

Whakamana | Empowerment

4

The fourth principle is
Whakamana | Empowerment

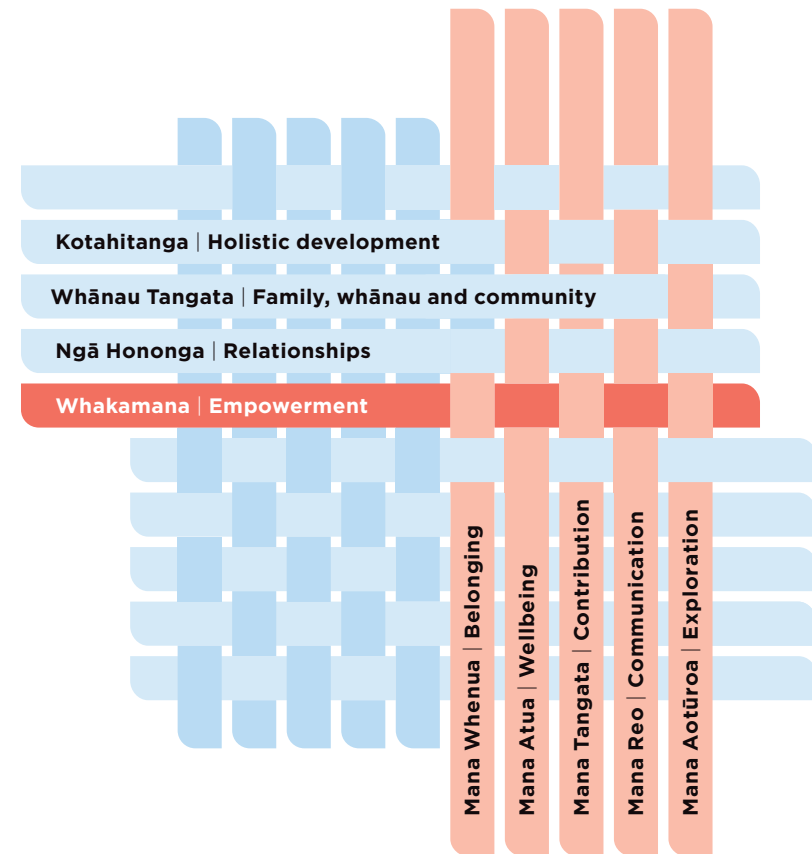
Within a Māori worldview, whakamana is tied to the concept of mana. This recognises the value children possess as taonga (treasures), and the status they inherit through their whakapapa (ancestry). Mana can be described as the personal authority which we are all born with, passed down by our tīpuna (ancestors) and that develops over our lifetime.



“Mana is inherited at birth, based on whakapapa and connection to the land. Throughout their life, people accumulate mana through their actions and achievements that are reflected in their social standing and related integrity, authority or power.”

(Ara Taiohi, 2024)

Everyone has mana!



King et al. (2022) describe mana as “influence, power and authority under which one is able to exercise particular rights and obligations” (p.199).

In this country there are several rights, laws, government agencies, advocacy groups and frameworks which work toward upholding the wellbeing and mana of children, ensuring that they are empowered and protected.

Empowerment is central to children’s wellbeing for many reasons. It can be expressed through:

- recognising and celebrating a child’s unique identity,
- supporting their sense of belonging,
- protecting them from harm,
- providing for their nurturing and development,
- inviting their participation,
- giving confidence in their own abilities.

Mana Atua | Wellbeing

Children's wellbeing (mana atua) is a key foundation of many of the laws, policies, and frameworks we have in place in Aotearoa.

It features in Te Tiriti, in international rights frameworks and in the policies that guide access to resources within our communities. A wellbeing approach prioritises children's protection from harm, access to an adequate standard of living, education and healthcare, and the removal of barriers that stop them thriving.

It's important for these frameworks to be known and understood by all people involved in children's lives. This knowledge can be used by groups advocating for children in general or a group of children, as well as by one person advocating for one child.



Children's Rights Frameworks

Te Tiriti o Waitangi | The Treaty of Waitangi

Te Tiriti o Waitangi is the founding document of Aotearoa New Zealand which created an agreement between Māori as Tangata Whenua and the British Crown. The Treaty is made up of three written articles, and one verbal article noted at the time of signing in 1840.

Article One promised Māori Tino Rangatiratanga (sovereignty). In practice this means Māori have agency over individual and collective development, including over issues such as children's health and wellbeing, education, child poverty, and family violence.

Article Two of Te Tiriti recognises Māori rights to things they consider taonga (treasures/properties). In practice this includes tamariki as taonga and provides a mandate to ensure the wellbeing of all children can be realised equitably.

Article Three of Te Tiriti states that Māori will have the protection of the Crown, and all the rights and privileges of citizens. This includes rights for tamariki, and the special privileges that all children should expect from our society.

Article Four was an oral commitment to protect the right to freedom of religion and belief (Te Kāhui Tika Tangata Human Rights Commission, n.d.).

- [Read Te Tiriti o Waitangi](#)
- [Find out more about Te Tiriti o Waitangi](#)

United Nations Convention on the Rights of the Child

The United Nations (UN) Convention on the Rights of the Child is an international convention which sets out rights designed to provide protection, empowerment, and accountability for children.

UN Conventions are recognised by most countries in the world as international law. New Zealand joined this Convention in 1993.

1 DEFINITION OF A CHILD	2 NO DISCRIMINATION	3 BEST INTERESTS OF THE CHILD	4 MAKING RIGHTS REAL	5 FAMILY GUIDANCE AS CHILDREN DEVELOP	6 LIFE, SURVIVAL AND DEVELOPMENT	7 NAME AND NATIONALITY	7 Children must be registered when they are born and given a name which is officially recognized by the government. Children must have a nationality (belong to a country). Whenever possible, children should know their parents and be looked after by them.	6 Every child has the right to be alive. Governments must make sure that children survive and develop in the best possible way.	5 Governments should let families and communities guide their children so that, as they grow up, they learn to use their rights in the best way. The more children grow, the less guidance they will need.	4 Governments must do all they can to make sure that every child in their countries can enjoy all the rights in this Convention.	3 When adults make decisions, they should think about how their decisions will affect children. All adults should do what is best for children. Governments should make sure children are protected and looked after by their parents, or by other people when this is needed. Governments must make sure that people and places responsible for looking after children are doing a good job.	2 All children have all these rights, no matter who they are, where they live, what language they speak, what their religion is, what they think, what they look like, if they are a boy or girl, if they have a disability, if they are rich or poor, or no matter who their parents or families are or what their parents or families believe or do. No child should be treated unfairly for any reason.	1 A child is any person under the age of 18.
8 IDENTITY	9 KEEPING FAMILIES TOGETHER	10 CONTACT WITH PARENTS ACROSS COUNTRIES	11 PROTECTION FROM KIDNAPPING	12 RESPECT FOR CHILDREN'S VIEWS	13 SHARING THOUGHTS FREELY	14 FREEDOM OF THOUGHT AND RELIGION	14 Children can choose their own thoughts, opinions and religion, but this should not stop other people from enjoying their rights. Parents can guide children so that as they grow up, they learn to properly use this right.	13 Children have the right to share freely with others what they learn, think and feel, by talking, drawing, writing or in any other way unless it harms other people.	12 Children have the right to give their opinions freely on issues that affect them. Adults should listen and take children seriously.	11 Governments must stop children being taken out of the country when this is against the law – for example, being kidnapped by someone or held abroad by a parent when the other parent does not agree.	10 If a child lives in a different country than their parents, governments must let the child and parents travel so that they can stay in contact and be together.	9 Children should not be separated from their parents unless they are not being properly looked after – for example, if a parent hurts or does not take care of a child. Children whose parents don't live together should stay in contact with both parents unless this might harm the child.	8 Children have the right to their own identity – an official record of who they are which includes their name, nationality and family relations. No one should take this away from them, but if this happens, governments must help children to quickly get their identity back.
15 SETTING UP OR JOINING GROUPS	16 PROTECTION OF PRIVACY	17 ACCESS TO INFORMATION	18 RESPONSIBILITY OF PARENTS	19 PROTECTION FROM VIOLENCE	20 CHILDREN WITHOUT FAMILIES	21 CHILDREN WHO ARE ADOPTED	21 When children are adopted, the most important thing is to do what is best for them. If a child cannot be properly looked after in their own country – for example by living with another family – then they might be adopted in another country.	20 Every child who cannot be looked after by their own family has the right to be looked after properly by people who respect the child's religion, culture, language and other aspects of their life.	19 Governments must protect children from violence, abuse and being neglected by anyone who looks after them.	18 Parents are the main people responsible for bringing up a child. When the child does not have any parents, another adult will have this responsibility and they are called a "guardian". Parents and guardians should always consider what is best for that child. Governments should help them. Where a child has both parents, both of them should be responsible for bringing up the child.	17 Children have the right to get information from the Internet, radio, television, newspapers, books and other sources. Adults should make sure the information they are getting is not harmful. Governments should encourage the media to share information from lots of different sources, in languages that all children can understand.	16 Every child has the right to privacy. The law must protect a child's privacy, family, home, communications and reputation (or good name) from any attack.	15 Children can join or set up groups or organisations, and they can meet with others, as long as this does not harm other people.
22 REFUGEE CHILDREN	23 CHILDREN WITH DISABILITIES	24 HEALTH, WATER, FOOD, ENVIRONMENT	25 REVIEW OF A CHILD'S PLACEMENT	26 SOCIAL AND ECONOMIC HELP	27 FOOD, CLOTHING, A SAFE HOME	28 ACCESS TO EDUCATION	28 Every child has the right to an education. Primary education should be free. Secondary and higher education should be available to every child. Children should be encouraged to go to school to the highest level possible. Discipline in schools should respect children's rights and never use violence.	27 Children have the right to food, clothing and a safe place to live so they can develop in the best possible way. The government should help families and children who cannot afford this.	26 Governments should provide money or other support to help children from poor families.	25 Every child who has been placed somewhere away from home – for their care, protection or health – should have their situation checked regularly to see if everything is going well and if this is still the best place for the child to be.	24 Children have the right to the best health care possible. This includes clean water to drink, healthy food and a clean and safe environment to live in. All adults and children should have information about how to stay safe and healthy.	23 Every child with a disability should enjoy the best possible life in society. Governments should remove all obstacles for children with disabilities to become independent and to participate actively in the community.	22 Children who move from their home country to another country as refugees (because it was not safe for them to stay there) should get help and protection and have the same rights as children born in that country.
29 AIMS OF EDUCATION	30 MINORITY CULTURE, LANGUAGE AND RELIGION	31 REST, PLAY, CULTURE, ARTS	32 PROTECTION FROM HARMFUL WORK	33 PROTECTION FROM HARMFUL DRUGS	34 PROTECTION FROM SEXUAL ABUSE	35 PREVENTION OF SALE AND TRAFFICKING	35 Governments must make sure that children are not kidnapped or sold, or taken to other countries or places to be exploited (taken advantage of).	34 The government should protect children from sexual exploitation (being taken advantage of) and sexual abuse, including by people forcing children to have sex for money, or making sexual pictures or films of them.	33 Governments must protect children from doing work that is dangerous or selling harmful drugs.	32 Children have the right to be protected from doing work that is dangerous or bad for their education, health or development. If children work, they have the right to be safe and paid fairly.	31 Every child has the right to rest, relax, play and to take part in cultural and creative activities.	30 Children have the right to use their own language, culture and religion – even if these are not shared by most people in the country where they live.	29 Children's education should help them fully develop their personalities, talents and abilities. It should teach them to understand their own rights, and to respect other people's rights, cultures and differences. It should help them to live peacefully and protect the environment.
36 PROTECTION FROM EXPLOITATION	37 CHILDREN IN DETENTION	38 PROTECTION IN WAR	39 RECOVERY AND REINTEGRATION	40 CHILDREN WHO BREAK THE LAW	41 BEST LAW FOR CHILDREN APPLIES	42 EVERYONE MUST KNOW CHILDREN'S RIGHTS	42 Governments should actively tell children and adults about this Convention so that everyone knows about children's rights.	41 If the laws of a country protect children's rights better than this Convention, then those laws should be used.	40 Children accused of breaking the law have the right to legal help and fair treatment. There should be lots of solutions to help these children become good members of their communities. Prison should only be the last choice.	39 Children have the right to get help if they have been hurt, neglected, treated badly or affected by war, so they can get back their health and dignity.	38 Children have the right to be protected during war. No child under 15 can join the army or take part in war.	37 Children who are accused of breaking the law should not be killed, tortured, treated cruelly, put in prison forever, or put in prison with adults. Prison should always be the last choice and only for the shortest possible time. Children in prison should have legal help and be able to stay in contact with their family.	36 Children have the right to be protected from all other kinds of exploitation (being taken advantage of), even if these are not specifically mentioned in this Convention.

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HOW THE CONVENTION WORKS

CONVENTION ON THE RIGHTS OF THE CHILD

CONVENTION ON THE RIGHTS OF THE CHILD

THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD – THE CHILDREN'S VERSION

The United Nations Convention on the Rights of the Child is an important agreement by countries who have promised to protect children's rights.

The Convention on the Rights of the Child explains who children are, all their rights, and the responsibilities of governments. All the rights are connected, they are all equally important and they cannot be taken away from children.

This text is supported by the Committee on the Rights of the Child.

These articles explain how governments, the United Nations – including the Committee on the Rights of Child and UNICEF – and other organisations work to make sure all children enjoy all their rights.

43-54

Source: Play Scotland

In Aotearoa, the Convention on the Rights of the Child must also be considered in relation to Te Ao Māori. This means that it must be considered within a Māori worldview which is not framed around exercising individual rights but centres children within the collective rights of their whānau, hapū and iwi. (Human Rights Commission, n.d.)

Oranga Mokopuna is a Kaupapa Māori rights framework developed by Māori academics King and Cormack, with Tohunga Mark Kōpua (2022). Their view is that “only when sovereign tangata whenua rights are fully acknowledged and recognised can the useful application of international human-rights instruments be made” (p. 191).

Mana Mokopuna – the Children & Young People’s Commission (see more on page 120) plays an important advocacy and accountability role in advancing the government’s adherence to the Convention.

The Children’s Rights Alliance of Aotearoa New Zealand (see more on page 100) coordinates reporting from non-governmental organisations to the UN on the Convention on the Rights of the Child.

– *Find out more about the [Convention on the Rights of the Child](#)*



United Nations Declaration on the Rights of Indigenous Peoples

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is a universal framework which establishes minimum standards for the survival, dignity and wellbeing of indigenous peoples.

UNDRIP was adopted by the UN in 2007, with New Zealand endorsing the Declaration in 2010. The Declaration aims to foster cooperation between governments and indigenous peoples, guided by partnership and respect.

According to the International Working Group for Indigenous Affairs (2020), the rights contained in UNDRIP can be categorised into the following 12 domains:

- 1 Self-determination
- 2 CULTURAL INTEGRITY
- 3 Lands, territories and natural resources
- 4 Fundamental rights and freedoms
- 5 Participation in public affairs
- 6 Legal protection
- 7 CROSS-BORDER CONTACT
- 8 Freedom of expression and media
- 9 General economic and social development
- 10 Education
- 11 HEALTH
- 12 Employment and occupation

While UNDRIP applies to people of all ages, the Declaration reinforces the rights of children under the United Nations Convention on the Rights of the Child. Articles 14 and 22 focus specifically on children: Article 14 refers to rights relating to education for indigenous children, and Article 22 refers to the special rights and protections that women and children are entitled to.

As with the Convention on the Rights of the Child, UNDRIP must be understood in relation to existing frameworks such as Te Tiriti o Waitangi.

Te Puni Kōkōri – Ministry for Māori Development (the government’s principal policy advisor on Māori wellbeing and development), the National Iwi Chairs Forum and the Human Rights Commission work collaboratively to hold government to account in advancing the aspirations of UNDRIP in Aotearoa.

– Find out more about the [UNDRIP](#)

United Nations Convention on the Rights of Persons with Disabilities

The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) is a human rights framework that upholds the rights of disabled people to be active members of society and to make decisions for their lives based on free will and consent.

The Convention helps to identify opportunities to strengthen the rights of disabled persons and provides protection where rights have been violated.

– Find out more about the [UNCRPD](#)



Image Source: ARCH Disability Law Centre, 2018 archdisabilitylaw.ca

Charter of tamariki/children's and rangatahi/young people's rights in healthcare services

This Charter was established in 2011 by Children's Hospitals Australia (CHA) and the Paediatric Society of NZ. It outlines 11 rights that apply to children using healthcare services in Aotearoa New Zealand.

This Charter distinguishes child-specific rights in accordance with NZ law, the Convention on the Rights of the Child and the rights outlined in the Code of Health and Disability Services Consumer Rights, which do not always apply directly to children. For example, the rights to make an informed choice and give informed consent may not apply as directly to a child in the sense that their parent is legally able to give consent on their behalf.

Feedback from the children's workforce suggests that this charter is not heavily promoted within healthcare settings.

- [Find out more and read the Charter](#)
- [Learn more about consent in the context of children's medical care](#)

Rights Education for Tamariki

There is no stated requirement within the New Zealand Education Curriculum to teach children about their specific rights under Te Tiriti o Waitangi, New Zealand Law or the Convention on the Rights of the Child.

However, the Social Sciences Achievement Objectives within the Curriculum say that children between five-12 years must be taught about rights generally.

At Curriculum Level 2 (approximately ages 7-9), children are expected to gain understanding "that people have social, cultural, and economic roles, rights, and responsibilities" (Ministry of Education, 2014). Each school can choose the topics used to teach children about rights. Feedback from child rights advocates suggests that awareness of rights amongst children is limited and children are more likely to be taught about rights in an overseas context, rather than within Aotearoa rights frameworks.

Advocacy organisations such as Save the Children New Zealand and UNICEF produce resources to facilitate learning about children's rights:

- [For Each and Every Child | He Taonga Tonu te Tamariki](#) - a children's book which outlines children's rights in Aotearoa in accordance with Te Tiriti and the UN Convention on the Rights of the Child.



We asked tamariki, and adults working alongside tamariki, to tell us about empowerment.

Our tamariki focus group DIDN'T know they had rights!

- UNICEF Know Your Rights - Child Friendly Poster in [English](#), [Te Reo Māori](#), [Samoan](#), [Tongan](#).
- Save the Children Children's Rights Flyer in [English](#) and [Te Reo Māori](#).
- [Find out more resources:](#)
 - [Save the Children Education Hub](#)
 - [UNICEF Child Rights Resources for Children](#)

Awareness of Children's Rights

It's not only children who don't realise they have rights - many of the adults in their world don't either.

Without this awareness, it is not possible to fully advocate for children. This is shown in cases where children are excluded formally or informally from school - in breach of their right to education; or when healthcare services are not delivered in accordance with children's rights.

Greater awareness of children's rights, and parent/caregiver responsibilities in relation to these rights, will mean that children and their whānau will have increased empowerment and mana. As a society, we will also be better able to hold government and systems to account when rights are breached.

"Knowing about their rights adds a protective layer where children understand they have the right to be protected from harm or to have a say on issues that are important to them... When children learn about their rights, they also learn about the rights of others. Research shows they are more likely to respect the rights of others and speak up when they see injustices or to offer support to those who need it."

(Jacqui Southey, Save the Children in Ministry of Education, 2022)

Children's Rights in Middle Childhood

By Jacqui Southey

The stages of child development are important, and each require particular focus from parents and professionals including the understanding of children's needs, development capacities and milestones, and that children have their rights met during each stage.

There is growing awareness of the importance of understanding children's stages of development. For example, there is now greater awareness of the First 1000 days and the importance this phase has not only on childhood, but over the lifecourse. The teen years have long had attention due to the proximity to adulthood and as a time when choices made during these years can significantly influence their future trajectory positively or negatively.

Whereas middle childhood, the years 5 to 12, have been to a degree left in limbo. Children during this phase of life are often reduced to being seen by society at large and governments as students, as the bulk of children are in school during this time. Being in education during this time is a legal requirement¹ and requires significant investment from governments to administer. The COVID-19 crisis is an example where children became largely invisible in our society, particularly during lockdowns, and when children were discussed, it was immediately linked to education, achievements or lack of, and the difficulties for teachers to continue teaching in such circumstances.

Yet middle childhood is too an important time of development for children. During this time children have significant growth physically, mentally and emotionally. They start to become increasingly independent, develop more complex motor skills and their growing independence can be seen in the development of friendships and confidence in spending time away from their parents and homes. Their talents and interests develop as does their capabilities to make their own decisions.

¹New Zealand legal age for school attendance is 6 years.

The development during this stage in life is crucial to their adolescent and teen years, and will shape much of their successes in adulthood. Critical to the success of middle childhood is the degree to which children enjoy their rights. Children's rights are holistic and encompass their identity, provision of needs such as education, healthcare, healthy environments, shelter, access to play, leisure and accurate information, protection from all forms of harm, inclusion, and participation. When children's rights are met, they are healthy, protected and included. They are seen as individuals but also as citizens in their own right making important contributions to their families, their schools, communities, and society more broadly. They are more likely to see the promise of a bright future fulfilled.

The tragedy is the lost opportunity and completely avoidable harms that children endure when their rights are not met, exclusion within or from school, denial of health due to housing and food insecurity, exposure to violence and harm, lack of access to play and experiences such as the opportunity join in and learn a sport or life skill like swimming.

For children to access their rights they need to know about them, and so do the adults who care for them, their parents and wider whānau members, and adults that provide education, health care, the coaches, the swim instructors, and the policy makers that dictate at a macro level how well children's rights will be understood, respected and resourced. The Committee on the Rights of the Child identified priority areas that our government should take action on, discrimination, violence, State removal of children, disabled children, housing, food and income insecurity, child justice, and the rights of Tamariki Māori.

These priority areas all apply to children aged 5 – 12 years and are critical to ensure their health, wellbeing and development. To ensure they are upheld, it is essential we all recognise the importance of this stage of children's lifecourse and ensure their rights are realised during this crucial time.

Jacqui Southey, Child Rights Advocacy Director, Save the Children

Policies & Frameworks

Child Poverty Monitor

The Child Poverty Monitor is an annual technical report that presents the most recent child poverty statistics and provides commentary on how well the government is meeting its child poverty reduction targets. It explores how poverty affects specific groups of children and identifies initiatives aimed at tackling child poverty.

The Monitor is published by a partnership of the J R McKenzie Trust, the Office of the Children's Commissioner, and the New Zealand Child and Youth Epidemiology Service (NZCYES) at the University of Otago.

- [Read the *2022 Child Poverty Monitor*](#)
- [Find out more about Child Poverty in the *Child Poverty Reduction Act 2018* section on page 114 and on page 59 of *Whānau Tangata*.](#)

Child & Youth Wellbeing Strategy

The Child & Youth Wellbeing Strategy was launched by Prime Minister Jacinda Ardern in 2019, with the intention of unifying government understanding of, and investment in, the things that are important for child and youth wellbeing.

Over 6,000 children and young people were involved in the development of the strategy, led by the Department of the Prime Minister and Cabinet.

The Child & Youth Wellbeing Strategy contains the overarching vision that **“New Zealand is the best place in the world for children and young people”** and is made up of the following six wellbeing outcomes which outline what children and young people want and need for a good life.

Children and young people:

- are loved, safe and nurtured
- have what they need
- are happy and healthy
- are learning and developing
- are accepted, respected and connected
- are involved and empowered

Progress towards these outcomes is measured against 36 indicators using data from a variety of sources including government agency data and surveys. It is worth noting that many of the indicators of children's wellbeing are not measured on children in the five to 12-years age group.

A [review](#) of the Child & Youth Wellbeing Strategy in 2022 identified four priority areas for the next phase of its implementation:

1. reducing child poverty and mitigating the impacts of socio-economic disadvantage
2. enhancing child and whānau wellbeing in the first 1000 days
3. addressing racism, discrimination, and stigma
4. enhancing the mental wellbeing of children and young people.

- [Find out more about the Child & Youth Wellbeing Strategy](#)
- [Read the latest Annual Report on the Child and Youth Wellbeing Strategy and Child Poverty Related Indicators](#)

Te Aorerekura

Te Aorerekura is the National Strategy to Eliminate Family Violence and Sexual Violence.

It is a 25-year cross-government strategy that seeks to unify government and sector efforts and increase political and public sector accountability across these areas. This strategy was launched in December 2021.

The vision of Te Aorerekura is that **“All people in Aotearoa New Zealand are thriving, their wellbeing is enhanced and sustained because they are safe and supported to live their lives free from family violence and sexual violence.”**

- [Find out more about Te Aorerekura](#)
- [Find out more about Children's Safety on page 64](#)

Enabling Good Lives

Enabling Good Lives (EGL) aims to increase choice and control for disabled people and their families.

The EGL approach guides positive change for disabled people, families, communities and governance structures. The EGL approach has eight core principles, a vision and key components to guide positive change. The eight principles are: self-determination, beginning early, person-centred, ordinary life outcomes, mainstream first, mana enhancing, easy to use and relationship building.

- [Find out more about Enabling Good Lives](#)

Ka Ora, Ka Ako

This initiative is part of the Child & Youth Wellbeing Strategy and aims to reduce food insecurity by providing children with lunches in schools.

- [Find out more about food security and Ka Ora, Ka Ako on page 57](#)



Mana Whenua | Belonging

There is a deep connection between belonging (mana whenua) and empowerment when it comes to children. The aspiration within Te Whāriki is that children grow up secure in their sense of belonging, that they experience respect for their individual strengths, interests and background and feel confident to participate within their environment.

(Hargraves, 2020)

Belonging and whakamana go hand in hand - one cannot feel empowered without feeling included and without a turangawaewae (place to stand/ belong).

At a societal level, we show whakamana for our children by their special place in the laws of our land. Our role is to recognise children's inherent belonging - the dignity of every child - and reflect that back to them through the laws that keep our society in check, and allow them to thrive.



“A sense of belonging is integrated into the broad narratives of a child’s life, shaping their perceptions of social connections, their niche within various communities, and their sense of identity. It parallels the meaning and purpose they assign to their life.”

(Annan, 2022, p. 20)

Legislation

In New Zealand, there are several pieces of legislation that are specifically relevant to children. These laws provide legal protections and rights to children and aim to ensure that they are treated with dignity. Children's belonging is reinforced when we show the value we place on children by ensuring we have good legislation to allow for their protection and wellbeing.

Children's Act 2014

The Children's Act 2014 sets out three key legislative requirements intended to improve the wellbeing of children and young people in Aotearoa.

- **Part 1** - requires government to adopt, publish and review a strategy for improving the wellbeing of children and ensure that children's agencies work together to improve wellbeing for particular groups of children.
- **Part 2** - requires the adoption of and reporting on child protection policies by state services and boards of Te Whatu Ora and Te Aka Whai Ora, school boards and certain contracted agencies and services used by schools.
- **Part 3** - requires the safety checking of people employed or engaged in work that involves regular or overnight contact with children.

— [Find out more about Children's Act 2014](#)

Education and Training Act 2020

The Education and Training Act 2020 is the law that guides New Zealand's education system from early childhood to tertiary level.

The Act maintains children's rights to free education at any State school from their fifth birthday until the age of 19. Enrolment at a registered school is mandatory between the ages of six

and sixteen years. The Act also says that students with special educational needs have the same rights as other students. Children must be enrolled at a school unless the Ministry is satisfied that an alternative method of education is appropriate. This will usually only be in situations where the child will be taught at least as regularly and as well as they would be in a registered school, or specialist school or service.

— [Find out more about Education and Training Act 2020](#)

Care of Children Act 2004

The Care of Children Act defines and regulates powers and responsibilities associated with the care of children, whether held by parents or through guardianship arrangements.

This Act guides the process for resolving legal disputes about the care of children. The Act maintains the ultimate importance of children's welfare and best interests. It requires that the views of children be considered regarding their care.

— [Find out more about the Care of Children Act 2004](#)



Child Poverty Reduction Act 2018

The Child Poverty Reduction Act was introduced in 2018 with the purpose of helping to “achieve a significant and sustained reduction in child poverty in New Zealand”. It aims to establish greater focus, accountability, and transparency with regards to government progress on child poverty reduction.

The Act requires the government to set long-term (10 year) and intermediate (3 year) targets on four primary measures of poverty and hardship, and report annually on these measures. The Act also specifies a further six supplementary measures that the government must use to monitor poverty rates in Aotearoa.

Child poverty is primarily measured by:

1. Percentage of children living in low-income households before housing costs
2. Percentage of children living in low-income households after housing costs
3. Percentage of children living in households experiencing material hardship
4. Percentage of children living in households experiencing poverty over several years (poverty persistence).

The first three measures have been in effect since 2019. The fourth measure will come into effect from 2025/26. Child poverty reduction targets were set in 2019 and again in 2022 with an overall goal of more than halving rates of child poverty within ten years.

The Child Poverty Reduction Act requires the government to report on child poverty as part of the annual Budget process. This includes reporting progress made in the preceding year towards meeting child poverty reduction targets and explaining how the Budget for the coming year will work towards reducing child poverty.

– [Read the 2023 Wellbeing Budget Child Poverty Report](#)

Statistics New Zealand publishes child poverty statistics annually, with the [most recent results](#) published in February 2024. You can

read a summary of these results on page 59 of Whānau Tangata.

The Child Poverty Monitor publishes statistics and commentary on how well the government’s child poverty reduction targets are being met. Find out more on page 110.

– [Read the Child Poverty Reduction Act 2018](#)

Oversight of Oranga Tamariki System Act 2022

The Oversight of Oranga Tamariki System Act 2022 aims to ensure engagement with Oranga Tamariki leads to positive outcomes for children by establishing the [Independent Children’s Monitor](#) (see more on page 120).

The Act also extends the duties and powers of the Ombudsman in relation to investigating services or support delivered by Oranga Tamariki or care or custody providers.

The Act sets out how the Independent Children’s Monitor, the Ombudsman and the Children & Young People’s Commission should work together to carry out oversight functions relating to the care and protection and youth justice systems.

A review of this Act, to assess its effectiveness, is due in 2025.

– [Find out more about the Oversight of Oranga Tamariki System Act 2022](#)



Mana Tangata | Contribution

“Children’s lives are largely determined by adult plans, working arrangements, interests, and goals, and they are also often the object of adult work, such as teaching and caregiving. Their opportunities for expressing their ideas and for taking responsibility outside the home, school or community have diminished in the Western minority world.” (Smith, 2013, p243)

Within Te Whāriki, the concept of mana tangata (contribution) focuses on children feeling confident to contribute their thoughts and ideas and advocate for themselves, as well as showing respect for the opinions and feelings of others. (Hargraves, 2020)

It features in Te Tiriti, in international rights frameworks and in the policies that guide access to resources within our communities. A wellbeing approach prioritises children’s protection from harm, access to an adequate standard of living, education and healthcare, and the removal of barriers that stop them thriving.

The ability to express oneself is fundamental to whakamana, as it directly affects the extent to which children have agency over their life and experiences and contributes to their sense of identity and self-confidence.

The Voice of Children

Article 12 of the Convention on the Rights of the Child sets out children’s rights with regards to them contributing to decisions, issues and opportunities in relation to matters that affect them.

Feedback from those working with children suggests that there are limited opportunities for children in the middle years to have a voice, and that typically their voices are heard via those of the adults involved in their care.

“...children have a unique perspective or point of view, which in the past has often been ignored....children are considered to lack competence, rationality, independence and experience, and their viewpoints of the world are thought to be merely a reflection of what their parents or teachers think.”

(Smith, 2013)

The requirement to consult with children when developing strategy or service delivery is included in several pieces of New Zealand legislation. These include the Children and Young Peoples Commission Act 2022, Children’s Amendment Act 2014, the Integrity Sport and Recreation Bill 2023, and the Oversight of Oranga Tamariki System Act 2022. While this requirement exists, there is no guidance on how this should occur. This risks consultation that is not based on best practice and therefore not effective or child-friendly.

Feeling safe and having trusted relationships is critical to children feeling confident to share their views. This may be difficult to achieve for children in families negatively impacted by previous interactions with government systems.

Voice

Recent tools and resources developed to support children's voice include:

Child Impact Assessment Tool

The CIA Tool was created to support the policy-making process of government and non-government organisations.

It enables users to assess:

- the impact of a policy on children and young people's wellbeing and rights
- the extent to which a policy or law aligns with the United Nations Convention on the Rights of the Child

The Tool was created in response to a recommendation from the United Nations in 2011 challenging the government to integrate the views of children and young people in decision-making. Whilst current awareness and use of the tool appears to be limited, the United Nations has recently recommended that use of the tool be made mandatory across government.

— [Find out more about the *Child Impact Assessment \(CIA\) Tool*](#)

Child-Centred Decision-Making Tool

This tool was developed by Mana Mokopuna | The Children & Young People's Commission in 2017 to help organisations recognise the needs, rights, and views of children in the development of policy and legislation, services or products.

- [Find out more about the *Child-Centred Decision-Making Tool*](#)
- [A prior resource titled *Being Child-Centred* was also produced by the Office of the Children's Commissioner](#)
- [Mana Mokopuna n provides a variety of other guidance and resources to support safe and effective engagement with young people.](#)

Mai World

Mai World is the Child and Youth Voices Project of Mana Mokopuna. Mai World aims to inform government and community decision making by listening to and amplifying the voices of mokopuna.

Currently over 25,000 children are connected to this initiative via 41 schools and several community groups.

— [Find out more about *Mai World*](#)

Kia Tika, Kia Pono – Honouring Truths

Kia Tika, Kia Pono – Honouring Truths is a framework designed to guide ethical, meaningful and culturally safe engagement with care experienced children and young people.

The framework positions children and young people as experts and makes sure that their contributions and experiences are honoured and respected by the adults and organisations who engage with them.

— [Find out more about *Kia Tika, Kia Pono – Honouring Truths*](#)



Government engagements with children and young people

The Child & Youth Wellbeing Strategy website provides a list of recent reports developed from engagements with children and young people.

While many of these engagements focus on youth, there are several engagements involving the five-12 age stage. [View the complete list of reports.](#)

Notable reports include:

What Makes A Good Life?

This report by the Office of the Children's Commissioner shares findings from a survey of over 6,000 children and young people asking about their thoughts on what a good life is and what needs to be changed to make life in Aotearoa better for children and young people. 37% of the respondents to this survey were aged between 7-12 years. Key findings include that change is needed to improve life for children, family and whānau, providing the basics is important, but not enough on its own, and that children and young people have valuable insights. Reports from this survey were also published specific to the views of [children in care](#), [disabled children](#) and [tamariki Māori](#).

— [Find out more about What Makes a Good Life?](#)

Kōrero Mātauranga - Education Conversations

Kōrero Mātauranga is described as “a series of education conversations to help build the world's best education system for all our children and young people.” (Ministry of Education, 2023).

Through this initiative, the Ministry has captured the views of over 1,900 children and young people in order to guide the ongoing development of education.

— [A summary of findings is available in the Voices of Young People reports.](#)

Mana Reo | Communication

Mana reo (communication) has been explored in the way we communicate about children, which tells a story about the role we give them in society. It is critical to think about how we do this, whether children's perspectives are considered, and how our perspectives impact the decisions we make about their lives.

Whakamana is fostered through respect – this looks like respect for the mana of all children and for the contribution they offer. Respect for the things that are important to them having a good life. It is also demonstrated through respectful consideration of their views, and respectful communication with and about children.

Children's advocates play a crucial role in raising children's voices and challenging our cultural narratives. Advocacy provides accountability for our commitments to and aspirations for our mokopuna. Advocacy organisations act as a voice for the rights of children and champion the conditions that are needed for them to thrive.

In addition to the advocacy role held by Mana Mokopuna – The Children & Young People's Commission, as a Crown Institute, there are many non-governmental children's advocacy organisations, who have a focus on the rights of mokopuna and children within Aotearoa and the Pacific region. We have highlighted several following, but wish to acknowledge the many others across Aotearoa who tirelessly advocate at an individual and collective level for the rights of our taonga.

Advocacy

Organisations and roles

Children's Rights Alliance Aotearoa New Zealand

Children's Rights Alliance Aotearoa New Zealand (CRAANZ) is the collective voice for children's rights in Aotearoa. CRAANZ is the leading non-Government voice reporting to the United Nations on how well the Convention is being implemented in Aotearoa.

– [Find out more about *Children's Rights Alliance Aotearoa New Zealand*](#)

Save the Children New Zealand

Save the Children works to save the lives of children, protect their rights and provide them with opportunities to live healthy, successful lives. The organisation is active in advocacy, disaster-relief and development projects in the Pacific, Asia and around the world.

– [Find out more about *Save the Children New Zealand*](#)

Child Poverty Action Group (CPAG)

Child Poverty Action Group (CPAG) is an independent charity working to eliminate child poverty in Aotearoa New Zealand so all children can thrive. CPAG carries out policy analysis, research, reporting and advocacy to highlight the causes and effects of poverty and the impact of government policies on children.

– [Find out more about *Child Poverty Action Group*](#)

Child Matters

Child Matters aims to prevent abuse and neglect of children by providing child protection education, training and consultancy services to organisations, workforce, community, and families.

– [Find out more about *Child Matters*](#)

– [Find out more about *Safeguarding & Child Protection on 65*](#)

UNICEF Aotearoa

UNICEF Aotearoa is part of the global UNICEF network, mandated by the United Nations to advocate for the protection of children's rights

both nationally and internationally. UNICEF works together with government, non-government organisations, businesses, donors, and children, seeking to strengthen children's rights to protection, health, education, basic needs, and opportunities to reach their full potential. UNICEF leads development programmes in the Pacific, as well as providing emergency assistance and advocacy.

– [Find out more about *UNICEF*](#)

VOYCE

VOYCE - Whakarongo Mai is an independent charity established to empower care experienced children in Aotearoa New Zealand. VOYCE aims to amplify the voices of children in foster or whanau care (past and present) in order to positively influence individual care experiences and the wider care system. VOYCE enables connection and support through events, networks, and advocacy.

– [Find out more about *VOYCE - Whakarongo Mai*](#)

Tick for Kids

Tick for Kids is a movement designed to engage the public and politicians in discussion about what needs to be done to improve life for children and young people in New Zealand. Tick for Kids is especially active during the election period when its coalition of members provide analysis of party policies through the lens of children's wellbeing and rights.

– [Find out more about *Tick for Kids*](#)

Child Rich Communities

The goal of the Child Rich Communities (CRC) project is to grow a network of people and projects working in community-led ways to improve the wellbeing of tamariki, rangatahi, whānau, and communities across Aotearoa. CRC aims to promote leaders, activities, and community-led action that is making a positive difference for children and whānau and encourage more integrated social service and community-building approaches.

– [Find out more about *Child Rich Communities*](#)

Mana Aotūroa | Exploration

Mana aotūroa or exploration within Te Whāriki is all about supporting children “to explore, learn from, respect and make sense of the world.”

(Ministry of Education, 2023)

At a societal level, exploration through whakamana is seen through the Crown organisations that are responsible for our children.

Ministries and Crown Entities Responsibilities

Ministry of Education | Te Tāhuhu o te Mātauranga

The Ministry of Education is responsible for shaping an education system that delivers equitable and excellent outcomes for tamariki.

This happens through leadership, guidance, and the resourcing of education providers, teachers and other professionals. It is also supported through intervention where there is risk to student achievement, participation, or provider performance. The Ministry of Education administers legislative and regulatory controls (such as the National Education and Learning Priorities (NELP) and National Curriculum) designed to protect learners, educators and the communities that support them.

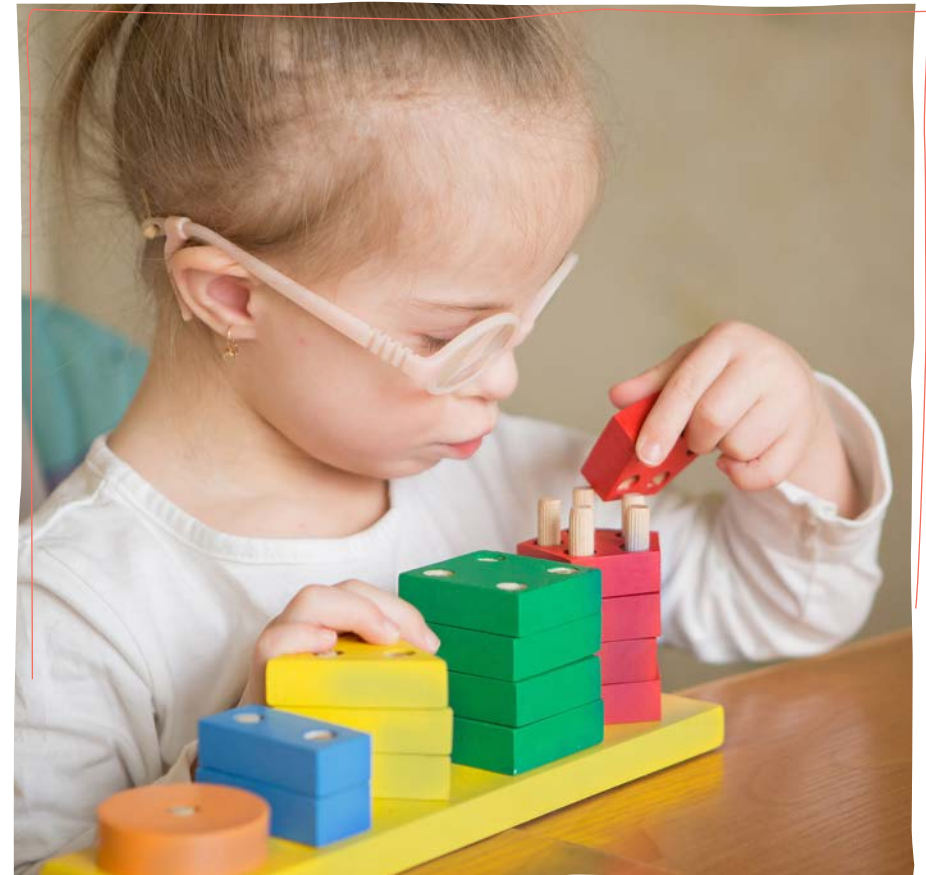
– *Find out more about the [Ministry of Education](#)*

Oranga Tamariki | Ministry for Children

Oranga Tamariki is the Ministry responsible for protecting the wellbeing of children and young people in Aotearoa, with a focus on those most at risk of harm.

It oversees the care and protection and youth justice systems, guided by the Oranga Tamariki Act 1989. Oranga Tamariki also oversees the adoption system and is involved in surrogacy arrangements.

– *Find out more about [Oranga Tamariki](#)*



Mana Mokopuna | The Children & Young People's Commission

Mana Mokopuna – The Children and Young People's Commission is tasked with promoting and protecting the rights, health, welfare, and wellbeing of all children and young people aged under 18 and care experienced young people aged up to 25 years.

The strategic priorities of Mana Mokopuna are education, mental wellbeing, ending family violence, and monitoring places of detention.

The Commission's responsibilities include:

- promoting and monitoring children's rights under the United Nations Convention on the Rights of the Child
 - advocating for system-level changes to improve child wellbeing
 - establishing monitoring and complaints processes for children and supporting children to participate in these processes
 - raising awareness of issues relating to children and their wellbeing
 - providing expertise to courts and government agencies
 - reporting to the Prime Minister on matters affecting the rights of children
 - encouraging children and young peoples' participation and voices in decisions affecting their lives through consultation with children, and promoting best practice engagement
 - monitoring as the National Preventive Mechanism (NPM) under the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment (OPCAT).
- [Find out more about Mana Mokopuna – The Children & Young People's Commission](#)

Aroturuki Tamariki | Independent Children's Monitor

In 2022, the Oversight of Oranga Tamariki Bill established an Independent Monitor to take on the functions held by the Office of the Children's Commissioner relating to independent monitoring of the Oranga Tamariki system.

The Independent Children's Monitor provides independent, impartial, evidence-based oversight of the Oranga Tamariki system. This includes assessing:

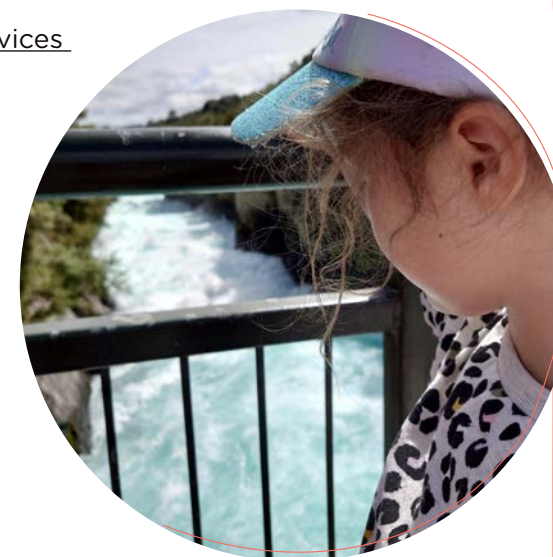
- agency compliance with the Oranga Tamariki Act 1989 and national care standards regulations,
 - quality of service provision and practice, and
 - outcomes for children, young people, families and whānau who receive services through the Oranga Tamariki system.
- [Find out more about Aroturuki Tamariki – Independent Children's Monitor](#)

Recent reports published by Aroturuki Tamariki include:

[Experiences of Care: annual reports on agency compliance with the National Care Standards for the years 2020/21, 2021/22 and 2022/23](#)

[Access to Primary Health Services and Dental Care \(2024\)](#)

[Returning Home From Care \(2023\)](#)



Ngā wāhi hei arotahi | Areas to focus on

**What does Whakamana
look like for our tamariki?**

Mana Atua | Wellbeing

Frameworks support children's wellbeing through protection from harm, adequate standard of living and the removal of barriers that prevent their thriving

Mana Whenua | Belonging

Legislation and policy reflect children's belonging and inherent dignity

Mana Reo | Communication

Children are shown respect in the way we as a society talk about them and invite their perspective



Mana Aotūroa | Exploration

Children's exploration and thriving is fostered through Ministries that demonstrate best practice and innovation.

Mana Tangata | Contribution

Children have opportunity to express themselves and contribute in society



What might it look like to strengthen Whakamana for children....

- > within your mahi?
- > within your home or community?

Within the landscape of legislation, tools, resources and organisations centred on five to 12-year-olds we have identified some key recommendations to better recognise and strengthen the Te Whāriki principles and improve outcomes for children:

