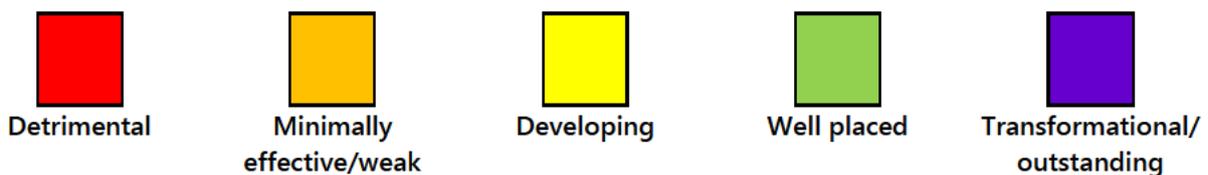
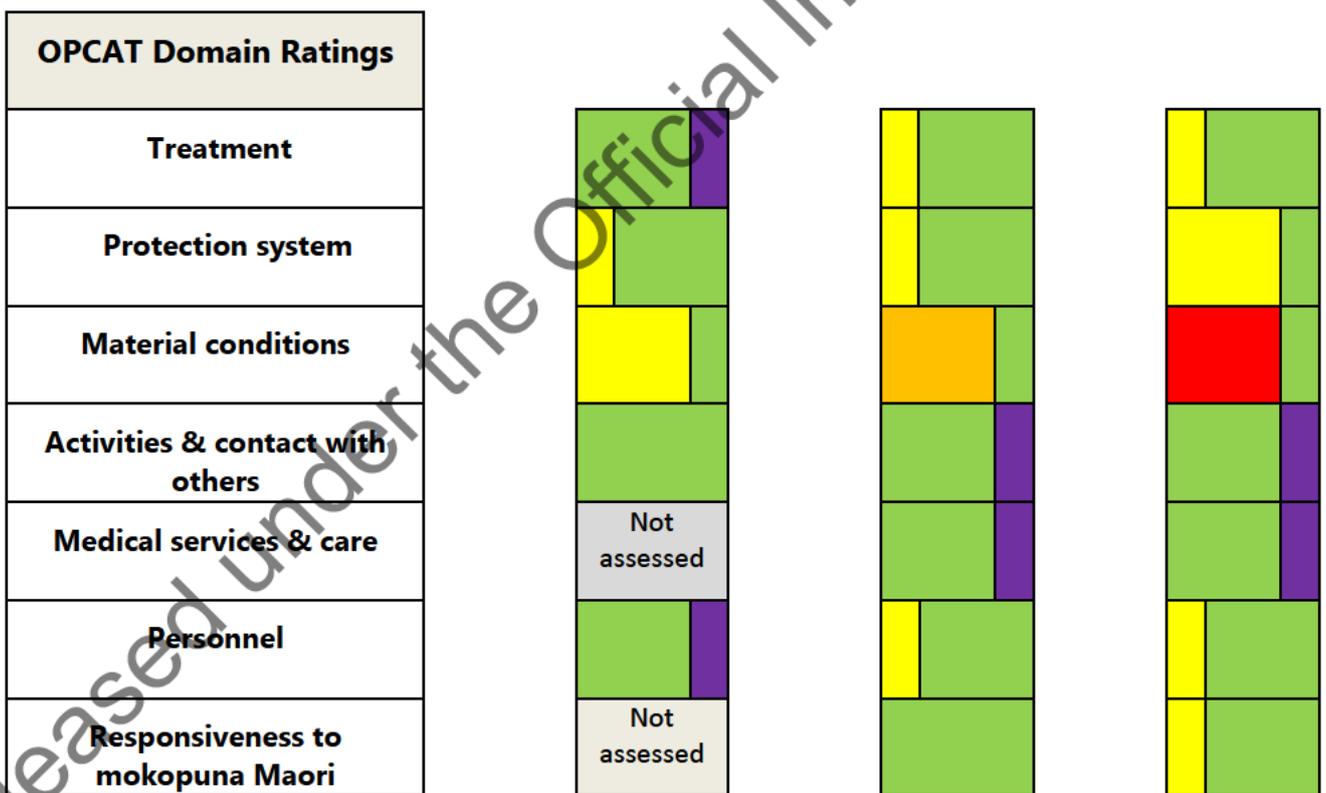
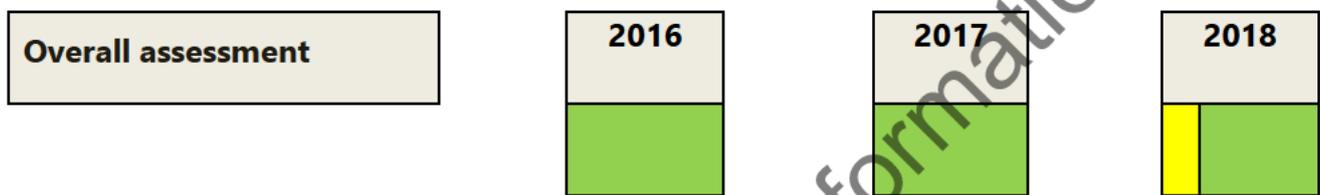


# Oranga Tamariki Residence Visit (Announced OPCAT Visit)

Te Maioha o Parekarangi (Youth Justice), Rotorua

Visit date: Visit date: § 9(2)(a) OIA 2018. Report date: 9 Aug 2018



Released under the Official Information Act 1982

## Contents

Introduction.....	3
Key findings and recommendations.....	6
Findings for each OPCAT domain.....	10
Domain 1: Treatment.....	10
Domain 2: Protection system.....	15
Domain 3: Material conditions.....	18
Domain 4: Activities and contact with others.....	21
Domain 5: Medical services and care.....	23
Domain 6: Personnel.....	25
Responsiveness to mokopuna Māori.....	27
Appendix One: Why we visit (legislative background).....	29
Appendix Two: Mana Mokopuna approach and its relationship with the Oranga Tamariki Act .....	30
Appendix Three: Interpretation of ratings.....	32
Appendix Four: Interviews conducted and information accessed.....	33

# 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 Maioha o Parekarangi youth justice residence (Te Maioha), in Rotorua.
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 (OPCAT – refer to Appendix One for more detail). These domains are: treatment, protection system, material conditions, activities and contact with others, medical services and care, and personnel. As per every monitoring visit, we also assessed the residence's responsiveness to mokopuna Māori.

## Mana Mokopuna

3. From 2018, there has been a change in the way we conduct our OPCAT monitoring visits. Mana Mokopuna is now the approach our Office is using to monitor all children's and young people's experiences of the care and protection and youth justice systems.
4. In the context of our OPCAT visits, we use Mana Mokopuna principles and resources to engage young people in conversation about their experiences in the residence. Instead of interviewing only a handful of young people, we interview as many young people as possible - 17 in total for this visit.
5. The information from interviews with young people sits alongside our assessment of the residence's compliance with the six OPCAT domains. Mana Mokopuna supports our monitoring to put a stronger focus on: (a) children and young people's experiences, and (b) Māori beliefs and social structures.
6. Our 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'. All children and young people are born with mana. Mana can never cease, but it can be enhanced or diminished. Mana, within the context of our Mana Mokopuna lens, recognises that children and young people have the right to the same level of respect and treatment as adults.
7. As part of the Mana Mokopuna approach, we have identified six key principles, all of which need to be present in children's and young people's lives in order to enhance their

mana and for all mokopuna to thrive and reach their full potential. The principles and the definitions for them are outlined in the table in Appendix Two.

8. These principles reflect and expand on what has been 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

9. This report shares the findings from our visit to Te Maioha and makes recommendations for actions to address the issues identified. For the convenience of readers, we first list our key findings and recommendations. We then describe our findings for each of the six OPCAT domains plus responsiveness to Mokopuna Māori.



**Photo 1:** Front entrance of the residence.

10. For each OPCAT domain, we provide a statement that summarises our overall finding for that domain. Supporting evidence is then listed as strengths and areas for development. Children’s experiences and voices are highlighted under each individual OPCAT domain.

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

- Appendix 1 - we briefly outline the legislative background to our visit.

- Appendix 2 – Mana Mokokuna lens.
- Appendix 3 - contains information about the interpretation of ratings.
- Appendix 4 - we describe the interviews we conducted and the information we accessed.

## Context

12. Te Maioha o Parekarangi (Te Maioha) is a thirty bed youth justice residence, located just south of Rotorua. The residence is built on Parekarangi Trust land and has strong ties with the Parekarangi Trust.
13. At the time of our visit, there were only 20 young men in the residence because one unit was closed due to the up and coming refurbishment.
14. Te Maioha caters for young men between the ages of 13 and 17 years 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 men were on a Supervision with Residence Order and [REDACTED] young men were on remand.
15. Also of note, at the time of the visit, 95% of the 20 young people in the residence were recorded as NZ Māori.



**Photo 2:** Internal courtyard.

## Key findings and recommendations



### Well placed with developing elements

16. Our overall rating for Te Maioha is *well placed with developing elements*. This is a shift downwards from the rating that Te Maioha received after our last OPCAT monitoring visit in July 2017 where they received a rating of *well placed*.
17. Young people are safe from harm and there is no evidence of torture, or other cruel, inhuman or degrading treatment.
18. The ratings for three domains had shifted downwards since our previous visit:
- **Responsiveness to mokopuna Māori** received a rating of *well placed with developing elements* compared with a rating of *well placed* for our previous visit. The residence generally does well in giving young people opportunities to learn about their culture and whakapapa. However, more work is need to address the many challenges associated with connecting young people, who do not reside locally, with their hapū and iwi. There is also room for improvement in the way the residence coordinates cultural support for young people on their cultural journey.
  - **Protection system** also received a rating of *developing with well placed elements*. This is due to a lack of clarity of outcomes and next steps in the Whaia te Maramatanga outcome letters to young people. For this residence, the grievance panel was unclear about the procedure to follow when they were unsatisfied with the residence's investigation, and there were no grievance advocates available to the young people.
  - **Material conditions** received a rating of *detrimental with well placed elements*. This is due to the further deterioration of the residence units, which received a rating of *minimally effective with well placed elements* at our previous visit. There had been even less maintenance than usual due to a planned refurbishment. We are very pleased that at the time of our visit, the refurbishment project had just started.
19. The four domains **treatment, activities and contact with others, medical services and care**, and **personnel** all received the same rating as at our previous visit.
20. The residence has many strengths. We found that young people at the residence:
- Feel safe and have staff they can trust
  - Have good relationships with staff
  - Have a good understanding of the complaints system, Whaia Te Maramatanga

- Like the food supplied
- Have the ability to participate in a range of activities and vocational courses
- Are able to have regular contact with whānau
- Have excellent access to primary and specialist medical services
- Have opportunities to participate in a large number of cultural activities.

21. We also identified a number of areas for development that, once addressed, will ensure greater consistency in the quality of care provided to young people. Key areas for development include the need to:

- Improve the consistency of implementation of the behaviour management system (BMS) by staff
- Improve the quality of Whaia te Maramatanga outcome letters to young people
- Recruit and maintain grievance advocates
- Complete the refurbishment of the deteriorating units
- Provide regular professional and cultural supervision for care staff
- Establish a more coordinated approach to supporting and deepening young people's cultural journey.

### Recommendations for the residence

- Rec 1:** The residence's leadership team takes further steps to improve the consistency of application of the behaviour management system (BMS). This is likely to require further training for staff to help them better understand young people's behaviour and more supervision and support to implement the BMS consistently.
- Rec 2:** The residence's leadership team and the grievance coordinator take steps to improve the quality of outcome letters to young people, ensuring that they contain clear information about: (a) whether the residence agrees with the young person's complaint or not (justified or not); and (b) what the residence will do as a result of the outcome of the investigation.
- Rec 3:** The residence's leadership team and on-site rōpū should take steps to ensure that there is a clear coordinated approach to supporting young people on their cultural journey.

## Recommendations for national office

22. The recommendations for national office relevant to this monitoring visit are covered in our report - *State of Care 2017: A focus on Oranga Tamariki's secure residences*. The most relevant recommendations are reproduced below, for ease of reference, along with updated comments and suggestions.
23. 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, respectively.

**Rec 4:** The Deputy Chief Executive (DCE) Youth Justice services and Chief Social Worker should ensure that adequate training and supervision are provided to care staff about how to respond effectively to young people's challenging behaviour and how staff responses should be modified to take account of young people's backgrounds and earlier trauma **(as per 2017 State of Care action point 1)**.

**Comment:** We encourage national office to look into and identify the most effective methods of de-escalating young people and minimising the use of restraints. We understand that Bo Elven's low arousal approach to managing young people's challenging behaviour has reduced the need for staff to use physical restraints in residential settings in Sweden. National office should also clarify core training requirements for staff across all residences and residence managers should ensure their staff are aware of the training options.

**Rec 5:** The DCEs Youth Justice and Care Services, in consultation with VOYCE-Whakarongo Mai, plan a more effective way of recruiting independent grievance advocates who will actively fulfil their role **(as per 2017 State of Care action points 6 and 7)**.

**Rec 6:** The DCEs Services for Children and Families North and South and Youth Justice Services should provide clear national guidance (to sites) about the standards expected for supporting young people's transitions from residences **(2017 State of Care action point 3)**.

**Comment:** In our view this aspect of Oranga Tamariki's responsibilities is rightly a priority.

**Rec 7:** The DCE 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 **(2017 State of Care action point 8)**.

This should include:

- a) putting in place a more responsive and timely system to meet residences' repair and cleaning needs, e.g. to repaint over tagging, fix scratched windows, repair tears in the furniture **(2017 State of Care action point 9)**.

- b) Promptly attending to faulty camera equipment to ensure the residence is adequately monitored.

**Rec 8:** The DCE Youth Justice Services should allocate more resources to increase the availability of high quality professional supervision and coaching to residence staff **(2017 State of Care action point 17).**

**Comment:** The DCE Youth Justice Services and Chief Social Worker should work together to ensure the supervision standard in the new practice framework is understood by residence managers and staff and that residences have the capacity to implement this standard, including cultural supervision.

24. There is one additional recommendation for national office:

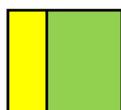
**Rec 9:** The DCE Corporate Services ensures that clear guidance is provided to Grievance Panels about: (a) the procedure to follow when a Panel is not satisfied with the way that a residence has conducted an investigation; and (b) how to involve OCC in an investigation.



**Photo 10:** Young people's artwork.

# Findings for each OPCAT domain

## Domain 1: Treatment



Well placed with developing elements

25. Overall, young people feel safe at the residence and are generally treated well by staff. The young people spoke positively about most of the staff, including care staff and their case leaders. However young people also spoke about their dissatisfaction with the BMS.

### Strengths

- **Relationship between staff and young people.** Most young people stated that they have good relationships with people around them. After carefully questioning different staff groups, we have a high degree of confidence that staff would find out if a young person was being abused or mistreated by a staff member. Staff assured us that young people trust them enough to report any issues and that they would notice a change in young people's behaviour. The team leader operations (TLOs) and youth workers have a strong focus on developing rapport with the young people. Some young people told us they prefer being at the residence than living outside the residence, because they have access to the things they need, i.e. food, health services, people to talk to.

There was one exception to the positive relationships - some young people reported that one staff member was treating young people differently and 'playing favourites'. This was a recurring theme in respect of this one staff member. The residence's leadership team is aware of the issues concerning this staff member and are taking steps to address the issues.

*"I don't want to get out. It's too hard on the outs. If I could smoke I would live here"*

*"Haven't seen staff treat others badly. I am happy: I like it in here. It's too big out there; it's like a holiday away from everything."*

- **Involvement of young people.** The residence gives young people a number of opportunities to have a voice and be heard. There is a Youth Council, which two members from each unit attend every two weeks. Young people also have input into their individual care plans (ICPs) which get updated about once a month following their multi-agency team (MAT) review meetings.

*"People ask me what I think about things"*

- **Challenging incidents.** There has reportedly been a reduction in challenging incidents. All staff have received training in Management of Actual or Potential Aggression (MAPA), with further training scheduled for March 2018. Youth workers reported being confident to de-escalate challenging behaviour. The residence manager is confident that most staff try to de-escalate young people first and only use force as a last resort.

However, we heard that some staff are still struggling with the transition from Nonviolent Crisis Intervention (NVCI) to MAPA. Although MAPA places a bigger emphasis than NVCI on de-escalating young people, it apparently offers staff fewer physical restraint options than NVCI. Some staff worry that this potentially makes them less effective in responding safely to crises.

We encourage national office and the residence to look into and identify the most effective methods of de-escalating young people and minimising the use of restraints. One promising approach is Dr Bo Hejlskov Elven's 'low arousal' approach to managing young people's challenging behaviour. Bo has recently presented his work to New Zealand audiences via a series of Compass seminars. His low arousal approach has reportedly reduced the need for staff to use physical restraints in Sweden and deserves consideration here.

- **Use of secure care.** The residential monthly reports show that there has been a decrease in both the admissions to secure care and use of regulation 48(b) of the Oranga Tamariki (Residential care) Regulations 1996, where young people are confined to their rooms (see wording of regulation 48 below). This is likely due to: recent staff training on MAPA, which has a strong focus on de-escalating young people; training on regulations 48 (and 49); and having fewer young people in the residence (from 30 to 20). While regulation 48 is mostly being used appropriately to maintain and restore order, we believe there are still a number of instances of staff using regulation 48, primarily to manage multiple young people in the secure unit. The impact on young people is that they may spend significant periods of time in their room while in secure care, with little stimulation or opportunities to learn anything new.

<b>Regulation 48. Confinement to rooms of children and young persons in secure care</b>
<b>(1)</b> No child or young person placed in secure care shall be confined in his or her own room between the hours of 8 am and 8 pm on any day unless such confinement is necessary—
<b>(a)</b> on account of any illness, injury, or extreme emotional disturbance suffered by that child or young person; or
<b>(b)</b> in any case of emergency, or in order to maintain and restore order in the residence; or
<b>(c)</b> in the case of a confinement between 5 pm and 8 pm on any day to enforce a sanction under a specific behaviour management programme being applied to the child or young person.

- **Transitions.** The residence has a strong focus on transitions. Young people's transition planning is led by the team leader clinical practice (TLCP) with support from the case leaders, care staff and the residence manager. Transition meetings take place between relevant parties in preparation for a young person's departure from the residence. Case leaders follow up with the young people up to 3 months after they have left. The residence's employment coordinator also supports young people's transitions by providing vocational programmes and bringing in external providers that can help teach the young people new skills and assist in meeting young people's needs.

Young people we spoke to said that they need more structure and support outside the residence. This reflects the lack of time and support that field social workers provide to young people to transition successfully back into the community. We have found that this is an issue for most residences. Te Maioha has worked hard to build stronger relationships with field staff from Oranga Tamariki sites. However, site staff still have insufficient involvement with residence staff and young people themselves to ensure that young people have smooth transitions out of the residence. Improving young people's transitions is currently a key area of development for Oranga Tamariki.

- **Community remand home.** Some young people placed on remand at Te Maioha have an opportunity to reside, in the community, at the residence's new remand home in s9(2)(a) OIA. At the time of our visit, there was one young person placed in this home as an alternative custodial placement. This young person stated that he liked being there much more than Te Maioha as it is more like 'real life'.

When this home is fully operational, it will provide an improvement on the treatment for young people on remand, who currently may spend long periods locked in detention before their offence is even proved. It also helps the residence to meet its United Nations obligations to keep young people on remand separate from young people on a sentence<sup>1</sup>.

## Areas for development

- **Involvement of whānau in treatment planning.** We understand that whānau participation in MAT meetings has improved since last year, but there is still significant room for improvement. This is despite the residence manager paying whānau for their travel and food. Whānau contact is currently the responsibility of the busy case leaders. The new whānau engagement workers in the proposed new residence structure are likely to have more time to focus on building relationships and motivating whānau to

---

<sup>1</sup> See Rule 11 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

attend MAT meetings. We expect that these new positions may help to improve whānau engagement in young people's planning.

- **Behaviour Management System (BMS).** The BMS at Te Maioha is based on young people demonstrating: fairness, leadership, achieving success, integrity, and respect (FLAIR). These values have been implemented and embedded across the residence as part of the Ministry of Education's Positive Behaviour for Learning (PB4L) programme.

We noted however that on-site school staff reinforce a compatible but nevertheless different set of values. Although young people know that their BMS scores are based on the FLAIR values only, it is a current matter for debate at the residence whether the different sets of values are confusing for the young people or affect their behavior in any way.

At fortnightly Youth Council meetings, young people are given the opportunity to choose the rewards (or 'buy-ups') for the BMS at Te Maioha. The range of buy-ups, listed in a catalogue, is a key reason that young people prefer to be at Te Maioha than other youth justice residences.

Nevertheless, just over half of the young people said that the BMS is not fair. Young people's dissatisfaction with the BMS is reflected in the relatively high number of incidences recorded in SOSHI (Security and Occupational Safety and Health Incidents), where young people made complaints about the implementation of FLAIR. Since our last visit, a large number of staff had received training in implementing FLAIR. Consistent and fair implementation of the BMS and FLAIR values remains an ongoing challenge. Given its large impact on young people's behavior, we encourage the residence to provide regular training and supervision to staff in optimal ways to respond effectively to challenging behavior and encourage desirable behaviour.

Perhaps not surprisingly, the young people we spoke also said they want more rewards on each level and more 'buy-ups'.

*"Different shifts emphasis different things; get marked down in the second shift when they try to implement something else"*



**Photo 3:** BMS information displayed in the Admission Unit.

## Domain 2: Protection system



**Developing with well placed elements**

26. The grievance process at Te Maioha is well understood by the young people. They know how to make suggestions and complaints, however a large number of young people think that nothing happens as a result. The Whaia te Maramaratanga (WTM) process is also hindered by the ongoing lack of grievance advocates available to the young people.

### Strengths

- **Admission to residence.** Young people are made to feel welcome when they first arrive at the residence. Staff stay with the young people while they are introduced to other boys in unit. The WTM video gets played on admission and then once every three weeks. Information about the FLAIR behaviour management system is displayed on the wall of the admission unit.
- **Young people's understanding and use of the WTM complaints process.** Nearly all of the young people said that they know the grievance process well and feel free to make complaints and suggestions. This is a significant achievement for a youth justice residence, where the norm has historically been one that discourages young people from making complaints.
- **Grievance panel.** The grievance panel are very committed. Different combinations of the three panel members visit the residence about twice a week and the Chair of the panel meets regularly with the residence manager. During their visits they ensure they emphasise their independence to young people. They provide systematic oversight of young people's complaints and conduct follow-up investigations as necessary.

However, during our conversation with the panel, we found there was confusion about the best way to proceed with one investigation, where the Panel was not satisfied with the outcomes the residence had reached. There was also uncertainty as to how to involve the Children's Commissioner with the same investigation. Panel members were under the impression that contacting someone at Oranga Tamariki national office was equivalent to informing the OCC about the investigation. National office needs to provide more clarity to grievance panels about: (a) the procedure to follow when the Panel is not satisfied with the way that a residence has conducted an investigation; and (b) how to involve OCC in an investigation.

## Areas for development

- **Grievance advocates.** The residence has not made any progress recruiting grievance advocates. In the last six months, the residence has not recorded any visits by a grievance advocate. This is despite the grievance coordinator trying to recruit advocates from the local Polytech three times per year. This is an ongoing issue for most residences which national office is fully aware of. We suggest the residence manager and grievance coordinator plan a more effective way forward, potentially with advice from VOYCE-Whakarongo Mai.
- **WTM internal administration.** The residence follows some clear internal WTM processes. We found examples of thorough investigations, where young people's complaints were taken seriously and all relevant young people and staff were interviewed.

However, we did have some concerns about TLOs investigating complaints made from young people in their own unit. There is always the potential for bias to creep into judgments made about young people's complaints, and this is exacerbated when staff are conducting investigations into matters involving their own unit. In any case, the possible perception of bias should always be removed in any such process. To the residence's credit, when we provided this feedback, the residence manager immediately changed their procedures so that TLOs are now only allocated complaints to investigate from young people who are not from their unit.

We also had some concerns about the clarity of outcomes and next steps in outcome letters to young people. Even when young people have a low reading age, we believe it is important that outcome letters contain a clear record of the outcome of the investigation and the next steps the residence will take as a result.

We also identified several potential improvements to the WTM form itself. These will be discussed at the next meeting of the grievance monitoring and oversight committee. We believe there should be a standardised administration process across all of the residences relating to who conducts investigations and the key areas of content to be included in outcome letters.

- **Young people do not trust that WTM will result in meaningful changes.** Although young people feel free to use WTM, about half said that the WTM process is unfair. This is largely due to young people's perception that nothing happens as a result of their complaints. Feedback given to young people needs to make it clear to them whether their grievance is justified or unjustified. If a complaint is found to be justified, then staff providing feedback to young people need to make it clear what will be done as a result, or if nothing will be done, the reason for this.

*"I'm pretty sure they just throw it in the bin"*

- **Cameras.** At the time of our visit, the cameras were operating and a new 'camera view' system had been installed but not yet commissioned. This meant that the camera views in the 'Key Press' (monitoring) room were not yet working properly. As a consequence, some areas of the residence could not be properly monitored from the 'Key Press' room. The residence has staff ready to do the 24/7 hours monitoring required, but they have been waiting for many months for the camera views to be properly set up. No camera monitoring had occurred in recent months. This makes it more challenging to ensure the safety of all the young people.

Released under the Official Information Act 1982

## Domain 3: Material conditions



**Detrimental with well placed elements**

27. At the time of our visit, the inside residence environment was stark, messy and in a poor state of repair. Such conditions would be very unpleasant for anyone to live in, let alone young people. The conditions were worse than usual because there had been less maintenance than usual and the refurbishment was already underway, so some items had been taken off walls in preparation for the upgrade. We look forward to seeing much improved conditions at our next visit. The food for young people is of sufficient variety and quality.

### Strengths

- **Outside environment.** The young people have access to outside basketball courts, a large playing field, and walk between units through an open courtyard. The residence is situated in a peaceful rural setting.



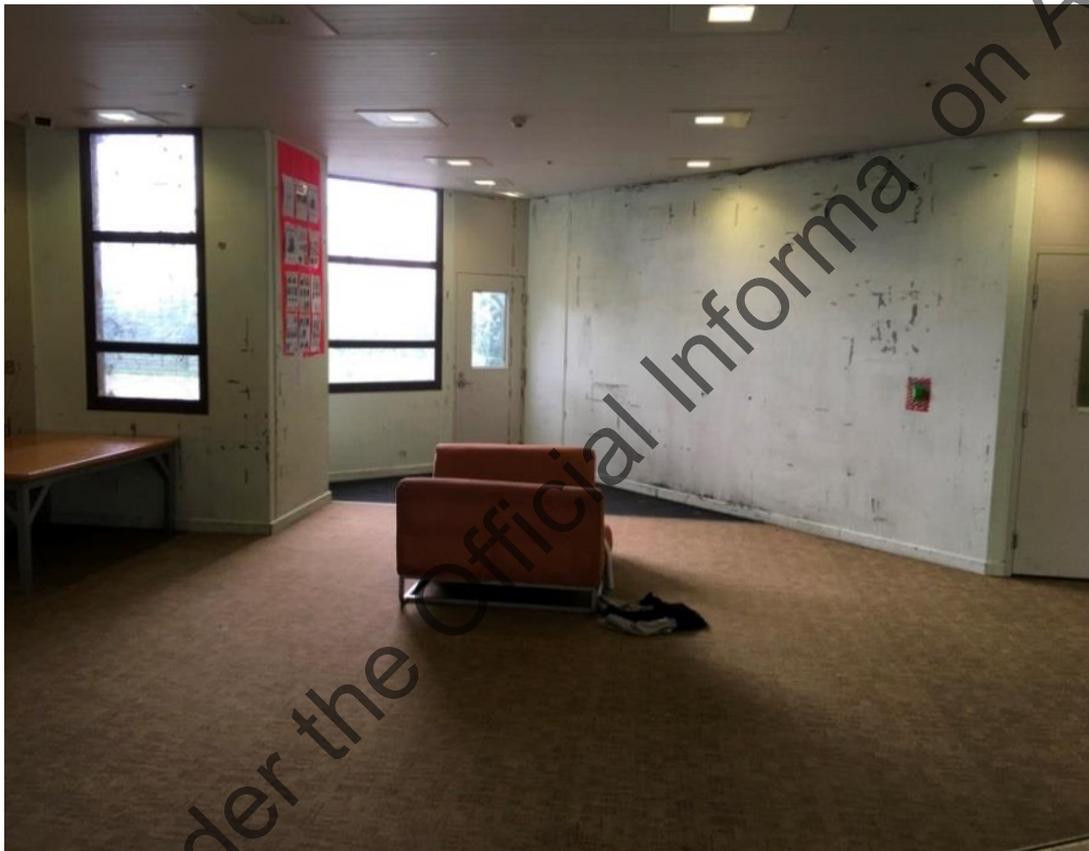
**Photo 4:** Outside farm setting.

- **Food.** Most young people we spoke with were positive about the food. The chef does a survey twice a year to get feedback from young people, and the food menus are changed monthly. Salads or vegetables are served with most meals, and, at least once a week, young people can make their own sandwiches. Young people have recently been involved in preparing hangi for their Waitangi day celebrations.

*"I like the food, better than the outside"*

## Areas for development

- **Inside environment.** In the last report for Te Maioha we found that the units were deteriorating and there was tagging and scratching throughout the buildings. During the current visit, we found that conditions were considerably worse, due to more tagging, broken windows, badly peeling walls, messy areas and rubbish on the floor. The walls were barer and the units messier than usual due the refurbishment already being underway.



**Photo 5:** Inside Te Marama Unit

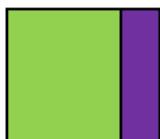


**Photo 6:** Bedroom in the Secure Care Unit.



**Photo 7:** Looking through a smashed internal unit window into the TV room.

## Domain 4: Activities and contact with others



**Well placed with transformational elements**

28. We again found some aspects of Te Maioha's activities for young people to be transformational. Young people participate in a wide range of high quality cultural, recreational, sporting, educational and vocational activities. These activities include an outstanding vocational programme known as 'Another Generation' (Ag) programme and off-site visits which are open to all young people, including those on remand. Young people have good access to their families and whānau.

### Strengths

**Young people's participation in activities and programmes.** Activities and programmes are well co-ordinated. Most of the young people we spoke with said that there are lots of activities and programmes offered. The residence makes many of its activities available to young people on remand, even if they involve off-site visits. These off-site visits include a recent basketball competition with Korowai Manaaki, fishing trips, and pipi hunting. Volleyball and touch rugby are played in the community.

Inside the residence, the vocational programmes include carpentry, a small engines course, and the 'Ag' programme. This transformational programme provides young people with life and vocational skills to support them to gain employment when they transition back into their communities.

The programme coordinator and youth workers jointly develop the 3 week after-school programmes which include cultural, sports or arts activities. Young people can choose which activities they want to participate in.

The residence's relationship with the Parekarangi Trust helps them to excel at providing meaningful cultural activities for the young people. A recent highlight of the cultural stream was the residence Waitangi day celebrations.

Most of the young people we spoke to said that they are doing well with their educational learning. An example of this is one boy who recently entered into an inter-residence speech competition.

*"Doing well with learning here. Haven't been to school since I was 12. Had a fight with the teacher and got stood down. When I went to the school here they get you into the mood and then you want to learn"*

"School, its cool, learn stuff"

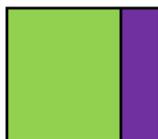


**Photo 8:** Basketball court in the gym.

"Don't get bored – games, ping pong, cards, weekends can stay up longer, was not here for the trials for basketbal, there's a touch one in March"

- **Young people's contact with family and whānau.** Young people said they are satisfied with their level of contact with whānau. Young people can make daily phone calls and the residence manager pays for visits for whānau who live outside the local area.

## Domain 5: Medical services and care



**Well placed with transformational elements**

29. The residence still has an excellent relationship with **s9(2)(i) OIA** which means that young people have excellent access to primary and specialist health services. Largely due to this relationship, the young people's holistic health needs are still being met in a timely and responsive way.

### Strengths

- **Young people's access to primary care services.** The on-site health team consists of a full-time health coordinator and a nurse. There are also two general practitioners who hold clinics on-site every week. This team is responsible for the young people's general health, mental health, medication, and health education needs. As part of the young people's health education, the health team work with the young people on their telephone skills in order to empower them to make their own appointments to see the on-site nursing staff.

The residence has a great ongoing relationship with **s9(2)(i) OIA** which enables young people to be kept off waiting lists so their health needs are met with the urgency that is required. Most young people we interviewed said that they feel healthy and can get help from a nurse if needed.

The on-site health coordinator attends the transition meetings to ensure there is continuity of health care for young people after they transition from the residence. She also delivers, in conjunction with the case leaders, the 'Going Home' criminogenic programme which involves the young people working on: emotional regulation, stress reduction, assertive communication and problem solving techniques. The Going Home programme is part of relapse prevention efforts - it helps young people to identify risky activities in order to stay out of trouble in the future.

*"I feel healthy. It's easy to see the nurse"*



**Photo 9:** Going Home programme room

- **Young people's access to specialist mental health and alcohol and other drug (AOD) services.** The youth forensic team consists of: a psychologist who runs an on-site clinic once a week from 9am- 3pm; two alcohol and drug specialists who are on-site twice a week (the first session is for 1:1 counselling, the second session is for group work); a kaumata who is on-site once a week; and a psychiatrist who is on-site every second Tuesday from 9am- 1pm. The residence has also introduced a new audio visual link (AVL) which enables young people to access a psychiatrist whenever needed.

*"I feel healthy now (no drinking and smoking). Every 2 weeks I see health and drug and alcohol counselling. Got ears checked and diseases and stuff"*

## Domain 6: Personnel



**Well placed with developing elements**

30. Overall, there has been an improvement in this domain since last year, due to the residence having more staff, of higher calibre. There had been a concerted effort to recruit new staff members. The staffing levels at the time of our visit were enabling young people's needs to be met. There is a good working relationship between care and clinical staff which means that young people receive consistent care that is tailored to their ongoing needs. However, there are still some developing elements, because some staff are not receiving the training or professional and cultural supervision they require.

### Strengths

- **Staff levels.** The residence now has a full complement of permanent staff plus about 30 casuals. At the same time, the number of young people has gone from 30 to 20 so the ratio of youth workers to young people has improved.
- **Quality recruitment.** The residence has made a concerted effort to recruit new staff. The residence manager was on the recruitment panel for the new staff and reported that only high calibre applicants were chosen.
- **Working relationship between clinical and care teams.** There is a very good relationship between the clinical and care teams, which is facilitated by the case managers being based in the units and on the floor a lot. The result of this close relationship is that care staff know about the young people's ICP goals and case leaders update operational plans based on feedback from care staff.
- **Staff coaching and support.** The residence manager had taken some responsibilities off the TLOs so they can spend 4 out of 5 weeks with youth workers on the floor (instead of only 3 weeks out of 5). As a result, youth workers are receiving a higher level of informal coaching and oversight from TLOs. In addition, Stratos employee assistance (EAP) services are available to residence staff once every three weeks if desired.

### Areas for development

- **Staff training.** At the time of our visit, staff had recently received training on regulations compliance (regulations 48 and 49), FLAIR and MAPA. Casual staff are rostered to one of the three teams to make sure they attend the 3-weekly training days too. However,

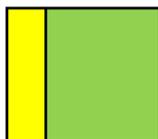
youth workers complained about a lack of high quality training on these training days. They suggested that receiving more training on young people's mental health, the law, youth development, and epilepsy would assist them in their role. s 9(2)(a) OIA

Related to our finding of inconsistent application of the BMS, we suggest that regular training is also necessary in: understanding the nature of trauma and young people's behaviour and effective responses to challenging behaviour.

We were encouraged that the residence will fund youth workers to complete a certificate in youth development from the local polytech. However, youth workers themselves did not know about this option or were confused about whether they had to pay for it. We think national office should clarify the core training requirements for staff across all residences and residence managers should ensure their staff are aware of the options and support staff to complete them.

- **Staff supervision.** Youth workers are still receiving very little professional 1:1 supervision. Formal professional 1:1 supervision is important because it gives staff the chance to deeply reflect on their practice, set goals for change and review how they are progressing. The proposed new staffing structure for residences and the new roster system should help to address this long standing concern about the lack of regular 1:1 professional supervision for care staff. Further thought will also need to be given to how to ensure that staff receive adequate cultural supervision.

## Responsiveness to mokopuna Māori



**Well placed with developing elements**

31. Overall the residence is responsive to the needs of mokopuna Māori. Young people have the ability to participate in a large number of cultural activities both inside and outside the residence. There is a very strong relationship with mana whenua, and the residence manager has focused on appointing more staff who can speak te reo and teach kapa haka.

### Strengths

- **Residence's valuing and use of tikanga Māori.** The residence has a relatively high proportion of Māori staff and has a kaumatua on-site once a week. As a result, the young people have relatively good access to a kaumatua and cultural support if desired. The residence manager is very supportive of staff participating in cultural activities. Tikanga Māori is embedded in the way that the residence operates.
- **Young people's participation in cultural activities and programmes.** Young people have opportunities to participate in a large number of cultural activities. All of the young people we interviewed said that they were proud of their culture, with many of them feeling that they can learn about their culture in the residence.

The young people had recently participated in Waitangi day and Matariki events at the residence. They also do pōwhiri for visitors, learn te reo Māori, kapa haka, whakatauki, and attend waiata.

The young people also attend haka practice. A staff member had designed a haka specifically for the residence and this was being taught to the boys.

The residence recently organised for a tā moko artist to come in and, for an hour at a time, he engaged the boys with the stories of tā moko.

The residence manager supports young people to attend tangi for relatives, and staff told us that they have no issues accessing resources for cultural programmes.

*"At school they help with your whakapapa"*

- **Residence's relationship with mana whenua and Māori organisations.** The residence has a good relationship with the Parekarangi Trust who, are not only mana whenua and have authority over the land, but they also take an active role in the education of the

young people by giving them access to working on the surrounding farm. The residence also has strong relationships with Māori organisations such as s9(2)(i) OIA supports the residence by: having one of their members sit on the Te Maioha community liaison committee; giving the residence advice on culturally appropriate planting of their community garden; and bringing in performance groups to entertain and educate the young people.

- **Residence's cultural capability building.** Residence management has focused on hiring more Māori staff, particularly those who can speak te reo. Staff told us that the residence manager does a great deal to help build the cultural capability of the residence. The future plan is to hire more Māori staff and potentially turn the cultural centre into a marae.

### Areas for development

- **Connecting young people to hapū and iwi.** At the time of our visit, over half of the young people in the residence were from s 9(2)(a) OIA. Although the residence has a process in place to connect young people to their hapū and iwi when they come from outside of Te Arawa iwi, it has not been a big focus for the residence. The Te Maioha Māori rōpū is now beginning to focus more strongly on these connections, but many challenges remain.
- **Coordinating young people's cultural journey.** Te Maioha's Māori rōpū helps to meet the cultural needs of mokopuna Māori, as do staff outside of the rōpū. This sometimes causes a lack of consistency in supporting young people's progress on their cultural journey. The residence needs to ensure that roles and responsibilities in supporting and progressing young people's cultural journeys are clear and align to the strategic cultural plan developed by the rōpū.
- **Cultural supervision.** Despite the Māori rōpū providing cultural support and advice to young people and staff, there is no formal cultural supervision in place for residence staff.

## Appendix One: Why we visit (legislative background)

32. 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.
33. 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.

## Appendix Two: Mana Mokopuna approach and its relationship with the Oranga Tamariki Act

Principle	Definition	Oranga Tamariki Act 1989
<b>Whakapapa</b>	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.
<b>Whanaungatanga</b>	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.
<b>Aroha</b>	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.
<b>Kaitiakitanga</b>	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.
<b>Rangatiratanga</b>	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 whanaungatanga responsibilities of their family, whānau, hapū, iwi and family group should be recognised and respected.
<b>Mātauranga</b>	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	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

	life changing opportunities to learn about their culture and the culture of tangata whenua.	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.
--	---	--

Released under the Official Information Act 1982

## Appendix Three: Interpretation of ratings

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

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

**Note:** For more detail on the meanings of each rating, or 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

Our visit to Te Maioha o Parekarerangi included interviews with:

- Residence Manager
- Young people (17)
- Team Leaders Operations (TLOs)
- Team Leader of Clinical Practice (TLCP)
- Care team
- Clinical team
- Health team
- Education team
- Māori Rōpū team member
- Kitchen staff

The following sources of information also informed our analysis:

- Visual inspection of the residence
- Residence profile
- Last CYF audit report
- Grievance quarterly reports and electronic register
- Training register (for 12 months prior to visit)
- Residence's panui- **s9(2)(a) OIA** 2017
- Young people's files at the residence (including Individual Care Plans and Operational Plans)
- Secure care register, secure care log book, and unit log books.