

Date: 14 August 2007

Security Level: UNCLASSIFIED

Report to: Deputy Chief Executive, Child, Youth and Family

## REVIEW OF PROGRAMME RUN BY THE WAIRAKA KOKIRI TRUST

### Recommended Actions

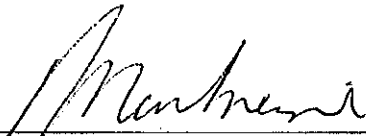
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#### We recommend that you:

- 1 **note** that Child, Youth and Family has completed a Review of the programme run by the Wairaka Kokiri Trust (the Trust) at the Maroera Bush Camp, following the absconding of two youths from the programme and the subsequent serious incident that they were involved in
- 2 **note** that the Review highlighted that the actions taken by the Trust in response to the incident were appropriate in terms of its policies and procedures and that the decisions made by staff were consistent with ensuring the safety and wellbeing of the young people on the programme
- 3 **note** that the Review also highlighted some key areas for improvement for the Trust, these relate to enhancing written procedures for dealing with serious events, increasing training for staff, and improving the consistency of recording information and organisational monitoring
- 4 **note** that in the course of the Review, the Trust has undertaken the following remedial actions:
  - enhanced policy and procedure for absconding incidents
  - committed to routinely reviewing these procedures with caregivers at shift-changeovers
  - committed to including training on the new policies and procedures in staff inductions
  - commenced a review of its intake and assessment criteria, with assistance from Child, Youth and Family staff.

- 5 **note** that Child, Youth and Family will conduct a follow-up Review of the Trust by October 2007 to ensure that all these actions have been completed satisfactorily, and that the Trust continues to maintain appropriate standards and practices
- 6 **agree** that, on the basis of the above findings and the Trust's remedial actions, that it retain its current approval status.

AGREE / ~~DISAGREE~~



Bernadine MacKenzie  
General Manager  
Service Development

16 AUGUST 2007

Date



Ray Smith  
Deputy Chief Executive  
Child, Youth and Family

24/8/2007

Date

14 August 2007

## **Purpose of the Review**

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- 1 The purpose of this Review is to report on the management of the Maroera Bush Camp programme run by the Wairaka Kokiri Trust and the response to an incident which occurred on 23 June 2007, when two participants on the programme absconded and later allegedly committed serious offences.
- 2 The Terms of Reference for the Review required that the following be examined:
  - whether the programme was being run in accordance with Child, Youth and Family approvals and the contract with Wairaka Kokiri Trust
  - whether there were guidelines and policies in place covering this type of event and whether these were followed
  - what action was taken by the Wairaka Kokiri Trust following the absconding and whether these actions were consistent with the Trust's standard policy
  - what other action the Trust took in response to the incident
  - whether the Trust's actions were appropriate to the presenting facts
  - any other matters related to this programme or this event, that should be brought to the attention of the Deputy Chief Executive, Child Youth and Family.

## **Background to the Wairaka Kokiri Trust**

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- 3 The Wairaka Kokiri Trust (the Trust) is a registered Charitable Trust (reference 407375 on [www.companies.govt.nz](http://www.companies.govt.nz)) that aims *to enhance the quality of life for individuals, whanau, hapu and the wider community by providing quality programmes in education, vocational training, social services, rehabilitation, justice, health services and cultural services.*
- 4 The Trust was established in 1988 and has been a Child, Youth and Family approved provider since August 1994 (Approval with Conditions had initially been granted in June 1993). It is currently approved under s396 of the Children, Young Persons and Their Families Act 1989 as a Child and Family Support Service and under s403 as a provider of Community Services.
- 5 Child, Youth and Family has contracted with the Trust for a range of services, including supervised structured programmes and support packages for youth at risk. The Trust also receives fee-for-service funding from Child, Youth and Family sites that refer young people to its programmes.
- 6 This Review focuses on the Maroera Bush Camp programme ("the Bush Programme"), which is provided under the Trust's s396 Approval Status. This Youth Rehabilitation Residential Programme is situated in the Ruatoki Valley inland from Whakatane and can be accessed by four wheel drive, a boat journey up the river or on horseback through the bush. The programme has been run at various campsites over the years of its operation. This particular campsite has been operating since September 2006.
- 7 A maximum of nine young people and three caregivers can be accommodated at the campsite. This is consistent with the Trust's policy of one caregiver per three young people in the programme.

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- 8 At the time of the incident, the Bush Programme was linked to a "Beach Programme", located near Opotiki. The programmes were used interchangeably, with young people at times transferred between the two in order to manage admissions and behavioural issues. The Beach programme has now been closed.
- 9 Staffing policy is that caregivers work 5 days on and 5 days off. There are occasions when due to poor weather conditions, and the resulting rise in the river, caregivers cannot be transported safely from the Bush Camp at the conclusion of their 5 day shift. This is a known factor in the caregiver's working conditions and the Trust makes every effort to activate the change of shift as soon as practicable.

## **Summary of Alleged Incident**

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### **Background of the Young People Involved in the Incident**

- 10 Both youths involved in the incident had histories of criminal offending. They were referred to Wairaka Kokiri Trust as an outcome of decisions made at their respective Family Group Conferences. One youth had completed a Supervision with Residence Order and was now subject to a six month Supervision Order, while the other youth was remanded under s238 (1) (d). In both these situations the Family Group Conference made recommendations which were presented to, and then sanctioned by, the Youth Court.
- 11 One youth had a significant history of absconding, involving seven incidents in three years. In 9(2)(a)

It was the following day (23 June 2007) that the two youths absconded from the campsite.

- 12 The review of client files shows that the majority of the young people referred to the Trust had significant involvement in criminal offending and many were the subject of orders from the Youth Court. It does not appear unusual that youths are placed with the Trust as a last option "community placement" due to their ongoing involvement in criminal offending. A number of youths are also placed with the Trust on their release from Youth Justice facilities, having completed Supervision With Residence Orders. This information firmly supports the view that the Wairaka Kokiri Trust continually deals with a very difficult client group, one that very few other providers offer rehabilitative programmes to.

### **Events Prior to Absconding Incident**

- 13 Prior to the usual three caregivers leaving for the Maroera camp site in the Ruatoki Valley on Friday, 22 June 2007 one staff member was stood down by the Manager acting upon a young 9(2)(a)

- 14 At the shift changeover on Friday 22 June 2007 there were nine young people at the Maroera camp site. The existing three caregivers were replaced with two caregivers. 9(2)(a) was asked to assist the new caregivers coming on duty. This man is well regarded and regularly assists with activities at the camp. Therefore the manager made the decision that this person was an appropriate replacement, and would ensure an adult ratio of one to three which is consistent with Trust policy and procedure.

#### **Absconding Incident - Timeline and Actions Taken**

- 15 During the afternoon of Saturday 23 June the caregivers divided the group into two. One group and their caregiver set about preparing the evening meal while the other caregiver and his group went to check the water tank that supplies water to the camp site.
- 16 At 4:30pm the caregiver attending the water tank realised that two youths were missing following separate requests from them to use the toilet within minutes of each other.
- 17 After a search of the camp site for the two youths a decision was made by the caregivers that one would remain with the group with the assistance of 9(2)(a) while the other searched for the youths on horseback. One caregiver and another youth immediately rode out on horseback to raise the alarm while looking out for the two missing youths in the bush. This journey can take up to two hours in normal circumstances, but due to the rising river and darkness it took nearly five hours.
- 18 On exiting the bush the riders came to a small group of houses where they sought the use of a telephone. At 9:15pm the caregiver phoned the manager from here to alert her to the incident. At 9.20pm the manager alerted Child, Youth and Family via the National Call Centre and called the local Police.
- 19 A decision was made by the Police and the Manager to wait until daybreak to send a search party for the missing youths, as it was dark and the river level was high after heavy rainfall.
- 20 The two youths were subsequently arrested, following the pursuit of a vehicle from which they allegedly shot at Police. At 6:30am on Sunday 24 June the Manager received a telephone call from the Tauranga Police who advised the boys were in custody. The police then made arrangements for a nominated person to sit in on the interviews at the station.
- 21 The incident was reported on television that afternoon, and received considerable media attention in the days following.

#### **Review of the Trust's Adherence to Policy and Procedures**

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- 22 In conducting this Review we have visited the Trust and reviewed the documentation at the Trust's administration site. Management of the incident is documented in an Incident Report and logged in their Incident Register. This documentation was analysed in terms of the organisation's adherence to their own policy and procedures.
- 23 In addition, we have also examined whether the organisation could improve its management systems, policies and procedures, in the event of any future incidents.

### **Ensuring that the Welfare and Interests of the Child or Young Person are Paramount**

24 The Trust's policy, which relates to Child, Youth and Family's Business Viability Standard 3, requires that "the organisation provides services which reflect the principle that the welfare and interests of the child or young person are the first and paramount concern".

25 The following actions taken by the Trust are consistent with this policy:

- Following 9(2)(a) was asked to assist the new caregivers coming on duty. His presence ensured the usual ratio of caregivers to youths on site was maintained. This was a practical response to a critical staffing situation that would have otherwise required the removal of at least three youths from the Bush Camp. The longer term solution for the Trust is to continue with staff recruitment processes, which were underway at the time of the review.
- Staff made immediate arrangements to look for the youths in the immediate vicinity of the camp and when this was not successful they proceeded to town to notify the Manager.
- Staff fully documented their concerns for the safety of the youths in terms of their unfamiliarity with the terrain and the darkness of the night.
- Wairaka Kokiri's Manager notified Child, Youth and Family and the Police in a timely manner – 5 minutes after being advised of the situation.

### **Policy and Procedures for Managing Incidents**

26 Policy and procedure for Health and Safety requires, among other things, that the Trust:

- has a clear procedure to deal with emergencies
- ensures adequate training for caregivers in health and safety procedures
- investigates any accident or incident.

27 The Trust had procedures in place for emergencies, including absconding incidents. However, these were not written down and were not clearly communicated to the staff concerned. In particular, more detailed guidelines were needed for caregivers around how to manage an incident involving youth absconding from the Bush Camp.

28 Current staff induction training includes but is not limited to:

- the principles of the Children, Young Persons and Their Families Act 1989
- the structure of the Wairaka Kokiri Trust
- the referral, intake and assessment policy and procedures
- case work planning, policies and procedures
- techniques for managing difficult behaviour
- the importance of whakapapa/genealogy
- the grief process
- issues arising out of the care of physically, sexually or emotionally abused youth with emphasis on the safety that must be maintained by the Trust caregivers

- Health and Safety including evacuation procedures, seeking medical assessment, absconding incidents
  - administration processes (what form to use when)
  - supervision, training and performance appraisal
  - complaints policy and procedure
  - liaison with community organisations, government departments, Māori communities etc
- 29 Organisational policy and procedure also states that the Trust will undertake Disaster and Safety training annually. Due to staff turnover, at the time of the Review there were a high number of new caregivers, who would not have received this additional training.
- 30 The documentation of an Incident Report complies with their Health and Safety policy regarding the investigation and recording of incidents and accidents.
- 31 The findings of the review are that the Trust did not meet its requirements to ensure that there were detailed guidelines and procedures to deal with absconding incidents, and that staff were adequately trained in these.

*Contact between the Bush Camp and the Trust*

- 32 The Trust's procedure at the time of the incident required caregivers to inform the Manager/Director, or their designated replacement, when an incident occurred. There are also two set times for the campsite to contact the Trust office each day. These times are 9am and 3pm, 7 days a week including public holidays.
- 33 When the caregivers initially became aware that the two youths had absconded, no contact was made from the Maroera camp site to the Manager. The Manager suggests the caregivers were concerned for the safety of the two youths, due to the rising river situation and approaching nightfall. Their immediate focus was on locating the youths and they made the decision to follow the track out of the bush as the best means of ensuring this.
- 34 While on site conducting the review it was noted that the routine twice-daily calls occurred on schedule.
- 35 The Trust has reviewed their own responsiveness to the situation and found that communication to the Manager could have occurred earlier if the caregiver had stopped at neighbouring farming properties to use the phone. However, the rationale for the decision making of the caregiver to continue following the track through the bush was based on concerns about the safety of the two youths.
- 36 The Trust has now clarified its procedures for absconding incidents, which includes detail of who to contact, how and when. Caregivers at the Bush programme are now specifically required to use the Radio Transmitter to contact the Programme Coordinator if an incident occurs. In addition, the Trust has arranged for the Programme Coordinator to have Radio Transmitter capacity installed in their home so that events occurring outside office hours can be reported effectively. Backup communications are also specified: if there is a failure in the Trust's radio transmission capacity two named neighbours have radio transmission capacity and one also has landline and cell phone access.
- 37 The Manager advised that the new policy and procedure would be routinely reviewed with staff (at shift changeover) and would also be included in the staff induction packages. We will

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check that these actions have been carried out at the next visit to the campsite in October 2007.

### **Compliance with Intake and Assessment Procedures**

- 38 The Trust's process for intake and assessment requires that all referrals to the programme should have appropriate documentation, including a screening checklist.
- 39 The review highlighted that there were instances when the Trust's compliance with their intake and assessment procedures was inconsistent. This included the acceptance of youths onto the programme without all required information and/or equipment, or with inconsistent use of forms.
- 40 As noted above, one of the young people that absconded during the incident had a significant history of absconding previously. He was clearly an unwilling participant with two absconding incidents within 10 days and a pattern of absconding behaviour that was noted on other programmes in the previous two to three years. This information raises the question of the appropriateness of his ongoing placement with the Trust, and whether improvements in intake and assessment procedures could have better identified these issues.
- 41 Work on reviewing intake and assessment criteria has commenced with assistance from Child, Youth and Family social workers from the Whakatane site.

### **Other Allegations relating to the Wairaka Kokiri Trust**

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- 42 Following the absconding incident of 23 June, an article appeared in the Herald newspaper containing allegations that young people attending programmes run by the Trust were using drugs and alcohol and handling firearms. Child, Youth and Family referred these allegations to the Police for investigation.
- 43 Following an investigation, the Acting Area Commander of Eastern Bay of Plenty Police has written to Child, Youth and Family, reporting that:
  - the allegations are not substantiated and lack credibility
  - the informant to the Herald is not known so Police are unable to interview the person who made the allegations
  - based on the information provided to Police no evidence has been found to suggest any illegal or dangerous activity or practices are taking place on the programmes.

### **Findings and Next Steps**

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- 44 The review has identified some of the Trust's significant strengths, namely the commitment of the Trustees to continuing to deliver the residential rehabilitation programme to this difficult group of youths, and the dedication of the staff who work on the frontline.
- 45 Our conclusion is that the actions undertaken by the staff in relation to this incident were appropriate for the circumstances. Decisions were consistently made in the interests of the safety and wellbeing of the young people on the programme.

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- 46 The review also identified some areas for improvement at the Trust. In particular, these relate to enhancing written procedures for dealing with serious events, increased staff training, and improving the consistency of recording information and organisational monitoring.
- 47 During the course of the review the Trust has completed the following remedial actions:
- enhanced policy and procedure for absconding incidents
  - committed to routinely reviewing these procedures with caregivers at shift-changeovers
  - committed to including training on the new policies and procedures in staff inductions
  - commenced a review of its intake and assessment criteria, with assistance from Child, Youth and Family staff.
- 48 On the basis of the above findings and all remedial actions being completed as agreed, we recommend that the Trust retain its current approval status.
- 49 Child, Youth and Family will conduct a follow-up Review of the Trust by October 2007 to ensure that all actions have been completed satisfactorily, and that the Trust continues to maintain appropriate standards and practices.