

**THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON ASHLEY YOUTH  
DETENTION CENTRE MET AT THE MINISTRY OF SOCIAL DEVELOPMENT,  
WELLINGTON, NEW ZEALAND ON MONDAY 21 MAY 2007.**

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DISCUSSION WITH REPRESENTATIVES OF THE MINISTRY OF YOUTH  
DEVELOPMENT AND CHILD, YOUTH AND FAMILY INTENSIVE SERVICES.

*(The tape begins with an unidentified witness speaking. At no point is this person identified other than as 'Lorraine')*

**WITNESS** - We stand by the view that police cells are an inappropriate place for young people. We are striving to reach a stage where it is not necessary. The police cells in New Zealand are ghastly. However, I try to get people to realise what we are dealing with. These are sometimes very dangerous young offenders. That gives you a different view of them. The media might say a kid has been in a police cell for two months, but that same kid might have raped and beaten a woman taxi driver nearly to death. So we try to get some balance. There are some vulnerable kids for whom a police cell is inappropriate. When that happens we support them by sending a social worker to be with them for 24 hours, or a 'tracker' - someone we can bring in on contract and who knows our business. This is to make sure the kid gets a shower and the necessities of life, to make sure they are okay. We do that particularly when police are at a high stress level - when they take the overflow from the department of corrections. When we have a muster peak, like we have at the moment, the police manage the overflow. That does not matter for male adult prisoners because you can buy warehouse mattresses and sleep them eight to a cell. Nobody is going to complain about that. If you try to do that with a kid, all hell breaks loose. A kid in a police cell is treated as vulnerable. Police leave them in a cell on their own where they can't be got at by other inmates. The muster peak at the moment is a huge impediment to police, so we try to get them out very quickly. We are working closely with the police right now. In the interim we will take them out into the community, possibly into a motel, and put a couple of minders with them.

**Mrs JAMIESON** - What about a half-way house, run by the department, with a house parent, as an overnight arrangement to get the kid sorted out?

**WITNESS** - We do that if they are not at the high-offender level. If we can put them with a supportive parent or minder we will do so. However, very often the police will oppose bail because they do not want that kid released into the community; they are too dangerous or they will run away. We can try to influence that decision, and often do. We have had a girl in for five nights. The minister asked about her this morning. She has absconded from wherever we placed her, so the police have has a gutful of chasing her. They do not want her out until something is sorted.

**Mr WILKINSON** - What was her crime?

**WITNESS** - Nothing major or life threatening - a couple of car conversions and burglaries. Some of the kids we have in there are quite dangerous young men. The girl is just a  
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SERVICES)**

nuisance. She came from a smaller district so the nuisance value is much more than in a bigger than in a larger area.

A very small number of our people interact with the justice system; 91 per cent of our young people move through their teens and into adulthood without getting involved with the justice system at all. Less than 1 per cent are retained in custody.

Maori and Pacific island young people are over-represented in our residential client profile. When you see gangs congregating, the main ethnic profile is dark skin. Pacific island and female clients tend to be the more aggressive clients and often have committed quite serious crimes of violence. Some 69 per cent of kids in these facilities have one or more diagnosable mental health disorder - substance abuse, anxiety and mood disorders are prevalent.

**Mrs JAMIESON** - What about intellectual disability and acquired brain damage?

**WITNESS** - They are not identified as a big influence.

Some 55 per cent of young people have crimes of violence as their primary offence, and 42 per cent have committed serious violence. 'Serious' violence is defined as rape, sexual abuse, manufacture and supply of drugs and so on.

**Mr WILKINSON** - Do you have a no-gun policy?

**WITNESS** - Yes, so the weapons used are knives, vehicles and so on.

At the moment we are going thinking about a case for change. When we reviewed our residential services strategy in 2003 there was a need, and a political push, for a much more therapeutic environment for these kids, rather than just see them contained. To do that we had to get our platform into much better shape. Operational standards and practices were inconsistent across the country because this had been the forgotten part of the care and protection and youth justice environment. The residences had just evolved; there was no collective management across them, and no regional or national focus. So they grew differently; there were little fiefdoms out there. We had some major incidents, particularly in Palmerston North, so we had to do something quickly.

Residences are a unique environment. Staff come face to face with some pretty dangerous kids from time to time. Individuals are always different collectively. For most of their working day our staff are in that environment. It is a challenging environment to both kids and staff. However, I have met some amazing kids in those residences. They have erred strongly to reach the threshold to be in there, but for some of those kids it's the first time in their lives they have had boundaries, and not had to worry about where they will get a meal. It's the first time they have had access to some gym equipment, a swimming pool, a computer - some of these kids don't want to leave us. They will go out to nothing like they have in residence. A cynic would ask if that is tough enough, but they are going out into environments where they have no chance.

**Mrs JAMIESON** - You are almost letting them down because you are showing them a different way.

**WITNESS** - You might have a transition out, which we do, but you cannot manufacture a new environment for them to go home to. Mum and dad will still be at the pub; there will be no money, people will be coming around at all hours of the night and so on. They are protected from that in residence. Also, often this is the first time they have had significant adults who care about them. You can see them start to relate to them.

**Mrs JAMIESON** - Part of the challenge become weaning them off that to go out in the real world.

**WITNESS** - Yes, and that is part of the issue with our very short sentencing. Two months is enough to get used to that but not enough to for us to effect real change. They get out and have supervision in the community, and that is where it often goes wrong because there is not the support. We haven't had them long enough to give them the drive to change themselves. That is the key, more than what they get in the residence in supportive care. When they walk out you want them to have the drive to change themselves.

**Mrs JAMIESON** - Within the case for change are you also looking at early intervention?

**WITNESS** - Yes; residential services are part of the continuum. With our frontline, we are pushing them, when they have an initial interview with a youth offender, to have a look at the siblings as well. If those siblings are using the offender as a role model then we are in trouble later on. So it is about what we can do with early intervention right there and then, about how we can support that family. Some of it is not reconnecting them with the family; it is about connecting them with significant adults in the community, who can make a difference. Often the family is not the best.

The challenge has been to think differently about the provision of residential services and the youth justice population. We are following a four-year plan to standardise and stabilise the residential environment. I ran a scheme call Restoring the Balance because I believed that the kids were in control of the residences, not the staff. We did things with staff like depersonalising themselves. If you have the balance right then you can afford a bit of freedom. If you do not have the balance right then that freedom is a licence for mayhem.

Change is going to be a constant for us. All of my social worker are agents of future change. Rather than try to change the whole way the kids think, they act as activity drivers to change behaviour. One of those changes was standard operating procedures. We are audited on them and they have made a big difference. Quarterly reports, mitigation strategies, risk frameworks and health and safety issues are all part of the governance of this area.

We intend to create a service that is more tailored, more client-centred, based on real outcomes. We haven't been able to do that up until now. For example, I wouldn't have been able to ask my delivery manager what real outcomes were achieved with the kids. Once they leave the residence we did not follow through. After two years, say, what were the kids doing? What had happened to them? Often in the field they do not make the connection about the transition out from residence. For continuous improvement you need to know what you are doing and you need to report it back.

**Mrs JAMIESON** - Do you have in informal caution system?

**WITNESS** - Yes, then we go to a stronger one.

**Mrs JAMIESON** - Do you record them?

**WITNESS** - We don't; the police do. We are trying to track that. The police in New Zealand use diversion. The first time the kid is told to go home and so on. Sometimes it is recorded and sometimes not. It depends on the officer involved. It is likely where the officer knows the youth has come from an offending family, so then they watch the kid. Once you get up the scale they use diversion. The kid should probably have gone before the court but instead they get them to do certain things. Sometimes they can get that two or three times. The issue is for my coordinators to start to manage the offender, but often we did not know what they had done. We didn't know they had, say, four diversions. We are trying to pull that information together. We have some IT solutions under way to better track offending behaviour.

There is no new money for these changes. We have \$12 million for youth justice, and the residences were outside that.

The needs assessment of kids at admission guides the program that we put together for them. In addition to the traditional program, we offer skill-based programs. For example, at Palmerston we give the kids forklift training and chainsaw training because there is a lot of forest nearby. In Christchurch, we opened a cafe for residents and teach coffee-making et cetera in conjunction with the hospitality industry. It is more like vocational training. If a kid has developed catering skills he can go out with a bit of confidence in applying for a job. We marry them up with another service line who can find a job for them. Then we transition them out and support them.

**Mr MARTIN** - How do you support them once they are out?

**WITNESS** - The residents come out on a 12-month supervision program. If we have managed to get them into work, the social worker will make contact to make sure that things are going okay in the job

**Mr MARTIN** - Do you have enough resources to do that?

**WITNESS** - You never have enough resources in the social work environment but that is a key strategy if you want to keep that kid from re-offending. Ongoing support for that kid is really important. We may have a collaborative case-management approach to it. A social worker, Work and Income and Studylink might all be involved - a collective agency approach, though somebody will take the lead.

**Mrs JAMIESON** - How much support do you offer the employer?

**WITNESS** - We don't offer them anything, but Work and Income do. We are often co-located; we belong to the same ministry. We will often get their job brokers to find that kid a job opportunity.

**Mrs JAMIESON** - Do you have problems with employers saying that the kid has come from the youth justice system?

**WITNESS** - Yes, but Work and Income does subsidise the arrangement. Large subsidies are available. We are not involved in that. We try to get the work brokers onto our sites to mix with our kids and understand what drives them. We are quite new to them. They used merely to pay benefits, but now they have this child protection area and they find it quite interesting. Some stunning stuff has come from it. We have had some excellent result from the interface between our staff and the work brokers. It's about them being part of us, and we want to encourage that.

We have a learning and development team. They are focussed on what our staff need to achieve better outcomes.

**CHAIR** (Mr Hall) - What qualifications do staff need? Are they accredited?

**WITNESS** - No. We expect them to be qualified social workers. That is the expectation right across the organisation. That is the old model - through university or tertiary education. It is not the model I want now because the social work training, the case management, needs collaboration between the agencies. The mental health component that might need to be addressed and their education needs all need to be brought together. That is clearly a social application and should be run by a social worker. The rest of the time their in residence and its about program management. That's about finding what gets them really motivated about something so that we can keep them motivated when they get back out into the community. That is the new model. We are now talking about a step-down facility, which means that they stay in the residence until we get them stabilised. Probably two-thirds of the way through their time we will want to re-integrate them back into the community through a step-down facility. We get them back into work or school. They will have a minder with them and they will be supported. We also try to find some significant adult or role models for them. We try to give them a package to go out with. In past yeas those kids were marched to the door and sent them off. If we couldn't find somewhere for them to go we would put them in a hotel.

I don't believe a youth worker needs to have social work qualifications. A youth worker can have any of the other allied qualifications - a teacher, for example - that require tertiary study.

**CHAIR** - What's your ideal model? How do you assess a person as suitable for a custodial-type role or as a youth worker?

**WITNESS** - The custodial role is less important because they in a lock-up situation, so you don't get the confrontation. The social work is quite a different strain. They need to deal with the case work. A smorgasbord of programs needs to be offered across the residence that you tap into for that particular kid and they will have a different youth worker running those. Youth workers who may well have been in the community will run programs, and we will bring them in. Maori people might be looking after their own and might come in to do some wood carving for the kids. It's about understanding the essence of these kids and how we might motivate them. There is a whole range of programs that you might offer and people with different levels of education can do that.

**CHAIR** - Are they permanent staff?

**WITNESS** - Yes, because those programs are generic enough to not go out of fashion.

**CHAIR** - What would be the profile of somebody who has been at Palmerston North for the past five years?

**WITNESS** - They would have a social work background, but that is not the new model.

**CHAIR** - So you would not take anybody off the street and, after two or three-week induction course, say they are a permanent staff youth worker?

**WITNESS** - Not now. It did happen and we are still working through some staff who are still on site and have come through that loop and who are not the sort of people you would put on as staff today. We used not even to police-check them, so you would get people in there who were recruiting for gang membership. I am now the only person who can sign on a person who is not a qualified social worker.

**Mr WILKINSON** - So the detention staff are currently social workers?

**WITNESS** - Yes, but that is not the model we want to pursue. We want some for case management. We are really trying to motivate the kids through program delivery. The social workers who are managing that will also manage the transition out, the work and the plan for these kids when they are out.

**Mrs JAMIESON** - What about staff doing the daily stuff? Are they youth workers? What qualifications might they have?

**WITNESS** - Youth workers would make sure that when the lunch came in the kids ate it and didn't throw their cups around, and then put their plates in the servery. That is not social work; it's just part of it. The kids make their own beds and so on; it's the different mix of responsibilities. While they are there watching at meals and so on they get the continuing interest. That has totally changed the environment in there. The kids are staying motivated. The kids are excited about things and want to tell somebody about it, not share it with the next social worker. We feel it is quite a good mix. The actual social work activity - the monitoring, minding and putting to bed - is just a small part because the kids just do that.

Social workers are all trained in non-violent intervention. We won't get the right mix straightaway; social workers will still be around. We want them to deal with the watering and feeding and keep the kids motivated.

**Mrs JAMIESON** - So this could be an ordinary common-sense person who has had a police check?

**WITNESS** - Yes, and who has driven a program out there and who really relates to kids, who has a known track record but is not doing the social work qualification. They are not dealing with the family, just delivering a program.

**CHAIR** - What about transferring kids to court? Do you use external contractors, correctional services, police et etcetera?

**WITNESS** - We do a bit of all of that. The responsibility for getting kids to court does not sit with residential services. A Chubb van is sometimes used, or a departmental car. We always send a social worker along. Stupid things occasionally happen - like when a van once stopped at McDonald's and the kids escaped.

We have just opened up a kids reception centre in Auckland. If young kids are on the street at night, police might pick them up because of care and protection concerns. The police take them home only to find that mum and dad are not home. They can't drop them home unaccompanied so we have a squad car coming off the beat and police looking after kids in a police station. We have put in a reception centre so that police can drop them off with us. We will look after them and process them and find out where their folks are. Then we will use youth workers to take them home and sort them and try to talk to the parents. It's early intervention stuff.

We have YOTs - Youth Offending Teams - right across the country. They are run by the Department of Justice, with police and education contribution - a joint approach. They are funded by Justice.

**Mr MARTIN** - Are there specific programs in place for families identified as lacking parental skills et cetera?

**WITNESS** - Yes, by two paths. Often it's through a notification of concern - the vulnerable families approach. Once we start to work with that family we should be able to identify the other triggers in the family. At the other end we might get a youth offender. We have a look at the siblings and see whether the family could do with some vulnerable family attention. That attention is really a joint approach to supporting the family across the agency. What is education doing; what is health doing about mental health issues; what is housing doing and so on. It's a whole joined-up approach.

**Mrs JAMIESON** - Is there success with family interventions?

**WITNESS** - Yes, though it is new for us. It's joined up over nine sites across the country. We have 97 families in that process and they have volunteered to be involved. We went to them and said they have problems and they said they wanted help. The real issue is the families that will not be voluntary. They usually end up being the hard cases.

**Mrs JAMIESON** - Do you have strong policies about confidentiality? When you are having a joint meeting, do you mention names?

**WITNESS** - My position is that if this is a care and protection issue for a child then policy can go to hell; it must be talked about. We have protocols for talking to the police and housing and so on. Colleagues in other departments are sometimes not so brave and sometimes they use that as an excuse not to get involved. We have a big project being run under the Ministry of Social Development to get that sorted with the Privacy Commissioner. We are driving a process between us, police and health. We are all dealing with the community. If you talk about a street, I know exactly from my database who you are talking about in that street, and so do police and housing. So let's put the

information together and see what we have. Then we start to get a different picture. Housing will say they think there is organised crime in that house. That immediately puts any kids in danger. We are doing it quietly. It is going to give us some stunning outcomes. Staff can be so into privacy that they forget about the issue and the great outcomes we can get. You have to care about it, but not disable your ability to make a difference. We are getting better at challenging that.