



**MINISTRY OF SOCIAL
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

29 NOV 2016

On 11 August 2016 you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *A copy of all reports, and briefings prepared by Child, Youth and Family regarding or containing a substantial section on the operational capacity of Youth Justice Residences in New Zealand (collectively or in regards to an individual residence), since February 1st 2016.*
- *A copy of all reports, and briefings prepared by Child, Youth and Family on any Youth Justice Residences under review (collectively or in regards to an individual residence), since February 1st 2016.*

When a child or young person is placed in custody, it does not automatically mean a residential placement. Residences are just one of the range of care placements across a continuum of care options, depending on the specific needs of the child and young person in care. Child, Youth and Family aims to match children and young people's needs with the right care placement depending on whether they have moderate, high or intensive needs. Care placements range from trained or specialist family/whānau and foster carers, through to intensive 24/7 supervised care, and Care and Protection and Youth Justice Residences.

In each case, the Ministry works to find a suitable option that best meets the needs and situation of the individual young person. As a result, residential beds are managed nationally, and where appropriate young people are moved to a placement that best meets their needs.

Children and young people who are ordered by the Youth Court to spend time in a Child, Youth and Family Youth Justice Residence often come from a difficult background and have already exhausted all other available options designed to address their offending behaviour.

A child or young person might be ordered to a Residence for the following reasons:

- they have been arrested by Police and their offending matters warrant them being placed in the custody of Child, Youth and Family until they go to Youth Court

- they have been remanded by the Youth Court and are directed to a residence until the Court deals with the case
- they have been sentenced by the Youth Court for a period between three to six months; once they leave the residence, they will be subject to six to twelve months supervision in the community
- if a young person is sentenced to prison they may be admitted to a residence for some of this time.

The Ministry currently has significant reductions in the number of young people going through the Youth Court compared to five years ago, down from around 5,000 cases to just below 2,000 in 2015. However the number of young people being remanded in custody has remained the same. This has meant around 70 percent of Youth Justice Residence occupancy has been for remand.

Young people being held in Police custody has been identified by the Expert Advisory Panel that reviewed Child, Youth and Family and is the subject of recommendations in their report '*Expert Panel Final Report: Investing in Children*'. Identifying community based alternatives to custodial remands is recommended as one of the early opportunities for the new children's agency – the Ministry for Vulnerable Children, Oranga Tamariki – and there is exploratory work underway at present.

Child, Youth and Family currently operate four Youth Justice Residences in New Zealand. These are:

- Korowai Manaaki, Auckland – 40 youth justice beds and six Criminal Procedure Act beds
- Te Maioha o Parekarangi, Rotorua – 30 youth justice beds
- Te Au rere a te Tonga, Palmerston North – 30 youth justice beds
- Te Puna Wai o Tuhinapo, Christchurch – 30 youth justice beds.

Child, Youth and Family also has six beds available in Auckland's Korowai Manaaki Youth Justice Residence for children and young people considered too vulnerable for an adult prison. These beds can be for males or females. The use of these beds occurs by assessment and agreement between the Department of Corrections and Child, Youth and Family and the agreement ends when their sentence finishes or when they turn 17 years of age. At this point they are transferred to an adult corrections facility.

You can view the full text of the Children, Young Persons and Their Families Act 1989 and the Criminal Procedure Act 2011 online at www.legislation.govt.nz.

I can advise that there have been no reports or briefings prepared by Child, Youth and Family which contain a substantial section on operational capacity or information on any Youth Justice Residences under review since 1 February 2016. As such, this part of your request is refused under section 18(e) of the Official Information Act as the information does not exist.

However I can advise you that Child, Youth and Family prepares a weekly report containing a variety of information which includes operational data on bed availability at each Youth Justice Residence. Please note that this is only a very small part of the report.

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This data is representative of a snapshot in time and is subject to change. Due to the fluctuations in this data and that it cannot be replicated exactly, the Ministry does not report this information externally. The purpose of the data is to advise relevant staff of the capacity of each Residence. The table below shows the average occupancy rate of each Youth Justice Residence for the previous three financial years.

Table One: The average occupation rate each year for each Youth Justice Residence in New Zealand from 2012/13 to 2014/15.

Youth Justice Residence	Average percentage occupancy rate			
	2012/13	2013/14	2014/15	2015/16
Korowai Manaaki	94%	86%	91%	84%
Te Maioha o Parekarangi	93%	86%	85%	92%
Te Au rere a te Tonga	82%	87%	84%	96%
Te Puna Wai o Tuhinapo	79%	75%	72%	84%
Total	87%	83%	83%	89%

Notes: The occupancy rate shown is the average during the specified period. It may not equal the occupancy rate on a specific day such as 30 June 2015.

Between 30 May 2016 and 11 July 2016, one of the Youth Justice Residences had a shower block refurbished and as a result a wing of the Residence was closed down (10 beds). This information was included with the weekly briefing with operational data on bed availability. There was a contingency plan in place at the time to ensure beds were available when they were needed. Below is the information that was included in the reports:

30 May 2016

Korowai Manaaki has two corridors requiring major repair work to the shower and toilet facilities which requires ten beds to be off-line. A contingency plan has been developed if there is a need for Youth Justice Beds.

7 June 2016

Korowai Manaaki continues major repair work to the shower and toilet facilities which requires ten beds to be temporarily closed. A contingency plan has been developed if there is increased demand for Youth Justice Beds.

13 June 2016

Korowai Manaaki continues major repair work to the shower and toilet facilities which requires ten beds to be temporarily closed. A contingency plan has been developed if there is increased demand for Youth Justice Beds.

20 June 2016

The refurbishment work to the shower and toilet facilities at Korowai Manaaki is almost completed. Four beds remain temporarily closed, having decreased from ten. A contingency plan is in place if there is an increase in demand for Youth Justice Beds.

take around four weeks. While this occurs, bed capacity will be reduced by four, and a contingency plan is in place if there is an increase in demand for Youth Justice Beds.

4 July 2016

The refurbishment of shower and toilet facilities at Korowai Manaaki is nearly complete, with work continuing on the last unit requiring maintenance, which will now take approximately three weeks. While this occurs, bed capacity will be reduced by four, and a contingency plan is in place if there is an increase in demand for Youth Justice Beds.

11 July 2016

The refurbishment work to the shower and toilet facilities at Korowai Manaaki is now completed. Korowai Manaaki is now functioning at full capacity.

I have also included the following two tables which provide the budgeted amount per young person in Youth Justice Residences and the staff turnover in Youth Justice Residences.

Table Two: The average budgeted amount per young person, per night, for Youth Justice Residences, for 2012/13, 2013/14 and 2014/15.

2012/13	2013/14	2014/15	2015/16
\$584	\$582	\$618	\$678

Table Three: The staff turnover as a percentage of Youth Justice Residence staff, as at the end of each financial year ending June 2012/13 to June 2014/15.

Residence	2012/13	2013/14	2014/15	2015/16
Korowai Manaaki	10.4	10.7	10.8	17.0
Te Au rere a te Tonga	3.6	11.0	4.7	4.3
Te Puna Wai o Tuhinapo	6.4	12.6	12.5	18.2
Te Maioha o Parekarangi	22.1	13.4	13.3	6.4
Average percentage	9.6	12.0	11.6	11.5

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 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.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Murray Edridge', written over the closing 'Yours sincerely'.

Murray Edridge
Deputy Chief Executive, Child, Youth and Family