



Edmund Rice Youth Custody Index



Introduction

The Edmund Rice Youth Custody Index (ERYCI) has been prepared by a group of students from St Thomas of Canterbury College, Christchurch. The students involved in the project are aged from 16 to 18 years old. The Youth Custody Index is our shared contribution to the ongoing debate about the incarceration of young New Zealanders. Our College follows the teachings of Edmund Rice, founder of the Christian Brothers. Edmund and his actions in Waterford Ireland in the 1800's are the inspiration of the core values that our College is built upon. (See Appendix A)

This index is designed to provide New Zealanders with an insight into the youth of our nation and how they live their lives in custody. This index is not intended to be a comprehensive and complete assessment of all the relevant statistics and information. This Index has been compiled to provide an avenue by which the public can be educated regarding the rehabilitation of young people on the margins in an effort to create a better society. This index has been created by young people for other young people who have walked a different path in life. They spend the years of their youth behind fences. This Index aims to be a voice for the voiceless, and to help those on the margins of our society.

Our journey in obtaining information from different government agencies under the Official Information Act has not been easy. On several occasions we have been refused by the providers of youth custody facilities the full responses to our legitimate questions, or the acknowledgement of our requests. A number of public service managers have contacted the College attempting to influence our withdrawal of the questions posed. They justified their response by the opinion that the information would require a significant amount of time or financial cost. The Ombudsman has been contacted several times to assist our recovery of the information, which should be freely available in the public arena. This has been time consuming, disappointing and a negative part of this year's journey.

We have created an extremely broad coverage of a range of aspects about youth in custody. This study could run the risk of being too superficial and simplistic. We have attempted to avoid this by creating a basic format and simply describing the information attained and placing it in the public arena. In subsequent years, a similar approach will be adopted.

Our purpose is to inform the public debate. We do not offer solutions to the issues raised or seek to apportion blame. We do, however, seek to be the voice for our brothers and sisters who are locked up for a variety of reasons. We hope that they can be given the necessary support and attention required to create a better society for all.

Thank you for your interest.

Lincoln Harrison
Edmund Rice Youth Custody Index Leader (2014)

Method:

Since March of 2014 – accessing publicly available material – primarily searches of websites, publically available reports and some media comment. Once we ascertain the information available we then proceed to fill in the gaps through Official Information Requests to a wide range of government agencies including, Department of Corrections, Ministry of Economic Development, Police, and Ministry of Education. With respect to the later ministry there was a transference of questions to providers. This practice is permitted under the Official Information Act (1982) but we found the practice frustration where we had a reasonable expectation that attendance data, cost of funding each facilitator would be readily available by this agency. We have concluded and provided a final assessment and write up of information in early December 2014.

Information provided and the lack of information provided is also meaningful. Another meaningful dimension of this inaugural project of data collection is the unwillingness of some education providers to either acknowledge or answer all questions provided and the time it took for the Ministry and/or Ombudsman to explicit a response in sum nearly five months.

This is a journey – it will form part of a continual journey and stock stake of those young people in prison and how they are cared for via the provision of government funded facilities and interventions.

We have structured this report in the form of a journey from sentencing to facility, either Prison or youth residence through to the provision of education.

Release of Report:

Edmund Rice Youth in Custody Index – 2014. Media briefing and school briefing on 26th September 2014 at St Thomas of Canterbury College, Middlepark Road – Christchurch. The report for 2014 is on the college website: www.stc.school.nz

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1. Introduction – A Context

Children and Young People

It is twenty years since the introduction into New Zealand law of the Children, Young Persons and Their Families Act 1989 (CYPFA). This Act has played a role in increasing diversion, decreasing the numbers of Youth Court cases, and decreasing the rates of incarceration for children/young people. In terms of imprisoning children/young people, therefore, New Zealand has come a long way and is often regarded, at an international level, as a leading light in approaches to children/young people who are 'in trouble'.

However, those under 17 are generally also detained at three youth justice residences (in Wiri, Palmerston North, Rotorua and Rolleston).

Despite decreasing rates of incarceration, financial and societal costs continue to increase with respect to looking up youth. Children whose lives have been damaged and disfigured by disadvantage, neglect and abuse are the very children who occupy the juvenile remand wings of our prisons. These are the children for whom the fabric of life invariably stretches across poverty; family discord; public care; drug and alcohol abuse; mental distress; ill-health; emotion, physical and sexual abuse; self-harm; homelessness; isolation; loneliness; circumscribed educational and employment opportunities and the most pressing sense of distress and alienation (Becroft, 2006, Time to teach the old dog new tricks? What the adult Courts can learn about sentencing and imprisonment from New Zealand's Youth Court CMJA TRIENNIAL CONFERENCE, TORONTO, CANADA).

Youth justice residences, operationalised by Child, Youth and Family Services, have different regulations, policies and practices from Correctional facilities. There is very little publicly available literature on these residences and further research in this area would be very welcome (Stanley E. Human Rights and Prisons Wellington: Human Rights Commission, 2011).

In New Zealand, children can be sentenced to adult prison from the age of 15. Corrections can be responsible for those aged 15 or 16 if they have been convicted of serious offences or if they cannot be safely housed in a youth residence (Department of Corrections, 2008). Most children/young people within prisons will, however, be 17 or older.

The Corrections Regulations 2005 require prisoners under the age of 18 to be separated from adults (r179), although the mixing of prisoners under 18 with those aged 18 or 19 may be approved where 'it is in the best interests of the prisoners concerned' (r180). A 'Test of Best Interest' has been developed for this purpose (PSOM, M.03.01). The Corrections Regulations also provide that young prisoners are entitled to an additional weekly phone

call (r181), that visiting times for young prisoners should be as flexible as possible (r182), and that an adult nominated by the child/young person is contacted if they are subject to segregation or cell confinement (r183).

Within Youth Units, young male prisoners will not be subject to double-bunking, unless it is required for 'prisoner management purposes' (PSOM, M.03.01.03.06) such as when staff feel that a prisoner would benefit from being 'buddied up' with another prisoner. 'Buddying up' is a temporary arrangement that should only last a few days.

The Department has also issued a Directive prohibiting the transportation of prisoners aged 17 years or under in the same vehicle compartment as prisoners aged 18 years or older.

2. Offending Statistics

Apprehension rates of children and young people.

Māori are over represented in apprehension rates (2012). Total apprehensions: Māori 11,033; Non-Māori 9,917.

20% of the youth population are Māori

53% of apprehended youth are Māori

Apprehension also resulted in more serious outcomes for Māori.

Table: 2 (A) Apprehension outcomes by ethnic group for young people aged 14-16 (2012)

	Warning/Other	Youth Aid	FGC	Charges
Māori	19%	42%	6%	33%
Non-Māori	26%	43%	5%	27%

Māori are over represented in apprehension rates (per 10,000) for imprisonable offences.

Table: 2 (B) Apprehension rates per 10,000 population for all imprisonable offences (2007-2012), by ethnic group and age group

	Children (ages 10-13)				Young people (ages 14-16)			
	Māori	Pacific	Non-Māori/non-Pacific	Total	Māori	Pacific	Non-Māori/non-Pacific	Total
2007	835	188	160	318	3,127	1,246	917	1,428
2008	793	200	174	320	3,208	1,238	938	1,461
2009	860	226	181	344	3,236	1,168	941	1,463
2010	840	211	164	327	3,274	1,207	887	1,442
2011	826	175	144	308	3,033	1,290	754	1,311
2012	706	139	137	272	2,740	1,087	665	1,172

A number of issues exist

- Although volumes of youth crime have reduced, disparities in youth justice outcomes for Māori have increased, and apprehension rates for Māori children and young people remain four to five times higher than for non-Māori.

A recent government-commissioned taskforce investigating youth transitions confirmed that programmes initiated early in life to reduce later risk are generally more effective than later attempts at remediation (Gluckman, Reducing social and psychological morbidity during adolescence, 2011). There is a well-established link between adolescence and criminal offending – and much offending by young people is property related.

Youth crime creates victims, and victims need good services. The rights of victims to proper treatment and services have been enshrined in law since 2002, and enhanced the role that victims of offending by young people have in family group conference plans. Family group conferences also give victims an important opportunity to have their voices heard and make sure their interests and views are considered.

A government strategy being pursued is Partnering with communities.

The reasons children and young people offend are complex and varied. However, strategies that involve the environment in which a young person lives – their family, whānau, and community – are more likely to be effective than those that focus solely on the individual. This is particularly important for children and young people who live in communities in which poverty, high rates of crime and violence, and easy access to drugs and alcohol are common (McLaren, K. , Tough is not enough – Getting smart about youth crime: A review of what works to reduce offending by young people. Ministry of Youth Affairs: Wellington, New Zealand, 2000).

Source: <http://www.justice.govt.nz/publications/global-publications/y/youth-crime-action-plan-full-report/the-youth-crime-action-plan/the-strategies>

3. Police Custody

Number of youth held in police custody has in most Districts increases year upon year. This pattern of increase is also mirrored in youth held in custody for over 24 hours.

Table: 3(A) Number of Youth Held in Police Custody Via Districts:

District	2012 (Custody module not operating all Districts for full year)	2013	2014 (up to 07/05/2014)
Northland	143	205	98
Waitemata	113	210	91
Auckland City	69	279	171
Counties/Manukau	316	525	203
Waikato	325	465	198
Bay of Plenty	392	625	222
Eastern	270	515	168
Central	308	554	215
Wellington	421	529	217
Tasman	102	134	82
Canterbury	201	322	123
Southern	77	223	61
Total	2,737	4,586	1,849

Note: Note the number of young people will be lower than the numbers shown because some young people have been determined in custody on more than one occasion.

Table 3 (B): Number of youth held in Police Custody for over 24 hours:

Date	Number of instances of youth held for over 24 hours
2012	109
2013	125
2014*	49

* Up to 7/05/2014

Custodial Facilities:

4. Department of Corrections

We report on the average number of youth bed sued, live in custody including booking visits, food served, and misconduct processes, recidivism rates and non-educational opportunities available.

The statistical results reveal a pattern of continuance and reduction, with two exceptions both at the Hawke's Bay site.

Table 4 (B): Youth in Prison Statistics:

Youth Offender Unit	Bed Capacity as at 1 June 2014	Average number of beds in use (snap shot 2013-2014 financial year)	Average stay in days	Average stay in days	Average stay in days
			2011-2012	2012-2013	2013-2014
Waikeria	35	21.3	49.3	37.8	26.3
Hawke's Bay	30	16.8		13.7	18.2
Christchurch Men's	45	27.7	30.5	38.1	26.9

What is the bed capacity per unit – what are the average bed usage/rates in each unit – what is the average length of stay in units (days)

Table 4 (C) Where a Youth in prisoned in New Zealand:

Youth Offender Unit	2011-2012	2013-2013	2013-2014
Waikeria	132	130	114
Hawke's Bay		120	172
Christchurch Men's	204	198	187

Life for a Young Person in Custody:

- a. What do young people book a visit?

Once a visitor receives their approval letter, they can book a visit. Visitors call the prison, give the prisoner’s name and staff tell them the available visiting times.

All people in prison are entitled to at least one visit each week for a minimum duration of 30 minutes. Each prison determines how many visits a prisoner can have and also how many visitors at each visit.

Visits must be booked in advance.

Visiting hours vary across all prisons, and generally depend on which unit the person is in.

In some circumstances, special visits can be arranged – for example, family visiting from overseas or the bereavement of a loved one.

- b. What do young person’s eats in a youth custody unit within prison?

Master Menu – Week one – Male

Monday		Friday	
Breakfast	Weetbit x 2 Milk x 300 ml Toast x 3 Margarine x 15 g Spread 20 g Bran x 1 dstsp Sugar x 35 g Tea	Breakfast	Weetbit x 2 Milk x 300 ml Toast x 3 Margarine x 15 g Spread 20 g Bran x 1 dstsp Sugar x 35 g Tea
Lunch	3x sandwich Luncheon & pickle Coleslaw and mayo Vegemite 1x piece of fruit Tea	Lunch	3x sandwich Carrot & Relish Peanut Butter Cheese 1x piece of fruit Tea
Dinner	Roast Beef 1x Piece of fruit Milk x 300 ml Gravy		Meat Pie 1 Pieces Fruit Tea Tomato Sauce

	Potatoes 180G serve – Manager Choice Vegetables (Seasonal Availability) 2x serves managers choice		Potatoes 180G serve – Manager Choice Vegetables (Seasonal Availability) 2x serves managers choice
Supper (Served with evening meal) 2x slices buttered bread			Supper (Served with evening meal) 2x slices buttered bread

c. Misconduct Inside:

If a youth prisoner is charged with a misconduct they will appear before a hearing adjudicator or a visiting judge. Should a punishment be required, the penalty may include the forfeiture of privileges such as the opportunity to be in common areas of the prison after the evening meal, make phone calls beyond the minimum entitlement, participation in recreational activity, course or programme not part of the prisoner’s plan, access to television or radio, pursuit of a hobby, confinement to cell and/or the opportunity to revive private visitors beyond the minimum entitlement of one visit each week.

d. Non-educational opportunities or activities available to offenders nationally:

Sentenced young people in youth units take part in the YOP, where appropriate, which helps them to acknowledge and address their offending, plan for the future to stop the cycle of offending, learn how to cope with uncomfortable feelings and practice using pro-social skills in their interaction with others. Young sex offenders and young people with a high risk of re-offending are people with a high risk of re-offending are seen individually by psychologists, and all youth offenders are priority for psychological treatment.

Young people can also access other programs and interventions to address specific offence related needs such as alcohol and drug treatment programmes short motivational programmes and 1:1 support to address any accessed mental health concerns. These interventions are supported by holistic interventions that address general health and well-being needs.

Young Offender Units actively encourage cultural links with the local community and provide formal programmes and cultural activities. Other programme such as parenting skills, life skills are and music are also provided.

e. Table: Recidivism Outcomes:

Age Group (At prison release)	Released From Prison	Released From Prison
<20	RE- Imprisoned	Reconvicted
	45.5	69.1

Source: Department of Corrections 2013/2013 Annual Report

The results or outcomes from imprisonment of young persons are not impressive with 45.5% imprisonment and 60.1% reconviction.

4. Ministry of Social Development

The Ministry of Social Development operates both Youth Justice and Care and Protection Residences.

Youth Justice Residence

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 may be ordered to a residence for the following reasons:

- they have been arrested by the Police and their offending warrants them being place in the custody of Child, Youth and Family until they go to Youth Court
- they have been remanded by the Youth Court 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.

CYPS has six beds available in Auckland's Korowai Manaaki youth justice residence for those children and young people considered too vulnerable for an adult person. This 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.

Child Youth and Family has programmes and services at youth justice residences to help these serious young offenders turn their lives around. The programmes aim to change behaviour, build on strengths, and address vulnerabilities. They include positive life skills, drug and alcohol programmes, family relationship and parenting programme, education and vocational training, physical fitness, emotional wellbeing, and culture programs.

Table: National Demographics and Bed Capacity of Youth Justice Residences

Residence	Region	Bed Number	2013/14 Annual Budget (\$m)	Cost of Bed per week
Korowai Manaaki	Auckland	40 youth beds and six Criminal Procedure Act beds	\$9,466	\$4,550.96
Te Maioha o Parekarangi	Rotorua	30 youth justice beds	\$6,347	\$4,068.50
Te Au rere a te Tonga	Palmerston North	30 youth justice beds	\$6,422	\$4,116.67
Te Puna Wai o Tuhiapo	Christchurch	40 youth justice beds	\$8,764	\$4,213.46
Total			\$30,999	

It is noted that there is marginal variances as between the cost per week of youth bed in residences. The cost per-week, per youth, of custodial arrangements represents considerable expenditure.

Care and Protection Residences

When concerns are raised that a child or young person is at risk of abuse or harm, Child, Youth and Family has a range of responses depending on the level of need for the child or young person and their family/whanau. A care and protection residence is a safe and secure place where children and young people will go if they are in care and cannot live in the community for a period of time. Children and young people might stay at a residence if:

- there are worries about the child or young person's safety
- their actions are putting themselves at risk
- or they are putting others around them at risk.

Child, Youth and Family currently operate four case and protection residences in New Zealand.

Table: National Demographics and Bed Capacity of Care and Protection Residences

Residence	Region	Bed Numbers	2013/14 Annual Budget (\$m)	Cost of Bed per Week
Whakatakakopai	Auckland	20 care and protection beds	\$4,140	3,980.76
Epuni	Lower Hutt	20 care and protection beds	\$4,137	3,977.88
Te Oranga	Christchurch	10 care and protection beds	\$2,269	4,363.46
Puketai	Dunedin	8 care and protection beds	1,866	4,485.57
Total			\$12,412	

We note the cost per week of custody is significant and mirrors expenditure with respect to Youth Justice Residences. There is a significant variance in terms of cost per week of \$504.81 which may be explained on the basis of a low number of youth at Puketai (Dunedin) so economies of scale cannot be realised.

We are the questions of costs per night – Child, Youth and Family does not report the cost per night placing a person in residence as Child, Youth and Family's appropriation is based on the services it is required to deliver to Government. This is not allocated one per client basis as services vary according to client need and circumstance – therefore request refused under section 18 of the Official Information Act (1982), as this information does not exist.

Average Length of Stay in Residence?

Youth Justice Facilities – the length of the Supervision with Residence order is determined by the Youth Court Judge after consideration of the social workers report and plan is presented by the Youth Court. The Youth Court may make a Supervision with Residence order for no less than three months and no more than six months.

It was noted that Supervision with Residence orders are subject to Early Release where the conditions for Early Release are deemed to have been met by the Youth Court.

These conditions are:

- no absconding or offending while in residence
- meeting the conditions of Supervision with Residence plan.

Answer:

"I am unable to provide you with the average length of stay for those in residence as this would require staff to manually review hundreds of individual files. As such I refuse your request under section 18(f) of the Official information Act. The greater public interest is in the effective and efficient administration of public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced".

Maximum bed capacity, levels of occupancy, average duration of stay and offences committed leading to custody, for both Youth Justice and Care and Protection Residences,

Occupancy Rates: 2014/2015 provided – have been between 80 and 90 per cent

Table Occupancy Rates- May (2014)

Residency	Region	Occupancy
Korowai Manaaki	Auckland	85.6%
Te Maioha o Parekarangi	Rotorua	82.20%
Te Au rere a te Tonga	Palmerston North	92.30%
Te Puna WAI o Tuhiapo	Christchurch	61.00%
Whakatakapokai	Auckland	76.00%
Epuni	Lower Hutt	56.60%
Te Oranga	Christchurch	79.70%
Puketai	Dunedin	100%
Residential Services Total		77.7%

"I am unable to provide you with the details of the offences committed by those admitted to youth justice facilities as this information is held in notes on individual cases filed. Ministry would have to manually review hundreds of files. As such, I refuse your request under section 18 (f) of the Official Information Act. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced".

Youth Justice: What is a residence like?

Young people have their own rooms and share other areas including the living room and dining room. There is also a school building, a gym and open areas that can be used for sports and outdoor activities.

Each residence has a secure area. This is where staff will watch over young people if they are worried a young person wants to hurt themselves or others.

The Ministry of Social Development state that young people:

- go to school everyday
- get their own plan to sort out any social, health and school needs
- get exercise
- learn life skills like managing their money
- learn other skills like woodwork, art, music and computer skills
- learn how to apply for a job
- get help with problems like anger or drugs and alcohol.

The Ministry also notes they work with the young person, their family and social worker to plan what will happen when the young person is ready to leave the residence. This could include:

- going back to school
- doing a training course
- or getting a job.

Youth Justice Residences

Table: Distribution of Youth within New Zealand Youth Justice Residences

Residence	Maximum No. Beds	F2009	F2010	F2011	F2012	F2013	YTD
							01Jul2013 - 31Mar2014
Korowai Manaaki - Auckland	46	268	286	225	269	298	223

Te Maioha o Parekarangi - Rotorua*	30	n/a	n/a	113	145	181	150
Te Au rere a te Tonga - Palmerston North	30	189	201	172	160	150	135
Te Puna Wai o Tuhinapo - Christchurch	40	271	284	206	232	222	219
Youth Justice Residences Total	146	728	771	716	806	851	727

Ethnic Group *	F2009	F2010	F2011	F2012	F2013	YTD 01Jul2013 - 31Mar2014
Māori	403	450	434	518	549	474
New Zealand Pakeha	226	216	173	178	176	153
Pacific People	68	71	82	91	101	84
Asian	6	9	17	S	7	S
Other European	8	S		S	8	S
Other / Multiple Ethnicities	17	23	10	11	10	8
Youth Justice Residences Total	728	771	716	806	851	727

Gender	F2009	F2010	F2011	F2012	F2013	YTD 01Jul2013 - 31Mar2014
Female	132	148	115	121	113	114
Male	596	623	601	685	738	613
Youth Justice Residences Total	728	771	716	806	851	727

It is noted that bed nights are declining across all youth justice residences. This is a trend we acknowledge as significant. We unfortunately note the high proportion of Marri with respect to high representation amongst young persons.

Care and protection residences: What is a residence like?

Table: Distribution of Youth over National Care and protection residences

Residence	Maximum No. Beds	F2009	F2010	F2011	F2012	F2013	YTD 01Jul2013 -31Mar2014
Whakatakapokai - Auckland	20	56	61	42	51	64	37
Epuni - Lower Hutt*	20	31	22	51	45	50	34
Te Oranga - Christchurch	10	31	39	14	20	16	19
Puketai - Dunedin	8	25	24	25	25	19	14
Care and Protection Residences Total	58	143	146	132	141	149	104

Ethnic Group *	F2009	F2010	F2011	F2012	F2013	YTD 01Jul2013 - 31Mar2014
Māori	69	80	61	73	78	66
New Zealand Pakeha	66	66	62	60	60	30
Pacific People	S		S	S	8	S
Asian	S					S
Other European			S	S	S	S
Other / Multiple Ethnicities	S		S	S	S	S
Care and Protection Residences Total	143	146	132	141	149	104

Gender	F2009	F2010	F2011	F2012	F2013	YTD 01Jul2013 - 31Mar2014
Female	68	74	62	71	54	56
Male	75	72	70	70	95	48
Care and Protection Residences Total	143	146	132	141	149	104

*Epuni had 10 beds prior to August 2010

** Numerical values equal to or fewer than "5" are suppressed to protect the privacy of natural persons, and are represented by "S".

It is noted that bed nights are declining across all care and protection residences which mirrors the youth justice pattern. This is a trend we acknowledge as significant. We

unfortunately note the high proportion of Marri with respect to high representation amongst young persons.

Our Remaining Questions:

1. Number of children and young person who have close family within a 200 miles radius of each facility
2. Number of residents identified as having a mental health issue for both Care and Protection and Youth Justice Residence and what mental health issues the residences have.
3. Pathway of each resident when they leave each residence i.e. further education, training, work.

Ministry of Social Development Responses:

It is not possible to report the number of children and young people who have close family within 200 mile radius of each facility, the number of children and young people with mental health issues, the type of mental health issue or the pathways each child or young person has taken since leaving each residence. This information is held on individual case files – where it is most needed – and cannot be reported without subtraction manual collation. [The greater public interest is in the effective and efficient administration of the public service.](#)

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that in either case, the Ministry's ability to undertake its work would still be prejudiced.

5. Provisions of education within facilities – Ministry of Education

We initially approached the Ministry of Education (MoE) for information relating to youth in custody with respect to the education provided and how many youth were taught were involved and the costs. The MoE sought to transfer many of our questions to specific providers operating in the various facilities. The quality of information received as been variable and part of the reason is explained by the MoE:

“I have also been trying to determine what information these providers have to assist you in your research....I have been informed by a MoE Manager – that to a large extent, what information a provider collects about students is at the provider’s own discretion and the way in which this data is collected varies. Effectively, of all education providers will have all of the information you require and those who do have some information may have difficulty in collecting it for your use due to time and budgetary constraints”(MoE -25th August 2014).

We note again to refresh and focus reader minds that Care and protection residences cater for youth from 9 to 16 years old; Youth Justice Young residences cater for youth from 12 to 18 years old.

Who are the Providers of Education?

Providers of sites where the Ministry of Education who deliver education to youth in care and protective residences and youth justice residences.

Te Poutama Arahi Rangatahi – Youth Justice Residence	Christchurch	Barnardos
Te Maioha o Parekarangi – Youth Justice Residence	Rotorua	Kingslea School
Te Puna Wai o Tuhinapo – Youth Justice Residence	Christchurch	Kingslea School
Te Oranga – Care and Protection Residence	Christchurch	Kingslea School
Puketai – Care and Protection Residence	Dunedin	Kingslea School
Te Au ere a te Tonga – Youth Justice Residence	Palmerston North	
		Central Regional Health School
Korowai Manaaki – Youth Justice Residence	Auckland	
		Creative learning Scheme

Table: National Costs of Providing Education 2012-2013

Site	Education Provider	2012	2013	2014
Te Poutama Arahi Rangatahi – Youth Justice Residence	Christchurch-Barnardos	323,101.56	323,101.56	161,550.78*
Te Maioha o Parekarangi – Youth Justice Residence	Kingslea School	2,638,708.64 (All four sites)	2,784,631.08 (All four sites)	1,401,773.91* (All four sites)

Te Puna Wai o Tuhinapo – Youth Justice Residence	Kingslea School			
Te Oranga – Care and Protection Residence	Kingslea School			
Puketai – Care and Protection Residence	Kingslea School			
Te Au ere a te Tonga – Youth Justice Residence	Central Regional Health School	867,807.14	887,632.21	444,753.82*
Korowai Manaaki – Youth Justice Residence	Creative learning Scheme	1,730,470.20	1,730,470.20	865,235.51*
Epuni – Care and Protection Residence	Kokiri Marae Keriana Trust	587,175.72	600,066.96	301,086.58

Note: costs per annum of education per site – summary of operational and staff funding – totals are inclusive of GST – Teacher salaries have been estimated on \$77,625 (incl GST). For 2014, totals have been provided up to 30th June.

*(January to June - 2014)

In the case of all education providers there is a pattern of funding increases, incremental but still positive.

Questions Asked & Responses:

What is the ethnic stats of students taught in care and protection residences and you justice residences?

The ethnic status of each young person is holed on their personal file and cannot be reported on without substantial manual collation. Therefore, this part of your request is refused, under section 18(f) of the Official Information Act as the information request cannot be made available without substantial collation or research.

With respect to gender:

In the youth Justice residences, males average between 80 and 90% of the population per year. Care and Protection residences have a 50-50 male/female population per year.

The Education Providers:

a. Central Regional Health School

Table: Central Regional Health School

	2011	2012	2013
Operational Grant	\$102,107.84	113,007.39	114,173.78
Cost of Providing Teachers	666,852.16	598,984.47	720,700.54
Cost of providing support staff:	No Response	No Response	\$4,960.80
Student Numbers	158	115*	156

*decrease as a result of building programme

b. Epuni Care and Protection Residential School

Table: Epuni Care and Protection Residential School*

	2012	2013
Cost of Providing Teachers	102,792.16	96,689.13
Cost of providing support	78,338.46	74,378.93

staff:		
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*School closed in 2014 – contract provided to Central Regional Health School

Table: Ethnic status of students Epuni Care and Protection Residential School 2012-2014

Ethnicity	Count
Africa	1
British and Irish	1
Cook Islands Maori	3
Maori	60
Middle Eastern	1
New Zealand - European	30
Samoan	1
Total	97

Questions:

1. What is the gender breakdown?

1:1 Males and Females

10 Male/10 Female bed placements

2. How many students taught on each site per year? 32 students

3. What is the average stay for students with each classroom residence?

Average 3-6 months however during the period asked we had one for a year, another 18 months and another 9 month stay.

4. Where do students transition to – mainstream school, work or alternative education courses:

“Prior to 2006 we had a lot of input into transitioning of students. For 2012 to 2014 we have had very little participation due to decisions being made by Field Social Workers. This has not enabled us to keep track on where these students existing were being placed and other than contacts from our knowledge of the young people leaving residence do not become stabilised in the mainstream. We understand that 16-17 year olds are mostly exempted and placed on training programmes, the younger are placed in schools but the retention rates are not good and then there are the few who get enrolled in Correspondence School”.

c. Kingslea School

Background:

Kingslea is a composite Special School for children and young people to the age of 17 years. It operates on four Child, Youth and Family Residential sites. Kingslea draws its students from all over New Zealand.

Kingslea is a Decile 1 school that deals with severely at risk students. The resident student falls into three main groups:

4. Those sentenced to reside at Te Una WAI o Tuhinapo or Te Maioha o Parekarangi for a range of crimes – on Supervision with a Rwsdinece Order (311).
5. Those on remand from the courts to Te Puna Wai o Tuhinapo or Te Maioha o Parekarangi, again for a range of alleged offences.
6. Those placed for Care and Protection issues at either Te Oranga (Christchurch) or Puketai (Dunedin).

The school has a notional roll of 90 students – roll changes on a daily basis.

Table: Kingslea School - What are the costs of providing registered teachers and support staff on each site?

Residence	Cost of Registered Teachers - 2012	Cost of Registered Teachers - 2013	Cost of Registered Teachers - 2014*	Support Staffing - 2012	Support Staffing - 2013	Support Staffing - 2014
Te Puna Wai	916,906.70	917,933.04	380,213.60	51,723.35	75,541.18	43,347.23
Te Maioha	637,195.75	650,523.23	287,505.76	21,154.96	15,587.10	5,992.81
Puketai	173,472.74	231,259.56**	287,505.76	24,362.80	26,482.96	10,876.12
Te Oranga	261,489.06	234,711.10	82,752.10	9,997.01	20,568.64	7,416.57

*2014 – for the period Jan – June

** staffing issues – AP and staff changes

Table: Kingslea School – Students Taught 2012-2014

Residence	How Many Students Taught – 2012	How Many Students Taught – 2013	How Many Students Taught – 2014*
Te Puna Wai	191	207	119
Te Maioha	136	194	97
Puketai	20	14	12
Te Oranga	16	10	7
Totals	363	425	235

*2014 – for the period Jan – June 2014

Tables - Where do students transitions to 2012 - 2014:

2012

Residence	Course/ Programme	Employment	Alternative Education	Bailed (Education Unknown)	Mainstream	Return/Transfer to Residential Schooling	Transfer to Prison	Correspon dence School	Unknown
Te Puna Wai	51	28	26	3	16	9	1		19
Te Maioha	21	3	30	4	14	1	1	1	10
Puketai					1	1		1	
Te Oranga	3		1		2				1

2013

Residence	Course /Programme	Employment	Alternative Education	Bailed (Education Unknown)	Mainstream	Return/Transf er to Residential Schooling	Transfer to Prison	Correspo ndence School	Tertiary Educatio n	Unknow n
Te Puna Wai	85	15	11	1	15	9	1	1	1	28
Te Maioha	60	4	10		22	19	2	4	3	6
Puketai	2		2		5					2
Te Oranga	4	1	1		5	2		1		2

2014

Residence	Course/ Programme	Employment	Alternative Education	Bailed (Education Unknown)	Mainstream	Return/Transfer to Residential Schooling	Transfer to Prison	Correspon dence School	Unknown
Te Puna Wai	58	8	4			8		1	28
Te Maioha	28	4	6		9	7	1	1	8
Puketai	1		1		2				
Te Oranga	1		3		4				1

*2014 – for the period Jan – June

d. Creative Learning Solutions – Auckland

Table: Creative Learning Solutions - What are the costs of providing registered teachers and support staff on each site?

	2012	2013	2014
Costs of registered teachers			
Site 1: Korowai Manaaki	Not Provided	Not Provided	560,000.00
Site 2: Whakatakapokai,	Not Provided	Not Provided	289,000.00
Cost of providing support staff			
Korowai Manaaki	Not Provided	Not Provided	180,000.00*
Whakatakapokai	Not Provided	Not Provided	90,000.00*

* includes tutors and curriculum specialists

What is the ethnic status of students taught in care and protection residences and youth justice residences?

Korowai Manaaki for 2013-2014 to date: Maori 70%, Cook Is 8% European 8%, Samoan 7%, Togan 6%, Nuien 2%, Other Pacific 1%, Middle Eastern .5%, Indian .5%.

Whakatakapokai, for 2013-2014 to date: Maori 65%, European 27%, Cook Is, 4%, Samoan, 1%, Tongan 1%, Nuien, 1%.

Gender Break Down:

Korowai Manaaki for 2013 -2014 to date: Male 82% (198), Female 18% (44)

Whakatakapokai, for 2013 -2014 to date: Males 68% (52), Female 32% (25)

How many students are taught on each site on average each year?

Year	Care and Protection	Youth Justice
2012	54	197
2013	70	231

2014	28	132
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What is the average stay for students within each classroom within each residence?

On average students will stay for 2 terms so that's 20 or less weeks of school.

Reported improvements in literacy:

Students on average in Korowai Manaaki gain at least 1 NCEA credit per week. Students gain much learning in improving ages, and development of key competences.

Students in Whakatakopokai work towards the New Zealand Curriculum, gain in literacy and numeracy levels and key competencies.

Table – Creative Learning – Auckland - Where do students transition to (no specific year provided)

School Site		Return to School	Correspondence School – Te Kura	Transferred to other CYF Residences	Alternative Education	Employment or gone overseas	Youth Guarantee or Training Providers
Korowai Manaaki	Snap shot 27 young persons	39%	7%	40%	15%	3%	15%

School Site		Return to School	Correspondence School – Te Kura	Transferred to other CYF Residences	Youth Care and Protection Residences	Specialist Community Programme
Whakatakopokai,	Snap shot 20 young persons	60%	15%	10%	10%	5%

Table: National Provider Breakdown Education Costs Per Student per Year 2012-2014*

Education Provider	2012	2013	2014 **
Creative Leaning Solutions	6,894.30	5,749.07	5407.72
Central Regional Health School	4,226.62	7,718.54*	2,850.98
Kingslea School	7,269.17	6,552.07	5,964.99

Te Poutama Arahi Rangatahi – Youth Justice Residence - Barnardos	No Information on student numbers.	No Information on student numbers.	No Information on student numbers.
Epuni – Care and Protection Residence- Kokiri Marae Keriana Trust	18,349.24	18,752.09	9,408.96

*Reported construction which lead to decrease in youth numbers

**Jan- June 2014 Figure only – not complete year

*Calculated on the operations grant divided by reported student numbers per year.

6. Conclusions

- There is an acknowledgement that children and youth require different responses from those with adult status. Our research has indicated this view exists with respect to existing custodial structures.

-The welfare of people needs to be a continued priority – so that treatment, support and guidance (that meets their needs) trumps punishment, retribution and deterrence. In this respect, social welfare interventions should work to assist children and young people to appreciate the seriousness of their actions and focus on changing behaviours. We support a focus on restorative justice principles which are practiced within our school environment and wider community.

-There must be full transparency of formal procedures, practices and costs associated with the custody of young persons. This transparency needs to extend to all education providers who lack a consistent practice in terms of collecting information and some of whom have difficulty, based on our experience, responding to straightforward questions. We believe there needs to be consistent reporting as between education providers.

Good decision making requires good information and therefore requires its collection. This failure appears to extend beyond education providers where a number of Corrections responses to our questions involved the following response:

“I am unable to provide you with the details of the offences committed by those admitted to youth justice facilities as this information is held in notes on individual cases filed. Ministry would have to manually review hundreds of files. As such, I refuse your

request under section 18 (f) of the Official Information Act. The greater public interest is in the effective and efficient administration of the public service”.

-We are not able to see how public interest and effective administration is served by not knowing how many youth offenders present with mental health issues, nature of crimes committed, and those whose families live beyond a 200 mile radius of each facility.

-We support the view that historically and currently a driver pushing New Zealand away from the extensive incarceration of children/young people is a realisation that detention is not shown to be effective in changing behaviours. Rather, at best, incarceration makes little impact on recidivism rates for children and young people and, at worst, it can increase offending (Lambie I, 2009, 'Solutions to Youth Offending in New Zealand' in Maxwell G (ed) Assessing the Causes of Offending: What is the Evidence? Wellington: Institute of Policy Studies; Weatherburn D, Vignaendra S and McGrath A, 2009, The Specific Deterrent Effectiveness of Custodial Penalties on Juvenile Reoffending Canberra: Australian Institute of Criminology).

-We note the decrease in youth being subject to custodial sentencing from our analysis of statistical information (also see appendix B). We see no material reduction in the costs of interventions with respect to education provision or custodial arrangements to reflect this proportional decrease.

-We assert that positive change for youth in custody often relies on links to education, training or employment. Making the most of opportunities and programmes during transitions is central to reducing the risk of re-offending (Stanley E. Human Rights and Prisons Wellington: Human Rights Commission, 2011).

-Our research indicates the journey of a young person in custody is both expensive and financially costly for the State. There is a variance in information quality, and availability, on the education delivery impacts on youth. A lack of quality information extends to other government agencies.

-We believe quality decision making and public awareness requires quality information to be accessible with respect to youth in custody. Greater accountability is required.

-Despite numbers of youth in custody decreasing in care and protection and youth justice residences – the rate of incarceration remains high. The imprisonment of youth in custodial units within prisons is not working this is reflected in the high rates of reoffending and conviction. The high rate of Maori involved in all custodial environments remains unacceptable.

Appendix A: Edmund Rice (1762 – 1844)

Disciple – businessman – husband – father – widower – brother – educationist – champion of the poor – founder

The 250th anniversary of the birth of Edmund Rice, the founder of the Christian Brothers (a pontifical congregation) and the Presentation Brothers (a diocesan congregation), will be observed and appropriately celebrated throughout the world on 1 June 2012.

- Disciple, Businessman
- Husband and Father
- Founder
- A man of God

The fourth of seven sons, Edmund was born in Callan, Ireland, in 1762 to devout Catholic parents who, by the standards of the day, were reasonably well-off. He received a good education before being apprenticed to his uncle, Michael Rice – a wealthy merchant in the thriving seaport of Waterford. Having displayed business acumen, legal expertise, practical common sense, and a capacity for hard work, Edmund eventually inherited and successfully expanded his uncle's business which supplied food and materials for trading vessels. He became an influential and highly respected citizen of his adopted city – a man of means who moved easily among the social elite.

A personal touch Testimonies to his piety and charity at this time abound; but he was not unique among the businessmen of Waterford in this regard. As a class they were generous in providing alms for the desperately poor people who flocked to the city in search of employment. If Edmund Rice stood out among his contemporaries, it was because of the deeply personal aspect of his charity. Moved by the stark contrast between his own affluence and the sorry lot of the poor slum dwellers, he did more than give money to the needy. He gave them his time, his hospitality, and finally his life. Of special concern to him were the wild and uncared for boys who gathered around the timber stacks on the quay. He brought them to his home in Arundel Lane and provided them with food and clothing.

For many years, even after he founded a religious institute, Edmund's solicitude also extended to the prisoners in the Waterford county jail. He visited them and, in the case of those sentenced to death, assisted them to make their peace with God. Traumatic as the experience must have been for him, he met condemned men on the morning of their execution and accompanied them to the scaffold.

Source: <http://www.edmundrice.org.au/cbop/about-us/blessed-edmund-rice>

The New Zealand Herald

Youth facility just gateway to jail, says judge

By [Michael Dickison](#)



Te Maioha o Parekarangi cost \$47 million to build. Photo / Alan Gibson

New Zealand's worst youth offenders will get million-dollar beds in the country's newest youth prison.

Social Development Minister Paula Bennett will today open Te Maioha o Parekarangi, a 30-bed, \$47 million youth justice facility 4km south of Rotorua, just the fourth in the country.

On top of the \$1.6 million a bed initial cost, the facility will cost \$7.3 million a year to operate.

It is part of an ongoing Government clampdown on youth crime.

Latest figures show violent offending by New Zealand youth rose 21 per cent in the 10 years to 2008, led by a 50 per cent increase in aggravated robberies and 44 per cent increase in grievous and serious assault. Total youth offending, however, fell 15 per cent.

The Government in February began an initiative to target the country's 1000 most serious and persistent youth offenders with tougher measures.

Starting on October 1, the Youth Court will be authorised to send 12- and 13-year-olds to youth residences, with maximum terms doubled to six months.

The initiative, called Fresh Start, will cost \$84 million over three years.

The 30-bed, 100-plus-staff Rotorua residence plays a key role.

The facility has a campus-based design of three 10-bed residential units, a secure unit, a self-care unit, cultural and sports halls and general support buildings. Employed staff include a chef, two cooks and 69 carers, including night supervisors.

Ms Bennett said the new residence in Rotorua meant young offenders from Waikato and the Bay of Plenty could stay local.

"By keeping young people close to family and whanau, we give them the best chance to rehabilitate and ultimately transition into work, education and home life," she said.

The facility had been built \$15 million under budget, and would provide more intensive care for young offenders.

But a former Youth Court judge, Carolyn Henwood, said she emphatically disagreed with the plans, calling the new facility a "gateway to prison".

"When I first heard they were building it, I was quite shocked because I didn't think there was a need for another large institution."

Just weeks ago, an intensive eight-bed youth rehabilitation centre in Hamilton, which had achieved an 84 per cent success rate, was closed down for being too costly to run.

Ms Henwood said even 30 beds in one place was too many, and such institutions had never been shown to prevent reoffending.

"I'm not very hopeful about having large groups of young people together. It's not a good strategy. It's really a lock-up. It's a gateway to prison."

She said only a small handful of children committed most of the country's youth crimes, and they needed close individual care.

- [NZ Herald](#)

Movies for jailed youth aimed at literacy

JOELLE DALLY : 22/06/2013

Charges for armed robbery Banks mud-slinger appears in court Accused may have more victims, police say No pleas for Ashburton death Wrong mother on birth certificate Heroin drug mule a 'willing participant' Rape accused taxi driver says he paid for sex Conwoman jailed for scamming elderly Counselling for sex offence football coach Taxi driver accused of rape says sex was consensual

Young prisoners across New Zealand are going to be able to watch movies while behind bars, but strictly in the name of education.

Inmates at the Christchurch Men's Prison Youth Unit are already watching films such as True Grit and The Last of the Mohicans as part of an audio-visual literacy course started 18 months ago - and soon North Island prisoners will enjoy the same privilege.

The only catch is that the film must be based on a novel.

Corrections says the results of the Audio-Visual Achievement in Literacy, Language and Learning (AVAILL) have been "promising enough" to roll it out at youth units at Rimutaka, Hawke's Bay and Waikeria prisons.

The AVAILL course is aimed at improving the reading, writing and comprehension of prisoners aged 15 to 20 who were otherwise unlikely to read books.

Corrections Department policy forbids prisoners from owning individual DVD players and inmates are only able to watch a DVD if it is part of rehabilitation.

About 400 of New Zealand prisoners are aged 15 to 19.

Christchurch Men's Prison manager John Roper said all the movies used on the programme were based on novels.

They included The Blind Side, Freedom Riders, The Last of the Mohicans, Rabbit Proof Fence, True Grit, The Boy in Striped Pyjamas and Whale Rider.

The films were played with subtitles so prisoners could read and watch the film at the same time.

It was also followed by activities to help reading, comprehension and writing skills.

The latest Corrections News magazine said the success of the programme was still being evaluated, but the results of the Christchurch course were "promising enough" to roll it out elsewhere.

A Christchurch tutor was quoted saying those who had done the course "generally use the library more afterwards".

NZ still failing to keep teens out of custody - report

[KIRSTY JOHNSTON](#) - Sunday Star Times

05:00 21/10/2012

Ministry of Justice Police Checks, Online Orders, Fast Results.

Increasing numbers of teenagers are being held in police custody for days, breaching United Nations protocols and sparking concern from human rights agencies.

Child, Youth and Family statistics show the number of young people held for more than 24 hours in police cells almost trebled in the past three years.

Last year there were 213 youths in police custody for an average of 1.9 days, up from 76 youths for an average of 1.8 days in 2009.

The UN Convention on the Rights of the Child says those under 18 should only ever be detained as a last resort, and then for the shortest possible time.

An Independent Police Conduct Authority, Children's Commission and Human Rights Commission inquiry - to be released on Tuesday - is expected to make recommendations to address the problem.

The inquiry's findings follow a decision from Youth Court judge Mary O' Dwyer, after two Upper Hutt teenage girls, 14 and 16, were arrested, strip-searched and held in a cell for 36 hours.

She ruled they suffered a severe abuse of their rights at the hands of police, who described their own actions as an "aberration".

The pair were arrested in January after a complaint from two other girls, who claimed they had been attacked.

Both were denied bail, strip-searched, issued pyjamas and put in a cell, where the 16-year-old had to express milk for the 4-month-old baby she was separated from.

"The breaches of the act in this case were serious," O'Dwyer said.

"Both young people were subjected to the embarrassment of removal of their clothing while in police custody.

"Nothing was found on their person or in their clothing," she said.

The Joint Thematic Review of Children and Young Persons' Detention Issues - the first of its kind in New Zealand - was undertaken in 2010 to ensure New Zealand was meeting UN standards.

It looks at policy questions and practice and procedure relating to those under 17, but not individual cases.

The number of children detained, and the conditions they are kept in, have been criticised in recent years by the Human Rights Commission, and both the UN's Nations against Torture and Rights of the Child committees.

The child's committee raised concerns New Zealand continued to detain young people with adults, and last year advised New Zealand to develop a broad range of alternatives for dealing with young people, and to seek assistance in the areas of juvenile justice and police training.

Unicef New Zealand advocacy manager Barbara Lambourn said the figures were worrying. "We need to ask ourselves if these children really need to be in custody at all."

Lambourn said she hoped this week's report would quickly address any shortcomings identified.

Former children's commissioner Dr Ian Hassall said children being held in custody was a problem when he was in the position in 1989, and children had to be kept out of police cells to protect them.

"It's a very brutalising process. Children, no matter what they've been getting up to, still find it destabilising to find themselves in a facility away from their homes."

He said a better alternative was to place young people with family, or within a family environment.

Caution over CYFs bed cuts

MYLES HUME -The Press

05:00 12/08/2014

News Child Youth and Family (CYF) wants to cut bed numbers across its youth justice residences has youth advocates urging caution.

CYF confirmed it is to consult with staff on a proposal to reduce its bed capacity by 10 across its four residences across the country.

The residences in South Auckland, Rotorua, Palmerston North and Christchurch have the capacity to hold 140 youth who are either arrested by police and put in CYF care, remanded in custody or given a custodial sentence.

CYF residential and high needs services general manager Nova Salomen said demand for beds at youth justice residences was falling.

"This has come about largely because of a notable drop in youth crime and youth court appearances and initiatives to keep young people who offend out of custody," Salomen said.

New Zealand Law Society youth justice committee convenor Mike Gardam urged caution, and did not want to see a return to the early 2000s when some youth were accommodated in police cells and other inappropriate facilities when residences were full.

"All it takes is one serious incident where multiple people are involved to cause a problem," Gardam said.

"The concern is we don't want to get too low on capacity . . . because it's like anything, once things are taken away, it's harder to put them back because resources go elsewhere."

Last year's Ministry of Justice figures show the number of youth appearing in court was at its lowest since 1992.

Youth court appearances peaked in 2007 at 5061, but that dropped 51 per cent to 2487 last year.

Labour children spokeswoman Jacinda Ardern said the use of non-custodial sentences had been proven effective when used appropriately.

But she said the number of youth residence beds needed "ebbed and flowed" and it would be "premature" to reduce bed numbers yet.

"What we don't want to see is a mismatch between a crime and its sentence just because there is no bed space available."

She hoped no job losses would come out the proposal, because demand on CYF was increasing.