

Oranga Tamariki

Remand Home

(OPCAT monitoring)

Hillcrest Remand Home, Hamilton

Visit date: 9(2)(a)

Report date: 9(2)(a)



MANAAKITIA Ā TĀTOU TAMARIKI

Children's
Commissioner

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Introduction

Purpose of visit

The purpose of this visit was to fulfil the international monitoring mandate of the Office of the Children’s Commissioner (OCC), to monitor the safety and wellbeing of children and young people detained in secure locked facilities. Between 9(2)(a) carried out an announced monitoring visit to Hillcrest Remand Home, Kirikiriroa Hamilton.

The Children’s Commissioner is a National Preventive Mechanism (NPM) under the Crimes of Torture Act (1989)¹. The role of OCC is to visit places where children and young people are detained to examine the conditions and treatment of children and young people, identify any improvements required or problems needing to be addressed, and make recommendations aimed at strengthening protections, improving treatment and conditions, and preventing ill treatment. For more information about the legislative context for our visits, see Appendix One.

Context

Hillcrest Remand Home is based in the Hamilton community. It has capacity for up to eight young people. Four places are designated for young people on remand under section 238 (1) (d) and four places for young people under supervision orders in accordance with section 283 (k) or section 307 of the Oranga Tamariki Act 1989. At the time of our visit, there were 9(2)(a) young people staying at the Hillcrest Remand Home. During our visit 9(2)(a) young people were admitted. 9(2)(a)

Our monitoring processes

We are primarily interested in hearing about the experiences of young people and understanding the group dynamics at the remand home. We use several methods to engage the young people and staff.

We conduct one-to-one interviews with young people who choose to talk with us. We also spend time observing, young people and staff in the space, including taking part in activities, sharing dinner and having conversations.

We interview Oranga Tamariki employees, whānau and external stakeholders and review relevant documentation.

For more information about our interviews and other information gathering processes see Appendix Two.

¹ This Act contains New Zealand’s practical mechanisms under the United Nations Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment (OPCAT).
<https://www.occ.org.nz/our-work/monitoring/monitoring-work/why-we-monitor/>

Our evaluation processes

We are using key descriptors to describe our findings in relation to:

- the treatment of young people at the remand home
- the conditions at the remand home

Our reports will also provide summaries of the strengths and areas for development according to each of the OPCAT domains.

The table below lists the descriptors currently used in our findings, describing their impact and our expectations for further action.

Finding	Impact for young people	OCC expectation
Harmful	Treatment and/or conditions that are damaging or hurtful for children and young people	Must be urgently addressed
Poor	Treatment and/or conditions that are not sufficient to meet the needs of children and young people	Requires improvement in the near future
Good	Treatment and/or conditions that are sufficient to meet the needs of children and young people	Must be reviewed regularly to ensure the standard is maintained and improved if possible
Very good	Treatment and/or conditions that work well to meet the needs of children and young people	Should continue subject to effectiveness. May also be beneficial in other residential contexts

Overall findings and recommendations

Overall findings

We identified the following area of practice as 'very good' which has a positive impact on young people's experiences. The area of practice is:

- The relationship between staff, young people and their whānau is good. Young people and their whanau trust the staff at Hillcrest.

We also found that three key issues must be urgently addressed. These issues were identified as 'harmful' and as having a significant impact on the safety and wellbeing of young people and impact across the seven OPCAT domains. The issues are:

- Young people on supervision with activity orders and young people on remand have access to different activities and privileges.
- Young people have no access to independent advocacy.
- Young people are receiving poor support from the transition service prior to and when they leave Hillcrest.

Recommendations

Oranga Tamariki National Office	
We recommend that the DCE Youth Justice Services:	
Rec 1:	Stop the placement of young people with supervision with activity orders together with young people on remand.
Rec 2:	Provide independent advocacy for young people at remand homes.
Rec 3:	Improve the Transition Service at Hillcrest for young people returning to their whānau and communities.
Hillcrest Remand Home	
We recommend that the leadership team:	
Rec 1:	Develop clear rules and expectations in consultation with young people for Hillcrest that are fit for purpose.
Rec 2:	Investigate and stop the use of incentives by stakeholders to speak with young people.
Rec 3:	Re-engage the Kauri Centre to design and deliver education programmes, instead of relying on Youth Workers to do that.
Rec 4:	Te Maioha o Parekarangi to provide more support and regular peer supervision to the Team Leader.
Rec 5:	Provide appropriate training and professional development for all staff.

Domain 1: Treatment

Our monitoring of the Treatment domain includes examination of the relationships between children and staff, models of therapeutic care and behaviour management, and the quality of planning and interventions tailored to individual children and young people's needs.

Findings from this visit

Strengths

There is a good level of trust between staff, young people and their whānau

Staff place importance on developing meaningful relationships with young people. We observed genuine, warm, and engaging interactions between staff and young people. Staff are committed to their wellbeing and progression.

There is emphasis on whānau and staying in contact. We heard young people take the lead on whether they want contact with their whānau. Staff advocate for whānau to be able to travel to Hillcrest and try to provide resources like petrol vouchers, vehicle hire and accommodation in Hamilton to enable them to visit. We saw whānau welcomed by staff and offered kai. Conversations between staff and whānau were familiar and relaxed. Whānau appreciated being able to join in with some activities with young people.

Young people can call whānau when they like and have privacy to do so. Those on supervision with activity orders can contact their whānau more easily because they have their own mobile phones. There is a disparity for young people on remand who can't have mobile phones, and can only make calls on the landline.

Dynamics are managed through positive relationships rather than restraints

Staff at Hillcrest do not use restraints and focus on prevention and de-escalating. Staff have clear processes to follow if a young person becomes agitated. They give them space, involve another care worker for a change of face, allow time for them to cool off and as a last resort call Police if the young person becomes violent.

The case leader does a thorough assessment prior to the young person arriving. The assessment involves looking at the young person's previous history and triggers that may cause them to be angry.

Young people have plans in place before and after Hillcrest

Social workers are responsible for the young person's plan prior to their placement in Hillcrest. The case leader is the main point of contact at Hillcrest for social workers and has access to information about the young people through CYRAS. The level of communication is high between the site social workers and Hillcrest with a good flow of information. We saw plans that were considered, holistic and involved collaboration with young people. As a result, we saw young people have adequate supplies of clothing and emergency supplies.

One of the key outcomes for young people at Hillcrest was their transition plan as this formed the basis of their move back to their whānau, peer group and community. We saw individually tailored transition plans that used the Te Whare Tapa Wha model.

Areas for development

Mixing young people on different orders makes the dynamics difficult to manage

Staff told us that mixing young people on supervision with activity orders and remand was difficult. Young people on remand were only in Hillcrest for a short period of time, therefore they had a short-term focus. Whereas young people who were there on a long-term supervision with activity order had a long-term plan.

For example, young people on supervision with activity orders are on the Life Skills continuum. This is an incentive-based programme that involves the young person completing basic tasks for seven days. If they complete this, the young person can progress to the next level and receive more freedom or privileges as they achieve their goals. An example might involve having access to wifi.

This programme is not available to young people on remand, as their conditions are more restrictive.

Mixing of different orders meant staff had to apply two different sets of rules. It was difficult because young people didn't always understand the reasons and talked about the differences in their treatment. Young people felt this was unfair.

9(2)(a)

Tikanga, expectations and values-based rules to be developed by young people and staff

Whilst Hillcrest is focused on principles rather than strict 'rules', these principles and expectations could be made clearer and would be beneficial to those staying and working in the house.

Staff told us:

- young people show a lack of respect for things like no smoking
- young people don't engage with external providers who came in to do activities
- the lack of rules in the house doesn't prepare young people for when they transition out
- the lack of process and structure does not keep everyone safe

The new transition service does not provide good support for young people

Staff were frustrated by the lack of support young people receive when they leave Hillcrest. The new transitions service contracted by Oranga Tamariki is supposed to support young people connecting back into the community. The service includes meeting with the young person a month prior to leaving Hillcrest to build rapport and to socialise expectations about what it is like

living in the community. We heard that the current transition service hasn't provided the service required and as a result several young people did not receive follow up visits and support. Staff would like to see an improved, proactive approach from the transition service.

Domain 2: Protection system

Our monitoring of the Protection System domain includes examination of the safety of children and young people, and how well their rights are upheld.

Findings from this visit

Strengths

The admission process is informative and welcoming for young people and their whānau

Young people can come to Hillcrest in a variety of ways. Young people on supervision with activity orders can do a tour and meet staff prior to admission, with their social worker and sometimes with whānau. Staff have also taken young people on virtual tours when face to face hasn't been possible. We observed one new admission and saw the way staff quickly gained rapport with the young person and their whānau.

For young people on remand, staff are careful not to overwhelm them and give them time to settle in and adjust when they arrive. Some of these young people may have come directly from stressful situations like police cells, court or family group conferences.

Young people receive an admission pack, containing information on their rights and the complaints process, and staff go through this with them on arrival. They also receive a change of clothes if on remand. The Team Leader Operations manages out of hours admissions and will discuss these with social workers and police at any time.

There are good safety procedures in place

Having strong relationships and communication between the young people and staff is important to keep everyone safe. This was apparent as we saw staff always talking or playing games with young people. There are robust procedures to keep young people and staff safe at Hillcrest. When young people on remand come into Hillcrest, there are 10 minute checks conducted on them for the first 72 hours. All young people are checked every half hour at night. Night staff do safety and security checks, ensuring doors are locked, perimeters are checked and young people are secure in their rooms. Staff have a good relationship with the Police. If a young person escapes from Hillcrest, staff will contact Police quickly and action from Police is swift.

Areas for development

Young people have limited access to advocates and the complaints process relies on staff

There is a lack of visibility, independence and coherence about the grievance process, or what happens if a young person has a complaint against staff. VOYCE Whakarongo Mai have a limited presence in Hillcrest however some young people have youth mentors appointed by the court. A complaints form is part of the admission pack. Staff explain to young people how to make a complaint. Youth workers often encourage them to fill out a form if they have a complaint. The Team Leader Operations receives and manages all complaints. Any significant issues are discussed at planning day, every three weeks.

Domain 3: Material conditions

Our monitoring of the Material Conditions domain includes looking at how the living conditions in places of detention contribute to children and young people's wellbeing, including, accommodation, internal and external environments, hygiene facilities, bedding and food.

Findings from this visit

Strengths

The indoor and outdoor environment at Hillcrest is maintained to a high standard

Hillcrest has two wings that separate young people on supervision with activity orders and those on remand.

The inside environment was renovated 18 months ago, with open plan living areas and natural light. It is maintained to a high standard. There is a dedicated music room complete with band equipment that includes a full drum set, electric guitars and amplifiers. There are multiple areas young people can get away by themselves. The outside environment is spacious and young people can work in the vegetable garden. There is also a basketball hoop outside.

Young people have access to lots of food and get a say in what they eat

We saw that young people have a variety of good food at Hillcrest. The kitchen is accessible for young people to get snacks and make sandwiches or toast. The budget for food has increased over time and caters for both young people and staff. Young people said the "food was good." Young people are involved in meal planning and are consulted on their preferences.

Domain 4: Activities and contact with others

Our monitoring of the Activities and Contact with Others domain assesses the opportunities available to children and young people to engage in quality, youth friendly activities inside and outside secure environments and to have contact with their whānau.

Findings from this visit

Strengths

A range of activities are available to young people

A wide range of activities and games are available to young people in Hillcrest. We saw young people and staff engage in games and sports like chess, ping-pong and basketball. Whānau can join in activities when they visit. They can be run by external facilitators such as music lessons and therapeutic multi media games. While these activities were in line with their interests, we noted that young people did not always engage in them. Young people also engage in off-site activities, though young people on remand are more limited than those on supervision with activity orders.

Areas for development

Youth workers are relied upon to deliver education programmes

Some youth workers are expected to develop an education programme which is overseen by the education provider Kauri Trust. The youth workers acknowledge they are not trained education professionals, especially for young people who have not engaged in formal education and have high needs and learning difficulties.

There are efforts to support young people's interests such as getting their passport or drivers licence. However there are no individual education plans to meet the needs of the young people's. Support from education specialists is necessary to meet the diverse needs of the young people. We observed that young people appeared disinterested in the education programmes.

Stakeholders provide vouchers as incentives for young people

Young people ask for vouchers from service providers in exchange for speaking with them. When we asked if young people wanted to speak with us, they asked for McDonald's or Warehouse vouchers, which we politely refused. We understand that a young person was given phone data for speaking with a provider. Inducements in exchange for information is unsafe practice and creates false expectations.

Domain 5: Medical Services and care

Our monitoring of the Medical Services and Care domain evaluates how well children and young people's health needs are assessed and met.

Findings from this visit

Strengths

Access to physical activity, primary and specialist health care is readily available

We heard that whenever a young person is admitted to Hillcrest they are registered at the local doctors and dentist. Appointments are scheduled for check-ups when they arrive. Social workers told us that access to specialist medical practitioners, like psychologists made a huge difference to young people's lives. We saw that the weekly visit by the psychologist gave the young people a non-threatening way to look at how and why they made decisions.

Young people are also encouraged to keep fit. Every morning some young people visit a local gym to work out as part of the life skills programme.

Domain 6: Personnel

Our monitoring of the Personnel domain assesses the quality, suitability and capacity of Oranga Tamariki staff to provide safe, secure, respectful care for children and young people, including processes for staff recruitment, selection, training, supervision and ongoing professional development.

Findings from this visit

Strengths

Recruitment focuses on how prospective staff engage with young people

In the new recruitment process prospective staff are presented with a scenario that gives them an idea of what to expect at Hillcrest and their response is assessed. It reveals how prospective staff interact with young people and work alongside other staff. Hillcrest staff are either part of the role play or part of the assessment to determine who they want to work with. This new process allows staff to collectively evaluate the strengths and areas for improvement of prospective staff.

We heard how the induction process was updated to be more formal and structured. This ensures that new staff get all the information they need when they start at Hillcrest.

Hillcrest staff have good relationships with stakeholders

Hillcrest has good relationships with core service providers like health, education and Police. This is reflected in the good rapport we saw between young people and the psychologist from Future Psychology. We heard that Hillcrest are transparent with information and that it 'feels like a real partnership.' Staff said there was good communication with the team and the Team Leader Operations.

The roster system works well

The roster works well, although some staff struggle to adapt to working with new people when there were changes to the roster. Staff appreciate debriefs at the end of shifts and to catch up on administration days every three weeks. Shift leaders are assigned to morning and afternoon shifts, but not deemed necessary at night. Night staff worked well with this structure. Overall, staff described their peers as supportive and communicative.

Staff have access to regular supervision

The psychologist is available to provide supervision every three weeks, although this could also be requested through the Team Leader Operations when needed. Some staff wanted an alternative option. Not all staff were aware they could access the Employment Assistance Programme (EAP). Debriefs at the end of the shift are seen as important because they can talk about situations as they arise. Staff told us that there is no cultural supervision.

Areas for development

More training and professional development is needed

Many staff didn't know what training was available to them or how to request it. They told us they wanted more training in various areas, including specialist training to help understand and meet the complex needs of young people. Staff also want to be included in Oranga Tamariki generic training like the Child Protection.

We heard that more Treaty of Waitangi and cultural training was needed because this was the foundation of practice when working with young people in Aotearoa New Zealand. This would also satisfy the requirements under section 7AA of the Oranga Tamariki Act 1989. Training also needs to include the night staff, who work with young people who are sometimes unable to settle and sleep at night because of the trauma they had experienced in their lives. Staff also want more development opportunities either at Hillcrest or within Oranga Tamariki.

The workload for the Team Leader Operations is unsustainable

We observed the large workload that the Team Leader Operations carries. Despite working set hours, we saw and heard they are contactable by phone almost 24 hours a day with limited support from Te Maioha o Parekarangi Residence. Stakeholders spoke glowingly of the Team Leader's vision, professionalism, and passion for young people. However, more support is needed for the Team Leader.

Domain 7: Improving Outcomes for Mokopuna Māori

Our monitoring of the Improving Outcomes for Mokopuna Maori domain assesses the residence's plans and progress for improving outcomes for mokopuna Māori, including the extent to which Māori values are embraced and upheld, and the relationships mokopuna are supported to have with their whānau, hapū and iwi.

Findings from this visit

Strengths

Māori staff are positive role models for rangatahi

Over half the staff at Hillcrest are Māori 9(2)(a)

██████ Māori staff were conscious that they were role models for young people. We saw the commitment of the Team Leader Operations, Case Leader and staff to Te Ao Māori and also to recruiting more Māori staff. We heard from young people how they enjoyed learning rakau, poi and kapa haka, and we observed respectful and engaging interactions between staff, young people, and whānau.

Active partnership with Ngāti Hauā

The Team Leader Operations is actively connecting with local iwi Ngāti Hauā and kaumatua. The relationship with Ngāti Hauā is an opportunity to connect young people to the marae and build long term relationships with Ngāti Hauā networks in the community.

Progress incorporating Te Ao Māori in Hillcrest

We saw how hard the Team Leader Operations worked to incorporate Te Ao Māori into Hillcrest. This was evident in tikanga being applied in the daily morning meetings with karakia, waiata, and in mihi whakatau. Young people had growing confidence and competence in this space. Staff deliver tikanga Māori for young people so they can connect with their culture and realise their potential.

Appendix One: Why we visit – legislative background

The Office of the Children’s Commissioner is designated as a National Preventive Mechanism (NPM) under the Crimes of Torture Act (1989). This Act contains New Zealand’s practical mechanisms for ensuring compliance with the United Nations Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment (OPCAT). The convention was ratified by New Zealand in 2007. Our role is to visit secure youth justice and care and protection residences to examine the conditions of the residences and treatment of children and young people, identify any improvements required or problems needing to be addressed and make recommendations aimed at improving treatment and conditions and preventing ill treatment.

In addition, the Children’s Commissioner has a statutory responsibility to monitor and assess the services provided under the Oranga Tamariki Act 1989. Specifically, section 13(1) (c) of the Children’s Commissioner Act 2003, states that the Commissioner must monitor and assess the policies and practices of Oranga Tamariki and encourage the development of policies and services that are designed to promote the welfare of children and young people.

Appendix Two: Interviews and information gathering

<p>Method</p>	
<p>Individual interviews</p>	<ul style="list-style-type: none"> • 9(2)(a) [redacted]
<p>Individual and group interviews</p>	<ul style="list-style-type: none"> • 9(2)(a) [redacted] • [redacted]
<p>External stakeholder interviews</p>	<ul style="list-style-type: none"> • 9(2)(a) [redacted] • [redacted] • [redacted] • [redacted] • [redacted]
<p>Documentation</p>	<ul style="list-style-type: none"> • SOSHI reports 01 January – 08 May 2021 • Admission package • Transition Plans
<p>Observations</p>	<ul style="list-style-type: none"> • Afternoon and evening observation of music tutorials and other programmes