



**MINISTRY OF SOCIAL  
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

16 DEC 2016

On 2 November 2016 you emailed the Ministry requesting, under the Official Information Act 1982, the following information regarding Youth Justice Residences and transfers between the Residences.

For clarity, each of your questions have been addressed in turn:

- *Do Child Youth and Family use escorts to look after young people?*

To ensure children and young people are transported in a safe and appropriate manner, the Ministry employs Youth Workers who, in addition to the expectations outlined in their position description, may also have additional accountabilities as an Escort which are outlined in an addendum to their position description.

Child, Youth and Family's Practice Centre website provides information about escorting young people to and from a residence. This information can be viewed at [www.practicecentre.cyf.govt.nz/policy/working-with-children-and-young-people-in-residences/index.html](http://www.practicecentre.cyf.govt.nz/policy/working-with-children-and-young-people-in-residences/index.html)

- *How many nights have each of the four youth justice facilities been at capacity over the past five years?*

As you have previously been informed, Child, Youth and Family does not report the number of nights each Residence is at capacity, as levels of occupancy in Residences fluctuate every day based on the children and young people entering and leaving the Residence. Your request for this information has been refused under section 18(g) of the Official Information Act as the information you have requested is not held by the Ministry in this form and there are no grounds to believe that the information is held by another department or Minister of the Crown or organisation.

The Ministry can, however, provide you with the average occupancy rate of the Residences. The table overleaf shows the percentage of available bed-nights used, broken down by Residence and financial year.

Financial Year	Residence	Average Occupancy Rate
2012/13	Korowai Manaaki (YJ North)	94%
	Te Maioha o Parekarangi	93%
	Te Au rere a te Tonga	82%
	Te Puna Wai o Tuhinapo (YJ South)	79%
	<b>Total</b>	<b>87%</b>
2013/14	Korowai Manaaki (YJ North)	86%
	Te Maioha o Parekarangi	86%
	Te Au rere a te Tonga	87%
	Te Puna Wai o Tuhinapo (YJ South)	75%
	<b>Total</b>	<b>83%</b>
2014/15	Korowai Manaaki (YJ North)	91%
	Te Maioha o Parekarangi	85%
	Te Au rere a te Tonga	84%
	Te Puna Wai o Tuhinapo (YJ South)	72%
	<b>Total</b>	<b>83%</b>
2015/16	Korowai Manaaki (YJ North)	84%
	Te Maioha o Parekarangi	92%
	Te Au rere a te Tonga	96%
	Te Puna Wai o Tuhinapo (YJ South)	84%
	<b>Total</b>	<b>89%</b>

**Notes:**

- Occupancy is a count of used and available bed-nights, the rate is the percentage of available bed-nights used.
- Since 1st July 2015, the Te Puna Wai o Tuhinapo residence has had 30 Youth Justice beds available. Prior to this time, the residence had 40 beds available.
- The occupancy rates calculated above are using 30 beds for the Te Puna Wai o Tuhinapo residence, and as such, the figure may vary from data previously released.
- *How many times has it been necessary to drive a young person to another facility?*
  - *Can I please have this information broken down by year?*
  - *How much has that cost?*
- *How many times has it been necessary to fly a young person to another facility?*
  - *How much has that cost?*

Prior to the transfer of all young people sentenced to a Supervision with Residence Order, Court approval is obtained. Young people on remand may be transferred between Residences for a number of reasons including their safety and well-being and being closer to their family or community.

Since the 2013/14 financial year, Youth Justice Residential Services have maintained a record of the transfers of young people to analyse trends. This record of transfers

is operational and intended for internal analysis of trends only and as such, the data is not robust nor quality assessed.

The work required to prepare this data for external release would amount to substantial manual collation as notes on individual case files would have to be reviewed. In order to provide you with this information Ministry staff would have to manually review thousands of files. As such your request for this information is refused under section 18(f) of the Official Information Act. The greater public interest is in the effective and efficient administration of the public service.

The Ministry would not be able to respond to your request given extra time, or the ability to charge for the information requested as in either case, the Ministry's ability to undertake its work would still be prejudiced.

To give you an indication of the number of young people transferred by air and by road between Residences each year, the Ministry can use the Residential Services record of transfers to provide an estimated range of transfers per year. The range was determined by analysing the record of transfers and manually removing the transfers that were not between Residences, for each of the past four financial years (young people may be transferred from a Youth Justice Residence to a Family Group Conference or to appear in court, as well as be transferred between Residences).

This analysis produced a range of 20 to 110 young people transported between Residences by air per financial year, and 20 to 50 young people transported between Residences by road per financial year. It is important to note that this range is an indication only, based on operational records, and may vary from those published earlier.

The Ministry has previously done some work to estimate the cost of escorting young people between Residences. The estimated costs overleaf are based on the 2015/16 financial year. The assumption is every trip is based on three people travelling, one young person and two escorts:

**Estimated cost of airfares between Youth Justice Residences.**

<b>From</b>	<b>Destination</b>	<b>Cost of flight per person</b>	<b>Cost of flight per three people</b>
Auckland	Christchurch	\$535	\$1,605
Palmerston North	Auckland	\$460	\$1,380
Palmerston North	Christchurch	\$495	\$1,485
Christchurch	Auckland	\$575	\$1,725
Rotorua	Christchurch	\$512	\$1,536

The cost of transferring a young person between Residences by road are minimal because these transfers are infrequent and mainly from Auckland to Rotorua. The cost would be for two escorts, vehicle lease charges and petrol.

The Ministry can also provide the total amount for all escort air travel spent across all Youth Justice Residences. This includes transporting children and young people between Residences but also transport to Family Group Conferences and to appear in Youth Court. The provided figure includes only the airfares for the young people and

their escorts. It does not include the salaries/wages of escorts, any overtime, other travel, accommodation or meals. Included in the expenditure is also the cost of the First Security Guard services (Auckland). The contract with First Security provides for one driver and a vehicle to transport young people within the Auckland region, this cost does not include the cost of escorts.

**The total expenditure on airfares for all escort travel across all Youth Justice Residences and for the contract with First Security (one driver and a vehicle to transport young people within the Auckland region).**

Financial Year	Expenditure (million)
2012/13	\$0.750
2013/14	\$1.028
2014/15	\$1.067
2015/16	\$1.083

The information provided above is the expense that can be pulled under the code of 'escort travel'. In order to provide the expense for transfers between Residences only, the Ministry would have to review thousands of individual case files. Your request for the cost of transferring young people between Residences is refused under section 18(f) of the Official Information Act. The greater public interest is in the effective and efficient administration of the public service.

The Ministry would not be able to respond to your request given extra time, or the ability to charge for the information requested as in either case, the Ministry's ability to undertake its work would still be prejudiced.

- *Does this involve putting young people up in motels/ hotels etc?*
- *How much has this cost?*

Accommodation such as motels and hotels are used as a placement option for children and young people in exceptional circumstances and as a temporary measure only.

Youth Justice clients may need to stay in temporary motel accommodation for a number of reasons. For example, where they need to travel to a different location for a Youth Court hearing or where they cannot be immediately placed in a specialist residential facility or with an appropriate Child, Youth and Family caregiver. In every case the safety and wellbeing of the child or young person is held as paramount, alongside the safety of the public.

Child, Youth and Family's database is designed for social work practice purposes and not for the collation and reporting of data. In order to address your request, an examination of all individual client files for the past five years would have to be undertaken, as this information is not collated centrally. This would amount to the review of thousands of files. In addition, financial information is not coded in a way that would allow Child, Youth and Family to isolate expenditure on motel accommodation and associated costs for Youth Justice clients. As such, your request is refused under section 18(f) of the Official Information Act. The greater public interest is in the effective and efficient administration of the public service.

The Ministry would not be able to respond to your request given extra time, or the ability to charge for the information requested as in either case, the Ministry's ability to undertake its work would still be prejudiced.

Previously a one off piece of work was done in this area. This required an examination of individual client files and the work required in order to collate the information was substantial and amounted to a significant use of resources. As such, the work has not been repeated since. However, for the period 1 July 2010 to 30 June 2011, the Ministry can advise that there were motel accommodation costs associated with 16 Youth Justice clients in relation to 20 separate occasions. The ages of the young people ranged from 13 to 17 years and typically the period of stay was one night.

You may be interested in further information regarding children and young people in Residences and the associated policy, which is available at [www.practicecentre.cyf.govt.nz/policy/working-with-children-and-young-people-in-residences/index.html](http://www.practicecentre.cyf.govt.nz/policy/working-with-children-and-young-people-in-residences/index.html)

- *How many nights have young males had to spend in police cells over the past five years?*
  - *Can I please have this information broken down by year?*
- *How many nights have young females had to spend in police cells over the past five years?*
  - *Can I please have this information broken down by year?*

If a young person has been arrested and requires confinement, and there is no safe community placement or bed in a secure Youth Justice Residence, then the reality is that they may remain in Police cells until a bed or other suitable placement becomes available. Both Child, Youth and Family and the Police recognise that holding young people in Police cells when custody is needed is not the preferred option.

Child, Youth and Family ensures that all placement options for placing a child or young person are considered, such as a placement within the community, bail or a supported bail programme, or a residential placement.

Child, Youth and Family are committed to reducing the number of young people placed in Police cells, including the length of time spent in Police cells. Child, Youth and Family manage the demand and availability of residential beds on a daily basis.

The Children, Young Persons, and Their Families Act 1989 requires that any such detention in Police cells beyond 24 hours has to be accompanied by a jointly signed certificate (by the senior Social Worker and Senior Sergeant) and that certificate has to be furnished to the Commissioner of Police, and the Ministry's Chief Executive. It must clearly state the reason for detaining the young person in cells for more than 24 hours, and the total length of the detention.

The table overleaf shows the number of children and young people detained in Police cells for more than 24 hours, by average duration in Police custody, broken down by gender and by year. You will note that this is a count of placements, not individuals, and as such may include children and young people who were detained more than once.

Please also note that a young person staying in Police cells for longer than 24 hours is not a representation of residential bed availability. There may be a variety of reasons why a young person is held in Police cells; the young person may not be in a state (highly agitated or intoxicated) where they can be safely transported, or the timing of the young person's next court appearance means that moving them to a Residence with a bed and back in time for court would not be practical.

**The number of Children and Young people detained in Police cells for more than 24 hours by average duration in Police custody, broken down by gender, for the 2012 to 2016 financial years.**

Financial Year Ending 30 June	Female		Male		Unknown	
	Number	Average duration (days)	Number	Average duration (days)	Number	Average duration (days)
2012	30	1.9	179	1.8	S	1.3
2013	14	1.7	159	2	0	Not applicable
2014	10	2.1	52	1.7	0	Not applicable
2015	16	2	35	1.8	0	Not applicable
2016	32	1.8	120	2	0	Not applicable

**Notes:**

- This is a count of custody spells not young people. The same young person may have had more than one spell in the period.
- 'S' represents a suppressed cell to protect clients' privacy
- 'Year is based on the date the placement in Police cells ended.

You will note that a number has been suppressed and replaced with an 'S'. This is in accordance with section 9(2)(a) of the Act in order to protect the privacy of natural persons. The need to protect the privacy of these individuals outweighs any public interest in this information.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

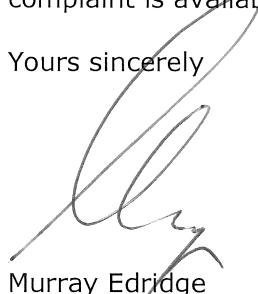
- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public after ten working days. The Ministry will do this by publishing this letter and attachments on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact [OIA\\_Requests@msd.govt.nz](mailto:OIA_Requests@msd.govt.nz).

You have the right to seek an investigation and review by the Ombudsman of this response regarding Youth Justice Residences. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Murray Edridge', written over a faint circular stamp or watermark.

Murray Edridge

**Deputy Chief Executive, Child, Youth and Family**