



New Zealand House of Representatives
Te Whare Māngai o Aotearoa

Social Services and Community Committee

Komiti Whiriwhiri Take Ratonga Pāpori, Take Hapori

54th Parliament
September 2025

**Petition of Safeguarding Children: Amend the
Children's Act 2014 to protect children from
abuse**

Presented to the House of Representatives
by Joseph Mooney, Chairperson

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Petition of Safeguarding Children

Recommendation

The Social Services and Community Committee has considered the petition of Safeguarding Children—Amend the Children’s Act 2014 to protect children from abuse—and recommends to the Government that it consider work to require non-governmental organisations and organisations that engage volunteers working with children to complete mandatory safety checking.

Request for the Children’s Act 2014 to be amended

This petition was signed by 3,655 people. It was presented to the House by Rachel Boyack on 10 April 2024 and transferred to us on 23 May 2024. It requests:

That the House of Representatives review and amend the Children’s Act 2014 to broaden and strengthen its capacity to protect New Zealand’s children from abuse, both within organisations and in the places children go.

We received written submissions from the petitioner, Oranga Tamariki | Ministry for Children, Ministry of Education | Te Tāhuhu o te Mātauranga, and Mana Mokopuna | Children and Young People’s Commission. We received oral submissions from the petitioner and Mana Mokopuna.

About the Children’s Act 2014

The Children’s Act 2014 has three main purposes. They are to:

- require the Government to adopt, publish, and review a strategy to improve the wellbeing of children, and ensure that children’s agencies work together to improve the wellbeing of particular groups of children
- require child protection policies to be adopted and reported on by prescribed state services and the board of Health New Zealand, and adopted by school boards and people with whom those services or boards enter into contracts or funding arrangements with
- reduce the risk of harm to children by requiring people employed or engaged in work that involves regular or overnight contact with children to be safety checked.

The Act is administered by Oranga Tamariki and the Ministry of Education.

Comments from the petitioner

Safeguarding Children is a registered charity dedicated to preventing child abuse. It provides education on safeguarding and protecting children, consultancy, and child advocacy. It works with communities, non-governmental organisations, ministries, and Crown entities across New Zealand.

Safeguarding Children lodged this petition with the vision that “children and young people of Aotearoa New Zealand are safe from abuse and neglect”. To this end, the petitioner raises concerns that the Children’s Act is not fit for purpose. It suggested ways to strengthen the Act to protect children from harm.

The petitioner believes that the Children’s Act is “weak” and “forgotten”, and that it could be used to contribute to the prevention of, recognition of, and response to child abuse and neglect. The petitioner asks that the Act be amended to close “legislative gaps that currently expose children to undue risk”.

Safety checking

Part 3 of the Act requires the safety checking of people employed or engaged in work that involves regular or overnight contact with children. It requires children’s workers to have a police vet completed. A children’s worker is defined as a person who works in, or provides, a regulated service, and the person’s work may or does involve regular or overnight contact with a child (other than with children who are co-workers), and takes place without a parent or guardian of the child being present. A children’s worker is either core or non-core; they are a core worker if they are the only worker present or have primary responsibility for the child.

The petitioner argues that the difference between core and non-core is confusing for organisations to understand. It noted that non-core workers receive less robust police checks than core workers. The petitioner also said that no legislation requires the safety checking of volunteers or employees of non-government funded organisations or private businesses that provide services to children.

The petitioner also submitted that while a large proportion of people who work with children are excluded from safety checking, the burden on the system is still huge because of the number of people who must complete a safety check. It also stated that organisations who lodge a police vet are not supported to deal with any situations that may arise.

Safeguarding Children would like to see:

- widened definition of the roles considered to be children’s workers
- police vets for everyone providing services to children, including volunteers and employees of non-government funded organisations or private businesses
- removal of the terms “core” and “non-core” worker, replaced with a catch-all term for anyone providing services to children
- mandatory safety checks for volunteers and staff, tied to the person and not the role, valid for a specified time period, and transferable between organisations.

Child protection policies and training

Part 2 of the Act requires child protection policies to be adopted and reported on by prescribed state services and the board of Health New Zealand, and adopted by school boards and certain people with whom those services or boards enter into contracts or funding arrangements. The petitioner explained that there is no one organisation that audits the quality of child protection policies. It said that many education providers wrongly believe that the Education Review Office reviews their policies.

The Act lists the agencies that are defined as prescribed state services. The petitioner described the list as “limited”, noting that businesses and non-government funded organisations that provide services to children are not required to have a child protection policy.

The Act does not require that training be included in child protection policies. The petitioner believes that, without training, “child protection policies are limited in their ability to protect as those guided by them need to understand what abuse looks like and how to respond effectively”. It noted comments from survivors of abuse who have said that, if adults around them were trained to recognise and respond to signs of child abuse and neglect, they would have been better protected.

In relation to Part 2 of the Act, the petitioner would like to see:

- mandatory child protection training for all people working with children
- audit requirements for all child protection policies, done by a single agency with authority and capability
- a requirement that all organisations engaging with children have a child protection policy (not just those receiving government funding).

Comments from Oranga Tamariki

Oranga Tamariki commented that requirements for safety checks, set out in Part 3 of the Act, were introduced to address gaps in the safety checking of children’s workers. It explained that the Act requires employers of children’s workers to assess whether an employee poses a risk to the safety of children, after they have completed and reviewed a full background check. The ministry said that its own background-checking policy requires it to gather and review any information related to a person’s identity, qualifications, criminal records, and any other information held in the ministry’s electronic case management system. Oranga Tamariki noted that non-government funded organisations and organisations that engage volunteers are encouraged to conduct safety checks as well, despite not being mandated to.

It said that a review of the Children’s Act is not currently part of its work programme. We recommend that work be considered to require non-governmental organisations and organisations that engage volunteers working with children to complete mandatory safety checking.

Comments from the Ministry of Education

The Ministry of Education noted that some of the petitioner’s recommendations reflect concerns raised in Dame Karen Poutasi’s independent review of the children’s system, and in the report of the Royal Commission of Inquiry into Abuse in State and Faith-Based Care.¹ It is working on responding to the recommendations in these reviews that are relevant to

¹ [Ensuring strong and effective safety nets to prevent abuse of children | Dame Karen Poutasi; Whanaketia Through pain and trauma, from darkness to light | Royal Commission of Inquiry into Abuse in State and Faith-Based Care.](#)

itself. The ministry also intends to consider the petitioner's requests as part of its response to the two reports.

The ministry outlined work it is undertaking or plans to undertake in the short and long term, including:

- updating guidance on child protection responsibilities, focussing on child protection policies and safety checking (with a particular focus on risk assessment)
- reviewing information-sharing protocols and memoranda of understanding
- improving and standardising the oversight of safety checking, including implementation of monitoring activities
- investigating legislative change to require people with international convictions who want to work in core children's roles to seek a core worker exemption
- working with professional bodies to investigate standards for coordinated and consistent vetting across all sectors
- reviewing relevant regulations to ensure they are fit for purpose.

Comments from Mana Mokopuna | Children and Young People's Commission

The Children and Young People's Commission is underpinned by a children's rights-based approach. It seeks to uphold the rights of children and young people as provided under Te Tiriti o Waitangi, the Treaty of Waitangi, and the United Nations Convention on the Rights of the Child. The commission said that, despite "universal, indivisible and interdependent rights", the maltreatment of children remains an issue in New Zealand.

The commission told us that being safe from all forms of abuse, harm, and neglect is a fundamental children's right that must be upheld in legislation and policies. It stressed that protective and responsive systems and structures must be in place for all children, especially those who are disadvantaged.

Safety checking

The commission said that it has "similar concerns" to the petitioner about the "narrow criteria for defining a "Children's Worker" when it comes to mandatory police vetting and safety checks". It pointed to the approach taken by the recently established Sport Integrity Commission which recommends safety checks for anyone with roles "involving contact with children and young people", including both paid and unpaid roles.²

The Children and Young People's Commission also considers that removing the distinction between "core" and "non-core" children's worker would help to ensure that anyone providing services to children has been trained and vetted appropriately. A broader approach would also mean that the requirements could apply to private businesses, non-government funded organisations, and volunteer organisations, as well as those already specified in the Act.

Along with Safeguarding Children and other organisations, the commission has previously advocated to the Government to broaden the scope of people who require vetting and

² Safeguarding and protecting children and young people | Sport Integrity Commission—Te Kahu Rauui.

additional checks prior to working with children. The commission believes that additional safeguarding mechanisms—including training for all levels of staff and volunteers—would also mitigate some of the issues of reliance on police vetting.

Safeguarding training

The commission emphasised the importance of anyone working with children being trained in child protection and safeguarding. It said that this is an important mechanism to identify, respond to, and prevent child abuse. It referenced studies showing that “a lack of adequate training is associated with low knowledge and confidence in identifying indicators of child abuse, and low awareness of the duty to report or how to prepare reports”.

The commission noted the petitioner’s recommendation that child protection policies be audited by one agency that has authority and capability, and it encouraged investigation into what this might look like.

Conclusions from the commission

The commission recommended that we consider whether the Act needs reviewing to ensure that it:

- is current and fit for purpose
- responds to recommendations from the Royal Commission of Inquiry into Abuse in Care
- addresses issues identified, and recommendations made, by the United Nations Committee on the Rights of the Child
- aligns with related legislation, including the Oranga Tamariki Act 1989 and the Integrity Sport and Recreation Act 2023.

The commission supports broadening the definition of children’s workers and expanding mandated safeguarding requirements, and believes that police vetting should sit alongside additional safeguarding mechanisms. It also emphasised the importance of resourcing for prevention and early intervention services to support parents, caregivers, and whānau.

Our response to the petition

We wish to thank the petitioner for taking the time to lodge this petition and for raising this matter for our consideration. We would also like to acknowledge the advocacy and educational work that Safeguarding Children does on behalf of all children.

We recognise the submitter’s concerns about the “legislative gaps” in the Children’s Act. We note that Oranga Tamariki is not currently considering a legislative review.

However, we note comments from the Ministry of Education that some of the petitioner’s recommendations align with some of those in the final report of the Royal Commission of Inquiry into Abuse in State and Faith-Based Care. We understand that the Government is still working on its response to these recommendations, particularly in responding to findings of a legal nature. We look forward to seeing the outcome of this work, and hope that it may address some of the petitioner’s concerns.

Appendix

Committee procedure

The petition was signed by 3,655 people on the Parliament website. It was presented to the House by Rachel Boyack on 10 April 2024 and referred to us on 23 May 2024. We met between 29 May 2024 and 10 September 2025 to consider it. We received written submissions from the petitioner, the Children and Young People's Commission, the Ministry of Education, and Oranga Tamariki, and heard oral evidence from the petitioner and the commission.

Committee members

Joseph Mooney (Chairperson)
Jamie Arbuckle (from 13 August 2025)
Paulo Garcia
Hon Willie Jackson (from 12 March 2025)
Takutai Tarsh Kemp (until 26 June 2025)
Laura McClure
Ricardo Menéndez March
Hon Willow-Jean Prime (until 12 March 2025)
Maureen Pugh
Hon Carmel Sepuloni (until 12 March 2025)
Tanya Unkovich (until 27 June 2025)
Helen White (from 12 March 2025)
Dr David Wilson (from 16 July 2025 to 13 August 2025)

Mariameno Kapa-Kingi participated in some of our consideration.

Related resources

The documents we received as evidence in relation to this petition are available on the [Parliament website](#).

Recordings of our hearings can be accessed online on the Parliament website at the following links:

- [Hearing with the petitioner on 21 August 2024](#) (from 24:15).
- [Hearing with the Children and Young People's Commission on 11 December 2024](#).