



MANAAKITIA Ā TĀTOU TAMARIKI

Children's
Commissioner



A Hard Place to be Happy

Voices of children and young people
in care and protection residences

Insights Report
October 2019

ABOUT THE OFFICE OF THE CHILDREN'S COMMISSIONER

The Office of the Children's Commissioner (OCC) aims to improve outcomes for all 1.23 million children and young people in Aotearoa New Zealand. We advocate for children's interests, ensure their rights are upheld and help them to have a say on matters that affect them.

Under the Children's Commissioner Act 2003, OCC has a particular responsibility to monitor and assess the policies and practices of Oranga Tamariki as well as other non-governmental organisations contracted by Oranga Tamariki to provide care and protection and youth justice services to children, young people, their families and whānau.

OCC is completely independent of Oranga Tamariki.

OCC is responsible for monitoring New Zealand's compliance with the [Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment](#) (OPCAT)¹ in relation to secure residences where children and young people are placed. We are also responsible for raising awareness and understanding of the [United Nations Convention on the Rights of the Child](#) (the Children's Convention)² and advancing and monitoring how the government applies the Children's Convention to improve outcomes for children.

CAUTION REGARDING REPORT CONTENT

This report contains details about the experiences of children and young people that may cause distress for some readers.

If you are a child or young person who is in care now or has been in the past, you can contact VOYCE – Whakarongo Mai on 0800 486 923 for support.

If you are a child or young person and you would like to talk to someone, please contact Youthline on 0800 376 633 or text 234 or call What's Up? on 0800 942 8787 or webchat.

If you are an adult needing to talk, please contact Lifeline on 0800 543 354 or text 'Help' (4357).

If you have any questions about this report, please contact the Office of the Children's Commissioner on 0800 224 453.

ACKNOWLEDGEMENTS

We are grateful to all the children and young people in care and protection residences who we have met and interviewed in recent years, particularly those whose voices inspired this report.

Thank you for taking the time to talk with us and for sharing your knowledge and experience. Ngā mihi nui ki a koutou katoa.



¹ <https://www.ohchr.org/EN/ProfessionalInterest/Pages/OPCAT.aspx>

² <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

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A STATEMENT FROM THE CHILDREN'S COMMISSIONER



I believe all children and young people should be supported to be happy, healthy and reach their full potential.

The title of this report, *A Hard Place to be Happy*, was inspired by a quote from a young person we interviewed during a monitoring visit

to a care and protection residence. She described the residence as a “hard place to be happy in.”

This report focuses entirely on the experiences of a group of children and young people who were living in the five custodial care and protection residences, run by Oranga Tamariki and Barnardos, between August 2017 and September 2018. Readers will doubtless find aspects of this report uncomfortable. The 52 children and young people we spoke to have shared openly and honestly their experiences in these residences. We owe it to them to hear their views, learn from their experiences and make positive changes as a result.

Many New Zealanders would be saddened by the histories and life experiences of these children and young people. They have complex needs requiring highly specialised care and intensive support. Too often these children and young people and their families have not been well served by the agencies, such as Health and Education, that are tasked with supporting them.

For care and rehabilitation to be effective, it is vital that there is a network of agencies and organisations working together, providing support to both the child or young person and their family, whānau, hapū, iwi and wider family group.

Even though children and young people said life in a residence was hard, we also heard that for some it was better and safer for them than life on the outside. It was a place to get sober, off drugs and to be safe from people they were frightened of.

They also told us about the challenges of living in a locked facility. They talked about how they want to be treated, cared for and protected from being and feeling unsafe. Other themes explored in this report include children and young people asking not to be locked up, not to be taken long distances from their families and homes and not to be excluded from information and decisions about their lives. We also heard about the importance of living in places that are like normal homes where children and young people can do things for themselves.

The voices of the children and young people contained in this report are insistent. They are distressing. We must take them seriously.

The 2015 Expert Panel report *Investing in New Zealand's Children and their Families* stated “Evidence and experience show that the propensity of large-scale institutions to cause harm to vulnerable children generally outweighs the security and safety benefits”³. Our own 2018 State of Care report, *Maiea te Tūruapō: Fulfilling the Vision*⁴, advocated for the phased closure of these residences and their replacement with well-supervised, small community-based group homes. Homes such as these are a far better response to supporting children and young people who, for various reasons, are unable to live with whānau.

³ Modernising Child, Youth and Family Expert Panel. 2015. Modernising Child, Youth and Family. Expert Panel: Interim Report. Wellington, New Zealand: Ministry of Social Development, page 14.

⁴ Office of the Children's Commissioner. 2018. *Maiea te Tūruapō: Fulfilling the vision*. Wellington, New Zealand: Office of the Children's Commissioner

The good news is change is taking place. Oranga Tamariki has repurposed one residence, Whakatakopokai in Auckland, replacing it with an entry-and-assessment hub supported by smaller community-based care homes.

The agency has confirmed its commitment to shifting from large-scale secure care and protection residences to smaller, unlocked community-based group homes. This commitment will drive systemic change that will benefit children and young people like those whose voices this report shares.

This change cannot happen quickly enough. The voices of children and young people are being heard more than ever before, and it is vital we act on them.

"We need more Family Homes.⁵ We need homes out there that trust us. We need homes for us [that] wanna help." (Young woman)⁶

⁵ Family Homes are a type of community-based group home.

⁶ When quoting children and young people in this report we have kept demographic details to a minimum so they are not identifiable.

ABOUT THIS REPORT: WHAT IT IS AND WHAT IT ISN'T

This report shares insights from 52 children and young people who were living in secure care and protection residences⁷, run by Oranga Tamariki and Barnardos, between August 2017 and September 2018. It describes those insights and includes quotes from children and young people.

This report is not a systematic or comprehensive analysis of children and young people's experiences of residences

The children and young people's voices represented here were not gathered specifically for this report. Children and young people were interviewed as part of our role as the independent monitor of residential care services provided by Oranga Tamariki and Barnardos under the Oranga Tamariki Act 1989, and as part of our OPCAT⁸ mandate. Our original purpose was to monitor residences, not to undertake a research project.

In consultation with Oranga Tamariki, and in the context of its work to improve its residential services, we decided it would be useful to draw on interviews designed for the purpose of monitoring individual residences to gain insights into the experiences of a cohort of children and young people living in the five residences⁹.

This report presents what those children and young people told us. It does not contain findings, recommendations or statistics. These children and young people are not in a research project. They are simply talking about their lives.

Limitations resulting from this approach include the following:

- This report focuses exclusively on the children and young people who were available and willing to talk with us during our monitoring visits to care and protection residences between August 2017 and September 2018. It does not represent the voices of all children and young people living in secure residences during that period.

- The interview and recording processes that provided the material this report is based on were designed for monitoring purposes. These processes evolved and developed over time. This meant that the 52 children and young people interviewed were not all asked the same questions, in the same way. Consequently, the views and experiences presented in this report, on any given subject, do not necessarily represent the views and experiences of all 52 children and young people on that particular subject. This approach differs significantly from the consistent approach taken when designing an engagement for the primary purpose of supporting children and young people to have a say and be heard.
- The OPCAT subject areas which formed the basis for our interviews shaped the topics that children and young people raised and chose to talk about. The themes that emerged from the interviews were influenced by these same subject areas. As a result, information not directly relevant to life in the residence was not always recorded. Similarly, views on matters relevant to living in residences but outside of the OPCAT subject areas were not always explored.
- This cohort of children and young people were interviewed in secure residences. For various reasons related to their life history, living situation or interview conditions, children and young people may have felt constrained from speaking openly due to fear of repercussions. Despite this limitation, children and young people provided information about a range of sensitive issues.

⁷ Care and protection residences are locked facilities. Detailed information about these residences is on page 15 of this report.

⁸ <https://www.ohchr.org/EN/ProfessionalInterest/Pages/OPCAT.aspx>

⁹ See the *Care and protection residences and the children and young people living there* section on page 8 for more information about the residences.

We undertook 11 separate monitoring visits over a 13-month period between August 2017 and September 2018. Six of those visits were undertaken under our OPCAT¹⁰ mandate and the remaining five were general monitoring visits undertaken under the [Children's Commissioner Act 2003](#).

See the Methodology section for more information.

¹⁰ <https://www.ohchr.org/EN/ProfessionalInterest/Pages/OPCAT.aspx>

CARE AND PROTECTION RESIDENCES AND THE CHILDREN AND YOUNG PEOPLE LIVING THERE

Children and young people in care and protection residences have complex and highly specialised needs

Approximately 6,350 children and young people are currently¹¹ in Oranga Tamariki care. Many have faced significant challenges in their lives and need considerable support. Most live with whānau or foster carers. At any one time, around 300 of these children and young people are in settings where specialised support is provided by caregivers and/or staff.

It is children and young people from this very small group who are sometimes placed in secure, locked residences.

All children and young people placed in care and protection residences have been assessed as being at serious risk of harm – physically, mentally or emotionally. This group includes those who are at risk from other people in their lives as well as those whose own behaviour has the potential to be harmful to themselves or to others.

Many of the children and young people who are placed in care and protection residences have learning, behavioural, attachment and/or mental health needs that require ongoing, specialised support.¹² For some, these can be expressed as challenging behaviours. However, in contrast to those placed in youth justice residences, no one is placed in a care and protection residence as the result of a Youth Court order.

Every child or young person admitted to a care and protection residence has already been placed in the legal custody of Oranga Tamariki by the Family Court. Community-based alternatives (such as intensively supported whānau, hapū or iwi placements, one-to-one foster placements or small-scale group homes) have been developed in some areas to better meet their specialised needs.

Most of the children and young people in care and protection residences have experienced the trauma of abuse and neglect, sometimes over many years, as well as multiple care placements with family members or other caregivers. Many have a long history of involvement with Oranga Tamariki and other agencies, and some have no contact with their family.

At the time of our interviews, there were five care and protection residences

These consisted of two residences in Christchurch and one each in Auckland, Wellington and Dunedin.

Between August 2017 and September 2018, Oranga Tamariki was operating four of these residences and contracting the fifth to Barnardos, a non-governmental organisation. The four Oranga Tamariki residences were providing care for children and young people aged 9-17 years with a diverse range of care and protection needs. The sole Barnardos residence was providing care for young men aged 14-17 years who were receiving specialist therapeutic treatment and support. During the period covered by our analysis – 21 August 2017 to 26 September 2018 – a total of 80 children and young people were placed in care and protection residences for varying periods of time.

There is wide agreement that it is inappropriate for this group of children and young people to continue to be placed in care and protection residences. Oranga Tamariki will be phasing out these residences over time, replacing them with smaller community-based options, such as the new Community Residential Service Auckland that opened in February 2019.

¹¹ This approximate figure, provided by Oranga Tamariki, was correct as at 24 June 2019. The number of children and young people in care is subject to constant variation.

¹² For the young men placed in the Barnardos residence, this support is provided through a multi-disciplinary and holistic therapeutic programme designed to address their high and complex needs.

This consists of a small entry-and-assessment hub, which also has the capacity to provide secure care for brief periods if required, and two fully staffed community-based group homes.¹³

Children and young people are placed in care and protection residences for varying amounts of time

Length of placement in residences varies among different children and young people, depending on their individual needs and circumstances. It also varies from one type of residence to another.

In the four residences run by Oranga Tamariki, the median length of placement is 59 days – around 2 months. Due to the intensive therapeutic programme delivered to those living in the Barnardos residence, the median length of placement is 475 days – around 1 year and 4 months.

Between the establishment of Oranga Tamariki on 1 April 2017 and 1 April 2019, the longest placement¹⁴ of a child or young person in a care and protection residence run by Oranga Tamariki has been 1 year, 1 month and 15 days. For the Barnardos residence, the longest placement during that same period has been around three years.¹⁵

¹³ Specialist group homes, also known as community-based group homes, are unlocked, professionally staffed family-like homes that are based in the community and provide care for approximately four or five children or young people.

¹⁴ Placement length was calculated by counting the number of days from the admission of the child or young person to their discharge.

¹⁵ This figure is approximate as prior to their final discharge date, young people typically move in and out of the Barnardos residence as part of the transition process.

METHODOLOGY

Background information

As part of our routine monitoring activities we interviewed 52 children and young people aged from 9-17, who were living in secure locked residences.¹⁶

All care and protection residences were visited twice between August 2017 and September 2018 and one was visited three times. Some residences were at near full capacity with around 10 children and young people while one was about to be repurposed, with only two children and young people available to be interviewed on the day we visited.

In consultation with Oranga Tamariki and Barnardos, we decided to collate and analyse the voices of this cohort of children and young people and publish them in this report.

Statistical and practice information about the care and protection residences was sought from Oranga Tamariki and Barnardos to provide context for this report.

Purpose of this report

Our decision to analyse and report on these interviews was driven by our commitment to:

- advocate to improve systems, services and supports for mokopuna Māori and their whānau (most children and young people in care and protection residences identify as Māori),
- better understand the experiences of children and young people who were living in care and protection residences, and
- share children and young people's voices to influence and support the development of policies, services and supports informed by their lived experiences.

Who we talked to

We met with a range of children and young people, aged 9-17 years, while they were living in care and protection residences. Of those we interviewed, 25 were children aged 9-13 years and 27 were young people aged 14-17 years. Thirty children and young people in this group identified as male and 22 identified as female.

Around three-quarters of those we interviewed identified as Māori, either solely or in combination with other ethnicities. A quarter identified as Pākehā, and another quarter identified with various Pacific nations. A small group of children and young people identified with other ethnicities.¹⁷

Interview participants were the children and young people who were available on the days we visited residences and who chose to take part. Every child and young person was offered an interview each time we visited, and as a result, seven were interviewed twice as they were still in residence when we visited a second time.

How we talked to the children and young people – consent

During our visits, which usually occurred over several consecutive days, Office of the Children's Commissioner staff introduced themselves and spent time with children and young people in the residence.

Informed consent is a fundamental consideration in all our engagement with children and young people. Information about the interview process was provided to each participant and informed consent sought before every interview.¹⁸ This included an explanation about our monitoring role, the purpose of the interview and the way the material would be used. The consent process included information about confidentiality and the limits to that – if a child or young person raised concerns about a serious risk to

¹⁶ Detailed information about these residences is on page 8 of this report

¹⁷ When quoting children and young people in this report we have kept demographic details to a minimum so they are not identifiable.

¹⁸ Detailed information about our approach to consent and ethical considerations can be found at <https://www.occ.org.nz/assets/Uploads/OCC-Consentethics.pdf>

themselves or others, these matters would be followed up immediately.

We explained to children and young people that any information they provided could be used in an anonymised form, in reports to Oranga Tamariki and/or Barnardos, and as part of our public reports, such as this one.

Interview process

All interviews were conducted face-to-face by members of the Office of the Children's Commissioner's monitoring team. Most interviews were one-to-one, except where another member of the monitoring team was included to observe the process for training purposes. The interviews varied in length from 10–15 minutes, to an hour or more. Children and young people were able to stop their interview at any time.

The care and protection residences provided various semi-private spaces for interviewing. In accordance with Oranga Tamariki policy, line-of-sight surveillance was maintained by residence staff.

Areas of enquiry

The Children's Commissioner has a statutory responsibility under the [Children's Commissioner's Act 2003](#) to monitor and assess the care and protection and youth justice services provided under the Oranga Tamariki Act 1989.

The Office also has a role under the Crimes of Torture Act 1989 that requires us to ensure compliance with the [Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment](#) (OPCAT)¹⁹ for all children and young people living in secure residences.

The domains that form the basis for OPCAT assessments are: treatment, protection systems, material conditions, activities and access to others, medical services and care, and personnel.

The Office of the Children's Commissioner also monitors one additional domain – responsiveness to mokopuna Māori.

Between August 2017 and September 2018, staff from the Office of the Children's Commissioner conducted 11 separate visits to care and protection residences. These were a mixture of OPCAT visits, in our role under the Crimes of Torture Act 1989, and general monitoring visits under the Children's Commissioner Act 2003.²⁰

While we visited under both mandates, the subject areas for these interviews were the same across all interviews analysed for this report.

The subject areas were:

- How children and young people were being treated.
- How they were being protected (including access to a complaints system).
- What the physical conditions were like.
- What activities they were involved in.
- What contact they had with family.
- What their health care was like.
- What the staff were like.
- How Māori values were embraced and upheld.
- How tamariki and mokopuna Māori were supported to have relationships with their whānau, hapū and iwi.

We did not use a uniform set of questions. Instead, we introduced the subject areas and supported children and young people to take the lead in what they chose to talk about.

Engagement techniques and monitoring tools

All monitoring staff from the Office of the Children's Commissioner who undertook interviews are skilled in engaging with children and young people. Interviewers supported children and young people to lead the discussion, including how they engaged with the process and for how long. As a result, there was considerable

¹⁹ We found no evidence of this type of treatment or punishment during our visits to care and protection residences.

²⁰ Children's Commissioner Act 2003 section 13(1)(b).

variation in the subject areas they chose to talk about and the length of the interviews.

Our monitoring tools have developed and evolved over this period. At first (August – September 2017) we used open-ended questions and prompts to invite children and young people to share their experiences. In October 2017, we developed a series of talking-mat style prompt cards, covering the same subject areas. These were conversation starters, designed to support the existing questions and prompts. The cards helped us to better access and understand children's voices.

The development of the cards was informed by our [Mana Mokopuna approach](#) to monitoring. Mana Mokopuna prioritises a Māori world-view but is applicable to all children, seeing them in the context of their families, whānau, hapū, iwi and family group. This new approach enabled us to better describe subject areas in ways that were inclusive of Māori cultural concepts.

Between October 2017 and September 2018, in response to feedback from children and young people, the prompt cards evolved to include images as well as words.

Interview notes and recording

Information from interviews was recorded in various ways – via handwritten or typed notes and/or audio recordings made while the interviews were being conducted, and securely stored afterwards.

Safety issues and disclosure processes

In the event of a child or young person becoming upset or our staff having any concerns about their wellbeing, we asked them what support they would like. We then made sure that residence staff were aware of their needs so they could follow up appropriately.

We always follow up any safety concerns immediately with Oranga Tamariki. In the event of disclosures of serious abuse or neglect, Oranga Tamariki initiates action under the Child Protection Protocol jointly managed by Oranga Tamariki and New Zealand Police. During the time period covered by these interviews, no disclosures requiring action under the Child Protection Protocol were made to us.

How we analysed what we heard

We designed a bespoke approach to analysis for this report, given that we were retrospectively analysing voices originally collected for the primary purpose of monitoring residences.

Interviewers first identified key insights and messages from within and across the interviews. A moderation process was then undertaken with randomly selected interview notes to regulate consistency.

We defined themes as key insights that appeared consistently across a range of interviews. These themes do not quantify how many individual children and young people had these particular experiences. Instead, they provide valuable insights into children and young people's experiences of the residence and how the wider system impacted on them.

Limitations of this process

The children and young people's voices represented here were not gathered specifically for this report. Interviews designed for the purpose of monitoring individual residences are drawn on in this report to gain insights into the experiences of a cohort of children and young people living in the five residences.

Limitations resulting from this approach include the following:

- This report focuses exclusively on the children and young people who were available and willing to talk with us during our monitoring visits to care and protection residences between August 2017 and September 2018. It does not represent the voices of other children and young people living in secure residences.
- The interview and recording processes that provided the material this report is based on were designed for monitoring purposes. These processes evolved and developed over time. This meant that the 52 children and young people interviewed were not all asked the same questions, in the same way. Consequently, the views and experiences presented in this report, on any given

subject, do not necessarily represent the views and experiences of all 52 children and young people on that particular subject. This approach differs significantly from the consistent approach taken when designing an engagement for the primary purpose of supporting children and young people to have a say and be heard.

- The OPCAT subject areas which formed the basis for our interviews shaped the topics that children and young people raised and chose to talk about. The themes that emerged from the interviews were influenced by these same subject areas. As a result, information not directly relevant to life in the residence was not always recorded. Similarly, views on matters relevant to living in residences but outside of the OPCAT subject areas were not always explored.
- This cohort of children and young people were interviewed in secure residences. For various reasons related to their life history, living situation or interview conditions, children and young people may have felt constrained from speaking openly due to fear of repercussions. Despite this limitation, children and young people provided information about a range of sensitive issues.

How we have reported on what we heard

The perspectives that emerge from this Insights Report have already been shared with Oranga Tamariki and Barnardos, alongside other evidence, as part of our regular monitoring of individual care and protection residences.

AT A GLANCE – WHAT CHILDREN AND YOUNG PEOPLE TOLD US

We heard from children and young people across Aotearoa New Zealand about their experiences in secure care and protection residences. They told us what it was like to spend time in the residences and how their experiences affected them. This report is a snapshot of insights from 52 children and young people.

Five key themes emerged from our analysis of the interviews. These themes do not quantify how many individual children and young people had any particular experience. Instead, they provide valuable insights into children and young people's experiences of the residence, and how the wider system impacted them. The themes are summarised here then followed with further details and the voices of the children and young people.

1. Being in a secure residence is hard

Children and young people experience an institutional environment in residences. They talked about the physical conditions, the lack of freedom, independence and choice, and how they coped. We heard about the difficulties of being confined in close contact with children and young people of a range of ages with different needs.

2. This place doesn't always work for me

Children and young people told us about the realities of living in a secure residence and how it impacts on them. They talked about the day-to-day practices, including rights, restraints, grievances (complaints) and behaviour management.

3. People who work with me can help

Children and young people told us about the staff who care for them and provide activities and other services. We heard about what they liked and didn't like about the way they were treated.

4. Contact with my family and friends is important

Children and young people had varying experiences of contact with their families. They shared their need to see and talk to their family and friends, and the difficulty of maintaining contact with them while in residence.

5. My culture matters

We heard from children and young people who wanted opportunities to participate in more cultural activities. We also heard from children and young people who identified as Māori, enjoyed opportunities to engage with te ao Māori and wanted more.

1. BEING IN A SECURE RESIDENCE IS HARD

More information about care and protection residences

Between August 2017 and September 2018, the five care and protection residences run by Oranga Tamariki and Barnardos varied in size and design from small eight-bed facilities to larger 20-bed institutions.²¹ Separate bedrooms are provided for each child or young person, and at all except the Barnardos residence, showers and toilet facilities are shared. The dining area, lounge and classrooms are also shared spaces. Most residences have a basketball court and a gym along with a green playing field or courtyard for sport and other forms of exercise.

Physical environment

The physical environment in most residences is institutional. Entry and exit doors are locked, and in all but one of the residences, the outdoor areas are securely fenced. All residences are designed to minimise risk and withstand damage. Over the years, the residences have been variously altered and adapted to soften the physical environment but there are still problems with the conditions in some residences, such as poor ventilation and heating systems, bad acoustics, insufficient soundproofing, lack of quiet therapeutic spaces and poor layout/design.

Secure units

All care and protection residences, except that run by Barnardos, have a secure unit where children and young people can be placed to prevent them from absconding from the residence or from “behaving in a manner likely to cause physical harm to that child or young person or to any other person.”²² Use, duration of placement and conditions in secure units are governed and regulated by the [Oranga Tamariki Act 1989](#) and the [Oranga Tamariki \(Residential Care\) Regulations 1996](#).

Care, supervision and activities

Children and young people are reliant on staff to meet most of their day-to-day needs. Staff work in three separate eight-hour shifts, providing constant supervision during the day and oversight at night. Group activities, which vary from residence to residence, are designed by staff with some input from children and young people. Children and young people are usually closely involved in the design of individual activities, which are customised for their needs and interests. For off-site trips outside the residence, children and young people are almost always accompanied by staff.

Regulations

The [Oranga Tamariki \(Residential Care\) Regulations](#) provide details of the specific rights of children and young people in residences. These include rules around day-to-day matters such as standards of care, clothing, meals, privacy, visits, access to services, education and medical treatment. They also include regulations about punishment and discipline, grievance processes, searches and secure units. Children and young people also have rights as outlined in the United Nations Convention on the Rights of the Child (UNCRC) and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). The UNCRC includes a range of protection, provision and participation rights – to health, education, justice, family, language, culture, identity, privacy, play and having a say.

²¹ As at August 2017, the sole 20-bed residence was capped at 14 beds due to refurbishment. By September 2018, capacity had been further reduced to 8 beds.

²² Oranga Tamariki Act 1989 section 368(1)(b).

BEING IN A SECURE RESIDENCE IS HARD

This isn't where I want to be

Physical conditions varied from residence to residence. We heard about hard plastic-wrapped mattresses, toilets with metal seats, steel doors, overheated bedrooms and broken equipment. Children and young people told us smaller residences that felt more like home were better. They also liked being able to decorate their own rooms.

"Way better at this place compared to [previous residence]. Doors are not made of steel." (Māori boy)

Children and young people talked about the importance of freedom. They wanted to be able to use the internet, have fewer locks and get the fences taken down.

"Every kid should have internet – still their freedom and right ... should be trusted to go off and [have] walks ... Kids need to get out and get active." (Māori girl)

"Sometimes they don't make enough [food]. You can ask for more but the kitchen gets locked. Everything is locked." (Māori boy)

It was often challenging to be confined for long periods with other children and young people they didn't like or had nothing in common with.

"I don't like the kids here, they're all naughty." (Māori young woman)

"We are stuck in here all the time, can get grumpy at each other." (Pākehā young man)

Several children and young people said their behaviour had changed since being in residence – that they had become more violent.

"Before I was in here, I wasn't violent. From coming in here, I became more violent ... since I've been in here, I've gotten worse and worse." (Māori young woman)

"I don't really like music any more, 'cause I'm a completely different person. I like fighting." (Māori girl)

Children and young people disliked the strict routines and lack of independence in residences. They talked about needing to do things for themselves when they got out and worries that they were not being supported to do that.

"They tell us what to do all the time – get changed, shower, go to bed." (Māori young woman)

"I think they are setting ourselves up to fail. We will have to do things on our own. We can't cook, we can't keep our fitness up. We can't do anything ... I think it will affect my life when I'm older." (Māori girl)

I need to know what's happening and have a say

We heard from children and young people who were confused about what was happening and why. Several told us they didn't know why they had been put in a residence in the first place, and hadn't had a say in decisions, been involved in meetings or told about plans for their time at the residence or afterwards.

"Three police officers picked me up, took me here kicking and screaming. Like, I didn't understand why, no one explained it to me." (Young woman)

"They don't give me a say in my plan, they just ask me where I want to go. I write it down on paper and give it to them. In the last meeting, I finally got what I actually wanted – but it took me six years²³ to get it." (Māori boy)

In contrast, several children and young people told us their plan gets reviewed regularly and they have a say. We also heard from those who had opportunities to share their views and ideas and have them acted upon.

"The community meetings every week are good. I asked about the bikes getting fixed, and they came back straight away." (Pākehā young man)

We heard from children and young people who were confused and frustrated about the lack of information and progress with placements for themselves and others.

"Some kids have been here for about a year. Because the kids have nowhere to go. This is a holding place." (Māori girl)

"My social worker told me everyone has approved [my transition plan] apart from National Office. Who is National Office?" (Māori young woman)

Several children and young people told us they didn't want to be placed with people they don't know, and one young woman told us she didn't want any more placements organised by Oranga Tamariki.

In many cases, the relationship between residence staff and a child or young person ends when they leave the residence. Several young people told us they were sad they weren't allowed to stay in touch with staff they had become close to.

"When most YPs leave here, they cry to come back because they don't let us have contact with the staff here. [It's] non-association out of here." (Māori and Pacific young woman)

Timeframes

During the time period covered, relevant legislation stated that "decisions affecting a child or young person should wherever practicable, be made and implemented within a time frame appropriate to the age and development of the child or young person." - Oranga Tamariki Act 1989

²³ This would include time spent in other Oranga Tamariki placements, not just at a residence.

I want to go back to normal school

Several children and young people told us they were unhappy because being in residence meant they couldn't go to a mainstream school.²⁴ They said they didn't like school in the residence because it didn't feel normal.

"I would go to school if I had a proper placement ... I wanna go back to mainstream ... I liked how you feel like a normal kid, and associating with kids who aren't in care." (Māori young woman)

I want to play, be active and be outside

Children and young people told us the activities inside and outside the residence were very important to them. We heard that children and young people like to get out of the residence and go off site as often as possible. For some, it was the first time they'd experienced activities such as boxing, mountain biking and learning to swim.

"We get to do tons of things, especially in the holidays. It's fun going off site." (Māori young woman)

"My happy place is when I'm on outings. Good to get out there." (Pākehā young man)

We also heard from children and young people who were frustrated about the lack of off-site opportunities. They told us that not enough staff and children and young people running away were the main reasons they weren't allowed to go off-site as much as they wanted.

"There are never enough staff because of staffing issues. We were meant to go to the movies, but me and [another young person] couldn't go." (Pākehā, Pacific and Māori girl)

They also said they would like more say in activities, lots of different activities and to be able to do popular activities more often.

"I reckon we need more things to do ... and better programmes. And what we want to do, not just what staff want us to do." (Māori young woman)

Several young people told us they were frustrated because, at some residences, they were unable to do certain activities because staff said they were too risky.

"I suggested that we get [sports equipment]. They said it was too dangerous. They said we'd smash the [bats] over each other's head." (Māori young man)

Some of us feel unsafe from the other kids

When specifically asked, most children and young people said they felt safe. However, we also heard about times when some children and young people felt unsafe.

"Yes, I feel safe ... I have never stayed in a place for so long, 'cause it hasn't been that safe." (Māori and Pacific girl)

"I feel safe. Can talk to staff. Whoever is making me feel unsafe, sometimes they get put in Secure." (Māori girl)

²⁴ See page 27 for information about teachers and schools.

Several children and young people said they'd been bullied by others in the residence – physically, sexually or verbally. We heard from one young person about being choked by another at a previous residence and others talked about unwanted sexual behaviour and comments.

"[Boys], like, they have sexualised comments and everyone has relationships. And they feel each other up in front of each other." (Pākehā, Pacific and Māori girl)

Children and young people told us they worry about their own and other people's safety. One young person told us it was better for her to be in the secure unit because she was frightened of other young people. Another said he wanted staff with him everywhere, all the time, because the other young people made him feel unsafe.

"I'm mainly scared of the bigger boys. There are three here" (Māori young man)

We heard from children and young people who were sad and angry about seeing others being bullied.

One young person described constant verbal bullying.

"I've been bullied ever since I've been here. Non-stop bullying. They call me all sorts of nasty names – the young people out there ... no one is doing anything about it, and it has gotten worse." (Māori young woman)

Other children and young people told us about staff reacting quickly to protect them.

"Staff are always around what's happening, they are always on what's going to happen. So they're always there to click on and stop it." (Māori and Pacific young man)

We also heard staff sometimes don't notice or don't get involved fast enough when bad things happen.

"They don't keep us safe properly. Like, when somebody come down to the wing to beat you up. Staffs don't always get there in time ... staff aren't always watching what's going on." (Pākehā young man)

I want to escape from everything

We heard from children and young people who were very sad and upset. Some talked about harming or trying to kill themselves. Others told us they had problems in the past but felt worse since coming to the residence.

"90% of kids in here are suicidal for being in residence and the experiences they have in life. And no one does anything about it." (Girl)

"I've tried to kill myself ... and I hurt myself, many times ... when I go on walks, I pick things up, just to hurt myself." (Girl)

Some said they coped by not talking to other people. Others told us they wanted to run away.

"Just to be outta here. I wish these places never existed." (Māori and Pacific young man)

"Hard place to be happy in." (Māori young woman)

Even though children and young people said life in residence was hard, we heard that, for some, it was better and safer than being on the outside. Children and young people told us it was good to get sober and off drugs and to be safe from people they were frightened of.

"I wish I could live here forever, it's such a good place." (Māori boy)

"If someone hadn't brought me here, I would be dead." (Young woman)

2. THIS PLACE DOESN'T ALWAYS WORK FOR ME

Information about rights and treatment

Rights

Children and young people in residences have rights as set out in the Oranga Tamariki (Residential Care) Regulations 1996. The manager of each residence is required to make sure these regulations are regularly explained to children and young people in the residence. They also have rights as set out in the United Nations Convention on the Rights of the Child and the United Nations Convention on the Rights of Persons with Disabilities.

Grievances

Children and young people in residences have right of access to a grievance (complaints) process. Whaia Te Maramatanga²⁵ (WTM) is the grievance process used in all five care and protection residences to address complaints, suggestions and other feedback.

WTM is a paper-based system. Those wanting to make a complaint or suggestion ask staff for a form and submit it in writing via a special mailbox in their unit. In some residences, they can submit written complaints or suggestions without using the WTM form. After their complaint has been investigated, if a child or young person is not happy with the outcome, they can have it reviewed by an independent grievance panel. If it is still not resolved to the child or young person's satisfaction, they can have it reviewed by the Office of the Children's Commissioner or the Ombudsman.

Restraints

In situations where staff have "reasonable grounds for believing that the use of physical force is reasonably necessary"²⁶, they have the option of holding or restraining a child or young person until they are calm. These actions are known as 'restraints'. Physical force must involve "no more than the minimum amount of force that is reasonably necessary in the circumstances."²⁷

Staff are trained in the use of MAPA (Management of Actual or Potential Aggression), which teaches skills for assessing, managing and responding to at-risk behaviour, focusing on de-escalation, prevention and early intervention. Use of restraints is governed and regulated by the Oranga Tamariki Act 1989 and the Oranga Tamariki (Residential Care) Regulations 1996.

Managing behaviour

Oranga Tamariki uses the Behaviour Management System (BMS), which incentivises positive behaviour through a points system that provides a range of rewards. BMS is a one-size-fits-all approach with rules that apply equally to everyone.

Barnardos has a two-pronged approach – responses to children and young people's behaviour are customised for each individual and detailed in their intervention plan. A daily reward is provided for everyone who meets a set of expectations about how people in the residence should treat each other. This is known as the Tumeke system.

²⁵ <https://www.occ.org.nz/assets/Uploads/Whaia-Te-Maramatanga-D4-Web.pdf>

²⁶ Oranga Tamariki (Residential Care) Regulations 1996 section 22(1).

²⁷ Oranga Tamariki (Residential Care) Regulations 1996 section 22(2)(a).

THIS PLACE DOESN'T ALWAYS WORK FOR ME

I need to know my rights in here

Children and young people in Oranga Tamariki residences said they were confused about the difference between rules and rights. When asked about rights, several told us they didn't understand what rights were or they talked about rules instead.

"You're allowed to do this and not this ... I don't remember them telling me about my rights." (Māori and Pākehā boy)

"I want to have rights ... I know what my rights are, but I just don't get what they mean." (Māori girl)

One young person said he had taught himself about his rights. Another said he had been told about rights when he was first admitted to the residence, months ago, but couldn't remember the details.

When children and young people told us about their rights, phone calls were what they talked about most. Several said they understood they had the right to a daily phone call, while others thought anything more than a weekly phone call was a privilege, not a right.²⁸

"Apparently only one a week. They say it's our right. And that's how they threaten us." (Pākehā, Pacific and Māori girl)

Several young people told us staff had explained their rights about certain things such as searches and grievances.

"They said it to me when they searched my room." (Māori young man)

In contrast, children and young people at the Barnardos residence told us they were informed about all their rights regularly.

The grievance process doesn't work for all of us

Children and young people's experiences of the grievance process, Whaia te Maramatanga (WTM), were mixed.

Children and young people told us that staff explain the grievance process when they first get admitted and re-explain it all the time. Most said they understand what it is and know how to use it.

"Everybody has to watch the video. If you don't like something, you will get a grievance paper. You put it in an envelope and then in the thing. You can make a suggestion too. The staffs check it and then they talk to you." (Māori girl)

We heard from children and young people who, for various reasons, weren't happy with the grievance process. Several said they wanted to sort out complaints for themselves. Others said they never use the grievance process.

Many thought no change would result from the complaint.

"WTM, I don't use it 'cause I don't see the point. Nothing's ever done. Have put them in. Don't waste my time doing it." (Māori girl)

²⁸ The regulations in relation to phone calls provide general rather than specific guidance. They state that children and young people have the right to visits and communication with family and other persons "at all reasonable times", Oranga Tamariki (Residential Care) Regulations 1996 section 10(1).

"I don't like grievances. I think they are ridiculous. They get back to you, like, two weeks later and you're, like, I've forgotten what's happened now." (Young woman)

The power difference between children and young people and staff was a recurring theme.

"They always think we are lying and take the staff's side over us. Because they are adults." (Pākehā, Pacific and Māori girl)

"When [staff] found out I put a grievance, they gave me shit about it." (Māori young woman)

"[Grievances] should go to national office or somewhere where people will listen to us." (Pākehā, Māori and Pacific girl)

However, some children and young people who had used WTM were happy with the outcome. There were also those who said they would use it if they needed to, even though they hadn't tried it.

"WTM – yo! That's pretty good 'cause the staff sort it out right away. Yeah, you put it in and it takes a couple of days." (Māori young woman)

One young person told us he liked the grievance process because it made him feel he had more power with staff.

"I notice staff start to step back from me 'cause they know the grievance panel will help me if I need." (Pākehā young man)

Secure units are like being in a police cell – they're hard, dirty and they stink

Children and young people said secure units²⁹ at residences were cold, dirty and boring. They also complained about the rooms smelling bad. Several said they were like police cells.

"Secure is dirty as – it's worse than the police cells. There was this little boy ... who used to throw shit on the walls. People piss all over the floor and stuff." (Māori and Pacific young man)

"When you take a poo in your room, it stinks ... 'cause your bed and your toilet is in the same room. And you have to deal with it." (Māori young woman)

I need help to calm myself down

Although children and young people said there were things about the secure unit they hated, several told us it was the only chance to get away from other people.

"Was good. You get to reflect on your behaviour." (Māori boy)

"I go there all the time. I like it 'cause it's quiet – that's about it." (Māori young woman)

Children and young people told us they understood the reasons for being placed in the secure unit, such as self-harming and fighting, but several

Emotional regulation

Some care and protection residences use specialised trauma-informed programmes (such as the Alert Program) to help staff understand individual behaviour and attachment needs and to support the regulation of emotions and behaviour. One residence provides a quiet, calming space with a range of sensory items (e.g. squeeze balls, weighted blankets) designed to help children and young people explore sensations, self-soothe and relax.

²⁹ All care and protection residences except the residence run by Barnardos have an on-site secure unit. Detailed information about secure units is on page 15 of this report.

said it didn't help them deal with their behaviour. One young person told us the secure unit didn't work because he came out angrier than when he went in.

We heard positive comments about the Alert Program, used in one of the care and protection residences, which is designed to help people calm themselves down and deal with their emotions.

"Sushi roll [part of the Alert Program], that's so cool ... they roll you up in a yoga mat and then they put a weighted blanket on you. And pressure." (Māori and Pacific boy)

Restraints can hurt – sometimes they feel unsafe

Children and young people told us being restrained is hard, and sometimes people are injured. We heard about carpet burns, sprained wrists and bruises. We also heard it can be frightening to see other people being restrained. Children and young people told us that, when staff are doing restraints, sometimes things go wrong and injuries can happen.

One young person told us they were happy staff aren't allowed to take people to the ground anymore and that there are new restraint techniques. Others said staff still need more training around restraints.

"I hate restraints ... they hurt me ... like, they grab the back of my shirt and ergghh! ... They hold me, and it hurts when they squeeze too hard." (Māori girl)

"I don't like restraints 'cause some people do it hard. And, like, they don't mean to, but when [staff member] did my restraint, he left a huge bruise on my arm ... He was swearing at me and he told me I couldn't talk." (Māori young woman)

For some of us, the Behaviour Management System (BMS) works well

We heard different things from children and young people about BMS. Some liked the rewards and understood the system. Others told us BMS was unfair on those who struggled to understand how it worked and that it was hard to be good all the time.

We heard from several children and young people who said BMS worked well for them. Children and young people who liked BMS said it gave them chances to earn rewards and privileges, such as chocolate, lollies, clothes and access to devices and off-site activities. Some said they wanted better rewards through BMS, such as footwear, pocket money and access to social media.

"It means points. I like it! You get more privileges." (Girl)

One young person told us some items that were listed as BMS rewards, such as good-quality shampoo, should be freely available to all children and young people.

"All you get are product. I don't really get why you have to work towards getting your shampoos." (Māori boy)

For others of us, the Behaviour Management System (BMS) feels unfair

We heard from children and young people who said they didn't like BMS because the system is unfair for people who are less mature or have problems with learning or managing their behaviour. One child told us that, although he had asked a staff member to clarify how BMS worked, he still didn't fully understand it.

"It's good to have a BMS system ... but it's not fair on the ones we know can't make it." (Māori young woman)

Another child told us they didn't like BMS because the rules change with different staff and rewards are sometimes given out for no reason. Another said it was unfair on girls because boys got better rewards.

"Boys get way more stuff. They get the TV in the weekend and not us. They play games so we don't. We can't even watch a movie together." (Pākehā, Pacific and Māori girl)

Children and young people told us being expected to have good behaviour all the time is too hard when you are living in a residence.

"Fuck I hate this. Ridiculous! Like, when you work hard to get to Level 3, you are expected to be and act like Level 3. And everyone has their bad days and can't do shit." (Māori young woman)

Several children and young people said the problem with BMS is it is based on one incident rather than being about their behaviour over a period of time. Another child didn't like BMS because it isn't like real life.

"I don't like it because, in the community, you are not really going to have a points system." (Māori boy)

We heard from children and young people who liked Barnardos' Tumeke³⁰ system which takes a different approach to behaviour management. One young person told us it was good because it was based on an assessment of his behaviour over the day. Another said he liked it because it was simple and there were second chances.

"Just have to show safe behaviour, be bully-free. You get two prompts, and on the third one, if you keep doing it, you lose your tumeke [reward]." (Māori and Pākehā young man)

³⁰ Detailed information about the Tumeke system is on page 21.

3. PEOPLE WHO WORK WITH ME CAN HELP

Information about staff

Children and young people in care and protection residences are cared for by a range of staff whose roles and titles vary from residence to residence. Care workers were the staff that children and young people talked about most. We also heard about their experiences with case leaders, health staff, teachers, cooks and Oranga Tamariki site social workers.

Care workers have the most contact with children and young people in residences as they are responsible for their day-to-day care. Their work day is divided into three shifts, with day staff covering the first two shifts and night staff working from 11 pm until 7 am. As a result, children and young people experience a range of relationships with members of different care teams. Each child or young person has a key worker – a care worker who has primary responsibility for their care.

Case leaders work with children, young people and others such as family members, teachers and social workers to assess children and young people and develop plans for their time in residence and transition out. They also facilitate contact with families and make sure children and young people can access any additional support they might need. Case leaders provide care staff and other professionals with information and support to meet the needs of those in residence.

Health staff are employed by providers who are contracted to work with children and young people in residences. Most nurses are based in the residence, providing medical assessments for children and young people when they are first admitted, facilitating specialist appointments and providing immediate and ongoing care as required. Every child or young person is assessed by a doctor within seven days of their admission. Doctors visit the residence to provide non-urgent medical assessments.

Cooks are also based on-site, providing three full meals each day based on rotating menus. At the Barnardos residence, cooks only work on weekdays – at weekends, children, young people and staff cook and eat together. All children and young people are provided with snacks at regular intervals between meals.

Teachers are employed by schools that are funded by the Ministry of Education to provide education for children and young people in residences. At the time of our interviews, four different education providers were working on-site at various care and protection residences – Kingslea School, Central Regional Health School, Barnardos and Creative Learning Solutions. Most children and young people in residences attend school on-site, with a small number of young people going to local schools.

Oranga Tamariki site social workers work from Oranga Tamariki offices based in the home area of each child or young person. They are responsible for meeting their needs and supporting and liaising with families. They work with a range of people to find placements within the wider family or community of each child or young person and develop their transition plans.

PEOPLE WHO WORK WITH ME CAN HELP

I need to be listened to, believed in, and know that staff care

Children and young people told us about good and bad experiences with staff inside and outside the residences. Staff who take the time to connect, are fair, and who encourage and believe in them, were valued. One young person talked about the long-lasting positive effects that staff have had on her life.

"I love the one-to-one sessions we have – it feels like staff are listening." (Pākehā young man)

"He makes sure that everything's fair ... he doesn't like it if one child is getting something and other children aren't." (Māori young woman)

"I've had so many staff that have impacted on my life in a huge way, to the point where I feel sometimes they saved me ..." (Māori and Pacific young woman)

Children and young people also said they rate staff who treat them kindly and with respect, despite the fact that their behaviour is sometimes challenging.

"I swear at them all the time and they are still good to me." (Māori young woman)

For others, relationships with staff were not positive. Children and young people disliked staff when they were scary or insensitive.

"Sometimes I get scared of staff because they can yell really loud ... my dad used to yell at us, and that's when we knew he would hit us." (Māori young woman)

Children and young people told us some staff don't listen or don't try to engage with them. They also noticed when staff didn't do what they said they would do.

"He's cool, [staff member], but he's hardly around, he's always busy. And when he says he's coming back to you, he never comes back." (Māori and Pacific young man)

One young person told us it was hard when staff couldn't cope with her behaviour or help her to stop harming herself.

"Some teams wanna give up on me 'cause it was getting too hard for them ... can't handle me. And they say it to me all the time." (Māori young woman)

I need my social worker to be in touch and not let me down

Children and young people were happy when their Oranga Tamariki site social worker kept in touch and did what they said they would.

"I talk to my social worker a lot – we are just, like, best friends." (Māori young woman)

We heard from children and young people who said their Oranga Tamariki site social worker hardly ever contacted them, never visited or they let them down in other ways.

"I haven't seen or spoken to my social worker since I've been here. Is she really always on leave?" (Pacific young woman)

One young person told us he'd had seven different social workers in two years.

I need help to get my health sorted

For some children and young people, staying at a residence gave them the chance to get medical care from nurses, doctors and specialists. Most had good things to say about how easy it was to see medical staff and how much they had helped them.

"They have done real well with my [chronic illness]. They have managed to help me dial it down."
(Young woman)

Food is important to get right

Food was very important to the children and young people we spoke with. They told us about staff who cared about getting it right.

Children and young people's opinions about the quality and quantity of food were evenly divided. They talked a lot about whether the meals had flavour and how filling they were. They liked food that was tasty, varied and familiar to them.

"I like the food here 'cause it fills me up. [Cook] makes seconds – is a really good cook." (Pākehā young man)

"... we have boil-up, rēwena bread with meat on top ... And doughboys too, with real butter." (Māori young woman)

"The cook is shit, he cooks 'white people' food – we need more pūhā. Hāngī would be nice." (Māori and Pacific young man)

Children and young people told us they wanted to have a say in menus. Several said they appreciated staff who gave them chances to choose and prepare food.

"We don't get options, can't say how much we want and can't have salad unless you eat your mains."
(Māori girl)

I like teachers when they meet me at my level

Children and young people said they like teachers who work closely with them, find out their level and help them succeed. Their experiences of school, inside and outside the residence, varied a lot.

Children and young people who enjoyed school said it gave them the chance to learn and achieve, sometimes for the first time in their lives.

"When I came here, my learning skills were very low. I like this school. They've helped me a lot. I've actually got a bit brainier." (Māori young woman)

"I got to start my NCEA credits when I came here ... I'm going to ask them if they can help me get my driver's licence." (Young man)

Others told us things they didn't like about school. The most common complaint was that teachers didn't make sure the work was at their level. Children and young people told us they want work that suits their interests, needs and educational level.

"They give us six and seven-year-old's work and work we already know and not challenging us and not up to our standard. And teach us things that won't help with our future." (Pākehā, Pacific and Māori girl)

"We do the same stuff over and over again. The work is easy. I get stressed in the classroom ... because I'm an active boy." (Māori and Pacific boy)

We heard from children and young people who had been out of school for weeks or months before coming to the residence. Some had been out of formal education for years.

"It's just sometimes the work can be not understandable. But that's because I haven't been in school for two years ... like, I haven't really been to school." (Māori girl)

4. CONTACT WITH MY FAMILY AND FRIENDS IS IMPORTANT

Information about contact with family and friends

Approved contacts

The rights of children and young people to visits and communication with family members and others are set down in the [Oranga Tamariki \(Residential Care\) Regulations 1996](#).

Although the residence manager is ultimately responsible for decisions around these matters, when a child or young person is admitted to a residence, their Oranga Tamariki site social worker provides the residence with a list of approved contacts. Most of the people on these lists are family members – it is less common for friends to be included. Sometimes approval is given for extra people to be added to a child or young person's contact list during their stay at the residence.

Phone calls

The usual practice in residences is that each child or young person is supported by staff to make one phone call each evening to a person or people on their contact list. The conversations are private and usually run for 10–20 minutes depending on the availability of staff. Some residences have video-calling facilities.

Visits

Family and friends who are on a child or young person's approved contact list can visit residences by prior arrangement. Some financial support is available for travel costs. Three of the five residences provide on-site accommodation for visiting family members. The frequency and length of visits is individualised for each child and young person and detailed in their plan.

Social media

Contact with family and friends is limited to phone calls, video calls and visits. Care and protection residences do not provide children and young people with access to social media except in situations where this is part of an individual child or young person's care plan.

CONTACT WITH MY FAMILY AND FRIENDS IS IMPORTANT

I need to be near my family and have regular contact

Children and young people told us regular contact with their families, either face-to-face or by phone, made them feel nearer to them and helped with the pain of separation.

Distance from family was a recurring theme. We heard from children and young people whose families lived a long way from the residence, sometimes at different ends of the country.

"I don't know my real family. My foster family can visit though, but they live too far away. [At my last residence], they could drive and visit me." (Māori boy)

We heard positive stories from children and young people who were happy with the amount of contact they had with family members.

"I always call my mum and dad, my sister, yeah, and my nana, my lawyer, my social workers ... Every day I do that ... Twenty-something minutes on the phone call sometimes." (Pākehā young woman)

"Most weeks, my family come here and see me. And I speak to them every second day on the phone." (Pākehā young man)

Time spent with family members on visits inside or outside the residence was also very important.

"When my mummy came down ... she took me out to the mall and we got our nails done." (Pākehā young woman)

We also heard from children and young people who were unhappy about the amount of contact they had with their family. Several wanted more phone calls and were frustrated they couldn't make video calls. Lack of face-to-face contact was the most common complaint.

Children and young people said that staff sometimes let them down by not following up on requests for contact.

"Yesterday I had a phone call but they never put it through. They forget. Happens a lot." (Māori young man)

A couple of children and young people told us they were unable to see family members who had been banned from the residence for trying to bring in contraband. Others told us residence staff or their Oranga Tamariki site social worker hadn't helped them get in touch with family members who were important to them.

"OT [Oranga Tamariki] aren't even connecting me to my sister." (Māori young woman)

One boy told us he missed his brother but had been unable to contact him because he was living in another Oranga Tamariki residence.

We heard from children and young people who had suggestions for making access visits easier and cheaper.

"They should build a house here so we can stay with our family more." (Pākehā young man)

Location of residences

Although most of New Zealand's population lives in the North Island, three of the five care and protection residences were based in the South Island. As a result, many children and young people were placed far from their home areas, making it expensive and time-consuming for families to visit them.

"I'm, like, wouldn't it would be cheaper if you just pay for me to get on a flight to see my whānau instead of them coming here? Instead of flying three of them down which will cost, like, so much money." (Māori young woman)

Losing contact with family is hard

Several young people were worried about whether their parents were okay while they were in residence or they felt responsible for looking after them. One young person told us he felt he should care for his mother even though they have a difficult relationship.

"I want to go back home and look after my mum." (Māori young man)

One young person told us she felt guilty for deciding not to return to the care of her family once she leaves the residence. Another said he felt too ashamed to let his family visit him.

"I don't want them to visit me in here." (Māori young man)

We heard from children and young people who were separated from members of their immediate family or had never known them in the first place.

"I know I can use the phone, but I have no one to call." (Māori and Pacific boy)

I need to see and talk to my friends

For some children and young people, staying in touch with close friends was as important as contact with their family. They told us they worried about not being around for friends who needed them for friendship and support. One young person said she felt like she had "disappeared" out of her friends' lives when she was placed at the residence. She was scared that, without her support, friends might harm or even kill themselves.

"Not being able to see your friends is hard. And not being able to see people who are like your family but are not your family." (Māori and Pacific young man)

One young person told us about how hard it was being separated from a close friend when the friend was discharged from the residence.

"Cause my sissy, she left last night, and it was really emotional for me. I was crying, she done everything for me. I don't know how to give that back to her." (Māori young woman)

Another young person said they wanted to be allowed on social media so they could stay in touch with friends and family.

Relationships with family

During the time period covered, relevant legislation stated that, "wherever possible, the relationship between the child or young person and their family, whānau, hapū, iwi, and family group should be maintained and strengthened"- Oranga Tamariki Act 1989.

5. MY CULTURE MATTERS

More information about ethnicity and staff roles

Ethnicity of children and young people in care and protection residences

Since its inception on 1 April 2017, Oranga Tamariki has routinely collected information about the primary ethnicity of the children and young people they are involved with. More recently, as part of the work to track progress in reducing disparities for Māori,³¹ Oranga Tamariki has improved its systems for collecting and recording information to include iwi affiliations and multiple ethnicities.

We asked the children and young people we interviewed to tell us which ethnicity or ethnicities they identified with. The overwhelming majority (approximately three-quarters) identified as Māori, either solely or in combination with other ethnicities.

The next largest self-identified group was Pākehā (a quarter), closely followed by those who identified with various Pacific nations (just under a quarter). Of these, Samoan children and young people formed the largest group. A small percentage of children and young people identified with other ethnicities, either solely or in combination.

Ethnicity of staff working in care and protection residences

Oranga Tamariki was not able to provide complete information about the ethnicity of staff employed at its residences because disclosure of ethnicity is voluntary.

As at 30 April 2017, 24% of staff at Oranga Tamariki care and protection residences identified as Māori either solely or in combination with other ethnicities, and 31% identified as Pacific. A similar count undertaken on 31 March 2019 had 24% of staff identifying as Māori and 26% as Pacific.

Since 1 April 2017, Barnardos has employed nine staff who identify as Māori and three who identify as Samoan, from a total of 46³² staff at its residence.

Dedicated cultural roles and language skills in care and protection residences

Some care and protection residences employ staff in dedicated cultural roles, such as kaumātua, kaihautū or cultural advisor. Oranga Tamariki was not able to provide exact figures but stated that, since 1 April 2017, it has employed fewer than five staff in dedicated cultural roles at care and protection residences for varying periods of time. Since 1 April 2017, Barnardos has employed one staff member continuously in a dedicated cultural role in its residence.

Neither Oranga Tamariki nor Barnardos were able to provide information about the number of staff employed in care and protection residences who are speakers of te reo Māori or Samoan.

³¹ This work was undertaken in preparation for changes to the Oranga Tamariki Act, including 7AA, which came into force on 1 July 2019.

³² This figure is an average, as the number of staff working in the residence fluctuates.

MY CULTURE MATTERS

I want to experience my culture

Children and young people from a range of cultural backgrounds told us they wanted to learn about their culture, be involved in cultural activities and have opportunities to learn and practise their language.

"This team teaches us about our culture. They will speak to you in Samoan and teach you words in Samoan." (Pākehā, Pacific and Māori girl)

"[Staff member] teaches me about my culture ... taught me how to carve and the Māori gods and stuff." (Māori girl)

We heard from children and young people who identified as Māori and were keen to learn more about te ao Māori. Some told us this was their first chance to get involved in certain Māori cultural activities and learning te reo Māori. Others said they already had some knowledge and experience but liked that they could learn more.

"Learning how to speak [te reo Māori], learning stuff like taiaha... I love this stuff – we get to do mau rākau every week. I did Waka Odyssey too." (Māori and Pacific boy)

Children and young people said they wanted access to a wider range of Māori activities.

"We do waiata each week, but [staff member] is only here for, like, 30 minutes. It would be really good to do more of this stuff." (Māori young woman)

"Culture – I'm proud, haaard! Would like to do more ... haaard." (Māori young man)

We also heard from those who already had knowledge and understanding of te ao Māori but said staff weren't helping them to learn more.

"I speak Māori and play the guitar. There should be more cultural programmes, like hāngī, music, diving, hunting." (Māori and Pacific girl)

"I used to do kapa haka at my old school but not really here. Would like to do more, yeah, if we could." (Māori girl)

Children and young people talked about the importance of spending time with people who have deep knowledge of te ao Māori, can speak te reo Māori and who take the time to engage with them.

"I have lunch with [cultural advisor] maybe once every two or three weeks. We just watch YouTube clips, kick back and laugh at each other." (Māori and Pākehā young man)

Who engages in these cultural activities with children and young people is important. One of the children we spoke with said that, because she had been through kōhanga reo and kura kaupapa, she liked being able to speak te reo Māori with a staff member who was fluent. Others said staff who were in special Māori cultural roles such as kaumātua were often the best people to teach them about te ao Māori.

I do not feel connected to my culture

Others said cultural activities offered at the residence were boring and didn't work for them or others, or that they did not feel connected to their culture.

"Everyone doesn't really like it. No one really likes it ... Do your pepeha and that's boring ... We learn about [te ao Māori], we used to, but then no one really participated in it, so it's alright." (Māori young woman)

A small number of Māori children and young people told us that due to negative experiences earlier in their lives, they were not interested in learning about who they were or where they were from.

I want to know my whakapapa

Several children and young people told us they enjoyed the chances they got in the residence to learn their whakapapa – at school, through activities or just by talking with staff.

"Whakapapa – it's all good ... [the teachers] find out where you come from." (Māori young man)

We spoke with children and young people who identified as Māori but knew almost nothing about their whakapapa.

"I don't know what culture I am. I don't know anything. Don't know what my dad is. My mum is Māori. Don't know my mum's history or past." (Māori and Pākehā boy)

"I don't know my whakapapa. I just know my ancestors are Māori." (Māori girl)

Children and young people said they want to learn more about their whakapapa. Several were angry they hadn't had the chance to find out about it.

"I'm Māori ... I know jack shit about it ... I don't know anything about my family history. Jack shit! I'd like to know everything about my history." (Māori young man)

"Whakapapa – you don't learn that stuff from here – or see any kaumātua or kuia here." (Māori young woman)

Several children and young people told us no one at the residence had ever asked about their culture or tried to find out where they were from.

"No one asks about my culture." (Young woman)

CONCLUSION

It is vital we listen to the voices of children and young people and put them at the centre when making decisions that affect them. Children and young people in secure residences face significant challenges. Their voices need to be heard.

This Insights Report highlights the experiences of 52 children and young people who have lived experience of secure care and protection residences. We heard that the institutional environment itself is a hard place to be a child or a young person.

Children and young people told us that staff can have a significant positive or negative effect on that experience, such as facilitating or gatekeeping contact with family and friends and supporting access to cultural opportunities. Experiences of the grievance, restraints and behaviour management systems were mixed, with concerns raised about processes, fairness and effectiveness.

We need to do far better for the children and young people who have generously shared their voices in this report, and for those who come after them. Large institutions such as secure residences are hard places to be happy in, and their phased closure cannot come soon enough.

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MANAAKITIA Ā TĀTOU TAMARIKI

Children's
Commissioner