

Presbyterian Support Central Response to the Royal Commission of Inquiry into Abuse in Care Recommendations: 11 November 2024

Introduction

Presbyterian Support Central (PSC) operated a children's Home in Berhampore, Wellington from around 1912 until around the mid-1980s when it was closed. PSC stopped providing residential care to tamariki and rangatahi at that time. PSC now operates health and social services across the lower North Island for older people and for tamariki and their whānau.

The Royal Commission's Final report *Whanaketia, Through pain and trauma, from darkness to light Whakairihia ki te tihi o Maungārongo*, publicly released on 24 July 2024, contains 138 recommendations on how to improve laws, policies and practices to prevent and better respond to abuse in the care of State and faith-based entities.

PSC welcomes the Royal Commission's recommendations. Although we no longer provide direct care, we engage with children and vulnerable people through the support services we provide for tamariki and their whānau (through Family Works), and for older people (through Enliven). In reflecting our organisational goal to build safe, strong and connected communities, we want to ensure we are continually re-evaluating, and, where necessary, improving our policies and processes to ensure all those we work with are safe, supported and protected from harm.

PSC's response to the Royal Commission's Recommendations

We have summarised or paraphrased many of the recommendations, instead of writing them out in full. You can find a full list of the recommendations recorded verbatim [here](#).

We have grouped together recommendations which are of a similar nature or theme and have set these out under a thematic heading. For each group of recommendations, we have provided single collective responses to them.

For recommendations that are not relevant or directly applicable to PSC, we have either sought to make a general comment or observation. We note that several of the recommendations are only applicable to the State and are therefore for the Government to consider and implement. We have not responded to those recommendations at this stage. However, if (at all) those recommendations will apply to the provision of care generally, we would welcome engagement with the Government on them.

Establishment of a Puretumu torowhānui system and scheme

Recommendations 1 and 8: State and faith-based entities should implement the 95 Holistic Redress Recommendations in He Purapura Ora, he Māra Tipu: From Redress to Puretumu Torowhānui. The Government should take all practicable steps, including incentives, and, if necessary, compulsion, to ensure that faith-based institutions and indirect care providers join the puretumu torowhanui system once established.



Response: PSC agrees in principle to the establishment of an independent holistic redress scheme for survivors. We look forward to further discussion with the Government as this develops and to receiving additional details on how this scheme is intended to work. This further information will assist us to better understand what will be required, what PSC's involvement might be and how the scheme will work in practice. In the meantime, we are committed to supporting survivors and their whānau through our current survivor-focussed redress processes.

Recommendation 9: Representatives of faith-based institutions should meet with relevant State representatives and agree on what steps they can take to ensure that survivors, their whānau and support networks are made aware of the pūretumu torowhānui system and the support options available to them.

Response: PSC welcomes the opportunity to engage with the Government on this recommendation, and supports this approach, if an appropriate system can be established.

Public acknowledgement, apologies and appropriateness of honorifics

Recommendation 3: Public acknowledgement and apologies should be made by the Chief Executive Officer of PSC for historical abuse and neglect in the care of the State and faith-based institutions.

Response: We acknowledge the importance of a public apology. The Chief Executive of PSC, Joe Asghar, has issued a public apology to survivors and their whānau, which you can find on the PSC website here: www.psc.org.nz

Recommendation 5: All entities that provide care, or have provided care, directly or indirectly on behalf of the State and faith-based entities, local authorities and any other relevant entities should review the appropriateness of any streets, public amenities, public honours or any memorial named after, depicting, recognising or celebrating a proven perpetrator of abuse and neglect in care.

Response: As far as PSC is aware, there are no public amenities, honours or any memorials associated with PSC that are named after, or recognise any, proven perpetrators of abuse. Should PSC be alerted to a concern in this regard, we would give it immediate attention.

Assistance with Police investigations and determination of liability

Recommendations 6 – 7: Police should open or re-open investigations into the possible occurrence of torture, or cruel, inhuman or degrading treatment or punishment in care, and State and faith-based entities should assist with Police investigations.

Response: PSC supports these recommendations in principle. We will continue to do all we can to support survivors who may wish to raise matters with the Police. The extent of any assistance which can be offered, as listed in Recommendation 7, will be assessed by PSC based on the specific circumstances.

Funding of projects to promote community healing

Recommendation 20: The Government and faith-based institutions should jointly establish a fund to provide contestable funding for projects that promote effective community healing from the collective impacts of abuse and neglect in care, like those established in Canada and Australia. The entity holding and distributing the funding should be independent from State and faith-based entities.

Response: *PSC supports this initiative in principle. We welcome further discussion with the Government and to receiving details on its intended development and implementation. When that material has been considered, we will provide a more informed view on this recommendation.*

Establishment of a new care safety regulatory framework

Recommendations 39-45, 89: Implementation of a National Care Safety Strategy on the prevention of, and response to, abuse and neglect in care, establishment of a new independent Care Safety Agency and Care Safety Act, implementation of prescribed Care Safety Principles for preventing and responding to abuse and neglect to guide all State, faith-based entities (including indirect care providers) and others involved in the care system when making decisions, performing functions, or exercising powers and duties in relation to the care of children, young people and adults in care.

Response: *PSC is supportive in principle of the establishment of an independent entity that reviews and monitors entities' processes. We look forward to receiving further information about how far the proposed care safety framework will go and who will be included, given the current care and safety systems in place for health services that we provide. Once we have had time to consider that information, we will be able to better understand how these recommendations would be implemented and the extent of involvement for PSC, given the limited direct care it now provides.*

PSC also supports the establishment of the proposed Care Safety Principles. While we no longer provide direct care for children and young people, we apply the care standards, policies and procedures we currently have in place as required under health-related legislation to our current work with people in need.

Recommendations 89-92: All faith-based entities providing care should comply with, adopt and drive a consistent approach to implementation of Care Safety Principles, National Care Safety Strategy and Care Safety Act statutory requirements, report compliance and work with Care Safe Agency and independent oversight bodies.

Response: *PSC supports these recommendations in principle. We look forward to receiving further information about how the regulatory system will work, be linked to existing care standards, and the extent to which it might apply to the work PSC now does and the care it now provides.*

Safeguarding people in care

Recommendations 50-56: All State and faith-based entities should ensure there is effective oversight and leadership of safeguarding, that safeguarding is prioritised, that safeguarding policies and procedures are in place and all staffing and resourcing supports implementation of safeguarding policies and procedures, that active steps are taken to create a positive safeguarding culture and that adequate data on abuse and neglect in care is collected and reported to appropriate governing bodies or leaders.

Response: *PSC supports recommendations 50-56 as they relate to safeguarding. We agree that our leaders, both at management and governance levels, must be across the delivery of safeguarding for those in our care. PSC currently has in place policies and procedures for safeguarding those in its care and is committed to reviewing them to ensure they continue to be effective. These would be updated, when the time came, to ensure they were compliant with any care safety principles that are established.*

Registration and vetting of staff and care workers

Recommendations 57-60: The Government should create a system of professional registration for all staff and care workers who are not already covered by a professional standards regime and should provide for a comprehensive and consistent pre-employment screening and vetting regime in the Care Safety Act. All State and faith-based entities providing care directly or indirectly to children, young people and adults in care should ensure all prospective staff and volunteers undergo comprehensive pre-employment screening checks and have a satisfactory report from an applicable vetting regime and up to date registration status.

Response: *PSC supports these recommendations in principle. We currently have in place pre-employment vetting processes for our staff and volunteers, and we will undertake a review of our processes to ensure they align with the suggested requirements under recommendation 60. We also welcome further improvements to the vetting and registration regime to cover existing gaps. We look forward to understanding further how these gaps will be addressed in practice.*

Care workforce strategy

Recommendations 61-62: The Care Safe Agency should develop a workforce strategy for the care sector. All State and faith-based entities providing care directly or indirectly to children, young people and adults in care should recruit for and support a diverse workforce, including in leadership and governance roles, so far as practicable reflecting the care communities they serve and care for.

Response: *PSC supports these recommendations in principle. We do, and will continue to, endeavour to provide for and support an inclusive, diverse workforce within the elder care settings and services PSC operates. We would welcome further details on how these recommendations are intended to work in practice given the financial constraints applying to many providers delivering care services in today's environment.*

Care workforce training and standards

Recommendation 63: All State and faith-based entities providing care directly or indirectly to children, young people and adults in care should have a code of conduct in place and provide prompt induction and training to staff and volunteers, with a focus on safeguarding and prevention of abuse and neglect and which are appropriately trauma informed, disability informed, and neurodiversity, human rights and ethnic cultural practices informed. Entities should provide regular support, supervision and training to staff and volunteers, provide appropriate professional development support on how to protect those in their care from abuse and neglect and respond to disclosures, and ensure that disclosures of abuse and neglect and good faith notifications do not attract adverse employment consequences.

Recommendation 64: All State and faith-based entities should ensure the same rules and standards relating to vetting, registration, training and working conditions applicable to employees apply equally to volunteers or others with equivalent access to children, young people and adults in care. In particular, faith-based entities should ensure the same rules apply to people in religious ministry and lay volunteers as to employees.

Response: *PSC supports these recommendations in principle. PSC currently has in place suitable policies and practices regarding vetting, training and supporting of staff and volunteers and we will continue to review these to ensure they remain robust, comprehensive and up to date.*

We anticipate a future review will also need to happen to ensure PSC's policies and processes are consistent with any new care safety scheme established. In the meantime, looks forward to receiving further clarification as to how the current gaps will be addressed.

Complaints, policies and practices

Recommendations 65-67: State and faith-based entities and relevant professional bodies should ensure the person/s subject to a substantiated complaint are held accountable, and should report all complaints, disclosures or incidents to the Care Safe Agency, whether substantiated or unsubstantiated following investigation.

Recommendations 68-69: The Government should legislate for the Care Safe Agency to collate and keep a centralised database of complaints, disclosures and incidents of abuse and neglect of children young people and adults in care.

Response: *PSC is supportive of these recommendations in principle. We will review our complaints policies and procedures to ensure they align with these recommendations.*

PSC is also supportive of the establishment of a centralised complaints database, for the purposes outlined by the Inquiry, in particular, to facilitate data analysis for informing new prevention and response strategies and practices. PSC anticipates, however, that the privacy implications of such a database will need to be carefully assessed, and we look forward to receiving information about how this is intended to be managed.

Recommendations 97, 100 – 101, 103, 105- 106: All faith-based entities should have a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of abuse and neglect in care. All faith-based entities should also revise their policies to reduce high barriers to disclosure and ensure their complaint management policies require a risk assessment is conducted upon receiving a complaint to identify and minimise risk to children, young people and adults in care. When deciding whether a complaint of abuse and neglect in care has been substantiated, entities should consider relevant case law principles regarding the seriousness of the allegations and apply the same standards for investigating complaints of abuse and neglect in care.

Response: *PSC is supportive of these recommendations in principle. We will endeavour to review our policies to identify any areas that might need to be strengthened to minimise any risk of harm to those PSC provides support services to, ensuring our policies are being implemented in a consistent manner.*

Recommendation 102: All faith-based entities should make provision for family and community involvement by publishing all policies relevant to preventing and responding to abuse and neglect in care on its website, providing opportunities for comment, and seeking periodic feedback about the effectiveness of its approach to preventing and responding to abuse and neglect in care.

Response: *PSC supports this recommendation in principle. We anticipate needing to assess the suitability and practicalities of conducting these steps, given the limited direct care PSC now provides to tamariki and rangatahi. When we have a better understanding of this, we will be able to provide a more informed view on this recommendation.*

Mandatory reporting regime

Recommendation 69: The Government should introduce legislation where necessary to create a coherent mandatory reporting regime which applies to all State and faith-based entities providing care directly or indirectly to children, young people and adults in care, and to all staff and care workers who work for the entities.

Response: *PSC supportive of this recommendation in principle. We are aware of the complexity of establishing such a regime and we would welcome further discussion with the Government and to receiving further information about how a mandatory reporting regime would be expected to work in practice, and what exemptions may need to be put in place for certain situations, such as those attracting legal or clinical privilege.*

Review of care institutions and creation of safe spaces

Recommendation 75: Entities providing direct or indirect care should review physical building and design features and address risks to children, young people and adults in care

Response: *PSC supports this recommendation, and we will endeavour to review our existing facilities for elders to identify and minimise any risks and to ensure our facilities and buildings are safe spaces for those we provide support services to.*

Empowerment and support of people in care

Recommendations 78 and 80: All State and faith-based entities providing care should seek the best possible understanding of the background, culture, needs and vulnerabilities of people in their care, including the protection and enhancement of the mana and mauri of Māori in care. Entities should also review existing policies and practices to ensure they promote and support connections and attachment to family and whānau wherever possible and appropriate.

Response: *PSC supports these recommendations. We recognise the importance of ensuring we, as an organisation, and those working for us, understand the diverse backgrounds, cultures, needs and vulnerabilities of those we provide support services to. It is also PSC's current practice to promote and support the maintenance of connections and attachments to family and whānau where possible and appropriate, through engagement with the whole whānau and to provide support services for both the individual and family unit. We will endeavour to review our policies and practices to ensure they remain up to date and appropriate.*

Data collection, information sharing and record-keeping

Recommendations 81-83: All State and faith-based entities providing care should comply with best practice guidelines for record keeping and data sovereignty, including record keeping principles, document an account of a person in care's life, and require records relating to alleged abuse and neglect in care to be kept for at least 75 years in a separate central register.

Response: *PSC is supportive of these recommendations regarding record keeping and data retention. Currently, we retain care records as required by the Health and Disability Standard. Keeping records related to abuse or neglect for 75 years will require clear definitions for storage and retrieval.*

We strongly believe in retaining information for those in care so that they can access and learn their story should they wish to. We will endeavour to review our current data collection, information sharing and document retention policies and procedures to ensure they comply with best practice guidelines and the record keeping principles as they evolve.

As part of PSC's engagement with survivors, we have tried to pull together and provide the personal file, including any photographs we can find, of the survivor while they were in care at Berhampore Home. We believe this to be an important aspect of providing a survivor-focused approach to redress and we acknowledge that it can contribute to a survivor's self-healing.

Giving effect to human rights and Te Tiriti o Waitangi

Recommendation 118: All State and faith-based entities providing direct or indirect care should uphold the human rights of people in care.

Response: *PSC supports this recommendation.*

Implementation, transparency and public accountability for recommendations

Recommendation 125: All State and faith-based entities should take all actions required to give effect to all recommendations.

Response: *PSC endeavours to action or facilitate, as far as it is appropriate and reasonably practicable in the circumstances, the implementation of those recommendations which are directly relevant and applicable to it and which we are supportive of.*

Recommendations 130 – 131: All entities responsible for implementing the recommendations should publish their responses to the Inquiry's findings within 2 months and their responses to the Final report/recommendations, including implementation plans within 4 months.

Response: *We have published our response to the Inquiry's findings on the PSC website. You can find it [here](#). We have endeavoured to provide a response to the Inquiry's Final report recommendations by the indicated timeframe. PSC needs to take the time to consider, explore and formulate appropriate implementation plans to reflect the importance and complexity of those recommendations it will strive to implement.*

Recommendations 133-134: All entities responsible for implementing the recommendations should report annually on implementation of the recommendations and all annual implementation reports should be submitted and considered by a parliamentary select committee.

Response: *PSC is unsure what these recommendations exactly mean or what is required of it, and we would welcome further information about this to assist with our understanding.*

Recommendation 135: All entities responsible for implementing the recommendations to ensure transparent communication with their communities regarding implementation of the recommendations.

Response: *PSC supports this recommendation in principle. We will endeavour to be open with our communities in our efforts to implement the recommendations, but we would welcome further details and discussion about what this is intended to cover.*

Recommendations 137-138: The implementation reports and 9-year review (by the Care System Office) should be tabled in the House of Representatives and referred to a parliamentary select committee, and all entities' formal responses to the 9-year review should be published by 31 December 2033.

Response: *PSC supports these recommendations in principle, and we look forward to understanding what this process will look like for faith-based entities.*

Recommendations specific to faith-based entities

There are several recommendations specific to faith-based entities that relate to the performance of those in religious or pastoral ministry (for example, recommendations 93-99, 104, 106-110). While PSC is supportive in principle of these recommendations, it is not necessary for us to directly respond to them given their limited applicability to PSC's current operations and relationship with the Presbyterian Church.

Recommendations relating to changes to the legal system

There are several recommendations relating to changes to aspects of the legal system. While PSC understands the premise for these recommendations, they are not directly relevant or applicable to PSC (at least at this stage) and are more appropriate for the Government to address.