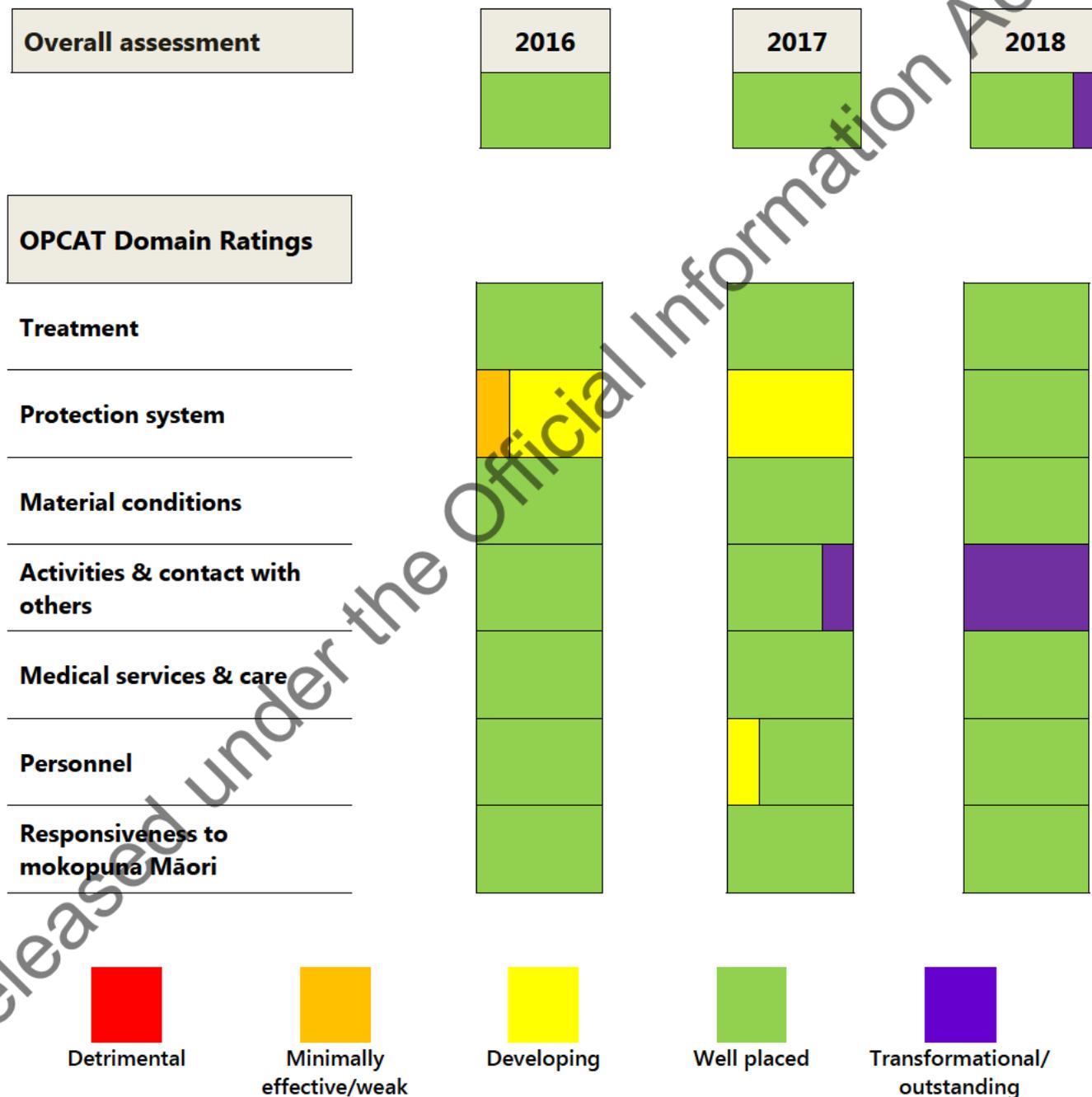


Te Au Rere Residence Visit

(Announced OPCAT Visit)

Te Au Rere a te Tonga (Youth Justice), Palmerston North

Visit dates: s 9(2)(a) OIA 2018. Report date: 18 June 2018



Released under the Official Information Act 1982

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Introduction

Purpose of visit

1. On s 9(2)(a) OIA 2018, s 9(2)(a) OIA from the Office of the Children's Commissioner (OCC) conducted a pre-arranged monitoring visit to Te Au Rere a te Tonga youth justice residence (Te Au Rere), in Palmerston North. They were accompanied by s 9(2)(a) OIA at the Office of the Guardian of Children and Young People, from South Australia. The purpose of s 9(2)(a) OIA visit was to observe New Zealand's monitoring processes in preparation for South Australia's implementation of the Optional Protocol to the Convention Against Torture (OPCAT). s 9(2)(a) OIA assisted with fieldwork but had no decision-making role in relation to the ratings or recommendations for this monitoring visit.
2. The purpose of our visit was to assess the quality of Oranga Tamariki's services against the six domains relevant to our role as a National Preventive Mechanism (NPM) under the Optional Protocol to the Convention Against Torture. These domains are: Treatment, Protection system, Material conditions, Activities and access to others, Medical services and care, and Personnel. As with every monitoring visit, we also assessed an additional domain, Responsiveness to mokopuna Māori. Details about the legislative background to our visit are outlined in Appendix One of this report.



Courtyard artwork

Mana Mokopuna

3. As from 2018, Mana Mokopuna is the indigenous approach we are using to monitor the experiences of children and young people who are in contact with Oranga Tamariki. One change we've made to our residence monitoring this year is to interview all children and young people first, followed by residence staff and stakeholders.
4. In the interviews with young people we use engagement tools, based on Mana Mokopuna, which cover all aspects of the OPCAT domains. The information from interviews with young people informs our subsequent OPCAT focused questions to residence staff and stakeholders.
5. The concept of 'Mana Mokopuna' is aligned to the new concept in the new Oranga Tamariki Act 1989, 'mana tamaiti'. Both are embedded in the Māori concept of mana, which approximately translates into English as, 'respect, acquired knowledge, control, intrinsic value and dignity, influence'.
6. As part of Mana Mokopuna we have identified six key principles that, when supported, will continue enhancing the mana of children and young people, resulting in them having positive life-long outcomes. The principles and the definitions for them are outlined in Appendix Two.
7. These principles reflect and expand on what we have described as the three pou (supporting pillars) in the new Oranga Tamariki Act 1989 – whakapapa, whanaungatanga, and mana tamaiti. We note that the new provisions in the Oranga Tamariki Act 1989 will come in to full effect on 1 July 2019. Each Mana Mokopuna principle is supported by the new legislation as well as the rights for all children and young people set out in the United Nations Convention of the Rights of the Child (UNCROC). Some examples of this are shown in the table in Appendix Two.

Structure of this report

8. This report shares the findings from our visit to Te Au Rere and makes recommendations for actions to address the issues identified. First we list our key findings and recommendations, then we describe our findings under each of the six OPCAT domains, as well as the additional domain - Responsiveness to Mokopuna Māori.
9. For each OPCAT domain, we provide a brief statement that summarises our overall finding for that domain. Supporting evidence is then used to identify strengths and areas for development. Young people's experiences and voices are used to illustrate the findings for each OPCAT domain.

10. The rest of this report is structured as follows:

- Appendix 1 – an outline of the legislative background to our visit
- Appendix 2 – Mana Mokopuna and its relationship to the Oranga Tamariki act
- Appendix 3 - interpretation of ratings
- Appendix 4 – interviews conducted and other information accessed
- Appendix 5 – feedback to young people (copy of handout)

Context

11. Te Au Rere a te Tonga (Te Au Rere) is a 30 bed youth justice residence, located in Palmerston North. It provides secure care for up to 20 young men and up to 10 young women from around Aotearoa New Zealand. At the time of our visit, there were 20 males and 8 females at the facility. Of the 28 young people living at Te Au Rere, 24 (85%) were recorded as NZ Māori, either solely or in combination with other ethnicities.
12. Te Au Rere caters for young people between the ages of 13 and 17 who are on remand or have been sentenced to a period of Supervision with Residence under section 311 of the Oranga Tamariki Act 1989. At the time of our visit, [redacted] young people were on Supervision with Residence Order and [redacted] were on remand.
13. Every young person had the opportunity to be interviewed by a member of the monitoring team. Of the 28 young people who were resident at Te Au Rere on the days we visited, 23 chose to talk with us. Of the five who declined, four initially agreed to be interviewed then withdrew because the interview times clashed with activities they didn't want to miss. The fifth young person did not give any reason for their decision to decline to be interviewed. The interviews were semi-structured, using prompt cards based on the Mana Mokopuna principles, in conjunction with verbal questions.

Key findings and recommendations



Well placed with transformational elements

14. Our overall rating for Te Au Rere is 'well placed with transformational elements'. The residence continues to perform well in almost all aspects of each domain. Staff and management strive for continuous improvement, and progress is sustained and consolidated over time. The transformational element of the rating is due to the impressive quality and range of activities at Te Au Rere.
N.B. This is the first youth justice residence, under the current rating system, to achieve a transformational rating for an entire domain.
15. The ratings for three domains have improved significantly since our previous visit:
- **Protection system** moved up from 'developing' to 'well placed'. During this visit almost all the young people told us they felt safe in the residence. None said they felt unsafe. Young people also had a clear understanding of the rules and what was expected of them. The problems we encountered in our previous visit, where not all young people had a good understanding of the grievance process and there was a strong 'no snitching' culture among many young people and some staff, have been addressed.
 - **Activities** moved up from 'well placed with transformational elements' to 'transformational'. This was due to the range, quality and youth-friendly nature of the educational, vocational and recreational activities provided as options at the residence. A wide variety of sporting, cultural and spiritual activities are also available. These are further enriched by the involvement of members of local communities in both on and off-site activities.
 - **Personnel** also moved up, from 'well placed with developing elements' to 'well placed'. This was due to the quality of induction, mentoring, peer supervision, debriefing and in-house training provided at the residence, as well as the progress being made in developing a range of formal supervision processes.
16. Four domains - **Treatment, Material conditions, Medical services and care, and Personnel** - received the same rating as for our previous visit.
17. On the basis of this monitoring visit we believe that young people are safe from harm. We found no evidence of torture, or other cruel, inhuman or degrading treatment at this residence.

18. The key strengths we identified, in relation to young people's experience at the residence, were as follows:

All young people:

- are well supported in a humane, caring and therapeutic environment
- are comprehensively assessed at admission
- receive clear information about rules, expectations and the complaints process
- are provided with a wide range of youth-relevant programmes and activities individualised to their needs and interests
- have multiple opportunities to engage in cultural and spiritual activities
- are supported by staff to have contact with their family and whānau
- have excellent access to primary and most secondary health care
- are living in an environment where tikanga and te ao Māori are valued and visible.

Most young people:

- said they feel safe at the residence
- have good relationships with staff
- like the food, although some said they needed more
- understand the Behaviour Management System (BMS) and think it's fair
- are proud to be achieving their educational, vocational and other goals, often for the first time.

19. We also identified a number of areas that need addressing to ensure greater consistency in the quality of care provided to young people. Significant improvement in these areas has the potential to lift the ratings on some domains from 'well placed' to 'transformational'. The areas for development include the need for:

- greater transparency, and guidance for staff, in the application of the Behaviour Management System (BMS)
- better documentation of young people's Individual Care Plan (ICP) reviews
- timely provision of information, by site staff, at the time of young people's admission to the residence
- proactive work, on the part of site staff, toward young people's transition out of the residence
- exploration and action to address young people's concerns about the quantity of food provided
- sufficient community-based placements so that young people are not placed in Youth Justice residences unnecessarily
- changes to the internal environment to improve the acoustics in living spaces and to provide access to adequate ventilation in bedrooms
- timely access to mental health services so as to better meet the needs of young people.

Recommendations for Te Au Rere

Rec 1:

That the residence's leadership team takes further steps to improve the consistency and transparency of the application of the Behaviour Management System (BMS), across the residence, through the provision of improved guidance for staff.

Rec 2:

That the residence's leadership team ensures that reviews of Individualised Care Plans are clearly documented, entered into the system and shared - with internal and external staff - in a timely way.

Rec 3:

That the residence's leadership team ensures that the concerns raised by six young people, about food quantities, are investigated and addressed.

Recommendations for National Office

All of the following recommendations have already been made in our report - *State of Care 2017: A focus on Oranga Tamariki's secure residences*. The recommendations relevant to this review are reproduced below, along with specific comments and suggestions.

We look forward to being updated on National Office's progress in addressing these recommendations at our next meetings with the General Managers of youth justice and care and protection residences.

Rec 4: The DCEs for Services for Children and Families North, and South, should provide clear national guidance (to sites) about the standards expected for supporting young people's transitions from residences. **(State of Care action point 3).**

Comment: This would support Oranga Tamariki staff from both sites and residences to work together, alongside young people and their whānau, to enable timely transitions. Given that transition work needs to begin as soon as a young person is admitted to a residence, guidance about standards for transitions also needs to include the requirement that site social workers provide comprehensive information about each young person, promptly at point of admission.

Rec 5: The Deputy Chief Executive (DCE) for youth justice services should work with the Ministry for Social Development's property services to enhance the environment of existing residences to make them more youth-friendly. **(State of Care action point 8).**

Comment:

This needs to include:

- a) Investigating and addressing problems with acoustics so that young people with hearing, information-processing problems and other disabilities are living and learning in an environment that supports their optimal functioning.
- b) Investigating and addressing problems with ventilation so that bedrooms in residences meet the requirements under OPCAT, specifically that "living conditions, including heating and ventilation are sufficient to adequately provide for the health, dignity, privacy and other needs of people in detention."

Poor acoustics have the potential to cause significant problems for young people with disabilities, and lack of adequate ventilation in bedrooms led to a number of informal complaints from young people during the summer. These are significant deficiencies that the DCE Youth Justice needs to investigate and address urgently.

Rec 6: The Deputy Chief Executive (DCE) for youth justice services should allocate more resources to increase the availability of high quality professional supervision and coaching, to residence staff. **(State of Care action point 17).**

Comment: While Te Au Rere has a strong focus on developing a range of professional supervision options, there is an urgent need for cultural supervision. This would lessen the burden on those staff who provide cultural advice and support to others, in addition to their existing workload.

Rec 7: The DCE youth justice services should urgently design and develop a broader range of community-based placement options for young people who need care and protection, and those who are on remand from the Youth Court, and who do not require custody in a secure youth justice residence. **(State of Care action point 11)**

Comment: The assertion by a number of staff at Te Au Rere that up to 50% of young people currently placed at the residence could be safely placed elsewhere, if there were suitable community-based placement options, indicates that this is a matter that needs urgent attention. The progress recently made, through the establishment of four community remand homes, is encouraging. We look forward to seeing further growth in the development of a range of community-based remand care options.

Rec 8: Oranga Tamariki should design, develop and deliver a national best practice programme of induction, and ongoing training, for residence staff. (State of Care action point 16)

Comment: Te Au Rere is largely responsible for the design and development of induction programmes for new staff and solely responsible for their delivery. They are also responsible for the design, development and delivery of the majority of ongoing training for the remainder of their staff. The residence has insufficient staff capacity to deliver the amount and range of training required. Failure to adequately resource a national training programme limits opportunities to achieve practice consistency across residences and to disseminate innovative practices developed at residences such as Te Au Rere.

Rec 9: Oranga Tamariki should provide clear, consistent guidance to residences about a best practice therapeutic model and provide the training and support needed to enable all residences to adopt and implement a consistent national model. **(State of Care action point 2)**

Comment: There is currently no national consistency around therapeutic practice in residences. Although many of the principles underpinning the work at Te Au Rere (and much of their practice) could be described as therapeutic, the residence has no explicit therapeutic model.

Domain 1: Treatment



Well placed

20. The rating for this domain is 'well placed' because of the quality of the relationships between young people and staff, the culturally sensitive practice across the residence and the caring environment in which the young people live. Admission processes take a thorough and holistic approach, most young people understand and experience the Behaviour Management System as fair, and restraints and secure care are used sparingly.

Strengths

21. **Relationships between staff and young people are generally good.** Most young people reported that they have positive and mutually respectful relationships with staff. Of the 18 young people who responded to the question about whether staff listen to them, twelve said they did, two were neutral and two said they did not.

"Good staff notice the little things. And you can bring your worries to them."

"They talk to you. They lift you up not put you down. I see them as another mate."

22. A small number of young people told us that some staff don't always listen, are sometimes grumpy, tease them or are disrespectful in other ways.

"Some staff – they need to come in here with a better attitude."

23. **Most young people understand the Behaviour Management System (BMS) and think it's fair.** Most of the young people we spoke to knew how the BMS worked and were reasonably happy with it, though a number had ideas about better rewards. Young people can and do provide feedback about the BMS and other issues through the Youth Council.

24. Most of the staff we spoke to said that BMS works well and is consistently applied in the units they work in. The Residence Manager is about to trial a system whereby 'serious' ratings cannot be given, under the BMS, without the approval of a second, senior staff member.

25. **Young people are well supported in a humane, caring and therapeutic environment.** Almost all the young people we spoke to said they felt cared for by staff and most said they feel that staff believe in their potential. We witnessed numerous caring and skilful interactions by staff. One memorable example involved staff supervising a large, mixed group of young people, safely playing an enthusiastic game of softball.

"I'm not happy to be in residence – but I'm happy to be in this one."

26. There is currently no national consistency around core therapeutic practice in residences. This is currently being addressed as part of the 'improvement project,' as well as through the work around trauma-informed practice, which is being led by Oranga Tamariki's national office. (Recommendation 10, page 12 refers)
27. The Kitbag Model (which requires staff to focus on six key elements: safe placement, supportive adult, education, vocation, treatment and pro-social activities) provides the foundation for therapeutic practice at Te Au Rere. Staff describe their role in managing young people's behaviour as similar to that of parents; using rewards, consequences and the positive behaviours of others to shape young people's behaviour. The latter strategy is described by some staff as a teina/tuakana model.

"They're solid as ... even the way they talk to us – they drop down to our level. The way they communicate ... it's good."

28. **Culturally appropriate practice is strong.** Young people told us that they like the fact that there are a wide range of Māori and Pacific languages spoken at the residence. At the time of our visit 85% of young people were recorded as NZ Māori, either solely or in combination with other ethnicities. The remaining young people were recorded either as Samoan or NZ European. We were told that although only six staff are fluent in te reo, a number of others have various levels of proficiency. A significant number of staff speak at least one Pacific language - for example, Samoan, Fijian, Niuean - and some are fluent in several. Māori and Pacific languages are frequently used by staff as a tool to engage young people – *"Sometimes it's the only thing that can open doors."*

"There's a lot of te reo here. It's pretty buzzy. I'm picking up a little bit."

"Some of the staff speak Māori, some speak Islander as well – Samoan and Tongan and Fijian."

29. Young people told us they have many opportunities to learn about their culture. The 'Activities and contact with others' section on Pg 23 provides further details.
30. We heard many accounts of culturally responsive practice on the part of staff, including:
- proactively identifying, engaging and welcoming whānau and other wider family groups to the residence
 - using culturally appropriate restoration processes with young people who have assaulted staff
 - using staff, who are elders in particular cultural communities, to facilitate family meetings
 - translating legal processes and concepts into culturally-relevant language for young people and their families.



Lounge in Girls Unit

31. Māori and Pacific staff are supported in their practice by dedicated cultural groups - Te Rōpu for Māori and The Network for Pacific. These groups, which have considerable influence across the residence, involve a wide range of casual and permanent staff from care, clinical, management and other roles.

32. **Staff rarely use restraining techniques and the number of young people placed in Secure is low.** Use of restraints is rare. Any young person who has been restrained by staff is immediately checked over by a nurse and debriefed by staff not involved in the incident.
33. Te Au Rere currently has a unique situation where a young person with high and complex needs and extremely challenging behaviour prefers to remain in Secure rather than mix with other young people. A specialised programme has been developed to enable him to have opportunities to mix safely with other young people, and to participate in both on and off-site activities. The Secure register confirms that for all other young people, Secure is used only occasionally.
34. The 2017 Residential Care Regulations Inspection Report raised concerns about the use of strip and pat down searches where staff had failed to provide evidence of how particular items - for example, pens and mascara wands - were likely to cause harm. According to staff at Te Au Rere, sharp items such as these have the potential to cause significant harm to other young people, and to staff. As a result of the Inspection Report, staff have been made aware of the importance of clearly documenting the rationale for such searches and the level of approval for search processes has been raised. In addition, search forms and log entries are now audited each month.
35. **Young people are involved in a comprehensive assessment process at admission.** The process whereby each young person spends their first three days in the Assessment Unit continues to work well. The unit is jointly operated by health, education and residence staff who work with young people to gather and assess information about their developmental, family, educational, medical and vocational history as well as their strengths, needs and preferences. This forms the basis for each young person's Individual Care Plan (ICP), known at Te Au Rere as the OnePlan. The practice of developing Operational Plans, known as Panui, is limited to those situations where there is a high level of risk, for example, for young people who are suicidal or have a history of extreme violence. They are also used where there is a risk involving groups of young people, for example those who are known to have plans to abscond together.

"I had my assessment today. I've just been talking to the therapist, the nurse and the teacher. And the teacher likes the way I work."

36. Oneplans are designed to bring together all the relevant information about a young person, along with their goals and preferences, in a simple, plain-English document that guides practice. They are intended to be user-friendly for young people, their whānau and those working with them. The sample of nine Oneplans we looked at were comprehensive and had been regularly reviewed. There was also clear evidence that young people's whānau had been consulted in the development of these plans.
37. **Innovative practices have the potential to further improve the young people's treatment.** Staff have begun developing a series of video clips, demonstrating various procedures and processes used at the residence - for example staff searches of young people. The videos are intended be shown to young people at the time of admission as well as being used for staff training purposes. A former staff member, who is well known for his YouTube skits, has volunteered his time to help create suitable content. Once developed, these videos could have a range of uses across residences, nation-wide.

Areas for development

38. **The Behaviour Management System (BMS) is not consistently applied by all staff.** While most young people said that they were happy with the BMS, a small number of staff raised concerns about the lack of consistency and fairness in the way it is applied. They told us that some staff give young people 'serious' ratings, apparently without good reason. They questioned whether the current system has sufficient safeguards, including guidance for staff, to ensure that it is applied fairly and consistently. We note that the BMS is already part of the youth justice 'improvement project' which aims to increase the ability of staff to respond effectively and consistently to challenging behaviour. We look forward to monitoring the progress of this part of the project over the next year. (Recommendation 1, page 8 refers)
39. **Individual Care Plan (ICP) reviews are not always adequately documented.** Most young people's plans are reviewed regularly but these reviews are not always well documented. Some staff said that failure to write up reviews means that key people, for example site social workers, are not properly informed about or engaged with young people's progress. This has the potential to impact negatively on social work practice. (Recommendation 2, page 8 refers)
40. **Site staff do not always provide timely information when young people are admitted, or work proactively toward their transition out of the residence.** Residential staff told us they sometimes have problems developing plans for young people due to lack of information from sites. Other staff described problems getting site staff involved with young people's transition plans. In several cases, the Residence Manager has had to contact the Regional Manager to expedite matters. (Recommendation 4, page 9 refers)

41. **A number of young people, currently at the residence, may be more appropriately placed in community remand homes.** In the absence of suitable community-based placement options, a number of young people have been placed at Te Au Rere when a community based placement may have been more appropriate. Young people who are subject to s.238(i)(d) orders can be detained either in a residence or a community remand home. It is important that comprehensive plans are developed, for the Court, that ensure community remand options are fully canvassed and where appropriate, supported. According to some staff at Te Au Rere, up to 50% of the young people currently in the residence could be safely placed in the community if suitable options were available. (Recommendation 7, page 10 refers)

"It's a mistake me being here. I'm not meant to be in a residence. We had my FGC yesterday and my lawyer said I'm not meant to be here."

Domain 2: Protection system



Well placed

42. The rating for this domain is 'well placed' because almost all young people told us that they feel safe at this residence. They are provided with clear information about rules, expectations and the processes for making complaints. The complaints process (Whaia Te Maramatanga) is well-understood and supported by staff, and complaints are properly investigated.

Strengths

43. **Almost all young people say they feel safe at the residence.** Safety was one of the aspects of life at the residence that the young people we spoke to rated most highly - 83% indicated that they felt very safe, 17% gave safety an average rating and none rated safety poorly. Most young people told us they have a staff member they trust and can talk to.

"I don't feel I need to change residence. Because I feel safe here."

"I've been to all the residences and this place is the safest."

44. **Admission processes provide young people with clear information about rules and expectations.** These rules are regularly reinforced during weekly information sessions. Almost all the young people we spoke to said they know the rules and their rights. Several told us they were tired of hearing about them. When we asked young people how Te Au Rere rated in upholding their rights, 88% said the residence rated well and 12% indicated that performance was average.

"I know my rights ... first thing they tell us. Rights and privileges."

45. **The grievance process (Whaia Te Maramatanga) is well understood and accessible to all young people.** Whaia Te Maramatanga is explained to young people at admission and reiterated regularly. Of the young people we interviewed, 59% were happy with the grievance process, 29% were neutral and 12% were unhappy or mistrustful. Few of the young people we spoke to had direct experience of the grievance process and a significant number indicated they preferred to sort things out with staff informally.

46. Te Au Rere currently has three youth advocates available to support young people who want to make a grievance. The problem of getting young people to engage with an external advocate has been addressed by appointing a person, who already works as a part-time tutor and is known to the young people, to the role of youth advocate.

"I know about them (grievances). If I got punched in my room from staff, I'd feel safe to do one."

47. The Grievance Panel's most recent quarterly report highlighted a number of incidents where young people had made complaints about property and subsequently withdrawn them. We understand that staff have been spoken to about the importance of ensuring that there are tight processes around property matters.
48. **The grievance process (Whaia Te Maramatanga) is well understood by staff and grievances are properly investigated.** Members of the grievance panel attend the residence fortnightly, raising awareness among young people and staff about the grievance process. Since our last visit, members of the grievance panel and the leadership team have delivered training to staff about the grievance process. Management and other staff are working hard to stamp out negative perceptions of those making complaints - *"Young people used to call it the snitch form. We've had to cut that out."* Attitudes to Whaia Te Maramatanga seem to have improved as a result.



Grievance and Suggestion Boxes

Domain 3: Material conditions



Well placed

49. The rating for this domain is 'well placed.' The physical environment is attractive, youth-friendly, well-maintained and constantly being improved. Most of the young people told us they like the food and staff work hard to understand and cater to their preferences. Concerns were raised however, by six young people, about food quantities sometimes being insufficient. Many of the shared areas have poor acoustics and the limitations of the airflow system result in bedrooms being insufficiently ventilated in hot weather. These are property matters that the DCE youth justice needs to investigate and address. We understand that potential privacy issues in relation to the placement of cameras, in areas where young people are routinely searched, have already been addressed.

Strengths

50. **The interior and exterior conditions of the residence are generally excellent.** Despite the limitations of the 1990's institutional design, the environment at Te Au Rere is attractive, youth-friendly and in very good condition. The most striking aspect of the residence, inside and out, is that it continues to be almost completely graffiti-free. The indoor pool and external trampoline are clean and well maintained, and colourful artworks cover internal and external walls many of which were previously blank. The central courtyard and sports areas are also attractive and frequently used for activities. At the time of our visit, a waterslide was still in place from a Children's Day celebration the previous weekend.
51. **Most young people like the food.** Feedback from 64% of the young people we spoke to was that the quality of the food was very good, however 36% rated the food as average. Staff put considerable effort into trying to meet the changing food preferences of young people, for example involving them in menu planning and consulting with them via the Youth Council. More recently staff have begun collecting and analysing food that is thrown away, to ascertain which foods are popular and which are not.

"The food here is badass."

"One cook is a really good cook – she cooks with love."

Areas for development

52. **Some young people told us they don't always get enough food.** Young people told us that second helpings were sometimes, but not always, available. Of the 23 young people we spoke to, six told us that the quantities of food were sometimes insufficient and some said they were sometimes hungry as a result. Given that some young people are underweight when they arrive at the residence and many put on weight during their stay, it is unclear whether the total quantity of food is insufficient. One possible explanation is that young people don't have sufficient quantities of food that they like. Staff told us that on some shifts slightly less food is available to young people because staff dine with them, however most doubted that young people go hungry. Other staff thought that the reason young people may be saying there is insufficient food is because they are used to grazing throughout the day and it takes time to adapt to the regularly spaced meals at the residence. Young people's experience of insufficient food is a matter that needs to be investigated and addressed. (Recommendation 3, page 8 refers)

"I have another recommendation - seconds. I'm working out in the mornings and you burn it up (the food)."

53. **Acoustics are poor in many parts of the residence.** We noticed that many of the spaces in the residence had high ceilings, hard surfaces and minimal sound absorption and that these seemed to be affecting our ability to hear. When we asked young people whether or not they were able to hear clearly, several said they found some rooms very 'echoey' and that they sometimes had difficulty hearing what people were saying. While staff reported they were 'used to it', given that many young people are in the residence for extended periods of time and some have hearing impairments and/or information processing difficulties, poor acoustics are a concern. (Recommendation 5, page 9 refers)
54. **Young people have limited access to fresh air in their bedrooms.** During our previous visit, young people complained about the lack of fresh air. Ventilation continues to be a problem in bedrooms in the summer. Staff reported that during the recent heat wave, young people were dragging their mattresses to the middle of the room to position themselves under the air vents in an attempt to cool down. Given that access to adequate ventilation is a requirement under OPCAT, this is a matter that needs addressing with some urgency, at least before next summer. (Recommendation 5, page 9 refers)

55. **Cameras in admission areas potentially compromise young people's right to privacy.** During our tour of the residence we noticed that one of the cameras near to the sally port is near to the area where young people are required to strip off their clothes. None of the young people we spoke to raised this issue with us and we were assured that the camera is carefully positioned to film the staff member, and the rest of the room, rather than the young person who is being searched. Even so, this particular camera needs to be checked regularly. Given that some young people are likely to have experienced sexual abuse and other forms of trauma, it is important that there is no suggestion that any young people are being filmed when they are naked. We understand that signs have been put up, for young people, explaining that the cameras are positioned so that there is no filming in the shower area.



Art work in Admissions area

Domain 4: Activities and contact with others



Transformational

56. The rating for this domain is 'transformational' because of the constantly evolving range of high quality, youth-relevant activities and programmes available to young people. Te Au Rere excels in the provision of cultural, sporting and spiritual activities. The residence also involves individuals and groups from the local community so as to further extend the range of available options. Staff initiatives to facilitate young people's contact with their families, such as the refurbishment of the whānau room, are also outstanding.

Strengths

57. **Young people enjoy the wide range of youth-relevant programmes and activities provided at the residence.** Young people, both on remand and sentenced, told us they have access to a wide range of interesting activities. Of the 17 young people who responded to this question, 82% rated 'things to do' very highly, 18% rated them as average and none rated them poorly. Decisions about programmes and activities for individual young people start during the assessment process - "(It's about) *working with young people, unravelling their journey, unpacking where they sit with literacy and numeracy, what their interests are, who they are and where they're from.*"
58. Te Au Rere has a particular focus on young people's vocational goals. Staff work closely with young people to understand their individual needs, and identify where their strengths lie, and the kind of work they are interested in.

"Concreting off-site – it's experience for us to learn that. I like the hands-on mahi"

59. **Programmes and activities are developed to fit with young people's interests, reviewed in response to feedback and constantly adapted.** Activities are tailored to meet young people's individual skills, strengths and areas for development. A range of staff from across the residence work together to design activities and programmes. Young people are consulted as part of this process, and activities and programmes are constantly reviewed and adjusted in response to feedback. Recent changes at Te Au Rere's school are a good example of this. In response to feedback, young people are now grouped according to the interest areas identified during the assessment process, rather than being placed in 'streams' based on academic ability.

60. **The quality of the activities and programmes enables many young people to be successful, often for the first time, in achieving educational and vocational goals.**

A number of young people told us about their satisfaction and pride in achieving NCEA credits, and other qualifications such as driver's licences, during their time at the residence. Of the young people we spoke to, 64% rated 'learning' highly. This is an impressive result, given that prior to coming to the residence, many have been disengaged from the education system for many years.

"I did my forklift (licence) through school. You get credits - I've got heaps of credits."

61. There is a strong focus on trade training at Te Au Rere. Popular programmes and activities include Site Safe (for work in the construction industry), barista training, First Aid courses, plumbing, mechanics, traffic management, scaffolding, woodwork, concreting and forklift driving. Work experience is available both on and off-site. One outstanding example of a high quality, vocationally-focussed programme is the on-site café which has been running for more than a year and provides young people with the opportunity to develop a range of skills in food preparation and service. For many young people this has enabled them to gain NCEA credits in food safety and hygiene. For at least one young person it has led to off-site work experience at a café in Palmerston North.



School classroom

"School's going good. They teach in an easier way than (at) high school."

62. Although young women told us that they enjoy the programmes and activities provided at Te Au Rere, staff are keen to develop more of the activities young women have specifically requested, for example hairdressing and beautician courses. The development of in-house hairdressing capacity would also address concerns, raised by one young person, about having his hair inexpertly cut by staff in the absence of any qualified on-site hairdresser.
63. The residence is working toward training their own staff to become approved assessors for those young people who are working toward particular qualifications.
64. **Routines provide structure that enable young people to be involved in a balance of educational, vocational and recreational activities.** Young people's daily activities are carefully structured, starting with literacy and numeracy then moving on to the three streams of elective activities - culture, lifeskills and creative arts. These are followed by physical activities later in the afternoon. Many of the elective activities are focused on particular events - for example Waitangi Day, Children's Day and Anzac Day - with all three streams contributing to a particular event, or set of events, around that theme.
65. **Young people have multiple opportunities to engage in cultural and spiritual activities.** There are a wide range of cultural activities available to young people at the residence. Te ao Māori focused activities include Tuna Klub (eeling), taha Māori, te reo, pepiha, kapa haka, weaving and mau rakau. Pacific activities include sports (Samoan cricket and volleyball), screen-printing, cooking (pig on a spit and umu) and gardening (taro growing). Language week activities are a regular focus throughout the year. Māori and Pacific staff are supported, by management, to be closely involved in planning and running cultural and spiritual activities.

"We have kapa haka and culture. We learn songs in Māori. Right at the moment, I'm learning to do flaxing."



Te Pihī Harakeke

66. **Involvement of individuals and groups, from the local community, further extends the range and depth of activities available.** Community volunteers provide additional opportunities for young people to engage with the world outside the residence and to participate in a wider range of activities with different people. Typical examples are sports teams (basketball, touch rugby and volleyball), who come to the residence to coach or play against young people, and off-site visits where young people are able to participate in sporting and cultural tournaments.
67. There is also a bible study group which is run in the residence by members of a local church community, and off-site visits where young people are able to attend church services and youth groups.

"By the time you go to bed you're dead on the floor – there's heaps to do here."

68. **Staff facilitate young people's contact with their family and whānau.** Staff work hard to support and maintain young people's connection with whānau, and to understand who is important in the life of each young person – *"It's about finding each person's supportive adult."*
69. Staff also take particular care to facilitate visits from young people's families. During the Christmas holiday period, they arranged for cabins to be booked at the local holiday park to enable whānau to visit their children in the residence. Another recent initiative by staff was the transformation of the whānau room at Te Au Rere, redecorating and furnishing it, to make the space attractive, child-friendly and comfortable for visiting families.
70. Young people told us they are able to have regular phone contact with those whānau who are on their contact list, although for some, calls are not always as frequent or long as they would like. Small phone rooms in each unit provide privacy for phone calls.



Phone Room

Domain 5: Medical services and care

Well placed

71. The rating for this domain is 'well placed' because of the residence's strong performance in responding to young people's immediate needs. Staff are persistent in following up matters that need further investigation and ensuring that those responsible for young people's future care – both site social workers and whānau – are thoroughly informed about significant health issues.

Strengths

72. **Young people have excellent access to primary and most secondary health care services.** Young people told us they have very good access to health services. Only two of the 18 young people who responded to the question rated the health services at Te Au Rere as less than excellent. Health assessments are an integral part of three day assessment process which occurs at admission. All young people are seen by health staff within 48 hours and are checked by a doctor within seven days of arriving at the residence. The assessments are comprehensive - young people's general health, eyes, ears and teeth are all checked. They also undergo alcohol and drug and mental health screening. With the exception of mental health services, most secondary health care is timely, accessible and of a high standard.

"It's easy to get help from the nurse – quick."

73. Te Au Rere are currently trialling a system whereby the mental health services provided by s9(2)(i) OIA primary health care are available in-house, at the residence. As well as giving young people better access to mental health care, it is anticipated that this initiative will provide insights into the way individual mental health issues impact on the behaviour of young people as a group. We look forward to hearing about progress with this initiative.

74. Staff ensure that issues requiring specialist appointments are identified and followed up, for example sexual abuse disclosures, ongoing dental work and hearing assessments. Recent regulatory changes mean that health funding now follows the individual young person. This has led to the prompt availability of specialist care, in particular hearing and vision services, and has shortened waiting lists for other secondary services.

75. During normal working hours, nursing staff are readily available to young people, often at short notice. Outside those hours, staff escort young people to the on-call doctor or the Emergency Department at the hospital, if required.
76. **Staff are proactive in identifying potential problems and ensuring issues are followed up.** As well as reviewing prior information to identify any concerns that may have been overlooked, staff make sure all medical information is recorded and follow up appointments are in place. This includes phoning parents and caregivers to ensure they are aware of important health information and they understand what is needed. Health staff also take care to ensure that key health information is fully documented in young people's discharge notes. For many young people, time at the residence provides an opportunity to catch up on medical and other health care.

Areas for development

77. **Young people's access to mental health services is improving but further work is required.** Following the establishment of regular meetings with the Capital Coast mental health forensic team, considerable progress has been made in improving young people's timely access to mental health services. Staff report that contact issues have been resolved, there is a clear understanding about the presence and availability of forensic nurses, and an additional forensic nurse is now in place at the residence. This work is ongoing - an upcoming meeting with managers from Capital and Coast DHB is expected to further progress improvements to service provision.



Lounge in Boys Unit

Domain 6: Personnel



Well placed

78. The rating for this domain is 'well placed' because staff feel safe and well supported in their jobs. Staff performance is continuously improved through quality induction, one-to-one mentoring, peer supervision, on-site training and debriefing processes. Dedicated cultural support groups, for Māori and Pacific staff, provide additional support, along with learning and development opportunities.

Strengths

79. **Most staff receive informal supervision via one-to-one mentoring, peer supervision and debriefing processes.** Peer support and supervision are strong with many experienced staff providing informal supervision and one-to-one mentoring to others. Debriefing is an important part of the culture of learning and support at Te Au Rere. Staff told us debriefing is regularly provided after challenging incidents and that it helps them to reflect on events, develop their practice and feel safe in their role. The majority of staff in management roles have previously worked as care staff so are able to work alongside staff on the floor when necessary, providing peer support, ensuring the environment is safe and modelling good practice.
80. **Significant progress has been made in the development of formal supervision processes.** Te Au Rere are currently reviewing their supervision practices in preparation for the signoff of the new supervision standards which are included in Oranga Tamariki's Practice Framework. Massey University are supporting the residence to explore a suite of supervision options that provide external supervision and build Te Au Rere's capacity to supervise from within. Management at the residence are currently testing the ability of various supervisors to engage with staff and provide the right support for them. Staff told us that operational supervision, which provides immediate support and feedback, is the type of supervision that best meets their needs.
81. **Many staff receive peer support through Māori and Pacific cultural support groups.** Māori are the largest cultural group among staff at the residence. They have varying levels of knowledge and confidence around te reo, tikanga and te ao Māori. Approximately seven staff are fluent in te reo and the rest are at various stages of their learning journey.

82. Te Rōpu, which has a large membership, plays a major part in developing and rolling out cultural initiatives across the residence. This involves a small number of experienced staff in engaging, motivating and upskilling other staff, as well as working with young people. Members of Te Rōpu told us that although this work can be rewarding, it is also relentless and tiring. They said that they feel supported and appreciated in this work, by management and their peers. Some members of Te Rōpu said it would make a difference if there were more opportunities for all staff to learn about tikanga, te reo and te ao Māori, however they acknowledged that it may be difficult to find time to do this.
83. Members of Te Rōpu acknowledged the role of their resident kaumātua, in providing a comforting and supportive presence for young people, as well as keeping staff focused on the importance of connecting with whānau, hapū and iwi - *"It's having someone from another era to bounce things off."*

"Whaea – she's cool, she's funny... I like the way she talks. She tries to encourage the boys to bring that out of them. She's not shy to say something."

84. Pacific are the second largest staff group at the residence. Their cultural group, The Network, has 25-30 active members at any one time. The goal of The Network is to support the needs of Pacific young people in the context of Pacific cultural values. Members of The Network are extremely active in supporting a range of cultural activities, including sports, dance, prayer, identity and language. They also work closely with Pacific families around specific issues, for example, explaining young people's judicial processes and supporting plans for their transition out of the residence.



Equipment in Music Room

85. **Induction processes are valued by new staff and adapted in response to their feedback.** Recently appointed staff said they were happy with current induction processes which include information about Managing Actual and Potential Aggression (MAPA), the grievance process and health and safety. Some, more experienced staff, reflected that as a result of their input, the induction process had improved. Most staff we spoke to stressed the importance of having multiple opportunities to observe shifts, before beginning work as part of a team on the floor.
86. **Almost all staff feel safe and well supported in their jobs all the time.** Teamwork and line of sight supervision were the safety enablers most commonly mentioned. The quality of relationships between care and clinical teams also contributes to a culture of safety and peer support. On the rare occasions when staff had felt unsafe, this was attributed to lack of balance in the combination of skills among staff on the shift, rather than the number of staff present.
87. **Staff numbers are adequate and stable.** Staff positions at Te Au Rere, both casual and permanent, are highly sought after, and as a result most vacant positions are quickly filled. At the time of our visit, all except one staff vacancy had been covered. A number of staff told us how much they enjoy their job and that staff turnover is extremely low.
88. Considerable thought is given to recruitment, focusing on the needs of young people and the residence as a whole, as well as the range of skills that applicants can bring to the work. We observed that the cultural backgrounds of staff closely reflect those of the young people at the residence. Some young people indicated that this was important to them.

"There are s 9(2)(a) OIA people here, working. One of the ladies knows my s9(2)(a) OIA"

89. **Training is responsive to staff needs and is mostly provided in-house, by experienced staff.** Case leaders have a major training role on office training days as well as in the induction programme. Most staff we spoke to were happy with the quality of the training provided, however several told us they would like more training opportunities, for example, First Aid courses and training on other subjects where they have a particular interest.

90. The residence has a 'train-the-trainer' model which maximises the use of staff resources. Training on standard procedures such as Managing Actual and Potential Aggression (MAPA) and the Cage-Kesler Suicide Screen are held regularly. These are supplemented by specialised training, such as sessions on working with young people with intellectual disabilities. A limited amount of training is undertaken by outside providers.

Areas for development

91. **The residence lacks the capacity to deliver the amount and range of training required.** Staff told us that although they manage to provide induction and other core training using on-site staff, this is a significant drain on existing staff resource. Apart from the provision of some online training, National Office currently has little or no role in providing training for residential staff. Opportunities to ensure consistency of practice across the country and to disseminate practice innovation are missed as a result. (Recommendation 8, page 10 refers)
92. We note that an induction programme for residential staff is currently being developed at Oranga Tamariki's national office. We understand that this will include a nationally consistent blend of learning on the job, observation, buddying and coaching, locally delivered content and some nationally delivered training modules. The balance of nationally and locally delivered content is unclear at this point.



Whanau Room

Responsiveness to mokopuna Māori

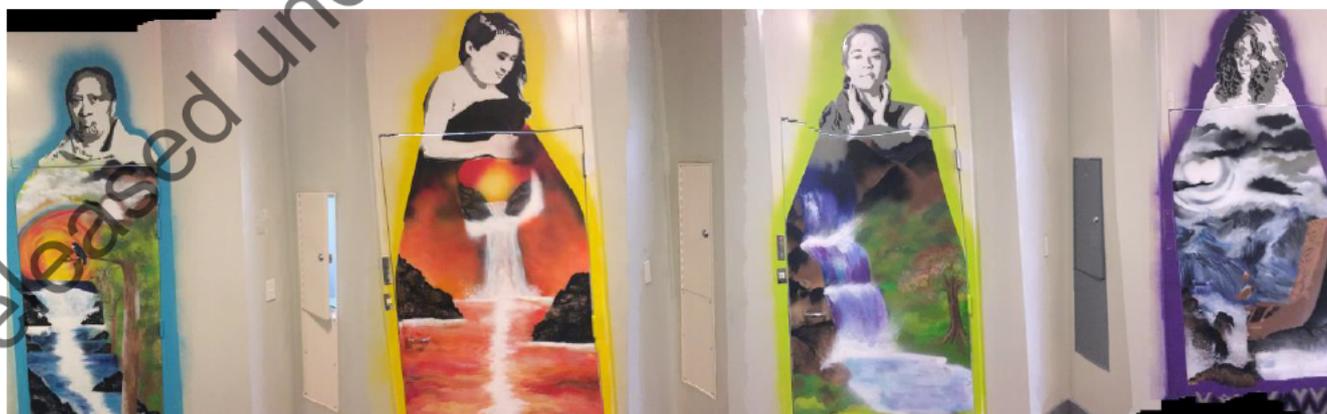
Well placed

93. The rating for this domain is 'well placed' because Te Au Rere is strongly focussed on improving outcomes for mokopuna Māori. Māori cultural values are embraced and upheld, and tikanga and te ao Māori are lived and valued. The residence has a formal relationship with mana whenua - Rangitāne o Manawatū - as well as strong connections via staff who affiliate to the iwi.

Strengths

94. **Responsiveness to mokopuna Māori is a key focus for staff and management.** As at other youth justice residences, mokopuna Māori are the largest client group at Te Au Rere. Building cultural capability to best meet their needs is at the forefront of staff thinking. From the time young people are admitted to the residence, staff are working to understand who they are, where they are from and how they identify culturally. Work to engage young people with their whānau, hapū and iwi continues throughout their stay.
95. Although the whānau worker has a dedicated role in this area, other staff also work alongside young people, engaging them in te ao Māori as part of day-to-day life at the residence as well as through cultural activities. Staff are strongly supported by a management team that is open to ideas, encourages new initiatives and is responsive to feedback about what works well for mokopuna Māori and what needs improvement.

"Staff want us to be leaders not followers. They want us to change our lives."



Wall art outside the Secure Unit

96. **Tikanga and te ao Māori are lived, valued and visible throughout the residence.** A number of Māori staff told us about the challenge of working with mokopuna who arrive at the residence disconnected or even openly hostile to te ao Māori. Attitudes of ambivalence and whakāma are widespread, even among those who have attended kohanga reo as young children. Through a combination of role models, tikanga, cultural activities and an environment that embraces and upholds Māori values, mokopuna are exposed to multiple positive cultural influences.
97. Mokopuna Māori have a wide range of opportunities to participate in Māori activities and programmes at the residence. When asked whether they had opportunities to learn about te ao Māori, most young people (66%) said they did, while the remainder gave neutral or negative responses. Many of the young people we interviewed indicated that Māori staff are important role models for them. They also talked about how they enjoy being able to participate in cultural activities such as eeling, mau rakau and 'flaxing' (weaving), sometimes for the first time.

"Te reo Māori is strong for me in here ... I'm in the 'Exploring Culture' class, so I can learn about my whakapapa."

98. **Te Au Rere has connections to mana whenua through formal and informal relationships.** The residence continues to have a strong connection to mana whenua through contracted services such as s9(2)(i) OIA which provides health services to young people at the residence. Te Au Rere also has informal connections through staff who whakapapa to local hapū and iwi. Staff told us they would like to support young people to learn more about te ao Māori while also making their own contribution to iwi. A small group of staff are in the early stages of developing a marae working party initiative whereby young people are trained to provide practical assistance at large events such as tangihanga. The goal is to improve young people's cultural knowledge, skills and connection while also enabling young people to 'give back' to those who provide cultural support to others.



Gym wall art

Areas for development

99. **Māori staff need access to a wider range of cultural advice and support.** Much of the responsibility for cultural advice and support is carried by a small number of dedicated and skilled Māori staff from Te Rōpu. They have limited capacity to continue providing this in addition to their other duties.
100. Although the residence has recently appointed several new Māori staff with strong cultural skills, they too will require dedicated support. There are no formal cultural supervision structures in place for Te Au Rere staff. (Recommendation 6, page 10 refers)

Released under the Official Information Act 1982

Appendix One: Why we visit (legislative background)

The Children's Commissioner has a statutory responsibility to monitor and assess the services provided under the Oranga Tamariki Act 1989. Specifically, section 13(1) (b) of the Children's Commissioner Act 2003, states that the Commissioner must monitor and assess the policies and practices of Oranga Tamariki and encourage the development of policies and services that are designed to promote the welfare of children and young people.

In addition, the Office of the Children's Commissioner is designated as a National Preventive Mechanism (NPM) under the Crimes of Torture Act (1989). This Act contains New Zealand's practical mechanisms for ensuring compliance with the United Nations Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment (OPCAT), which was itself ratified by New Zealand in 2007. Our role is to visit youth justice and care and protection residences to ensure compliance with OPCAT.

Released under the Official Information Act 1982

Appendix Two: The Mana Mokopuna lens and its relationship to the Oranga Tamariki Act

Principle	Definition	Oranga Tamariki Act 1989
Whakapapa	Children and young people know of, and are able to connect to places, ancestors, events and stories related to their whakapapa.	s4(1)(g) states that the purpose of this Act is to promote the well-being of children, young persons, and their families, whānau, hapū, iwi, and family groups by recognising whakapapa for children and young persons who come to the attention of the department.
Whānaungatanga	Children and young people have meaningful and life changing relationships with their families, whānau, hapū, iwi and family group and with the people around them and the people that matter to them.	s4(1)(h) states the purpose of the Act is to maintain and strengthen the relationships between children and young persons who come to the attention of the department and their family, whānau, hapū, iwi and family groups.
Aroha	Children and young people feel loved and cared for and are capable of receiving love and giving love to others. They know that the people around them believe in their potential.	s4(1)(e)(i)(ii) states where children and young people require care under the Act, they have a safe, stable, and loving home from the earliest opportunity; and support to address their needs.
Kaitiakitanga	Children and young people are safe and healthy in all aspects of their holistic wellbeing and are thriving in safe and healthy environments.	s5(1)(i) states that children and young people's rights set out in UNCROC must be respected and upheld and they must be protected from harm and treated with dignity and respect at all times.
Rangatiratanga	Children and young people and their families, whānau, hapū, iwi, and family groups, have a voice in decisions that impact on them. They know their rights and can exercise those rights and are assisted to take the lead in decisions about their lives.	s5(1)(a) makes explicit children and young people's right to participate in decisions that affect them. Section 5(1)(c)(iv) states the child or young person's sense of belonging, whakapapa, and the whānaungatanga responsibilities of their family, whānau, hapū, iwi and family group should be recognised and respected.
Mātauranga	Mokopuna Māori experience learning that enables them to walk confidently in both Te ao Māori and Te ao Pakeha. Children from other cultures have meaningful and life changing opportunities to learn about their culture and the culture of tangata whenua.	s5(1)(vi)(A-H) states that a holistic approach should be taken that sees the child or young person as a whole person which includes the child or young person's developmental potential, education and health needs, whakapapa, cultural identity, gender identity, sexual orientation, disability and age. UNCROC articles 29 & 30 make it explicit that education should develop each child's personality and talents to the full and that children have the right to learn and use the language and customs of their families.

Appendix Three: Interpretation of ratings

The table below provides a quick reference to the meanings of ratings given in the report.

Rating	Assessment	What it means
Exceptional	Transformational/outstanding	Exceptional, outstanding, innovative, out of the norm
Strong	Well placed	Strong performance, strong capability, consistent practice
Developing	Developing	Some awareness of areas needing improvement; some actions to address weaknesses, but inconsistent practice; pockets of good practice
Weak	Minimally effective/weak	Low awareness of areas needing improvement; lack of action to address weaknesses; significant concerns exist
Detrimental	Detrimental	Actively causing harm, negligent, ignoring, rejecting, undervaluing, undermining practice

Note: For more detail on the meanings of each rating of the individual sub-domains assessed, refer to our evaluative rubric: <http://www.occ.org.nz/assets/Publications/RUBRIC/Evaluative-Rubric-FULL.pdf>

Appendix Four: Interviews conducted and information accessed

During our visit to Te Au Rere we interviewed the following people:

- Young people - (23)
- Residence Manager
- Team Leaders Operations - (6)
- Care team members - (6)
- Team Leader Clinical Practice
- Case Leaders - (4)
- Health staff - (2)
- Education staff - (2)
- Programme Coordinator
- Employment Coordinator
- Whānau worker
- Kaumātua
- Te Rōpū (Māori staff group) - (3)
- The Network (Pacific staff group) - (3)
- Kitchen staff - (3)

The following sources of information also informed our analysis:

- Visual inspection of the residence
- Residence profile
- 2017 Residential Care Regulations Inspection Report
- Grievance quarterly report (1 October to 31 December 2017)
- Training register
- Young people's files (including Individual Care Plans and Operational Plans) - (9)
- Secure Care Register and Secure Care Logbook
- Youth Advisory Council minutes

At the end of our four day visit, we went back to the young people and talked with them about the themes that had emerged from our interviews. This feedback was also provided in a handout which is attached as Appendix Five.

Appendix Five: Feedback to young people

Te Ao Kere a te Tonga - OCC visit, **s 9(2)(a) OIA** 2018

SAFETY

- Almost all of you said you felt safe here
- Almost all of you said you know the grievance process, but most of you like to sort things out yourself.
- Almost all of you said that you know your rights
- Most of you said the BMS is fair, but some of you didn't like the rewards.

HEALTH

• Most of you said that you felt healthy and that your needs were being met here.

FOOD

• Most of you told us that you mostly liked the food but some said you don't get enough and would like seconds

YOUR VOICES

- A lot of you said that you felt people listened to you here.
- Most of you said that you felt people listened to your whaanau.

AROMA

• Most of you said that you felt like people believed in you

- Almost all of you said that you felt cared for here
- Most of you said that even though you would rather be on the outs, if you had to be in a residence, this would be it and that you are happy enough here.

CULTURE

- A lot of you told us that you like that people here talk heaps of different languages
- Most of you told us that you can learn about your culture here if you wanted too.
- Most of you told us that you have good opportunities to learn about Te Ao Maori.

THINGS TO DO

- Almost all of you said you had heaps of things to do here
- Nearly all of you said that you are learning new things here and some are getting quals.