



memo

To: s9(2)(a) OIA, Director, MSD Approvals
From: s9(2)(a) OIA, Regional Manager, Central
Date: 12 February 2015
Security level: IN CONFIDENCE

Youth Quest Hawke's Bay Charitable Trust (61447) application for exemption for s9(2)(a) OIA

Action: For Approval 12 February 2015

Purpose

The purpose of this memo is to provide you with information on s9(2)(a) OIA his criminal history and his subsequent life choices in order to enable you to consider an exemption request for his employment as a team leader with Youth Quest Hawke's Bay Charitable Trust.

Background relating to s9(2)(a) OIA s9(2)(a) OIA

A police vet produced on 13 October 2014 records convictions received between 1987 and 2012. This is attached.

Youth Quest Hawke's Bay has provided positive character references from the following people:

- Paul Fong, National Director Youth Quest
- Constable s9(2)(a) OIA, NZ Police
- s9(2)(a) OIA, Hawke's Bay District Health Board
- s9(2)(a) OIA, Taratahi Agriculture Training Centre
- s9(2)(a) OIA, Te Aratika Drilling Ltd
- s9(2)(a) OIA, Waimarama Maori Tours
- Lomi Schaumkel, Area Manager Youth Quest Hawke's Bay
- Darcy Hata, Mentoring Manager Youth Quest Hawke's Bay
- Terry Poko, Area Manager Youth Quest Paraparaumu
- s9(2)(a) OIA, Family of Graduate Youth Quest Hawke's Bay
- s9(2)(a) OIA, Graduate Youth Quest Hawke's Bay
- s9(2)(a) OIA, Graduate and Volunteer Youth Quest Hawke's Bay
- s9(2)(a) OIA, Mother of s9(2)(a) OIA
- s9(2)(a) OIA, Aunt of s9(2)(a) OIA
- Anonymous, Graduate of Youth Quest Hawke's Bay

s9(2)(a) OIA commenced employment as a Youth Quest team leader in s9(2)(a) OIA. The team leader role includes delivering all aspects of the Youth Quest programme, specifically:

- establishing and maintaining appropriate internal and external working relationships
- assisting in the provision of a service which contributes to the maintenance of a safe and secure environment
- developing and maintaining a team approach with all networks and agencies
- providing direction to the mentors, young people and their parents
- coordinating and delivering all subjects to young people
- ensuring young people receive any professional support they may seek internally or externally through the area manager
- ensuring a strong and effective channel of communication amongst the team and management
- liaising with the area manager as to performances of the team.

Reasons for the request for an exemption provided by Youth Quest

Paul Fong, National Director of Youth Quest has advised that over the last two years, s9(2)(a) progress has astounded him. These achievements include having completed training to become a Youth Quest team leader, having obtained his National Certificate in Farming level 3 and his full drivers licence. Achievements also include working successfully with young people and speaking about his history. These achievements, and the positive referee letters provided, support the view that s9(2)(a) OIA has made positive life changes.

Mr Fong has advised that s9(2)(a) OIA is teachable, has a past which young people can identify with, can build a rapport with young people, is a good leader and is loyal. Youth Quest have provided letters of support from the youth that s9(2)(a) has mentored and they tell of the support, respect and inspiration s9(2)(a) gave them.

Mr Fong also advises that the common thread of the conviction history has been drugs and alcohol and that s9(2)(a) is now drug free and only drinks on special occasions. Mr Fong states that s9(2)(a) OIA has never shown aggression towards Youth Quest's students.

s9(2)(a) is supported onsite being around other staff. Youth Quest have provided an analysis of risk management strategies and a supervision plan for s9(2)(a) OIA. This is attached.

Analysis

Youth Quest has been approved, under section 396 of the Children, Young Persons and their Families Act 1989 to provide services in the Kapiti region. Youth Quest applied to have this approval extended to their new operations in Hawke's Bay. This service was approved on 18 December 2014.

MSD uses standards to assist with the assessment and approval of services provided by approved providers. MSD assesses Youth Quest against the level 1 standards.

Business viability standard 6 (BV6) staffing states "*the organisation has sufficient body of qualified and competent staff to both deliver and support the delivery of its services*". This provides the overall basis for considering suitability of staff, while BV6.5 specifically precludes employment of those with certain criminal convictions, including crimes of violence.

s9(2)(a) has received a significant amount of convictions over an extensive period. In this case, the most concerning offences are assaults with intent to injure and male assaults female.

We accept that s9(2)(a) OIA has made significant life changes as evidenced by the training and education he has completed, the views from the organisations who have worked with him and the achievements he has made since being involved with Youth Quest.

Character references endorse s9(2)(a) OIA humility, honesty, leadership skills, capability, loyalty, openness and willingness to change.

The Ministry's Regional Manager, Central and Napier Approval Assessor attended a meeting on 9 February 2015 at Youth Quest Hawke's Bay. This meeting was also attended by s9(2)(a) OIA Mr Fong and other Youth Quest staff members. The purpose of the meeting was to provide an opportunity for s9(2)(a) OIA to be heard. s9(2)(a) OIA spoke openly and honestly about his life, from when he was a young boy up until the present time. He explained the reasons for his convictions and the circumstances of his life that underpinned them. s9(2)(a) OIA then spoke about how he turned his life around and started making positive choices. He referred to the significance for him of answering God's call, receiving support from Youth Quest and relocating his family to the Youth Quest site. A personal referee who has known s9(2)(a) OIA for a long period of time was invited to the meeting. This referee testified to the changes s9(2)(a) OIA has made and confirmed that s9(2)(a) OIA now lives a positive, drug and violence free life.

We have given close consideration to this application particularly given the vulnerable nature of the young people in the care of Youth Quest, the nature of the proposed role, and the significance and frequency of offending. However, references letters and changes made over the last three years indicate the rehabilitation and good character of the applicant. In addition, Youth Quest have shown an understanding of the relevance of the offending to the role, and have produced a satisfactory plan to reduce risk.

I consider there is sufficient evidence provided to the Ministry of Social Development to accept Youth Quest's application for an exemption of s9(2)(a) OIA. The three years lapsed since s9(2)(a) OIA offending indicates that his life has changed for the better and the risk of s9(2)(a) OIA reoffending is very low.

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Recommendation

We have taken into account the time elapsed since the last offence, the achievements in education and training, the professional and character references and the risk management strategies and supervision plan for s9(2)(a) OIA

We are satisfied that the risk of offending is low and that the provider has sufficient supervision and support in place.

On that basis, I recommend that an exemption be granted for s9(2)(a) OIA

Agree that exceptional circumstances do exist in relation to s9(2)(a) OIA and that an exemption be granted.

Agree / Not Agree



24/12/2018

s9(2)(a) OIA
Director MSD Approvals
Community Investment

Date

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