

Chair  
Cabinet Social Policy Committee

## **PAPER D – VULNERABLE CHILDREN'S BILL: ENSURING THE SAFETY OF SUBSEQUENT CHILDREN**

### **Proposal**

- 1 I propose a new approach for ensuring the safety of children of adults who have previously had a child permanently removed from, or die in, their care due to abuse or neglect (subsequent children).
- 2 Under the proposed approach, where such an adult is expecting a subsequent child, there would be a new legal onus on the parent to demonstrate they are safe to parent, in order to retain custody of the child, and there would be Family Court oversight of every case (new onus).

### **Executive summary**

- 3 There are potentially significant risks of harm to children who are born into the care of parents who have previously had children permanently removed from, or die in, their care due to abuse or neglect.
- 4 Under current practice, whenever Child, Youth and Family is notified that an adult who has previously had a child removed is expecting, or is already caring for, a new child the same statutory processes apply as for any other child.
- 5 I propose legislative changes to enable a new set of processes within and outside of Child, Youth and Family to help ensure the safety of subsequent children. It is expected that these new processes will provide greater rigour, Court oversight and transparency around care and protection decision-making, further enhancing the safety of subsequent children. The proposal may also provide an impetus for a parent to proactively make behavioural changes.
- 6 The new legal onus would be given effect in legislation through the introduction of a new ground for a child being considered in need or care or protection. The Children, Young Persons, and Their Families Act 1989 (CYPF Act) would be amended to provide that a child or young person was presumed to be in need of care or protection where their parent has previously had a child permanently removed from, or die in, their care due to abuse or neglect, unless the parent has demonstrated they are safe to parent the new child.
- 7 The proposed approach would apply where a parent is expecting, or already caring for, a new child and either:
  - there has been a decision made, either through a Family Group Conference (FGC) or a declaration by the Court, that the previous child was in need of care or protection under the grounds of section 14(1) (a) or (b) of the CYPF Act, and there has been a permanent care placement away from the parent by way of a Court order

OR

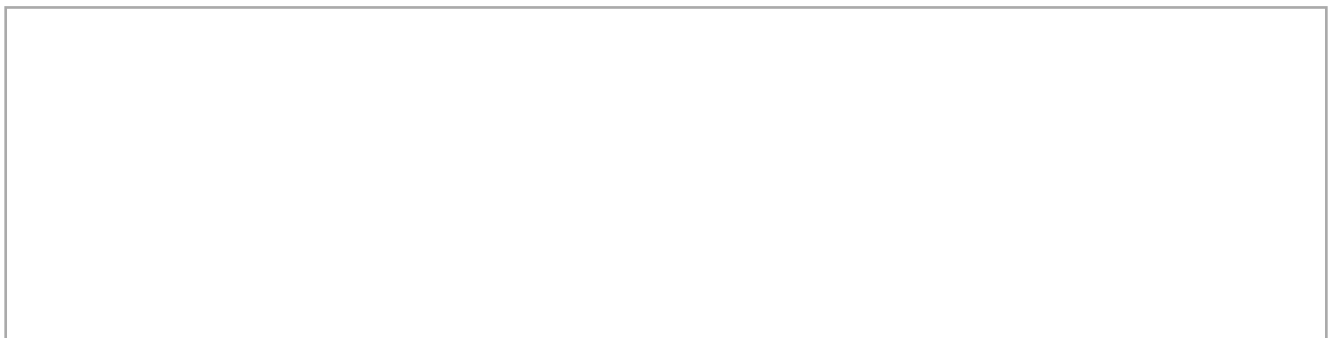
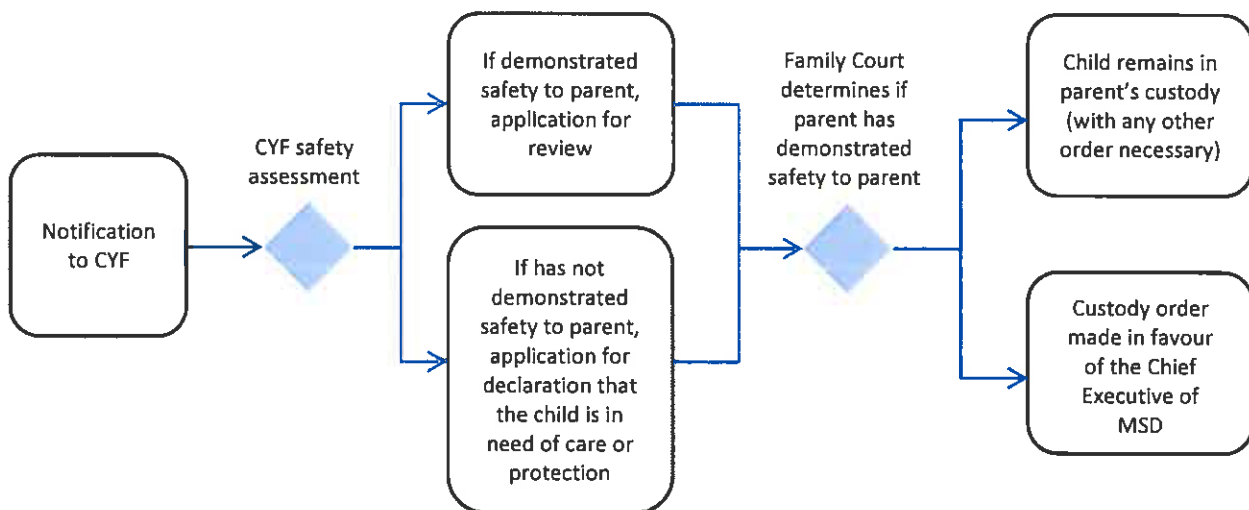
- a previous child has died due to a culpable act by the parent, for which the parent has been convicted. The relevant offences from the Crimes Act 1961 are murder, manslaughter and infanticide, when committed against a child in the care of the person.

- 10 I propose there be no time limit to the new onus, and that it apply from the point at which the Court makes a permanent custody or sole guardianship order in respect of the child. It would be effective as soon as the legislation is enacted, and would apply to parents who have had a child removed before the legislation came into force.
- 11 The onus would be accompanied by Court oversight of all subsequent children cases, including where Child, Youth and Family assesses the adult is safe to parent. Where Child, Youth and Family receive a notification of a subsequent child, they would undertake an assessment of whether the parent has demonstrated they are safe to parent. The initial social worker assessment would be reviewed by a senior practitioner within Child, Youth and Family.
- *Where the parent **has** demonstrated their safety to parent:* Child, Youth and Family would be required to apply to the Family Court for a review of their decision.
  - *Where the parent **has not** demonstrated their safety to parent:* Child, Youth and Family would be required to apply for a declaration that the child is in need of care or protection. As per existing processes, Child, Youth and Family would recommend appropriate orders to the Court to protect the child, such as a custody order in favour of the Chief Executive, or an order such as a support order requiring monitoring by Child, Youth and Family.
- 12 Where the Court makes a custody order, the parent will remain entitled to make an application for a discharge of the order.
- 13 The application for a review of cases where the parent has demonstrated their safety to parent is a novel process, and the following would apply:
- the child would remain in the parent's custody throughout the review process. Child, Youth and Family would retain the ability to make any urgent applications to the Court to remove the child where required
  - Child, Youth and Family would provide the Court with full information necessary for a decision to be made, including a social worker's report, any specialist reports or assessments, and any other relevant information. The information would include background to the case, current circumstances, analysis and reasons for decision

- consistent with current practice, a lawyer for the child may be appointed to represent the child or young person when the application for review is made
- the Court should, in many cases, be able to make a decision on the basis of the evidence before it (information from Child, Youth and Family) and (if required) a report from the lawyer for the child. The Court may also, however, direct a judicial conference involving the key parties and/or request further information, where required



14 In both instances, the Family Court would determine if the parent has demonstrated their safety to parent. The process is summarised in the diagram below.



## Background

- 17 On 24 September 2012, Cabinet agreed that the White Paper for Vulnerable Children (the White Paper) signal the Government's intention to introduce a Vulnerable Children's Bill [CAB Min (12) 34/9 refers].
- 18 The proposal in this paper was included in the White Paper as a possible condition of new Child Harm Prevention Orders (CHPOs). The proposal also complements plans to extend and systematise arrangements for tracking high-risk adults.
- 19 Evidence shows that past behaviour is often a good predictor of future behaviour, and that being born into the care of an adult who has previously had a child permanently removed from, or die in, their care due to abuse or neglect is a significant indicator of risk of harm for a

subsequent child. Parents who have a child removed are likely to suffer intense feelings of loss, and may go on to have a 'replacement child' who may also be at risk.<sup>1</sup>

- 20 Limited aggregate data is available on the number of subsequent children. Based on a review of data on children placed in out-of-home care between 2004 and 2010, Child, Youth and Family estimates that, each year, there are around 300 subsequent children who come to the notice of Child, Youth and Family and are then removed from their parents' care.<sup>2</sup> For the purposes of costing the options set out in this paper, Child, Youth and Family has estimated that possibly as many as a further 150 subsequent children come to their notice each year but remain in the custody of their parents.
- 21 There is very little research available on the long-term safety of subsequent children who remain in the care of their parents and how these children fare compared with subsequent children who have been transferred out of the custody of their parents. There have, however, been some recent high profile cases which have raised concern about the safety of subsequent children. For example, in September 2009, a 22 month old child died of a non-accidental injury. Child, Youth and Family had no prior knowledge of this child; however, Child, Youth and Family had previously removed two of her older siblings from their parent's care.
- 22 In November 2009, an Independent Experts' Forum on Child Abuse also reported concerns about children of families "who come to official notice, but whose management or monitoring subsequently ceases". The forum raised the notion of an 'always open' file, to alert professionals to risks for subsequent children.
- 23 Since then, there have been steps taken to improve systems that identify, and protect, children born into families where abuse or neglect has already occurred, as set out below.
  - In February 2010, Child, Youth and Family made changes to its practice, and introduced a new requirement to its Engagement and Safety Policy (Care and Protection). Child, Youth and Family regularly undertakes safety assessments when a report of concern has been received for a child whose parents/caregivers have previously had a child removed from their care due to safety concerns.
  - The Child Protection Alert System uses the health sector's existing Medical Warning System to place an alert on a child's file after concerns about the child have been reported to Child, Youth and Family. This system is operated within hospital settings in five District Health Boards (DHBs). The system alert notes that child protection concerns have been identified and the relevant DHB should be contacted for further information. It enables hospital staff to assess the relevance of the historical information in the context of the child's presenting concerns and current living situation.

## Overview of Proposal

- 24 I now want to go further, and strengthen the guidance on, and oversight of, cases involving the subsequent children of parents who have seriously abused or neglected their child.
- 25 Under the current system, the same statutory processes apply for a subsequent child who comes to the attention of Child, Youth and Family as any child notified to the agency.

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<sup>1</sup> Kerslake Hendricks, A and Stevens, K (2012) '*Safety of Subsequent Children: International literature review*'. Families Commission.

<sup>2</sup> Ibid. The literature review considered data provided by Child, Youth and Family on children in care who had a first out-of-home placement sometime in the period between 2004 and 2010 (4,180 children). Of these children, 1,895 (45 per cent) also had siblings who had previously been removed from their parents/caregivers by Child, Youth and Family.

26 I propose creating new statutory processes that would apply to parents<sup>3</sup> who have previously had a child permanently removed from, or die in, their care due to abuse or neglect.

### **Demonstrating safety to parent**

27 Where any such adult is expecting, or is already caring for, a subsequent child, an onus would be imposed on that adult to demonstrate they are safe to parent.

28 The onus would be given effect in legislation through the introduction of a new ground for a child or young person being in need of care or protection. The CYPF Act would be amended to provide that a child or young person is in need of care or protection where a parent has previously had a child permanently removed from, or die in their parent's care, in the circumstances detailed below, unless the parent has demonstrated that they are safe to parent the new child.

29 When assessing whether a parent has demonstrated their safety to parent, factors taken into account would be similar to current practice and would include:

- the context of the previous incident
- parental remorse
- strategies for managing any relapse
- capacity and willingness to change
- attitude to pregnancy
- maturation since the incident
- whānau, hapū, iwi support
- support seeking.

30 The principle that the best interests of the child is the paramount consideration in care and protection decision-making would remain. FGCs would also retain an important role. FGCs help ensure whānau, hapū and iwi involvement in the decision-making in the best interests of the child or young person. This is especially important as around half of children who are the subject of a statutory intervention identify as Māori.

### **Circumstances where the new provisions would apply**

31 The proposal would apply to any adult who has previously had a child permanently removed from, or die in, their care due to abuse or neglect.

32 I propose the onus apply where, either through an FGC or a declaration by the Court, there has been a decision made that the child (or young person) previously removed was in need of care or protection under the grounds of section 14(1)(a) or (b) of the CYPF Act:

- a) the child or young person is being, or is likely to be, harmed (whether physically or emotionally or sexually), ill-treated, abused, or seriously deprived; or
- b) the child's or young person's development or physical or mental or emotional wellbeing is being, or is likely to be, impaired or neglected, and that impairment or neglect is, or is likely to be, serious and avoidable

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<sup>3</sup> The onus will not apply to adults who do not have custody of the child (for example, de facto partners). In such instances, existing care and protection processes will still be available. CHPOs will also be available for the highest-risk adults.

and

- there has been a permanent care placement away from the parent by way of a Court order under the CYPF Act or under the Care of Children Act 2004.

33 In instances where a previous child has died, I propose the onus apply where the death was found to be due to a culpable act by the parent, for which the parent has been convicted. The relevant offences from the Crimes Act 1961, when committed against a child in the care of the person, are:

- Section 167 Murder
- Section 171 Manslaughter
- Section 178 Infanticide.

34 The proposal would apply regardless of whether a CHPO can be imposed on the person.

*Further options for expanding the scope*

37 It is worth noting that we have already taken steps towards holding adults who fail to protect children from abuse and neglect to account. The new section 195A of the Crimes Act 1961 makes adults liable to imprisonment where:

- they know that a child (or vulnerable adult) who is a member of the same household is at risk of death or serious harm from another person, and
- they fail to take reasonable steps to protect the victim.

**Circumstances where the new provisions would not apply**

39 Sections 14(1)(c) to (i) of the CYPF Act are the other grounds specifying that a child or young person is in need of care and protection, including:

- serious differences between the parent, other caregivers and/or the child or young person which are seriously impairing the wellbeing of the child or young person (s14(1)(c) and (h))
  - the child's or young person's unmanageable behaviour or offending (s14(1)(d) and (e))
  - the parents are unwilling or unable to care for the child or young person, or have abandoned the child or young person (s14(1)(f) and (g))
  - the ability of the child or young person to form a permanent attachment to their caregivers is being, or is likely to be, seriously impaired (s14(1)(i)).
- 40 Where a child or young person is removed as a consequence of a declaration being made on these grounds, declaration is usually also made on the grounds of section 14(1)(a) or (b), or a combination of section 14(1)(a) or (b) and section 14(1)(f).
- 41 However, where a child or young person is removed as a consequence of a declaration being made solely under sections 14(1)(c) to (i), I do not propose including these circumstances within the scope of the new onus. I do not believe it is justifiable to impose an onus where the child has been removed solely because they have been unable to care for their child because of, for example, illness, disability or dependency, although the parent has not actually harmed the child. The reasons for this can range from mental or physical illness or mental or physical disability, to cases of drug and alcohol abuse. In some cases these conditions may be temporary, for example post natal depression, but the child may not be returned to the parent, because of the need to find a permanent home for a the child to allow a permanent attachment to form.

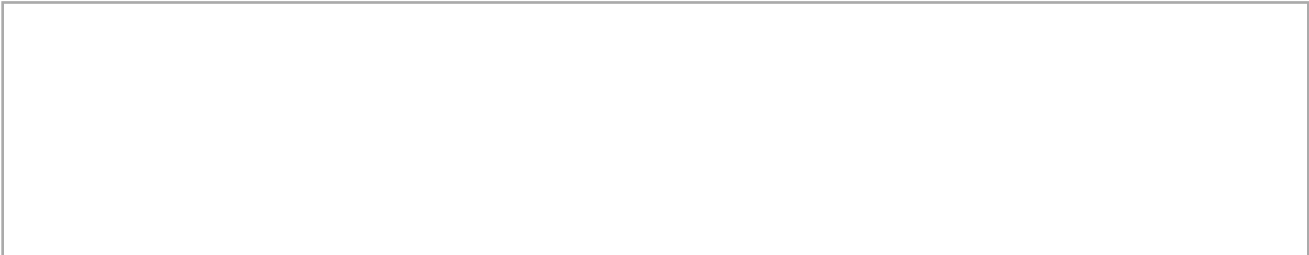
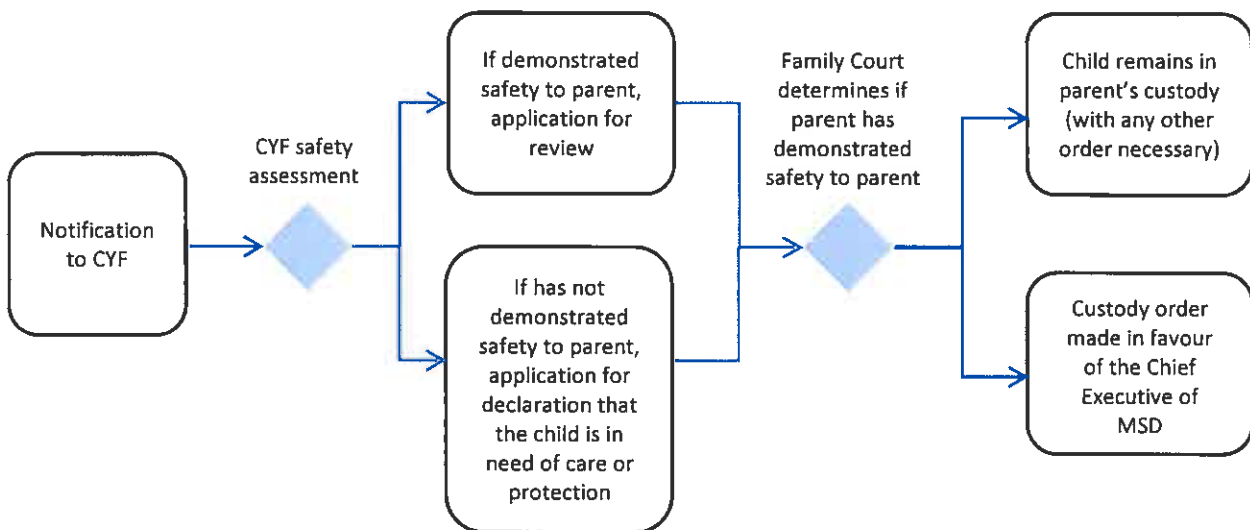
### Operation of the new onus

- 42 Where Child, Youth and Family receives a notification of a subsequent child, they would undertake an assessment of whether the parent has demonstrated they are safe to parent. The initial social worker assessment would be reviewed by a senior practitioner within Child, Youth and Family.
- *Where the parent has demonstrated their safety to parent:* Child, Youth and Family would be required to apply to the Family Court for a review of their decision.
  - *Where the parent has not demonstrated their safety to parent:* Child, Youth and Family would be required to apply for a declaration that the child is in need of care or protection. As per existing processes, Child, Youth and Family would recommend appropriate orders to the Court to protect the child, such as a custody order in favour of the Chief Executive of the Ministry of Social Development (MSD), or orders such as a support order requiring regular monitoring by Child, Youth and Family.
- 43 Where the Court makes a custody order, the parent will remain entitled to make an application for a discharge of the order.
- 44 The application for a review of cases where the parent has demonstrated their safety to parent is a novel process, and the following would apply:
- the child would remain in the parent's custody throughout the review process. Child, Youth and family would retain the ability to make any urgent applications to the Court to remove the child where required
  - consistent with current practice, a lawyer for the child may be appointed to represent the child or young person when the application for review is made

- the judge should, in many cases, be able to make a decision on the basis of the evidence before it (information from Child, Youth and Family) and (if required) a report from lawyer for the child. The Court may also, however, direct a judicial conference involving the key parties and/or request further information, as required



45 In both instances, the Family Court would determine if the parent has demonstrated their safety to parent. The process is summarised in the diagram below.



### Analysis of the proposal

#### Introduction of the new onus

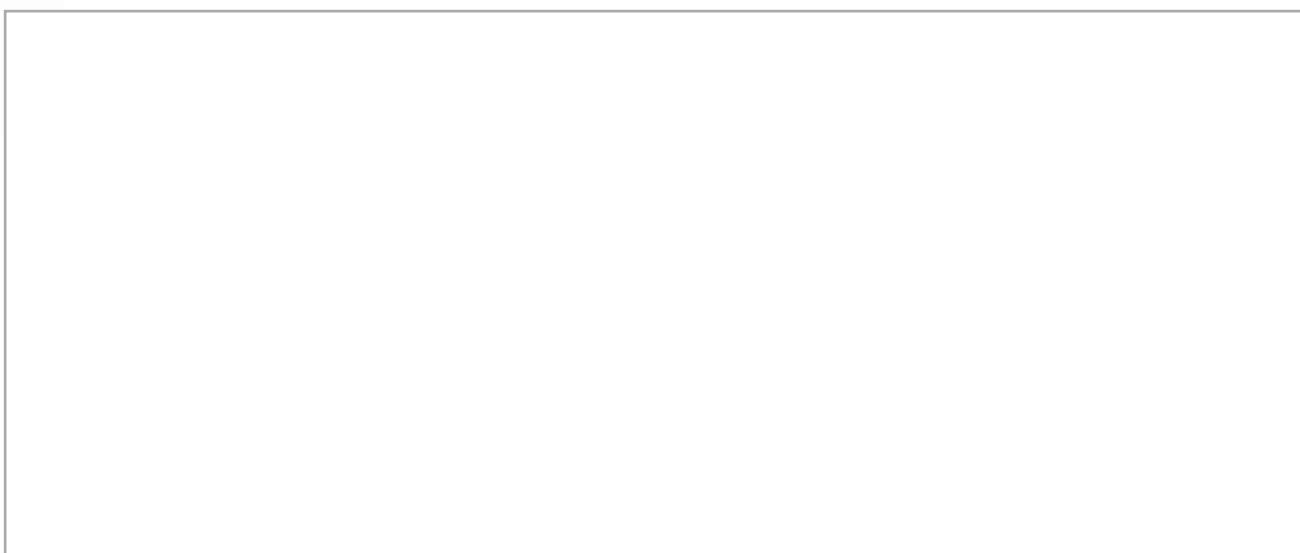
- The new onus may signal to such parents what changes must be demonstrated for authorities to be satisfied of the safety of a subsequent child. This may provide impetus for a parent to proactively make appropriate behavioural changes.
- The new legislative provision would also provide a clear signal to frontline workers who are in contact with a subsequent child to pay particular attention to their safety. It would help to provide a basis for building a new information sharing process to help ensure the earlier and more systematic identification of these children.
- The proposal may increase the fear of having a child removed, heightening the risk of pregnant women avoiding engaging with services in order to avoid detection. This may increase the risk to the child through a lack of maternity and other services. This risk could be



reduced by improved mechanisms for identifying subsequent pregnancies through the tracking of high-risk adults work being undertaken across agencies, which will help identify women expecting subsequent children and encourage their engagement with relevant services.

#### *Operation of the onus*

- 50 Under the proposal, lawyer for the child may be appointed in many cases, providing an independent person to advocate for the child's interests.
- 51 It is possible that the proposal may lead to different outcomes for subsequent children through the involvement of other professionals (eg a psychologist) at the Family Court level.



#### **Duration of the new provisions**

- 55 I propose the onus apply where a child has been permanently removed. The onus would apply from the point at which the Court makes a permanent custody or sole guardianship order or a parenting order in respect of the child under either the CYPF Act or the Care of Children Act 2004. I have considered a time limit – for example the onus applies for only 10 years after the first child is removed. However, there is insufficient evidence to suggest that over time, the risk to a subsequent child posed by a person with previous serious parenting concerns lessens.
- 56 In the case of a child dying due to abuse or neglect by the parent, the onus would apply from the point where the death is found to be due to a culpable act by the parent (eg conviction).
- 57 If the parent is assessed and found to be safe to parent, the onus would then be discharged, and would not apply to the parent for any future child.

#### **Retrospectivity**

- 58 I propose that after legislation is enacted, any subsequent child will be subject to the assessment, including where removal of a previous child occurred before the legislation came into force.

## **Relationship with other Children's Action Plan initiatives for high-risk adults**

- 59 The proposal will operate alongside, and be assisted by, the improvements to the management of high-risk adults, currently being implemented as part of the Children's Action Plan.

### *Child Harm Prevention Orders*

- 60 On 22 April 2013, Cabinet agreed to introduce CHPOs, which can apply restrictions on where an individual can work and live, and who they can associate with. Conditions of CHPOs can include that the person cannot live, work or associate with any children/any specific class of children, or can do so only under specified conditions, and that the person must advise Police or Child, Youth and Family of his or her current address, and the identity of other residents of that address who are likely to have any contact with children.



- 61 The proposal in this paper is intended apply to a larger group of individuals than CHPOs. For a CHPO to be imposed, an individual must have been convicted of, or found on the balance of probabilities to have committed, a specified serious offence against children (for example, murder, manslaughter or ill treatment or neglect of a child), and pose a high risk of committing further offences against children. CHPOs will be available to a small group of individuals who pose a high risk to children in a range of situations.

### *Monitoring and tracking of high-risk adults*

- 62 Cabinet has also agreed to extend and systematise arrangements for tracking high-risk adults who present a significant and ongoing risk to the safety of a child or children [CAB Min (12) 34/9 refers].
- 63 As it currently stands, Child, Youth and Family is reliant on third parties to notify them of a new child, and becomes aware of impending births because of local relationships between health professionals, New Zealand Police, social workers, and community workers. If reporting by these parties does not take place, Child, Youth and Family may not be aware of the impending birth.
- 64 The tracking of high-risk adults in the Children's Action Plan is expected to provide a solid basis for the proposal set out in this paper, by helping to identify parents who have previously had a child removed in a more systematic and early fashion. For example, new information sharing processes could be used to ensure that midwives are better able to identify if a parent of an unborn child has previously had a child removed from, or die in, their care, and to then ensure contact is made with Child, Youth and Family as soon as possible.

## **Other options considered**

- 65 Other options were considered to improve the safety of subsequent children. These included:
- greater internal oversight of subsequent children cases within Child, Youth and Family, and new data systems to improve systems for the tracking of high-risk adults
  - requiring higher-level sign-off within Child, Youth and Family of decisions regarding subsequent children, review of social worker practice by the Office of the Children's Commissioner, and new, retrievable data recording to monitor outcomes for subsequent children

- requiring the Chief Executive of MSD to make an application for declaration that the child is in need of care and protection, and for a custody order in favour of the Chief Executive, in every case of a subsequent child
- requiring Child, Youth and Family to remove the subsequent child from the care of their parent, without being required to gain judicial authority to remove the child, with the parent only being able to apply to have the child returned after the child has been removed.

66 I considered that these options were unlikely to provide the required oversight of cases, or carried significant risks. These risks included that these options may establish an adversarial process at the beginning of engagement with the parent and family, are not in keeping with established social work and Court practice, and carry the risk of delay and significant resource implications.

### **Consultation**

67 The Ministries of Justice, Health, Education, Women's Affairs, Business, Innovation and Employment, the Treasury, New Zealand Police, Te Puni Kōkiri, the Office of the Children's Commissioner and the Principal Family Court Judge have been consulted. The Department of the Prime Minister and Cabinet has been informed.

## Human rights implications

- 75 There are no significant human rights concerns with the proposal, as long as:
- the process for a parent to demonstrate they are safe to parent is clear
  - the standard required for the parent to demonstrate they are safe to parent is not set so high as to be procedurally unfair
  - any interference in family life is according to law and carried out in a manner proportionate to the proposal's objective of ensuring the safety of subsequent children.
- 76 Compliance with the New Zealand Bill of Rights Act 1990 and New Zealand's international obligations will be assessed more comprehensively once the Vulnerable Children's Bill is drafted.

## Legislative implications

- 77 The new legislation will be established through the Vulnerable Children's Bill being introduced in August 2013.

## Regulatory impact and compliance cost statement

### *Regulatory impact analysis requirements*

- 78 The regulatory impact analysis requirements apply to the proposals in this paper. A Regulatory Impact Statement (RIS) has been prepared for this paper and is attached.

### *Quality of the impact analysis*

- 79 A Principal Analyst, Social Sector Strategy, MSD, has reviewed the RIS prepared by MSD and associated supporting material, and the reviewer considers that the information and analysis summarised in the RIS partially meets the quality assurance criteria.
- 80 The particular concern is the lack of evidence to assess the options rather than the evidence being inconclusive. However, the reviewers recognise that the assessment of the options needs to balance the evidential base against the significant risk to subsequent children.

### *Consistency with Government Statement on Regulation*

- 81 I have considered the analysis and advice of my officials, as summarised in the attached RIS, and I am satisfied that, aside from the risks, uncertainties and caveats already noted in this Cabinet paper, the regulatory proposals recommended in this paper:
- are required in the public interest
  - will deliver the highest net benefits of the practical options available, and
  - are consistent with our commitments in the Government statement "Better Regulation, Less Regulation".

## Gender implications

- 82 Women are more likely to have care of their children, and therefore the proposal in this paper is more likely to apply to females who are parents. Other Children's Action Plan proposals,

including the tracking of high-risk adults, will help identify men who pose a high risk to children.

- 83 The focus of these proposals is to ensure the safety of subsequent children. As part of this, it is acknowledged that the safety of women subject to intimate partner violence is also a concern.

### **Disability perspective**

- 84 I do not propose imposing the onus where a child has been removed solely because a parent has been unable to care for their child because of illness, disability or dependency.

### **Publicity**

- 85 Public announcements about the introduction of the Vulnerable Children's Bill will be co-ordinated by the Office of the Minister for Social Development.

### **Recommendations**

- 86 It is recommended that the Committee:

- 1 **note** that children born into the care of a parent who has previously had a child permanently removed from, or die in, their care due to abuse or neglect (subsequent children) are particularly vulnerable children because of their increased risk of abuse or neglect
- 2 **note** that under the current system, the same statutory processes apply for a subsequent child who comes to the attention of Child, Youth and Family as for any child notified to the agency

#### *Introduction of new onus*

- 3 **note** that this paper proposes amending existing processes in relation to the safety of subsequent children by introducing a new parental onus to demonstrate safety to parent in the Children, Young Persons, and Their Families Act 1989
- 4 **agree** that the Children, Young Persons, and Their Families Act 1989 be amended to introduce a new ground for a child or young person being in need of care and protection, where a parent has previously had a child permanently removed from, or die in, their care due to abuse or neglect, unless the parent has demonstrated they are safe to parent the new child
- 5 **agree** that the new onus would apply where:
  - 5.1 there has been a decision made, either through a Family Group Conference or a declaration by the Court, that the child (or young person) previously removed was in need of care and protection on the ground in section 14(1)(a) or (b) of the Children, Young Persons, and Their Families Act 1989 and there has been a permanent care placement away from the parent secured by way of Court order under the Children, Young Persons, and Their Families Act 1989 or the Care of Children Act 2004, or
  - 5.2 the death of a previous child was found to be due to a culpable act by the parent, for which the parent has been convicted under the Crimes Act 1961 of murder, manslaughter or infanticide

- 6 **agree** that the new onus would not apply where a child or young person is removed as a consequence of a declaration being made solely under sections 14(1)(c) to (i) of the Children, Young Persons, and Their Families Act 1989

*Demonstrating safety to parent*

- 8 **agree** that the onus should be introduced by a new statutory requirement that, upon receiving a notification of a subsequent child, Child, Youth and Family assesses whether the parent has demonstrated they are safe to parent, and applies to the Family Court for either a declaration that the child is in need of care or protection, or a review of a decision that the parent has demonstrated their safety
- 9 **note** that in cases where a review of a decision has been sought from the Family Court, the judge should, in many cases, be able to make a decision on the basis of the evidence before it (information from Child, Youth and Family) and (if required) a report from the lawyer for the child, and the Court may also direct a judicial conference involving the key parties and/or request further information, where required

- 11 **agree** that the provisions would apply from the point at which the Court makes a permanent custody or sole guardianship order in respect of the previous child, or from the point where the death of a previous child is found to be due to a culpable act by the parent
- 12 **agree** that once the legislation is enacted, any subsequent child will be subject to the assessment, including where removal or death of a previous child occurred before the legislation came into force
- 13 **note** that if the parent is assessed and found to be safe to parent, the onus would then be discharged and would not apply to the parent for any future child
- 14 **note** that it is expected that the proposal will result in greater oversight, transparency and rigour in relation to decisions around the safety of subsequent children, and that this could result in more risk-averse decision-making in cases where issues of safety are not clear-cut
- 15 **note** that the proposal may increase the fear of having a child removed, heightening the risk of pregnant women avoiding engaging with services in order to avoid detection
- 16 **note** that proposal would entail a significant increase in Family Court processes in relation to subsequent children

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- 19 **note** that there are no significant human rights concerns with the proposal, as long as the process for a parent to demonstrate they are safe to parent is made clear and the standard required is not so high as to be procedurally unfair, satisfying the principle of natural justice provided for in section 27(1) of the New Zealand Bill of Rights Act 1990
  
  - 20 **note** that these new processes would complement the Child Harm Prevention Orders agreed to by Cabinet in April 2013, and would apply to a larger group than the very high-risk group covered by those orders
  
  - 21 **invite** the Minister for Social Development to issue drafting instructions to the Parliamentary Counsel Office to draft sections for inclusion in the Vulnerable Children's Bill, to give effect to the decisions in the recommendations in this paper
  
  - 22 **authorise** the Minister for Social Development to make the minor technical and administrative changes required to finalise draft legislation giving effect to the proposals in this paper, in keeping with the overall policy aims of the proposals, in consultation with other Ministers as appropriate
  
  - 23 **note** that any substantive policy decision required to finalise draft legislation for inclusion in the Vulnerable Children's Bill, other than those made under Recommendation 7 above, will be submitted to Cabinet for decisions.

Hon Paula Bennett  
**Chair, Ministerial Oversight Group**

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