



MANAAKITIA Ā TĀTOU TAMARĪKI

Children's
Commissioner

Te Poutama Ārahi Rangatahi

Visit Date: February 2023

Report Date: June 2023



Kia kuru pounamu te rongō 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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Executive Summary

The role of the OCC

The Children's Commissioner is a National Preventive Mechanism (NPM) under the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment (OPCAT).

The New Zealand legislation is contained in the Crimes of Torture Act (1989). My role as a NPM is to visit places of detention, including residences run by community partners to:

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

Frances Eivers
Ngāti Maniapoto, Waikato
Children's Commissioner

About this report

This report shares the findings from a monitoring visit conducted by the Office of the Children's Commissioner (OCC) and recommended actions to address the issues identified. OCC staff describe the quality of the experience of mokopuna at the facility and provide evidence of the findings based on information gathered before, during and after the visit.

About this visit

OCC staff conducted an announced monitoring visit to Te Poutama Ārahi Rangatahi in February 2023 (Te Poutama).

The purpose of this visit was to monitor the safety and wellbeing of mokopuna in places of detention under the Children's Commissioner's role as a NPM.

About this facility

Facility Name: Te Poutama Ārahi Rangatahi

Region: Christchurch

Operating capacity: 8 beds

Status under which mokopuna are detained: s.78 and s.101 of the Oranga Tamariki Act 1989.

Te Poutama Ārahi Rangatahi is a specialist residential therapeutic programme for youth who have engaged in harmful sexual behaviour (HSB). Placements last for an average of sixteen months. The residence is managed and operated by Barnardos, a national non-government organisation approved to deliver care services under section 396 of the Oranga Tamariki Act 1989.



Key findings

OCC found no evidence that mokopuna had been subjected to torture, or cruel, or degrading punishment.

OCC evidenced the following during the visit:

- Te Poutama have an excellent, therapeutic model of care that has mokopuna and whānau at the heart of decision making.
- Te Poutama does not have a secure care unit nor do they use seclusion in any other area of the facility. Staff employ behavioural management techniques that are trauma informed and steeped in restorative practice.
- Staff and mokopuna have excellent relationships and the one to one matches for staff to mokopuna are well thought out. Mokopuna can identify safe adults they can talk to.
- Mokopuna have an abundance of opportunity to engage in activities off-site and in their community.
- The right mix of mokopuna is essential to maintaining a therapeutic environment.
- The facility is clean, tidy and largely graffiti free. However, property maintenance is slow and Te Poutama are without a functioning kitchen.
- Staff have identified that induction training needs to include practical elements so that they are prepared for work in the unit with mokopuna.
- Professional development and supervision need to be prioritised for all staff.
- Mokopuna are Rangatira in their own journey in matauranga Māori.

Recommendations

Our recommendations are based on:

- Key findings from our monitoring and analysis
- Any issues relating to ill-treatment
- Concluding Observations from the United Nations Committee on the Rights of the Child (2023)

In February 2023, the United Nations Committee on the Rights of the Child ('the UN Committee') released its Concluding Observations¹ for New Zealand's sixth periodic review on its implementation of the Children's Convention² and how the Government is protecting and advancing the rights of mokopuna in Aotearoa New Zealand.

There are multiple recommendations that relate to the treatment of mokopuna in places of detention and a summary of these is attached as Appendix 2 to this report.

¹ Refer CRC/C/NZL/CO/6. To see the Children's Commissioner report to the UN Committee, see: [NZ Children's Commissioner's Report to the UN Committee on the Rights of the Child - 2022 | Office of the Children's Commissioner \(occ.org.nz\)](#)

² [Convention on the Rights of the Child | OHCHR](#)



The Children's Commissioner will continue to monitor progress and work with Oranga Tamariki (and other relevant agencies) to ensure these recommendations, among others, are addressed.

The OCC recommends that the facility take action to address facility recommendations within twelve months after the date of our visit.

Systemic Recommendations

1	Streamline the property management process between Oranga Tamariki and Barnardos to ensure timely repair and refurbishment.
2	Urgently refurbish the kitchen and finalise the instalment of outside water fountains and inside water coolers.
3	Review the grievance process to be independent and impartial.
4	Only refer mokopuna that clearly meet the admission criteria and carefully consider the impact of placement on existing mokopuna in the facility.
5	Source placement options for mokopuna in the community concurrent to their placement in Te Poutama to prevent the unnecessary detainment of mokopuna who have completed their treatment.

Facility Recommendations

1	Prioritise supervision that focuses on consistency of care and implementation of treatment plans.
2	Include practical components in the induction training so that new staff have the opportunity to put theory into practice before formally working with mokopuna.
3	Ensure staff professional development plans are completed and those who are promoted have access to appropriate training.
4	Develop relationships with local education communities of practice to enable teaching staff access to relevant professional support, resources and information.
5	Amend assessments to include a stronger emphasis on the cultural identity and needs of mokopuna to inform their treatment and care plans.



Treatment

This 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.

Mokopuna form close supportive relationships with staff

The OCC observed positive relationships between staff and mokopuna at Te Poutama. Mokopuna are assigned key workers who work with mokopuna on a one to one basis. It was clear that significant thought has been put into ensuring mokopuna are well-matched with their staff member to ensure their needs are met and their interests promoted.

The one to one, well matched relationships allow mokopuna to develop their identity, a sense of belonging and provides a solid platform for their treatment.

Consistency amongst staff is important for mokopuna

Mokopuna said that consistent practice and the same rules for all mokopuna is important to them. Where different or preferential treatment is perceived, group dynamics can be negatively impacted. The OCC did see a dynamic change when a mokopuna was re-admitted and the existing mokopuna saw him being treated differently. Despite careful explanations as to why, the new mokopuna was at times excluded from games the existing mokopuna initiated. Staff worked hard to reintegrate the new mokopuna and by the end of our visit there had been a move to re-balance the unit.

Mokopuna told us that it is hard when they have to transition to new staffing relationships or when their regular key worker is not available. Due to the relatively long placement time and the strong relationships that are formed, care needs to be taken with transitioning to new key work staff. Changes that are not managed well can impact on treatment progression. For example, OCC saw a stall in the transition phase for one mokopuna due to a change in clinician.

Mokopuna said they sometimes do not get to say goodbye to staff that are leaving. Whilst this is not always possible, the OCC did see the difference this makes to mokopuna when staff changes are done well and with care.

Peer relationships between mokopuna were positive

The OCC observed positive peer relationships between mokopuna residing at Te Poutama. Whilst mokopuna did not always get along all the time, the OCC observed mokopuna taking responsibility to acknowledge and resolve any differences or tensions amongst themselves in a facilitated restorative way.

This was also evidenced in the weekly Community Hui where both staff and mokopuna have space to air out their feelings – both positive and negative, general or targeted at a particular person. Mokopuna showed maturity when they spoke, and staff supported what was said



to ensure all mokopuna left the hui with mana intact.

Youth voice is at the forefront

Throughout many facets of Te Poutama operations, the OCC observed multiple opportunities for youth voice to be heard. Mokopuna were able to put forward nominations for a staff member of the month, were actively involved in assessment and treatment processes and had platforms to communicate their thoughts and feelings, for example, during regular community meetings.

The OCC were pleased to hear that following the outcome of a complaint, a mokopuna representative was also going to be nominated to join operational management meetings to provide youth voice input.

Assessments are clear, well-documented and have good whānau involvement

Assessments and treatment plans are excellent with clear treatment pathways and rationales and these are updated regularly. Te Poutama use a HSB assessment model known as AIM-3³ and this is divided into three key areas: Assessment, Intervention and Moving-On. The information in these plans clearly outline assessed need, the goals for each mokopuna and how they are progressing against these goals.

³ Leonard, M & Hackett, S. (2019) The AIM3 Assessment Model – Assessment of Adolescents and Harmful Sexual Behaviour. <https://tinyurl.com/AIM-3-Project>

No secure care at Te Poutama

The Children's Commissioner commends Te Poutama for having no secure care and a minimal use of restraint holds on mokopuna. This is in line with international standards of care for children and young people⁴. Staff reported that they did not feel the need to use restraints, and that in general they are rarely used at Te Poutama. Staff attributed this low use to a solid, collective understanding of mokopuna risk factors and behaviour triggers. Behaviour management strategies are shared across the staffing structures accompanied with personalised de-escalation strategies.

Mokopuna are also given the opportunity to engage in self-regulation, followed by restorative conversations supported by staff. This role modelling by staff has enabled mokopuna to engage in self-directed restorative group conversations when the mauri of the unit requires re-balancing.

The careful assessment, intervention and behaviour management plans, informed by mokopuna and understood by all staff, is a practice the Children's Commissioner would like to see adopted in other secure facilities.

⁴ The seclusion of mokopuna of any kind or duration contravenes Article 37(a) Convention on the Rights of the Child | OHCHR



A comprehensive transition process is vital to the success of the programme

Transition pathways are key to ensuring that mokopuna are able to thrive outside of the residential environment. The OCC advocate for transition plans to be established concurrently with the placement, so that mokopuna have the best opportunity for success with a well thought-out and supported transition plan.

Staff were able to share with OCC many success stories where mokopuna were thriving outside of Te Poutama. The common factors to these examples were placement options identified early and intensive, collaborative work between mokopuna, their whānau, the Oranga Tamariki site social worker and the clinicians at Te Poutama.

Staff dedicated to transition work did say that the lack of high quality community-based transition placements and services has a detrimental impact for mokopuna. For mokopuna who cannot return to their immediate whānau, the lack of appropriate community-based placements can mean they stay longer than necessary at Te Poutama.

The OCC acknowledge these are factors outside the control of Te Poutama but also highlight the lack of appropriate community-based placement options as a risk to the on-going treatment and wellbeing of mokopuna.



Protection Systems

This 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.

The admission process is well thought-out and understandable

The admission process into Te Poutama is clear and well-laid out, with good engagement and communication from the facility to whānau and mokopuna. The assessment of suitability for treatment requires a high level of buy-in from whānau and mokopuna to ensure everyone is actively engaged in the therapeutic approach at Te Poutama.

Mokopuna and whānau visit Te Poutama before committing to the programme. They can make a fully informed decision to reside at Te Poutama, with a 'no surprises' approach from the facility before both mokopuna and whānau engage in therapy.

Mokopuna have identified adults they can trust

All mokopuna the OCC spoke to were able to identify staff they could turn to for support and mentorship. The OCC also observed that staff were well-equipped to manage mokopuna triggers and heightened behaviours quickly and with dignity.

Mokopuna understand their rights and have good access to advocates

Mokopuna are provided with an easy-rights booklet upon admission and mokopuna spoken to could articulate what

is in the booklet and their rights in a general sense.

Mokopuna say that the current booklet is childish. It may be useful for Te Poutama to develop age-targeted versions of the rights booklet to accommodate the range in ages of mokopuna admitted into Te Poutama.

VOYCE Whakarongomai⁵ regularly visit Te Poutama and have good relationships with mokopuna and staff alike. Mokopuna also have access to on-site social workers independent of Oranga Tamariki who are also able to ensure mokopuna needs are met.

Group dynamics and new admissions

Careful consideration regarding the mix of mokopuna who are residing at Te Poutama is important. At the time of the visit, the OCC saw how the right mix of mokopuna created a generally positive group dynamic in the unit.

All mokopuna have the right to feel safe and secure in the place they are living. The OCC encourage Te Poutama to highlight admission concerns relating to group dynamic to Oranga Tamariki and push back referrals if they have the potential to negatively impact other mokopuna living at Te Poutama.

⁵ <https://voyce.org.nz/about-voyce/#who-we-are>



Multiple avenues to voice concerns, manage issues and resolve complaints

Mokopuna can raise issues with staff directly, submit grievance forms, write letters to management, highlight issues during community meetings and fill in a form via VOYCE Whakarongomai for smaller issues or requests. An example of this was in the education environment where teaching staff told us of recent event where mokopuna said they were unhappy with the lesson plans and told teachers what they would like to focus on instead. From this, the daily timetable was adjusted and mokopuna led the process for this change.

There is also a responsive, internal process that Te Poutama has employed that responds to questions, issues and lower level complaints in a timely manner. OCC saw that staff were open to mokopuna asking questions regarding decisions they had made so that clarification could be given immediately.

For more significant complaints, Te Poutama use the Whaia te Maramatanga⁶ process. The grievance panel⁷ also come into Te Poutama fortnightly to ensure that formal complaints are being dealt with appropriately and escalated when they need to be.

The OCC support the way Te Poutama facilitate youth voice within the residence. However, the Children's Commissioner remains concerned that Whaia te Maramatanga as a process is not impartial or independent of the residence⁸.

⁶ The complaints process used by all Oranga Tamariki residences. It is not independent.

⁷ The Grievance Panel is a mechanism employed via the Oranga Tamariki complaints system Whaia te Maramatanga, to ensure complaints

have been investigated and dealt with appropriately.

⁸ This aligns with Concluding Observations from the UN Committee on the Rights of the Child Refer CRC/C/NZL/CO/6. Para28(f).



Material Conditions

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

Te Poutama is a clean and well-presented facility

The OCC were pleased to see a tidy, graffiti-free environment which was spacious and decorated with toi ataata in multiple areas⁹. There were many large windows throughout the residence with views of the outside.

OCC noted that the facility did not have adequate soundproofing which meant that staff and mokopuna could hear confidential conversations including private therapy sessions. Some sound proofing had been done, but to ensure privacy, all areas, especially those for private therapy sessions, should be soundproof.

Private spaces can be personalised and feel like home

The standard of bedroom facilities at Te Poutama is good, and bedrooms can be personalised by mokopuna. Mokopuna have an en-suite bathroom for their personal use. Toilets cannot be seen from the bed and the bathrooms have high-quality modern fixtures including a basin, mirror and shower-space which mokopuna could control themselves, allowing them to exhibit autonomy in maintaining their

hygiene. The bedroom space included a desk, chalkboard wall, a large, frosted window and small opening grated window with a view of the courtyard. There is an intercom system which mokopuna can use to communicate with staff once they are in their bedrooms for the night.

A great outdoor space which promotes hauora

The rural location of Te Poutama provides the residence with a tranquil and therapeutic setting. The courtyard is large and spacious with a full-sized basketball court and koru artwork woven throughout the fencing (and somewhat disguising the fence itself). There is a large backfield with a full-sized playground, trampoline, a man-made waterslide and large gardens for mokopuna to grow produce. There is also a hāngi pit which Te Poutama use frequently to honour and celebrate mokopuna, staff and guests.

The fencing for the backfield is quite prison-like but Te Poutama are planting small trees around the exterior of the fence to make it more youth friendly.

⁹ Te Poutama has many examples of excellent artwork throughout the facility. The art connects Te Poutama and what they are trying to achieve for mokopuna and whānau to the

whenua and te Atua Māori. The toi ataata remind rangatahi of the journey they are on and the potential they have.



Therapeutic spaces for self-regulation are important

Mokopuna told the OCC how important it is for them to have dedicated spaces where they can self-regulate and chill out away from others. The unit does have a sensory room, but it is small, institutional, rundown, and not fit-for-purpose.

Mokopuna said that it would be good to redecorate this space and include some sensory resources that aid de-escalation and the management of distress.

The kitchen facility needs immediate repair

Due to a fire in January, Te Poutama does not currently have an operational kitchen. The facility has an on-site cook who now prepares kai for mokopuna in the small staff kitchen. Mokopuna spoke positively about the cook and food they received.

In the unit itself a laundry space is being used as a make-shift kitchen by mokopuna to prepare smaller snacks and store food. Mokopuna and staff were both critical of this set up saying they didn't think it was appropriate to prepare food where laundry is being washed and dried.

The lack of a kitchen has impacted on the life skills education (therapeutic) programme. The facility kitchen cannot presently be used for mokopuna to engage in food preparation, baking and cooking.

Property maintenance is slow

The facility itself is owned by Oranga Tamariki which means that property maintenance requests need to go via Oranga Tamariki National Office. This can

be a cumbersome process for the Te Poutama to manage and at times requests have been slow to be signed off and then actioned. This is evidenced in the lack of a proper kitchen facility and delayed installation of outside water fountains and indoor coolers.

The Children's Commissioner recommends urgent attention to the property and maintenance request system to ensure the safety and well-being of the mokopuna in care.



Activities and access to others

This 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.

Mokopuna interests are promoted with a wide variety of activities and mentors

Te Poutama provides a great variety of activities for mokopuna to engage in on-site. There is a large entertainment cupboard full of games, art supplies, books and puzzles that are used alongside resources like a PS4, TV, personal music devices with access to Spotify and table tennis. Mokopuna can also access musical instruments or store their own, such as guitars.

There is a variety of sport and outdoor resources such as balls, scooters and exercise equipment as well as a small gym in a converted garage.

Mokopuna can also be part of community sports teams and social clubs. This includes receiving mentorship from a member of the regional basketball team for one-to-one coaching, competing in local rugby teams, attending the local Magic club, and gaining work experience on a farm. Mokopuna are given the opportunity to gain their theoretical and practical drivers licences through a partnership with AA Driving School.

Whānau are an integral part of treatment at Te Poutama

From admission into the facility and throughout the programme, it was very clear that Te Poutama operates in a whānau-centric manner.

The therapeutic model incorporates whānau therapy which is considerate of the variety of whānau dynamics in place – mokopuna can engage in whānau therapy with more than one whānau structure, including caregivers alongside immediate whānau. Mokopuna can go off-site to engage in whānau therapy within their home communities.

OCC heard from mokopuna that they had regular contact with their whānau both in-person and via phone or video-call when they are residing at Te Poutama.

Making education work for mokopuna

The OCC saw engaging and flexible practices to make education work for mokopuna and promote their interests and individual learning journeys.

There are a variety of options available to help mokopuna meet their literacy and numeracy credits and much of the lesson plan is built around individual interests. For example, maths credits built around shopping lists, literacy involving plants



and animals, first aid certification, and engaging mokopuna using their love of Rubik's cube. Mokopuna also have access to a substantial music room with drums, guitars, and keyboards.

Mokopuna go off-site for additional learning opportunities such as swimming lessons, the library and work experience. It is worth noting that technology-based lessons have been paused due to a lack of suitably experienced staff.

The Children's Commissioner commends Te Poutama for its focus on and the provision of activities that promote the interests and wider educational, pro-social and psychological needs of mokopuna.



Medical services and care

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

Mokopuna access primary medical care externally

Medical services are provided to Te Poutama through a local medical centre, with all mokopuna entering the programme being registered to their services. A nurse comes on-site once a month to provide the opportunity for mokopuna to raise any health concerns and discuss any medical needs. Mokopuna can make additional requests to be seen within the month. A GP can come on-site if necessary, but any acute or follow-up appointments are generally held at the off-site clinic.

A therapeutic framework that makes a difference

Mokopuna have access to on-site therapists who provide direct support to them throughout their therapeutic journey at Te Poutama. Mokopuna work with therapists to address their harmful sexual behaviour and any other presenting needs such as past trauma, distress or anxiety. Therapy is presented in multiple forms including individual, group and whānau therapy and when partaking in therapy on-site, mokopuna have access to an approved range of sensory toys and resources.

The OCC saw the positive impact that this therapeutic framework is having on mokopuna and saw that mokopuna are able to engage in self-regulatory behaviour and restorative conversations with each other, and generally appeared to have a good sense of wellbeing and self-awareness.

Promoting safe medication administration

Nominated staff are trained on how to administer medication by nurses. As a secondary layer to ensure safe practice, Te Poutama conduct their own internal review to assess the quality of medication administration. Any medication errors or refusals are recorded appropriately.



Personnel

This 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.

Staff uphold the restorative model of Te Poutama

Staff at all levels understood the therapeutic model of care and demonstrated this in their daily interactions with each individual mokopuna. Staff could explain specific triggers for each mokopuna, how they de-escalate and also suggested ways our OCC team could interact with certain mokopuna.

Clear, high quality therapeutic plans ensure mokopuna treatment needs are identified. The teams working one to one with mokopuna role-model pro-social behaviour and establish clear boundaries. They foster an environment that is respectful and open so that mokopuna feel comfortable sharing their concerns with the group. It was evident that staff genuinely care about mokopuna outcomes and placed their needs at the centre of decision making.

Some Staff noted that communication around plan content has improved, however non-clinical staff still felt that their insights were sometimes not valued.

The right staff are key to maintaining a therapeutic environment¹⁰

Recruiting the right staff is crucial for the clinical operations of Te Poutama. Whilst staffing numbers fluctuated, Te Poutama currently have the numbers they need to cover any gaps in allocated shift numbers to ensure mokopuna care is not compromised.

Equal treatment and professional development is important to staff

Some staff said that at times they have felt under-valued by management and that preferential treatment for particular staff has been an issue in the recent past. Staff told the OCC of instances where inappropriate staff conduct, for example bringing in contraband like vapes, had been somewhat over-looked and those staff given multiple opportunities to correct their behaviour before they eventually left their roles.

Some staff also said they felt over-looked for professional development opportunities. This issue may, if it continues, affect the ability of staff to carry out their responsibilities in a professional

¹⁰ This aligns with Concluding Observations from the UN Committee on the Rights of the Child Refer CRC/C/NZL/CO/6. Para28(e).



manner. This in turn has the potential to impact on the care of mokopuna.

Inconsistent implementation of supervision and staff training

The implementation of supervision, professional development and staff training appeared to vary across staffing teams. Some staff noted receiving regular supervision whilst others could not recall the last time they had attended supervision.

Staff report that the induction process was good, although missing some practical opportunities to put into practice what was taught in theory. Staff said they felt a bit like 'possums in headlights' when they worked in the unit with only a 'classroom' based induction.

Proper inductions and on-going training is important in any residential environment, however in a highly therapeutic one, it is vital. It is recommended all staff undertake appropriate training for the roles they are performing to keep the integrity of the therapeutic environment for mokopuna.

Teachers lack the ability to be part of a professional practice body

The learning environment at Te Poutama is classed as a Private Training Establishment (PTE)¹¹. Teachers said that because of this, they are not part of a teaching union and are not currently part of professional practice bodies like Kāhui Ako¹². Teachers said they feel isolated as practitioners as

they do not have clear ways to keep up to date with changes in the education sector – for example the national curriculum refresh.

The teachers said they must rely on friends in the secondary school sector for information and feel like they fall through the cracks in terms of professional opportunity.

encourages Te Poutama to pursue becoming part of a local Kāhui Ako to ensure communications from the Ministry of Education in particular can be filtered down to teaching staff at Te Poutama.

¹¹ PTEs are typically tertiary learning institutes and don't fit easily to the learning needs of school aged mokopuna. Reporting and assessment is also a challenge for Te Poutama.

¹² Kāhui Ako are a group of schools and learning providers, usually in a geographical area, who

come together to share practice and training models that then enhance students' learning pathways.

[About Communities of Learning | Kāhui Ako – Education in New Zealand](#)



Improving outcomes for Mokopuna Māori

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

Commitment to meeting cultural needs

Te Poutama host a cultural approach toward honouring every culture and assisting mokopuna to understand who they are alongside their link to whānau as a means of promoting wellbeing. This therapeutic understanding is very much in line with a Te Ao Māori worldview which acknowledges whānau as critical to wellness. The OCC saw how Te Poutama went to significant effort to link in with a cultural specialist so they could support one particular mokopuna appropriately. Part of this support package was to connect mokopuna with their own church community and support them to attend church both in person and virtually as appropriate. Recognising the importance of church as integral to cultural identity plays a significant role in the therapeutic plan for this mokopuna.

However, some kaimahi did express that culture and the integration of tikanga into day-to-day practice can be limited, and some kaimahi have struggled to access training in cultural competency.

Te Poutama have developed their own cultural framework - Te Tatou Rautaki

This framework has been developed to improve cultural competency and embed Mātauranga Māori concepts into practice and everyday operations at Te Poutama. It has yet to be fully realised but the strategy will focus on supporting the needs of mokopuna, their whānau and developing the cultural capacity of kaimahi. The OCC look forward to seeing the outcomes of this strategy during their next visit.

Mokopuna are the Rangatira in their Mātauranga Māori journey

The OCC heard that whilst Te Poutama recognise the significance and benefits of cultural connection, this needs to be balanced with mokopuna being on their own journey and the need to navigate this at their own pace. Mokopuna are supported to explore their whakapapa but instead of a blanket approach, they are given the opportunity to take the lead and the autonomy to decide how this may look for them. This individualised approach allows mokopuna to be rangatira in their Mātauranga Māori journey.

To enhance this practice, the Children's Commissioner recommends that the assessments completed at Te Poutama include a stronger focus on the cultural



needs of all mokopuna to inform all aspects of their treatment and cultural identity.

Te Poutama have Kaihautū¹³ on-site

The role of the kaihautū involves acting as a cultural advisor for Te Poutama. The kaihautū offers cultural supervision, helps develop cultural competency amongst kaimahi, and cultural identity amongst mokopuna. There is a lot of responsibility placed upon the kaihautū, which emphasises the importance of ensuring workforces are culturally diverse, responsive and competent so that cultural responsibilities are not placed upon one individual.

¹³ Cultural advisor



Appendix 1

Gathering information

OCC gather a range of information and evidence to support our analysis and develop our findings in our report. These collectively form the basis of our recommendations.

Method	Role
Interviews and informal discussions with mokopuna (including informal focus groups) with mokopuna	
Individual and group interviews	<ul style="list-style-type: none"> • Acting Residence Manager • Operational Team Leaders (OTL) • Clinical Team Leader (CTL) • Risk and assurance • Youth workers • Clinical team • Educational team • Kaihautū • Grievance Coordinator
Interviews with external stakeholders	<ul style="list-style-type: none"> • VOYCE Whakarongo Mai staff • External health care provider
Documentation	<ul style="list-style-type: none"> • Grievance quarterly reports • Young people's files – including Individual Care Plans and Operational Plans • Serious incidents and use of force register • Training register • Rangatahi Magazine • Te Poutama Behavioural Management Manual • 2022 Annual Summary of Consequences and Restoratives
Observations	<ul style="list-style-type: none"> • Morning and afternoon observation of unit • Observation during afternoon teatime • Observation of shift handover



Appendix 2

Concluding Observations from the United Nations Committee on the Rights of the Child (2023)¹⁴

Below is a summary of the Concluding Observations as they relate to places where mokopuna are detained.

- ensure adequate human, technical and financial resources and continuous capacity-building for those exercising responsibilities under the Oranga Tamariki legislation on upholding children's rights, in particular staff members and caregivers of State-run institutions, family homes and foster placements (para 28(e));
- facilitate children's access to the residential complaints process to report instances of harm, neglect, abuse and violence, and implement measures to combat retaliation (para 28(f));
- systematically collect data on the views of children in and out of care on their education, health, and well-being, in order to address the context that allows neglect, abuse and the mistreatment of children in out-of-home care to occur (para 28(g));
- strengthen the duties of schools and child protection and youth justice sector decision makers to recognize and uphold the right to identity of Māori children, systematically ensure that the voices of Māori children are heard and that their views are considered in decisions that affect them and strengthen support for organizations promoting and protecting their rights and those of their families (para 40(b));
- raise the minimum age of criminal responsibility to 14 years for all children, regardless of the offence (para 43(a));
- To repeal the practice of remanding children into police custody and reduce the proportion of children in secure youth justice residences who are on remand, including by investing in the development of community-based residences and strengthening the availability and use of non-custodial measures (para 43(b));
- For the few situations where deprivation of liberty is used as a measure of last resort, to continue to strive for full compliance with the international requirement to detain children separately from adults and ensure that detention conditions are compliant with international standards, including with regard to access to education and health services, and, for pretrial detention, that detention is reviewed on a regular basis with a view to its withdrawal (para 43(c));

¹⁴ Refer CRC/C/NZL/CO/6.



- end the automatic transfer of 17-year-olds who are accused of serious offences to be tried by the adult courts and ensure that they are dealt with in the youth justice system (para 43(d)); and
- To develop an effective action plan aimed at eliminating the disparity in the rates of sentencing, incarceration, and survival in detention of Māori children by addressing the connections between offending and neuro-disability, alienation from whanau (family), school and community, substance abuse, family violence, removal into State care and intergenerational issues (para 43(e)).

The Children's Commissioner will continue to monitor progress and work with Oranga Tamariki (and other relevant agencies) to ensure these recommendations, among others, are addressed.