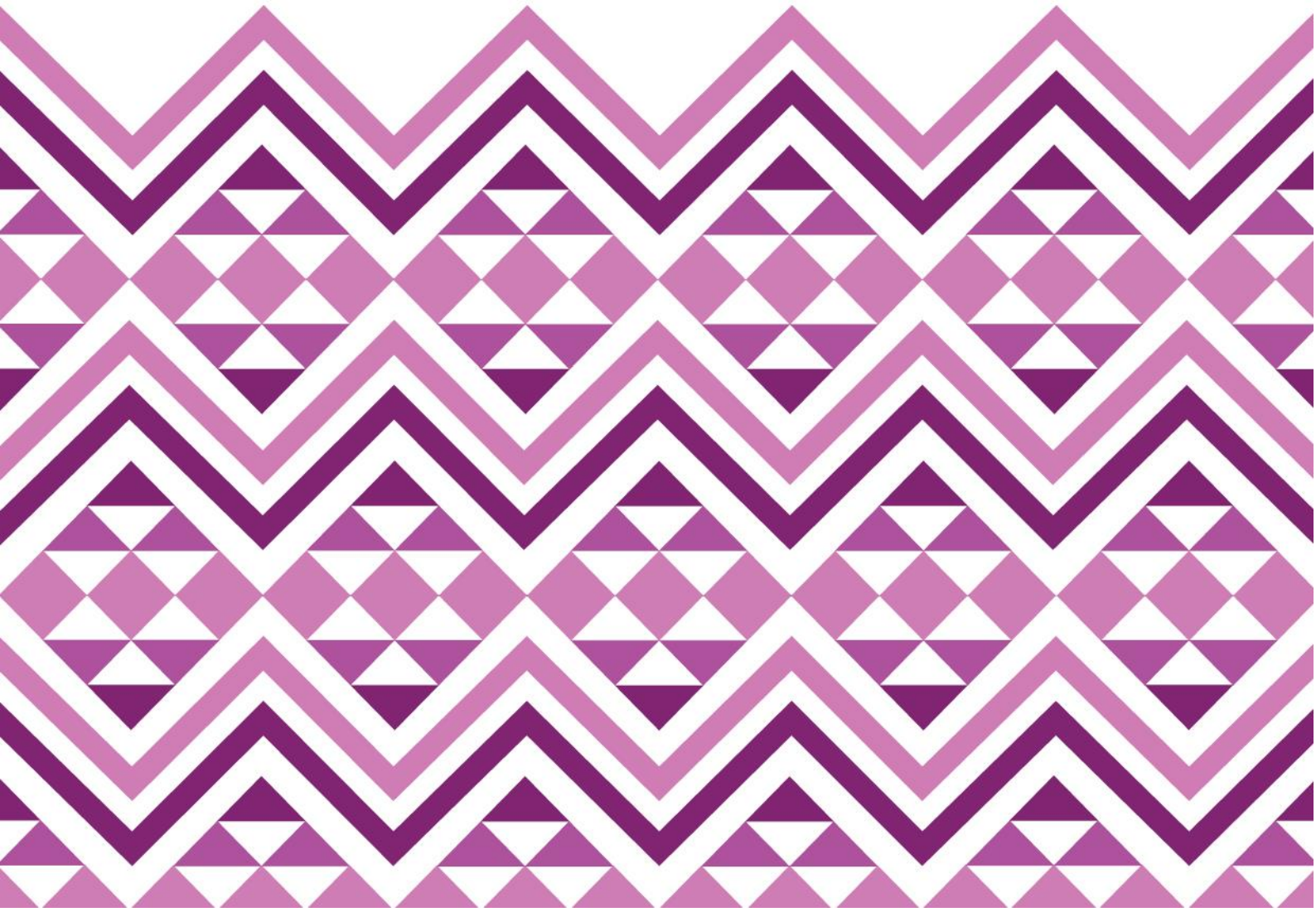


**Response to recommendations from the Office of  
the Children's Commissioner monitoring visit to:**

# **Whakatakapokai Youth Justice Residence**

**Visit date – March 2023**



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## Introduction

Whakatakapokai is an Oranga Tamariki—Ministry for Children (Oranga Tamariki) Youth Justice Residence located in Weymouth, Auckland.

On 28 to 29 March 2023, staff from the Office of the Children’s Commissioner (OCC) carried out an unannounced follow-up monitoring visit to Whakatakapokai Youth Justice Residence.

Whakatakapokai has capacity for 15 rangatahi. Under the Oranga Tamariki Act (1989), the legal status which rangatahi are detained at the residence include:

- section 238(1)(d) Custody of child or young person pending hearing
- section 311 Supervision with residence order.
- section 175 of the Criminal Procedure Act 2022 (up to five young people at a time).

The purpose of the visit was to assess the quality of Oranga Tamariki services against the seven domains relevant to the OCC’s role as a National Preventive Mechanism under the Optional Protocol to the Convention Against Torture and Cruelty (OPCAT). The seven domains are:

- Domain 1: Treatment
- Domain 2: Protection systems
- Domain 3: Material conditions
- Domain 4: Activities and contact with others
- Domain 5: Medical services and care
- Domain 6: Personnel
- Domain 7: Improving outcomes for mokopuna Māori.

The draft OPCAT report for Whakatakapokai Youth Justice Residence was shared with Oranga Tamariki on 16 May 2023.

## Recommendations Summary

The March 2023 OPCAT report for Whakatakapokai Youth Justice Residence examines progress against the five systemic recommendations and five facility recommendations which were made following the March 2022 visit.

Strengthening practice is an organisational priority and we continue to work towards ensuring consistent, quality practice, that is collaborative, culturally responsive and meets the needs of tamariki and rangatahi. We are committed to achieving better outcomes for tamariki and rangatahi.

Recommendations	Progress
<b>Systemic Recommendations</b>	
1. Revise the Individual Care Plan templates to ensure they are functional, youth-friendly, and available in other accessible formats and languages.	No progress
2. Develop a nationwide package of training programmes that sits alongside the Te Waharoa Induction programme. Training programmes should 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>• neuro-diversity</li> <li>• life skills</li> <li>• cultural development/capacity building</li> </ul>	No progress
3. Review the grievance process. It should be independent and impartial and provide a clear mechanism for keeping mokopuna informed of progress.	No progress
4. Review the current HR policy and ensure it is fit for purpose especially pertaining to active staff internal investigations where allegations of harm are made.	Complete
5. Document and record Safety Plans, HR advice and risk analyses when serious vents involving mokopuna occur. This information should be held in central locations such as CYRAS.	Complete
<b>Facility Recommendations</b>	
1. Ensure all Individual Care Plans (ICP's) are maintained to a consistent standard and that mokopuna are involved in the development of those plans.	Limited progress
2. Ensure staff at all levels are aware Whakatakapokai has a therapeutic model of care and can demonstrated this in every-day engagements with mokopuna.	Good progress
3. Provide a range of recreational resources for mokopuna within their unit as well as outside	Complete
4. Prioritise the refurbishment of the pool and gym and keep mokopuna informed of the building progress.	Limited progress
5. Involve mokopuna in the development of their transition plans and vocational courses.	Limited progress for transition plans; good progress for vocational courses

The Oranga Tamariki updated responses to the Whakatakapokai Youth Justice Residence OPCAT report recommendations are detailed in the following sections of this report.

## Updated Response to Systemic Recommendations

Below are the Oranga Tamariki progress updates for the five systemic recommendations made in the Whakatakapokai Youth Justice Residence OPCAT report from March 2022.

### Recommendation 1

*Revise the Individual Care Plan templates to ensure they are functional, youth-friendly, and available in other accessible formats and languages.*

#### Updated response

In our response to the March 2022 Whakatakapokai OPCAT report we indicated that we had undertaken a review of existing Individual Care Plan templates used at each residence, carefully considering how functional and youth-friendly these were. At the time, work was commissioned to develop a new ICP template framed by Dr Mason Durie's Te Whare Tapa Whā model, with the contents for this being aligned to meet best practice expectations for the language and communication needs of the cohort we work with.

In parallel to the review of the ICP, training was developed for clinical teams at each residence. Part of the training focused on quality planning and assessment, and it was anticipated that this would help strengthen individual care planning and in future further support the new ICP template under development. This training was completed throughout 2022.

In 2022, a new work programme was implemented. As part of this work, it was determined that all Youth Justice Residences nationally would transition from using Individual Care Plans to using the All About Me Plan (AAMP). This transition has been previously undertaken with success in Care and Protection Residences, and all other tamariki and rangatahi in the care of Oranga Tamariki use the AAMP.

The AAMP is designed to enable Oranga Tamariki to support and respond to the needs of tamariki and rangatahi in care in line with the National Care Standards. The AAMP helps everyone involved support the needs and objectives of tamariki or rangatahi, by recording planning information that is responsive to their changing needs and circumstances and advances their long-term goals and outcomes.

There is also a tamariki-version of the AAMP. The tamariki AAMP is written in language appropriate to the age, development level or disability of te tamaiti or rangatahi, to ensure they understand it. Using the AAMP in Youth Justice Residence will also mean that these rangatahi will have only one care plan, and for those who were previously in our care before entering the residence, their AAMP will largely be similar with some new information to reflect their new residential placement.

The care and protection or youth justice social worker for te tamaiti or rangatahi is responsible for the All About Me plan. From time-to-time, co-workers will assist with the development of the AAMP, which for Whakatakapokai includes Rangatahi Mentors. In other Youth Justice Residences Case Leaders will perform this role.

It is anticipated that using the AAMP will result in collaborative approach between residence kaimahi, and care and protection or youth justice social workers. This will help strengthen care planning for rangatahi before, during and after their residential placement.

Whakatakapokai was the first Youth Justice Residence to transition to fully using the AAMP. This commenced from April 2023. The other Youth Justice Residences will also transition to using the AAMP throughout 2023.

This recommendation will be closed, as the AAMP was developed in a child friendly way and is available in other accessible formats and languages.

## Recommendation 2

*Develop a nationwide package of training programmes that sits alongside the Te Waharoa Induction programme. Training programmes should include:*

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

### Updated response

Oranga Tamariki acknowledge that it is important that a nationwide suite of programmes is available for rangatahi that provide trauma-informed programmes to address criminogenic behaviour, alcohol and drug use, mental health needs, intellectual disability, neurodiversity, life skills and cultural development. We also acknowledge the importance of our workforce having the appropriate training and development to deliver these programmes.

Oranga Tamariki is currently undertaking a fundamental and significant shift in our approach, operating model and practice so we can truly be tamariki and whānau centred. To do this, we have developed a Future Direction Plan<sup>1</sup> that draws together themes from across Hipokingia ki te Kahu Aroha Hipokingia ki te Katoa (the report of the Ministerial Advisory Board) as well as recommendations from previous reviews.

Building on the work of the Future Direction Plan, the Minister for Children asked the Ministerial Advisory Board to review the provision of care in Oranga Tamariki Care and Protection and Youth Justice Residences. The Residences Review<sup>2</sup> and the Minister's formal response to the Residences Review<sup>3</sup> were proactively published on our website on 18 August 2022.

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

Oranga Tamariki is also working with our agency colleagues to achieve the mahi set out in our Future Direction Plan. The work is set out in the Oranga Tamariki Action Plan,<sup>4</sup> which will drive integration across the children's system, moving from transactional and siloed services to a joined up, needs-based, outcomes-focused children's system.

We support the development of a national curriculum of programmes for youth justice residences. A stocktake of internal and external programmes offered in Youth Justice Residences was completed. This involved gathering information from the five residences on the internal and external programmes, which were completed during May 2023. We have now determined what is currently available and are developing next steps to further understand the needs of our rangatahi and what programmes would be effective for them (particularly those on remand). Additionally, sourcing programmes from Corrections is being explored as part of this work and a workshop was held with them during June 2023. This work continues to be progressed as a priority.

We are pleased your report identifies that Whakatakāpokai has included various trainings from external providers for rangatahi including life skills and cultural development. It is also pleasing to read that Whakatakāpokai has run additional trainings to further support the national induction programme, on

<sup>1</sup> [OT-Future-Direction-Action-Plan.pdf \(orangatamariki.govt.nz\)](#).

<sup>2</sup> [Ministerial-Advisory-Boards-Residences-Review.pdf \(orangatamariki.govt.nz\)](#)

<sup>3</sup> [Formal-Response-to-the-Ministerial-Advisory-Boards-Residences-Review.pdf \(orangatamariki.govt.nz\)](#)

<sup>4</sup> <https://www.orangatamariki.govt.nz/about-us/how-we-work/oranga-tamariki-action-plan/about-the-action-plan/>

topics such as their therapeutic model of care, Māori cultural practices, and introduction to cognitive-behavioural therapy and dialectical behaviour therapy.

Whakatakapokai also deliver a range of internal programmes for staff that provide learning and development on:

- the purpose of residences and how this is defined in practice
- our model of care at WTP (social learning theory, alignment with the Oranga Tamariki practice approach)
- the natural fit of Te Ao Maori approaches being child/whanau centred and trauma informed.
- psychology of criminal conduct
- offending-related factors
- risk assessment
- the cycle of change
- distress tolerance skills.

As work progresses on a national suite of training programmes, Whakatakapokai and all our youth justice residences will continue to focus on the development of meaningful and engaging programmes and activities for rangatahi at a local level.

### Recommendation 3

*Review the grievance process. It should be independent and impartial and provide a clear mechanism for keeping mokopuna informed of progress.*

#### Updated response

As part of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018, every tamariki and rangatahi is entitled to receive information about what they can expect in our care or custody, and to be supported to raise any concerns they have. This includes ensuring information about making complaints, accessing support services, and independent advocacy is available to all tamariki and rangatahi.

In August 2021, a project, Manaaki Kōrero, commenced a review of the Oranga Tamariki feedback and complaints systems. Manaaki Kōrero is a project that involves Oranga Tamariki partnering with VOYCE – Whakarongo Mai to enable tamariki, rangatahi and whānau to co-design feedback, complaints, information, advice, and assistance processes that are 'fit-for-whānau'. It also addresses Action 1.4 of our Future Direction Plan.

While this co-design work is underway, Oranga Tamariki began implementing a set of immediate improvements to the residential grievance process based on feedback from tamariki and rangatahi in September 2022. The improvements focused on:

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

Much of the immediate improvements work has now concluded or is concluding. Current work now includes finalising production work for the new complaint forms with implementation scheduled thereafter; designing comic book-type visual resources that teach self-advocacy as a social skill in a residence and in the community; engaging in the detailed design of a training package to strengthen investigations; implementing monthly training workshops with kaimahi to strengthen recording and reporting for all complaints processes; implementing a new brochure and wall posters for tamariki and rangatahi have to strengthen the understanding of grievance advocacy.

VOYCE – Whakarongo Mai has regularly visited Whakatakapokai while tamariki and rangatahi are present at the facility. VOYCE – Whakarongo Mai has open access to our care and protection residences, and their presence is always welcomed.

When tamariki and rangatahi arrive at our residences, they receive introductory packs that include information about how to make a complaint and access independent advocacy. This information is

explained in a way that is appropriate to their age, development, language, and considers any disability. Residences also display information about the role of VOYCE – Whakarongo Mai around each residence.

Rangatahi can have access to a phone to contact VOYCE – Whakarongo Mai and the option to meet representatives when they visit the residence. They can also request a visit from a VOYCE representative when they need advocacy for a specific concern. In addition, other options for expressing themselves, such as video calling and recording, can be used with tamariki and rangatahi as required.

#### Recommendation 4

*Review the current HR policy and ensure it is fit for purpose especially pertaining to active staff internal investigations where allegations of harm are made*

#### Updated response

In our previous 2022 OPCAT report response, we identified that Oranga Tamariki has established Human Resources (HR) policies and guidelines in place to manage situations where kaimahi are subject to active internal investigations. This includes:

- The Oranga Tamariki – Ministry for Children, Disciplinary Policy.
- The Oranga Tamariki – Ministry for Children, Disciplinary – Supporting Guidelines.

Following your recommendation, Oranga Tamariki examined whether our existing policy and guidance to support formal employment processes were fit for purpose and we were satisfied these were. Our review of this matter indicated an isolated training issue that has since been resolved.

We are heartened that your report identifies HR policies are followed and were efficient when harm to rangatahi was alleged. It is also pleasing to read that Whakatakāpokai had recently hired a Senior HR Advisor to provide timely advice and guidance, particularly around issues and concerns which includes the treatment of mokopuna.

Oranga Tamariki remains committed to ensuring that our work and work environment demonstrates a genuine commitment to our values and that all kaimahi are empowered to behave consistently with our policies and values. It is vital that disciplinary processes are fair, transparent and impartial.

We note that your report reflects this recommendation as now being complete.

#### Recommendation 5

*Document and record Safety Plans, HR advice and risk analyses when serious events involving mokopuna occur. This information should be held in central locations such as CYRAS.*

#### Updated response

In our previous 2022 OPCAT report response, we acknowledged that the recording of advice and safety planning would be included as part of our work to review existing HR policies as per recommendation 4. Please refer to updated response for recommendation 4.

We are pleased that your report identifies that the appropriate safety plans, HR advice, and risk analyses were well documented and recorded. It is also heartening to read that your monitoring team are confident that the safety of rangatahi is at the heart of decision making at Whakatakāpokai.

We note that your report reflects this recommendation as now being complete.



## Updated Response to Facility Recommendations

Below are the Oranga Tamariki responses to the five facility recommendations made in the Whakatakapokai Youth Justice Residence OPCAT report.

### Recommendation 1

*Ensure all Individual Care Plans (ICP's) are maintained to a consistent standard and that mokopuna are involved in the development of those plans.*

#### Updated response

As noted in our updated response to systemic recommendation 1, Youth Justice Residences are currently transitioning from the use of ICPs to the All About Me Plan (AAMP). Whakatakapokai is the first Youth Justice Residence to do this.

We acknowledge the importance of ensuring care planning is maintained to a consistent standard and that rangatahi are involved in the development of those plans. We anticipate that the transition from ICPS to AAMPs will significantly help to further strengthen care planning quality, and the involvement of rangatahi in this process.

As noted in our updated response to systemic recommendation 1, the key care and protection or youth justice social work is responsible for leading the development of the AAMP. At times, co-workers, such as the Rangatahi Mentors at Whakatakapokai, will help support this process. Whakatakapokai will continue to make every effort to support strengthening this interface. As noted in your report, Rangatahi Mentors provide a good link between the residence and social workers providing up-to-date information and the views of rangatahi.

Whakatakapokai fully supports the involvement of rangatahi in the development of their AAMP and all aspects of their care planning when they choose to do so. We must ensure tamariki have the information and support they need to freely express their views and actively participate in the work we do together. This is a requirement of our 'Participation of tamariki – providing information, ensuring understanding and incorporating their views' policy.<sup>5</sup>

It is pleasing to read that Rangatahi Mentors help considerably when advocating for rangatahi and ensuring appropriate planning is in place for them. It is also heartening that your report identifies rangatahi have good relationships with rangatahi and their whānau and help facilitate whānau visits to the residence.

This recommendation will now be closed given we have transitioned to using AAMPs.

### Recommendation 2

*Ensure staff at all levels are aware Whakatakapokai has a therapeutic model of care and can demonstrate this in their every-day engagements with mokopuna.*

#### Updated response

A key focus for Whakatakapokai is to ensure their workforce understands the therapeutic model of care, and that they are able demonstrate this in their daily engagements with rangatahi.

Whakatakapokai have regular training sessions scheduled that help to build and support the understanding of staff regarding the residence's therapeutic model. To further support the learning of staff and the broader conceptual context the model operates in, other trainings are also provided. These focus on trauma-informed practice, relational theory and other related areas (refer to our response to systemic recommendation 2).

<sup>5</sup> <https://practice.orangatamariki.govt.nz/policy/participation-of-tamariki-providing-information-ensuring-understanding-and-incorporating-their-views/>

We acknowledge the importance of having a stable workforce to support operations at the residence and ongoing workforce development. At the time of your visit, there were 12 vacant roles in the team. We have since recruited one new staff member and four are undertaking induction. Whakatakapokai is currently exploring local recruitment options through the Non-Government Organisation sector for the remaining seven vacancies.

Recruitment at Whakatakapokai is being further supported by a national marketing and recruitment campaign for Oranga Tamariki that was developed for relevant social media platforms and launched earlier this year. This work follows nationwide workforce shortages across the organisation and the New Zealand labour market. Recruitment for Oranga Tamariki residences is a specific focus within the broader campaign.

It is pleasing to read that your report identifies that good practice was identified and that staff take their time to explain structured activities well to rangatahi, so they understand behavioural expectations. It was also heartening to read that rangatahi enjoyed the flag rugby game with no incidents occurring.

The management team will continue to closely monitor the progress of this recommendation until your next visit. As we stabilise our workforce, and continue to focus on workforce development, we anticipate this recommendation will be completed over the next six months.

### Recommendation 3

*Provide a range of recreational resources for mokopuna within their unit as well as outside.*

#### Updated response

Whakatakapokai kaimahi support providing rangatahi with recreational resources to use in their unit and while outside. Providing the appropriate support for play, recreation, and community activities for rangatahi at Whakatakapokai, and all tamariki and rangatahi in the care of Oranga Tamariki, is important. The National Care Standards Regulation 34 requires us to ensure that support is provided to address the play, recreational and community needs of te tamaiti or rangatahi in a way that meets their age, stage of development, culture, and any disability they may have.

Rangatahi at Whakatakapokai, and across all Oranga Tamariki residences, have the same needs as all other tamariki and rangatahi in New Zealand to participate in activities that build their confidence. An ability to access and participate in such activities contributes to the holistic wellbeing of tamariki and rangatahi.

Over the past two years, the ongoing response to the COVID-19 pandemic limited our ability to consistently deliver programmes for rangatahi in Whakatakapokai. All internal and external delivery of programmes has now resume.

We are pleased that your report identifies off-site activities, such as adventure-based learning, beach, pool and gym visits, are offered to rangatahi on a weekly basis and that risks are well mitigated and logistics well planned. It is also pleasing to read that rangatahi are now able to fully utilise the outdoor courtyard for recreational activities and that there many passive recreational activities are also available, such as various board games and PlayStation.

During your 2022 OPCAT visit, school was not occurring in the designated space due to maintenance works. We are pleased your report identifies education is now taking place in the designated area and there is a good range of educational activities available for rangatahi, such as cooking.

We note that your report reflects this recommendation as now being complete.

## Recommendation 4

*Prioritise the refurbishment of the pool and gym and keep mokopuna informed of the building progress.*

### Updated response

In our previous 2022 OPCAT report response, we acknowledged that work on the pool and gym had been impacted by the COVID-19 pandemic, with contractors having to isolate and ongoing supply issues.

Since 2022, unfortunately work on the pool has been temporarily paused due to other national priorities. While we appreciate that this is disappointing to rangatahi, as noted in our response to recommendation 4 we are now providing rangatahi offsite access to a pool.

Work on refurbishing the gym is due for completion in September 2023. The original timeframe for this work was December 2022, however, there have been delays in sourcing appropriate resource for this work which is outside of the residence's control.

We are continuing to keep rangatahi at Whakatakāpokai updated on the gym refurbishment and look forward to the completion of this work. It will provide an excellent facility for rangatahi, and further opportunities for them to engage in an increased range of physical activities.

## Recommendation 5

*Involve mokopuna in the development of their transition plans and vocational courses.*

### Updated response

As noted in our response to systemic recommendation 1, all Youth Justice Residences are transitioning from using the Individual Care Plan (ICP) to the All About Me Plan (AAMP). The AAMP helps everyone involved support the needs and objectives of tamariki or rangatahi, by recording planning information that is responsive to their changing needs and circumstances and advances their long-term goals and outcomes. This includes transitional planning and any vocational needs.

Similarly, as noted in our response to facility recommendation 1, Whakatakāpokai is the first Youth Justice Residence to transition to AAMPs. With the care and protection or youth justice social work leading the development of the AAMP and Rangatahi Mentors at Whakatakāpokai co-working with social workers to help develop AAMPs by advocating for the voice and needs of rangatahi, it is anticipated that this will help strengthen transition planning.

Whakatakāpokai are also undertaking a local initiative to further support transition planning, as identified in your report. This has involved contracting a lifestyle coach from a local kaupapa Māori social service organisation. The lifestyle coach, who is also care experienced, builds relationships with rangatahi and their whānau, and looks for connections and support within the community to help support access to things like primary health care, cultural support, mentoring, and a safe living environment when they leave the residence.

In terms of the development of vocational courses for rangatahi, we are pleased your report identifies that Whakatakāpokai has made good progress offering age-appropriate activities and courses. Examples of this have included financial literacy, life skills and farming, with rangatahi achieving NCEA credits which will help support further education or access to apprenticeships.