānau member feeling vulnerable and intimidated.

> *"I tried requesting a Māori psychologist and was turned down. Turned out to be an Italian woman that done the assessment and again I didn't understand what the hell she was wanting from me. I could hardly understand her, and she said that I took too long answering questions." (Whānau Manu)*

Psychologists are contracted to complete parenting assessments by the MOJ. The whānau know they need a Māori psychologist who understands their Māori worldview, values and tikanga. The whānau do not get that option. Then they get someone who they don't understand. They do identify that the psychologist is not from New Zealand. She brings her own kawa and tikanga.

> *"And according to the school they've got protection of some legal kind that they don't have to say anything to us about anything. That surprised me I was like what the heck. So that just reinforces me that now I make sure they're at school and make sure they have everything they need. We have seriously thought about pulling them out because it just felt like now, we are constantly going to be a target" (Whānau Te hā he hā).*

The whānau see the Ministry of Education (MOE) as another system that works in collusion with Oranga Tamariki. This creates further tensions between the school and the whānau. Hence why the whānau feel targeted. They have had multiple notifications done on them by the same teacher, from the same school, using the same process. Whānau now have the MoJ, MoE and Oranga Tamariki involved in the investigation.

4.3.2 Kaimahi

> *"Oh no the first one was terrible. Yeah Canadian. I'm glad she went back to Canada. But all through that time. She never really budged on working with me or giving me anything really. I just felt shut out. She wasn't good. She didn't really give me a*

chance to even develop a relationship or talk to me about anything. It was just about what she wanted." (Whānau Pīwakawaka).

The first kaimahi experience for the whānau was cold and controlling. The whānau felt oppressed by this kaimahi which in turn dictated all of their interactions. However, she does come with her own kawa and her own tikanga from her home country. For the whānau she was one-sided and unfair.

"The second social worker was absolutely beautiful. Awesome. She rang me for a chat and asked me where we were at and how things were for me. The first Social Worker that actually listened to me." (Whānau Pīwakawaka).

With the second kaimahi the whānau experience was different. The whānau expectations would not have been high due to the initial kaimahi. However, when the whānau were sharing, their āhua changed. Their tone of voice changed. Aroha entered the conversation. This kaimahi was professional and treated the whānau as equals. This kaimahi engaged and listened to the whānau. The whānau learned that it was not them, but the kaimahi in the first instance was racist and made them feel oppressed.

"Absolute bitches the whole lot of them. Every single one I came across I tried to reason with, tried to deal with, tried communicating with. I was pretty much getting shut out and told nothing other than the dates and time of hui." (Whānau Manu).

Whānau tried hard to establish relationships. When whānau continually get nothing back, whānau feel disrespected. The kaimahi represent the system.

"So, I've had, young people come around and when I say, young, I see this young little girl, and this young little boy, and I thought oh for real are you for real coz I had specifically asked for Māori. She wasn't available. I was happy to wait until she is but see Oranga Tamariki have to see me like now, so waiting is just not an option. They have boxes to tick and they've got to get thru these files." (Whānau Tūī)

In this kōrero the whānau had to engage with kaimahi they felt were too young. The whānau had requested a Māori kaimahi, but this was not going to happen. Whānau request Māori

kaimahi because working with someone who understands their worldview is important and validates them as Māori.

> *"She rang me, and I found out that she was the new Social Worker. She was our original Social Worker in the beginning. She was my angel man. She just came out and was batting for me hard." (Whānau Pīwakawaka).*

For whānau participants there was an ongoing cycle of new kaimahi. This meant whānau had to retell their situations, start new relationships or in this case re-engage with the original kaimahi. For Whānau Pīwakawaka, having the original kaimahi was a huge relief as the latter kaimahi was uncompromising.

> *"They are in no hurry to come back to you. They don't return your calls in a timely manner. They do it when it suits. I mean you feel like you're stuck in limbo. Give me a timeframe, give me something." (Whānau Te hā he hā).*

Lack of communication was experienced by all whānau participants. No kōrero, no kanohi ki te kanohi. No returning of phone calls or emails. This left whānau frustrated and as discussed above, left this whānau in limbo. Due to the lack of communication, a lot of follow up was ignored as well.

The kupu 'they' is used a lot by this whānau as well. The whānau have grouped all the kaimahi of Oranga Tamariki into one word. They are, they don't, they do, followed by negative interactions. The whānau have had bad experience after bad experience. This was supported during the interview process as the whānau energy changed when talking about the kaimahi. The whānau āhua was low energy, depressed and ngākau pōuri.

> *"Like cheerleaders they were. You're doing a good job, carry on. We are watching you and you're doing good. Just give us a call if you need us. What the hell for. I could do it better. All I knew is that it is recorded that we said we will look after our mokopuna." (Whānau Tuturu).*

Whānau felt they didn't need kaimahi at all due to the lack of reciprocity from Oranga Tamariki. The only benefit to whānau was that they had their mokopuna and Oranga Tamariki were aware. Therefore, whānau felt safer.

> "The first time they knocked on my door, I was on the defensive. I was pissed off. Pissed off because I had asked them for help, this was preventable. And now you stand on my doorstep righteous. The social workers tried to justify themselves, but no apology was given." (Whānau Wheke).

Whānau felt riri when kaimahi failed to acknowledge their mistakes. The whānau had asked for help before their mokopuna had a haka and their concerns had been dismissed by Oranga Tamariki. The courage needed for whānau to engage with Oranga Tamariki by their own choice is immense. Whānau know this system for stealing Māori mokopuna. For whānau to ask the Oranga Tamariki system for help is because they are desperate.

> "I've got a hot water cylinder blowing. I've got this and that. There were three social workers that pulled it together too. Okay, the carpeting and lino on my house. They didn't have to. They also allocated a $5,000 vehicle when I first got with them, so they couldn't do that in the lump sum, which gave me an understanding. They'd pay it at 200 bucks with the payment, so that went to a van." (Whānau Rākau).

The last kōrero shows what good support can be and looks like. Kaimahi working together pulled all this off for one whānau and the whānau were so grateful. The whānau now have a warmer, safe whare as well as a legal vehicle for their mokopuna.

4.3.3   Family Group Conference (FGC)

An FGC is had with whānau to develop a safety plan for the mokopuna. Oranga Tamariki call the hui and invite professionals engaged with the whānau as well as whānau whānui. If an agreement is not made, Oranga Tamariki create the plan.

> "So, when I'd say to them, you can't have too many people in this FGC he's gonna freak out and withdraw. They didn't listen. Like five people was more than he can

handle. And he withdrew to a corner. They tried to, this was so traumatic for him honestly." (Whānau Wheke).

In this FGC, the whānau had explained their preferences with reasons but were ignored. The whānau who lived and breathed life with this mokopuna were trying to negotiate the safest way forward for their mokopuna to achieve the best result. The whānau had insider knowledge. They know their mokopuna. However, they were ignored, and the outcome was more trauma on the mokopuna.

> *"I complained about the Social Worker because she had promised me at the first FGC meeting that I would be safe. She promised me that I would have a say I would be able to talk about any subject that I wanted to at the FGC meeting. So, when he stood over me with clenched fists, swearing at me, she promised to shut the meeting down and that security would be called but instead she sat there going you shouldn't have said that."* (Whānau Manu).

For Whānau Manu, Oranga Tamariki is unsafe. The whānau was put in harm's way at an FGC. They had a safety plan in place that wasn't adhered to. The whānau knew there were safety issues, identified them and agreed to the whānau safety being paramount. However, the father of the mokopuna abused the mother in front of many professionals as well as the three kaimahi in the room.

> *"Coz I never saw them again after I walked out the door. I walked out the door and the first time I saw them again was at the FGC in fact, that was my first contact… yeah, not a thing we didn't know what an FGC was, no one took the time to actually explain. This is what's going to happen we're having a hui, you know. Good to bring your family, this is what's going to be discussed. No none of that they just ring up and say where having an FGC this is the time this is the place."* (Whānau Te hā he ha).

Whānau experienced FGCs but were not given any information about the process. Whānau walked in with no understanding at all. Whānau Te hā he ha experienced this as well as limited contact with kaimahi.

4.3.4   Racism and Oppression

Māori experience racism and oppression in many forms and in many spaces. Whānau felt experiences of both when dealing with kaimahi from Oranga Tamariki. These experiences harmed whānau.

> *"Māori people are targeted. So, to Oranga Tamariki I really thought about going for the head position in that and changing the structures of it. I'd like to know who runs the whole organisation of that, because there's no compromising for our tikanga values. You know, and we're different our people are unique. Our people were what do you call it, manipulated. You know our aroha was abused, that's how we lost a lot yeah, we lost a lot of our battles we were abused. But yeah, that's to them I don't really think much of the organisation." (Whānau Te hā he hā).*

The Oranga Tamariki system was seen as a confronting system with no middle ground. The whānau know their history they carry by referring to how Māori have been controlled, pursued and violated by the same system. For this whānau, the system can not be trusted.

> *"My friends mum was my case manager from Oranga Tamariki. I had hung out with her son a lot and stayed at her house. I told the other social worker about the conflict of interest. I even requested a Manager. My friend's mum told me that my request hadn't even reached the Manager. Like she herself told me." (Whānau Wheke).*

Whānau participants recognised a social worker who was being unprofessional. The whānau stated the conflict of interest which was ignored by the lead kaimahi and supported by the other kaimahi. This request about the conflict of interest was ignored.

> *"He said I've been smoking P for ages and that's just the way I am. He's just so wonderful, wow. That's what they were saying about him. To be honest I felt that the reason that they did that was racism because he was white, and she was a Māori." (Whānau Tuturu).*

Whānau were recognising racism in their experiences. Whānau members were being treated differently and it was noticed. The only difference for the whānau was the colour of their skin. This is the whānau reality.

> *"Yeah, just the fact that they just need to awhi the whānau more be more supportive not punishing the whānau not judging the whānau you know, working with them. Not oppressing us you know. Yeah, that's how I see it. I felt oppressed, oppressed you know, like you got to do what they want you to do really? Or you have to really prove it to them, you know, jump through the hoops." (Whānau Pīwakawaka).*

For Whānau Pīwakawaka there were experiences of being punished and oppressed by Oranga Tamariki kaimahi. By having no space for kōrero or negotiations they experienced racism and oppression. The whānau felt punished and judged. They had to do what they were told to do.

> *"There were also counter complaints against me from the second FGC coordinator who was the first Social Worker I had complained about. She got promoted to be my FGC coordinator. It's the Māori wars all over again." (Whānau Manu).*

Whānau Manu was still dealing with the social worker she had complained about. However, the social worker had a new role as the FGC coordinator. The whānau likened it to the Māori wars; a combative process.

The theme kāwanatanga is about system collusion, kaimahi, FGCs as well as racism and oppression. Whānau participants experienced collaborations of more than one government system at a time. Whānau found kaimahi lacking consistency in communication, follow up, reciprocity, apologies and support. FGCs were experienced as unsafe for both mokopuna and whānau who were not given any information about the process. Racism and oppression were experienced by whānau participants. As Māori, this is their lived experience of kāwanatanga.

4.4   Te Ao o Nehe

Te Ao o Nehe is the oldest, most ancient, traditional Māori world. Subthemes of kei hea te
iwi, Whānau Ora and tohu were identified. Whānau had assumptions about both their Iwi
and Māori services such as Whānau Ora, while their mokopuna were signaling mamae nui.

4.4.1   *Kei hea te iwi?*

Five whānau shared kōrero about the lack of awhi, tautoko and offers of aroha from Māori
and iwi providers. There was a lot of frustration and disappointment at the zero
communication, resources, awhi offered which most whānau thought should be met by their
own iwi. There were also some suggestions about increasing Māori kaimahi and expectations
of leadership.

> *"That's right papa, it's been 2 years now. You know, nothing, must be a lot of*
> *grandparents my age in the same place. With moko. There has to be. Well where the*
> *bloody hell's the runanga and all these bloody bodies, bullshitting buggers that's*
> *where it's at. That's where it's at. Talk about whānau and Māori. Somethings*
> *seriously wrong. With all these massive funds they should be filtering. Because they*
> *have nothing, they've got nothing in place. Nothing. Nothing, you know just the*
> *name." (Whānau Tuturu).*

Whānau Tuturu are struggling and that is their lived reality. They are disappointed at their
own iwi for not helping them with Oranga Tamariki and the outcomes. There are
assumptions that a Treaty settlement has been signed off, so iwi have the resources to support
whānau-hapū. The iwi know of the impacts on the whānau, yet no offers of support have
been made. The kaumātua states the iwi have nothing but a name, therefore there is nothing
in place to support them with.

> *"My iwi. My own personal iwi. I actually thought they would be on us already*
> *because they should have had a list of names of mokopuna in their rohe or under their*
> *so called beneficiary lists who are under the Oranga Tamariki system um. Where*

they can send resources and be able to knock on the door, kia ora just popping in to
see our mokopuna. How's our moko? Aue! You know certain things like what you
do in your mahi but for the iwi. Let's do it for the iwi. Because they know you and
you know them because I go to hui enough to the marae that they should know me. If
not, they'll know dad you know." (Whānau Rākau).

Connections are known and the whānau live whānau-hapū-iwi. The whānau attend marae
hui, are registered members of their iwi, know their tikanga and te reo. More expectations on
the iwi from the whānau are named. Databases, resources, awhi and tautoko. The whānau
share more kōrero of what this should look like.

"So, it's working with them with a ngākau of giving and receiving with aroha and
popping in to see our moko. Have you fullas done your stationery lists… otherwise
will Oranga Tamariki help you with that… uniforms. Get your lists together. Get lists
of whose been through what." (Whānau Rākau).

In this kōrero the whānau talk about tikanga and education. Both relevant to whānau and
both important to whānau Māori. Iwi can awhi our whānau this way. Whānau have
solutions.

"Doesn't have to be financially it could be just hey we got a mokopuna program
coming up, I'll put your kids in. School holidays. The train is going to be bringing in
some mokopuna, do they want to ride into you know, let's have a train day. So, we
need a public vehicle, vans to awhi the whānau you know. But I can't see that
personally from my iwi. But these are beautiful visions that I love. And you know how
you have the runanga up here and all your hapū down there so contribute or support
in one way, but you as the big head could support the 37 marae in another way, you
know, something like that to feed something specifically for the Oranga Tamariki
children. Yeah, whatever. But yeah. A playground at every marae for the mokopuna.
I'd love that. Wonderful." (Whānau Rākau).

The whānau are identifying the needs for their whānau whānui in their hapū-iwi. These
needs are real, are basic, and at a ground level. They are all mokopuna focused and relate to
the collective.

"Um stop using iwi and hapū as a name. Stop branding them as the People who need to fix it. Oranga Tamariki brand iwi, politicians brand iwi and hapū. What do you know about iwi and hapū? What iwi and hapū are you talking about? Like my kids cannot be fixed by their iwi and hapū if their whānau not fixed. You have to fix a whānau and iwi and hapū can be there to support you. But they're not there to fix your problem. Because you need to fix it and if you want my iwi and hapū to fix me, give me the resources to move home. Because I would love to take any opportunity to take my family home, but you give me no resources to take my family home. Home is where it's at. My children would be much better off living at home." (Whānau Wheke).

Whānau Wheke state that Oranga Tamariki don't understand Te Ao Māori therefore don't use hapū-iwi. Whānau-hapū-iwi is not absolute. Whānau have many hapū-iwi. From this whānau worldview hapū-iwi can't fix them but can support them being fixed. The whānau have their solution but can't action it due to a lack of resources. They emphasise their turangawaewae is where they will experience whānau ora. The suggestion is to awhi and tautoko the whānau to realise this and they will do the rest.

"I will not have iwi, or any iwi made construct and I showed him why? Look, the marae is falling over, we have this proposal and they knocked it back and now they want it. He said I totally understand. Not in their boundaries." (Whānau Tuturu).

Reality for whānau Tuturu is the iwi are failing them. This is evidenced by the state of the marae. This affects the whole whānau-hapū-iwi.

"So, I know heaps of Māori social workers maybe they don't apply for jobs at CYFS, I don't know. But I'm sure for mahi like that maybe Oranga Tamariki could look at going to either a marae group or the local iwi, or perhaps to um refuge or maybe into the community at some level. I do believe that should start with their own iwi and work hand in hand like they say they do because there's no partnership there. If they went to the local marae based here. And I have some dealings with that marae. And they sat down and had a hui and said look, we need a couple of Māori people you know they could tap them off at the drop of a hat. There are, there are these people

available, but CYFS don't um Oranga Tamariki don't seem to go past what's inside their directory on their table. So, they need to find a way to bring these people if it means these qualified people who got an ABC after their name. But access Māori people to help Māori people at that level access them through the iwi. Iwi everywhere, marae everywhere, kura you know. Go past your own little government directory and search for people in the community who are able to do this, mahi." (Whānau Tūī).

Whānau found Oranga Tamariki failing to recognise the importance of iwi during their experiences. Offering suggestions to increase Māori kaimahi as well as whānaungatanga on a community level would improve the service for Māori. Whānau Māori are willing to help find solutions that will work for them.

"I'd get more Māori in there. I'd get Oranga Tamariki staff into monthly meetings at a community level, come down to a local level. Definitely, Oranga Tamariki need to be involved with the local iwi of the area, to start with, and the local iwi from there whether its marae based or they're based in a big flash office in the middle of town I don't know. But definitely, Oranga Tamariki need to get there, to come on and get their kaupapa processes in line with Māori. And they can start that at an iwi level." (Whānau Tūī).

For this whānau, iwi is the starting point. Other points stated include Oranga Tamariki participating in the community and attending marae hui. Whānaungatanga is essential to working with Māori whānau.

"I don't know how they could have helped me though. I don't know we're what. Because I remember one of the struggles, I was telling them, the whakamā. Because from that comes bad kōrero. Lots of gossiping goes on. I don't think they even have the capability to think like that." (Whānau Rākau).

However, there were whānau who doubted their iwi ability based on past experiences. Especially around professionalism and confidentiality. When whānau are dealing with iwi, they are dealing with their wider whānau system. Everybody knows somebody.

"Dr Pauline Kingi her whakaro was the head, the fish rots from the head. It's a fantastic book. But basically, in a nutshell, that's what we are talking about ultimately whānau." (Whānau Tuturu).

Here the whānau are talking about the leaders of their iwi. Leadership was a contentious issue for whānau based on previous experiences within their own iwi. The whānau are implying that their iwi leadership is rotten therefore the iwi is rotting.

Yeah. In her prime Eva Rickard, she gave me some advice as well, as the advice she gave me you're either a leader a follower or in the bloody way." (Whānau Tuturu).

Eva Rickard was a well-known Tainui activist. The whānau had many experiences with all forms of leaders. Good leaders and not so good leaders. Here the whānau share some kōrero from the good leaders they had connections with.

4.4.2   Whānau Ora

Besides iwi support, Whānau Ora came up as well. Whānau Ora services were sought after by whānau. Here we have different responses from different experiences of whānau participants.

"Trying to get Whānau Ora. Couldn't get a hui. They have it but we can't get access to Whānau Ora over here through them, so we sort of sit in no man's land. And over there they have it but we're out of their boundaries as well. So, we sit in no man's land. It's terrible, it's disgusting it's a disgrace and an embarrassment and humiliation. They are thinking white not about the people. It's not realistic not normal it's not helping the people and you know when you look at it this way like what we were talking about is wānanga for the entirety of our whānau to look at the grief that we've just come through as whānau. It's been 2 years. To look at the children and some issues that have been underlying a long time in our family that we want to have addressed. We believe the safest place to address that is with tohunga and matakite." (Whānau Tuturu).

In this kōrero the whānau were frustrated about being unable to connect to any Whānau Ora service around them. The whānau are living in an area surrounded by three contract holders of Whānau Ora and each contract holder pushed them onto the other contract holder. They resided in what they call no man's land. The whānau feel let down by their own. The whānau feel let down by their rights to access a Māori service.

> *"I finally got Whānau Ora to come back to me and they rang me at eight o'clock in the morning. He started talking to me and he said oh where do you live. And I said where. And he goes oh no, you're not under the umbrella. He said, but you know what I'll still come and see you anyway because I'm with them. So, I'll also come and see you. Yeah. And so, he said he wanted to come so I had to give him the big rundown again of what I've been telling you my experience everything and he said. Oh damn, yeah. Like he was really good. And he came out, he said, I'll be at that meeting and he said, I'm here to navigate you hook your whānau up with the right support that they need. And Oranga Tamariki is accountable for their actions. I'll hold them accountable. You know, so he's sort of like that he navigates us."* (Whānau Pīwakawaka).

In this kōrero, the whānau had an awesome experience with their Whānau Ora navigator. Even though the whānau didn't reside in the boundary of the service the navigator still supported them. The navigator has great tikanga and a beautiful ngākau focused on the people. He did whānaungatanga well and was transparent in his role. The whānau knew where they stood with him.

> *"No. No. I told the new man in here, the top one as they just made changes. I said to him if we win, we ask for Whānau Ora"* *(Whānau Tuturu).*

Whānau Ora is important for this whānau. Whānau have great expectations of Whānau Ora. There are whānau needs and Whānau Tuturu believe Whānau Ora is the way forward. However, for them, where are Whānau Ora?

4.4.3   Tohu

Tohu are signs. All of the eight whānau had mokopuna signaling their whānau. The mokopuna were doing a karanga to their whānau whānui including their tūpuna. The mokopuna were communicating something they were holding.

> *"Initially, I had gone to Oranga Tamariki to ask for help with my son's PTSD. He was borderline suicidal. He struggled with society, he struggled with education, he was having anxiety attacks and he was just struggling." (Whānau Wheke).*

Whānau Wheke were unable to find any help for their mokopuna. They tried many services offered but none could help them. Their mokopuna was struggling and they had no answers for him or themselves. Moko was signaling for help.

> *"I said to my girl, you know you should have just told them the truth. I mean you know. I don't like what's going on in this house and she turned around and said to me "It's not my job. If things aren't good, it's not my job to sort us out!"." (Whānau Kōura).*

For this whānau the mokopuna chose not to disclose what was happening at home to Oranga Tamariki kaimahi who went to her school to interview her. There is so much going on yet the moko is refusing to own her whānau deficiencies.

> *"No. we've had we've had a year prior. We've had a run in with them as well. And it was over similar scenarios, the child at school upset." (Whānau Te hā he hā).*

History is repeating itself for whānau Te hā he hā. Two notifications made a year apart by the same teacher at the same school about the same mamae. The only difference is the mokopuna changed from the year before. Both of these mokopuna could be holding mamae for various reasons.

> *"He struggled with society, he struggled with education. He was having anxiety attacks and he was just struggling, and I could see him hanging out with these boys and starting to get in to trouble. And I just wanted help from Oranga Tamariki from*

somebody. Because the doctor said they couldn't do anything. The school had given up on him, they were going to kick him out. And its Oranga Tamariki. They're there for the protection of children and my child needed protecting from me and from himself. So that's why I went. I had no other options like I tried so many other things and they weren't working. So, I wanted them to help me save my child from himself and they didn't. They never ever contacted me again." (Whānau Wheke).

Whānau assumed it was Oranga Tamariki's job to care for and protect their mokopuna when whānau were struggling. When a mokopuna is struggling with life the impact on whānau is massive. Mamae seeps into all areas of the life of our mokopuna. This situation highlights big mamae the mokopuna and the whānau were already dealing with hence why they were seeking help only to receive nothing but rejection. This is their lived reality.

"Because the moko are happy to see them. There's my dad. Did you get me some lollies? I got you some candy canes. So they're not on an income but seem to try to get presents. And I said don't bother. They're covered they're fine. But to say it's from Mama and Dada. That's what they want. So, thank you Daddy." (Whānau Rakau).

The mokopuna are signaling that they need their mum and dad in their lives. Their parents bring them joy. The mokopuna understand the collective.

Te Ao o Nehe had subthemes of kei hea te iwi, Whānau Ora and tohu. The importance of the ancient Māori world was identified in the experiences shared by whānau participants. The evidence presented is to understand what happens to whānau Māori from their whānau lens to help understand their lived realities.

When it came to their iwi, whānau assumed they would be supported. This was not their experience. Whānau offered suggestions. Whānau Ora was seen as the way forward however boundaries and a lack of engagement was experienced. Whānau also were being signaled by their mokopuna who were struggling, hence the need for all the support and help.

5.   Discussion

Ahakoa he iti kete, he iti nā te aroha

Although the basket is small, it is given with affectionate regard

Whānau participants have shared their experiences while being under investigation by Oranga Tamariki. They have opened many pathways to understanding whānau realities. The whānau whānui including their tūpuna have given tohu to identify solutions for their whānau.

The research question was, what happens to whānau Māori while under investigation by Oranga Tamariki? The first aim was to explore the experiences of whānau Māori who have been under investigation by Oranga Tamariki. The second aim was to produce evidence for whānau-hapū-iwi to find solutions to decrease the number of whānau impacted by Oranga Tamariki.

The four main themes found during the Thematic analysis were mamae, whakapapa, kāwanatanga and te Ao o Nehe. The subthemes of mamae were: mamae on engagement with Oranga Tamariki; mokopuna mamae; the ripple effect of mamae; guilty until proven innocent mamae; parent mamae; and intergenerational mamae. Whakapapa had identity; the system in whakapapa; and whakapapa resilience as subthemes. Kāwanatanga was about system collusion; kaimahi; Family Group Conferences; as well as racism and oppression. The subthemes for Te Ao o Nehe were kei hea te iwi; Whanau Ora; and tohu. All themes interwove with one another as Māori values are all interconnected. The reality for whānau participants was that they reported more negative experiences while under investigation by Oranga Tamariki than positive experiences.

The research findings of the various investigations initiated by the 'Hawkes Bay Case' had many similarities, not only to the finding of this thesis research, but with each other. The practice review commissioned by the CEO of Oranga Tamariki on the 'Hawkes Bay Case' focused on the quality of engagements, assessments, plans and inter-agency workings by direct interviews, practice workshops and visual recordings with those involved (Oranga Tamariki, 2019i). Those findings included that Social Workers had failed to uphold legislation, failed to communicate well, harmed whānau, were culturally incompetent and

used their positions inappropriately (Oranga Tamariki, 2019i). Compared with this research commissioned by Oranga Tamariki, the kōrero shared by the whānau who participated in this thesis research reflected the main theme of harmed whānau (mamae – all sub-themes), but also in a less direct way failure to uphold legislation (system collusion), and cultural incompetence (racism and oppression).

The Māori inquiry into Oranga Tamariki, *'Ko te wā Whakawhiti – It's time for change'* focused on the removal of Māori children from their whānau by Oranga Tamariki (Whānau Ora Commissioning Agency, 2020). The research involved collecting information from 1100 whānau by way of kanohi ki te kanohi or submissions through social media, the post or phone. They looked at the experiences of whānau involving Oranga Tamariki; what is working well for whānau and tamariki in State care; what is working well for whānau and tamariki in the community; and what changes do whānau want to see around the care of tamariki and whānau? That inquiry found themes of whānau, whakapapa, whenua, whangaungatanga and whāngai, and that whānau experienced trauma, discrimination, prejudice, intimidation, inconsistent procedures, system collusion and felt powerless, coerced and manipulated. Compared with this inquiry by the Whanau Ora Commissioning Agency, the kōrero shared by the whānau who participated in this thesis research reflected that whanau experienced trauma (mamae – all sub-themes); discrimination, prejudice and intimidation (racism and oppression); system collusion, powerlessness, coercion and manipulation (system collusion, kaimahi and Family Group Conferences).

The *'Te Kuku o te Manawa'* report from the Children's Commissioner researched with the intention to find changes needed within Oranga Tamariki to keep pēpē Māori aged 0-3 months within whānau who have been identified as not being able to care for and protect the pēpē (Office of the Children's Commissioner, 2020). They used a Kaupapa Māori qualitative mixed method approach to complete interviews with 36 whānau members, support workers and kaimahi Māori focusing on their lived experiences. Their findings were that whānau were disrespected, Oranga Tamariki is damaging, statutory Social Workers dominate and rule, Oranga Tamariki and other agencies have harmed whānau and that whānau need good support. Compared with this report from the Children's Commissioner, the kōrero shared by the whānau who participated in this thesis research reflected that whanau were disrespected, Oranga Tamariki and other agencies are damaging and have caused harm to whānau (mamae

– all sub-themes, system collusion, Family Group Conferences); statutory Social Workers dominate (kaimahi).

These three pieces of research differed in their methodologies compared to this thesis research. The sample sizes ranged from as high as 1100 whānau participants down to only one whānau, and participants also kaimahi and support workers in addition to the whānau themselves. The methods of gathering the data through submissions, workshops and video recordings was also distinct. Another difference between the various investigations is that this thesis research looked at the entire investigation process from engagement to end, whereas the other three pieces of research focused on the uplifting of newborn mokopuna Māori. However, all four pieces of research focused on whānau experiences with Oranga Tamariki.

Some of the findings from this thesis research that offered new insight compared with the other three pieces of research was the whānau kōrero around Māori identity and about Te Ao o Nehe – Māori whānau, hapū and iwi. It was interesting that the whānau reported expectations of support from hapū, iwi and Whānau Ora, which the other pieces of research did not reveal due to their focus on the uplift process itself.

5.1   Interpreting the results

Again, the four main themes identified in the results were mamae, whakapapa, kāwanatanga and te Ao o Nehe. Mamae was about harm caused by Oranga Tamariki. Whakapapa was about Māori identity. Kāwanatanga was about Oranga Tamariki and its connections. Te Ao o Nehe was about Māori whānau, hapū, iwi. These results need to be understood from the perspective of all the different parties involved.

5.1.1   *What does this mean for the affected whānau and mokopuna?*

Whānau and mokopuna experienced a lot of mamae which caused whakamā. This impacted on their mana which was diminished over and over again throughout the process of

investigation. Whānau and mokopuna were forced into a system that had already determined that they were guilty. Whānau behaviors, kōrero and homes were being critiqued and used to form evidence against them. They were not treated fairly and were at the mercy of the kaimahi of Oranga Tamariki.

Whānau and mokopuna experienced Oranga Tamariki takahia te mana (stomping on their mana) by not knowing tikanga Māori, therefore breaching tikanga and kawa. Oranga Tamariki worked in collusion with other systems that also takahia te mana o te whānau. Kaimahi had all the power and Oranga Tamariki supported unsafe processes as well as racism and oppression. International research done in the United States of America (Carter, 2009; Jones et al., 2000; Wasak 2010) and Canada (Braveheart and Debruyn 1998) had similar findings. Local research *'Puao-te-Ata-tu'* (Ministerial Advisory Committee, 1986) also had the same findings, suggesting that not much has changed in the intervening 30 plus years in terms of institutional racism.

Whānau and mokopuna felt disconnected or connected but isolated from hapū and iwi. They knew that something was not right for their mokopuna but had nowhere safe to go and seek help. They also experienced being rejected by Whānau Ora services because of arbitrary geographical service boundaries, further reinforcing the isolation and disconnection from Māori services.

5.1.2   *What does this mean for the wider whānau-hapū-iwi?*

The theme Te Ao o Nehe was about where are iwi, Whānau Ora and tohu? All of these sub-themes were raised by whānau participants. These included assumptions that iwi should know their own whānau better, should know which of their whānau are in the system of Oranga Tamariki, and should know when whānau need advocacy and support. The Māori Inquiry into Oranga Tamariki had similar findings of whānau wanting to reconnect to their whānau, hapū, iwi (Whanau Ora Commissioning Agency, 2020). However, whānau participating in this thesis research also had concerns about the ability of iwi to provide a professional and confidential service. Their pātai was, 'Can Māori kaimahi be professional and hold kōrero confidentially?'

Whānau also discussed that iwi should be educating their own whānau. Topics for education included tikanga, parenting, methamphetamine use and behaviour's as well as domestic violence safety plans. Supporting more Māori whānau to become Social Workers was also another priority, which is founded on the assumption of 'by Māori for Māori' service provision. The Māori Inquiry into Oranga Tamariki also had similar findings supporting 'by Māori for Māori' service provision (Whanau Ora Commissioning Agency, 2020).

The dilemma for whānau Māori makes sense based on their experiences and unfortunately supports the continued colonisation of tangata Māori. Whānau Māori are blaming Māori support systems created by the state but represented by their own people, their own faces, their own skin colors. Clever colonisers. Ugly kaupapa. These views of the whānau who participated in this thesis research reflect what Mutu (2019) wrote about, in terms of this being a form of divide and rule tactics used by the Crown.

Māori are continually under-resourced by the Crown to support the Māori mamae economy. Love (2002) found the state strategically provides minimal resources, such as welfare, to continue holding power over Māori. A number of pātai arise about how best to combat this, particularly if the answer lies with whānau, hapū, iwi. How do whānau Māori continue to support iwi they don't believe in? Should those who know the Oranga Tamariki system and how it works go home and support their own hapū? Can they afford to? By learning the system whānau became more knowledgeable, however, at what cost? Who's paying and with what putea?

These pātai about whānau, hapū, iwi are intertwined with pātai about Whānau Ora. Whānau who participated in this thesis research experienced a lack of service consistency from those who hold Whānau Ora contracts. This created more questions for whānau. When did arbitrary geographical boundaries become more important than whānau? Rather than pushing whānau away to find the right Whānau Ora provider for themselves, why couldn't the 'wrong' Whānau Ora provider connect the whānau to the 'right' Whānau Ora provider? Whānau have limited resources and adding this burden to whānau already experiencing diminished mana and mamae seems to fly in the face of our Māori values such as manaakitanga and rangatiratanga. Why is there a geographical area that is not covered by a Whānau Ora provider in Auckland?

Whānau who participated in this thesis research had assumptions that Whānau Ora is the remedy to all things Māori. This assumption raises further pātai, which could be the focus of further whānau education initiatives. Should Whānau Ora providers make themselves more visible to whānau? Is Whānau Ora about helping all Māori? If there is no Whānau Ora available to whānau, then what happens to them?

Māori are continuing to be treated unfairly by the system that many iwi have formed relationships with. Yet no-one had been voicing these injustices. *'Puao-te- Ata-tu'* also found more than 30 years ago the same system (CYFS/Oranga Tamariki) exploiting Māori more than 30 years ago (Ministerial Advisory Committee, 1986), reinforcing that nothing appears to have changed. There has been no safe space to voice these concerns. Mokopuna Māori are being removed and placed outside of whānau, hapū, iwi and nobody has been challenging this. This is until the 'Hawkes Bay Case' was streamed on social media motivating the Māori Inquiry into Oranga Tamariki (Whānau Ora Commissioning Agency, 2020) and the Children's Commissioners Report (Office of the Children's Commissioner, 2020).

The future for Māori is looking very assimilated as is their whakapapa. This means more Māori are losing their identity, their values and the very essence of being Māori to a system that takahia te mana over and over again. The recent findings from the Maori Inquiry into Oranga Tamariki (Whānau Ora Commissioning Agency, 2020) and the Children's Commissioners report (Office of the Children's Commissioner, 2020) also found the system diminishing the mana of Māori whānau. Other literature, such as Durie (2001), Love (2002), and Wilson et al., (2016) align with this perspective of Crown systems diminishing the mana of whānau Māori.

The kōrero of the whānau who participated in this thesis research prompts questions about the need for iwi to call out Oranga Tamariki's failings and injustices committed against whānau Māori. Iwi need support those whānau who have been traumatised, by creating safe spaces for whānau to voice these injustices and failings. Iwi could also support whānau by stopping mokopuna Māori being placed outside of whānau-hapū-iwi. Mokopuna are taonga, and iwi responses should reflect this.

5.1.3   *What does this mean for Oranga Tamariki?*

The kōrero of whānau Māori who participated in this thesis research revealed that Oranga Tamariki are continuing to target whānau and continue to fail to keep mokopuna Māori safe. They are producing, empowering and supporting unprofessional, biased decisions made by professionally and culturally incompetent kaimahi. These failings, however, are not just those of the front-line Oranga Tamariki kaimahi. For example, the fact that *'Puao-te- Ata-tu'* found all of these same issues over 30 years ago, but that nothing has changed, shows that the leadership of Oranga Tamariki have ignored this historic research. This begs the question of why Oranga Tamariki are continuing to operate as a failed system? Will they ignore the findings of all the recent inquiries too? Is Oranga Tamariki capable of making the transformational culture change necessary to truly care for and protect the taonga that are our mokopuna Māori?

The collusion of government/Crown systems (Oranga Tamariki, Ministry of Justice, Ministry of Education, and Police) impacted on whānau Maori participants. Whānau reported experiences with one or up to all four systems. How are whānau, who are holding mamae and having their whakapapa impacted upon, able to deal with four government systems at the same time? These government/Crown systems are built on institutionalised racism, and whānau Māori continue to be disenfranchised by those systems.

Questions are currently being raised about whether Oranga Tamariki can rise to the challenge of transformational change. At the time of writing, a hearing at the Treaty of Waitangi Tribunal was told by Lady Tureiti Moxon, who is the Chair of the National Urban Māori Authority that, "Oranga Tamariki was broken beyond repair" (Wiltshire, 2020), and she called instead for a fully-funded tamariki-mokopuna authority. If Oranga Tamariki as a government agency survives the current inquiries and continues in its current form, then they need to stop harming mokopuna Māori and suffer consequences if they do. Such consequences might look like limits on Social Work practice until the harm has been addressed and training undertaken so no more harm happens again. Oranga Tamariki need to audit their current kaimahi to identify areas of practice they are failing in, then urgently initiate training and monitoring of their kaimahi to ensure they are practicing safely. Furthermore, *'Puao-te- Ata-tu'* (Ministerial Advisory Committee, 1989) needs to be revisited

and its recommendations urgently actioned to make effective change – these solutions were available to Oranga Tamariki over 30 years ago and cannot continue to be ignored.

5.1.4 *What does this mean for Social Workers and Psychologists?*

The kōrero of the whānau who participated in this thesis research indicates that Social Workers and Psychologists are failing to work with whānau in a safe, professional, culturally competent way. It seems that being registered and having a code of ethics does not prevent mamae being perpetrated on whānau, which raises questions about the whole system of the Social Work and Psychologist professions, from their education right through to their practice. The immediate question is, are the Oranga Tamariki Social Workers and Psychologists even aware of the whānau harm caused by their actions? Who is it within Oranga Tamariki that monitors the practice of their Social Workers and Psychologists? How do their professional authorities, such as the Social Workers Registration Board and Psychologist's Board ensure compliance with their respective codes of ethics? If the registration Boards are waiting for complaints to come from whānau, what efforts are they making to ensure that whānau know about and are empowered to make complaints? What level of awareness do the registration Boards have about Māori cultural norms that whānau are reluctant to make complaints because they don't want to draw unnecessary attention to themselves? Especially since the government/Crown systems are already perceived to be colluding against them, so what trust would they have in another Pākehā authority such as a registration Board to hold their members accountable? On a related note, Ruwhiu (2019) recommended decolonisation training by all professionals working with Māori whānau and to be accountable for culturally safe work practices.

Individual Social Workers and Psychologists at Oranga Tamariki need to do some good reflexivity and locate the biases within their practices. Do Oranga Tamariki's Social Workers and Psychologists use cultural supervision to ensure their practice is culturally safe when working with whānau Māori? If so, are those cultural supervisors actually Māori?

In terms of Social Worker and Psychology practices, using Eurocentric parenting assessments on indigenous peoples is not supported at an education level so why is this happening in practice (Choate et al., 2019; Choate and McKenzie, 2015; France and Tarren-Sweeney,

2011; Tassell et al., 2012)? There are many Maori models like Te Whare Tapa Wha (Durie, 1994) and Te Wheke (Pere, 1991) that can be used by Social Workers and Psychologists. Oranga Tamariki also have Māori models such as Te Toka Tumoana that guides Social Workers working with Māori (Oranga Tamariki, 2019k). However, the kōrero of the whānau who participated in this thesis research suggests that either the models are not being used, or that they are being incorrectly used. Potentially there is scope for Social Workers and Psychologists to become culturally competent as prescribed by tohunga Māori, otherwise they shouldn't work with Māori. Are Social Workers and Psychologists even aware that their current training and practice is inadequate to work with whānau Māori, as identified by whānau research and reinforced by a failing system (Ruwhiu, 2019; Keddell and Hyslop, 2019)?

Further questions that arise are related to the institutions that train Social Workers and Psychologists. What are training institutions, like universities, doing to ensure their Social Work and Psychology students graduate as culturally competent to practice? Staying on a marae for a weekend wananga as part of a university training course does not ensure a graduate is culturally competent to work with Māori. Kaupapa Māori papers/subjects need to be incorporated into professional qualification pathways. Ruwhiu (2019) suggests making the curriculum equitable and parallel for Māori and for all the policies to be aligned amongst the tertiary systems, community and the Social Work Registration Board.

Are training institute staff even Māori, or are students being taught about cultural competence by non-Māori staff who themselves have gaps in their own cultural competence? Research conducted by McAllister, Kidman, Rowley and Theodore (2019) highlights that, "despite values espoused by universities in terms of diversity and within their equity policies regarding Māori staff, there has been no progress in increasing the Māori academic workforce" (p. 235). This raises further questions about the accountability of training institutions, as yet another government/Crown system, in terms of their Tiriti o Waitangi commitment. Are the registration Boards for Social Workers and Psychologists adequately holding these training institutions to account through their accreditation processes to ensure graduates are culturally competent to practice?

5.1.5   *What does this mean for government legislation and policy?*

The kōrero of the whānau who participated in this thesis research indicates that government legislation and policy need to be added to so that whānau Māori are protected from being ill-treated. The broken system is supposedly built on groundbreaking legislation (Hyslop, 2017). The Oranga Tamariki Act 1989 states "the well-being and best interests of the child or young person are the first and paramount consideration". Yet the experiences of the whānau clearly show this is not the case. Mokopuna are experiencing mamae and their mana is being stomped on.

The Oranga Tamariki Act 1989 also states "wherever possible, a child's or young person's family, whānau, hapū, iwi, and family group should participate in the making of decisions affecting that child or young person". Yet whānau have experienced being shut out of all decision making for their mokopuna. The current legislation and policy are not being upheld by the representatives of the government - Oranga Tamariki Social Workers. The Oranga Tamariki Act 1989 needs to be amended to include consequences for kaimahi throughout the organisation who do not uphold the existing legislation. Currently, there is no accountability, no fairness or transparency in many of Oranga Tamariki's practices.

And where is Te Tiriti in all of this? Oranga Tamariki is part of the government system and acknowledges the Treaty in its legislation and policies yet Māori are suffering injustices caused by the failing system. Oranga Tamariki should not use te Tiriti or Māori concepts if they are not tika. Mutu (2019) argues that to uphold the Treaty colonisation has to end with an aim to restore the balance between Māori and the Crown to live in peace and harmony as agreed to in 1840. This is a pretty future, however currently Oranga Tamariki do not uphold any article or principles of te Tiriti. This is clearly an injustice of kāwanatanga, and in the case of Oranga Tamariki, perceived to be a breach of te Tiriti o Waiangi. Indeed, at the time of writing, an urgent Treaty of Waitangi Tribunal hearing is under way to examine whether Oranga Tamariki practices in relation to tamariki Māori comply with Te Tiriti o Waitangi (Johnsen, 2020).

If government and those in leadership positions aren't upholding their own kawa, this will continue to ripple down through all government systems. Hence why the most vulnerable people of Aotearoa are being easily targeted and treated punitively. Government needs to be

held accountable. Government needs to be monitored and monitor their representatives. There is the Ombudsman and the Waitangi Tribunal but those processes take time and are not always Māori-friendly. Ultimately, though, whānau themselves have some power to hold the government to account by exercising their democratic right and voting in general elections for the political party that will change legislation and policy. Another possibility is for whānau to meet with their local Member of Parliament to kōrero and lobby for change. Another possibility is for whānau to partner with advocacy organisations such as ActionStation Aotearoa and start a petition for change.

5.2   Why these results matter

Mokopuna are the future of Māori as well as our connection to the past. Mokopuna are the future of Aotearoa and supposedly protected by te Tiriti and the Children's Convention. Yet Oranga Tamariki processes are harmful to mokopuna. Whānau are also protected by te Tiriti but they are also harmed, further marginalised and discriminated against. The system continues to fail Māori.

The government of Aotearoa continue to exploit Māori by way of mamae. Māori mamae is the new economy of the state. Māori disparities are many and increasing (Wilson et al., 2016, Pihama et al., 2014; Keddell, 2019). The processes of colonisation were about exploiting human labour, and Māori mamae is an evolved version of human labor. In the beginning, the Crown made many promises to Māori through the Treaty of Waitangi which was then translated by representatives of the Crown and became Te Tiriti. What happened next for Māori was the process of colonisation. Colonisation created deprivation, and deprivation created mamae. Today, Māori are still being colonised, are still suffering deprivation and the creation of mamae continues.

This would suggest that colonisation has become more covert or invisible as time has progressed. Many older New Zealander's today believe that colonisation was only a historical event, and do not realise it persists and continues today through dominant Western practices and institutionalised racism. However, younger New Zealander's have a different energy to the older generations, and they have no fear in calling out injustices when they see

it. They could be part of the future transformation change that is necessary, because the system is broken and mokopuna are being harmed.

Whakapapa is another precious taonga for Māori that is being harmed by Oranga Tamariki. As stated, researchers' findings of a *'pipeline from state care to prison'* due to the high numbers of prisoners having state care backgrounds highlights the impact of the system on whakapapa (Stanley, 2016; McIntosh & Workman, 2013; Pihama et al, 2014; Watt & Kim; 2019; Mendes, 2005). This can be classed as another type of cultural bias as found in *'Puao-te- Ata-tu'* (Ministerial Advisory Committee, 1989).

Kāwanatanga in collusion with other systems and even with kaimahi shows more ugly tactics used to diminish mana and further punish Māori. Unsafe processes with racism and oppression create a toxic space that whānau endure to save their mokopuna. This not OK and must stop. The Ministerial Advisory Committee (1989) also had the same findings over 30 years ago, but these have been ignored. Cram et al. (2015) also found systemic bias being used against Māori. When will this continued racism and oppression of whānau Māori, and particularly our tamariki/mokopuna stop!

Te Ao o Nehe opens the door to hapū and iwi, looking at how best to meet whānau struggling within Oranga Tamariki. Whānau Ora is seen by whānau to be the way forward. This is important because whānau have lost so much already and need the Māori collective to pull together and protect our mokopuna. Not sit on the side-line but actually combining strengths and filling the gaps.

5.2.1   *The system is broken and needs to be fixed*

History repeating itself is clichéd but also clearly visible when racism and oppression are present. *'Puao-te- Ata-tu'* (Ministerial Advisory Committee,1986) highlighted these same failings of CYFS/Oranga Tamariki over 30 years ago, yet history is still repeating. Even though the state has talked about changes to eliminate the failings identified such as institutional racism, Oranga Tamariki continues to produce the same harmful results for whānau Māori. Why did the government commission this research to happen if it was going

to ignore the findings? Is this another government ploy to satisfy Māori for a minute and then disappoint Māori for another 30 years?

Oranga Tamariki are in collusion with other government systems purposefully investing in unprofessional kaimahi to run processes like Family Group Conferences with the intention of failing Māori. This fits the understandings of colonisation to maintain and dominate indigenous peoples. Or is Oranga Tamariki a product of multiple parties playing a game of chess. Oranga Tamariki is the chessboard, whānau and kaimahi are the pieces and the rules are set by successive governments by way of legislation, policies and procedures. This view is supported by research conducted by Hyslop (2019), and Kedell and Hyslop (2019).

The evidence highlights that the Oranga Tamariki and colluding government/Crown system is still broken. The leadership at all levels in that system is failing our whānau Māori and mokopuna Māori as we speak, and the interface between leadership and kaimahi is disconnected. To change the current system a bottom-up, top-down approach is needed. Whānau Māori and agency Māori (such as Whānau ora) and hapū/iwi involvement is required to co-design a new structure and system that is actually fit for purpose. Service users are vital for change.

5.2.2 No confidence in Oranga Tamariki to care for and protect our mokopuna

Whānau have no confidence in Oranga Tamariki because they commit too many mamae. This is why mamae is an important issue to be aware of when working with whānau Māori. Whānau Māori have long histories of mamae from colonisation to assimilation. Hall (2015) argues that mamae cannot be disregarded as it identifies a whakapapa of behaviours handed down from previous generations. If these are continually ignored and then whānau experience more and more mamae, what are we creating? A whole heap of vulnerable tangata moving around Aotearoa New Zealand and interacting, sometimes with negative consequences, with other tangata.

When mamae goes on unresolved, they are never forgotten. Mamae exists for whānau as long as they are unresolved, therefore reproductions of past mamae are validated over and over again. The system is an ever-perpetuating cycle of validating colonised oppression. The

whakapapa of those in care highlights incarceration as a real possible outcome, which further supports that whānau have no confidence in Oranga Tamariki. How are Māori meant to trust a system that sends mokopuna to prison? This is not caring for and protecting mokopuna Māori.

Whānau will not trust a system that colludes with other systems and employs kaimahi who use unethical practices to defeat them. Mokopuna are taonga and need to be treated as such, even by, perhaps especially by, a government system. As long as the government fails, a platform for Māori solutions by Māori for Māori becomes a necessity.

5.2.3   Lessons for whānau to decrease the negative engagements with Oranga Tamariki

To avoid mamae and system interactions, whānau need to do things differently. Whānau, hapū, iwi need to protect their whakapapa. Whakapapa is precious and belongs to whānau, hapū, iwi, not the system. The system is not enhancing whakapapa but is using whakapapa against whānau, hapū, iwi and that is not OK. The system is using whakapapa to create whakama, as evidence by a range of existing research by, for example, Taonui (2010), Walker (1990), Stanley (2016), McIntosh and Workman (2013), Pihama et al. (2014), Watt and Kim (2019), and Mendes (2005).

Yet the kōrero of whānau who participated in this thesis research suggests that whānau are able to respond to Oranga Tamariki drawing on their whakapapa. Resilience is the capacity of a social system to withstand shocks and to persist through stresses, maintaining its structure, functions and characteristics (Berkes & Ross, 2013). Whānau brought in experts, whānau learned the system, and whānau supported whānau. However, what if whānau don't have the capacity or capabilities? What are their outcomes? Who teaches whānau necessary skills to deal with the state?

5.3   Limitations

The limitations of this thesis research involve the relatively small sample of eight whānau which raises potential questions of generalizability. That said, the findings of this thesis research align with other recent inquiries, so perhaps generalizability isn't such a limitation of this research. As the research is qualitative, eight is a practical number to engage interviews with. Qualitative research also may not produce definitive conclusions which is true of this thesis this research. Another possible limitation is related to researcher bias, given that she and the participating whānau are Māori. However, the methodological process used during this study, along with close academic and cultural supervision, should mitigate this concern.

What the results of this thesis research can't tell us is how to keep whānau out of the system. How will whānau learn and upskill themselves to keep under Oranga Tamariki's radar? How can whānau improve their care and protection of their mokopuna? How important are mokopuna to whānau? What is right and what is wrong?

Are Social Workers and Psychologists motivated and supported to change their approach with whānau, and to upskill their cultural competence so as not to cause further harm to already marginalised whānau? Who will validate their cultural competence? Why is there a shortage of Māori Social Workers employed by Oranga Tamariki?

Given the calls for the Minister of Oranga Tamariki and the CEO to resign, no response has been provided. This gives the impression that Oranga Tamariki is unwilling, not motivated, or does not have the capacity to make the transformational change necessary to care for and protect our mokopuna and their whānau. Is the government ready to acknowledge their failings and apologise to Māori?

5.4   Recommendations

5.4.1   *Recommendations for the affected whānau and mokopuna*

It is recommended that whānau complain about all the injustices they have experienced while being under investigation by Oranga Tamariki. This process is to validate their mamae and put Oranga Tamariki and the trauma they have caused under scrutiny. Mokopuna were harmed and this cannot continue.

It is recommended that wānanga be developed for whānau Māori about colonisation so they can understand the bigger picture. This is where iwi and hapū should step in. By starting with wānanga, this can action whānaungatanga and tikanga therefore strengthening identity. Colonisation history taught by tohunga Māori can teach whānau Māori about how the Crown system has marginalised and biased whānau and continue to do so today. Also, when whānau are aware of how colonisation works today and that tangata Māori are an economy for the state, this could lead to a lot of alleviation of guilt, blame, shame and mamae that doesn't belong to them. A decolonisation process taught by Māori tohunga, would particularly benefit whānau Māori.

It is recommended that whānau Māori somehow be provided a space to heal from all the mamae. What this looks like will be determined by whānau, and may involve marae, hapū and iwi spaces being made available for this kaupapa. Acknowledging their mamae starts a kōrero and further validates that the treatment they received was not OK.

It is recommended that at-risk whānau have plans developed to eliminate or minimize their interactions with Oranga Tamariki. A possible pathway for this could be through Māori services that focus on nurturing and caring for mokopuna, Māori parenting classes, budgeting and employment opportunities.

5.4.2   Recommendations for the wider whānau-hapū-iwi

It is recommended that iwi organisations take an active role in keeping whānau Māori safe from the Oranga Tamariki system in order to protect mokopuna Māori. This will require experts in each part of the system leading teams of advocates with putea and resources. In past times, Māori used the equivalent of children teams, so it is possible to revisit this.

In order to achieve this recommendation, whānau-hapū-iwi will need to reconnect and reinforce their connections with those whānau who feel disconnected from these supports. By exercising whanaungatanga, whānau can embrace their whakapapa. This opens up time and space for whānau to identify people and services available to them.

Once this reconnection takes place, then whānau-hapū-iwi need to identify Māori solutions needed for their whānau. 'By Māori for Māori' initiatives will need to be supported by whānau who have been through the system of Oranga Tamariki. A focus on environments and outcomes for mokopuna would be a good start.

5.4.3   Recommendations for Oranga Tamariki

It is recommended as an immediate first step that Oranga Tamariki apologise unequivocally to the many whānau Māori who have been traumatised and harmed by their interactions with the organisation. Oranga Tamariki also needs to apologise to Māoridom more widely for being unable to care for and protect mokopuna Māori. These apologies will be well received by all Māori and start a healing process.

In the event that Oranga Tamariki as an organisation survive the current inquiries, it is recommended that an equitable parallel watchdog group be formed to monitor the processes of Oranga Tamariki and their kaimahi. This watchdog group needs to include tohunga Māori. Currently Oranga Tamariki have no systems in place to monitor their practices and hold them accountable.

In the event that Oranga Tamariki as an organisation survive the current inquiries, it is recommended that they heavily invest in a strategy that increases the number of Māori

kaimahi throughout all levels in their organisation including senior leadership. This is to uphold te Tiriti and improve options for whānau Māori who have to engage with Oranga Tamariki. In addition to increasing the number of Māori kaimahi in Oranga Tamariki, their strategy must also invest in Māori led cultural competency training for all of their non-Māori staff, up to and including their CEO.

5.4.4   Recommendations for Social Workers and Psychologists

It is recommended that all Social Workers and Psychologists at Oranga Tamariki challenge the system when they see injustices rather than continue to support them. Non-Māori Social Workers and Psychologists need to be honest about their cultural competence, and question whether they are in fact culturally competent to work with whānau Māori. If not, then they should not work with whānau Māori until they have achieved cultural competence. This has to be a better position than breaching their own professional and ethical standards and harming whānau Māori.

Possible pathways for Social Workers and Psychologists to grow their cultural competence include engaging with Māori-led trainings, engaging with local Māori leaders, join local or online Māori-led te reo classes, and even going to Matatini. All formalised learning pathways to cultural competence should follow Ruwhuis (2019) suggestions of incorporating decolonisation processes and in their learning.

It is further recommended that the Social Workers Registration Board and the Psychologist's Board get more proactive about auditing the cultural competence of their members, and accountable for their culturally safe practice.

It is finally recommended that those same Boards (Social Worker Registration Board and Psychologist's Board) hold training institutions (universities) accountable through their accreditation and reporting process to demonstrate how their registration programmes are culturally competent. This should include a review of the Māori staff within those training programmes, as well as the cultural competence of the non-Māori academic staff in those training programmes. It should also include a requirement for students/interns to demonstrate their level of cultural competence prior to being awarded their qualification.

5.4.5   *Recommendations for government legislation and policy*

It is recommended that the government acknowledge and apologise for their failing of paramountcy of mokopuna Māori. It is not acceptable for the government to blame others. They should instead stand in their own whakamā about creating the problem through their legislation and policies going back to the 1800s and address it. The government need to feel their own mamae for breaching their own written kawa.

It is recommended that the current system be transformed to a bottom-up, top-down approach. It is imperative that whānau Māori be involved in the co-design of this structure, and that those changes be Māori-led. Developing a 'by Māori, for Māori' structure that is fit for purpose is the ultimate goals, and in this, system users are important.

The continued harming of mokopuna Māori has to be addressed by the state and resolved if '*the well-being and best interests of the child or young person are the first and paramount consideration'* (Oranga Tamariki Act 1989). This means sharing decision-making, resources and supports. Otherwise step away and resource those who can address and resolve the mamae that the state created. Policies around cultural safety for whānau and the ability to work with Māori kaimahi need to be supported.

As part of the transformational change, the interconnected government/Crown agencies, including Oranga Tamariki, the Ministry of Justice, the Ministry of Education and the Police need to wānanga in Te Ao o Nehe, not in colonized, reproduced Māori. The wrong history perpetuates the negative outcomes for Māori because it comes from the colonised seed. This education needs to come from a validated source based on the areas they work in relevant to the colluding government/Crown systems. Hapūtanga needs to be activated by way of good honest leadership.

6.   Conclusion

Whāia te iti kahurangi ki te tūohu koe me he maunga teitei
Seek the treasure you value most dearly: if you bow your head, let it be to a lofty mountain

The research question was, what happens to whānau Māori while under investigation by Oranga Tamariki? The first aim was to explore the experiences of whānau Māori who have been under investigation by Oranga Tamariki. By completing this research, it was found that a lot of mamae is experienced by all members of whānau Māori while under investigation by Oranga Tamariki. Whānau Māori experienced their whakapapa being rewritten, stolen and kept by Oranga Tamariki. Oranga Tamariki works in collusion with other government/Crown systems, employs kaimahi that lack adequate cultural competency training, and supports unsafe practices which are both racist and oppressive.

Nothing has changed for whānau Māori by way of interacting with Oranga Tamariki. Over 30 years ago, *'Puao-te- Ata-tu'* identified a system failing Māori. International research found similar processes and outcomes for indigenous peoples. The current research by Oranga Tamariki, the Māori inquiry and the Children's Commissioner also had similar findings. The themes of mamae, whakapapa, kāwanatanga and te Ao o Nehe evidenced multiple injustices against all whānau Māori participants in this research. The data highlighted many breaches of te Tiriti, leading to the conclusion that legislation was not being upheld by the system and that Oranga Tamariki is a broken system. However, Oranga Tamariki continue to fail Māori whānau and mokopuna while the government of Aotearoa does nothing to stop this.

The second aim was to produce evidence for whānau-hapū-iwi to find solutions to decrease the number of whānau impacted by Oranga Tamariki. Research suggestions include looking at the influence of politics on Oranga Tamariki, legislation and policy changes in comparison to Māori mokopuna in care, how much kaupapa Māori is taught to gain qualifications in Social Work and Psychology and how the Oranga Tamariki Cyrus program works in comparison to the last program system used? Also, research on siblings being separated by Oranga Tamariki could identify areas that need special attention.

New knowledge that this thesis research contributes compared with other research since the Hawkes Bay Case came to light is the lived experiences of whānau engagement with Oranga Tamarili through the whole investigation process (from start to end). What this revealed was the whānau kōrero around Māori identity and about Te Ao o Nehe – Māori whānau, hapū and iwi. It was interesting that the whānau reported expectations of support from hapū, iwi and Whānau Ora, which the other pieces of research did not reveal due to their focus on the uplift process itself. Also new from this research is the finding that mamae leads to whakama which diminishes mana, and this led to the development of the kawa framework to demonstrate how these Māori concepts interplay with each other. The Māori mamae economy as well as whakapapa being rewritten by the system is another new piece of the overall picture that this research brings to our knowledge base. Finally, this research identified that arbitrary geographical boundaries imposed by Whānau Ora determined which whānau that each Whānau Ora provider will work with, including that sometimes whānau fall in to 'No-Man's Land' and over not covered by any Whānau Ora provider.

In conclusion, mokopuna Māori are experiencing too much mamae. Mokopuna are precious ātaahua taonga and need to be nurtured, healthy and safe. Whānau-hapū-iwi are responsible to ensure this is happening for all there mokopuna. These are the future rangatira of Aotearoa. To reduce harm for mokopuna Māori within the system of Oranga Tamariki whānau-hapū-iwi have the knowledge between them to alleviate this. The overall goal for whānau is to not have any more mokopuna placed under the care of Oranga Tamariki. Colonisation continues and is not stopping. This is a Māori reality. Colonisation is the nemesis of injustice for whānau Māori. This cannot be forgotten or ignored.

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8.   Appendices

Appendix A: Recruitment Advertisement

ADVERTISEMENT

MANA TAMARIKI: Whānau experiences of Oranga Tamariki

Tēnā koe. My name is Lee-Anne Tatana, and I am a master's student at Massey University's Albany campus with iwi affiliations to Nga Puhi, Ngati Kahu, Ngati Kuri and Te Aupouri. I wish to invite whānau Māori to take part in this research.

The central question of the research is what do whānau Māori experience when under investigation by Oranga Tamariki?   The benefits of this research are to share korero, awhi other whanau and create safer solutions for whānau Māori. By taking this opportunity, an interview will be completed by myself with your whānau.

If you would like to take part in this research, you can contact the researcher by message, text, email or phone.

Mauri Ora!
Lee-Anne Tatana
Researcher
021-233-3158
Lee-Anne.Tatana.1@uni.massey.ac.nz

Appendix B: Information Sheet

School of Psychology, Massey University Albany Campus

Private Bag 102 904, North Shore, Auckland 0745

Ph: 09 414 0800 xtn 49027

INFORMATION SHEET

MANA TAMARIKI: Whānau experiences of Oranga Tamariki

Researcher Introduction
Tēnā koe. My name is Lee-Anne Tatana, and I am a master's student at Massey University's Albany campus with iwi affiliations to Ngā Puhi, Ngāti Kahu, Ngāti Kuri and Te Aupouri.

The central question of this research is what do whānau Māori experience when under investigation by Oranga Tamariki? The benefits of this research are to share korero, awhi others and create safer solutions for whānau Māori. As well as find solutions for whānau, hapū and iwi so that they can be more competent when supporting whānau Māori being investigated by Oranga Tamariki.

You are invited to participate in this research.

Project Procedures
Whānau interviews will be conducted with myself from a venue of your choice. Approximately 90 minutes to 3 hrs for whānau interviews. The whānau interviews will be semi-structured and open-ended. The whānau interviews will be sound recorded for the purposes of facilitating transcription of the interview. Whānau interview recordings and transcripts will be destroyed five years after the completion of the study.

Participant's Rights
You are under no obligation to accept this invitation. If you decide to participate in this research, you have the right to:

- decline to answer any particular question;
- ask to withdraw from the study any time before the interviews are completed;
- ask questions about the study at any time during participation;
- provide information on the understanding that your details, including your names will be anonymised and remain confidential; and
- be given access to a summary of this phase of the research findings when it is concluded.

Project Contacts

Researcher:	*Lee-Anne Tatana, Massey University, Albany Campus*
	Email: Lee-Anne.Tatana.1@uni.massey.ac.nz *Mobile:* (021) 233 3158
Supervisors:	*Dr. Matthew Shepherd, Massey University, Albany Campus*
	Email: m.shepherd1@massey.ac.nz *Ph:* (09) 414 0800 xtn 43094
	Lisa Stewart, Massey University, Albany Campus
	Email: m.stewart@massey.ac.nz *Ph:* (09) 414 0800 xtn 49027

Ethics
This project has been reviewed and approved by the Massey University Human Ethics Committee: Northern, Application NOR 19/53. If you have any concerns about the conduct of this research, please contact Associate Professor David Tappin (Committee Chair), Massey University Human Ethics Committee: Northern, email: humanethics@massey.ac.nz

Appendix C: Consent Form

School of Psychology, Massey University Albany Campus
Private Bag 102 904, North Shore, Auckland 0745
Ph: 09 414 0800 xtn 49027

INDIVIDUAL PARTICIPANT CONSENT FORM

Mana Tamariki: Whānau experiences of Oranga Tamariki

I have read the Information Sheet and have had the details of the research project explained to me. My questions have been answered to my satisfaction, and I understand that I may ask further questions at any time.

I agree/do not agree to the interview being sound recorded for the purposes of facilitating transcription of the interview.

I wish/do not wish to receive a summary of this phase of the research findings when it is concluded.

I agree to participate in this research under the conditions set out in the Information Sheet.

Signature: _____   Date: _____

Full name – printed: _____

Ethics
This project has been reviewed and approved by the Massey University Human Ethics Committee: Northern, Application NOR 19/53. If you have any concerns about the conduct of this research, please contact Associate Professor David Tappin (Committee Chair), Massey University Human Ethics Committee: Northern, email: humanethics@massey.ac.nz

Appendix D: Semi-Structured Interview Questions

School of Psychology, Massey University Albany Campus
Private Bag 102 904, North Shore, Auckland 0745
Ph: 09 414 0800 xtn 49027

QUESTIONS

MANA TAMARIKI: Whānau experiences of Oranga Tamariki
This study is to explore the experiences of OT through the eyes of whānau Māori who have been under investigation.
By exploring Māori experiences of OT, evidence gathering can begin to uncover why so many whānau Māori are being investigated, what the processes of OT were, how they were experienced and what were the outcomes for the tamariki and the whānau?
All from a Māori lens.

1. How did your whānau come to the attention of Oranga Tamariki?

   - Notification – *'take'*

2. What did your whānau experience when under investigation by Oranga Tamariki?

   - Assessments
   - Social Workers
   - Whānau Hui
   - Family Group Conference/s
   - The Family Court
   - Lawyer for Child
   - Uplift

3. How did your whānau continue day-to-day while under investigation by Oranga Tamariki?

4. How long were your whānau under investigation by Oranga Tamariki?

5. How is/are the tamariki/mokopuna and whānau today?

   - Te Whare Tapa Wha
   - Outcomes

6. What worked well and what didn't work well for your whānau Māori?

7. What would you change or do differently?

8. Any other korero?

Appendix E: Support Contacts for Whānau

LIST OF SUPPORTS

MANA TAMARIKI: Whānau experiences of Oranga Tamariki

Please find a list of the following supports that are available to your whānau.

Name	Support	Area	Contact Number
Whaea Rangi Davis	Counselling	North Shore	021-027-47185
Tu Wahine	Counselling Sexual Violence Whānau Violence	247 Edmonton Rd Te Atatu South	09-838-8700
Te Ha Oranga	Whānau Ora Support	53-65 Commercial Rd, Helensville	09-420-8523
Te Whānau o Waipareira	Whānau Ora Counselling	6-8 Pioneer Street Henderson	0800-924-942
Kia Timata Ano	Domestic Violence	South Kaipara	021-183-0522
Helensville Women & Family Centre	Counselling Family Support	104 Commercial Rd Helensville	09-420-7992
South Kaipara Mens Trust	Counselling Mens Groups	Helensville	027-800-8081
Foodbank	Kai (Mon, Weds, Fri)	Helensville	09-420-7725
Lifeline	24/7		0800 LIFELINE
Suicide Crisis Helpline	24/7		0508 TAUTOKO
Depression	24/7		0800-111-757
Anxiety	24/7		0800 ANXIETY
Parenting Help	confidential		0800-568-856
Kids Line	24/7		0800-KIDSLINE
Mental Health Line	8pm – 12pm		0508-WARMLINE
Alcohol & Drugs	24/7		0800-787-797

Some of the services will require a small fee to be negotiated. If you require any further help or support that is not listed here, then feel free to contact the researcher. She will awhi and tautoko you to find the support needed. You can contact Lee-Anne Tatana on 021-233-3158.

Mauri Ora.