



## Te Puna Wai ō Tuhinapo Youth Justice Residence

OPCAT Monitoring Report

Visit Date: 28 – 30 May 2024

Report Date: August 2024



# Kia kuru pounamu te rongo

## All mokopuna\* live their best lives

- \* Drawing from the wisdom of Te Ao Māori, we have adopted the term mokopuna to describe all children and young people we advocate for, aged under 18 years of age in Aotearoa New Zealand. 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.



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# Introduction

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

Mana Mokopuna - Children and Young People's Commission (Mana Mokopuna) is the 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.

Under the UN Convention on the Rights of the Child, all children have specific rights that must be protected, respected, and fulfilled at all times, in all circumstances. One of these specific rights is the right to be free from all forms of torture or tother cruel, inhuman or degrading treatment or punishment (Article 37).

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, in order to prevent ill-treatment by:

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

### About this visit

Mana Mokopuna conducted an unannounced full visit to Te Puna Wai ō Tuhinapo Youth Justice Residence (Te Puna Wai) on 28-30 May 2024 as part of its NPM monitoring visit programme. The objective of our OPCAT Monitoring as a NPM is to prevent ill-treatment in all places where mokopuna are deprived of their liberty by regularly monitoring and assessing the standard of care experienced in these facilities.

### 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 mokopuna experience at the facility and provides evidence of the findings based on information gathered before, during, and after



the visit. A high-level overview of key findings was provided to Oranga Tamariki in real-time at the conclusion of the monitoring visit, as per our usual monitoring process. This report documents our full findings. As per usual process, our post-visit work includes holding Oranga Tamariki accountable for action on the recommendations made in this report.

## About this facility

<b>Facility:</b>	Te Puna Wai ō Tuhinapo Youth Justice Residence operated by Oranga Tamariki
<b>Region:</b>	Ōtautahi (Christchurch)
<b>Operating capacity:</b>	<p>The facility has a 40 bed capacity and there were 35 mokopuna onsite at the time of the visit.</p> <p>Te Puna Wai is made up of four units that house tāne and one unit that is shared by takatāpui (mokopuna who identify as part of the Rainbow community) and wāhine. Each unit contains, bedrooms, bathrooms, a dining area, small kitchen, television room, and a designated room for phone calls. Each unit has a secure outside courtyard that can be accessed from inside the unit. There is an additional unit designated for Secure Care.</p> <p>Te Puna Wai also has a large gym, a securely fenced sports field, an outdoor swimming pool, whare (similar to a wharenuī on a marae), and an area for agriculture and horticulture activity.</p>
<b>Status under which mokopuna are detained:</b> Oranga Tamariki Act 1989 – s235, s238(1)(d) and s311, Criminal Procedure Act 2011 – s173 and s175, mokopuna who are sentenced under the Corrections Act 2004 – s34A.	

## Key Findings

Mana Mokopuna found no evidence of cruel, inhuman, degrading treatment or punishment (ill-treatment) during the visit to Te Puna Wai. However, some of the secure care bedrooms were in such poor condition that they were not fit for use. Mokopuna should not be using these rooms. With the exception of the secure care unit, Mana Mokopuna noted several improvements in residence operations since the last visit in June 2023.

Key findings are noted below.

### Areas of concern:

- How the Secure Care unit is being used and managed is concerning.
  - The Secure Care unit is in immediate need of refurbishment and is not a therapeutic environment for mokopuna. Some kaimahi described the unit as “dire” and “horrendous”.
  - Some mokopuna who are experiencing mental health distress are using the Secure Care unit to remove themselves from open units to de-escalate. However, these mokopuna are often confined to their rooms, alone, and with no specialist



support. They also do not have access to education or meaningful activity which is their right. It is not an environment that is appropriate to meet the needs of mokopuna experiencing mental distress.

- Kaimahi are not trained in how to work with very vulnerable mokopuna and as a result, there is a risk mokopuna could experience harm.
- Some kaimahi said the unit is often under-staffed and some kaimahi said they did not know the legal grounds which dictate how mokopuna are cared for when in Secure Care. Therefore, this raises issues regarding practice and appropriate application of the law.
- Intensive training and continuous upskilling of all kaimahi who work with mokopuna is required. At the time of the monitoring visit, there were many kaimahi working at Te Puna Wai who were new to the residence, and whilst the number of available kaimahi had increased, many had little experience working with high and complex needs mokopuna.
- The strategic direction and purpose of the residence needs to be clearly communicated to kaimahi. Some kaimahi are not sure what their role is in the residence with regards to caring for mokopuna. Some thought it was to provide a physically secure environment only, whereas others thought their role was to provide mokopuna with positive rehabilitative support in a therapeutic environment.

#### **Areas of opportunity:**

- Te Puna Wai has a leadership team that is working hard to improve the culture of the residence. The residence manager has been in the role over a year and most kaimahi noted the positive influence this person has had on how the residence is run and the care provided to mokopuna.
- Mokopuna had increased access to meaningful programmes in the residence and activities in the community since the last OPCAT monitoring visit in November 2022.
- Mokopuna were very engaged in the education programme run by Kingslea School. All units were running a full education programme and many mokopuna were working towards and achieving NCEA credits.
- Kaimahi practice had improved since the last visit. This included:
  - Improved documentation particularly within unit logbooks, incident, and grievance recording.
  - Improved mokopuna engagement practice that included:
    - good boundary setting
    - re-directing inappropriate mokopuna conversations
    - keeping line of sight of mokopuna
    - encouraging mokopuna during education
    - eliminating inappropriate content watched on YouTube.



- Kaimahi using respectful language with mokopuna, and ensuring mokopuna were respectful when they talked to or about kaimahi.
- Kaimahi, particularly those in the Team Leader Operations group, had received some role-specific training and were working to upskill in order to increase the support provided to their shift teams.
- Mokopuna had good access to medical care and the medical team work collaboratively with external providers such as the Youth Forensic Team. There was also a pilot starting the week of the monitoring visit to provide out-of-hours and weekend on-call medical cover by the nursing team.

## Te Puna Wai is providing the environment to test operational change

Regularly throughout the monitoring visit, Te Puna Wai was described as a residence in transition. A *'Residences and Homes'* pilot had been launched on 9 May 2024 by Oranga Tamariki to test proposed changes to the way youth justice residences across Aotearoa New Zealand could operate in the future. The pilot is set to focus on improving kaimahi training and leadership development, trialling a new roster system, and working with kaimahi and mokopuna to understand what the best possible experience in a youth justice residence could look like.

Some training for the Team Leader Operations group had already taken place and the roster changes were in their second week of operating at the time of the monitoring visit. The pilot is set to run for six months. We understand Oranga Tamariki intends to evaluate the pilot to guide wider implementation of any changes across the residence network and assess the value of those changes in terms of how they can positively impact mokopuna care experiences in residence. Kaimahi were largely positive about trying something different and many could articulate the benefits in what was being tested.

The change in roster was a focus for most kaimahi and they were eager to work their way through the roster cycle to experience all shift times. The focus on training and trialling a new roster had provided kaimahi with hope. Many kaimahi were hopeful about the potential positive changes the pilot could bring and were confident the residence was now moving along an upward trajectory in terms of improving working conditions as well as care experiences for mokopuna.

The monitoring visit took place with the knowledge the roster system was new, there would likely be teething issues, and that the residence was operating under test environment conditions. Mana Mokopuna did note the pilot was based on a residence capacity of 30 mokopuna and there were 35 mokopuna on-site at the time of the visit.



## Recommendations

### 2024 Systemic Recommendations – Oranga Tamariki

	Recommendation
1	Establish and clearly communicate the strategic vision for youth justice residences.
2	Establish a unit as per <i>The Residences and Homes</i> Pilot documentation for mokopuna assessed as vulnerable and who are therefore unable to live in the current unit set up.
3	Establish post-residence wrap-around support for all mokopuna who leave youth justice residences. Transition teams should be available to provide tailored support all mokopuna and their whānau when mokopuna return home.
4	Immediately refurbish Secure Care Unit bedrooms that do not meet standard requirements for mokopuna use.

### 2024 Facility Recommendations – Te Puna Wai Residence Manager

	Recommendation
1	Immediately examine all secure care unit bedrooms to assess whether they are fit for mokopuna to use. No mokopuna should use Secure Care bedrooms that do not meet standard requirements.
2	Continue to prioritise training and dedicated team building opportunities to strengthen the Team Leaders Operations to ensure they can then adequately support kaimahi practice.
3	Investigate ways to establish tikanga Māori into everyday operations. Reinstate the Kaiwhakaue to be permanently based at the residence.
4	Cease the use of the Secure Care unit for 'voluntary admissions' when mokopuna require spaces to regulate themselves. Alternative areas within the residence need to be found for mokopuna to do this that are well equipped with sensory resources and staffed by trained kaimahi.
5	Re-establish the Youth Council to provide mokopuna the ability to voice their needs directly to decision-makers.
6	Provide mokopuna with the ability to use soap when in the common areas of their unit and after using the toilets.
7	Ensure there are enough kaimahi on shifts to safely dispense medications and provide two authorised signatures when signing out controlled medications.





# 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>1</sup> for New Zealand's sixth periodic review on its implementation of the Children's Convention<sup>2</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>3</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>4</sup>.

Many of the recommendations from both sets of Concluding Observations are directly relevant to aspects of treatment experienced by mokopuna at Te Puna Wai which Mana Mokopuna has found during this monitoring visit in May 2024. Where relevant, these are highlighted throughout the body of the report.

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<sup>1</sup> Refer CRC/C/NZL/CO/6 [G2302344 \(3\).pdf](#)

<sup>2</sup> [Convention on the Rights of the Child | OHCHR](#)

<sup>3</sup> Refer CAT/C/NZL/CO/7 [G2315464.pdf](#)

<sup>4</sup> [Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment | OHCHR](#)



## Report findings by domain

### 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.

#### Mokopuna who need additional support do not always have their rights upheld at Te Puna Wai

Most mokopuna living at Te Puna Wai at the time of the visit have experienced trauma, mental distress, or have been diagnosed neurodiverse or experiencing challenges with mental health.<sup>5</sup> Kaimahi are not specialists in the fields of ADHD<sup>6</sup>, FASD<sup>7</sup>, ODD<sup>8</sup> or have experience in helping mokopuna through mental health distress. Yet these diagnoses are a reality for many mokopuna currently living at Te Puna Wai. Kaimahi practice is therefore ad hoc and often solely based on knowledge they received in the Te Waharoa induction training (which occurs when kaimahi start working in residences) which is generalised and provides an introduction to a broad range of practice topics. There is no national strategy across all youth justice residences about how to work with this growing group of mokopuna who are entering the Youth Justice system. All kaimahi advocated for intensive training to understand how they can positively support mokopuna and meet their needs, especially those experiencing mental health distress such as suicidal ideation. Mokopuna care is compromised because kaimahi do not currently have the skills to help them.

Due to a lack of therapeutic knowledge and resource capability, kaimahi and mokopuna at Te Puna Wai are using the Secure Care unit as a space for mokopuna to attempt to regulate. Kaimahi are calling these admissions “voluntary admissions” to secure care. There are significant issues with using the Secure Care unit in this way. These are:

- The Secure Care as a unit does not provide a therapeutic environment for mokopuna. There are no sensory resources, no specifically trained kaimahi, and the physical unit was described by some kaimahi as “dire” and “horrendous” with tagging on almost every wall.
- When other mokopuna enter Secure Care due to being a risk to themselves or others (usually involving assaultive behaviour), all mokopuna are being confined to their rooms under Regulation 48 of the Oranga Tamariki (Residential Care) Regulations 1996.

<sup>5</sup> This was evidenced via a review of individual mokopuna care plans.

<sup>6</sup> Attention Deficit Hyperactivity Disorder [What is ADHD | ADHD NZ - ADHD NZ](#)

<sup>7</sup> Foetal Alcohol Spectrum Disorder [Fetal alcohol spectrum disorder \(FASD\) - Better Health Channel](#)

<sup>8</sup> Oppositional Defiant Disorder [Oppositional defiant disorder \(ODD\) - Better Health Channel](#)

- When in Secure Care Mokopuna do not have access to education as they would in the other units.
- There are limited opportunities for mokopuna to go outside when they are in Secure Care.
- Mokopuna do not have access to a range of meaningful, age appropriate activities when in Secure Care.
- Some kaimahi said they were not confident with the legal grounds that govern how the Secure Care unit operates and how mokopuna should be treated when they are admitted.



*One of the bedrooms in the Secure Care unit*

Mokopuna have a right to care and treatment that suits their individual needs. They also have a right to age-appropriate activities, a right to regularly access the outside, and a right to access education. Mokopuna who are voluntarily in secure care do not have these rights realised while they are in the Secure Care unit.

Mokopuna who need to regulate their behaviour do not meet the legal grounds to be admitted into the Secure Care unit or to be confined to their bedroom. However, due to other mokopuna dynamics, mokopuna who are struggling with mental health issues are, for example, spending long periods of time alone and in bedrooms that have the potential to trigger further distress and trauma.

*When asked what mokopuna do in their rooms, one kaimahi said: "not much, they might have a comic book or a DVD."*



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Mokopuna who are vulnerable and have a need for an area to regulate themselves do not meet the legal grounds<sup>9</sup> to be admitted into the Secure Care unit nor do they meet the grounds to apply Regulation 48 to confine them to bedrooms.

Mokopuna have a right to an education and a right to meaningful activities under Articles 28 and 31 of the UN Convention on the Rights of the Child. Mokopuna in the Secure Care Unit are not able to experience these rights.

Mokopuna are entitled to the highest standard of care when they are in the custody of the State. Oranga Tamariki is bound by Articles 19, 20 and 27 of the UN Convention on the Rights of the Child and Article 3<sup>10</sup> of Te Tiriti o Waitangi to actively protect and treat as taonga mokopuna in their care. This is not currently happening for mokopuna in the secure care unit at Te Puna Wai.

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Mana Mokopuna recommends Oranga Tamariki urgently reviews the use of the Secure Care unit for mokopuna who have self-identified they require time and space away from others. An alternative resource needs to be available to mokopuna so they can safely de-escalate, self-soothe, and regulate emotions in a supported way with trained specialist kaimahi. Mana Mokopuna advises that Oranga Tamariki seek guidance for what this sensory area could look like and recommend visiting Nga Kakāno, the local adolescent in-patient mental health unit based at Hillmorton Hospital.

## Mokopuna had regular access to independent advocates

Independent youth advocates are available for mokopuna through VOYCE Whakarongo Mai (VOYCE)<sup>11</sup> who are an independent advocacy organisation contracted by Oranga Tamariki to support mokopuna in care. How to contact VOYCE was clearly displayed in the units so mokopuna knew how to contact an advocate.

VOYCE kaimahi visit residences regularly and were seen during our monitoring visit engaging with mokopuna in their units to build rapport in order to offer support in navigating issues related to mokopuna wellbeing whilst in care. VOYCE advocacy support at Te Puna Wai begins as soon as mokopuna are admitted, using an opt-out model that requires mokopuna to request if they no longer wish to use the service. This is the consistent approach used for all residences operated by Oranga Tamariki.

Mokopuna at Te Puna Wai were using the Whaia te Maramatanga (residence grievance process) regularly and there was a notable improvement in how these grievances were being documented and tracked through the process and the outcomes reached.

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<sup>9</sup> S368 of the Oranga Tamariki Act 1989

<sup>10</sup> [The three articles of the Treaty of Waitangi – Nation and government – Te Ara Encyclopedia of New Zealand](#)

<sup>11</sup> [VOYCE - Whakarongo Mai - advocacy for children with care experience](#)



Mokopuna have a right to access an independent complaints system and have help from advocates to formulate feedback regarding their experiences in care.<sup>12</sup>

### There is more opportunity to hear mokopuna voice

At the time of the monitoring visit, the Youth Council had been paused and was not operating. Beforehand, a representative from each unit was nominated by their peers to voice their concerns and needs directly with the residence manager. However, it was reported mokopuna were coming to these hui with a list of demands rather than a willingness to kōrero and jointly come up with solutions. The Residence Manager has asked kaimahi to facilitate a more collaborative approach with mokopuna so hui can be more productive and focus on improving overall care experience.

Giving mokopuna the ability to directly communicate their needs to decision-makers is a powerful tool for self-advocacy and mana Motuhake (self-determination). IT would also support mokopuna to experience their Article 12 Children's Convention right to participation in matters and decisions affecting them.

Mana Mokopuna recommends the Youth Council and regular hui with the residence management team is reinvigorated and used to gather insights into how mokopuna care experiences can be improved.

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<sup>12</sup> [United Nations Rules for the Protection of Juveniles Deprived of their Liberty | OHCHR](#) Articles 75-78



## 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 management team are working hard to change residence culture

The Residence Manager had been in the role for just over a year at the time of the monitoring visit. There has been considerable effort put in to, as one kaimahi said, “clean up the residence” in terms of culture and kaimahi practice. Most kaimahi spoke positively of the management team and liked the way the team operates, especially with the open door policy to the manager. Kaimahi also commented on the creativity of the management team to solve issues with a commitment to making Te Puna Wai better than it has been. Examples kaimahi gave was the manager advocating for unlimited whānau contact and fast tracking funding when required. All members of the management team were also regularly seen in the units and kaimahi said simple things like this make them feel like work is now a safer environment for them.

Mokopuna also knew who the managers were, and Mana Mokopuna saw how comfortable mokopuna and managers felt in each other’s company and the good rapport that had been built between them. For example, the Residence Manager personally delivers grievance outcome letters to mokopuna to ensure mokopuna know they have taken their complaint seriously and given it due consideration. Mokopuna were regularly heard asking their kaimahi if the Residence Manager was at mahi and if they would be coming into the unit. At previous visits, kaimahi had said they did not know who managers were, what they looked like, and that they rarely came into the units.

The management team outlined that vital to keeping the residence moving in the right direction, is strengthening the Team Leader Operations (TLO) group. This group of kaimahi sits between the management team and those working directly with mokopuna. The Residence Manager is cognisant that lifting the practice of this TLO group will have positive impacts for mokopuna in the units. Previously, the TLOs had all operated differently, which the Residence Manager, and others in the leadership team, said had created some “bad habits” and inconsistencies in kaimahi practice. Investment in training the TLOs has been part of the *Residences and Homes* pilot, however kaimahi want this to go further with the management team creating purposeful team-building opportunities to support TLO practice and create team cohesiveness to counteract any lingering lack of trust or belief in the system changes that are occurring at Te Puna Wai.



All kaimahi across the facility said that the residence was moving in a better direction with a more positive culture, but acknowledged there is still considerable work to be done to embed systemic change. Some kaimahi still feel decision-making and communications between management layers can be disjointed and unclear, and that the vision for Youth Justice residences in general still lacks clarity. Multiple kaimahi said that they need direction from Oranga Tamariki National Office in terms of whether they are working to 'secure and contain' mokopuna or if the purpose of mokopuna stay in residence is to work therapeutically with them and address previously un-met needs and enable safe and sustainable return to their community. This dichotomy of operational vision was also highlighted in the *Secure Residences and Sample of Community Homes Independent, External Rapid Review* completed in 2023.<sup>13</sup> Te Puna Wai management is building their model on compassion and care, however kaimahi feel uncertain as to whether this will be part of the new way of running Oranga Tamariki residences at a systemic level and be consistent across the country. If kaimahi are unsure about the strategic vision and direction for youth justice residences, change may be slow with a greater risk that kaimahi will revert back to old ways of working. Some kaimahi did allude to there still being a "toxic undercurrent" at Te Puna Wai with some kaimahi working in cliques and being reluctant to change their practice.

Mana Mokopuna strongly advises Te Puna Wai management clearly articulates to all kaimahi the vision for the residence, and ensure that vision and new way of working is thoroughly tested in the pilot environment.

### Kaimahi see opportunity with the new roster and are vocal about what needs to be adjusted

The roster being piloted aims to increase kaimahi numbers working directly with mokopuna during targeted times. These times include when mokopuna require more dedicated kaimahi support or where assaults have occurred. Morning routines before education starts, during lunch time, between education finishing and bedtime are the targeted times for increased staffing resource. The new trial shift times are:

- Morning start times: 5am-3pm, 6am-4pm, 9am-7pm
- Afternoon start times: 12pm-10pm, 2pm-12am
- Nightshift start times: 7pm-5am, 8pm-6am, 11pm-9am.

Kaimahi now work ten hour shifts (previously eight) with shift teams working two week blocks. This means that kaimahi will have two weeks of morning starts, two of afternoons, and then two weeks of nightshifts. No dedicated nightshift teams are now working at Te Puna Wai with all kaimahi now working all shift times. Dedicated training only days have been built into kaimahi schedules to ensure these are completed.

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<sup>13</sup> [Secure-residence-review.pdf \(orangatamariki.govt.nz\)](#)





Almost unanimously, kaimahi expressed a dislike for the 11pm to 9am shift. Kaimahi said this shift was hard to get through and the most disruptive to their body clocks. Kaimahi also explained that needing to stay on shift until 9am was not helpful to mokopuna, given that when mokopuna wake up with energy, kaimahi are very tired and just ready for bed. Kaimahi raised health and safety issues with them needing to dispense morning medication to mokopuna when they are tired and to drive home when they feel exhausted. All kaimahi suggested this particular shift should end between 6am and 7am to avoid risk to themselves and mokopuna.

Overall, kaimahi were positive about the change in roster. Many kaimahi appreciated the time dedicated to training days and could see the benefit of having more kaimahi working during pressure times. Some kaimahi were surprised at what they could achieve during the nightshift, with many taking the opportunity to plan programmes for mokopuna when they returned to day shift times, completing their professional development plans, and having time to participate in supervision with their Team Leaders (TLOs). Some kaimahi said that working together with your shift team during the quieter times helps to build positive team dynamics and rapport. Kaimahi particularly liked the 7pm to 5am shift as they got to spend some time with mokopuna before bed, have the quiet of a night shift, and still be home to see their own mokopuna before they head out to school in the morning.

### Despite the new roster, some shifts were still short on numbers

Kaimahi outlined that despite the recruitment drive to employ more kaimahi, there were still regular times when shift numbers were short. Mana Mokopuna observed kaimahi staying longer than their shift (10 hour shifts) and observed those who worked the night before still in the units the next day working an extended shift. These kaimahi were visibly tired and told Mana Mokopuna they were exhausted. Kaimahi said they feel the need to extend their shift especially when there are no other kaimahi on-site with the relevant experience needed to perform certain roles like Team Leader roles or work in the Key Press<sup>14</sup>. When asked why they worked overtime, kaimahi said working with and for mokopuna is their passion, and that is the reason they keep turning up to pitch in when kaimahi numbers are low. One kaimahi said,

*"I love it [work] and the young people, or I wouldn't be working here" and another said, "if we aren't here to look after the mokopuna, then who is?"*

However, there were also times when kaimahi said they did not feel safe given the low number of staff on their shift. Some kaimahi said since the new roster pilot began, they had worked alone overnight in Secure Care when the unit was full. Some kaimahi explained that the roster becomes "a numbers game." If kaimahi are sick or are unable to do their shifts, for example, kaimahi are brought into work early from the next shift which then creates a domino effect for

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<sup>14</sup> Key Press is the CCTV room that keeps oversight of all cameras in the residence. Kaimahi in this room also have the responsibility for all keys on site and provide an extra layer of safety in terms of line of sight for kaimahi working with mokopuna.





the night shifts. These shifts end up being short because it is difficult to ask kaimahi to work overnight when they are scheduled for daytime shifts. This is leading to kaimahi either working alone in Secure Care, in significantly reduced numbers for the other units, or kaimahi working extended hours while tired.

The residence leadership team are aware of these issues and accept there will be teething issues with anything new implemented into operations. Mana Mokopuna looks forward to seeing how these issues are ironed out and how kaimahi feedback is incorporated into any permanent roster change to ensure mokopuna receive the best possible care from their kaimahi.

### New kaimahi are confident and are challenging established practice

Many new kaimahi are confident in their roles and the training<sup>15</sup> they have received. Both managers and TLO kaimahi said it was refreshing to hear new kaimahi challenging practice within their shift teams expressing that what was being communicated was not in line with training. This has made experienced kaimahi question their decision making and re-align themselves with best practice. For example, new kaimahi are challenging the use of Secure Care and questioning whether other de-escalation strategies aligned to Whakamana Tangata<sup>16</sup> have been used and whether grounds for a secure care admission have been met. Other examples include kaimahi challenging co-workers regarding a lack of line of sight and being lax with mokopuna who protest about doing their chores.

However, many of the new kaimahi had not worked with high and complex needs mokopuna before and were relying on experienced kaimahi to help them settle into a good practice routine. Experienced kaimahi did find mentoring new kaimahi and adjusting to the new rosters stressful. Kaimahi explained that those with experience have been split across the fifteen shifts that cycle throughout the day and it is becoming tiring teaching and reteaching different new kaimahi. Some kaimahi expressed they were feeling burnt-out trying to keep themselves and the new kaimahi afloat. As one kaimahi said,

*"I'm spreading myself thin like butter....trying to help them [new kaimahi] all....but there's only one of me."*

Overall, kaimahi said the calibre of new kaimahi coming into the residence was good, and felt the professionalism of kaimahi across all operations had the potential to increase steadily and positively. Continuous training to support all kaimahi development will be critical to ensuring a highly functioning workforce. Particular attention needs to focus on supporting experienced

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<sup>15</sup> Te Waharoa induction training. This is a standard six week induction training that all youth justice residences use.

<sup>16</sup> Whakamana Tangata is Oranga Tamariki Māori informed restorative model described as a 'way of being', an intention to build and embed processes that facilitate the restoration of people's Mana, promoting their wellbeing in holistic and culturally relevant ways.



kaimahi when they are regularly required to support the on-boarding of new and less experienced workers.

## The recruitment of kaimahi into key roles has had a noticeable effect on mokopuna care and experiences in residence

Learning new skills and having the support to try and fail in a safe environment, provides mokopuna with developmental opportunity that can help build resilience and give them the tools to succeed. The Employment Co-ordinator, a Programme Co-ordinator, and the Agriculture Programme tutor are critical for providing connection to community resource and need to work collaboratively to support mokopuna with life skills to use when they leave Te Puna Wai.

Mokopuna told us that in particular, they liked the opportunity to work with the Agriculture tutor learning how to use tools safely and then putting this knowledge into practice and making various items. One mokopuna was excited to share that they had made a bird house from scratch and they were proud of becoming proficient with the skill-saw. The Employment Co-ordinator also outlined how they are connecting mokopuna to community-based courses so they can try out new skills and gain some work experience before they leave residence. Critically, the Employment Co-ordinator can also work with mokopuna for up to three months once they leave Te Puna Wai to provide continuity of support and, as the Employment Co-ordinator said, keep mokopuna “on the straight and narrow”. In addition to the school day, mokopuna were kept busy and largely engaged in programmes and activities that were aligned to their interests. These included driving simulator sessions, beauty programmes, and sporting activities.

However, the residence still has essential roles vacant which does impact on mokopuna care experiences. These roles include the Team Leader Clinical Practice, an on-site psychologist and additional kaimahi to manage mokopuna escorts<sup>17</sup>. Not having these vacancies filled impacts on mokopuna care within the residence. Care plans need substance and without the clinical expertise available on-site, there is a risk mokopuna needs will not be met in a timely manner. Mana Mokopuna hope to see these roles filled, fully inducted, and making a difference, at the next monitoring visit.

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<sup>17</sup> Escort kaimahi manage most mokopuna movements outside the residence ie off-site professionals hui or court appearances. They also manage some mokopuna movements internally for example, taking mokopuna over to see health care specialists.



## Improving outcomes for mokopuna Māori

This domain focuses on identity and belonging, which are fundamental for all mokopuna to thrive. We note 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.

### There is a lack of strategic vision and direction to improve outcomes for mokopuna Māori

At the time of the visit, 19 of the 35 mokopuna living at Te Puna Wai whakapapa Māori. Māori continue to be the largest demographic group admitted into Te Puna Wai and indeed all residences across the motu.<sup>18</sup>

The over-representation of mokopuna Māori in places where they are deprived of their liberty is concerning, and not enough is being done to ensure mokopuna Māori have unlimited access to programmes and activity that promote their culture, sense of wellbeing, and te reo Māori. Many mokopuna said they knew their iwi and rōhe, where their marae was, and some history about their whānau. Some mokopuna said they regularly visited their marae when they were living at home.

Mana Mokopuna found very little evidence at a strategic level that looks at encompassing mātauranga into everyday practice and operations. Several kaimahi said the absence of their Kaiwhakaue, who is currently involved in other mahi, like kaimahi training, and despite their best efforts, is not on-site regularly which does not help in improving the quality of care for Māori mokopuna during their stay at Te Puna Wai. The Kaiwhakaue said it is hard to do all the roles justice when they need to be involved in off-site training, but also still try and provide cultural supervision, teach te reo Māori, be the kaikōrero, and uphold tikanga for the residence. Generally, most kaimahi we spoke to were willing to put effort into this mahi, but some said they lacked the confidence to drive it.

Oranga Tamariki does have a strategic practice vision for mokopuna Māori<sup>19</sup> and this needs to be prioritised with urgency across the residence network. Some kaimahi do go out of their way to ensure mokopuna have the opportunity to (re)connect with their whakapapa, kōrero Māori, and learn kawa and tikanga from their iwi, however this is on an ad-hoc basis, and solely dependent on individual kaimahi to initiate.

Mokopuna need programmes that have long term investment in growing their mātauranga and kaimahi need the professional development and on-going support to embed the vision into operations. Kaimahi Māori said they feel overwhelmed when they need to wear many

<sup>18</sup> <https://www.orangatamariki.govt.nz/about-us/performance-and-monitoring/quarterly-report/overview/>

<sup>19</sup> [Whakamana te tamaiti: Practice empowering tamariki Māori | Practice Centre | Oranga Tamariki](#)



different pōtae (hats) to uphold Māori values in a Crown space and to help set up mokopuna Māori for long-term success.

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Section 7AA<sup>20</sup> of the Oranga Tamariki Act, states that practices within the Oranga Tamariki system should have regard for the whakapapa (genealogy) of mokopuna. Mokopuna Māori need to have access to culture and activities that encourage them to explore their identity in a positive way. Te Puna Wai is not currently consistently or holistically meeting the needs of mokopuna Māori.

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## Kingslea School helps mokopuna to grow their knowledge of Te Ao Māori

Kingslea School and the education programme is the main way for mokopuna Māori to showcase their knowledge and gain educational credits in the NCEA system when they stay at Te Puna Wai. Connecting to culture is one of the pou<sup>21</sup> for Kingslea School and teachers work hard to ensure mokopuna Māori learn the basics of tikanga and have the opportunity to learn reo Māori. All teachers working at Te Puna Wai have at least a Level 3 Te Reo Māori qualification, with some teachers fluent. All teachers can therefore converse at least the basics with other kaimahi and mokopuna to grow and engage as many as possible in Te Ao Māori. Karakia, waiata and whānaungatanga are part of daily routine.

Teachers noted that “whakawhānaungatanga has really been upped” for the residence and teachers attend mihi whakatau (run by the residence) believing this helps them connect with the mokopuna they will be working with and their whānau, so mokopuna can get the best out of school when at Te Puna Wai. Teachers explained how they have to think outside the box to keep mokopuna engaged and show them that “being Māori has huge mana”. Teachers gave the example of working with mokopuna to find out what iwi they belonged to and then outlining all the things that iwi had done in the past and the resources they had now. The teachers said that the mokopuna in this example was visibly proud of what they had learnt and that they were part of that. When mokopuna come into the residence and are fluent in Te Reo Māori, teachers ensure they sit their NCEA papers and exams so they leave with those educational credits.

Without the efforts of teachers and a small group of kaimahi, mokopuna Māori would have little opportunity to learn about their culture when at Te Puna Wai. Mana Mokopuna recommend facility management investigate ways they can expand tikanga Māori into everyday operations. Re-instating a dedicated Kaiwhakaue role and building on what is being done during the structured day with Kingslea School would be beneficial to begin meeting the needs of mokopuna Māori.

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<sup>20</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](#)

<sup>21</sup> [Our Values – Kingslea School](#)



## 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.

### Kaimahi and mokopuna relationships were largely positive and pro-social

Mana Mokopuna found most kaimahi working at Te Puna Wai were genuinely passionate about caring for mokopuna. Mana Mokopuna observed some good practice and the level of positive engagement between kaimahi and mokopuna had increased since the last 2023 visit with mokopuna largely saying they liked the kaimahi assigned to work with them. Mana Mokopuna observed the following from some kaimahi:

- Being clear in setting boundaries and ensuring mokopuna kept to the set routine. This was especially evident during bedtime routines where mokopuna were pushing the boundaries in terms of bedtime and kaimahi were clear as to why the time did not change and encouraged mokopuna to get themselves ready for bed.
- Maintaining good line of sight to keep mokopuna safe. There were times when Mana Mokopuna were engaging in kōrero with kaimahi and those kaimahi excused themselves to keep line of sight of mokopuna moving into various areas in the units.
- Exploring ways to de-escalate behaviours with mokopuna like listening to them uninterrupted, offering walks in the courtyards, and noho mauri.<sup>22</sup>
- Re-directing mokopuna to more appropriate activity. In some cases, this could have been done sooner. An example observed included mokopuna playing table tennis and whoever hit the losing shot was branded with the ball by the winning mokopuna. Mokopuna were hitting the ball very hard at each other's bodies, and on that occasion, it took kaimahi too long to re-direct the game. When the re-direction did come, it was done positively.

Generally, most kaimahi seemed more confident in their ability to work with mokopuna. However, many kaimahi spoke about still wanting more opportunities to development their practice or "floor craft"<sup>23</sup> with specific training that focuses on effectively managing a large group of mokopuna who all have quite diverse and often complex care needs. This includes how to support mokopuna struggling with poor mental health and low self-esteem, as well as supporting those with diagnosed neurodiversity, FASD, and for example, ODD.

Many kaimahi are eager to train and improve care experiences for mokopuna. Mana Mokopuna strongly advises Te Puna Wai prioritises kaimahi attendance at the Tuesday training

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<sup>22</sup> A space, usually a table, separated from the rest of the open unit so that kaimahi can work with mokopuna 1:1 to de-escalate mokopuna behaviours.

<sup>23</sup> Many kaimahi refer to floor craft as the ability to work effectively in the units where mokopuna live. This includes reading mokopuna behaviour and de-escalating it before mokopuna get out of control. It's the ability to predict and re-direct mokopuna based on years of experience working with high and complex need mokopuna on a daily basis.



day to ensure this enthusiasm translates into upskilling and increasing overall workforce capability.

### The new roster impacts on mokopuna care

Strong relationships between mokopuna and kaimahi are important and help to establish positive boundaries and routines as well as a sense of safety for mokopuna. Mokopuna were open about how they felt the roster changes and pilot were going, with many telling Mana Mokopuna that they felt there were a lot of new kaimahi faces in the residence, they were not sure when new shifts started, and that they did not feel they knew the kaimahi looking after them very well.

This feeling of uncertainty was also evidenced in complaints mokopuna had made via the Whaia te Maramatanga<sup>24</sup> grievance process since the Pilot had started. Mokopuna also said that when they asked kaimahi when shifts were due to start, many kaimahi could not articulate the roster to mokopuna. Mokopuna said there were a lot of adults in their units across the day and that “this is something we just have to get used to”.

Mokopuna have good insights into how the Pilot is going for them, and Mana Mokopuna would like to see Te Puna Wai management capture this voice to inform how mokopuna can be fully informed of the Pilot progress, and where communications can be strengthened, so that mokopuna can have meaningful participation in sharing their views about how the changes have affected their care and relationships with kaimahi.

### A unit for complex needs mokopuna is part of the Pilot plans, but has yet to be set up

As previously mentioned, mokopuna who have high and complex needs such as experiencing mental health distress or suicidal thoughts were spending a lot of their time in the secure care unit. This is not a therapeutic environment and kaimahi cannot meet the needs of these mokopuna. Kaimahi at Te Puna Wai explained that part of the pilot design included setting up a wing in one of the units as a high care needs wing where vulnerable mokopuna could be placed. Having this specific area with appropriately trained kaimahi is beneficial for mokopuna care at Te Puna Wai. Kaimahi also said that having a dedicated wing for this purpose would help to provide consistency of care for takatāpui mokopuna. Care for this group of mokopuna was variable and at times disrespectful. Examples of variable care included kaimahi advising other kaimahi to “throw him back in with the boys” when referring to a male mokopuna residing in the girls unit when their behaviour was being described as “drama queen” and “annoying.” Kaimahi also lacked the ability to articulate why a male mokopuna could not sit on the same couch to watch TV as a female mokopuna when they were residing together in the unit. The lack of consistent information and communication created tension in the unit and

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<sup>24</sup> Whaia te Maramatanga is the grievance process used in all Oranga Tamariki run residences. Mana Mokopuna reviewed grievances from the last quarter whilst on this visit.



mokopuna were vocal that they did not appreciate the different treatment between males and females.

Mana Mokopuna recommends Oranga Tamariki urgently set up the unit as per Pilot design, to test how mokopuna treatment can be improved when there is a designated wing with a trauma-informed care model for mokopuna assessed to have additional vulnerabilities and who are experiencing mental health distress.

## Mokopuna relationships with each other need to be strengthened

Data reviewed by Mana Mokopuna showed that assaults between mokopuna remain frequent at Te Puna Wai but there is a downward trend in terms of numbers of incidents per month.<sup>25</sup> Kaimahi said that more needs to be done to help mokopuna navigate their relationships with an emphasis on developing their understanding of the many differences in upbringing, characteristics, and behaviours each mokopuna brings to the residence. Kaimahi said that mokopuna often have limited understanding of how to navigate differences of opinion, for example, and how their own reactions can influence a situation. When heightened behaviours escalate further, mokopuna are resorting to physical violence to settle disputes. This was evidenced in incident reporting when there was often pre-cursor anti-social behaviour noted by kaimahi before an assault.

Mana Mokopuna also noted through observations that when some mokopuna did not agree with the group consensus, they were ridiculed and bullied into toeing the line and being forced to go along with what the majority of the group want. Mana Mokopuna observed clear cliques between mokopuna groups and that some mokopuna were being left out.

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Oranga Tamariki is bound by the Children's Convention and Article 3 of Te Tiriti o Waitangi to ensure the safety of mokopuna in state care. The failure of the government to ensure safety was noted by the UN Committee on the Rights of the Child's Concluding Observations with reference to resolving a 'bullying culture' in places where mokopuna are detained.<sup>26</sup>

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## Contraband is still coming into the residence

Contraband such as vapes coming into youth justice residences is a problem nationwide. It is illegal to supply mokopuna under the age of 18 with vapes,<sup>27</sup> and Te Puna Wai kaimahi need to ensure contraband entering the residence continues to trend down, to ensure mokopuna do not have access to items that are illegal and detrimental to their health.

Typically, these items are making their way into the residence through kaimahi and external visitors. Some kaimahi at Te Puna Wai identified other kaimahi who they believed were

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<sup>25</sup> Mana Mokopuna reviewed six months worth of Serious Event forms, Incident reports and Reports of Concern logged with Oranga Tamariki as part of the on-site visit.

<sup>26</sup> CRC/C/NZL/CO/6 para 27(b)

<sup>27</sup> ss40 and 41 Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020).





bringing in contraband. Mana Mokopuna did, however, note a downwards trend in prohibited items making their way into the units where mokopuna live, and believe this may be attributed to raising awareness with kaimahi, in particular the many new kaimahi, and external visitors regarding the danger these items pose, as well as kaimahi training. The leadership team has also been proactive in enforcing the use of clear plastic bags for all kaimahi personal belongings while they are onsite, as well as encouraging kaimahi not to wear pants with large pockets, for example cargo pants, whilst at mahi.

## Secure Care admissions and searches occur regularly at Te Puna Wai

The isolation and seclusion of mokopuna goes against their human rights.<sup>28</sup> There is strong international advocacy for the seclusion of all mokopuna in all settings to cease immediately. International research<sup>29</sup> labels the seclusion of mokopuna as harmful and a practice the New Zealand government has been questioned about during numerous formal reviews by various United Nations treaty bodies. Mana Mokopuna strongly advocates for zero seclusion practices.

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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.<sup>30</sup>

The Concluding Observations released by the United Nations Committee Against Torture on 26 July 2023 recommend New Zealand should immediately end the practice of solitary confinement for children in detention.<sup>31</sup>

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Mana Mokopuna reviewed data on-site at Te Puna Wai which included unit daily logbooks and the Secure Care register. Admissions into Secure Care occurred frequently and mokopuna were regularly confined to their bedrooms<sup>32</sup> for long periods of their time when in Secure Care.

Mokopuna were also frequently searched for prohibited items. Whilst most of the time these searches met the legal grounds for kaimahi to conduct the search, as per the details recorded in unit logbooks, some did not. It appeared there was an automatic search of some mokopuna coming back from their agriculture-based course, despite no grounds for the search being documented. Kaimahi must document their reasonable belief and all efforts they have undertaken to ask mokopuna to hand over any items before a physical search. Searches can be traumatic for mokopuna and should therefore be kept to a minimum.

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<sup>28</sup> A/ HRC/28/68, para 44

<sup>29</sup> Examples include: [Seclusion - an overview | ScienceDirect Topics](#), 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.

<sup>30</sup> A/ HRC/28/68, para 44

<sup>31</sup> CAT/C/NZL/CO/7 para 38(h)

<sup>32</sup> Reg 48 Residential Care Regulations 1996





## Supported transitions are key to mokopuna remaining in their community

The All About Me Plans reviewed by our team showed a good understanding of the goals each mokopuna had both during and after their time in residence. Some mokopuna still had variable relationships with their allocated Oranga Tamariki site social worker with the primary concern the lack of visits and the inability for mokopuna to contact them. However, most mokopuna spoke positively about the clinical team<sup>33</sup> based at the residence. Te Puna Wai kaimahi have also extended their transition planning to include a form of out-reach service for some mokopuna when they leave the residence. Some kaimahi are able to keep in contact with mokopuna for up to three months when they return home, and the aim is for kaimahi to support mokopuna and whānau into any new placements, with job opportunities, or ensuring courses mokopuna start in residence are carried on when they return to the community.

This work is crucial to helping mokopuna and their whānau thrive outside of the residential environment and move away from an offending pathway. Our monitoring team spoke to community NGOs that are working with mokopuna who said that one of the main reasons mokopuna return to residence is due to them moving from a very secure, punitive environment to a situation where they are completely free with little support for themselves or their whānau. Mokopuna said they feel they get little support from their social workers when things start to go wrong and the reality for them is that residence provides support and security that they often do not have on the “outside”.

The more support that is wrapped around mokopuna transitions, the more tools mokopuna have to move away from anti-social peers and behaviours, and the greater likelihood of a safe, sustainable return to the community. There are a multitude of youth focused NGOs in Ōtautahi that are well equipped with the capacity to support mokopuna transitions, as long as they are adequately funded to do so. Kingslea School<sup>34</sup> are also supporting transitions by enrolling mokopuna in their community-based school in Ōtautahi to give mokopuna more options to keep their engagement in education.

Mana Mokopuna recommends a formal, intensive, post residence wrap-around support plan is developed for all mokopuna and that dedicated transition teams are made available to support mokopuna when they return home. Transitions out of a secure environment need to be carefully managed with supports well established with community-based NGOs for mokopuna and their whānau.

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<sup>33</sup> Members of the Clinical team are responsible for updating care plans, co-ordinating assessments and provide a clinical link between care provided at the residence and mokopuna Oranga Tamariki site social workers.

<sup>34</sup> Kingslea School are the contracted provider delivering education at Te Puna Wai.

## Material Conditions

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

### The units were tidy but the facility as a whole requires refurbishment

With the exception of the secure care unit, which was described by multiple kaimahi as horrendous, not therapeutic and in dire need of refurbishment, the general condition of the other units where mokopuna live was that they were tidy, carpets had been cleaned or replaced, and there was artwork and on the walls. Mokopuna were largely responsible for keeping their common areas clean and were regularly seen vacuuming and tidying up after themselves as part of their daily chores. Some kaimahi did say they thought the facility was dated and more could be done to make the spaces inviting for mokopuna. Some kaimahi specifically noted the furniture was drab and suggested more vibrant colours would help to lift the mauri of the common areas. Our visit team saw that most of the Perspex windows were extensively tagged and noted them as being in a worse condition than at the last 2023 visit.



*Breakout spaces and a bedroom used by mokopuna in one of the units.*

Some kaimahi highlighted some of the hub<sup>35</sup> windows as safety hazards as the scratching done by mokopuna makes it hard to see through and requires urgent fixing. Kaimahi also noted infrastructure like the heating system was not effective and many kaimahi commented that it is cold across the residence especially in the wintertime.

### Mokopuna have good access to outside areas

All units have an external courtyard that mokopuna access regularly. Daily unit logbooks detail how the courtyards are used both for exercise and socialisation, but also as a de-escalation area where kaimahi and mokopuna can remove themselves from the unit and talk through what has led to heightened dynamics in the unit. This was also observed during this monitoring

<sup>35</sup> The hub area in every unit is a secure area where kaimahi can continue line of sight and work on computers, keep equipment and hold private conversations pertaining to mokopuna treatment.



visit via CCTV cameras when there was a 'code orange'<sup>36</sup> called just after dinner time. Mokopuna and kaimahi were seen utilising the outside courtyards to separate mokopuna.

There is also an indoor gym and grassed sports field that mokopuna were observed using during the monitoring visit, and an outside swimming pool that was regularly used during the warmer months, as documented in unit logbooks, and confirmed through kōrero with mokopuna on this visit.

## Mokopuna do not have access to soap

Many kaimahi expressed the need for soap to be readily available for all across all units. Due to incidents where mokopuna have used soap dispensers to make weapons, there are no soap dispensers in any of the units. Some mokopuna were observed to go into the toilet and come out where kaimahi would then squirt hand sanitiser on their hands in lieu of washing with soap while in the toilet. Other mokopuna just rubbed their hands on their clothing as they left the toilet without using hand sanitiser at all. Kaimahi and mokopuna across the facility voiced their displeasure at not having soap available and the worry that in a close living situation like a residence, viruses can easily spread without good hand washing.

Mana Mokopuna recommends Te Puna Wai management investigate ways to ensure mokopuna have access to soap and ensure they use it as often as possible to build good health and hygiene practices.

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<sup>36</sup> 'codes' are response actions that are understood by the facility when interventions due to mokopuna behaviours are required. A code orange requires a nominated persons from each team working in the separate units to assist where the 'code' has been called from. This influx of kaimahi is used to quickly de-escalate situations and keep mokopuna and kaimahi safe.



## 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.

### Local mokopuna have good access to whānau when they live at Te Puna Wai

Many kaimahi said that access to whānau is well supported at Te Puna Wai and that the current leadership team will go above and beyond to ensure mokopuna have access to their whānau. However, this appears to be better facilitated for mokopuna who live within the Waitaha (Canterbury) region with some mokopuna from outside of the immediate area saying they do not regularly see their whānau or siblings face-to-face. The leadership team did say that they try and keep admissions local to enable easy access to whānau and community-based supports. There was a 50/50 split between mokopuna who usually reside in from Te Ika-A-Maui (North Island) versus Te Waipounamu (South Island) at the time of the monitoring visit.

Mokopuna were, however, seen to have regular phone calls after dinner time with whānau or friends approved on their contact list. This time was prioritised by kaimahi with other activities and routines, such as bedtime, adjusted to ensure all mokopuna had the chance to make their calls.

### Mokopuna are engaged in education and lessons are tailored to meet their needs

Kingslea School<sup>37</sup> is the education provider at the residence. The teachers have created a good atmosphere in the classroom with residence kaimahi also helping mokopuna to complete their schoolwork. Almost every mokopuna was working towards NCEA credits. This supports the right of mokopuna to education and is a significant positive change for the residence, compared to the last 2023 visit when many mokopuna were refusing to attend education, and some mokopuna who wanted to attend were being bullied into not going to school.

Kingslea School teachers said that the change in mokopuna engagement has been largely down to a younger cohort of mokopuna in the residence. There has also been a push from teachers to scope what mokopuna want to learn about and tailoring the education in the classroom to cater for those interests. External providers such as Odyssey, and Sex-Wise have also been on-site to provide tailored programmes to mokopuna during their structured school

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<sup>37</sup> Kingslea School at Te Puna Wai ō Tuhinapo have four modern classrooms with up to ten learners in each homeroom. Many mokopuna might be experiencing their first time back into school after long periods of time so have specialist Teachers in support in soft and hard Technologies. There are also opportunities for STAR and Gateway programmes. [Te Puna Wai ō Tuhinapo \(Rolleston\) – Kingslea School](#)



day. Tailoring programmes has kept mokopuna engaged in education which was observed on the visit when mokopuna in one unit had the option to opt in or out of an education task, almost all mokopuna opted in.

Mokopuna also have the opportunity to gain NCEA credits and study NCEA level papers in te reo Māori. Kingslea School were proud of being able to facilitate this for mokopuna, especially for mokopuna whose first language was reo Māori. Other credits were centred around tikanga Māori, for example, the pōwhiri process. Kingslea School have multiple teachers who are fluent reo Māori speakers and for mokopuna, having kaimahi who can see the mana in their matauranga, like their language, is important. Mokopuna can find strength in their reo and gain educational credits they can use in the community. Teachers detailed how proud mokopuna were to learn their whakapapa and teachers went out of their way to support this journey.

Education is a strength at Te Puna Wai and mokopuna have their right to education upheld when they are in the units. The exception to this, as previously detailed, is mokopuna who are admitted into Secure Care who do not have access to the education programme provided by Kingslea School.

### Mokopuna are enjoying the opportunity to grow their life-skills

The agriculture programme<sup>38</sup> has been back running for a year and there was good feedback from mokopuna who were attending. The tutor has experience as a youth worker and working on farm and said they enjoy combining these passions to help mokopuna build new life-skills. One mokopuna said they had really enjoyed making their bird house in the agriculture programme earlier that day and was proud she could use the skill-saw “better than the boys”. This mokopuna went on to say how her cut lines were really straight and that the product at the end was good enough to sell.

The agriculture programme was a regular feature documented in unit daily logbooks with many comments around mokopuna being settled and having enjoyed the programme. This programme was also well used throughout the school holidays which has provided additional purposeful activity for mokopuna in a time when education is not running.

The Employment Coordinator<sup>39</sup> has also been able to work with mokopuna on writing their CV, interview practice, and driver licensing via a mobile simulator that comes to the residence regularly. The Employment Co-ordinator also helps mokopuna to apply for jobs and courses outside of the residence in preparation for transition to the community, and as previously

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<sup>38</sup> Agricultural Programme: Run by a dedicated tutor works with mokopuna on specific mokopuna-led projects such as growing plants, making projects with wood and working with animals.

<sup>39</sup> Employment Coordinator role is centred around vocational education, sourcing options for mokopuna employment, and co-ordinating transition support for mokopuna post their stay in residence.



stated, can keep in contact with mokopuna for up to three months post their residence stay to help them continue on their path away from offending.

## Mokopuna have opportunities to engage in a variety of activities both inside and outside the residence

Generally, mokopuna had good access to resources and programmes whilst in Te Puna Wai. Examples of regular activity detailed in daily logbooks included:

- Arts and craft, beauty programmes (with face masks and makeup), and sport related activity such as using the gym, basketball hoops, outside field, and in the warmer months, the swimming pool.
- Mokopuna using their courtyard for fitness challenges such as push-up challenges.
- There were sporadic programmes offered around kapa haka, poi, weaving, and hangi preparation.
- Mokopuna had opportunities to cook, with the logbooks detailing mokopuna making pancakes, burgers, and sushi.
- Downtime was characterised by movies, PlayStation, board games, and card games such as Uno, Monopoly Deal, and Poker. Poker was used regularly during down time and Mana Mokopuna encourages Te Puna Wai to phase out card games that involve gambling and wagering for food (or as mokopuna term it, for “munchies”).

Mokopuna also have access to various offsite activities, which many kaimahi said had a positive impact on mokopuna wellbeing. New kaimahi said that taking mokopuna out into the community had been part of their induction, and while they had some training and support, there was some anxiety noted by kaimahi regarding taking mokopuna out of the residence due to the risk mokopuna may abscond. However, risk mitigation planning was thorough and signed off by the Residence Manager. The attitude from the management team is that mokopuna will be returning to the community soon and doing activity now with the support of residence kaimahi, is important for their wider transition plan. Some activities that mokopuna have been participating in are:

- Waterfall walks
- Rowing boats
- Go carting
- Wharf jumping
- Orana Park zoo

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Mokopuna have the right to age appropriate, purposeful activity, play, leisure and rest as per Article 31 of the UN Convention on the Rights of the Child. Te Puna Wai are currently providing a good variety of activities and mokopuna are enjoying them.

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## Medical services and care

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

### Mokopuna have limited access to specialised mental health and neurodiversity care

Mokopuna who are experiencing mental unwellness or challenges regarding neurodiversity are receiving very limited access to specialist care to therapeutically support their needs. Given many mokopuna in Te Puna Wai have diagnoses for FASD, ADHD, spectrum disorders, and struggles with mental health, it is concerning that kaimahi do not receive specialist training so they can effectively support mokopuna. The nursing team agreed that care for these mokopuna does not currently meet all of their needs. They raised that they are worried for the welfare of those mokopuna admitted into the Secure Care unit when they are struggling with suicidal ideation or are in active psychosis. All Te Puna Wai kaimahi who our monitoring team spoke to regarding 'voluntary admissions' into Secure Care as an option to regulate and de-escalate, said they did not agree with the situation, but felt there was no other option for these mokopuna.

Across the board, kaimahi at Te Puna Wai said that mokopuna access to mental health services is lacking and is not equitable for mokopuna and their needs. The nursing team did say that the Youth Forensic Team<sup>40</sup> are excellent advocates for mokopuna to access the right services, and provide a good on-site service when mokopuna do not meet the assessment criteria for admission into in-patient mental health services.

The Youth Forensic Team and the on-site nurses reiterated the service gap that exists for mokopuna who are very mentally unwell. But they highlighted that the reality is there is often no other placement option other than a youth justice residence, that in itself, cannot meet the care or treatment needs of mokopuna. Mokopuna with moderate to severe mental health needs are falling through the cracks in terms of access to consistent, appropriate services.

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All mokopuna have the right to access health care that meets their needs as per Article 24 of the UN Convention on the Rights of the Child. Mokopuna who require specialist care are not always having their needs met at Te Puna Wai.

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<sup>40</sup> Youth Forensics Team (Te Whatu Ora) - provides a consultation and liaison role, as well as an assessment and treatment service, for youth aged 10-18 years with moderate to severe mental health issues involved in the Youth Justice System.





## There are concerns for mokopuna general health at Te Puna Wai

Kaimahi said that they are concerned about the amount of weight mokopuna are gaining during their stay at Te Puna Wai. Nurses confirmed that it is not unusual for mokopuna to gain upwards of 10 kilograms in a single month. Reasons given for the weight gain include a diet that is high in carbohydrates and a lot of food offered that is deep fried and portion sizes are very large. There is also concern for mokopuna who are regularly in the Secure Care unit gaining weight due to a lack of exercise options whilst they are in there. Mana Mokopuna was also told that a lack of drug and alcohol support has resulted in mokopuna using food to help them through the withdrawal symptoms which is also leading to weight gain. The use of inappropriate footwear for mokopuna, such as 'Crocs', to exercise in was also detrimental to mokopuna fully participating in exercise, and many were receiving injuries due to this form of unsupportive footwear.

Nurses outlined that they require an extension of their clinic hours to ensure all mokopuna who need to be seen, get seen promptly. Face-to-face clinics are run from 8.30am until 9.45am weekdays. However, there are often delays in escorting due to kaimahi shortage or escorts being deployed elsewhere, or mokopuna require longer appointment times, which means that time can run out and some mokopuna miss their medical appointments.

Nursing staff reported that medication errors are still high, however, these generally relate to creams and nasal sprays not being used, rather than prescription medicines not being dispensed at all or not being dispensed at the correct time, which was an issue noted during our previous 2023 visit. There is also confusion with the new roster and who is available and trained on shift to dispense medications. There has been times when there has only been one trained person on shift to dispense medications when there should be two signatories.

Mana Mokopuna recommends that Te Puna Wai ensure kaimahi who are trained to dispense medications are available on every shift, and that mokopuna have their primary health needs met with adequate nutrition to support their holistic wellbeing.

## Pegasus Health<sup>41</sup> is thinking outside the box to improve medical services for mokopuna

An on-call service was about to be piloted starting soon after the Mana Mokopuna on-site visit. An on-call nurse from Pegasus Health will be available 4-7pm on weekdays and between 9am and 7pm on weekends. This pilot will be for six months and the nursing team believe this will provide better coverage for mokopuna in the residence.

In addition to this, the health provider has access to a Māori and Pasifika hauora specialist team to provide culturally focused assessments to provide a holistic service to mokopuna. This

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<sup>41</sup> Pegasus Health are the contracted Health provider for Te Puna Wai.





service has been recently added to the Pegasus Health service and nursing staff were excited for this to be an option for mokopuna who they treat.

Mana Mokopuna looks forward to seeing the results of the on-call pilot and how mokopuna are benefiting from having access to the Māori and Pasifika hauora teams to understand what impact this has on mokopuna health care experiences at Te Puna Wai.



# Appendix One

## Progress on 2022 recommendations

The following table provides an assessment of the recommendations made by Mana Mokopuna for the previous full monitoring visit at Te Puna Wai carried out in November 2022. 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

	2022 Recommendation	Progress as at May 2024
1	Develop a national strategy to address recruitment and retention issues for staff across all residences. This should include researching reasons for retention issues by surveying staff on topics such as remuneration, rosters, training, and development opportunities. Address these reasons accordingly.	<p>There is currently a roster Pilot being carried out at Te Puna Wai to largely address the long-standing concerns from staff that the roster system typically used in youth justice residences is not whānau friendly which makes it hard to retain quality, experienced kaimahi, and does not support kaimahi to complete training and supervision. These are vital to ensuring mokopuna receive high quality and consistent care when living in youth justice residences.</p> <p>The roster Pilot is for six months (starting in May 2024) and also incorporates training provisions for key roles such as Team Leader Operations. Mana Mokopuna will assess the progress of the pilot and the impact it has had on kaimahi wellbeing and mokopuna care experiences at the next visit.</p>

### 2022 Facility Recommendations

	Recommendation	Progress as at May 2024
1	Safeguard mokopuna rights by allowing more time outside of bedrooms while in the Secure Care Unit.	<p>Bedrooms in the Secure Care unit fall short of Mana Mokopuna expectations regarding appropriate spaces to house mokopuna that can promote a therapeutic treatment. Some bedrooms in particular were described by kaimahi as “horrendous” and “dire”.</p> <p>Mokopuna admitted into Secure Care were regularly subjected to confinement to rooms under Regulation 48 of the Residential Care Regulations 1996 for long periods of time, mokopuna do not have access to education and often do not have access to meaningful, age appropriate activity. Mokopuna rights are not upheld when they are admitted into Secure Care.</p> <p>At the time of the monitoring visit, Secure Care was also being used for ‘voluntary admissions’ as these mokopuna were not able to cope in their regular units. These particular mokopuna were experiencing mental health distress. Most kaimahi we spoke with during the monitoring visit said that secure care generally, and especially in the current condition, cannot meet the complex needs mokopuna are presenting with.</p> <p>Mana Mokopuna has recommended Secure Care is not used for mokopuna on a voluntary basis and that bedrooms are urgently assessed to ascertain if they meet standard requirements and are fit for mokopuna to use.</p>
2	Plan activity programmes that are age appropriate and offers suitable gender mixing opportunities.	<p>On the whole, units still do not mix in terms of meeting for planned activity. There was the ability for takatāpui mokopuna to be housed in the unit according to their gender choice. Mokopuna did have good access to a variety of age appropriate activity.</p>



	Recommendation	Progress as at May 2024
3	<p>Improve staff wellbeing by:</p> <ul style="list-style-type: none"><li>• Having the right skills and training to support mokopuna escalated and potentially dangerous behaviors,</li><li>• Maintaining appropriate staff numbers for safe practice.</li></ul>	<p>The roster Pilot is designed to allocate additional kaimahi into units at periods of the day assessed as the most vulnerable to mokopuna displaying heightened behaviours and engaging in assaults and other risky behaviours. Additional kaimahi are working during the mornings, at dinner time and at bedtime to ensure mokopuna stick to routines and kaimahi have adequate numbers in the units to effectively de-escalate behaviours. However, there were still issues with shift numbers and some kaimahi outlined times they did not feel safe with the number of people on their shift. Nightshifts were identified as problem areas and there were still occasions when kaimahi worked extended or double shifts due to a shortage of numbers. Kaimahi outlined the 11pm to 9am shift in the Pilot as the most problematic in terms of their wellbeing, feeling exhausted at work.</p> <p>Training for kaimahi in specialist areas such as neurodiversity, mental health support, and addressing criminogenic behaviour was once again highlighted as a shortfall for many kaimahi.</p>
4	<p>All staff are trained in the full four-week Te Waharoa training (recognising mental health needs, the effects of neurodiversity, managing concerning sexual behaviours, and trauma informed training could be useful additions).</p>	<p>Kaimahi said they received the Te Waharoa training. However, as above, there were still gaps in their knowledge that they said would be helpful when working with mokopuna with high and complex needs. Experienced kaimahi also said it was exhausting trying to work the roster as well as continually mentor new kaimahi coming online.</p>
5	<p>All staff have the opportunity to access team and individual supervision.</p>	<p>Most kaimahi we spoke with said they were able to access supervision with their team leaders. Some shift teams were using the night shifts as times to catch up with supervision sessions. Many kaimahi said the night shift was a surprisingly good opportunity to build team rapport and do the things they would not normally have time for if they didn't have their night shift rotation. Mana Mokopuna will continue to monitor access to supervision on the next visit.</p>



# Appendix Two

## Gathering information

Mana Mokopuna gathered 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 stakeholders and partners	<ul style="list-style-type: none"> <li>▪ Residence Manager</li> <li>▪ Manager Residence Operations</li> <li>▪ Team Leader Logistics</li> <li>▪ Team Leader Support Services</li> <li>▪ Team Leader Clinical Practice</li> <li>▪ Team Leaders Operations</li> <li>▪ Youth Workers</li> <li>▪ Kaiwhakaue</li> <li>▪ Case Leaders</li> <li>▪ VOYCE – Whakarongo Mai Kaiwhakamana</li> <li>▪ Grievance Panel</li> <li>▪ Kingslea School</li> <li>▪ NGO in the community</li> <li>▪ Whānau of mokopuna</li> <li>▪ Oranga Tamariki Site Social Workers</li> </ul>
Documentation	<ul style="list-style-type: none"> <li>▪ Grievance quarterly reports</li> <li>▪ Secure Care register</li> <li>▪ Daily unit 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>▪ Admission Checklist</li> <li>▪ Home and Residence Pilot Programme Te Puna Wai o Tuhinapo</li> </ul>
Observations and engagements with mokopuna	<ul style="list-style-type: none"> <li>▪ Unit routines</li> <li>▪ Education in the classroom</li> <li>▪ Mealtimes</li> <li>▪ Activities on-site</li> </ul>