



# Te Au rere a te Tonga Youth Justice Residence

## OPCAT Monitoring Report

Visit Date: 18-20 June 2024

Report Date: July 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 wellbeing, 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 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:

- 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 torture, cruel, inhuman, degrading treatment or punishment.

### About this visit

Mana Mokopuna conducted an unannounced full visit to Te Au rere a te Tonga Youth Justice Residence (Te Au rere) between 18-20 June 2024, as part of its NPM monitoring visit programme. The objective of our OPCAT Monitoring as a NPM is to prevent harm and 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 the experience of mokopuna at the facility and provides evidence of the findings based on information gathered before, during and after the visit.

## About this facility

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| <b>Facility Name:</b> Te Au rere a te Tonga Youth Justice Residence operated by Oranga Tamariki   |
| <b>Region:</b> Papaioea (Palmerston North)  |
| <b>Operating capacity:</b> 30 bed capacity, with 27 mokopuna onsite at the time of the visit. Te Au rere is made up of four units where mokopuna live. However, at the time of the visit, one unit was being refurbished to be used for the Military Style Academy Pilot. Of the three units in use, one was designated for wāhine, the other two were for tāne. These units contain bedrooms, bathrooms, a dining area, kitchen, television room, and rooms for mokopuna to regulate their behaviour and have phone calls. Mokopuna have access to outside space with each unit having its own courtyard with basketball hoop. There is an additional unit designated for Secure Care. There is also an on-site gym, indoor pool and wharenuī for all mokopuna to use. |
| <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, sentenced under the Corrections Act 2004 – s34A.  |

## The Military Style Academy Pilot

At the time of undertaking this unannounced visit, the Government has announced a range of new initiatives to address serious and repeat youth offending. This includes a new Serious Youth Offender offence category and a new Military Style Academy (MSA) Pilot which is set to start at Te Au rere on the 29<sup>th</sup> of July 2024. The aim of the MSA Pilot is to reduce youth offending whilst also supporting mokopuna with their rehabilitation.<sup>1</sup> Only mokopuna who are considered ‘Young Serious Offenders’ and meet particular criteria,<sup>2</sup> will be admitted into the programme. Early indications are that ten mokopuna will make up this initial Pilot programme. Following mokopuna admission into the MSA Pilot – which we understand will be by consent of the mokopuna and their whānau, there will be a three-month residential phase at Te Au rere, followed by a nine-month community stage where the focus will be wrapping positive supports from mentors and community organisations around mokopuna and their whānau<sup>3</sup> in the hope of reducing the risk factors associated with re-offending.

At the time of our OPCAT monitoring visit at Te Au rere, very little was known about the proposed MSA Pilot. Kaimahi (including ones that had applied to be part of the Pilot programme) were mostly uninformed about the details of the Pilot and what their mahi would entail. There were concerns from both mokopuna and kaimahi about the MSA Pilot and what the impacts of having it on-site in their residence might be. Kaimahi explained that it had the

<sup>1</sup> [Military-Style Academies | Oranga Tamariki — Ministry for Children](#)

<sup>2</sup> They are 14 to 17 years old at the time of offending, have had two offences punishable by imprisonment of 10 years or more proven in court, and are assessed as being likely to reoffend, with previous interventions having proven unsuccessful. [Military-Style Academies | Oranga Tamariki — Ministry for Children](#)

<sup>3</sup> [Military-Style Academies | Oranga Tamariki — Ministry for Children](#)

potential to negatively impact on staffing levels, given many kaimahi from Te Au rere had been recruited to work on that specific programme. Many kaimahi also said they do not necessarily agree with the philosophy of 'bootcamps' and that it was unfair that all mokopuna did not have access to the opportunities the MSA Pilot is set to provide. Kaimahi outlined that mokopuna attending the programme will have access to a wide range of programmes, equipment, off-site activity, and post-residence support, which has the potential to highlight a large gap in care experiences for those not selected to be part of the MSA Pilot.

The major concern highlighted by kaimahi who we spoke with at Te Au rere during our visit was the extensive transition support, including a comprehensive transition home plan, which many kaimahi and mokopuna believe should be available to *all* mokopuna in the youth justice system, to enable a smooth transition back into their community with the hope this will reduce the risk of re-offending. Despite the concerns shared by some kaimahi, they also shared with us that they were open and excited to learn about the opportunities that mokopuna will get to experience through the MSA Pilot, and how this could influence care in youth justice residences going forward.

As the MSA Pilot had not commenced at the time of our monitoring visit, it did not feature in terms of a line of inquiry for our inspection of Te Au rere. We have however, documented in this report the views shared with us by both kaimahi and mokopuna relating to the MSA Pilot during our visit, ahead of the start of the Pilot.

## Key Findings

Mana Mokopuna found no evidence of cruel, inhuman, or degrading treatment or punishment (ill-treatment) during the visit to Te Au rere.

Mana Mokopuna reports the following findings:

### Areas of opportunity

- Intensive, wrap-around transition support is needed for all mokopuna when they leave Te Au rere. Transition plans need to support the on-going needs of mokopuna and their whānau to be successful within their community. This will help to prevent mokopuna from re-offending and returning to Te Au rere to get their needs met.<sup>4</sup>
- Gaps remain in the ability for mokopuna to access forensic mental health services, and to have access to these in a timely manner. At the whole-of-system level, Youth Justice residences are not set up to cater to mokopuna with significant mental health support needs.

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<sup>4</sup> Anecdotal evidence from mokopuna in Te Au rere who were open in saying they re-offended to get re-admitted into the facility.

- There were inconsistencies in how incidents are reported. Some kaimahi tasked with writing Serious Event Notification forms (SENs), Reports of Concern (ROCs) and MySafety incident forms were unable to articulate why different forms were used or when particular forms needed to be used to report and record incidents. More training is needed to ensure data is recorded transparently and consistently by all residence kaimahi.

### **Areas of strength**

- Te Au rere uses a consistent approach to its model of care, comprising of clear structures, routines, boundaries, and communication to ensure mokopuna and kaimahi know what is expected of them to ensure a high standard of care for mokopuna.
  - Many other Youth Justice residence kaimahi are accessing training provided by experienced kaimahi at Te Au rere.
- The use of secure care and mokopuna admissions into secure care have decreased at Te Au rere. Data provided by Oranga Tamariki shows a steady decline in the use of secure care at Te Au rere from January 2023 with an almost 50% reduction in its use over the 2023 calendar year.
- Mokopuna at Te Au rere were engaged in education and said they had good access to advocates when they needed them.
- Mokopuna, including some living at Te Au rere under the Criminal Procedure Act 2011,<sup>5</sup> were able to access offsite vocational opportunities. However, more work is needed to ensure mokopuna can also access vocational programmes and learning onsite at the residence.
- Mokopuna contact with whānau whilst in Te Au rere is prioritised, however, mokopuna continue to be placed out of region, away from their whānau, which is limiting their ability to stay fully connected and supported by them when living at Te Au rere.

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<sup>5</sup> Mokopuna who have court matters progressing through the District of High Courts can spend their remand period in a youth justice facility due to their age or level of vulnerability. Refer S173, 174 and 175 of the Criminal Procedure Act 2011.

# Recommendations

## 2024 Systemic Recommendations for Oranga Tamariki

|   | Recommendation  |
|---|---|
| 1 | Ensure mokopuna and their whānau have access to intensive, wrap-around transition support to help mokopuna successfully reintegrate back into their communities.  |
| 2 | Improve mokopuna ability to access onsite vocational programmes in all youth justice residences by dedicating time and resource to building partnerships with vocational training and education providers.  |
| 3 | Address the gaps within forensic mental health services by working collaboratively with Health New Zealand Te Whatu Ora to ensure all mokopuna health and mental health needs within youth justice residences are met in a timely manner and in ways that work for mokopuna and their individual circumstances. |
| 4 | Ensure all youth justice residence kaimahi receive the full Te Waharoa induction training as well as professional development training opportunities on supporting and caring for mokopuna who are experiencing mental distress, neurodiversity, Spectrum Disorders (including FASD) and who have disabilities. |
| 5 | Ensure all social workers provide a comprehensive medical history to youth justice residences when mokopuna are admitted, and plans are put in place upon admission and reviewed regularly to ensure individual health requirements and needs are always met.   |

## 2024 Facility Recommendations for the Residence Manager

|   | Recommendation   |
|---|--|
| 1 | Provide training for all kaimahi on incident recording and the criteria required for SENs, ROCs, and MySafety incidents, and ensure a quality assurance process is put in place to track progress on improvements in incident reporting capability and implementation. |
| 2 | Continue to provide on-going training for kaimahi to continue to upskill and maintain a high standard of practice and care for mokopuna.   |
| 3 | Undertake an audit to ensure all kaimahi have completed their Te Waharoa training modules.   |
| 4 | Provide a minimum of bi-monthly professional and cultural supervision for all kaimahi who work directly with mokopuna.   |
| 5 | Provide a dedicated therapeutic space and equipment for sensory modulation for mokopuna.   |

# 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>6</sup> for New Zealand's sixth periodic review on its implementation of the Children's Convention<sup>7</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 released Concluding Observations<sup>8</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>9</sup>.

Many of the recommendations from both sets of Concluding Observations from these UN expert treaty body committees are directly relevant to aspects of treatment experienced by mokopuna at Te Au rere which Mana Mokopuna has found during this monitoring visit in June 2024. Where relevant, these are highlighted throughout the body of the report.

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

<sup>7</sup> [Convention on the Rights of the Child | OHCHR](#)

<sup>8</sup> Refer CAT/C/NZL/CO/7 [G2315464.pdf](#)

<sup>9</sup> [Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment | OHCHR](#)

# Report findings by domain

## 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.

### Leadership sets a high standard of care for mokopuna

The leadership team at Te Au rere sets a high standard for the quality care they expect for mokopuna in the residence. The leadership team sets clear goals and expectations of kaimahi, which most kaimahi said enabled them to understand their role and perform their job duties well. There was evidence of clear communication mechanisms from the leadership team to those working directly with mokopuna. Examples include regular hui with shift leaders and consistent messaging on office training days. Many kaimahi reiterated the expectation that they should be focusing on doing the simple things right, all the time. Kaimahi generally spoke highly of their leadership team and said they can go to any of them with questions when needed and trust their judgement when it comes to decision-making.

Clear expectations and culture setting from the leadership team has contributed to a culture of safety and tikanga (protocols) that were largely followed by kaimahi and mokopuna at Te Au rere. For example, the residence has a strict no tagging policy and kaimahi are expected to uphold and maintain these standards when working with mokopuna. Consequently, vigilance is high to minimise mokopuna chances to etch or tag on property. Mokopuna and kaimahi demonstrated respect for their whare (living area) by helping to keep it clean and tidy. This kept the spaces regulated, allowing mokopuna to have ownership of what is their home. The emphasis on a clean and focused environment not only creates structure but allows mokopuna to see how kaimahi and others value their environment, which then sets the expectation for positive treatment and practice.

### Kaimahi feel supported in their role, leading to high kaimahi retention and good practice

Kaimahi said it was positive to have a leadership team that is consistent in their approach, leaders that kaimahi feel comfortable going to for help, and who role model good practice for the rest of the team. During the visit, kaimahi were observed having positive engagement with mokopuna and had built good rapport. Kaimahi ability to set and maintain healthy boundaries was largely made possible by the leadership team, who role modelled what they wanted to see from their kaimahi. For example, the leadership team members were observed to promote respectful relationships, have open door policies to hear kaimahi ideas, and gave kaimahi clear guidance that kept everyone accountable.

Many of the kaimahi at Te Au rere who Mana Mokopuna interviewed have been working at the residence for several years. Having highly experienced kaimahi is vitally important to retaining institutional knowledge, with the ability for these kaimahi to pass that on to newer members. Good practice can therefore become well embedded and an accepted part of how the residence is run. High quality, consistent practice is important for mokopuna care and crucial to reducing harm.

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Mokopuna are entitled to a high standard of care.<sup>10</sup> 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.<sup>11</sup> Te Au rere kaimahi role model the high standard of care expected of those working in a residence.

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Positive role modelling from leadership helps to create this positive workforce culture. Kaimahi said they have freedom and autonomy to implement new initiatives and establish strong relationships that keep them safe. An example kaimahi used was around their strong relationships enabling them to feel very comfortable giving each other feedback on their practice, which is in turn important for maintaining collegial accountability and a high standard of care for mokopuna.

Overall teams were working well together and had many kaimahi outlined the positive experiences they had working at Te Au rere. Mokopuna were largely open about sharing their experiences of living in Te Au rere, which highlights the positive environment kaimahi are creating for and with them.

### Kaimahi need more professional development and induction training

Although practice was good overall, there were still areas for improvement, particularly when working with mokopuna experiencing mental distress, mokopuna who have diagnosed and undiagnosed neurodiversity, and Foetal Alcohol Spectrum Disorder (FASD). Mokopuna diagnoses in these areas had been the main challenge for kaimahi, as they explained they often did not have the expertise to properly support mokopuna. Although the on-site psychologist had provided psychological safety training<sup>12</sup> for kaimahi, on-going professional development training was not always accessible to everyone. Mana Mokopuna would like to see more time and resources dedicated to trainings around mental health, neurodiversity, FASD and caring for mokopuna with disabilities.

Some kaimahi told Mana Mokopuna that they had only received one week of training before working directly with mokopuna in the units. Therefore, new kaimahi were not always receiving their full Te Waharoa induction programme and were instead only receiving Safe Tactical

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<sup>10</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>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>12</sup> Psychological safety training can help kaimahi understand how to coregulate with mokopuna as a de-escalation strategy, to prevent use of force and secure care.

Approach and Response (STAR)<sup>13</sup> training to inform their knowledge and practice of de-escalation techniques and application of use of force and restraint under the Oranga Tamariki regulations. All Oranga Tamariki kaimahi are required to complete Te Waharoa induction training to help them understand practice theory and models of support and wellbeing.

It is essential that all new Te Au rere kaimahi complete induction training, regardless of experience, as appropriate first trainings helps ensure kaimahi practice is grounded and they are well supported to meet mokopuna care needs. Mana Mokopuna recommends the Residence Manager completes an audit of Te Waharoa training completion and actively supports kaimahi to prioritise completing any missed modules.

### Supervision for kaimahi needs to be made a priority

Professional supervision is a requirement for all Oranga Tamariki staff who work directly with mokopuna.<sup>14</sup> Mokopuna often experience mental and trauma distress, which can negatively impact on kaimahi through vicarious trauma. However, supervision for kaimahi was little to non-existent at the time of the visit, and whilst kaimahi said there was a lot of emphasis on what went wrong and what could have been done better practice-wise in group sessions after an incident, the individual emotional toll of working in a youth justice facility was rarely recognised or acknowledged. Kaimahi said there was a pressure to just “deal with it and move on.” As per Oranga Tamariki policy, best practice is to provide kaimahi with on-going regular professional supervision<sup>15</sup> given the challenging environment and ever-evolving needs of working in a youth justice facility. The lack of kaimahi supervision has the potential to lead to burnout, unsafe practices, employee turnover, and other workplace issues.

Mana Mokopuna recommends that the Residence Manager sets time to prioritise individual supervision for all kaimahi working directly with mokopuna in addition to group de-briefs after incidents.

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In line with Oranga Tamariki’s supervision policy, all youth justice residence kaimahi are required to get regular professional supervision sessions, to support them through workplace issues and maintain their wellbeing.<sup>16</sup> This is important for mokopuna care and treatment, too.

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<sup>13</sup> [Evidence-brief-physical-restraint-and-de-escalation.pdf \(orangatamariki.govt.nz\)](#)

<sup>14</sup> [Professional supervision | Practice Centre | Oranga Tamariki](#)

<sup>15</sup> [Professional supervision | Practice Centre | Oranga Tamariki](#)

<sup>16</sup> [Professional supervision | Practice Centre | Oranga Tamariki](#)

## 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.

### Te Au rere has a model of care that made a positive difference for mokopuna

The model of care at Te Au rere used a consistent approach to applying boundaries, routine, and structure for mokopuna. Mokopuna said that the care they receive helps them feel safe and supported, as it provides predictability to their day and helps minimise uncertainties. Healthy boundaries are important for the success of any relationship, especially for mokopuna. An example of a solid relationship foundation was seen when a mokopuna initially refused to give a kaimahi a portable speaker. However, the kaimahi remained calm and reiterated the expectations and the reasoning behind needing the speaker back. The mokopuna then gave the speaker back without further issue. This consistency between practice and expectations allowed strong, supportive relationships to form between mokopuna and kaimahi, as there was both warmth and clear boundaries in place for trust to develop.

The model of care provided at Te Au rere allowed mokopuna to feel comfortable and safe with their structure and routine. Mokopuna from different units, including males and females, were observed playing volleyball together regularly without any issues. Mokopuna did regular workouts at 6am, set the dinner table without being asked, were involved in unit shift changeover hui, and began their nighttime routine without any opposition. This showed mokopuna knew their routine well and were comfortable completing it without always needing guidance and reminders from kaimahi.

Some mokopuna said they do not need to worry about their safety whilst at Te Au rere and even help reinforce this culture of safety with new mokopuna admissions. Mana Mokopuna were told of one example of a mokopuna saying “we don’t do that here” when a new mokopuna admission was preparing to threaten kaimahi. Mokopuna were also observed redirecting each other’s derogatory language during dinner time. Mokopuna role modelled positive behaviour for one another and provided peer accountability. The culture of safety and structure present in the model of care at Te Au rere has led to a decrease in secure care admissions and use of force.<sup>17</sup>

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<sup>17</sup> Data provided by Oranga Tamariki showed an almost 50% decrease in secure care admissions in Te Au rere during the 2023 calendar year.

## Secure Care admissions and Use of Force have been trending down

The isolation and seclusion of mokopuna goes against their human rights.<sup>18</sup> There is strong international advocacy for the seclusion of all mokopuna in all settings to cease immediately. International research<sup>19</sup> labels the seclusion of mokopuna as harmful and a practice the New Zealand government has been questioned about its practices in this regard during numerous in-person sittings by various United Nations committees. Mana Mokopuna supports zero seclusion practices.

Since 2023, secure care and use of force have been trending down<sup>20</sup> at Te Au rere, which is a positive step towards eliminating its use completely. Kaimahi maintain safety through a culture of predictable routines and consistent practice. Kaimahi explained that when mokopuna understand the rules and expectations, they are more likely to remain calm and settled. Mokopuna know that kaimahi are in control of the units, therefore they do not need to resort to violence to keep themselves safe. Kaimahi said they also use regular activities and programmes to keep mokopuna occupied, as well as de-escalation strategies such as:

- allowing mokopuna time and space to regulate in the courtyard
- noho mauri<sup>21</sup>
- going for a walk
- a quiet activity such as journalling
- bouncing a ball.

Mana Mokopuna would like to see secure care admissions and use of force continue to decrease so that secure care can be permanently closed at Te Au rere. Based on current trends downwards in the use of secure care and use of force at Te Au rere, there is real potential for this to occur, but it will require sustained focus and commitment, and the continued deepening of kaimahi capability in a wide-range of alternative de-escalation strategies, and also has an intersection with the need already highlighted earlier in this report for kaimahi to have professional development and training around caring for mokopuna with mental health needs, neurodiversity and spectrum disorders such as FASD.

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<sup>18</sup> A/ HRC/28/68, para 44

<sup>19</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>20</sup> Data provided by Oranga Tamariki.

<sup>21</sup> A de-escalation strategy that involves stepping away from the rest of the group for a set period of time.

<sup>22</sup> A/ HRC/28/68, para 44

## The Behavioural Management System is used well

The behavioural management system<sup>23</sup> (BMS) was also noted as a means of bringing out the best in mokopuna behaviour and minimising the need for secure care and use of force. Kaimahi explained that they use BMS to reward good behaviour, rather than as a punishment or bribe. The BMS did not impact on mokopuna ability to access activities, contact whānau, or participate in programmes. Instead mokopuna reach various levels in the BMS and earn incentives such as access to the weights room, takeaways, clothing, and offsite activities such as go karts and fishing for actions like:

- showing consistent participation during the day
- completing schoolwork
- maintaining good hygiene and personal appearance
- keeping their whare (units) clean
- and staying out of conflicts with their peers.

Kaimahi said they make sure the goals and expectations of the BMS are achievable, applied consistently, and that they have enough of the incentives mokopuna can chose to ensure there are no frustrations if mokopuna miss out. Contrary to other youth justice facilities, when mokopuna can drop multiple levels of the BMS for poor behaviour, mokopuna at Te Au rere may only lose a few points at a time and stay within the level they are working at. This prevents mokopuna from getting discouraged and allows them to continue to express their feelings and emotions safely without fear of needing to start their BMS points from zero. There was an example of a kaimahi asking mokopuna how many points they thought they should earn for the day and to give reasons for their answer. This allowed mokopuna to have input into their care and meant that they had a shared understanding of how the system worked.

After reaching level 3 in the BMS and staying on it for 6 weeks, mokopuna are able to input into what their incentive reward is, with many opting for a new Nike track suit. Many mokopuna spoke about this and said how excited they were to be getting theirs soon. Mokopuna spoke about the BMS often and said it had deterred them from throwing punches and tagging, demonstrating it was a good way of promoting pro-social behaviour. It is imperative that kaimahi maintain this standard of practice when using the BMS to ensure it continues to be beneficial and a positive reinforcement for mokopuna. These are key learnings that could benefit other youth justice facilities practice with mokopuna.

## More transition support is needed for all mokopuna

Across the country, mokopuna are spending long periods of time in residences on remand. According to details in mokopuna plans at Te Au rere, some mokopuna had only been remanded into residence because they did not have an appropriate bail address.

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<sup>23</sup> A system to try to motivate the positive behaviour of mokopuna and manage challenging behaviour.

Despite this, the majority of mokopuna All About Me Plans did not include robust transition plan information, or options explored to enable mokopuna to be bailed. Mokopuna should have well thought out transition plans with appropriate supports identified early in preparation for a return to their community. Mokopuna are entitled to the least restrictive sanctions possible under section 208 (f)(ii) of the Oranga Tamariki Act 1989<sup>24</sup> when they enter the youth justice system and, for many mokopuna, spending prolonged periods of time in a custodial placement is inconsistent with this provision of the legislation.

Mokopuna reported that they do not often get the support they need when they are released back into the community after being in a youth justice residence and will resort back to crime as a means of survival. Furthermore, mokopuna described minimal support in place to help whānau to address the challenges they were experiencing (parental substance abuse, family violence), and therefore improve the home environments that mokopuna have come from. The Mana Mokopuna monitoring team were told that there were instances where mokopuna wanted to return to Te Au rere because they felt their needs were not being met in the community, and their whānau did not always have access to the resources needed to support them and their siblings. Overwhelmingly, mokopuna said they want regular contact from their social workers whilst in residence and when they are released back into the community to help sourcing employment to earn money once they return to their communities.

It is imperative that all mokopuna are provided with wrap-around support when they leave residence, in order to ensure a successful transition with the best chance of mokopuna staying on a pro-social pathway. Mana Mokopuna recommends that Oranga Tamariki investigate ways to better resource and provide supported transition periods for mokopuna when they leave a secure facility and move to independent living.

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The Chief Executive of Oranga Tamariki, including through their social workers, is required to provide appropriate transition supports to ensure a positive care transition experience for mokopuna, under section 74 of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018.<sup>25</sup> This includes providing support based on mokopuna needs, such as a transition home.

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<sup>24</sup> [Oranga Tamariki Act 1989 No 24 \(as at 30 June 2024\), Public Act 208 Principles – New Zealand Legislation](#)

<sup>25</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](#)

## 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 know their rights and have good access to independent advocates

Kaimahi reported that mokopuna knew their rights and were good at advocating for them. Mokopuna were also reported to have a good relationship with VOYCE Whakarongo Mai (VOYCE) and the grievance panel. VOYCE comes into the facility under agreement with Oranga Tamariki once a week to visit mokopuna (VOYCE advocates are available to mokopuna on an opt-out basis), and the grievance panel members come into Te Au rere in once a fortnight. Mokopuna were most familiar with VOYCE and knew them by name, with many mokopuna describing them as “all good.” Mokopuna advocates said they felt welcomed at Te Au rere and were provided with unrestricted access to mokopuna.

There was still some hesitation from mokopuna on using the grievance process<sup>26</sup>, as they considered it a ‘snitch’ form. Mokopuna were hesitant to admit they knew who the grievance panel members were and kaimahi were heard teasing mokopuna about knowing them. To mitigate this, kaimahi brought out mokopuna discretely one by one to speak to the grievance panel during gym time, which the monitoring team observed during the visit. Despite the snitch culture that persists, mokopuna were open to speaking with Mana Mokopuna during the visit and said that they did not mind speaking freely around kaimahi. Kaimahi allowed this to occur and did not interfere with any conversations mokopuna had with Mana Mokopuna OPCAT monitors. This is a positive sign that mokopuna are able to be transparent with their concerns without fear of retaliation from kaimahi.

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Mokopuna have the right to access independent advocates and the grievance system.<sup>27</sup> The residence manager is required to uphold and maintain the integrity of the grievance process for the safety of mokopuna in their facility. Although mokopuna had good access to advocates, more work is needed to address the ‘snitch culture’ that persists in youth justice residences.

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### There are inconsistencies in incident recording

Although Te Au rere had ample data, there were inconsistencies in how incidents are reported. The kaimahi tasked with writing SENs, ROCs, and MySafety incidents were unable to articulate

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<sup>26</sup> Whaia te Maramatanga is the grievance process used in all Oranga Tamariki run residences.

<sup>27</sup> [Oranga Tamariki \(Residential Care\) Regulations 1996 \(SR 1996/354\) \(as at 01 July 2023\) 15 Right of access to grievance procedure – New Zealand Legislation](#)

the criteria required for each type of incident and the relevant form. Most kaimahi were reliant on a select few kaimahi to provide guidance on how or when incidents should be documented.

There were concerns from some kaimahi that incident reporting and the review of use of force footage had the potential to be influenced by personal bias.

When kaimahi do not have a shared understanding of incident reporting, it leaves room for potential harm to occur for mokopuna, as incident reporting could be biased or under reported. It is imperative that all kaimahi receive training on the different criteria required for each type of incident report, to ensure transparency and consistency across data reporting, and ultimately, the safety of mokopuna in the care of Te Au rere.

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Kaimahi are required to keep accurate data records as outlined in Oranga Tamariki practice standards.<sup>28</sup> However, Te Au rere kaimahi were unclear on when to complete a SEN, ROC, or MySafety incident form. More training is needed to ensure data is recorded transparently and consistently across residence kaimahi, and to grow a collective understanding of when and how each incident reporting method is required to be used, and how this relates to the safety and care of mokopuna at Te Au rere.

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<sup>28</sup> [Keep accurate records | Practice Centre | Oranga Tamariki](#)

## 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.

### Mokopuna take ownership of looking after their whare

Mokopuna took pride in their living area by regularly completing daily chores to keep their space clean. There was minimal tagging around the facility, which leadership said is due to their consistent practices, zero tolerance, and high expectations of mokopuna behaviour. Each unit had artwork and murals on the walls, including designs inspired by Te Ao Māori (the Māori world). The girls' unit had bright coloured walls with flower designs and the paint, curtains, and carpet had recently been refurbished. Mokopuna bedrooms had new colourful duvet covers put on the beds. The clean and welcoming environment at Te Au rere is a result of mokopuna respecting their living environment, and how kaimahi have integrated looking after the facility as part of mokopuna daily routine.

### Mokopuna have access to a gym, pool, and new exercise equipment

Opportunities for physical activity are imperative to mokopuna wellbeing, both physically and mentally as in line with Te Whare Tapa Whā.<sup>29</sup> Mokopuna had access to an indoor gym, pool, and outdoor sports field at Te Au rere. Mokopuna were observed using the gym daily and for long periods of time. The gym had brightly coloured murals that provided a welcoming and energising setting. Mana Mokopuna was also told that mokopuna can learn how to swim in the on-site pool. Kaimahi said this is a great resource to use year-round, but especially when it is hot outside, and for mokopuna to learn the vital life-skill of swimming.

There had recently been new exercise equipment installed in the outdoor central courtyard area for mokopuna to use as part of the MSA Pilot. Some of the equipment included pull up bars, cycle bikes, and a leg press machine. Mana Mokopuna was told that it had been placed in an area where it could be used and made available to all mokopuna residing in Te Au rere. A new military style obstacle course in the back field was also being built as part of the MSA Pilot. It included equipment for mokopuna to climb and a ditch had been dug for mokopuna to crawl through. We were told all mokopuna would be able to access this equipment as well. The number of physical activity options for mokopuna was a positive feature for mokopuna and helped contribute to their overall hauora (health) and wellbeing.

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<sup>29</sup> [Te Whare Tapa Whā | Mental Health Foundation](#)



*Basketball court in gym (top), new MSA exercise equipment (bottom left), and indoor gym equipment (bottom right)*

## The food in this facility is a highlight for mokopuna

The majority of the mokopuna said they enjoyed the food at the facility. Mokopuna were observed making their own food during a cooking programme that included 'Big Mac' tacos and chips in the air-fryer. Mokopuna were often seen going up for seconds and appeared to have a good quantity and quality of food to support their developmental needs.

A new chef had recently been appointed at the residence who made a range of nutritionally balanced meals, while still including some mokopuna and kaimahi favourites such as fried chicken with Asian noodles and stir-fried vegetables. Karakia was shared by mokopuna before mealtimes and mokopuna were observed using their manners at the table and making sure Mana Mokopuna kaimahi had had enough to eat when we joined them for meals during our monitoring visit.

Kaimahi said the menu changes regularly and that they get to enjoy the food with mokopuna during mealtimes. Dessert night was every Tuesday and Sunday. Mokopuna said they were looking forward to this. During language weeks, mokopuna are able to participate by providing kai for the table by catching fish and making a raw fish dish which they said they really enjoy. Providing healthy meals that mokopuna enjoy and teaching them to prepare and cook their own food is another crucial life skill, essential for healthy futures.

*"The food's way better, everyone's better, the staff are better and it's just a lot better living at Te Au rere than [other Oranga Tamariki residence]." - Mokopuna*

## 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.

### There are a range of activities provided for mokopuna

Mokopuna were engaged in a range of activities at the time of the visit. In addition to the on-site gym and pool, mokopuna could join a rugby league and basketball (residence) sports team. Kaimahi were good at facilitating sport games for mokopuna and were observed teaching them new techniques and encouraging them when they did well. Different units were able to come together to play basketball and volleyball, which also highlighted the trust and culture of safety present in the residence. Kaimahi used their skills and experience well to provide activities for mokopuna.

Cultural language weeks are also significant events at Te Au rere and kaimahi shared that the leadership team are supportive in providing the resources and time for kaimahi to help mokopuna learn about different cultures. Kaimahi and mokopuna spoke with the monitoring team about the recent Samoan language week where mokopuna had learnt a siva and a sasa (Samoan cultural dance), helped make traditional Samoan food, and put on a performance where local schools from the community attended.

Other activities include:

- a beauty programme with facemasks and makeup
- site-wide events including quizzes, inter-unit sport competitions
- Kapa Haka
- wellbeing programmes on topics such as emotional regulation
- music lessons including a lyric programme and guitar lessons
- Water safety
- Taha tinana – garden programmes
- Canvas, creative arts, mindful colouring, making gifts for Mother's Day
- cooking lessons.

Some kaimahi said offsite activities did not occur as much as they would like due to staffing levels, as two kaimahi are needed per mokopuna. However, kaimahi were able to be creative when planning onsite activities and kept mokopuna occupied for the majority of the time. There were occasions where mokopuna went offsite to go fishing at the beach, diving, and one mokopuna completed a running race in Wellington. Mokopuna noted how important it is for them to stay active for their wellbeing. It is therefore imperative that kaimahi continue to provide activities and programmes for mokopuna, so they can continue to build their skills, self-confidence, and aspirations for the future. This actively supports the ability of mokopuna

to experience their rights to education, to development, and to recreation, play, leisure and rest, all of which are substantive rights that all mokopuna have under the UN Convention on the Rights of the Child.

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Mokopuna have the right to participate in recreational activities such as sports, music, art, and drama. Kaimahi at Te Au rere work hard to uphold mokopuna rights under Article 31 of the United Nations Convention on the Rights of the Child<sup>30</sup> by providing options for mokopuna to be involved in activities of their choosing.

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### Mokopuna have access to vocational opportunities, however more work is needed in this area

Vocational activities at the time of the visit were predominantly hosted offsite. Kaimahi said it had been a challenge to find providers to host work experience for mokopuna due to the risk (usually perceived risk) that mokopuna may misbehave or abscond, as well as the time needed to invest in mokopuna by these companies/organisations.

Despite this, some mokopuna, including those deprived of their liberty at Te Au rere under the Criminal Procedure Act 2011<sup>31</sup> and the Corrections Act 2004,<sup>32</sup> were participating in offsite vocational activities and hoped to carry these opportunities on following their release from the facility. This is an improvement from the last visit to Te Au rere, when mokopuna under the Criminal Procedure Act 2011 and the Corrections Act 2004 were unable to access offsite programmes or work experience.

Some of the vocational training courses offered included plumbing, scaffolding, forklift licensing, and lawn mowing. Mokopuna told us how important it is for them to build skills, so they can find jobs and earn money after their release to avoid slipping back into re-offending. Mana Mokopuna recommends that Oranga Tamariki continues to build relationships with external providers and increase the number of on-site vocational opportunities, so that they can be accessible to all mokopuna, regardless of their ability to go offsite, and help set them up with supported pathways into success for the future, actively helping to build their skills and prospects of employment or further education in the community.

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<sup>30</sup> [Convention on the Rights of the Child | OHCHR](#) - Article 31

<sup>31</sup> Mokopuna who have court matters progressing through the District or High Courts can spend their remand period in a youth justice facility due to their age or level of vulnerability. Refer s173, 174 and 175 of the Criminal Procedure Act 2011.

<sup>32</sup> Mokopuna who have been sentenced through the District or High Courts can spend some or all of their sentence in a youth justice facility due to their age and level of vulnerability. Refer s34A of the Corrections Act 2004.

## Mokopuna were engaged in education and proud of their achievements

Central Regional Health School are the education provider onsite at Te Au rere, mokopuna were attending school and had good rapport with the teachers. Many mokopuna were working towards NCEA credits in areas such as:

- art
- literacy
- maths
- English
- Rangatū Rangatāhi programme.<sup>33</sup>

Recently, four new teachers had been hired with proficiency in te reo. These teachers were offering lessons in Matariki and tikanga (Māori customs). There were also external providers, such as a kaupapa Māori provider, that came in on Tuesdays to provide more in-depth lessons on Matariki and whakapapa. Another external contractor was a mentor who had been through the youth justice system themselves and was working with mokopuna on business entrepreneurship. Mokopuna responded very well in this module, as the person delivering the session was relatable and knowledgeable, and mokopuna could see how the skills they have can be transferred into something positive and lucrative when they get the right support.

It is imperative that mokopuna are provided with tailored education that is responsive to their needs, as this helps improve outcomes for them later in life. Mokopuna have the option to showcase their education progress to the judge for consideration during their court appearances, therefore engaging in education while in a youth justice facility is essential and can influence court outcomes.

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Mokopuna have the right to engage in and have access to education under Articles 28 and 29 of the United Nations Convention on the Rights of the Child.<sup>34</sup> Their right to education is being upheld at Te Au rere.

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<sup>33</sup> A kaupapa Māori education programme.

<sup>34</sup> [Convention on the Rights of the Child | OHCHR](#) - Article 28 and 29 Education

## 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 good access to medical services, but additional staffing is needed

At the time of the visit, mokopuna had good access to primary health care services. The health team at Te Au rere was contracted through Best Care (Whakapai Hauora) Charitable Trust. The health team had a good relationship with residence kaimahi, allowing them to work well together to meet the needs of mokopuna. Mokopuna were able to see a physio, dentist, optometrist, and general practitioner offsite when they needed to and kaimahi said mokopuna often wanted to see the nurses to discuss health needs.

Nurses said they were notified following all use of force incidents to check for injuries and create a record in case this is needed for future reference. This is also critical to ensuring mokopuna are uninjured following use of force incidents and for documenting evidence of excessive use of force in instances where this occurs<sup>35</sup>. The nurses regularly attended Multidisciplinary Team meetings, showing they were actively involved in mokopuna care.

The nursing team at the time of the visit was only contracted to have three nurses, which meant they were sometimes not able to complete all the tasks they needed to do for mokopuna, including immunisations. The nurses also said that they do not always have access to all medical information for mokopuna, especially when they come from out-of-area, due to not having access to information from different health boards and medical centres. This is becoming a significant issue as it can impact on the consistency and accuracy of mokopuna medical care. Mana Mokopuna recommends that all mokopuna arrive at residences with a full medical history and contact details of previous medical practices to ensure information is up to date, to support all mokopuna at Te Au rere to experience their full right to health in all circumstances.

### There is a gap in forensic mental health support for mokopuna

Kaimahi were open in telling Mana Mokopuna that they often do not have the required skills to support mokopuna to either regulate or help them through, for example, a psychotic episode.

The Te Au rere leadership team has developed a partnership agreement with an external forensic mental health team through Health New Zealand Te Whatu Ora to provide services for mokopuna in the residence. However, gaps remain in the system, with some mokopuna unable to access essential mental health support services and their needs going unmet. Specific issues cited by nursing staff included:

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<sup>35</sup> Use of force incidents have been trending down in Te Au rere, as outlined on page 14 of this report.

- mokopuna requiring additional referrals for further assessment by the forensic team despite recent admission into adolescent in-patient units;
- Nursing staff not having specialist expertise in mental health and therefore sometimes being unsure of the best ways to advocate for mokopuna; and
- A lack of specialist services to help mokopuna who have experienced trauma (either a recent event or historic trauma).

These issues are resulting in mokopuna having to wait for prolonged periods of time before being assessed and getting assistance for these health needs. Residence kaimahi and nurses are simply advised by the youth forensics mental health team to call the community crisis team when they need help or advice, and nurses said that this approach does not always get the response required to meet the needs of their mokopuna.

Mana Mokopuna recommends Oranga Tamariki works closely with Health New Zealand Te Whatu Ora to ensure mokopuna in all residences, including Te Au rere, get timely access to mental health support.

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Mokopuna have the right to health and health services including dental, sexual, and mental health services in a timely manner under article 24 of the United Nations Convention on the Rights of the Child.<sup>36</sup> Currently, the right to health is not being fully upheld for mokopuna in Te Au rere.

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### Te Au Rere had a thorough medication dispensing process, resulting in a low number of medication errors

The medication dispensing processes at Te Au rere were thorough, and there were a low number of medication errors at the time of the visit. Medications were always dispensed by Team Leader Operations (TLOs), who were appropriately trained in medication dispensing. There needed to be at least two TLOs present at any one time to sign for medication, to ensure it had been taken and to reduce the number of errors made. When errors did occur, the health team was notified immediately and would complete medication checks themselves.

Medication was always held and taken in the medical room as opposed to the units. This has helped to minimise the risk of medication being lost or shared between mokopuna, as kaimahi can make sure mokopuna take it before returning to the units. Mana Mokopuna observed mokopuna taking their medications regularly during mealtimes, one by one, away from the group. This is critical for ensuring mokopuna take their prescribed medications on time, in the right dosages, and to respect and uphold their right to privacy.

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<sup>36</sup> [Convention on the Rights of the Child | OHCHR](#) - Article 24 Health and Health Services



*The medical room where mokopuna take their medications.*

## 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.

### Mokopuna Māori continue to be over-represented

Mokopuna Māori continue to be over-represented in places of detention,<sup>37</sup> including Te Au rere. The 2023-issued Concluding Observations of the UN Committee Against Torture and the UN Committee on the Rights of the Child outline the need for policy and legislative changes to address these disparities.<sup>38</sup> Although mana motuhake (self-determination) for mokopuna Māori can only exist when they are with their whānau, hapu, and iwi, Oranga Tamariki residences should be doing everything in their power to uphold the Crown's Te Tiriti obligations and improve outcomes for mokopuna Māori whilst they are in the care of the State.

### Mokopuna want to be placed closer to their whānau

Many mokopuna we spoke to said that although they have had a better experience at Te Au rere than some of the other residences that they had previously spent time in, they would rather be in a facility closer to their whānau. Mokopuna said they could see their whānau as much as whānau availability allowed through phone calls, video chats, and by whānau coming to visit through Oranga Tamariki funded trips. However, mokopuna who are placed out-of-area said seeing their whānau can be difficult when there is distance between them, as whānau are often busy looking after their other mokopuna or working full-time. Some mokopuna said they feel left behind in residence and that their whānau don't care anymore. Mokopuna emphasised how important it is for them to see and maintain contact with their whānau.

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>39</sup>. Although Te Au rere makes every effort to ensure mokopuna can exercise this right, being placed out-of-area can be a barrier to mokopuna seeing their whānau as often as they would like to. Connection with the local community and their whānau enables mokopuna to experience belonging, remain connected to whakapapa, and to know they are a part of a caring and protective environment that will love and guide them.<sup>40</sup>

<sup>37</sup> [Hāpaitia te Oranga Tangata | New Zealand Ministry of Justice](#)

<sup>38</sup> Refer CAT/C/NZL/CO/7/31

<sup>39</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>40</sup> <https://www.manamokopuna.org.nz/publications/media-releases/reset-of-youth-justice-system-cannot-be-delayed-chief-childrens-commissioner/>

Several kaimahi Māori described the impact of having whakapapa (ancestral) connections with mokopuna in Te Au rere and their ability to whakawhānaungatanga (find ancestral connections as a means of relationship-building) with mokopuna who may be considered their niece or nephew. This had a profoundly positive impact for mokopuna, as it allowed them to experience healthy relationships and mentorship from someone they considered a relative, even when their whānau was not around.

### Strategic direction is needed to improve outcomes of mokopuna Māori

During the three-day OPCAT monitoring visit there was no Kaiwhakaaue on shift. This means there was no one serving in the role designated to provide strategic cultural direction, advice, and supervision. The Kaiwhakaaue is essential for ensuring consistency across kaimahi practice, supporting kaimahi to bring their mātauranga (knowledge) to work every day, and to help guide the residence in meeting obligations under Te Tiriti o Waitangi.

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Improving outcomes for mokopuna Māori needs to continue to be made a priority at Te Au rere, and a Kaiwhakaaue is an essential part of making the vision for mokopuna Māori a reality.

### There are some positive outcomes for mokopuna Māori at Te Au rere

Despite not having a Kaiwhakaaue available on shift, kaimahi Māori continue to use their skills and experience to provide programmes for mokopuna and practice tikanga around the residence. Many mokopuna discussed the importance of connecting to their Māoritanga, te reo, whakapapa, and maintaining contact with their whānau. There were examples of kaimahi doing a rongoa (Māori medicine) programme with mokopuna where they make their own kawakawa balm using leaves kaimahi harvested themselves. Some kaimahi were also proficient in te reo and had taught mokopuna their pepeha since being in residence. Mokopuna also spoke about the planning of Matariki celebrations where they were learning about the different stars and the kai (food) they could make associated with each.

Mana Mokopuna would like to see more opportunities for mokopuna to connect with cultural mentors and to learn their whakapapa, which allows mokopuna to see beyond their offending and provides hope for the future.

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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. A replacement Kaiwhakaaue is needed to support kaimahi to realise their full potential and further expand opportunities for mokopuna at Te Au rere to learn about and connect with their whakapapa.

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# Appendix One

## Progress on 2021 recommendations

The following table provides an assessment of the recommendations made by Mana Mokopuna during the previous full OPCAT monitoring visit to Te Au rere in December 2021. 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.

### 2021 System Recommendations

|   | 2021 Recommendation  | Progress as at June 2024  |
|---|--|---|
| 1 | Revise the Individual Care Plan templates to ensure they are functional, youth-friendly, and available in other accessible formats and languages.  | <b>Some progress.</b> Residences now use All About Me Plans which contain more child centric information, however a shortened version with easy to understand actions and goals for mokopuna to help them understand their plans.   |
| 2 | Develop a nationwide package of training programmes that sits alongside the Te Waharoa Induction programme. Training programmes could include: <ul style="list-style-type: none"> <li>• criminogenic risk factors,</li> <li>• alcohol and drug support,</li> <li>• mental health needs,</li> <li>• intellectual disability,</li> <li>• neurodiversity,</li> <li>• life skills, and</li> </ul> cultural development/ capacity building. | <b>Limited progress.</b> Te Waharoa continues to be the only training available during induction. Residences are left to develop their own training programmes to expand the training offered when new staff are hired. Te Au rere had recently implemented psychological safety education for kaimahi, which is a positive. Mana Mokopuna would like to see these training opportunities continue regularly and for the current offerings to be expanded upon. |
| 3 | The grievance process be reviewed to ensure independence and impartiality.   | <b>No progress.</b> This work has been identified as systemic and is being led at a National Office level. While work is being done at a national level to review the grievance process, Mana Mokopuna would like to see Te Au rere kaimahi encouraging mokopuna to use the system in order to address the 'snitch culture' still present at the residence.   |
| 4 | Liaise with the Ministry of Health regarding accelerated access to medical services for diagnoses when mokopuna are placed in residences.  | <b>No progress.</b> Gaps remain in the ability for all mokopuna to access forensic mental health services.  |

## 2021 Facility Recommendations

|   | Recommendation   | Progress   |
|---|--|--|
| 1 | Reduce the numbers of restraint and admissions to secure care.   | <b>Good progress.</b> Secure care admissions and use of force were trending down. Mana Mokopuna would like to see this trend continue until the goal of zero secure and restraint practices is achieved. The progress achieved to-date makes this a realistic possibility. |
| 2 | Ensure all Individual Care Plans are signed by mokopuna, dated, and completed to a consistent standard, ensuring mokopuna and whānau involvement.                | <b>Some progress.</b> There was evidence of mokopuna involvement in their care plans, however the level of detail recorded was inconsistent, particularly around transitions. Mana Mokopuna would like to see more whānau involvement as well.                             |
| 3 | Develop a therapeutic model of care for Te Au rere, which aligns with the principles of Whakamana Tangata <sup>41</sup> and Te Tiriti o Waitangi <sup>42</sup> . | <b>Some progress.</b> The model of care at Te Au rere at the time of the visit was having a positive impact for mokopuna. However more could be done to honour and give effect to Te Tiriti o Waitangi obligations in practice.  |
| 4 | Renovate the admission area to be welcoming.   | <b>Complete.</b>   |
| 5 | Provide additional sensory training for staff, as well as equipment and a dedicated therapeutic space for sensory modulation.                                    | <b>Some progress.</b> Kaimahi had developed their knowledge around de-escalation strategies to help prevent the use of secure care and use of force. However, a dedicated sensory modulation space and equipment is still needed.  |
| 6 | Provide appropriate supervision including cultural supervision to all staff.   | <b>Limited progress.</b> Some kaimahi were not engaging in regular professional supervision at the time of the visit.  |

<sup>41</sup> Whakamana Tangata is Māori informed, restorative practice model adopted for use in all youth justice residences. It focuses on working with rangatahi in a relational and restorative way based on the values of Mana, Tapu, Ara Tikanga, Piringa and Mauri Ora.

<sup>42</sup> For the purpose of this report, the principles of Te Tiriti o Waitangi that OCC expect to see is that mokopuna and whānau are at the heart of decision making and that Oranga Tamariki facilitate the restoration of familial connection and explore whakapapa. All practice acknowledges mokopuna as Rangatira in their care journey, recognises their mana, and supports culturally appropriate treatment for past trauma.

## 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. |   |
| Interviews and informal discussions staff          | <ul style="list-style-type: none"> <li>▪ Residence Manager</li> <li>▪ Residence Manager Operations</li> <li>▪ Quality Lead</li> <li>▪ Team Leader Logistics</li> <li>▪ Senior Psychologist</li> <li>▪ Residential Youth Workers and Social Workers</li> <li>▪ Team Leader Operations</li> <li>▪ Grievance Panel</li> <li>▪ VOYCE Whakarongo Mai</li> <li>▪ Central Regional Health School</li> <li>▪ Nurses</li> <li>▪ Mokopuna whānau</li> <li>▪ Employment Coordinator</li> <li>▪ Programme Coordinator</li> <li>▪ Forensic nurse</li> <li>▪ Whānau engagement coordinator</li> </ul> |
| Documentation                                      | <ul style="list-style-type: none"> <li>▪ Grievance Quarterly Reports</li> <li>▪ All About Me Plans</li> <li>▪ Health Summary</li> <li>▪ Training database</li> <li>▪ Serious Event Notifications</li> <li>▪ My Safety Incident Reports</li> <li>▪ Report of Concerns</li> <li>▪ Daily Logs</li> <li>▪ Secure care logs</li> <li>▪ Safety plans</li> <li>▪ Remand reviews</li> <li>▪ Whānau visit schedule</li> </ul>  |

|              |   |
|--------------|---|
|              | <ul style="list-style-type: none"><li>▪ Search register</li><li>▪ Use of force records</li><li>▪ Monthly data summaries</li><li>▪ Individual risk assessments</li><li>▪ Youth Forensic Referral Form</li><li>▪ Medication logs</li><li>▪ Daily schedule and client list</li></ul> |
| Observations | <ul style="list-style-type: none"><li>▪ Unit routines</li><li>▪ Engagements between kaimahi and mokopuna</li><li>▪ Shift handovers</li><li>▪ Education</li><li>▪ Mealtimes</li><li>▪ Activities on-site</li></ul>   |