

**Response to recommendations from the Office of the
Children's Commissioner's monitoring visit to:**

Te Whare Tuhua me Te Whare Matariki Youth Justice Community Remand Homes

Visit date – May 2022

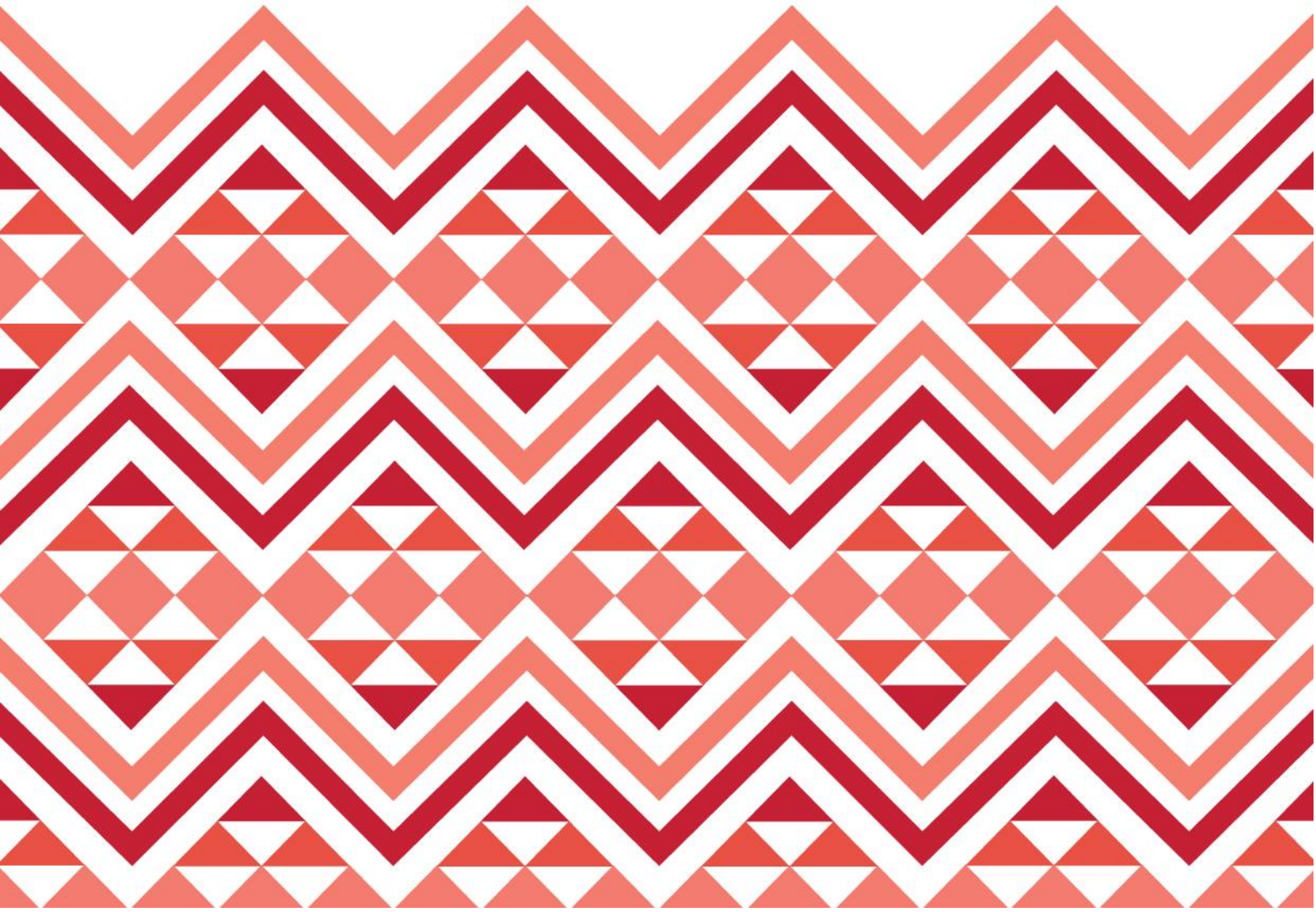


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Introduction

Te Whare Tuhua and Te Whare Matariki are Youth Justice Community Remand Homes located in Tauranga. Te Tuinga Whānau Support Services Trust (Te Tuinga Whānau) is a registered community non-for-profit trust that offers social work, advocacy, information, and support services to people regardless of ethnicity. The services of Te Tuinga Whānau recently expanded to include youth justice community remand homes.

Oranga Tamariki—Ministry for Children (Oranga Tamariki) contracts Te Tuinga Whānau to provide two youth justice community remand home services, Te Whare Tuhua and Te Whare Matariki. Oranga Tamariki and Te Tuinga Whānau have a shared responsibility for these services.

In May 2022, staff from the Office of the Children's Commissioner (OCC) carried out announced monitoring visits to Te Whare Tuhua and Te Whare Matariki.

Te Whare Tuhua has capacity to take three rangatahi tāne (males) and Te Whare Matariki four rangatahi wāhine (females). Under the Oranga Tamariki Act 1989, the legal status which rangatahi are detained at the residence include:

- section 235 - Child or young person who is arrested may be placed in custody of chief executive
- section 238(1)(d) - Custody of child or young person pending hearing.

The purpose of the visit was to assess the quality of services against the seven domains relevant to the OCC's role as a National Preventive Mechanism under the Optional Protocol to the Convention Against Torture and Cruelty (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 for Te Whare Tuhua and Te Whare Matariki was shared with Te Tuinga Whānau on 6th Sept 2022 and Oranga Tamariki on 21 September 2022.

Recommendations Summary

The OPCAT report for Te Whare Tuhua and Te Whare Matariki Youth Justice Community Remand Homes makes 10 recommendations all of which are accepted.

Te Tuinga Whānau and Oranga Tamariki are committed to achieving better outcomes for tamariki and rangatahi, and we value the feedback and insights provided by the OCC.

Recommendations	Status
Oranga Tamariki Recommendations	
1. Support all provider-run remand homes to develop independent complaints systems.	Accepted
2. Support all provider-run remand homes to access independent youth advocates for mokopuna.	Accepted
3. Develop a nationwide package of training programmes designed specifically to support provider run remand homes. Training programmes could include: <ul style="list-style-type: none"> • criminogenic risk factors • mental health needs • intellectual disability • neurodiversity • alcohol and drug support • life skills, and • cultural development/ capacity building. 	Accepted
4. Provide all relevant information in the referral documentation. This includes, but is not limited to: <ul style="list-style-type: none"> • up to date All About Me plan • information about any medications and prescriptions • any other relevant specialist reports. 	Accepted
5. Oranga Tamariki site social workers regularly review s238(1)(d) custody statuses as per s242(A) of the Oranga Tamariki Act 1989. This information should be shared with the remand home and used to inform mokopuna transitions out of the whare.	Accepted
Te Tuinga Whānau Recommendations	
1. Ensure that the referral process robustly considers all relevant information, and referral criteria are met before a referral is accepted. Ensure key kaimahi and house parents are involved in the assessment of referrals.	Accepted
2. Develop a care plan template that captures the voice of mokopuna that details their immediate and aspirational goals and tracks progress.	Accepted
3. Establish formal supervision and professional development plans for kaimahi.	Accepted
4. Develop a plan for back-fill for the house parents so they can take planned leave.	Accepted

Te Whare Tuhua and Te Whare Matariki Recommendations

- | | |
|---|----------|
| 1. Involve mokopuna in their care plan and decisions that affect them | Accepted |
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The Oranga Tamariki responses to the Te Whare Tuhua and Te Whare Matariki OPCAT report recommendations are detailed in the first section of this report. The Te Tuinga Whānau responses to the Te Whare Tuhua and Te Whare Matariki OPCAT report recommendations are detailed in the remaining section of this report.

Response to Oranga Tamariki Recommendations

Recommendation 1

Support all provider-run remand homes to develop independent complaints systems.

Response

As part of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018, every tamariki and rangatahi is entitled to receive information about what they can expect in our care or custody, and that of our partners, and to be supported to raise any concerns they have. This includes ensuring information about making complaints, accessing support services, and independent advocacy is available to all tamariki and rangatahi. This applies to all our provider-run youth justice community remand homes which includes Te Whare Matariki and Te Whare Tuhua.

In August 2021, a project, Manaaki Kōrero, commenced to review the Oranga Tamariki feedback and complaints systems. Manaaki Kōrero is a project that involves Oranga Tamariki partnering with VOYCE – Whakarongo Mai to enable tamariki, rangatahi and whānau to co-design feedback, complaints, information, advice, and assistance processes that are 'fit-for-whānau'. It also addresses Action 1.4 of our Future Direction Plan: [OT-Future-Direction-Action-Plan.pdf \(orangatamariki.govt.nz\)](#) (refer to systemic recommendation 3 for more detail on our future direction).

While this co-design work is underway, Oranga Tamariki is implementing a set of immediate improvements to the residential grievance process based on feedback from tamariki and rangatahi. Over the next few months identified improvements to be implemented include:

- Improving the language and accessibility of tools/resources.
- Developing multiple mechanisms to support tamariki and rangatahi to make a complaint.
- Improving investigation standards and training for kaimahi.
- Increasing the profile of advocacy in residences.
- Teaching self-advocacy as a social skill.

Oranga Tamariki has shared the learnings from Manaaki Kōrero immediate improvements to the residence grievance process work with Te Tuinga Whānau. This will help support their development of an independent complaints process in Te Whare Tuhua and Te Whare Matariki.

Te Tuinga Whānau has advised that work to develop an independent complaints process, which will be accessed through VOYCE – Whakarongo Mai, is well underway and is expected to be completed by February 2023. This mahi includes providing written resources for rangatahi staying at Te Whare Tuhua and Te Whare Matariki that explains how to make a complaint in a way that is appropriate to their age, development, language, and considers any disability. The role of VOYCE – Whakarongo Mai is discussed in more detail in our response to the next recommendation.

This recommendation will also be discussed as an agenda item at the next quarterly hui with the Team Leaders of Oranga Tamariki-run and contracted provider-run youth justice community remand homes. This will enable further discussion and learning to support each home's operation of an independent complaints process.

Recommendation 2

Support all provider-run remand homes to access independent youth advocates for mokopuna.

Response

Work to establish access to independent youth advocates in provider-run youth justice community remand homes is well underway in most remand homes throughout Aotearoa. VOYCE – Whakarongo Mai provides this service.

VOYCE – Whakarongo Mai stands for Voice of the Young and Care Experienced – Listen to me. Established in 2017, it is an independent charity organisation that helps to advocate for children with care experience (children in foster or whānau care) in New Zealand. VOYCE – Whakarongo Mai aims to amplify the voices of these children and ensure that they are heard – so as to positively influence their individual care and to collectively affect change in the wider care system

Following this recommendation, Oranga Tamariki has undertaken work to establish relationships between VOYCE – Whakarongo Mai and Te Tuinga Whānau at a local, regional and national level. Rangatahi staying at Te Whare Tuhua and Te Whare Matariki can now access independent advocacy services. This also provides rangatahi with the option of using VOYCE – Whakarongo Mai to support them to make a complaint, should they want to.

We now consider this recommendation completed.

Recommendation 3

Develop a nationwide package of training programmes designed specifically to support provider run remand homes. Training programmes could include:

- *criminogenic risk factors*
- *mental health needs*
- *intellectual disability*
- *neurodiversity*
- *alcohol and drug support*
- *life skills, and*
- *cultural development/ capacity building.*

Response

We acknowledge the importance of a nationwide suite of programmes being available to support provider-run youth justice community remand homes. Rangatahi in remand homes would benefit from trauma informed programmes that support addressing criminogenic behaviour, alcohol and drug use, while providing further life skills, and cultural development.

Oranga Tamariki is currently undertaking a fundamental and significant shift in our approach, operating model and practice so we can truly be tamariki and whānau centred. To do this, we have developed a Future Direction Plan that draws together themes from across Hipokingia ki te Kahu Aroha Hipokingia ki te Katoa (the report of the Oranga Tamariki Ministerial Advisory Board) as well as recommendations from previous reviews. The Future Direction plan is available at the following link: [OT-Future-Direction-Action-Plan.pdf \(orangatamariki.govt.nz\)](https://www.orangatamariki.govt.nz/ot-future-direction-action-plan).

Building on the work of the Future Direction Plan, the Minister for Children asked the Ministerial Advisory Board to review the provision of care in Oranga Tamariki Care and Protection and Youth

Justice Residences. The Residences Review¹ and the Minister's formal response to the Residences Review² were proactively published on our website on 18 August 2022.

The Future Direction Plan has set a clear direction for the actions required by Oranga Tamariki over the next several years, and we are progressing this work. This focuses on developing a workforce strategy that supports high quality social work practice, and the development of a new model of care and operating model that drives locally led, centrally enabled ways of working. Assurance on the progress of this work is being monitored by the Ministerial Advisory Board.

We support the development of a national curriculum of programmes to support provider-run Youth Justice Community Remand Homes. Oranga Tamariki is talking with rangatahi, key kaimahi and external stakeholders to inform this work, which will be aligned to our new operating model that drives locally led, centrally enabled ways of working. Once this work is completed, we will share this with our partners so they can adapt it for their use.

Oranga Tamariki is also working with our agency colleagues to achieve the mahi set out in our Future Direction Plan. The work is set out in the Oranga Tamariki Action Plan, which will drive integration across the children's system, moving from transactional and siloed services to a joined up, needs-based, outcomes-focused children's system. The Oranga Tamariki Action Plan is available at the following link: <https://www.orangatamariki.govt.nz/about-us/how-we-work/oranga-tamariki-action-plan/about-the-action-plan/>.

We are pleased your report identifies that Te Whare Tuhua and Te Whare Matariki create an abundance of activities that align with education plans and build on a Te Ao Māori approach. For example, learning life skills such as hunting, diving, fishing, food preparation and safety. The report also notes Te Tuinga Whānau has their own gym that both homes have access to, there are board games, cards, Netflix, piano, and guitars at each where, and that you observed and participated in a range of activities supporting mokopuna to be out and positively engaging in the community.

Oranga Tamariki recognises the great mahi Te Tuinga Whānau is doing at Te Whare Tuhua and Te Whare Matariki. We value the unique, holistic care and strength-based approach based in Te Ao Māori that Te Tuinga Whānau uses when working with rangatahi.

Recommendation 4

Provide all relevant information in the referral documentation. This includes, but is not limited to:

- *up to date All About Me plan*
- *information about any medications and prescriptions*
- *any other relevant specialist reports.*

Response

Oranga Tamariki acknowledges the importance of providing Te Tuinga Whānau, or any provider-run service, with the relevant information they need to accurately assess a referral made by Oranga Tamariki to place a rangatahi in their service. Providing a service provider with key information about a rangatahi is crucial for understanding the individual needs of a rangatahi, and the impact these needs may have on their care in a youth justice community remand home.

At times, particularly outside of business hours, referrals can be made at short notice after a rangatahi is arrested by the Police, and some information might not be available until the next day or after the weekend. This can also occur when a rangatahi is not previously known to Oranga

¹ [Ministerial-Advisory-Boards-Residences-Review.pdf \(orangatamariki.govt.nz\)](#)

² [Formal-Response-to-the-Ministerial-Advisory-Boards-Residences-Review.pdf \(orangatamariki.govt.nz\)](#)

Tamariki and new information needs to be obtained before this can be given to a provider-run service.

During business hours, referrals for Te Whare Matariki and Te Whare Tuhua are managed between Oranga Tamariki and the Team Leaders of each home. Afterhours referrals are managed through an Oranga Tamariki regional team which coordinates afterhours care and liaising with the Team Leaders of each home.

We have reviewed both processes for planned and urgent referrals to ensure these are fit for purpose. We have reminded all staff who have a role in these processes that it is critical that referral information is provided in a timely manner and is of a high quality. This is vital for an informed assessment of the referral by a provider-run service.

We have spoken with Te Tuinga Whānau about information provision for referrals and we are committed to strengthening this. We have agreed that the following information needs to be provided as quickly as possible:

- A completed referral document.
- A current All About Me Plan (AAMP) for the rangatahi if they are already known to Oranga Tamariki, and if the rangatahi is new to care, a clear commitment on when a new AAMP will be made available.
- Information about any medications and prescriptions.
- Any relevant specialist reports.
- The outcome of any recent screening tools, like the Substance Abuse Choices Scale.
- A verbal account of the current behavioural presentation of the rangatahi and how they feel about being placed in the remand home.

We will monitor the referral process, and the provision of the specified referral information above, for provider-run youth justice community remand homes closely for the next six months. Should no further issues arise after this point, we will consider this recommendation completed.

Recommendation 5

Oranga Tamariki site social workers regularly review s238(1)(d) custody statuses as per s242(A) of the Oranga Tamariki Act 1989. This information should be shared with the remand home and used to inform mokopuna transitions out of the whare

Response

It is a requirement that rangatahi who are placed on a remand order by the Youth Court and stay in a youth justice community remand home, or any placement where they are remanded in the custody of Oranga Tamariki, are reviewed every 14 days. The purpose of this is to establish if the rangatahi needs to be brought back to the Youth Court to determine whether an alternative placement option is available if appropriate. The first review is done by way of a family group conference. The youth justice social worker will complete any subsequent reviews.

We closely monitor performance in relation to the completion of 14-day remand reviews, and this information is provided to operational regions to help inform, guide, and where necessary, strengthen this practice. The completion of these reviews is an organisational priority, as the Youth Justice Principles, section 208(2)(d) and (f)(i) respectively, in the Oranga Tamariki Act 1989 requires a 'child or young person who commits an offence or is alleged to have committed an offence to be kept in the community so far as that is practicable and consonant with the need to

ensure the safety of the public'; and 'that any sanctions imposed should take the least restrictive form appropriate in the circumstances.'

Oranga Tamariki is supportive of this information being shared with provider-run youth justice community remand homes. This will form part of the review of care planning for rangatahi staying in Te Whare Matariki and Te Whare Tuhua. This practice will be reviewed in six months in partnership with Te Tuinga Whānau and other provider-run remand homes, and if there are no further concerns identified, we will consider this recommendation completed.

Response to Te Tuinga Whānau Recommendations

Recommendation 1

Ensure that the referral process robustly considers all relevant information, and referral criteria are met before a referral is accepted. Ensure key kaimahi and house parents are involved in the assessment of referrals.

Response

Te Tuinga Whānau acknowledges the importance of their referral process robustly considering all relevant information received from Oranga Tamariki before a referral is accepted. We acknowledge that, at times, particularly outside of business hours, that referrals can be made at short notice after a rangatahi is arrested by the Police, and some information might not be available until the next day or after the weekend.

Te Tuinga Whānau operate different referral processes for their two remand homes, Te Whare Tuhua and Te Whare Matariki, as they are operationalised differently. Te Whare Tuhua houses rangatahi tāne and takes urgent referrals which can occur at short notice following a Police arrest.

Te Whare Matariki, takes rangatahi wāhine with high and complex needs, only accepting planned referrals a minimum of three working days in advance, with these rangatahi transitioning from other facilities. Te Whare Matariki provides clinical support from two psychologists for these wāhine, while Te Whare Tuhua operates like a typical whānau whare.

Referrals are overseen by the Team Leader in each remand home. During business hours, referrals are received from Oranga Tamariki. Afterhours referrals are received from an Oranga Tamariki regional team who coordinate afterhours care. When a referral is received, the Team Leader will ensure this is discussed with key kaimahi in each home, including House Parents.

An accurate assessment of a referral is vital for rangatahi to feel comfortable in the homes and succeed. We are focused on strengthening information provision for referrals and we have agreed that the following information will be provided as quickly as possible:

- A completed referral document.
- A current All About Me Plan (AAMP) for the rangatahi if they are already known to Oranga Tamariki, and if the rangatahi is new to care, a clear commitment on when a new AAMP will be made available.
- Information about any medications and prescriptions.
- Any relevant specialist reports.
- The outcome of any recent screening tools, like the Substance Abuse Choices Scale.
- A verbal account of the current behavioural presentation of the rangatahi and how they feel about being placed in our remand home.

Carefully assessing the above referral information is important for ensuring the referral criteria is met when accepting or declining referrals. Understanding the individual needs of rangatahi is a central part of mahi, and for our remand home services this process begins when assessing referral information.

Over the next six months, Te Tuinga Whānau will closely monitor the functioning of their referral process, ensuring appropriate information provision occurs in partnership with Oranga Tamariki and that key kaimahi in each remand home are consulted when determining referrals. It is anticipated that after six months the refreshed referral process will be well embedded, and the recommendation can be considered completed if no further issues arise.

Recommendation 2

Develop a care plan template that captures the voice of mokopuna that details their immediate and aspirational goals and tracks progress.

Response

Te Tuinga Whānau has refreshed our care plan template for rangatahi who stay in Te Whare Matariki and Te Whare Tuhua. We acknowledge the importance of having care plans that allow rangatahi to access a written record of their immediate and aspirational goals.

Our care planning focuses on ensuring that the unique and individual needs of each rangatahi are met. This embodies our dedication to helping rangatahi build a brighter future in our community, for their voices to be heard, understood and to pass on new skills as we walk with them toward a future with greater clarity and hope.

Our care planning comprises of two key documents: The Te Tuinga Whānau Reintegration Guide and the Oranga Tamariki All About Me Plan. The Reintegration Guide is a six-stage approach:

1. rangatahi enters
2. reintegration plan
3. reintegration phase
4. progress review hui
5. final review hui
6. graduation.

This weaves together a plan to address the needs of rangatahi examining offending, education/employment, family and living circumstances, safety, substance use, peer relationships, attitudes and beliefs, personal support, community support, leisure/recreation, accommodation, and personality and behaviour. This also provides time and space for rangatahi to set immediate and aspiration goals.

The All About Me Plan helps to inform, and complements, the Reintegration Guide. The All About Me plan helps everyone involved support the needs and objectives of the rangatahi, by recording planning information that is responsive to their changing needs and circumstances and advances their long-term goals and outcomes.

Our kaimahi, the House Parents, and mentors support rangatahi through the Reintegration Guide process. They do this by providing holistic care as well as cultural learning, character building and educational activities. This approach is grounded in unique, strength-based methods rooted strongly in Te Ao Māori to encourage self-awareness and personal growth.

Care planning is reviewed by kaimahi weekly for rangatahi with short stays of less than six weeks, and monthly for rangatahi with longer stays. Reviews also involve the Oranga Tamariki youth justice social worker who is responsible for all case work activity for the rangatahi.

The Reintegration Guide also forms a basis for the kaupapa in the home, which is centred on addressing the needs of each rangatahi in line with their care planning. Rangatahi are encouraged by kaimahi to have a voice in all activities and actively participate in planning processes that occur each day in our remand homes.

We now consider this recommendation completed.

Recommendation 3

Establish formal supervision and professional development plans for kaimahi.

Response

Te Tuinga Whānau has a strong proud history of providing community social support services, which are supported by a team of social workers. This is reflected in a whakatauki (Māori proverb) that forms part of our vision for this work:

E hara taku toa i te toa takitahi, engari i te toa takitini.

My strength comes not from myself alone, but from those who are on the journey with me.

Within the paradigm of social work, supervision is a vital reflective learning tool that supports professional development for kaimahi, and we acknowledge the importance of maturing these practices in our youth justice community remand homes.

Te Tuinga Whānau employs two psychologists in Te Whare Matariki, and we have expanded these roles to include providing professional supervision to our mentors and house parents who work in Te Whare Matariki and Te Whare Tuhua. Our kaimahi are also free to access supervision whenever they feel they need this, for example, if they have been confronted with a challenging situation in their mahi.

We have put in place professional development plans for kaimahi in each remand home. These plans include the goals skills and/or attributes that our kaimahi want to develop in their roles and in the future. The Team Leader in each remand home will use these plans to track the progress of kaimahi in collaboration with them. These plans will be reviewed annually.

The Team Leader in each remand home will maintain oversight of supervision and professional development of their kaimahi, providing regular updates to the Operations Manager.

We now consider this recommendation completed.

Recommendation 4

Develop a plan for back-fill for the house parents so they can take planned leave.

Response

Following your monitoring visit, Te Tuinga Whānau developed and implemented a plan to back-fill the house parents in Te Whare Matariki. This arrangement was already in place at Te Whare Tuhua. Pleasingly, from the time of your monitoring visit, the house parents at Te Whare Matariki have since taken leave.

Te Tuinga Whānau acknowledges the crucial importance of kaimahi ora, and we advocate for this strongly with kaimahi. A well-known whakatauki is central to our vision for this:

He aha mea nui o te ao?

He tangata

He tangata

He tangata

What is the most important thing in the world?

*It is people
It is people
It is people.*

As an employer, we take the health and safety of our employees seriously. All employees are entitled to at least four weeks paid annual holidays for each year they have worked for us. Our newly appointed Operations Manager will continue to closely monitor the administration of leave for all remand home kaimahi.

We now consider this recommendation completed.

Response to Te Whare Tuhua and Te Whare Matariki Recommendations

Recommendation 1

Involve mokopuna in their care plan and decisions that affect them

Response

Please see our response to Te Tuinga Whānau recommendation 2, page 10.