



**Response from Oranga Tamariki to recommendations
from the Mana Mokopuna monitoring visit to:**

Te Puna Wai ō Tuhinapo Youth Justice Residence

Visit date – May 2024

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Introduction

Te Puna Wai ō Tuhinapo Youth Justice Residence (Te Puna Wai) is an Oranga Tamariki—Ministry for Children (Oranga Tamariki) run youth justice residence. The facility is located in Ōtautahi.

In May 2024, staff from Mana Mokopuna—Children and Young People’s Commission (Mana Mokopuna) completed an unannounced monitoring visit to the facility.

The facility has capacity to take 40 rangatahi. The legal status which rangatahi can be detained at the residence include:

- Oranga Tamariki Act 1989 – s 235, s 238(1)(d) and s 311
- Corrections Act 2004 – s 34A
- Criminal Procedure Act 2011 – s 173 and s175

The purpose of the visit was to assess the quality of Oranga Tamariki services against the seven domains relevant to Mana Mokopuna’s role as a National Preventive Mechanism under the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). The seven domains are:

- Domain 1: Treatment
- Domain 2: Protection systems
- Domain 3: Material conditions
- Domain 4: Activities and contact with others
- Domain 5: Medical services and care
- Domain 6: Personnel
- Domain 7: Improving outcomes for mokopuna Māori.

The draft OPCAT report was shared with Oranga Tamariki on 23 August 2024.

Recommendations Summary

The OPCAT report for Te Puna Wai makes 11 recommendations, with one recommendation having two parts to it. We have accepted nine recommendations and will actively consider three of the recommendations as part of the residence future state design.

We value the feedback we receive from Mana Mokopuna and use recommendations to make improvements. For this report, Mana Mokopuna acknowledged several areas of excellent practice and made a range of positive observations about the high quality of care mokopuna were receiving at the facility.

Oranga Tamariki is committed to strengthening practice as a priority and we continue to work towards ensuring consistent, quality practice, that is inclusive, collaborative, culturally responsive and meets the needs of tamariki and rangatahi. We are committed to achieving better outcomes for tamariki and rangatahi and we value the feedback and insights provided by Mana Mokopuna.

Recommendations	Status
Oranga Tamariki Systemic Recommendations	
1. Establish and clearly communicate the strategic vision for youth justice residences.	Accepted
2. Establish a unit as per The Residences and Homes Pilot documentation for mokopuna assessed as vulnerable and who are therefore unable to live in the current unit set up.	Under consideration
3. Establish post-residence wrap-around support for all mokopuna who leave youth justice residences. Transition teams should be available to provide tailored support all mokopuna and their whānau when mokopuna return home.	Accepted
4. Immediately refurbish Secure Care Unit bedrooms that do not meet standard requirements for mokopuna use.	Accepted
Facility Recommendations	
1. Immediately examine all secure care unit bedrooms to assess whether they are fit for mokopuna to use. No mokopuna should use Secure Care bedrooms that do not meet standard requirements.	Accepted
2. Continue to prioritise training and dedicated team building opportunities to strengthen the Team Leaders Operations to ensure they can then adequately support kaimahi practice.	Accepted
3. Investigate ways to establish tikanga Māori into everyday operations. Reinstate the Kaiwhakaue to be permanently based at the residence.	Accepted Under consideration
4. Cease the use of the Secure Care unit for 'voluntary admissions' when mokopuna require spaces to regulate themselves. Alternative areas within the residence need to be found for mokopuna to do this that are well equipped with sensory resources and staffed by trained kaimahi.	Under consideration
5. Re-establish the Youth Council to provide mokopuna the ability to voice their needs directly to decision-makers.	Accepted
6. Provide mokopuna with the ability to use soap when in the common areas of their unit and after using the toilets.	Accepted
7. Ensure there are enough kaimahi on shifts to safely dispense medications and provide two authorised signatures when signing out controlled medications.	Accepted

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The responses to the Te Puna Wai OPCAT report recommendations are detailed in the remaining sections of this report.

Response to Systemic Recommendations

Below are our responses to the systemic recommendations made in the Te Puna Wai OPCAT report.

Recommendation 1

Establish and clearly communicate the strategic vision for youth justice residences.

Response

The 2023 Rapid Residences Review included insights about how residences and associated group homes were operating, and suggestions as to how Oranga Tamariki should work to consider the changes needed. Earlier this year we developed an operating model to support us to achieve our strategic direction by providing a centralised line of sight across the entire organisation - how we coordinate our resources, work together cohesively and exercise our responsibilities to meet the needs of tamariki, rangatahi and whānau, and bring us closer towards a community-led future. The Residences and Homes programme has developed an interim residence and home strategy, a strategic action plan, and individual action plans across all residences, which were drawn from the themes in the Rapid Review.

Part of the Residences and Homes programme includes the implementation of the present pilot at Te Puna Wai. 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 evaluation of the pilot will support the final residence and homes strategy.

Recommendation 2

Establish a unit as per The Residences and Homes Pilot documentation for mokopuna assessed as vulnerable and who are therefore unable to live in the current unit set up.

Response

We acknowledge Mana Mokopuna's recommendation for Oranga Tamariki to urgently set a up high care needs wing where vulnerable mokopuna could be placed as per the Pilot design. Having such a dedicated unit with a trauma-informed care model for rangatahi assessed to have additional vulnerabilities and who are experiencing mental health distress is an area of focus. This would require appropriately trained kaimahi and be valuable for rangatahi care at Te Puna Wai, as well as provide a consistency of care for takatāpui rangatahi.

The expected cost to establish a unit and the infrastructure required to achieve this are a priority however it is unlikely the physical changes will be able to be achieved in this financial year due to other priority work, such as achieving building warrant of fitness standards throughout our property portfolio.

While physical changes may not be achieved immediately, ensuring that residences understand who rangatahi are as individuals, their past experiences and trauma, and how best to support their unique needs remains imperative. We acknowledge this requires a focus on what can be done during a residential stay such as assessments, tailored supports and interventions.

Kaimahi in all Youth Justice Residences, including Te Puna Wai, have received the Standard Operating Procedures (SoPs) training relating to Mental Health and Trauma-informed care, as well as Use of Force. The Te Puna Wai leadership team is also looking to identify external opportunities and organisations to assist with rangatahi wellbeing and this includes working with the regional disability advisor and building relationships at Multi Agency Team (MAT) hui.

Recommendation 3

Establish post-residence wrap-around support for all mokopuna who leave youth justice residences. Transition teams should be available to provide tailored support all mokopuna and their whānau when mokopuna return home.

Response

Being able to understand and prepare for transitions gives rangatahi increased certainty and control over their future and helps contribute to a successful outcome for them. Every rangatahi completing a stay in a residence needs a plan to be in place to ensure positive and supportive reintegration into their community.

Rangatahi are encouraged by their social worker and residence kaimahi to actively participate in transition planning alongside their whānau and providers. It is important for the rangatahi and their whānau to understand the plan and help agree to what supports and strategies are put in place. This helps to support positive and sustainable behaviour change by the rangatahi. It is also a good opportunity to identify, address and resolve any concerns or issues between the rangatahi and their whānau prior to returning home.

It is important to note that the Youth Court plays a crucial role in approving the transition plan for rangatahi leaving a residence. The decisions of the Court impact what support rangatahi can access, including mentors through supported bail, mentoring orders, conditions of a Court Order, and other wrap around support options if required. Plans will generally incorporate working with some of the below services, which may be based around the country depending on where rangatahi are transitioning back to:

- Health
- Education
- Alcohol and Drug Rehabilitation/Therapy
- Mental Health Services
- Disability Support Providers
- Transition Workers
- Iwi
- Ministry of Social Development (MSD)
- Sports Clubs/facilities
- Employers
- Churches
- Department of Corrections

Recommendation 4

Immediately refurbish Secure Care Unit bedrooms that do not meet standard requirements for mokopuna use.

Response

We acknowledge the condition of the Secure Care unit at the time of Mana Mokopuna's visit and note that refurbishment work started on Monday 9 September 2024. As observed, the walls in the secure bedrooms have been heavily damaged by tagging, some of which is from etching into the walls. The walls are being repaired and painted to bring the rooms back to their original state. There is also tagging on some of the stainless, and these parts are being polished to bring back to the original state.

Further work is scheduled for the bedroom's sacrificial poly membrane on the observation window to be replaced as they are heavily damaged by tagging. Once the rooms are back to their original state, site operations will ensure rooms are kept clean, and log jobs for repairs and/or cleaning when required.

Response to Facility Recommendations

Below are our responses to the facility recommendations made in the Te Puna Wai OPCAT report.

Recommendation 1

Immediately examine all secure care unit bedrooms to assess whether they are fit for mokopuna to use. No mokopuna should use Secure Care bedrooms that do not meet standard requirements.

Response

We acknowledge the importance of ensuring the residence's material conditions, including the secure care bedrooms are maintained to a high standard to support the health, wellbeing, and dignity of rangatahi who stay there.

As noted in our response to the previous recommendation, refurbishment work to address the condition of the secure care unit rooms at Te Puna Wai started on Monday 9 September 2024. Additionally, all secure care rooms have been assessed and there has been some modification from the original design. This includes:

- changing the sprinklers heads and the location in the bedrooms to reduce false activations
- strengthening the roof above the toilets to mitigate any roof damage
- strengthening around the intercoms to mitigate damage
- removing a corner benchtop in the room as rangatahi could stand on it, possibly accessing the roof and causing damage.

Recommendation 2

Continue to prioritise training and dedicated team building opportunities to strengthen the Team Leaders Operations to ensure they can then adequately support kaimahi practice.

Response

The current Residences and Homes pilot has seen an investment in training the Team Leader Operations (TLO) group. This focused leadership training is assisting Te Puna Wai's new direction. Within the structure, TLO's sit between the leadership team and those kaimahi who work directly, and daily, with rangatahi. The leadership team acknowledge that strengthening the consistency of practice within this group will be positive for rangatahi within the units and will also provide clearer guidance and direction for kaimahi.

We acknowledge that Mana Mokopuna heard from kaimahi who want this to go further and see the leadership team create team-building opportunities to assist TLO practice and establish a team cohesiveness to build trust in the changes that are underway across the residence. This is a recognised priority for the leadership team, and we are presently exploring opportunities for team building and to further strengthen the leadership capabilities of the TLOs.

Recommendation 3

Investigate ways to establish tikanga Māori into everyday operations. Reinstate the Kaiwhakaue to be permanently based at the residence.

Response

Encompassing mātauranga into everyday practice and operations remains a focus for Te Puna Wai. Our programme co-ordinator is currently looking into options with external providers to help us explore opportunities. Additionally, we are speaking with the Pegasus Health Hauora Māori Manager and Fijian Cultural Manager who have access to some funding and are keen to explore options to provide cultural activities and programmes for rangatahi on site. Establishing a working relationship with mana whenua

is included in the current residence action plan which will assist us to explore options to embed tikanga Māori into our everyday operations.

At the time of the Mana Mokopuna's visit Te Puna Wai was in the midst of recruiting kaimahi for the new roster. Our Kaiwhakauae is also one of our Safe Tactical Approach and Response (STAR) trainers who was, at that stage, providing rolling inductions for new kaimahi. Now that inductions have been completed for all new kaimahi, our Kaiwhakauae is based back on-site and much more visible and available to all kaimahi on the floor. A training day is held each Friday, with Whakamana Tangata scheduled for each of these sessions and which is led by the Kaiwhakauae.

Recommendation 4

Cease the use of the Secure Care unit for 'voluntary admissions' when mokopuna require spaces to regulate themselves. Alternative areas within the residence need to be found for mokopuna to do this that are well equipped with sensory resources and staffed by trained kaimahi.

Response

Under section 368 of the Oranga Tamariki Act 1989 (the Act), the use of secure care in relation to children and young people in our care is supported to prevent absconding (when certain criteria are met) or to prevent the rangatahi from behaving in a manner likely to cause physical harm to them or to any other person. This practice should always be considered a last resort after all other interventions have been attempted.

We acknowledge that during your visiting some kaimahi said they were not confident with the legal grounds that govern how the Secure Care unit operates and how rangatahi should be treated when they are admitted. Further training is to be undertaken around this, to enable kaimahi to feel more assured of their decision-making processes regarding secure care.

The secure care unit at Te Puna Wai has a similar physical structure to the other units. Rangatahi have a bedroom and access to communal areas for education, recreation and socialisation with staff and other young people. They are not places of isolation, and the time limits for detention in secure care are set out in section 370 of the Act. A child or young person cannot remain in secure care longer than three consecutive days without prior approval being granted by the Youth Court.

However, as acknowledged in the report there have been some rangatahi who have used the secure care unit as a space to attempt to regulate themselves. We note that all rangatahi who refused to leave secure care after being discharged were encouraged daily to spend time in the appropriate unit they would normally reside in. We have recently progressed all those rangatahi who have tended to gravitate towards staying in secure care back to other units.

Various options to encourage rangatahi away from secure care have included talking to them about the different units, which has also involved going through transition plans and having opportunities to 'test out' a unit. One to one staffing to provide extra support and reassurance has been provided to each rangatahi as they navigate this change. Kaimahi have also worked on goal setting with rangatahi, by helping book them in for the various different programmes, emphasising the positive.

Recommendation 5

Re-establish the Youth Council to provide mokopuna the ability to voice their needs directly to decision-makers.

Response

Rangatahi Councils are the highest forum within each residence that promote youth participation and resolution of issues escalated from other lower-level meetings. The hui provides a key interface between kaimahi and rangatahi and, run well, can bring significant benefits and opportunities for both participants. They are not a forum for the discussion of the past behaviour or actions of individual kaimahi or rangatahi.

Core principles of Rangatahi Councils include:

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- in terms of achieving youth participation, the discussion at this forum needs to be transparent, honest, and authentic.
- the views of rangatahi must be given time to be prepared, presented, and considered.
- rangatahi must nominate their representative. They should not be selected by kaimahi unless serious safety issues exist.
- there must be at least two rangatahi from each unit who attend Rangatahi Councils.
- Rangatahi Councils must occur no less than every two weeks.
- kaimahi do not have the authority to veto the rangatahi agenda items. The Residence Manager however has the discretion to remove agenda items if he/she deems the items harmful to discuss.
- all requests and proposal from rangatahi must be given due consideration and responded to directly. Residence Manager can say 'no' but the reasons need to be clear and stated (e.g. limitations of budget)

To support the forum, a morning or afternoon tea should be served prior to discussions, or occasionally it may be a lunch. Depending on circumstances and individuals concerned, it may be possible for rangatahi to chair meetings. This provides additional leadership and learning opportunities and would be at the discretion of the Residence Manager who ordinarily will chair the hui.

The Rangatahi Council recommenced at Te Puna Wai in September 2024, in line with the above-mentioned principles, and consists of two rangatahi from each unit, the Residence Manager, Chef, Programme Co-ordinator and VOYCE—Whakarongo Mai kaimahi.

Recommendation 6

Provide mokopuna with the ability to use soap when in the common areas of their unit and after using the toilets.

Response

We acknowledge the importance of rangatahi having access to soap to follow good health and hygiene practice. As noted in the report, soap was previously provided via soap dispensers, but these were removed after they became a safety issue as they were being used to make weapons. Since Mana Mokopuna's visit, soap bars have been provided in all units for mokopuna to use, including after using the toilets. Stocks of these soaps are being regularly checked and replaced daily.

Recommendation 7

Ensure there are enough kaimahi on shifts to safely dispense medications and provide two authorised signatures when signing out controlled medications.

Response

Oranga Tamariki acknowledges the importance of the correct management of medication for rangatahi in all our residences. Ensuring the safety and wellbeing of tamariki and rangatahi in the custody of Oranga Tamariki is paramount. In most cases, medication in youth justice residences is administered by primary health care providers who are contracted by Te Whatu Ora to provide these services during business hours. These services are co-located at each youth justice residence.

After hours and during weekends, medication is managed by senior Oranga Tamariki kaimahi. A senior kaimahi holds the position of a shift leader, team leader or manager. The management of medication in Oranga Tamariki residences is set out in the policies below:

- Working with tamariki and rangatahi in residences policy
- Policy and guidelines for medication management in Oranga Tamariki residences.

Our policy and guidelines for medication management are adapted from Ministry of Health: Medicines Care Guides for Residential Aged Care. The intent of these policies and guidelines is to support:

- medication management procedures for residences that meet legal and regulatory obligations for the administration of medication and the needs of rangatahi, health providers and residence kaimahi
- minimisation of risks associated with medication administration

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- awareness of legal and regulatory responsibilities of registered health professionals and unregistered kaimahi.

All kaimahi at Te Puna Wai have received medication training and will continue to receive refresher training on a regular basis. The Leadership team are working with the on-site Pegasus Health team to identify ways to continuously improve our issuing of medication, in line with our policy and guidelines. As we have progressed through the pilot, the increased number of kaimahi on the roster has enabled an increased number of kaimahi who are authorised to dispense medications.