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**KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA  
I TE TIRITI O WAITANGI  
BEFORE THE WAITANGI TRIBUNAL**

**WAI 2750**

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**IN THE MATTER OF**                    **the Treaty of Waitangi Act 1975**

**AND**

**IN THE MATTER OF**                    **Kaupapa inquiry into claims concerning  
Housing Policy and Services**

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**CROWN BUNDLE OF EVIDENTIAL FACT SHEET FOR  
ORANGA TAMARIKI – MINISTRY FOR CHILDREN  
5 Poutū-te-rangi | March 2021**



**CROWN LAW  
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**EVIDENTIAL FACT SHEET**  
**TRANSITION SUPPORT FOR YOUNG PEOPLE LEAVING  
ORANGI TAMARIKI CARE  
(WITH A FOCUS ON SUPPORTED ACCOMMODATION)**  
**(ORANGA TAMARIKI – MINISTRY FOR CHILDREN)**  
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1.	<b>Basic information</b>	<p><b>Title of policy / programme:</b> Transition support for young people leaving Oranga Tamariki care (with a focus on supported accommodation)</p> <p><b>Year introduced:</b> 2019</p> <p><b>Still current?:</b> Yes</p> <p><b>Administering agency(ies):</b></p> <p>Oranga Tamariki—Ministry for Children (Oranga Tamariki) through a partnered model with community-based NGOs including iwi and Māori organisations.</p> <p><b>High level summary of policy/programme:</b></p> <p>The Oranga Tamariki Transition Support Service is a service aimed at providing tailored support to all young people who have transitioned out of care or a youth justice placement.<sup>1</sup> As part of the service, Oranga Tamariki provides a limited number of housing placements through its Supported Accommodation Service. Supported accommodation is available for eligible young people who have exhausted other universal housing services and supports first. As it has only been in operation since 1 July 2019, it is expected that the Transition Support Service will, over time, adapt as required, to meet the wellbeing needs of the Oranga Tamariki transitions population.</p> <p><b>Overlapping/Related policies/programmes:</b></p> <p>The expansion of supported accommodation for young people leaving Oranga Tamariki care is one of 18 immediate actions in the Homelessness Action Plan (with a focus on prevention). Funding of \$17.5 million to expand the initiative was provided through the Homelessness Action Plan contingency fund.</p> <p>While the service has quite a specific cohort focus, it does demand a portion of the supply of housing provided through NGOs.</p>
2.	<b>Description of Policy / Programme</b>	<p>Oranga Tamariki provides Transition Support Services to eligible care, and youth justice young people aged 15-25 years old, with the aim of ensuring that young people get a good start to their adult lives. The Transition Support Service includes:</p> <ul style="list-style-type: none"> <li>• specialist transition support staff who work with young people to navigate universal supports and entitlements including housing, health and education supports;</li> </ul>

<sup>1</sup> To be eligible, a young person will have been in a custody and protection placements, a residence youth placement (including detention) or Police custody, or under remand or in a prison sentence in the adult justice system before turning 18 for a continuous period of at least 3 months after the age of 14 years and 9 months.

		<ul style="list-style-type: none"> <li>• the Supported Accommodation Service<sup>2</sup>;</li> <li>• funding for support arrangements for young people to continue to live with their caregiver;</li> <li>• funding to provide advice and assistance to individual young people;</li> <li>• maintaining contact and building a relationship with the young person throughout their time using the service.</li> </ul>
3.	<p><b>Outline of the process to develop this Policy / Programme</b></p>	<p>In 2015, a comprehensive review of Child, Youth and Family was commissioned. This was undertaken by an Expert Panel, who released an interim and final report which identified that young people leaving care are very vulnerable and known to experience poor long-term outcomes (<b>Expert Panel Report</b>).<sup>3</sup></p> <p>The Expert Panel drew on numerous stakeholders to inform their recommendations, including iwi and Māori groups such as the Iwi Chairs Forum, children, young people, whānau, caregivers and social service providers.<sup>4</sup></p> <p>With regards to proposed support options for young people leaving care, the Expert Panel drew on several international examples of transition support including Youth Villages, a US-run programme for care leavers. These examples highlighted intensive individualized and clinically focused case management, support, and counselling as good approaches for supporting young people transitioning from care. This formed the starting point of the Oranga Tamariki approach to developing its own Transitions Service that also incorporated our Treaty obligations set out in section 7AA of the Oranga Tamariki Act 1989.</p> <p>Overall, the Expert Panel found that the care, protection and youth justice systems did not sufficiently meet the needs of children and young people, and that a bold overhaul of the system was required.</p> <p><b>2017 – Legislative Reform</b></p> <p>From the recommendations of the Expert Panel report, Cabinet agreed in March 2016, to change the Oranga Tamariki Act 1989 to provide a range of transition supports for young people who were aging out of care<sup>5</sup>, as a component of a new operating model for Oranga Tamariki.</p>

<sup>2</sup> Oranga Tamariki partners with NGO's, Iwi and Māori organisations to provide the Supported Accommodation Service. Providers are responsible for providing safe accommodation to care and youth justice experienced rangatahi and facilitating the development of life skills needed for independent living i.e. learning how to manage a tenancy. Accommodation provided in the initiative is sourced from both the public (social housing) and private housing stock.

<sup>3</sup> Established by Hon Anne Tolley, Minister of Social Development. On the Panel were Paula Rebstock (Chair), Mike Bush, Peter Douglas, Duncan Dunlop, Helen Leahy, Professor Richie Poulton.

<sup>4</sup> Details of the Expert Advisory Panel and Reports have been the subject of evidence in the WAI 2915 urgent inquiry. For more information, see Second Affidavit of Hoani Jeremy Lambert dated 25 March 2020, prepared for the Urgent Inquiry into Oranga Tamariki (WAI 2915, #A20).

<sup>5</sup> The statutory care and protection system covers children and young people up to the age of 18 years. If a young person is still in the custody of the chief executive of Oranga Tamariki by their 18<sup>th</sup> birthday or chooses to exit the system after being in care for 3 continuous months at any time from their 15<sup>th</sup> birthday, they are considered to be 'aging out' of the care and protection system and are entitled to transition support assistance through Oranga Tamariki.

	<p>The legislative provisions that came into force on 1 July 2019 required Oranga Tamariki to provide a significantly strengthened level of transition support (s 386AAA – s 386C). This includes:</p> <ul style="list-style-type: none"> <li>• a new entitlement for young people who have been in care to be supported to live with a caregiver from age 18 to 21;</li> <li>• a new duty to take reasonable steps to maintain contact with young people up to age 21 when they have been in care or custody;</li> <li>• an extension of the current duties around the provision of advice and assistance to young people who have been in care or custody up to the age of 25.</li> </ul> <p>Any transition support service delivered also needed to:</p> <ul style="list-style-type: none"> <li>• have regard for mana tamaiti (tamariki), whakapapa and whanaungatanga and ensure these principles are embedded in policies, practices and services (as per section 7AA and the principles in s 386AAC)[2]);</li> <li>• have regard for young people’s views and take these into account in the services and policy (s 7(2)(c));</li> <li>• contribute to meeting requirements in the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 around preparing young people for their transition.</li> </ul> <p><b>2018 - Supported accommodation pilot programme (previously referred to as Supported Living Pilots)</b></p> <p>Oranga Tamariki established pilots with social service providers to test and refine the design of its Transition Support Service (and more specifically its supported accommodation programme) in 2018. The objectives of the pilots were:</p> <ul style="list-style-type: none"> <li>• to test whether supported accommodation is an effective option for providing transitional accommodation and the development of living skills for young people leaving care;</li> <li>• to understand the key aspects of what works and what doesn’t work in practice to inform the approach to scaling supported accommodation options for young people leaving care.</li> </ul> <p>Following an evaluation of the pilots in early 2018, the findings of this study were used to inform Budget 2019 proposals as part of the establishment of the broader Transition Support Service.<sup>6</sup></p> <p><b>2018 - Cabinet Paper - Transforming our Response to Children and Young People at Risk of Harm: Transition Support</b></p> <p>In October 2018, Oranga Tamariki tabled a suite of six Cabinet papers which included detailed information on core components of the Oranga Tamariki operating model and areas of investment intended for Budget 2019. Paper Six: Transition Support</p>
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<sup>6</sup> The first evaluation ‘Qualitative process evaluation for the Supported Living Demonstration’ (ORT.002.0001) was completed in March 2018. Further information on the evaluations are outlined in section 7 of this Fact Sheet.

		<p>(ORT.001.0102), sought agreement to key aspects of the transition support function of the Oranga Tamariki operating model, including the Transition Support Service (which had mostly been co-designed at that point by Oranga Tamariki with input from young people, iwi and Māori organisations<sup>7</sup>) and noted that funding would be required for it to operate from 1 July 2019<sup>8</sup>.</p> <p><b>2019 - Establishment of Oranga Tamariki Transitions Service</b></p> <p>Following the 1 July 2019 legislative changes becoming operable, Oranga Tamariki Transition Support Service was established. Budget 2019 included \$153.7 million over four years through Budget 2019 for Oranga Tamariki to build and refine the Transitions Service. This was to fund:</p> <ul style="list-style-type: none"> <li>• new specialist transition support staff;</li> <li>• 60 supported accommodation places to expand the supported accommodation pilot programme<sup>9</sup>;</li> <li>• funding for support arrangements for young people to continue to live with their caregiver;</li> <li>• funding to provide advice and assistance to individual young people.</li> </ul>
4.	<b>Aims or Objectives of the Policy / Programme</b>	<p>The Transitions Service provide young people who have left care with support to thrive as adults. There are a number of specific outcomes sought for the Transitions cohort. These are:</p> <ul style="list-style-type: none"> <li>• improved outcomes for rangatahi Māori who are transitioning to adulthood;</li> <li>• more young people have safe and stable living arrangements;</li> <li>• more young people have the life skills they need to thrive as adults;</li> <li>• more young people are healthy and recovering from trauma;</li> <li>• more young people have a trusted adult in their lives and are engaged with family/whānau, cultural and community groups;</li> <li>• more young people are in education, training, employment or volunteering.</li> </ul> <p>Rangatahi Māori make up 65% of young people who are eligible for transition support through Oranga Tamariki. Oranga Tamariki has specific obligations to improve outcomes for tamariki and rangatahi Māori through section 7AA of the Oranga Tamariki Act 1989. As an agency, Oranga Tamariki is committed to improving outcomes for Māori including:</p>

<sup>7</sup> Also included consultation with 82 young people, 77 caregivers, 236 Oranga Tamariki staff, 146 practitioners across the sector, 20 providers and surveying 470 additional caregivers.

<sup>8</sup> [6.Transition-Support-Minutes-operating-model.pdf \(orangatamariki.govt.nz\)](#).

<sup>9</sup> An additional \$17.5 million secured in contingency funding from HUD, through the Homelessness Action Plan provides for a further 168 placements over four years increasing the total number of placements to 228 by 2023.

		<ul style="list-style-type: none"> <li>• Rangatahi Māori are engaged with iwi and Māori service providers;</li> <li>• support, strengthen and assist rangatahi Māori, and their whānau to prepare for return home or transition into the community;</li> <li>• support young people to establish, maintain, or strengthen cultural identity and connections to whānau, hapū and iwi;</li> <li>• reduce disparities in outcomes and experiences for tamariki and rangatahi Māori and their whanau;</li> <li>• partner with iwi and Māori organisations to improve outcomes for Māori.</li> </ul> <p>Young people who have been in statutory care or youth justice are New Zealand’s most vulnerable group of young people. Young people aging out of state care or a youth justice residence face significant challenges around accessing the necessary supports they need to successfully transition to adulthood. One of the key contributors for this appears to be an insufficient supply of suitable housing options for young people, and a lack of appropriate support available to navigate available services.</p> <p>The 2018 Transition Cohort Needs Survey<sup>10</sup> (ORT.001.0051) undertaken by the Oranga Tamariki Evidence Centre spoke to the vulnerability of young people in care:</p> <ul style="list-style-type: none"> <li>• four in every five young people surveyed were identified as either having, or were suspected to have, mental health needs (78%);</li> <li>• half of young people in the survey (47%) were identified as either having, or were suspected to have, a disability;</li> <li>• over half (54%) of young people were identified as either having, or were suspected to have, a substance abuse problem;</li> <li>• comorbidity across the broad health-related need categories was common;</li> <li>• the most common types of risky behaviours identified were impulsive behaviour/ lack of self- control (71% of young people), verbal violence/ aggression (60%), and absconding (57%).</li> </ul> <p>The Transition support policy provides for an evidence-based transition support service that is relationship-focused and aimed at putting these young people on the path to better long-term wellbeing.</p> <p>Transition support (and supported accommodation as part of that) provides:</p> <ul style="list-style-type: none"> <li>• opportunities to address youth homelessness by supporting young people at risk of homelessness outcomes. (noting the likelihood of experiencing homelessness later in life, as noted above);</li> </ul>
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<sup>10</sup> Details of the survey can be found on the Oranga Tamariki website [Transition needs survey | Oranga Tamariki — Ministry for Children](#)



	<ul style="list-style-type: none"> <li>• opportunities to strengthen partnerships with iwi and Māori (more generally) and encourage communities to take an active interest in supporting young people transitioning out of state care;</li> <li>• opportunities to identify where there might be gaps in a young person’s connection to their culture and community, ensuring that steps are taken to address this where possible.</li> </ul> <p><b>Pre-2017 experience</b></p> <p>Initial legislative changes in 2016 provided for some support to a smaller cohort of young people (aged 15-20 years).<sup>11</sup> This enabled discretionary support to be provided to eligible young people and was less prescriptive than the subsequent legislative reforms made later in 2016 and 2017. These new statutory requirements to support young people aging out of the care system, or a youth justice residence were phased, through two legislative amendment bills to the Oranga Tamariki Act 1989:</p> <ul style="list-style-type: none"> <li>• Children, Young Persons, and Their Families (Advocacy, Workforce, and Age Settings) Amendment Act. This was passed in December 2016 and came into force on 1 April 2017. Key changes included extending the jurisdiction of the care and protection system to include 17-year-olds, and enabled shifts in practice so social workers could better prepare young people who were leaving care.</li> <li>• Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act This was passed in July 2017 and came into force on 1 July 2019. This introduced a number of changes to the Oranga Tamariki Act, including more specific obligations on Oranga Tamariki to provide support to eligible care leavers up to 21 years, and discretionary support up to 25 years. These changes laid the foundation for the establishment of the Transitions Service.</li> </ul> <p>From 2009 – 2016 (prior to the commencement of work to establish Oranga Tamariki), the system response was limited and left young people leaving care at significant risk of poor wellbeing outcomes compared to other young people their age. Young people had little say in the process of leaving care and were inconsistently supported through that process, including having to navigate a range of universal services without additional support. Young people who had left care and required support would have relied on other government services, such as Housing New Zealand Corporation (as it then was), or the Ministry of Social Development Youth Service and or Whānau Ora services.</p> <p>In addition, prior to 2017, most young people in the care system were ‘aged out’ of the care system at 17 years, creating a gap in terms of what supports could be provided to them. Once out of care or custody, the young person was often left unsupported,</p>
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<sup>11</sup> These legislative changes were first incorporated into the Children, Young Persons and Their Families Act 1989 (now known as the Oranga Tamariki Act 1989) by section 36 of the Children, Young Persons, and Their Families (Vulnerable Children) Amendment Act 2014 (2014 No 41). This inserted a new provision in the Act (s [386A, Advice and Assistance for people moving from care to independence](#))

		finding it difficult to know who and where to go to for advice. Accordingly, young people felt they had no choice and moved into unsafe living situations, became homeless or compromised their health, education and/or employment.																																
5.	<b>Outline of steps taken to implement the Policy / Programme</b>	<p>There are four key components to the Transition Support Services:</p> <ul style="list-style-type: none"> <li>• to maintain a relationship with the young person through regular contact with a transition support worker;</li> <li>• supported accommodation;</li> <li>• advice &amp; assistance;</li> <li>• entitlement to remain or return to live with a caregiver.</li> </ul> <p>The Transitions Support Service received \$153.7 million over four years through Budget 2019. The Supported Accommodation initiative was allocated \$20.4 million over six years as part of Budget 2019. Through the Homelessness Action Plan, \$17.5 million was secured in contingency funding from HUD to provide for 168 additional placements over four years, increasing the total number of placements up to 228 by 2023, however this funding is time limited. The table below outlines the funding for Supported Accommodation placements over a six year period:</p> <table border="1"> <thead> <tr> <th></th> <th>2019/20</th> <th>2020/21</th> <th>2021/22</th> <th>2022/23</th> <th>2023/24</th> <th>2024/25</th> <th>Funding</th> </tr> </thead> <tbody> <tr> <td><b>Budget 19</b></td> <td>30</td> <td>30</td> <td>60</td> <td>60</td> <td>135</td> <td>200</td> <td>\$20,417,562</td> </tr> <tr> <td><b>HUD contingency funding</b></td> <td>33.75</td> <td>96.75</td> <td>118.5</td> <td>168</td> <td></td> <td></td> <td>\$17,513,963</td> </tr> <tr> <td><b>Total</b></td> <td>63.75</td> <td>126.75</td> <td>178.5</td> <td>228</td> <td>135</td> <td>200</td> <td>\$37,931,489</td> </tr> </tbody> </table> <p><b>Supported Accommodation</b></p> <p>As noted above, the initiative was first implemented in 2017 as a pilot programme. The pilot was run through three organisations – Lifewise and Kāhui Tū Kaha based in Auckland, and Challenge 2000 based in Wellington. They offered accommodation to young people between the ages of 17-20 who had a history of being in Oranga Tamariki care. Providers had the flexibility to develop supported living pilots that reflected their organisation’s values, but they were grounded in a common set of activities to achieve the common overarching objectives.</p>		2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	Funding	<b>Budget 19</b>	30	30	60	60	135	200	\$20,417,562	<b>HUD contingency funding</b>	33.75	96.75	118.5	168			\$17,513,963	<b>Total</b>	63.75	126.75	178.5	228	135	200	\$37,931,489
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		<p>The success of the pilot program led to funding in the 2019 Budget for a small number of placements. Oranga Tamariki also received additional contingency funding through the HUD Homelessness Action Plan to further expand the initiative. Presently there are five iwi/Māori partners and seven mainstream providers<sup>12</sup>. Supported accommodation is being rolled out over a four-year period with a forecasted 228 placements funded. As at February 2021, Partnering for Outcomes (PFO), on behalf of Transition Support Services have delivered 70 placements.</p> <p>The slower than expected roll out of the service has been affected by the impacts of COVID-19 including pressures in the housing market and because of a focus on ensuring the quality of the service remains high. A review is scheduled to take place after July 2021 to gather data and evidence from the initiative after it has been in operation 2 years.</p> <p>In addition to supported accommodation placements, and when other universal entitlements have been exhausted, Oranga Tamariki provides short-term funding to young people to find and maintain suitable accommodation. These include assistance with bond payments, rent arrears or living expenses.</p> <p><b>Advice and Assistance</b></p> <p>Oranga Tamariki also provide assistance and advice to support independent living and/or navigating an emergency. This includes:</p> <ul style="list-style-type: none"> <li>• Providing assistance in an emergency or crisis: Oranga Tamariki provide immediate assistance to eligible young people, including any of their tamariki, in an emergency or crisis. The assistance Oranga Tamariki can provide includes but is not limited to food and transport. Support for emergency accommodation (short-term motel use), and some financial support is also available if the young person has exhausted all other universal entitlements first.</li> <li>• Advice: Oranga Tamariki provides advice to eligible young people aged 15 up to 25 who have left care or a youth justice residential placement. Young people are able to contact their transition worker, contact their local site or call a dedicated team within the National Contact Centre (NCC) and receive advice and assistance based on their needs. Oranga Tamariki (and its contracted providers) are required to have the capability to give effect to Oranga Tamariki's Treaty obligations under section 7AA of the Oranga Tamariki Act, however.</li> </ul> <p><b>Entitlement to Remain or Return (ETRR)</b></p> <p>Young people who have been in care are eligible to remain with or return to living with a caregiver from the age of 18, until they turn 21. The arrangement must be mutually agreed to by the caregiver and young person. This means that young people leaving care have additional support options to help them transition more successfully to adulthood.</p>
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<sup>12</sup> Recently the rate of procurement for placements with iwi and Māori providers has been higher than non-Māori providers.

		The uptake of the ETRR is lower than anticipated, with 24 ETRR placements as of 31 December 2020. There is a programme of work underway to ensure more eligible young people are aware of their entitlement, and caregivers are aware they can be supported to maintain this relationship for longer.
6.	<b>Outline of monitoring and evaluation built in to Policy / Programme</b>	<p>Oranga Tamariki's <b>Partnering for Outcomes team</b> is responsible for the monitoring of Oranga Tamariki service providers. Monitoring is carried out by reporting on a monthly basis.</p> <p>Oranga tamariki is required to report annually on measures it takes to improve outcomes for Māori under section 7AA of the Oranga Tamariki Act 1989. The first report was released in July 2020 and is publicly available on the Oranga Tamariki website<sup>13</sup>.</p> <p>Indications from the 2020 survey results show an encouraging start for the service. Young people are taking up the assistance being offered and value the support of their transition workers. They told us that having a transition worker who is trustworthy, supportive and reliable made a real difference in their lives.</p> <p>Oranga Tamariki are represented on the Homelessness Action Plan (<b>HAP</b>) research working group which oversees development of monitoring for the HAP and have been providing regular updates as part of this work.</p>
7.	<b>Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims</b>	<p>Having been established in July 2019, the Transition Support Service is still relatively new. It was developed based on a number of evidence gathering actions which supported the initial co-design and development of the Transition Support Service and Supported Accommodation pilot programmes. These are listed below:</p> <ul style="list-style-type: none"> <li>• The Expert Panel (referred to in section 3 above), as part of their collaborative design approach, consulted with a variety of reference groups including a Youth Advisory Panel, Māori Reference Group and a Practice Reference Group. The Final Report considered evidence of international case studies related to transition support for young people to inform its recommendations<sup>14</sup>.</li> <li>• In 2018, Oranga Tamariki completed a two-stage quantitative needs survey on the Transitions cohort. Stage 1 - completed in August 2018 - assessed the level of need of each young person and identified that 378 young people (40%) had a 'high' or 'very high' levels of need. Stage 2 – completed in September 2018 - collected more detailed information on the circumstances, needs and service delivery gaps experienced by 120 of the young people with 'high' or 'very high' needs.</li> <li>• Oranga Tamariki undertook a co-design process throughout 2018 to develop its Transitions Service. This included consultation with 82 young people, 77 caregivers, 236 Oranga Tamariki staff, 146 practitioners across the sector, 20</li> </ul>

<sup>13</sup> <https://www.orangatamariki.govt.nz/assets/Uploads/About-us/Report-and-releases/Section-7AA-Report/S7AA-Improving-outcomes-for-tamariki-Maori.pdf>

<sup>14</sup> Details of the Expert Advisory Panel and Reports have been the subject of evidence in the WAI 2915 urgent inquiry. For more information, see Second Affidavit of Hoani Jeremy Lambert dated 25 March 2020, prepared for the Urgent Inquiry into Oranga Tamariki (WAI 2915, ref #A20).

		<p>providers and surveying 470 additional caregivers. Of the young people consulted, 42% identified as rangatahi Māori, and 15% identified as Pacific Island young people.</p> <ul style="list-style-type: none"> <li>• A range of international case studies relating to the provision of transition support for young people leaving care were also considered. This included consideration of models such as youth villages in the United States, and transition youth workers in jurisdictions such as Australia and the United Kingdom.</li> </ul> <p>Ethnicity data was limited. As the legislation and service only came into force on 1 July 2019, Oranga Tamariki had to pre-empt the number of young people who were eligible for the service and then the proportion of eligible young people who were likely to use the service. Based on initial analysis it was considered was 65% of the eligible people for transition support are Māori.</p> <p>Oranga Tamariki have commissioned independent evaluations of its supported accommodation initiative. The first evaluation 'Qualitative process evaluation for the Supported Living Demonstration' (ORT.002.0001) was completed in March 2018. A second evaluation 'Evaluation of Supported Living Extension Pilots' (ORT.002.0063) was completed in April 2020 which examines the partner and participants of one high cost/high needs pilot programme with six Supported Accommodation placements.</p>
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