



**ORANGA
TAMARIKI**
Ministry for Children

New Zealand Government

Court support for young sexual violence victim-survivors

Service Specification

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Service specifications will be updated as required – depending on the nature of the update, it may or may not require a contract variation. While Oranga Tamariki will make best efforts to inform all relevant providers of any updates, it is safest to check back to the list of service specifications published on the website, to ensure you are using the current version. All current specifications are published under [Service providers/Information for providers and partners/Service Specifications/Guidelines](#).



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Section 1: About this service specification

1.1 What is the purpose of this service specification?

This service specification is for agencies (providers) that Oranga Tamariki—Ministry for Children (Oranga Tamariki) has partnered with to provide court support for tamariki and rangatahi (tamariki) who are victim-survivors of sexual violence. The service also works alongside and with the family or whānau of the tamariki, to enable them to support te tamaiti.

The service sits within the kaupapa of [Te Aorerekura, the National Strategy to Eliminate Family Violence and Sexual Violence](#)¹, a whole-of-government strategy and action plan that launched in December 2021. It has been developed to sit alongside the Court Support Service for adult survivors, which is managed by the Ministry of Social Development.

This service specification forms part of the Outcome Agreement with Oranga Tamariki. It sets out the overarching principles, the responsibilities of each party, and the minimum outcomes to be delivered by the provider through the support service. The ways that providers achieve these outcomes will depend on their philosophy, their unique approach, and the needs of the tamariki, families and whānau they support.

1.2 Working together

Both the provider and Oranga Tamariki bring valuable expertise to this working relationship. The parties acknowledge the relationship principles included in the Terms and Conditions of the Outcome Agreement and agree to:

- act honestly and in good faith
- communicate openly and in a timely manner
- work in a collaborative and constructive manner
- recognise each other’s responsibilities
- encourage quality and innovation to achieve positive outcomes
- maximise the value for money to the Government in purchasing services that contribute towards achieving specified outcomes – including by ensuring appropriate flexibility so that services can be adapted (following discussion) to meet identified and agreed needs

1.2.1 Escalation

If either the provider or Oranga Tamariki has a question or concern about day-to-day working practice, that party should raise this to the other by applying the above

¹ For full information about Te Aorerekura, including the documents mentioned in section 1.3 Definitions, see www.tepunaonui.govt.nz

relationship principles. Examples of matters raised in this way could include whether the other party has met a responsibility outlined in this service specification, whether an action of the other party is best suited to the support of te tamaiti and their family or whānau, or if relationship management might be helpful.

The preferred method of handling day-to-day questions or concerns is to discuss and handle the matter promptly at a local level through discussion between the staff involved from both parties.

Only then if needed, either party can escalate the discussion to their supervisor. After that, if the matter remains unresolved, either party can escalate the discussion to the party's Relationship/Contract Manager under the Outcome Agreement.

If the question or concern is about the immediate safety of anyone involved in the service, including tamariki, families or whānau, this should be raised and handled immediately. Note also that there are processes for handling an allegation of harm (see section 5.1) and responding to a critical or serious incident (see section 5.2).

1.3 Definitions

Definitions marked with * relate to definitions and guidance in [Te Aorerekura: Specialist Family Violence Organisational Standards](#).

Word or phrase	Definition and comments
defendant	The person charged with the sexual violence offence.
family or whānau *	Please see “whānau”.
harm	Ill-treatment, abuse, neglect, or deprivation. This includes, but is not limited to, actions or omissions that cause emotional, physical or sexual harm, or sexual harassment.
practitioner *	The professional person provided by the provider to work directly with tamariki, families and whānau to deliver this service.
rangatahi	Teenager/s or young adult/s (aged 14 or over, usually under 18). Refers to young people of all cultures, unless otherwise specified.
sexual violence *	Sexual violence (also known as mahi tūkino, sexual abuse, sexual assault, or sexual harm) is any sexual behaviour towards another person without that person's freely given consent. Child sexual abuse includes any exposure of a child under 16 to sexual acts or sexual material. Child sexual abuse and harmful sexual behaviour can also occur within families, at school, and online. Sexual violence includes sexual violation, incest, rape, assault, exploitation, trafficking, grooming, sexual harassment, and any unwanted kissing or touching. Sexual violence also includes behaviour such as forcing someone to watch pornography or taking or sharing images of children for

sexual purposes, non-consensual sharing of sexual images, and other forms of digital and online sexual harm through social media. It can involve force, coercion and power used by one person (or people) over another.

In a te ao Māori view of violence, violence is a violation upon the mana of a person that includes a violation of past and future generations, the dignity and future of not only the person impacted by violence but also the person who uses violence and those associated through kinship ties.

tamaiti or tamariki Child or children. Usually refers to children under the age of 14, and can also be used to include teenagers up to the age of 18. Refers to children of all cultures, unless otherwise specified. To refer specifically to an older teenager or young adult, see “rangatahi”.

Note: used in this specification to include tamariki and rangatahi who are victim-survivors of sexual violence.

victim-survivor * Te tamaiti who experienced the sexual violence.

In law, the term “victim” is used to denote that the responsibility for the offence lies with the person who carried it out. This specification uses the term “victim-survivor” to acknowledge the strength of those who have survived sexual violence.

whānau * The terms “family” and “whānau” are not used interchangeably. Whānau is used when referring to tangata whenua. There is no universal definition of whānau but it is significantly different – culturally and socially – from family, which may be a single household. Whānau includes chosen whānau and families in the context of LGBTQIA+ communities.



Section 2: About the service

2.1 What is the purpose of this service?

This comprehensive and holistic service is designed to support the mental and emotional, cultural, spiritual and social needs of victim-survivors of sexual violence (tamariki) as they navigate through the criminal justice process, to support their immediate and longer-term healing, wellness and resilience.

Recognising that tamariki are embedded in family or whānau, the service also supports the family or whānau where possible, to enable them to support te tamaiti.

While there are different approaches to engaging and working with victim-survivors, the expectation is that the service is provided in a way that reflects the following core principles.

Principles of the support:

- It is victim-survivor-led, and focuses on the particular circumstances and preferences of each tamaiti and their family or whānau
- It is responsive to all core aspects of identity, which may include culture, ethnicity, gender identity and expression, sexual orientation, any cognitive or physical disability, migrant experience and religious or spiritual beliefs
- It acknowledges that the intersectional impact of systemic oppression, ethnicity, gender, whakapapa, culture, disability and identities [such as LGBTQIA+] can strongly determine the needs of tamariki and their family or whānau, and their road to healing
- It is trauma-responsive, recognising that trauma can stem not only from the sexual violence but also be triggered as retraumatisation by participating in the criminal justice process. This triggering can be both in terms of the tamariki having to relive the experience, and also in terms of having to deal with the highly formal, Westernised nature of the criminal justice system
- Needs are considered holistically, to include physical, mental and emotional, spiritual, family and social, and according to cultural and indigenous models such as Te Whare Tapa Whā
- Te Tiriti o Waitangi Framework: a Tiriti-dynamic approach is embedded throughout the service, ensuring Māori voices and tikanga are central to all aspects. This includes empowering tamariki and whānau in decision-making processes
- Advocacy will be an important aspect of this service to ensure the voices of tamariki alongside their whānau are heard and responded to throughout the criminal justice process, and as part of service delivery and evaluation
- It aims to reduce the devastating longer-term impacts that sexual violence can have on the developmental, social, emotional, and mental trajectories of tamariki, families and whānau, and communities



2.2 Who is supported by the service?

The service supports tamariki who are under 18 years of age at the time of referral, where there is a current charge filed in the criminal justice system and they are the victim-survivor of sexual violence.

The service also works with the family or whānau of te tamaiti where possible, to enable them to support te tamaiti. This can include emotional supports, such as psycho-educational support, coping strategies, prevention strategies and ongoing support strategies for their tamariki. It can also include practical support to remove barriers to participation in the criminal justice process, for example, it could include providing help to connect to financial supports for childcare and travel.

This specification refers to family and whānau throughout, however it is also recognised that it is essential that the service gives autonomy, control and choice back to tamariki in terms of who they choose as their safe support network. Tamariki safety, confidentiality and empowerment is key. Tamariki may choose to involve specific members of their family or whānau, or other trusted adults.

2.3 Duration of the service

2.3.1 How do tamariki enter the service?

Tamariki can be referred into the service at any point after the Police have filed the charge against the defendant. The referral can happen through multiple pathways, including:

- the Police
- Oranga Tamariki
- a sexual violence crisis support service, or similar appropriate service
- Court Victim Advisor
- self-referral or referral by their family or whānau

2.3.2 How long are tamariki within the service?

The length of time will vary, depending on how the criminal justice process proceeds. The support is to be available from the time of referral, through any court matters, sentencing and appeal processes, or until the criminal justice process is completed in any other manner.

However, the service does not end when the criminal justice process ends – tamariki, families and whānau may continue to access the service over the following six months, as they transition out of the service.

Criminal justice processes may take years. The frequency and nature of the support will vary according to the needs and preferences of te tamaiti and their family or whānau. The support is likely to increase around key timings and events in the criminal justice proceedings.

Once referred, tamariki remain eligible for the service even if they turn 18 during the timeframe of the process.



2.3.3 How do tamariki exit the service?

Mutually agreed exit

Tamariki should exit the service as a result of an agreed and informed discussion involving themselves, their family or whānau and the provider. Their exit should be supported by a mutually agreed exit plan that lays out how to access ongoing supports as needed.

Disengagement

It is also possible for tamariki to exit the service by disengaging with it. They may either confirm that they are disengaging with it, or simply withdraw their engagement.

The provider will do their best to maintain contact with tamariki and families or whānau to encourage them to re-engage with the service. If the provider has attempted contact on multiple occasions for six months, with no response, this is considered to be disengagement. However, the timings of the criminal justice proceedings are key and some flexibility should be provided, for example, if a trial is delayed for twelve months or more.

Tamariki may disengage then choose to re-engage, in which case they enter the service again and will be counted as a returning service user.

2.4 Outcomes

The service is to deliver the following outcomes. Note that the essence of these outcomes will also apply whether or not the criminal proceedings take place in court.

2.4.1 Immediate outcomes for tamariki, families and whānau

Before and during the proceedings:

- they are supported, prepared and informed
- they are supported to manage and cope with stress from the criminal proceedings
- they are supported to learn about and access any supports and funding that are relevant to their needs and may be available through other agencies or community organisations
- they feel heard and respected by the practitioner who is delivering the service – the practitioner is responsive to their needs, concerns and questions
- the family or whānau is mobilised and enabled to support te tamaiti

2.4.2 Longer-term outcomes for tamariki, families and whānau

After the proceedings:

- they have been de-briefed and are supported to understand what happened during and as a result of the process
- they feel that: their needs in relation to the service have been respected and met; they received the support they needed; te tamaiti has had an opportunity to provide feedback on their experience



- te tamaiti has tools and coping mechanisms in place to manage their ongoing wellbeing, beyond the justice process
- te tamaiti has a mutually agreed exit plan out of the service that builds in ongoing access to supports as needed
- the family or whānau is enabled to support the ongoing wellbeing of te tamaiti

2.4.3 Wider outcomes

The wider outcomes of this service contribute to:

- the longterm healing and wellness of victim-survivors, reducing their potential for future re-victimisation
- the longterm healing of families, whānau, communities and society, by reducing the intergenerational effects of sexual violence
- greater community trust in the criminal justice process, with more victim-survivors telling their stories, reporting to NZ Police and going through the criminal justice process



Section 3: Roles and responsibilities of the provider and Oranga Tamariki

3.1 The provider

3.1.1 Organisational management

The provider needs to meet [Social Services Accreditation](#) Level 2, as managed by [Te Kāhui Kāhu](#), and to maintain this approval level. As per this accreditation, the provider manages its own organisational responsibilities, including:

- having appropriate policies and procedures
- upholding its general financial responsibilities, including day-to-day costs and insurances
- complying with all relevant legislation
- recruiting, vetting, training, managing, supervising and reviewing its staff, ensuring that practitioners who deliver this service meet the minimum skills, knowledge and attitudes outlined in section 3.2

3.1.2 Contractual obligations

The provider is responsible for:

- complying with the Outcome Agreement, which includes all the requirements on the provider outlined in this service specification
- monitoring and recording its performance under this contract, reporting to Oranga Tamariki in the methods and timings detailed in the Outcome Agreement and this service specification (see Section 4: Quarterly reporting)
- raising or escalating any concerns to Oranga Tamariki at any point in time as considered necessary

3.1.3 Delivering this service

1. The provider is to assign support to te tamaiti and their family or whānau – this support may be from one or more practitioners (see also section 3.2 The practitioners). It is intended that, wherever possible, the same practitioner/s will work consistently with tamariki and their families or whānau, even though this may be over a period of years. Consistency is important to ensure genuine and trusted continuity of care, and also for the practical benefits of providing one point of contact with the court and any other relevant agencies and organisations.
2. The provider is to provide a safe practice environment for its staff and ensure that the service is delivered by appropriately trained, experienced and supported practitioners.

3. The provider needs to actively maintain strong working relationships with other agencies and community supports within its region, and to be well equipped to refer and connect tamariki and their families or whānau to additional supports that are right for them.
4. The provider is to be aware of and communicate with existing and natural support networks for tamariki.

3.1.4 Evaluating this service

The provider agrees to participate in the evaluation of the new service by an external organisation.

3.2 The practitioners

Practitioners delivering this service need to have the following minimum skills, knowledge and attributes. These can be demonstrated in part by holding a relevant, recognised qualification (for example: psychotherapy, psychology, counselling, social work, family therapy), or by other relevant ways of demonstrating the practitioner's depth of experience such as Māori therapeutic practices.

- Strong understanding of child development drawing from diverse capable and robust knowledge bases, evidence and paradigms. Proven and significant experience in engaging with and supporting tamariki and rangatahi who have experienced sexual violence trauma
- Demonstrated ability to deliver reliable, quality, trauma-responsive practice, which understands and recognises the immediate and cumulative impacts of trauma resulting from sexual violence, particularly how this occurs for tamariki
- Be culturally responsive and competent in working with tamariki, families and whānau of different cultures and/or ethnicities and/or identities, and the ability to work with other relevant providers to support these individuals and whānau-centered practice
- Enable processes that are led and self-determined by whānau
- An understanding of the criminal justice system, and the ability to work with Court Victim Advisors, the NZ Police, Crown Prosecutors, Court Communication Assistants, Oranga Tamariki and other relevant specialist agencies. This includes an awareness of the Family Court and other proceedings (as these could be occurring in parallel with the criminal court process)
- The ability to build positive and trusting relationships with tamariki and their family and whānau through strong personal skills (empathy, understanding, resilience, respect) and professional boundaries, upholding tikanga practices such as tika, pono, whakawhanaungatanga and aroha
- The ability to build and maintain strong working relationships with other agencies and community supports within the region, to be well equipped to safely refer and connect tamariki, families and whānau to additional supports that are right for them

3.3 Oranga Tamariki

Oranga Tamariki is responsible for:

- meeting its payment obligations as detailed in the Outcome Agreement
- reviewing the provider’s quarterly reports and raising any requests for further information
- responding quickly to any matters of escalation, or to any reported allegations of harm or of critical or serious incidents that arise during and as a direct result of participation in this service
- raising or escalating any concerns to the provider at any point in time as considered necessary

Oranga Tamariki will work in partnership with the provider for any sharing of learnings, or additional discussions or guidance as reasonably requested by the provider.

3.4 Mutual responsibilities when tamariki are in Oranga Tamariki care or custody

When te tamaiti is in the care or custody of Oranga Tamariki, it is the responsibility of each of Oranga Tamariki and the provider (through their relevant practitioner/s) to communicate, share relevant information, and plan together to ensure that all support offered to te tamaiti is based on holistic information and assessment that specifically meets their needs.

Specific needs for te tamaiti will arise as they journey through the criminal justice process, and all agencies involved must proactively ensure that te tamaiti needs are regularly considered, with support plans updated as appropriate.

Oranga Tamariki will proactively engage, share information, and coordinate with the family or whānau, and the provider’s practitioner/s.

Section 4: Quarterly reporting

Reporting ensures accountability to Government for the funding provided under an Outcome Agreement. The contractual reporting outlined below is necessary to meet the obligations set out in the Outcome Agreement for this service, and to report on what has been achieved.

Reporting is quarterly, as per the dates in the Outcome Agreement.

The narrative part of the report is not intended to be long or onerous. Each answer can range from one sentence to a few paragraphs, depending on which aspects have been noteworthy over that reporting period. Oranga Tamariki can also request additional information if it considers this necessary.

Table 2: Reporting template

Numeric measures within the quarterly period	
<i>Contracted volumes</i>	
1	Number of FTE in place
<i>Demand</i>	
2	Number of new referrals to the court support service
3	Source (and respective numbers) of new referrals to the service (eg Police, Oranga Tamariki, a sexual violence crisis support service or similar appropriate service, Court Victim Advisor, Self-referral or referral by their family or whānau, In-referral, Health service, Other)
4	Of the new referrals, the number who have become actively engaged with the service
<i>Timelines</i>	
5	The number of referrals received less than 6 weeks before the first planned court event
<i>Workload</i>	
6	Number of tamariki actively receiving support during this period
7	Number of families or whānau actively receiving support during this period
<i>Outputs</i>	
8	Number of tamariki who left the service with a mutually agreed exit plan in place

9	Number of tamariki who have been formally exited from the service due to disengagement of six months or more (allowing for timings of the criminal justice proceedings)
Narrative report	
1	Describe why any new referrals did not start the service (if applicable)?
2	What have been the main challenges for your organisation in delivering this service?
3	What have been the main successes for your organisation in delivering this service?

Section 5: Incident reporting

The practitioner might be the first person to become aware of an allegation that a tamaiti in the service has been harmed, or has been involved in a critical or serious incident.

Harm is defined as: “ill-treatment, abuse, neglect, or deprivation. This includes, but is not limited to, actions or omissions that cause emotional, physical or sexual harm, or sexual harassment.”

Critical or serious incidents include death; suicide attempt; hospitalisation; assault; involvement in the manufacture, cultivation or supply of controlled drugs; wilful property damage; inappropriate sexual behaviour; the use of alcohol or possession or use of Class C drugs; hunger strikes or other serious eating-disorder-related incidents; occasions that involve calling on emergency services for assistance, eg needing the Fire Service to gain access to a rooftop or a locked room; te tamaiti or rangatahi is missing or runaway.

If the practitioner is with te tamaiti when any of the above occur, or is the first person to become aware of any of the above, their responsibility is as follows.

Immediately:

1. Support the safety and wellbeing of te tamaiti through any essential urgent and appropriate response.
2. Begin the reporting procedures established by the provider.
3. If te tamaiti has an allocated Oranga Tamariki social worker, phone and speak to the social worker. It is the social worker’s statutory role to carry out the correct processes from that point. If it is not possible to get through to the social worker urgently, speak to someone at the Oranga Tamariki national contact centre, which is open 24 hours on 0508 FAMILY/0508 326 459.

In the short and medium term:

- Work with all relevant parties to plan and carry out a coordinated response to protect te tamaiti, their family or whānau, and anyone else at risk

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