

## **Puketai Care and Protection Residence**

**OPCAT Monitoring Report** 

Visit date: December 2023 Report date: May 2024

## Kia kuru pounamu te rongo All mokopuna\* live their best lives

This acknowledges the special status held by mokopuna in their families, whānau, hapū and iwi and reflects that in all we do. Referring to the people we advocate for as mokopuna draws them closer to us and reminds us that who they are, and where they come from matters for their identity, belonging and well-being, at every stage of their lives.

## **Contents**

Contents	3
The role of Mana Mokopuna – Children and Young People's Commission	4
About this visit About this report About this facility	2 2 5
Key Findings	5
Progress on recommendations	5
Report by OPCAT monitoring domain	9
Appendix One – Progress on previous recomendations	14
Appendix Two – Gathering information	14

### Introduction

# The role of Mana Mokopuna – Children and Young People's Commission

Mana Mokopuna - Children and Young People's Commission (Mana Mokopuna) is an independent advocate for all children and young people (mokopuna) under the age of 18, and for those who are care-experienced up to the age of 25. Mana Mokopuna advocates for children's rights to be recognised and upheld, provides advice and guidance to government and other agencies, advocates for system-level changes, and ensures children's voices are heard in decisions that affect them.

Our organisation is a designated National Preventive Mechanism (NPM) as per the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment (OPCAT).

The New Zealand legislation relating to OPCAT is contained in the Crimes of Torture Act (1989). The role of the NPM function at Mana Mokopuna is to visit places where mokopuna are detained, and:

- Examine the conditions and treatment of mokopuna
- Identify any improvements required or problems needing to be addressed
- Make recommendations aimed at strengthening protections, improving treatment and conditions, and preventing ill-treatment.

#### About this visit

Mana Mokopuna conducted an unannounced visit from the 5<sup>th</sup>- 7<sup>th</sup> December 2023 to Puketai Care and Protection Residence (Puketai) as part of its NPM monitoring visit programme. The purpose of the visit was to fulfil Mana Mokopuna responsibilities under the OPCAT to monitor the safety and well-being<sup>1</sup> of mokopuna in places of detention.

#### About this report

This report shares the findings from the monitoring visit and recommends actions to address any issues identified. The report outlines the quality of the experience of mokopuna at the facility and provides evidence of the findings based on information gathered before, during and after the visit.

<sup>&</sup>lt;sup>1</sup> Six domains as prescribed by the Subcommittee on the Prevention of Torture *Monitoring places of detention: A practical guide (2004)* - Treatment, Protection Systems, Material conditions, Activities and access to others, Medical care and Personnel. The seventh domain, 'Improving Outcomes for Mokopuna Māori' was developed for the Aotearoa New Zealand context by Mana Mokopuna to assess how mokopuna Māori are supported to have a positive connection to their identity and whakapapa.

#### About this facility

Facility Name: Puketai Care and Protection Residence

Region: Ōtepoti, Dunedin
Operating capacity: 8 beds

Status under which mokopuna are detained: Sections 78 and 101, Oranga Tamariki

Act 1989.

### **Key Findings**

Mana Mokopuna found no evidence of cruel, inhuman, degrading treatment or punishment (ill-treatment) during the visit to Puketai. Mana Mokopuna has made the following key findings.

#### **Systemic Findings for Oranga Tamariki National Office:**

- Four of the eight mokopuna had been in residence for nearly a year, due to no suitable placement in the community or prolonged periods of time awaiting approval for bespoke plans from Senior Leadership at Oranga Tamariki National Office.
- Mokopuna from out of area had inconsistent communication and face-to-face contact with their social worker. A mokopuna had not been physically visited by their social worker in over ten months.
- Mokopuna transitions into and out of residence are sometimes rushed, without an appropriate transition plan or wraparound support for them, nor their whānau once they leave.
- Mokopuna are not receiving funding crucial to meeting their educational needs. There
  are challenges in finding appropriate education options for mokopuna in the
  community prior to their transition out of residence.

#### **Facility Findings:**

- The facility requires a property upgrade including refurbishment of the bathrooms, refresh of paint within the facility, a gymnasium and upgrading the technology used by kaimahi.
- Further resource is required to support the Kaiwhakaako in building the cultural capability of Puketai kaimahi to promote positive outcomes and reduce disparities for mokopuna Māori.
- Puketai kaimahi maintain a high standard of trauma-informed practice that meets the needs of mokopuna.
- Kaimahi relationships with mokopuna are positive.
- Secure Care is used as a last resort and use of force reviews are thorough.
- Mokopuna are encouraged to voice their concerns and their rights are visible throughout the facility.

- Puketai have outstanding record-keeping in terms of accuracy and quality of documentation that is mokopuna friendly.
- Puketai leadership fund whānau visits for mokopuna as often as possible and their whānau are updated regularly throughout mokopuna stays at Puketai.
- Mokopuna are well engaged in education and extra-curricular activities.
- Mokopuna love the food and have input into what they eat and cook.
- Mokopuna access to medical care is exceptional.
- Puketai leadership promote a positive workplace culture, leading to the high retention of kaimahi who are experienced and can provide continuity of care for mokopuna.

#### Recommendations

## 2023 Systemic Recommendations

	Recommendation
1	Develop a clear process with details and timeframes when finding and approving bespoke placement options for mokopuna. Ensure it is communicated and adhered to, so mokopuna bespoke plans are signed off in a timely manner.
2	Urgently address the radio and technology issues Puketai is experiencing to support the operations of the residence.
3	Ensure social workers adhere to their practice responsibilities <sup>2</sup> for mokopuna and minimum contact visits as per Oranga Tamariki Policy <sup>3</sup> .
4	Ensure mokopuna and their whānau are well prepared, informed and supported when transitioning between care arrangements in line with Oranga Tamariki Policy <sup>4</sup> .
5	Oranga Tamariki and Ministry of Education to ensure funding is prioritised to meet mokopuna educational needs whilst in residence and continues to remain in place once mokopuna transition back into the community.

### 2023 Facility Recommendations

	Recommendation	
1	Continue developing the trauma informed model of care and advocating for mokopuna needs.	
2	Prioritise resource to build the cultural capability of kaimahi to better meet the needs of mokopuna Māori.	
3	Urgently put in place support for the Kaiwhakaako to strengthen the work being done to embed the Māori practice framework and develop the cultural capability of all kaimahi at Puketai.	
4	Continue employing residential social workers and youth workers to ensure best practice and continuity of care for mokopuna.	

<sup>&</sup>lt;sup>2</sup> Allocating a key worker and co-worker | Practice Centre | Oranga Tamariki

<sup>&</sup>lt;sup>3</sup> Assessing the frequency of visits to tamariki in care | Practice Centre | Oranga Tamariki

<sup>&</sup>lt;sup>4</sup> Transitions within care | Practice Centre | Oranga Tamariki

### **Concluding Observations from the United Nations**

In February 2023, the United Nations Committee on the Rights of the Child ('the UN Committee') released its Concluding Observations<sup>5</sup> for New Zealand's sixth periodic review on its implementation of the United Nations Convention on the Rights of the Child (Children's Convention)<sup>6</sup> and how the Government is protecting and advancing the rights of mokopuna in Aotearoa New Zealand.

In August 2023, the United Nations Committee Against Torture also released Concluding Observations<sup>7</sup> for New Zealand's seventh periodic review regarding the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment<sup>8</sup>.

Many of the findings we have made in this report relating to Puketai and treatment experienced by mokopuna in the facility resonate with both sets of UN Concluding Observations. Where relevant, this is highlighted throughout the body of the report.

<sup>&</sup>lt;sup>5</sup> Refer CRC/C/NZL/CO/6

<sup>&</sup>lt;sup>6</sup> Convention on the Rights of the Child | OHCHR

<sup>&</sup>lt;sup>7</sup> Refer CAT/C/NZL/CO/7

<sup>&</sup>lt;sup>8</sup> Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment | OHCHR

#### **Treatment**

This domain focuses on any allegations of torture or ill-treatment, use of seclusion, use of restraint and use of force. We also examine models of therapeutic care provided to mokopuna to understand their experience.

#### Puketai operates using a trauma-informed practice model

Understanding the journey mokopuna have endured in order to be placed at Puketai is essential for assessing need and planning care. Kaimahi understand the importance of trauma informed practice and work hard to ensure trauma-informed principles frame decisions made about mokopuna care. Puketai kaimahi use the Relational Learning Framework<sup>9</sup> (RLF) to help foster positive relationships with mokopuna and inform a multi-disciplinary approach to developing care plans and support strategies. For example, the fundamental principle of the RLF is to understand how adverse childhood experiences impact upon mokopuna views of themselves and the world around them. This allows kaimahi to empathise with and understand mokopuna behaviours within the context of their upbringing.

This information can then be used to implement effective strategies to manage challenging behaviours. Tailored approaches include 'sensory menus' for each mokopuna that contain mindfulness and de-escalation strategies identified by both kaimahi and mokopuna themselves to use in times of dysregulation. The Occupational Therapist employed by ReThink<sup>10</sup> is also a crucial part of setting mokopuna up for a positive future. They work with mokopuna by having 'therapeutic conversations' to teach them how to repair relationships after their behaviours have escalated. The occupational therapist provides live coaching to help mokopuna work through negative situations. Their goal is to normalise what mokopuna are feeling and debunk unhelpful narratives that mokopuna may believe about themselves or others. This work is key to maintaining lifelong relationships and developing essential coping strategies to help them get through life stressors.

Due to having these tools, professionals on-site, and regularly updating the RLF assessments, kaimahi felt they understood mokopuna and could work with them safely without the need to immediately resort to restrictive measures when behaviours escalate.

Trauma-informed practice is essential to ensuring mokopuna have their needs addressed appropriately while in care and paves the way for establishing healthy, positive relationships between mokopuna and between mokopuna and kaimahi.

<sup>&</sup>lt;sup>9</sup> Helping foster parents understand the foster child's perspective: a relational learning framework for foster care - PubMed (nih.gov), www.fosteringfutures.net.nz

<sup>&</sup>lt;sup>10</sup> Big Emotions - Services | reThink Children's Therapy - Dunedin

#### Kaimahi build positive, trusting relationships with mokopuna

Kaimahi foster positive relationships with mokopuna by setting firm, healthy boundaries to encourage pro-social behaviour and provide stability. Kaimahi constantly remind mokopuna of what is appropriate and quickly re-direct negative behaviours. For example, when games get too rough, kaimahi quickly set up alternative activity and encourage mokopuna to play with each other in a safer manner outlining boundaries and expectations around the activity. Kaimahi then reinforce positive behaviours with high-fives and compliments on how well mokopuna were interacting with them and each other.

The trusting relationship between kaimahi and mokopuna was also observed during morning routines. Kaimahi greet mokopuna each morning and help them get ready for school. Before school, kaimahi encourage mokopuna to have a shower, get dressed, and eat a plentiful breakfast. Some mokopuna get their hair braided by kaimahi or share a spray of perfume before heading to the classroom. A structured routine allows mokopuna to practice self-care and provides predictability to their day, helping them to feel safe and regulate their emotions.

Mokopuna spoke highly of kaimahi with one mokopuna stating "they are the best staff ever". Although mokopuna do not always get along with every kaimahi, whānau and advocates said that when issues do arise, they are well managed by Puketai kaimahi and relationships recover quickly.

Mokopuna are entitled to a high standard of care. 11 The relationship between staff and mokopuna should always be professional and have due regard for the well-being, culture, and needs of mokopuna residing in the facility. 12 Puketai kaimahi provide a high standard of care expected of those working in a residence and that aligns with Articles 2 and 3 of the UN Convention on the Rights of the Child<sup>13</sup>.

#### Secure Care is used as a last resort

The isolation and seclusion of mokopuna goes against their human rights. 14 There is strong international advocacy for the seclusion of all mokopuna in all settings to cease immediately. International research<sup>15</sup> labels the seclusion of mokopuna as harmful and a practice the New Zealand government has been questioned about on numerous in-person

<sup>&</sup>lt;sup>11</sup>Oranga Tamariki (Residential Care) Regulations 1996 (SR 1996/354) (as at 01 July 2023) 3 Right to professional and planned standards of care - New Zealand Legislation

<sup>&</sup>lt;sup>12</sup>Oranga Tamariki (Residential Care) Regulations 1996 (SR 1996/354) (as at 01 July 2023) 3 Right to professional and planned standards of care - New Zealand Legislation

<sup>13</sup> Convention on the Rights of the Child | OHCHR Articles 2 and 3

<sup>&</sup>lt;sup>14</sup> A/ HRC/28/68, para 44

<sup>&</sup>lt;sup>15</sup> Examples include: <u>Seclusion - an overview | ScienceDirect Topics</u>, Nowak, M. (2019). *The United Nations global study on* children deprived of liberty- online version. United Nations, Hales, H., White, O., Deshpande, M., & Kingsley, D. (2018). Use of solitary confinement in children and young people. Crim. Behav. & Mental Health, 28, 443.

sittings by various United Nations committees. Mana Mokopuna support zero seclusion practices.

The Committee against Torture, the Subcommittee on the Prevention of Torture and the Committee on the Rights of the Child note that the imposition of solitary confinement, of any duration, on children constitutes cruel, inhuman or degrading treatment or punishment or even torture – Special Rapporteur on Torture 2015.<sup>16</sup>

The Concluding Observations released by the United Nations Committee Against Torture on 26 July 2023 records that the State party should immediately end the practice of solitary confinement for children in detention.<sup>17</sup>

Puketai kaimahi and the leadership team report that Secure Care is used as a last resort. There were nine admissions to Secure Care between 1 October and 5 December 2023. Of these, five admissions were in the evening and four continued overnight. All admissions to Secure Care were clearly recorded in the logbooks, along with the grounds<sup>18</sup> (reasons) for the admission, who had been informed of the admission<sup>19</sup> and what the plan was for quick reintegration back into the open unit.

When mokopuna are admitted to Secure Care, kaimahi said that they mainly use the lounge area to help them de-escalate. Mana Mokopuna observed that there were no mattresses in the bedrooms in Secure Care and were told these are not set up prior to mokopuna being admitted. Bedrooms are only set up when absolutely necessary which is also a deterrent to their automatic use once a Secure Care admission takes place. This demonstrates the least restrictive use of the space with kaimahi acknowledging that it is not therapeutic to seclude distressed mokopuna.

Mokopuna did say they find Secure Care helpful when they need a break and time away from the group. Mokopuna also said kaimahi talked to them the whole time and made sure they knew what kaimahi were doing and why. Kaimahi ability to calm mokopuna in heightened states is further evidence of the solid relationship foundation that is prioritised and maintained. Stressful situations can then be managed with mana when mokopuna trust those caring for them.

<sup>17</sup> CAT/C/NZL/CO/7 para 38(h)

<sup>&</sup>lt;sup>16</sup> A/ HRC/28/68, para 44

<sup>&</sup>lt;sup>18</sup> s368 Oranga Tamariki Act 1989

<sup>&</sup>lt;sup>19</sup> S369 Oranga Tamariki Act 1989





Photos of an empty bedroom (left) and the lounge (right) in Secure Care

Although most kaimahi operate from a trauma-informed approach, there was the sentiment from some that Secure Care is the only way to manage mokopuna with violent tendencies. It is imperative kaimahi continue to promote best practice and maintain high standards regarding the use of Secure Care with the aim of eliminating the use altogether.

#### Puketai has a thorough process to review use of force

Kaimahi aim to use verbal de-escalation strategies prior to any use of force. All kaimahi, including the Residence Manager, are Safety Intervention<sup>20</sup> trained.

The Concluding Observations released by the United Nations Committee Against Torture on 26 July 2023 say that state parties should explicitly prohibit the use of force, including physical restraints against children in care.<sup>21</sup>

#### When use of force incidents occur:

- The footage is reviewed by the Residence Manager, Public Health Nurse, and Team Leader Operations.
- There is a follow-up debrief with kaimahi, mokopuna, and the Team Leader Operations.
- Mokopuna are checked by the Public Health Nurse. The nurse will complete a health screen and use a skin map to note any injuries or bruises.
- An Incident Report is completed that records a brief description of the event, along with the type and level of hold used.
- A Report of Concern (ROC)<sup>22</sup> is logged if necessary.

Mokopuna who had experienced a restraint said that kaimahi talked to them throughout the event to ensure they knew what was happening and why. None of the mokopuna who spoke about their experiences with restraints said they received any injuries. However, like

<sup>&</sup>lt;sup>20</sup> Safety Intervention Foundation Training | Crisis Prevention Institute (CPI)

<sup>&</sup>lt;sup>21</sup> CAT/C/NZL/CO/7 para 38(g)

<sup>&</sup>lt;sup>22</sup> Reports of Concern (ROCs) are made for serious assaults while Serious Event Notifications (SENs) are made when mokopuna abscond. ROCs will usually be put on by the social work team or the Residence Manager who consults with the Dunedin site office to assess the threshold. The threshold for ROCs includes serious assaults, such as when mokopuna assault one another, or sexual abuse.

the use of seclusion, restraint holds can be traumatic for mokopuna with traumatic histories. Many mokopuna who enter Secure Care and Protection facilities have experienced trauma and coercive practice does not align with therapeutic care.<sup>23</sup> Whilst there are safeguards in place at Puketai to ensure force is used rarely and is properly documented and reviewed, Mana Mokopuna continue to advocate for the practice to be eliminated in all facilities where mokopuna are detained.

#### Mokopuna care plans are thorough and child friendly

Mokopuna All About Me Plans<sup>24</sup> are updated monthly by case leaders and child friendly versions of the plans are available. Mana Mokopuna noted plans that had been personalised for mokopuna with fun, colourful backgrounds, and key elements of the plan were presented with simple language in speech or thought bubbles. Mokopuna and their whānau have input into their plans and are kept up to date when there are changes or progress has been made. Case leaders also communicate effectively with kaimahi working directly with mokopuna on any updates to mokopuna plans. This is so they can answer mokopuna questions and ensure that the most up to date interventions are being used with the mokopuna they care for.

Mokopuna are required to have input into their plans. Essential details such as the services provided to them, personal objectives, whānau contact details, and information regarding their education, recreation, and welfare needs are also required under section 3(3) of the Oranga Tamariki (Residential Care) Regulations 1996<sup>25</sup>. Mokopuna plans at Puketai uphold their rights under this Act and help maintain a high standard of care.

# Some mokopuna are spending too long in secure residential facilities

Four of the eight mokopuna in Puketai at the time of the visit had spent 200 or more days in the facility.<sup>26</sup> Some mokopuna have stayed at Puketai over twelve months, with one mokopuna spending 463 days at the facility<sup>27</sup>. Mokopuna spoke openly about the length of time they had been in Puketai with some feeling that they had been forgotten. Some mokopuna were awaiting bespoke placements to be signed off by Oranga Tamariki National Office, and some were awaiting transition plans back to their own communities. Many kaimahi Mana Mokopuna spoke to said that they were exasperated by the long delays for some mokopuna. Some kaimahi said they did not know where the 'Memos' to National

<sup>&</sup>lt;sup>23</sup> Equality and Human Rights Commission. (2019). Human rights framework for restraint: principles for the lawful use of physical, chemical, mechanical and coercive restrictive interventions. *Equality and Human Rights Commission*.

<sup>&</sup>lt;sup>24</sup> <u>All About Me plan | Practice Centre | Oranga Tamariki</u>

Oranga Tamariki (Residential Care) Regulations 1996 (SR 1996/354) (as at 01 July 2023) 3 Right to professional and planned standards of care – New Zealand Legislation

<sup>&</sup>lt;sup>26</sup> Monthly data supplied to Mana Mokopuna from Oranga Tamariki.

<sup>&</sup>lt;sup>27</sup> Data supplied by Puketai kaimahi.

Office were at and were frustrated when they had worked so hard to secure a placement and adequate support, for it then to break down due to a lack of timely approval and sufficient funding. Kaimahi acknowledged many of the mokopuna in Puketai (and other Care and Protection residences) are very hard to place, so when arrangements are made, action needs to be swift to avoid mokopuna institutionalisation and languishing in placements away from whānau.

Kaimahi across the residence were strong advocates for mokopuna in trying to get transition plans moving with many working tirelessly to connect mokopuna and their whānau to community-based supports, link mokopuna into education, and ensure therapy can continue outside of the residence with specialist assessments arranged and treatment plans updated accordingly.

The work of residence kaimahi is exceptional, however their efforts need to be supported by decision makers based in Oranga Tamariki National Office. Mana Mokopuna recommend that Oranga Tamariki National Office staff work closely with residence managers to ensure regular updates are received on the progress of transition proposals and plans are approved quickly. The issue of long placements and lack of transition plan for some mokopuna was immediately raised as an issue directly with the Chief Children's Commissioner after the on-site visit.

# How mokopuna are transported to Puketai and how they leave can be problematic

Mokopuna should be well prepared to come into a secure facility and transitions out should be well thought through and supported. Some mokopuna reported that they did not know they were coming to Puketai and there were several examples given of mokopuna being woken up early in the morning by their social worker, and simply being told to pack their bags as they were leaving their current placement. Mokopuna said they understood that sometimes social workers do this to lessen the risk of absconding, however it did not make them feel good to leave their current placement in this way. Mokopuna said it was important to them to say goodbye to people they had made strong connections with and being uplifted without notice from one placement to go to another is not good for them. Some whānau also said they were not properly informed of where their mokopuna was until they had been placed at Puketai.

Likewise, Mana Mokopuna were told of transitions out of the residence that were rushed and lacked rationale or support. When this happens, kaimahi feel mokopuna and whanau are 'set up to fail' as assessments have sometimes not been completed and wraparound support has not been sourced. Placing mokopuna in secure residences must be a last resort. When it does happen, the placement must be purposeful, assess and address need, and

have a clear transition plan for both mokopuna and whānau.<sup>28</sup> This does not happen when processes are rushed.

Some whānau said they have not received support now that their mokopuna has returned to their care. They said they had concerns that their mokopuna would begin offending again if they did not have the tools to manage their mokopuna. Whānau emphasised that all the great work Puketai does with mokopuna risks being undone when they are rushed back into their care without appropriate support. Issues with transitions are also exacerbated when mokopuna come from outside of the Otago area.

The Chief Executive, including their social workers, are required to provide appropriate transition supports and ensure a positive care transition experience for mokopuna under section 74 of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018<sup>29</sup>. This includes providing information on their placements prior to their transition date and providing sufficient monitoring and support during their care transition.

### Mokopuna have minimal contact with social workers when they are placed far from home

Mokopuna who are placed out of area are not seeing their allocated Oranga Tamariki social worker as often as they should be.<sup>30</sup> Some mokopuna in Puketai had not been visited by their social worker for several weeks with one mokopuna not seeing their social worker for ten months, and another only seeing their social worker once in the twelve months they had been at Puketai.

Social workers should be strong advocates for mokopuna and need to provide a familiar face, emotional support, and regular updates regarding progress on care plans. Mokopuna are more likely to keep positive gains from their residential stay when they have the certainty of where they are going next.<sup>31</sup> Therefore, social workers should be working on the transition plan out shortly after admission, and with it, limit the amount of time mokopuna spend in secure residences. Puketai kaimahi were clear that local social workers were great and regularly visited mokopuna, but the issue was for mokopuna placed outside of their home area. In these cases, support needs to be prioritised so that allocated social workers can visit mokopuna regularly and face-to-face.

<sup>&</sup>lt;sup>28</sup> Lambie, Krynen, Best, Parkes. Care and Protection Secure Residences: A report on the international evidence to guide best practice and service delivery. Ministry of Social Development, Wellington, 2016.

<sup>&</sup>lt;sup>29</sup> Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 (LI 2018/111) (as at 01 May 2023) 74 Monitoring and support during care transition phase – New Zealand Legislation

<sup>30</sup> EOCR-2022-23.pdf (aroturuki.govt.nz)

<sup>&</sup>lt;sup>31</sup> Lambie, Krynen, Best, Parkes. Care and Protection Secure Residences: A report on the international evidence to guide best practice and service delivery. Ministry of Social Development, Wellington, 2016.

As part of Oranga Tamariki practice standards, social workers are required to see mokopuna regularly face-to-face ideally alone, in order to build trust, understand their needs, and ensure they have a say in decisions that impact them<sup>32</sup>.

Mana Mokopuna recommends that regional Oranga Tamariki site managers encourage face-to-face contact between mokopuna and their social workers, support them to complete tailored transition plans, and ensure contact records<sup>33</sup> are updated and audited for accuracy.

<sup>&</sup>lt;sup>32</sup> See and engage tamariki | Practice Centre | Oranga Tamariki

<sup>33</sup> Oranga Tamariki client management system CYRAS

### **Protection Systems**

This domain examines how well-informed mokopuna are upon entering a facility. We also assess measures that protect and uphold the rights and dignity of mokopuna, including complaints procedures and recording systems.

#### Admission process is thorough and mokopuna-friendly

Puketai has a detailed admission checklist, which clearly outlines each step of the admission process and who is responsible for completing it. Admissions are completed by kaimahi in the care team as they will become the key workers assigned to mokopuna. The admission process may occur over a few days as kaimahi acknowledge it is often unsettling arriving at a new placement and mokopuna are understandably anxious.

Mokopuna are provided with an admission pack which contains the following items:

- Information about what they can expect while in residence, including photos of the facility
- The unit rules including the use of Secure Care, searching, use of force, the grievance process, house rules/regulations, their rights, and how to contact VOYCE Whakarongo Mai<sup>34</sup>
- Entry questions to ascertain their religious beliefs, goals, and what's important to them
- Clothing and personal belonging procedures, including making a list of the clothes mokopuna need
- Comfort items such as personal media devices such as MP3 and DVD players, a soft toy, a pack of playing cards, and journal
- Essential toiletries such as a toothbrush, toothpaste, comb, soap, shampoo, conditioner, deodorant, and sanitary items
- Questions for when mokopuna leave Puketai to find out how their experience was and what can be improved.



Photo of mokopuna admission pack

<sup>&</sup>lt;sup>34</sup> VOYCE - Whakarongo Mai - advocacy for children with care experience

The information Puketai receives from Oranga Tamariki site social workers can be variable. Some mokopuna arrive with comprehensive plans and the residence is able to get a good picture of what needs to be completed for mokopuna whilst they are in residence. However, some arrive with little information and residence kaimahi have to "scramble" to get a good understanding of the mokopuna who has arrived. Residence case leaders need to follow up on what assessments have been completed, whether specialist appointments or services have been arranged, and investigate previous engagement in education so that school at Puketai can be tailored to meet need.

Not having all required information on admission is problematic and creates safety risks for both residence-based kaimahi and mokopuna.

#### Admissions into Puketai have changed in recent years

Mokopuna admitted into Puketai are generally aged between 13 and 15 years old. However, both older and younger mokopuna have been admitted in the past. Kaimahi reported that there has been a decrease in mokopuna displaying very violent behaviours but an increase in mokopuna admitted for offending behaviours or complex mental health needs such as suicidal ideation and self-harm. Kaimahi outlined that mokopuna often have high levels of anxiety, high and complex needs (HCN), or multiple diagnosis such as Attention-Deficit/Hyperactivity Disorder (ADHD), Post Traumatic Stress Disorder (PTSD), and Intellectual Disability (ID). This can result in intense behaviours and dynamics in the unit.

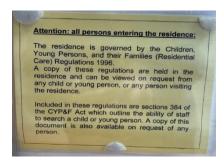
While observations of kaimahi and mokopuna interactions is that dynamics are handled well in the unit, ensuring the right information accompanies mokopuna is crucial. If, for example, mokopuna have suicidal or self-harm behaviours, kaimahi need to know this from the beginning to ensure appropriate observation times are instigated. As one kaimahi said, it is not that mokopuna have changed, but our understanding of their needs has changed. They went on to say that kaimahi now have a greater understanding of the supports these mokopuna require and how their backgrounds influence behaviours and reactions to situations.

Whānau also said it can be difficult to access support for their mokopuna when they start to offend. Whānau reported they called Police and Oranga Tamariki daily for assistance prior to their mokopuna entering residence and felt they were unable to get support as their mokopuna offending had not escalated enough to be considered a priority. They stated that they wished there were interventions in place earlier, rather than an admission into a secure facility to get support.

Secure residential care should continue to be the last resort, and when it is required, admission information and trauma-informed approaches are used to keep everyone safe.

#### Mokopuna have good access to advocates

Mokopuna have access to a range of advocates, including VOYCE Whakarongo Mai, the grievance panel<sup>35</sup> members who visit fortnightly, and law students from the University of Otago who come in weekly to do advocacy work with them. Due to a strong advocacy presence on the unit, mokopuna are very familiar with the grievance (complaints) system and have a good relationship with their advocates. Advocate information is freely available throughout the residence and kaimahi actively encourage mokopuna to use the grievance process and regularly remind them of their rights.







Posters and information located throughout the facility

Mana Mokopuna observed mokopuna encouraging new admissions to use the grievance process as a way of letting kaimahi know when something is wrong. Mokopuna were able to explain the grievance process from start to finish and understood it was a way of being heard to influence change. At the time of the visit, grievance panel members were in the unit playing cards and games with mokopuna. The panel members are not strangers and kaimahi ensure mokopuna are supported to make grievances by fostering strong connections with their advocates. An example of the high trust relationship mokopuna have with the grievance panel was demonstrated by a mokopuna asking a member to advocate for her with a current complaint. Whilst this was not possible due to a conflict of interest, the panel member was able to explain this directly to the mokopuna and reassured them that they would follow up when the outcome was reached.

Mokopuna trust their advocates and they provide an effective protection system for those in the Puketai residence.

19

<sup>&</sup>lt;sup>35</sup> Whaia te Maramatanga is the grievance system used in all Oranga Tamariki residences. Grievance panels assess complaints made by mokopuna to ensure transparency of process and that complaints are resolved or escalated accordingly.

#### **Material Conditions**

This domain assesses the quality and quantity of food, access to outside spaces, hygiene facilities, clothing, bedding, lighting and ventilation. It focuses on understanding how the living conditions in secure facilities contribute to the well-being and dignity of mokopuna.

#### Puketai provides a relaxed environment

Puketai is located within a residential neighbourhood surrounded by trees, but no fences, around the perimeter. There is a playground with swings, a rock-climbing wall, trampoline, and a basketball hoop for mokopuna who were observed using these regularly during their down-time.

Puketai has a welcoming interior environment with colourful murals and large windows for plenty of natural light. There is little to no tagging around the facility, and kaimahi said they are quick to remove it when it does occur. Mokopuna help to keep the communal spaces clean with a variety of allocated household chores such as vacuuming, wiping tables, and cleaning up after themselves once they have finished recreational activities. There is mokopuna artwork on the walls and a Christmas tree and decorations in the lounge.





Photo of the Christmas tree in the unit lounge (left) and the outdoor play area (right)

There are also quiet spaces for mokopuna to use when they want time away from the group. There are reading rooms with bench seats, gaming rooms with a PS4, and small rooms where they can spend one-to-one time with kaimahi. All break-out rooms are well

decorated with murals and artwork on the wall. Mokopuna and kaimahi can also use these spaces to de-escalate mokopuna when they are heightened and when there is a need to settle unit dynamics. Mokopuna were observed using these areas to paint their nails or play PS4 games with each other.





Break-out spaces for mokopuna

There is a flat for whānau to come and stay on-site when they visit. It is an important resource for when mokopuna are placed out of area. The flat includes a kitchen, two bedrooms, its own bathroom, and a lounge with a couch and television. Kaimahi will support mokopuna and their whānau if required and said they do this in a way that integrates them into shared activity rather than looking like they are supervising.





Kitchen, lounge and a bedroom in the whānau flat

#### Mokopuna are encouraged to be individuals

Mokopuna have the autonomy to personalise spaces they call their own. For example, they can personalise their bedrooms by hanging up photos of their whānau and places that mean something to them, put LED lights around their bed, use favourite blankets from home, own and look after their own plants, and dress in their own clothing. Mokopuna can wear makeup, have their own perfumes, make personalised jewellery, and paint their fingernails.

All mokopuna have access to their own personal hygiene products and have made their own bath bombs in the past. There are two bathtubs for mokopuna to use, one in the open wing and one in Secure Care. Mokopuna also enjoy having their hair styled by one of the kaimahi who is also a hairdresser, or have it braided as part of their daily routine.

Kaimahi strongly encourage personal hygiene for all mokopuna. They ensure they are showered in the morning and that they have access to deodorants, body wash and wash their hair regularly.

# Some areas of the residence require refurbishment and investment

There are areas inside the facility, including the main hallway and corridors, that require paint touch-ups. The bathrooms themselves need a refurbishment as they are outdated and mould is starting to develop on the ceilings. The bathroom has not been upgraded for over 20 years and is overdue capital maintenance and investment. Mana Mokopuna understands from kaimahi that this has been promised, but not yet delivered upon.





Photos of the bathroom and hallway that need repair

Puketai kaimahi also noted their technology does not always work. Mana Mokopuna observed how disruptive this can be for kaimahi when they needed to spend excessive amounts of time trying to fix the printers and re-boot computers in order to get the right information to do their jobs properly.

The radios are also an issue, with kaimahi needing to try different radios when they came on shift as they are often either not working or too quiet. Radios that function optimally are

essential for mokopuna and kaimahi safety and Mana Mokopuna recommends this is addressed immediately.

#### The food at Puketai is a highlight for mokopuna

Mokopuna love the food and will eat anything the chef makes. The food portions were plentiful and mokopuna could go back for seconds when they were still hungry. When asked what their favourite food was, one mokopuna said:

"My favourite food is anything [the chef] makes."

Mokopuna can have input into what they eat and can learn to make their favourite dishes in the kitchen.

- Mokopuna had recently learned to make pancakes and dumplings.
- Mokopuna could choose to make their own sandwiches or take one that was premade for them.
- Mokopuna helped cook BBQ sausages and meat patties for a shared lunch. Kaimahi and mokopuna told them how good it was, allowing mokopuna to take pride in their work.

A meal plan is created each week and mokopuna can request their favourites such as butter chicken or sushi. Mokopuna said they have been able to eat their favourite meals since being at Puketai. Mana Mokopuna observed the chef being creative by hiding vegetables inside well-liked dishes to make sure the meals are nutritionally balanced.

Puketai kaimahi create a whānau-like environment especially at mealtimes, as both kaimahi and mokopuna regularly eat together. This supports cohesion amongst the unit and is an important part of whakawhānaungatanga (relationship building) as well as providing kaimahi an informal way of checking in on mokopuna well-being and what the highlights were in their day.

#### Activities and access to others

This domain focuses on the opportunities available to mokopuna to engage in quality, youth friendly activities inside and outside secure facilities, including education and vocational activities. It is concerned with how the personal development of mokopuna is supported, including contact with friends and whānau.

#### Whānau contact is a priority

Kaimahi ensure mokopuna have adequate contact with their whānau by supporting their visits both locally and for those from out-of-town. The leadership team approves funding for whānau visits by paying for flights, accommodation, and activities. If whānau have the availability (given childcare and whānau own work commitments are common barriers), kaimahi said they would pay for whānau to fly to Dunedin every weekend.

Mokopuna can also call and Facetime their whānau daily during a designated time slot. Prior to entering Puketai, mokopuna said their social worker would only update their whānau when something bad happened, such as when they abscond. Since being admitted into Puketai, some mokopuna said their whānau received regular updates on their education, care plans, and medical treatment.

"This is the most my family have been updated about my care, as in the community my mum would only be updated if something bad happened like when I had run away".

Mokopuna have the right to see their whānau regularly when in state care as outlined under section 10 of the Oranga Tamariki Residential Care Regulations<sup>36</sup> and Article 9 of the UN Convention on the Rights of the Child<sup>37</sup>. Puketai make every effort to ensure all mokopuna, regardless of where they come from, can exercise this right. Connection with the local community and their whānau encourages young people to feel included and part of a caring and protective environment that will love and guide them.<sup>38</sup>

# Kaimahi make Christmas a special time for mokopuna who are staying in the residence

At the time of the visit, Puketai was preparing for Christmas. Many mokopuna had plans to see their whānau during Christmas time, as kaimahi advocate strongly for mokopuna to be with their whānau during this time whether it is for a few hours or a few days. For those that

<sup>&</sup>lt;sup>36</sup> Oranga Tamariki (Residential Care) Regulations 1996 (SR 1996/354) (as at 01 July 2023) 10 Rights to visits and communications with family and other persons – New Zealand Legislation

<sup>&</sup>lt;sup>37</sup> Convention on the Rights of the Child | OHCHR – Article 9

<sup>&</sup>lt;sup>38</sup> https://www.manamokopuna.org.nz/publications/media-releases/reset-of-youth-justice-system-cannot-be-delayed-chief-childrens-commissioner/

did not have plans with whānau, kaimahi try to make it as special as possible. For example, kaimahi buy gifts for mokopuna to open on Christmas morning and all the dining tables are put into one line and mokopuna and kaimahi have a big kai (feast) together. Mokopuna can also enjoy Christmas time activities such as painting Christmas-themed mugs and making gifts for one another.

Kaimahi go above and beyond to ensure that mokopuna feel wanted, loved and connected - especially during the festive season.

#### Mokopuna participate in a range of activities they enjoy

There are many activities mokopuna participate in, both on and off-site. Kaimahi keep mokopuna well occupied during the day to provide them with stimulation and minimise down-time and the risk of boredom. Some of the on-site activities include:

- Bracelet making
- Painting nails with gel polish and LED lights
- Sports such as basketball and skate boarding
- Cards and other board games
- Massage chairs
- Playing on the playground
- Learning TikTok dances
- Video games and movies.

Mokopuna can also go out into the community to enjoy off-site activities, including:

- Playing touch rugby in a local community league
- Beach or pool days
- Going to the local gym
- Adventure days

 An extensive holiday programme with activities organised everyday including quiz nights, water slides, nature walks, and fishing.

Kaimahi said the main challenge with off-site activity is managing group dynamics and the risk of absconding. Each off-site visit is appropriately planned and kaimahi are mindful of which mokopuna they take off-site together. For example, kaimahi are aware of which mokopuna get along and which mokopuna negatively impact other mokopuna behaviour. Kaimahi will cancel off-site activities when dynamics in the unit are heightened, or absconding risks cannot be well managed. A purpose built gymnasium<sup>39</sup> would be beneficial for the residence as it would give kaimahi another option to build activities around when the weather is bad or when off-site activity is deemed not appropriate.

25

<sup>&</sup>lt;sup>39</sup> Puketai is the only residence run by Oranga Tamariki that does not have its own purpose built gym to enable year round on-site recreational activity.

Mokopuna have the right to participate in recreational activities such as sports, music, art, and drama. Kaimahi at Puketai work hard to uphold mokopuna rights under Article 31 of the United Nations Convention on the Rights of the Child<sup>40</sup> by providing many options for mokopuna to be involved in activity of their choosing.

#### Mokopuna flourish at Kingslea school

Kingslea School<sup>41</sup> is the education provider at the residence. Teachers use trauma-informed practice and are well set up to cater for mokopuna unique needs. Teachers and Puketai care teams ensure extensive handovers so that all kaimahi working with mokopuna understand individual strengths, needs and challenges. For example, the classroom is set up with three main rooms: the main classroom, a sensory room, and a separate room for mokopuna who require more intensive individual attention. Teachers show good awareness for mokopuna who need less stimuli and a quieter space to support their learning.

The education block was resource rich and colourful posters and mokopuna artwork cover the walls. Each mokopuna had their own personal space set up with:

- A water bottle
- Pencil case
- Mokopuna awards and certificates
- Individual sensory plans
- A diary to track their feelings
- School books with individualised lesson plans.

Kingslea kaimahi regularly update whānau via newsletters with photos detailing what mokopuna have been focusing on. All mokopuna Mana Mokopuna spoke to said they enjoyed school and looked forward to attending most days. It is because of this high level of engagement that mokopuna thrive educationally whilst at Puketai. For example, many mokopuna achieve credits towards their National Certificate of Educational Achievement (NCEA) and teachers were proud to point out that one mokopuna achieved 59 credits in only five months whilst at Puketai.

Teachers celebrate mokopuna success by giving out awards for their accomplishments. Mokopuna proudly display these in their personal desk areas and track further progress with goal charts and stickers. Teachers go out of their way keep mokopuna engaged in

<sup>&</sup>lt;sup>40</sup> Convention on the Rights of the Child | OHCHR - Article 31

<sup>&</sup>lt;sup>41</sup> <u>Kingslea School – Learning for Life</u>

learning and instil a sense of pride in what mokopuna can do and set them up with skills that will last a lifetime.

Mokopuna enjoy many of the activities school has to offer, including:

- Tie-dyeing clothing
- Cooking
- Baking
- Barista courses
- Building wooden furniture.



A photo inside the education block at Puketai

#### Teacher aide support is vital to keep educational momentum

Teachers at Kingslea School noted that the main barriers they face in accessing quality education for mokopuna at Puketai is access to teacher aide funding. As one kaimahi said, these mokopuna are vulnerable and their education needs are specific. However, there seems to be significant barriers to securing support worker hours from either Oranga Tamariki or the Ministry of Education so that mokopuna can thrive. Teachers and Puketai kaimahi are regularly told mokopuna in the residence do not meet the threshold for High and Complex Needs<sup>42</sup> (HCN) or Ongoing Resourcing Scheme<sup>43</sup> (ORS) funding. Kingslea School recognises the importance of this additional support and is paying for additional teacher support from their own operational budget. This is a stop-gap measure. Not having these supports in place is detrimental to mokopuna learning and educational achievement.

<sup>42</sup> Home | High and Complex Needs (hcn.govt.nz)

<sup>43</sup> Ongoing Resourcing Scheme (ORS) – Education in New Zealand

Mokopuna need these additional supports during their time at Puketai and when they leave the residence. Education transition plans and enabling mokopuna to continue their education in the community is a priority for all kaimahi working at Puketai. The frustration for teachers is knowing how specialised support can look for mokopuna and that this is often not replicated once mokopuna leave Puketai. Many schools will not enrol mokopuna due to behavioural concerns and Te Kura is not appropriate for mokopuna who struggle to work in isolation.

As the teachers said, mokopuna deserve to have investment into their future and key government agencies should be working together to support these vulnerable mokopuna without exception.

Mokopuna have the right to engage in and have access to education according to Article 28 and 29 of the United Nations Convention on the Rights of the Child.<sup>44</sup> The right to education is not being fully realised for mokopuna with care experience. The Oranga Tamariki Action stipulates the need for the Ministry of Education and Oranga Tamariki to have cross-agency plans prioritising the needs of mokopuna in care to ensure mokopuna are supported to be included in the education system.<sup>45</sup>

<sup>&</sup>lt;sup>44</sup> Convention on the Rights of the Child | OHCHR - Article 28 and 29 Education

<sup>&</sup>lt;sup>45</sup> Education (in care) | Oranga Tamariki Action Plan

#### Medical services and care

This domain focuses on how the physical and mental health of mokopuna are met, in order to uphold their decency, privacy and dignity.

#### Mokopuna access to primary health care is exceptional

Mokopuna have excellent access to essential medical care while at Puketai. Medical professionals take advantage of their stable environment to gather information for specialist assessments, push through necessary referrals for professional services, and ensure all childhood immunisations, for example, are up to date. Mokopuna also have regular access to dental services. A public health nurse is regularly on-site to provide the coordination of services, timely first-aid treatment, as well as general health advice.. An example of the comprehensive service was in relation to a mokopuna who had a specific developmental concern with behaviours not in line with biological age. The public health nurse arranged several assessments, testing, medications, body scans, and explored the connections between trauma and symptoms. The team worked hard to find the root cause, rather than just managing the symptoms experienced.

A Child and Adolescent Mental Health psychologist is also on-site fortnightly to provide clinical advice and assist with treatment planning to support mokopuna with their mental health needs. Whānau regularly receive updates on mokopuna medical care and are kept well informed throughout the stay.

Staff across the residence did say that ensuring mokopuna engage in support services like medical centres once they leave Puketai is a challenge. The nurse completes discharge summaries, which are sent to social workers, General Practitioners, whānau, and other professionals, so that all those involved in caring for mokopuna have the most up-to-date information. However, the challenge can be continuity of engagement in support services of all kinds once mokopuna return home.

Mokopuna have the right to health and health services including dental, sexual and mental health services, including preventative health care such as guidance for parents under Article 24 on the United Nations Convention on the Rights of the Child<sup>46</sup>. Puketai do this well and the medical staff are excellent advocates for mokopuna.

<sup>&</sup>lt;sup>46</sup> Convention on the Rights of the Child | OHCHR - Article 24 Health and Health Services

# There is excellent record-keeping and administration of medication

The Public Health Nurse provides ongoing training for kaimahi on medical care and the administration of medication. Medication is kept in a locked cupboard and requires two signatures before it can be administered. Kaimahi were observed giving mokopuna their medications at regular intervals during the day and recording whether or not their medication was taken in the designated logbooks. Kaimahi communicated with one another when mokopuna refused their medication. The Public Health Nurse provides a quality control measure by auditing documentation to make sure kaimahi have given mokopuna the right medication at the right time.

#### Personnel

This domain focuses on the relationships between staff and mokopuna, and the recruitment, training, support and supervision offered to the staff team. In order for facilities to provide therapeutic care and a safe environment for mokopuna, staff must be highly skilled, trained and supported.

# The Puketai leadership team are visible and supportive of kaimahi and mokopuna

The leadership team at Puketai supports a culture of caring for kaimahi and mokopuna. There is an 'open door policy' meaning kaimahi can go to any of the leadership team anytime they need support. Members of the leadership team, including the residence manager, make themselves visible in the units so they can build relationships with both kaimahi and mokopuna. Leadership said it is important for them to get to know the mokopuna in the facility and maintain their presence regularly so mokopuna do not just expect to see them when something goes wrong.

"I don't want to be a manager that just sits in my office, I like to be visible to support staff and get to know the kids I am overseeing and having meetings about".

Kaimahi spoke highly of their relationship team and said they feel valued and can look to them as mentors to do their best work. Most of the leadership team began their careers as residential social workers before eventually progressing into leadership positions. The leadership team have clear, consistent communication with kaimahi that helps create a whānau-like environment and supportive culture.

# Kaimahi are experienced and provide excellent care for mokopuna

The supportive culture fostered by the leadership team was evidenced through high kaimahi retention. Many have been in their roles for more than five years, with some more than ten. The kaimahi working with mokopuna are experienced, supported, and well trained which ensures mokopuna care is of a high quality and consistent across all shift teams.

Puketai is one of the few residences that has both residential social workers and youth workers. The youth workers are experienced engagers, while the residential social workers have a deep understanding of practice standards and legislation.

Kaimahi spoke highly of each other and highlighted the good levels of communication across all operations levels in the residence. Kaimahi demonstrated a true passion for what they do with some staff continuing to work as casuals at Puketai despite having other jobs in the community. As some kaimahi said, they would not continue to work at Puketai if they

didn't feel they were valued or were able to have a positive influence on outcomes for mokopuna.

#### Kaimahi have access to ongoing training and supervision

Puketai kaimahi have good opportunities to up-skill. Kaimahi receive ongoing training in areas such as trauma-informed practice, managing behaviours associated with Foetal Alcohol Spectrum Disorder (FASD), ALERT<sup>47</sup>, and RLF. All kaimahi are also safety intervention and first aid trained. The leadership team outlined that professional development pathways are openly discussed with kaimahi who show an ability or desire to move into leadership positions.

Kaimahi receive both one-to-one and group-based supervision. The Team Leader Operations (TLO) will provide one-to-one supervision for kaimahi working directly with mokopuna. Kaimahi are encouraged to talk to their TLOs whenever they need to, particularly after an incident. Residential social workers are required to engage in supervision externally as part of maintaining their registration. Group supervision is provided to kaimahi after an incident and occurs on an ad-hoc basis. It is important kaimahi working with mokopuna receive regular formal supervision as part of maintaining trauma-informed practice, kaimahi well-being, and continued professional development.

#### Recruitment for additional kaimahi was underway

At the time of the visit, the casual pool of kaimahi needed additional recruitment, as many of the students had gone home for the summer. A recruitment process was underway for both youth workers and residential social workers. Puketai leadership said they are selective about who they recruit to ensure they are a good fit. Puketai advertise through the Oranga Tamariki website, Seek, government job search, University of Otago social work students, or word of mouth. The current recruitment and HR process is slow (sometimes over two months) and good prospective kaimahi are often lost to other social service providers operating in the community.

Whilst acknowledging that recruitment processes need to be robust, acting quickly when high quality candidates apply is critical to maintaining a high-functioning workforce.

\_

<sup>&</sup>lt;sup>47</sup> <u>Self-Regulation Alert Program® Online | AOTA Approved Provider</u>

### Improving outcomes for mokopuna Māori

This domain focuses on identity and belonging, which are fundamental for all mokopuna to thrive. We asses commitment to Mātauranga Māori and the extent to which Māori values are upheld, cultural capacity is expanded and mokopuna are supported to explore their whakapapa.

#### Further resource is required to support the Kaiwhakaako

The majority of mokopuna at Puketai whakapapa Māori with over 60% of the mokopuna identified as Māori at the time of the visit<sup>48</sup>. Despite this, there is currently limited cultural-based activities offered to mokopuna and a limited number of kaimahi Māori working in the residence. Kaimahi Māori are important to mokopuna as they serve as mentors, uphold tikanga Māori at the residence, and can help to embed a vision specific to mokopuna Māori unique needs.

The Kaiwhakaako role is essential to building cultural capacity amongst kaimahi, supporting a shared vision and goals for mokopuna Māori, and upholding the kawa (Māori protocols) and tikanga (traditional Māori customs) of the residence. The former Kaiwhakaako had been seconded into another position at the time of the visit. Another kaimahi was seconded to back-fill this role whilst also working full time in their substantive role. Many kaimahi in the residence did not realise the duties of the Kaiwhakaako had been transferred to their colleague. Urgent resource is needed to allow for a dedicated Kaiwhakaako in order to support the residence and mokopuna Māori.

# Increasing cultural capability for all kaimahi needs to be a priority

When Mana Mokopuna asked about strategies for addressing the overrepresentation of mokopuna Māori in places of detention, only the Kaiwhakaako was able to speak to a strategy and work being done in this area. All kaimahi, regardless of whakapapa (heritage), should be upholding tikanga and expanding their mātauranga (Māori cultural knowledge) so they can provide the best possible care for mokopuna Māori as outlined in s7AA of the Oranga Tamariki Act 1989.<sup>49</sup>

Mana Mokopuna notes the obligations under section 7AA of the Oranga Tamariki Act 1989 and the responsibilities of the Chief Executive in providing policies, practices and services that meet the well-being needs of and reduce disparities for mokopuna Māori. In not meeting these prescribed outcomes, the Chief Executive is also in breach of Article 1 of Te Tiriti ō Waitangi.

<sup>&</sup>lt;sup>48</sup> Monthly data supplied to Mana Mokopuna from Oranga Tamariki.

<sup>&</sup>lt;sup>49</sup> Oranga Tamariki Act 1989 No 24 (as at 06 October 2023), Public Act 7AA Duties of chief executive in relation to Treaty of Waitangi (Tiriti o Waitangi) – New Zealand Legislation

Currently only the Kaiwhakaako is able to lead a mihi whakatau (welcome) when visitors arrive. Without this kaimahi, mihi whakatau do not occur. Work is underway to upskill a non-Māori tāne (male) to lead a welcome for visitors and despite limited capacity, the Kaiwhakaako tries to make themselves available for kaimahi to come and practice their pepeha and their reo Māori.

The Kaiwhakaako was also working on embedding and normalising the Māori Practice Framework at the time of the visit. Although most kaimahi operate in line with the framework as part of trauma-informed practice, they were not able to identify or recognise it as such. It is inefficient to have only one kaimahi embedding such an essential framework.

The integration of te ao Māori practices and mātauranga Māori within the residence gives effect to Article 2 of Te Tiriti o Waitangi, which guarantees Māori protection of all taonga, including language and customs as does protections under the UN Declaration on the Rights of Indigenous Peoples<sup>50</sup> Oranga Tamariki need to prioritise this and support the Kaiwhakaako in the Puketai residence.

# Mokopuna have access to local kaupapa Māori services and mentors

Puketai has partnered with Te Hou Ora<sup>51</sup> to provide ongoing kaupapa Māori mentor support for mokopuna. Te Hou Ora is a kaupapa Māori service provider that walks alongside mokopuna to help build resilience, reduce offending, and provide positive outcomes for whānau. Te Hou Ora mentors meet with mokopuna twice per week and take them off-site for activities, including bike rides and rugby games. They also offer support with court plans and will attend Family Group Conferences (FGCs) to tautoko (support) mokopuna and their whānau. Te Hou Ora mentors often work with and support local mokopuna once they are back in the community, providing excellent transition support. Whānau noted it was important to them and their mokopuna that they had access to tāne Māori mentors. This service is only available and therefore of benefit to mokopuna that live locally. It is essential that mokopuna from out of area receive the same cultural experience and transition support.

<sup>51</sup> <u>Te Hou Ora Whānau Services (thows.org.nz)</u>

<sup>&</sup>lt;sup>50</sup> UNDRIP E web.pdf

## **Appendix One**

## **Progress on 2022 recommendations**

The following table provides an assessment of the recommendations made by Mana Mokopuna in the previous April 2022 Puketai report. Mana Mokopuna acknowledges that work on systemic recommendations is led at the Oranga Tamariki National Office level. The progress detailed here relates only to the day-to-day operations of this particular facility.

### 2022 Systemic Recommendations

	Recommendation	Progress: No progress Limited progress Some progress Good progress or Complete.
1	Review the grievance process. It should be independent, impartial and provide a clear mechanism for keeping mokopuna informed on progress.	No Progress – The Whaia te Maramatanga process is still not independent with mokopuna complaints being reviewed in the first instance by residence kaimahi and leadership teams. Mokopuna must still ask for the forms to make their complaint from residence staff.
2	Review the COVID-19 policy for consistent practice across residences and to enable face to face contact for mokopuna and independent advocates.	<b>Complete</b> – National mandates regarding COVID-19 isolation have been relaxed. Access to whānau and advocates is unrestricted.
3	Develop a robust strategy to transition mokopuna from residence that includes a range of suitable specialist placements, particularly for those with complex needs.	Limited progress – Transition planning is still proving to be a bottle neck for many mokopuna. There were instances on this visit where plans and arrangements had been made for mokopuna, but had not been signed off at the Oranga Tamariki National Office level. These plans are at risk if timely approval is not granted. Mokopuna therefore are at risk of staying in secure residences longer than is necessary.
4	Develop and implement a workforce strategy to address appropriate staffing levels, recruitment (particularly for kaimahi Māori) and training in all residences.	Some progress – Oranga Tamariki continues to advertise vacancies across all operations. However, residences are still chronically understaffed and there is heavy reliance on the casual workforce. At Puketai, there were vacancies and the issue outlined is around the lack of a whole of workforce strategy and approach, and the realities of competing for a small workforce with other social service NGOs.

### 2022 Facility Recommendations

	Recommendation	Progress: No progress Limited progress Some progress Good progress or Complete
1	Ensure all Individual Care Plans, including transition plans, are signed by mokopuna, dated, and completed to a consistent standard, ensuring mokopuna and whānau involvement.	Good progress – Mokopuna plans were detailed and had clear whānau and mokopuna involvement when they were made. All documentation at Puketai was completed to a high standard.
2	Ensure all staff engage in ongoing cultural development, are supported to learn te reo Māori and have the ability to engage in a wide range of cultural activity with mokopuna.	No progress – This has been identified as a significant area of development, to ensure kaimahi are developing their cultural capability to ensure the needs of mokopuna Māori are being met.
3	Ensure unit rules are explained in the admission process and that these are consistently applied by all staff. Any variances need to be fully explained to mokopuna in ways they can understand.	<b>Complete</b> – The admission pack is comprehensive and child-friendly. There are easily understood 'rules' and 'regulations' attached to the walls around the facility that act as reminders for mokopuna in terms of expectations and their rights when living in the facility. Mana Mokopuna encourages Puketai leadership to share their admission pack and strategies for keeping mokopuna informed with other residences across the country to help build good practice.
4	Provide regular one-on-one supervision including cultural supervision for all staff.	Good progress – Kaimahi are being supported to access cultural supervision.

## **Appendix Two**

### Gathering information

Mana Mokopuna gathers a range of information and evidence to support the analysis and develop findings for this report. These collectively form the basis of our recommendations.

Method	Role		
Interviews and informal discussions with mokopuna (including informal focus groups) with mokopuna			
Interviews and informal discussions with kaimahi and external advocates and stakeholders	<ul> <li>Residence Manager</li> <li>Team Leader – Case Leaders</li> <li>Youth Workers</li> <li>Kaiwhakaako</li> <li>Case Leaders</li> <li>Residential Chef</li> <li>Team Leader Operations</li> <li>Residential Social Workers</li> <li>VOYCE – Whakarongo Mai Kaiwhakamana</li> <li>Grievance Panel</li> <li>Kingslea School</li> <li>Public Health Nurse</li> <li>Occupational Therapist</li> <li>Te Hou Ora Mentor</li> <li>Whānau</li> <li>Oranga Tamariki Social Workers</li> </ul>		
Documentation	<ul> <li>Grievance quarterly reports</li> <li>Secure Care register and logbooks</li> <li>Daily logbooks</li> <li>Mokopuna Care Plans and All About Me Plans</li> <li>Serious Event Notifications</li> <li>Incident reports</li> <li>Report of Concerns</li> <li>Relational Learning Framework</li> <li>Admission Checklist</li> <li>Kingslea School reports</li> </ul>		
Observations	<ul> <li>Morning routines</li> <li>Education in the classroom</li> <li>Meal times</li> <li>Activities on-site</li> </ul>		