



21 June 2024

Dr Claire Achmad
Chief Children's Commissioner
Mana Mokopuna | Children and Young People's Commission
Sent via email: [REDACTED]

Tēnā koe Dr Achmad

Draft OPCAT Report – Whakatakapokai Youth Justice Residence

In February 2024, your monitoring team visited the Whakatakapokai Youth Justice Residence (Whakatakapokai) to monitor the safety and wellbeing of rangatahi. This monitoring visit was completed as part of your role as a National Preventive Mechanism (NPM) under the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

On 15 May 2024, you provided your draft OPCAT report for Whakatakapokai to Oranga Tamariki—Ministry for Children (Oranga Tamariki) for review and comment. Our response to the factual accuracy was shared with your office on 29 May 2024. Thank you for your further feedback.

Oranga Tamariki have accepted 10 of the 11 recommendations and do not accept one recommendation. Please find enclosed our response to the recommendations following your visit.

We take your finding that the threshold for torture, cruel, inhuman, or degrading treatment or punishment (ill-treatment) was met during the visit to Whakatakapokai extremely seriously and acknowledge the safety and care issues for rangatahi identified in your visit are unacceptable. The concerns you raise about kaimahi practice at Whakatakapokai, the care rangatahi receive and a lack of stable leadership are acknowledged, and immediate steps were taken following your team's debrief with the residence to be assured that the immediate safety and wellbeing concerns that you have raised were actively addressed. This included an immediate pause on admissions whilst urgent action was undertaken to begin to address these concerns. We acknowledge that in addition to these immediate actions, there is more work to be done to provide ongoing improvements and assurance.

An Incident Management Team (IMT) for residences was stood up last June to support, coordinate, and drive the collective work required across our residences and community-run homes, overseeing the immediate response to any specific concerns

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that are raised about the safety and wellbeing of rangatahi. The work of the IMT was carried through until September, and Oranga Tamariki's Residences and Homes workstream has incorporated the learnings from the IMT into its work programme.

We have recently provided a Grievance Panel quarterly report insights piece to our monitors, giving an overview of the residences work programme including the implementation of the Residences and Homes pilot at Te Puna Wai ō Tuhinapo youth justice residence. It is intended that the pilot will include enhancements to the nature of plans rangatahi have, and transitions of young people entering and exiting residences. The pilot started on 9 May 2024, and I note that Mana Mokopuna recently visited that facility in May in its role as a NPM under the OPCAT.

The Make Safe Work Programme was initiated and approved in February 2024. The objective of this programme is to deliver a consolidated programme of identified critical operational or safety related initiatives within the residences and homes space focused on improving the care of young people. Many of the programme activities are scheduled for delivery within 6 to 12 months, but some will take longer as part of phased approval and delivery cycle. The priority for this team is implementing the Standard Operating Procedures (SOP's). Priority SOP's have been identified, and are in the final stages of being operationalised, along with training and implementation.

Residences and Homes leadership has recently been focussed on addressing the safety and leadership concerns your team has raised during their visit to Whakatakopokai. This mahi continues to be a strong focus for us. An action plan was developed and an Incident Management Team specific to Whakatakopokai was stood up. We continue to work with the Homai service delivery on the concerns relating to Whakatakopokai. Strategic action plans are being completed for all residences and will be shared as part of our Quarter 2 Grievance Panel Quarterly Reports insights report, which should be available at the end of July.

It was disappointing to hear that some tamariki and rangatahi from out of area had not had an in-person visit with their social worker in several months. Social worker visits have been a recurring theme in recent OPCAT reports. The fact that these tamariki and rangatahi have been placed in a secure residence sees them as some of the country's most vulnerable children, which should warrant more frequent visits.

We continue to look at solutions, including those previously used, to address the varying levels of contact. Earlier this year Oranga Tamariki redeployed some registered social workers from non-frontline roles to support sites and enable a focus on core areas of social work practice, including visits to tamariki and rangatahi in care. This mahi assisted in reducing overdue work in most areas where staff were redeployed. However, I accept this is only an interim solution, and there is still much to be done in the area. I know that Service Delivery are looking at a number of measures which we have noted in the enclosed response.

It was pleasing to note Mana Mokopuna's observations that Whakatakopokai kaimahi are strong advocates for rangatahi maintaining connections with their whānau and will do what is needed to support whānau to visit, attend Family Group Conferences, and be updated on the care of their rangatahi. Whakatakopokai's leaders also prioritise funding, by approving and arranging flights, accommodation, grocery vouchers or additional support for whānau, so finances are not a barrier to ensuring contact with their rangatahi in a residence.

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I trust you find this information useful. If you have any questions or would like further information, please feel free to contact me on [REDACTED], or alternatively Julie Miller, General Manager Monitoring and External Relationships on [REDACTED].

Nāku noa, nā



Nicolette Dickson
Tumu Tuarua | Te Kōunga o te Mahi me ngā Wheako
Deputy Chief Executive | Quality Practice & Experiences