

Under the Inquiries Act 2013
In the matter of the Royal Commission into Historical Abuse in State Care and in
the Care of Faith-based Institutions

Te Puni Kōkiri: Brief of Evidence of David Tokohau Samuels for Institutional Response Hearing

8 August 2022

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Brief of evidence of David Tokohau Samuels

I, David Tokohau Samuels of Wellington, Public Servant, state:

Introduction

- 1 My full name is David Tokohau Samuels.
- 2 My iwi affiliations are to Waikato and Te Whakatōhea.
- 3 I am Te Tumu Whakarae mō Te Puni Kōkiri | Secretary for Māori Development, and Chief Executive of Te Puni Kōkiri. I have held this role since Mahuru | September 2019.
- 4 I am authorised by Te Puni Kōkiri to give this evidence.

Additional witness – Grace Smit

- 5 I will appear at the Institutional Response Hearing alongside Grace Smit, Deputy Secretary, Strategy, Finance and Performance for Te Puni Kōkiri.
- 6 Ms Smit has been Deputy Secretary, Strategy Finance and Performance since 30 Haratua | May 2022. The role of the Strategy, Finance and Performance Puni for Te Puni Kōkiri is to provide strategic direction and monitor organisational performance internally and externally. It provides financial management, strategy, planning and performance advice, procurement, and statutory entity monitoring including nominations and appointments. Ms Smit started work at Te Puni Kōkiri in Haratua | May 2021, initially working as the Deputy Secretary, Organisational Support.

Opening Comments

- 7 Thank you for giving me the opportunity to provide evidence to this Royal Commission of Inquiry (**the Commission**).
- 8 As Secretary for Māori Development, I lead Te Puni Kōkiri, the Ministry of Māori Development. Te Puni Kōkiri is the government's principal policy advisor on Māori wellbeing and development. Te Puni Kōkiri has a vision of thriving whānau: when whānau are thriving, so do their communities, hapū, iwi and all of Aotearoa. You can see the strategy tapatoru for Te Puni Kōkiri which is attached at **Appendix A**.
- 9 I observe with regret the experience of those who have suffered throughout the period the Commission is considering. The important work of this Commission will assist us all in our understanding of what has gone wrong in the past, and in our endeavours to provide vulnerable New Zealanders with better care and support in the future.
- 10 To do this, I suggest we adjust our approach to how we tackle this issue. Simply highlighting what hasn't worked and then monitoring more of the same will not result in the changes that need to happen. Our challenge is to be innovative – to move to indigenously designed, developed, and delivered solutions. Pursuing that approach requires us to draw lessons from the successes of the past.



- 11 Te Puni Kōkiri has been pleased to supply the Commission with the written information you sought¹. My evidence here focuses on the role of Te Puni Kōkiri, its relationships within the public sector, the lessons we have learnt over the years, and how those lessons might inform the Commission's recommendations for future action.

Te Puni Kōkiri Role and Focus

- 12 The response from Te Puni Kōkiri to the Notice to Produce², which is attached at **Appendix B**, provides a detailed history of the way that Te Puni Kōkiri and its predecessor agencies gave effect to its historically mandated roles across the years. For the purposes of clarity, I should be explicit that the role of Te Puni Kōkiri has never included the direct provision of care of tamariki. Te Puni Kōkiri itself has never operated care facilities, nor purchased such care from external providers.
- 13 A predecessor agency, the Department of Māori Affairs, had a role in the general welfare of Māori in the 1950s and 1960s through the employment of Māori welfare officers and Māori community officers. This role covered health, housing, education, vocational training, and employment. The Department of Māori Affairs also partnered with the Department of Social Welfare and the Department of Justice on the Mātua Whāngai programme, a programme that ran in the mid-1980s to identify Māori whānau to be approved as caregivers for tamariki Māori.
- 14 Te Puni Kōkiri monitoring responsibilities sit within a broader landscape of monitoring within the public service system that includes organisations with legislated child welfare monitoring functions. The Children's Commissioner's statutory responsibilities provide it with a mandate to monitor and assess policies and practices of Oranga Tamariki, and to encourage the development of policies and services that are designed to promote the welfare of children and young people. The Independent Children's Monitor, the Ombudsman, and the Auditor-General all also form part of the child welfare monitoring system.

Historical Context

- 15 Te Puni Kōkiri is the Government's principal policy advisor on Māori wellbeing and development. That said, the whakapapa of Te Puni Kōkiri goes back to the signing of Te Tiriti o Waitangi in 1840 with the establishment of the Protectorate Department in 1840, followed by the establishment of the Native Department in 1861.
- 16 A notable moment in the history of delivery of services for Māori came in 1989 with the decision to disestablish the Department of Māori Affairs, and to mainstream service delivery. In its place came the Ministry of Māori Affairs, established in 1989 under the State Sector Act 1988, and the Iwi Transition Agency. To give you a sense of the scale of change in 1989, Vote Māori Affairs was reduced by more than \$212 million. \$98 million of that went to the mainstream agencies; the remainder was retained as savings by the Crown.

¹ For example, Te Puni Kōkiri's response to Notice to Produce 467.

² For completeness, the response to Notice to Produce 467 states that the Ministry for Māori Affairs was established under the Māori Affairs Restructuring Act 1989. This was an error, as the Ministry was established under the State Sector Act 1988.

Establishment of Te Puni Kōkiri

- 17 Te Puni Kōkiri itself came into existence on 1 January 1992. The Ministry of Māori Development Act 1991 established Te Puni Kōkiri as a policy-focused Ministry with a set of responsibilities. These responsibilities include promoting increases in the levels of achievement attained by Māori in areas such as education, employment, health and economic development. The Act also charges Te Puni Kōkiri with monitoring and liaising with departments and agencies providing services to or for Māori, for the purpose of ensuring the adequacy of these services.
- 18 The legislation establishing Te Puni Kōkiri does not in itself seek to resolve the perennial tension between the explicit autonomy of mainstream agencies and the role of monitoring agencies. Our Act does not specify how monitoring is to take place. To the extent that both Te Puni Kōkiri and the mainstream agencies of the past were caught up in a conception of monitoring as a series of formal critiques and reports, Te Puni Kōkiri was limited in its impact. The result was that Te Puni Kōkiri was largely denied the opportunity to make a fundamental difference through working closely with the responsible agencies. Māori, specifically tamariki Māori in terms of the Commission's focus, were denied the outcome changes to which they and their whānau were entitled.
- 19 This is not to say that efforts were not made, or that some of those efforts were not useful. Table 1 of **Appendix B** includes a list of the many reviews and evaluations undertaken in the 1990s. But you can see in the history of this period, and the nearly twenty years afterwards, that Ministers and officials – and the system as a whole - struggled to use my Ministry's monitoring role in a way that would have ensured its necessary impact. Simply put, it did not change anything fundamental for public service performance for Māori, nor would I expect it to if done the same way in future.
- 20 Clearly there needs to be, at system level, a better way of ensuring that government services are being delivered effectively to Māori.
- 21 Which brings me back to those more recent developments I referred to earlier.
- 22 I am confident that the system can do better – and has already taken steps in this direction. I note, for example, the work that the Treasury and Statistics NZ have led to ensure the meaningful measurement of wellbeing, the establishment of Te Arawhiti, and the explicit requirement under the Public Service Act 2020 for chief executives and all public service leaders to develop and maintain the capability of the system to engage with Māori and understand Māori perspectives. All chief executives are accountable to their Ministers for upholding their responsibilities to support the Crown's relationship with Māori. These levers have the potential to provide a solid foundation for future initiatives.

Changes introduced in 2019

- 23 My view is that Te Puni Kōkiri is positioned within a public service that is increasingly sensitive to the need to improve Māori wellbeing. And I consider that there is a burning platform within the Public Service and the wider community to bring about positive change. In 2019 Cabinet set out a clear set of expectations for me, as the incoming Chief Executive, to position Te Puni Kōkiri



for strategic impact. Priorities include monitoring the effectiveness of public sector agencies, strategies, policies, and services in uplifting Māori wellbeing outcomes.

- 24 These changes are intended to position Te Puni Kōkiri to exert greater leadership on the public sector system. I come now to our focus on system influence, and, in particular, the mutually reinforcing components of strong policy development, robust whānau centred programmes, and effective monitoring arrangements.
- 25 The written material supplied highlights the priority we place on Māori public policy leadership through developing good, evidence-based policy, alongside the mainstream government agencies with whom we share a responsibility to ensure that interventions are both coherent and targeted. Whenever Te Puni Kōkiri provides any advice on Māori wellbeing we have our strategic outcome in mind: Thriving Whānau – which places whānau at the centre of our thinking.
- 26 Te Puni Kōkiri also has ‘lived experience’ of engagement with local iwi, hapū and whānau. Our policy work is informed by the understanding we have gained through our regional presence, and our responsibility for the Whānau Ora programme. Funded through commissioning agencies, Whānau Ora is a culturally based, and whānau-centred approach to wellbeing, where the necessary support services are ‘wrapped around’ whānau in areas such as health, education, housing, and employment.

At this point, this is what we know:

- 27 We know that for public service interventions to succeed for Māori where there are complex social factors at play, they need to be whānau-centred. The interventions must focus on maintaining the collective wellbeing of whānau, whilst addressing the needs of the individual. This is a perspective that the public service, for all the goodwill that it might have had over the years, has been slow to understand. The ‘primary unit’ we serve, if you like, is not the single person, but the whānau of which the person forms a part. The delivery of policy needs to be targeted accordingly.
- 28 By way of example, let me speak about Ngā Tini Whetū, a cross-agency initiative developed by Te Puni Kōkiri with ACC, Oranga Tamariki and the Whānau Ora Commissioning Agency. It is a whānau-centred prototype designed to support families and improve the safety and wellbeing of tamariki, especially in their early life. Whānau are enabled to access early support tailored to their needs, with agencies collaborating with kaupapa Māori organisations to support whānau.
- 29 Early assessments are encouraging. Quantitative and qualitative data provides compelling evidence that Ngā Tini Whetū is having a positive impact for the whānau enrolled. In the terminology of the programme, the number of whānau previously categorised as ‘languishing’ has reduced, and there is a significant increase in the number of whānau who are ‘flourishing’.
- 30 What else do we know? We know that initiatives that empower the ability of communities to deliver, get results. The Whai Kāinga Whai Oranga housing programme, and the Māori Communities COVID-19 Fund, are two recent examples of demonstrable success.



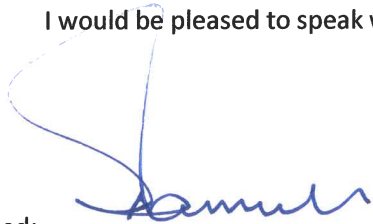
- 31 Whai Kāinga Whai Oranga is a Māori-led approach to housing invested in by Te Puni Kōkiri and Te Tūāpapa Kura Kāinga. Under the programme, iwi deliver improved Māori housing outcomes on behalf of the government. The programme prioritises rohe facing significant housing supply and affordability issues. Te Puni Kōkiri is setting an example with this Housing investment, building further towards a future where Māori increasingly lead and deliver to their own unique needs in their own communities. With 700 homes under contract since October 2021, it is whānau-centred delivery at scale and pace.
- 32 The Māori Communities COVID-19 Fund was established in October 2021, in part as a response to growing disparity in vaccination rates between Māori and non-Māori. Te Puni Kōkiri partnered with Whānau Ora Commissioning Agencies, Iwi and Māori communities to rapidly deploy funding so that Māori communities could deliver for Māori. Over \$130 million was invested to increase Māori vaccination rates and build community resilience in response to future outbreaks. The percentage of Māori vaccinated has risen from 69% to 91% for first doses, and from 49% to 88% for second doses since that fund was established. Our network of regional providers mobilised within their communities and deliver whānau-centred vaccination services, vastly and quickly lifting the public service's performance for Māori, ensuring far more whānau could be appropriately protected from further poor health outcomes.

Concluding remarks

- 33 Noting these recent examples of successfully delivering for our Māori communities, it follows that we know also that our monitoring function must be undertaken differently if it is to play a significant role in improving Māori wellbeing – to deliver on the intent that saw the establishment of Te Puni Kōkiri thirty years ago.
- 34 We know that a punitive monitoring system has not worked and did not change outcomes for Māori. It is therefore unlikely that such an approach would bring about positive outcomes in the future.
- 35 Our future focus will instead be on using monitoring as an active tool in service delivery – walking alongside mainstream agencies, ensuring that agencies know what does and does not work for Māori - monitoring by doing. As demonstrated through examples like Ngā Tini Whetū, Whai Kāinga Whai Oranga, and the Māori Communities COVID-19 Fund, Te Puni Kōkiri can use its policy capacity, its regional knowledge and its developed understanding of what is effective in particular Māori communities to highlight problems, and potential solutions.
- 36 Looking even further ahead, to 2040, the supporting evidence to Te Puni Kōkiri Long Term Insights Briefing, being developed, already shows that despite significant investments and programmes implemented by governments over the last several decades, there continue to be challenges faced by Māori whānau across a range of areas that impact on their wellbeing. Our futures modelling predicts that in 20 years' time these challenges will continue unless there is a shift in the policies, services and investments implemented by government to support whānau.



37 My comments here have mostly been framed generally, but it does seem to me that the solutions I refer to may be very relevant to the work of the Commission. I would be pleased to speak with you about them at greater length.



Signed:

Dave Samuels

Date: 8 Aug 2022
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