



03 August 2023

Judge Frances Eivers
Te Kaikōmihana mō ngā Tamariki
Chief Children's Commissioner
Sent via email to: [REDACTED]

Tēnā koe Judge Eivers

Re: Oranga Tamariki response to draft Korowai Manaaki OPCAT report

Thank you for the draft Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) report for Korowai Manaaki Youth Justice Residence that your Office provided Oranga Tamariki—Ministry for Children (Oranga Tamariki) on 6 June 2023.

The draft OPCAT report followed your monitoring team's visit to Korowai Manaaki in May 2023 to monitor the safety and wellbeing of rangatahi. This monitoring visit was completed as part of your role as a National Preventive Mechanism under OPCAT, and was a follow-up visit to the full visit completed in October 2022.

I want to convey my strong disappointment and deep concern that you have found evidence of the ill-treatment of rangatahi at Korowai Manaaki during their monitoring visit. I do not underestimate the significance of this finding and have taken immediate steps to be assured that the safety and wellbeing concerns that you have raised are being taken seriously and actively addressed. I expect all Oranga Tamariki staff to meet the highest standards of conduct and provide excellent care for the tamariki and rangatahi entrusted into our care. It is clear from your report that this is not currently the case within Korowai Manaaki.

You are aware that I have appointed former Police Commissioner, Mike Bush, to temporarily lead our youth justice and care and protection residences, and to provide me with the assurance that tamariki, rangatahi and our kaimahi are safe. Mike is reporting directly to me and is responsible for the day-to-day leadership and oversight of the residences. Mike has my full mandate to drive any necessary changes with urgency.

As I previously shared with you, Mike is leading a small independent team and commenced a rapid review of our residences and Oranga Tamariki-run community homes. The rapid review commenced in mid-June and is near completion. It is identifying immediate changes that need to be made; including the maturity of health, safety and security compliance; people culture and leadership capability; and our approach to ensuring a stable and supported residential workforce. The rapid review will also consider the optimum composition (operating model, structure, management and leadership) for how these facilities should work together.

I have also initiated the establishment of an Incident Management Team (IMT) for residences, which has now been in place for several weeks. The IMT is supporting, coordinating, and driving the collective work required across our residences and community-run homes and specifically overseeing the immediate response to any specific concerns that are raised about the safety and wellbeing of rangatahi.

The IMT comprises of three workstreams:

IN-CONFIDENCE

- Workstream 1: 'Allegations into Inappropriate Behaviour' - the collation, triage and actioning of all complaints received in respect of the residences or community homes.
- Workstream 2: 'Deployment Resource and Remediation' - the allocation and deployment of resources across the residences and any other areas of pressure. The IMT is coordinating, expediting and driving identified remedial actions to ensure our residence environments are safe and secure e.g., policy, infrastructure and training.
- Workstream 3: 'Significant Incidents' - national oversight of the response to significant incidents, when required. The IMT is also leading the debriefing process for significant events and prioritising and driving any remedial works to ensure our residential environments are safe and secure.

Tusha Penny, Deputy Chief Executive Transformation, leads the IMT. As a former Deputy Police Commissioner, Tusha has a longstanding career in care and protection and criminal investigations as well as Serious Incident Management. The IMT meets daily, and I am receiving daily updates regarding the progress of this work.

I do want to assure you that implementing and addressing OPCAT report recommendations remains a priority for me. As part of the organisational response to the serious issues in our residences that have been brought to my attention, implementing your OPCAT recommendations is a key focus within this work. This includes reviewing the recommendations that you have made in all previous reports and ensuring that there are actions within our response plan to address any recommendations not yet resolved.

In relation to this current report, I accept in full your findings, and 10 of the 11 recommendations made in your previous 2022 report.

The recommendation that was not accepted relates to the installation of commercial kitchen facilities at Korowai Manaaki. Options for this have been investigated many times and a cost-effective solution is not possible at this time. However, I acknowledge the intent of this recommendation, and note that this will help to inform future work.

Regarding the longer-term plan for Youth Justice residences, you will likely be aware of the Government's recent announcement on 18 July 2023 of work starting on two new youth justice units. We also have existing work underway to build smaller, specialised youth justice community residences, which will be used as an alternative to our current, larger institutional settings.

Mike, Tusha and Nicolette Dickson, Deputy Chief Executive Quality Practice and Experiences would welcome the opportunity to meet with you to discuss the review, work underway at Korowai Manaaki and brief you on the future plans for residences. I have asked Nicolette to engage with your office to set up this meeting.

I trust you find this information useful. If you have any questions or would like further clarification regarding the above, please contact [REDACTED]

Nāku noa, nā



Chappie Te Kani
Chief Executive Oranga Tamariki