



MINISTRY OF SOCIAL DEVELOPMENT  
*Te Manatū Whakahiato Ora*

# social welfare residential care 1950–1994

*Prepared for the Historic Claims Team  
Ministry of Social Development*

*Wendy Parker LLM – Lead Researcher*

*October 2006*

# Table of contents

Table of contents .....	1
Outline .....	4
Methodology .....	5
Limitations of the research .....	7
Structure of this report .....	8
Legislative and administrative structures .....	9
Public servants - ethics .....	11
Expansion and amalgamation .....	12
Children and Young Persons Act 1974 .....	14
Children, Young Persons and Their Families Act 1989 .....	17
The 1990s – a period of restructuring .....	17
National policies and practices .....	19
Social welfare residences – a national overview .....	19
National policies and practices .....	20
Programmes and care .....	21
Work and training .....	24
Resident-to-resident issues .....	25
Health and medication .....	25
Psychiatric hospital placement .....	26
Staffing .....	27
Schooling .....	29
Absconding .....	30
Secure care .....	31

---

Discipline.....	39
Physical punishment.....	40
Drugs, alcohol, and tattoos.....	42
Smoking.....	43
Contact with field social workers.....	44
Contact with community.....	45
Visiting committees.....	46
Contact with families.....	47
Preparation for discharge and after care arrangements.....	48
National themes.....	49
Physical description.....	49
Resident profile.....	50
Length of stay.....	51
Programmes and care.....	52
Work and training.....	54
Resident-to-resident issues.....	54
Health and medication.....	55
Psychiatric hospital placement.....	56
Staffing.....	56
Schooling.....	57
Absconding.....	58
Secure care.....	58
Discipline.....	59
Physical punishment.....	60
Drugs, alcohol, and tattoos.....	60
Smoking.....	61
Contact with field social workers.....	61

Contact with community.....62

Visiting committees .....62

Contact with families .....62

Preparation for discharge and after care arrangements .....63

Bibliography .....64

# Outline

This Volume of the report covers national policies and practices. It sets out the methodology and structure of the report and draws together information from the profiles of residences contained in Volumes II and III. Volume II contains information from national institutions and Volume III contains information from district institutions.

# Methodology

This report was commissioned in September 2005 by the Historic Claims Unit of The Department of Child, Youth and Family Services (now the Historic Claims Team, Ministry of Social Development). The lead researcher was independently contracted to the department but was given access to records as well as to in-house research and administrative assistance.

The purpose of the report is to provide a baseline measure of social work practices and standards in institutional care against which to assess claims received by the department. The report is for use by the department's legal staff and by Crown Counsel.

The report covers the period 1950 – 1994 and examines departmental and institutional practice in residences administered by the department. The report does not cover other out-of-home care, such as family or foster homes or institutions run by other agencies, such as health camps. The report does include one special school, run by the Department of Education, that of Campbell Park.

The report narrowed in scope as the scale of the work became apparent. A section outlining social work education, training and professionalisation was put on hold, although material relating to these topics was gathered and filed, and is stored at the Historic Claims Unit.

The report links to other work. The department is also undertaking interviews with a number of staff who worked at institutions between 1950 and 1994, and information gained from these interviews will supplement and either triangulate or dispute the information presented in this report.

The brief for the research included all aspects of residential care, but centred on some areas of importance arising from Privacy Act requests already made and from early discussions with lawyers preparing claims against the department. For example, the researchers were directed to focus on, among other issues, residential education, the use of secure care, physical training, and staffing matters. From these issues, a list of topic headings was prepared and refined as statements of claim were received.

A total of 26 residences were operated by the department from 1950 to 1994. Fifteen of these residences were profiled in this report. These fifteen residences were selected on the basis of the number of legal claims lodged against the department. The excluded residences were those with either no claims lodged, such as Puketai or Dey Street, or with a very few claims lodged, such as Hamilton Girls' Home or Beck House.

As much information as possible was sought from primary sources. File searches were undertaken by searching the CYFS database *Total Records Information Management* (TRIM) in November 2005. TRIM contains a vast number of documents created by the department and its predecessors, as well as other government documents of interest to the department, for example, the database contains a number of Ministry of Education files relating to special schools. Searches were done using all known names for each residence. In addition, searches were done using the search terms "circular memorandum" "Audit Report", "Annual Report" and "Visiting Committee".

From these searches, the lead researcher selected files of possible relevance and these files were ordered. The selection of files was checked by a research assistant, who had a working knowledge of historical files from Privacy Act requests made to the Historic Claims Team. Files were requested from various sites, including some records from New Zealand Archives.

As files were received, research assistants read each file and photocopied any items of interest. These papers were then placed into lever arch folders chronologically and by topic, so that files were constructed for each residence. A cross-referencing system ensured that files that covered a range of topics, such as Annual Reports, were referenced across each topic area. From these constructed folders, a profile of each residence was created.

Residences were prioritised for the completion of profiles according to the number and nature of claims that the department had either received, or had been advised to expect by lawyers.

A number of lever arch files were created for residences, where subsequent decisions were made not to profile that residence. For Beck House, Bollard Girls' Home and Dunedin Girls' Home, lever arch files were created and are now stored with the other files.

In late 2005, the lead researcher began constructing profiles of residences. Early drafts were checked with the Historic Claims Team to ensure that information was being provided in a useful form, but information was not censored in any way. From this, a template of how to approach files was drawn up and discussed with the research assistants. Each residence profile process therefore benefited from a consistent approach. The same headings are used for each profile. Where no information was found under a particular heading, this is noted, as are gaps in the material uncovered.

A decision was made to extensively footnote references, in line with the possible uses to which the report would be put. This would allow readers to check the primary source very easily and provided a further check on the faithful representation of facts, without added opinion. The importance of referencing meant that another decision was made to repeat footnotes in full, rather than employing the usual, *ibid* style of referencing. Initially, this was to guard against losing correct references as text was moved around, but although cumbersome, it was decided to retain full references in the final document.

For the first quarter of 2006, the lead researcher prepared a number of draft residence profiles. Alongside this work, the lead researcher prepared other sections of the report, namely, the section on legal and administrative structures and the section on national policies and procedures. This information was drawn from a number of sources and these are referenced.

A search of secondary sources was conducted with the assistance of the Ministry of Social Development library. The library holds many preservation copies of Department of Social Welfare publications, and these provided information about departmental structures and in-house training programmes, for example. Reports of working parties and reviews were also found. Another useful source was a number of masters and PhD theses, some of which undertook research on particular residences.

The departmental Manuals provided detailed guidance to, and set standards of practice for social workers and controlling officers of institutions. Circular memoranda were periodically issued by Head Office – these either updated the Manuals or gave instruction in regard to specific policies. This material was included in the discussion of national policies and procedures. The Manuals contain a large amount of information and their usefulness as a detailed check of national guidelines cannot be underestimated. The

purpose of looking at the national picture was to attempt to benchmark practices in institutions against the standards of the day.

From late-April 2006, a team of four in-house research assistants prepared further residence profiles, under the supervision of the lead researcher.

In October 2006, these profiles were edited and compiled by the lead researcher. A further summary section drawing together the themes across all of the profiles was then written for inclusion in the report. Finally, the report's structure was determined and the various sections brought together into this document.

## Limitations of the research

The research was partially able to achieve its benchmarking objective, but this result was subject to a number of limitations. The ability to search for files in TRIM was hampered by the unreliability of the date field in the database. Some files are dated by their entry in to the database while others are dated according to the dates of the information contained in the files. Topic fields did not clearly identify the subject matter of the files. Apart from a file series limited to property matters, no files could be eliminated as a class. Thus, careful selection had to be made from a search of all files by residence name, but selection involved a degree of guess work. Systems were improved over time as certain file types, for example, management files, proved more useful than other groups of files.

Some files were incomplete and a number of files had been destroyed. Many of the institutions profiled in this study are now closed, and record archiving practices on closure varied across the country. At one point, a destruction order for all Visiting Committee files was made, representing the loss of an outsider's view of residences. Other gaps spanned certain time periods. For some institutions, a particular decade's worth of information was scant. Such gaps are noted in each profile where relevant. At times, no outcome or resolution of an issue was found on file and this is also recorded where relevant.

Where files were located, they did not always contain much information about the day-to-day running of a residence. Earlier files were less likely to contain abundant information than later files – policy-making and recording becoming more common in later years, and especially from the mid-1980s onwards.

A significant amount of information in the residence profiles was drawn from Annual Reports that Principals of Institutions were required to send to Head Office. These reports presented the view of the Principal, and also contained the particular emphasis that the Principal wanted to make to Head Office. For example, alongside regular praise for staff and programmes, Annual Reports would make pleas for renovations, more staff or new facilities. It is unlikely that an Annual Report would contain confessions of any wrongdoing or excess, although many made mention of problems or unsatisfactory conditions. The information in these reports thus had a particular purpose which led to a slant on the information provided.

A second issue with Annual Reports as an information source is the lack of validation by others. Where it was possible to validate report information, this was done by way of Inspection Reports and other official visits. It was not unusual to find critical or markedly different viewpoints in Inspection Reports compared to Annual Reports. However, for some residences, only a few Inspection Reports remained on the record. This inability to triangulate much of the information located in the files is a key limitation of this report. The information presented must accordingly be treated with caution.



The profiles therefore represent a useful, although limited, picture of life in a residence. By assembling profiles for 15 key residences throughout New Zealand, it is possible to determine practices common at certain times in all residences, and also to identify outliers. The legislative and administrative frameworks, along with circular memoranda and department Manuals, assist in assessing the standards and expectations of the time.

### **Structure of this report**

This report is set out in three volumes. The first volume contains the national and contextual information. Volume II has residence profiles of national institutions (national training centres and extended care facilities), while Volume III contains profiles of district institutions (boys' and girls' homes).

Within Volumes II and III, profiles of boys' institutions are placed first, followed by profiles of girls' institutions. Mixed gender residences were not a feature of social welfare institutions until the latter part of the period that this report covers. Within this structure of boys and girls institutions, the material is organised geographically, from north to south. For example, the order of boys' homes is the 2 Auckland residences of Owairaka and Wesleydale, moving down to Hamilton, then Epuni, followed by Christchurch and Dunedin Boys' Homes.

Chapter

2

# Legislative and administrative structures

The Child Welfare Division of the Department of Education was responsible for the welfare of all children, whether in institutional care or in the care of family.

Statutory social work intervention occurred under the Child Welfare Act 1925. The Child Welfare Act emphasised community-based care as opposed to institutional care, and set out to improve the standard of care for state wards. This led to an increase in court-ordered supervision (formerly called probation).<sup>1</sup> Supervision orders involved a Child Welfare Officer monitoring a child in the home.

The Child Welfare Act also provided the route to institutional or other out-of-home care for children. The Child Welfare Act set up the Children's Court, through which a child could be committed to either a public or an approved private institution. The Child Welfare Division of the Department of Education was charged with running public institutions. The Child Welfare Amendment Act 1927 also charged the Child Welfare Division with inspecting Children's Homes run by voluntary organisations.

The Children's Court was described as a "preventive and curative agency rather than a punitive one".<sup>2</sup> Guardianship over a child could be transferred from the child's parents to the Superintendent of the Child Welfare Branch. In such cases the court could dispense with the need to hear and determine a charge and could take into account any (or no) evidence as it thought fit. At this time, parents had no right of appeal against guardianship decisions and could not see reports prepared for the Court.

The Child Welfare Act did not separate the care and protection of children from youth justice issues. The welfare model was applied; that is, in presenting with youth justice issues, young people were seen as demonstrating a need for care and protection.

The 1925 Act removed the term "industrial school" (a term that referred to vocational training) and permitted the setting up of a range of residences.<sup>3</sup> Although committal to institutions was an option of last resort and generally formed less than 5% of all orders, the range of care facilities increased.<sup>4</sup> By 1950, Division institutions included receiving homes (short stay while a child was assessed), probation homes (short stay prior to supervision – these became known as boys' homes), convalescent homes and training farms or schools (including for the education of "feeble-minded children").<sup>5</sup>

<sup>1</sup> Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland, p 129.

<sup>2</sup> Field Officers Manual, Child Welfare Division, 1958-1969, B 34 p 5A.

<sup>3</sup> The 10 years prior to the implementation of the 1925 Act was a period of residential restructuring not seen again until the 1980s, see Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland, p 69.

<sup>4</sup> Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland, p 129.

<sup>5</sup> Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland, p 129.

A distinction was made between district and national institutions. National institutions took in children from all over the country, sometimes directly, but often from district institutions, for example from receiving homes or boys' homes. National institutions were long-stay in nature whereas district institutions tended to be short- to medium-stay. Head Office approval was required for admission to both national institutions and district institutions. Different lines of authority operated in respect of each type of institution and this is discussed later in this section. This report organises profiles of residences into national and district institutions.

A 1948 amendment to the Act clarified that the Superintendent's powers of guardianship operated whether or not a ward was a resident in an institution.

Most children placed in residences were under the guardianship of the Director-General. Guardianship placed obligations on the Director-General to care for children to the standard expected of a parent.<sup>6</sup> A much smaller number of children were placed in residences under a private arrangement between parents and the Child Welfare Division under section 12 of the 1925 Act.<sup>7</sup>

In 1959, a new position was created to oversee all Department residences. The Superintendent Registered Children's Homes and Child Care Centres was appointed as a Department of Education officer. The oversight role spanned both the care of children and their physical environment. The Superintendent was responsible for the oversight of statutory inspection obligations of homes and child care centres, and advisory services in regard to available resources, from fire services to advice on dealing with children's behaviour.

From 1925 to 1971, the Child Welfare Branch (renamed the Child Welfare Division in 1948<sup>8</sup>) operated under the Department of Education.<sup>9</sup> Although the Department of Education controlled the Child Welfare Division, the Superintendent of Child Welfare also had statutory responsibilities separate to those of the Director of Education. In other words, there was some autonomy within the wider Department of Education structure. For example, when ordering the committal of a child under section 16 of the Child Welfare Act 1925, the Superintendent had the same rights as if appointed that child's guardian by the Supreme Court, acting "to the exclusion of all other persons".

The Superintendent Child Welfare was responsible to two Ministers: the Minister of Education via the Director of Education and also to the Minister in Charge of Welfare.<sup>10</sup> The Minister in Charge of Welfare could approve some things; for others, joint Ministerial approval was required.<sup>11</sup> Some division of Ministerial responsibility was the result of Cabinet decisions; in other cases the division of responsibility derived from statute.

The parent department, the Department of Education, made use of the extensive network of child welfare offices – both for welfare work and for educational needs. Outside of the main centres, Child Welfare Division (CWD) offices acted as the local office for the Department of Education.<sup>12</sup>

<sup>6</sup> Draft Opinion, Crown Law Office to Department of Child, Youth and Family "The obligations of the Chief Executive Officer to State Wards", 2/11/04, Lines of Responsibility, Frameworks folder.

<sup>7</sup> Child Welfare Act 1925, s 12 and see Field Officers Manual, Child Welfare Division, 1958-1969, Q.3, National Information folder, Manuals.

<sup>8</sup> Child Welfare Amendment Act 1948.

<sup>9</sup> See Education Act 1941 and Education Act 1964.

<sup>10</sup> Section 3 Child Welfare Act 1925.

<sup>11</sup> Field Officers Manual, Child Welfare Division, 1958-1969, D 29.

<sup>12</sup> Field Officers Manual, Child Welfare Division, 1958-1969, D 30.

In the mid-1920s there were 20 gazetted Child Welfare Officers. By the mid-1940s there were 100 gazetted officers, with just over half of these being women and with CWD offices throughout New Zealand. In addition to the gazetted officers, over 250 unsalaried honorary child welfare officers worked around the country in areas without a resident Division officer.<sup>13</sup>

Supervising these Child Welfare Officers, and sitting at the apex of the district structure, was the District Child Welfare Officer (DCWO). The DCWO was responsible to the Superintendent for all child welfare work in the district.<sup>14</sup> The DCWO was responsible for all admissions to training centres or special schools.<sup>15</sup> The DCWO's duties included the staffing and management of all child welfare institutions, including responsibility for maintenance, alterations, grounds and other matters.<sup>16</sup> The 1925 Act also created an express duty to inspect institutions at regular intervals.<sup>17</sup>

The DCWO was also responsible for staff training, which meant ensuring staff had both knowledge and understanding of their work.<sup>18</sup> The top levels of institutional staffing appointments required Head Office approval, but other staff could be approved by the DCWO.<sup>19</sup> The DCWO was also charged with having oversight of a residence's expenditure through regular inspection of accounts and records.<sup>20</sup>

## Public servants - ethics

Child welfare and social work functions have operated within a number of different government departments over the years. All government departments are responsible to parliament through the relevant Minister. Various political, administrative and legal controls have always operated in respect of the state sector.<sup>21</sup> All employees of government departments are public servants and are subject to the government's rules of the day. For example, the 1958-1969 Field Officers Manual (Child Welfare Division), notes responsibilities of staff under the Public Service Manual published by the State Services Commission pursuant to the State Services Act 1962.<sup>22</sup> A copy of the Public Service Manual was held in each CWD office and covered issues including leave entitlements and disciplinary rules.

All public servants were required to take the "oath of secrecy". Standards of behaviour expected of public servants from at least 1959 were found in "A Code of Ethics for a New Zealand Public Servant".<sup>23</sup> In addition, social workers had special responsibilities arising from the nature of their work, not only to clients, but to members of the public confiding in social workers. Confidentiality was also expected in regard to fellow social workers, and a high standard of conduct and integrity was expected.<sup>24</sup>

<sup>13</sup> Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland, p 96.

<sup>14</sup> Field Officers Manual, Child Welfare Division, 1958-1969, E 3.

<sup>15</sup> Field Officers Manual, Child Welfare Division, 1958-1969, E 7 (1)(b)(5).

<sup>16</sup> Field Officers Manual, Child Welfare Division, 1958-1969, E 11.

<sup>17</sup> Child Welfare Act 1925, s 11(3). "Regular" was not defined in the Act.

<sup>18</sup> Field Officers Manual, Child Welfare Division, 1958-1969, E 4.

<sup>19</sup> Field Officers Manual, Child Welfare Division, 1958-1969, E 11.

<sup>20</sup> Field Officers Manual, Child Welfare Division, 1958-1969, E 12.

<sup>21</sup> See, for example, Field Officers Manual, Child Welfare Division, 1958-1969, D 14.

<sup>22</sup> Field Officers Manual, Child Welfare Division, 1958-1969, D14

<sup>23</sup> Field Officers Manual, Child Welfare Division, 1958-1969, D 21; Public Service Official Circular 1957/14, 19/4/57.

<sup>24</sup> Field Officers Manual, Child Welfare Division, 1958-1969, D 21 and 22. The 1970 Manual split the former 1958-1969 Manual into Field Social Workers Manual and a Residential Social Workers Manual. Generic sections that applied across the Child

## Expansion and amalgamation

Over time, the government's social work activities extended to government departments besides the Department of Education. The Social Security Department established a social work section in the late-1950s.<sup>25</sup> The establishment of a co-ordinating body, the district welfare committee was also set up by the Social Security Department in the 1950s. In 1956 Cabinet set up an interdepartmental committee to look at improved coordination for government social welfare activities. The committee reported to the Minister in 1958 and recommended a single integrated government department.<sup>26</sup>

The Department of Education also ran a number of special schools. Where placement in a special school was made pursuant to the Education Act, the responsibility for the child lay with the Department of Education. The exception to this was where the child was a state ward - in which case responsibility lay with the Department of Social Welfare.<sup>27</sup> The 1958-1969 Manual stated that a Principal of a special school was responsible to the Superintendent of Child Welfare except in educational matters, where the Principal was responsible to the Director-General of Education.<sup>28</sup> One special school, Campbell Park, is included in this study.

Specific relationships and lines of responsibility existed between the Child Welfare Division and the Department of Education. For example, the 1958-1969 Field Officers Manual (Child Welfare Division) states that the Department of Education Property Supervisors were responsible for structural maintenance on child welfare residences, in collaboration with Principals and local District Child Welfare Officers.<sup>29</sup>

The relationship between the Division and the Department of Education became more formalised. In 1970, the Child Welfare Division provided certain services to the parent department, the Department of Education.<sup>30</sup> These were:

- the appointment, control and training of all institutional staff other than teachers;
- maintenance arrangements in respect of children at special schools;
- holiday and escort arrangements to and from homes and special schools;
- provision of stores and equipment to special schools (including stationery and text books);
- clothing purchases for children attending special schools;
- accounting for special schools;
- case-work service for school principals and teachers; and
- general administration services for Department of Education staff.

---

Welfare Division were not amended, for example, the sections on duties of public servants.

<sup>25</sup> Ministerial Task Force on Social Welfare Services, August 1986, Supplementary Paper No 1, Elworthy, J "The Development of Social Welfare Services in New Zealand", Department Structure, Frameworks Folder, p 8.

<sup>26</sup> Ministerial Task Force on Social Welfare Services, August 1986, Supplementary Paper No 1, Elworthy, J "The Development of Social Welfare Services in New Zealand", Department Structure, Frameworks Folder, p 9.

<sup>27</sup> Human Rights Commission (1992) *Who Cares for the Kids? A study of children and young people in out of family care*, Wellington, Human Rights Commission, p 11.

<sup>28</sup> Field Officers Manual, Child Welfare Division, 1958-1969, C 5.

<sup>29</sup> Field Officers Manual, Child Welfare Division, 1958-1969, D 30.

<sup>30</sup> DSW, 1970, A report on the establishment of a new department by the amalgamation of the Social Security Department and the Child Welfare Division of the Department of Education, Frameworks folder, Department Structure, 3942.

The parent department, the Department of Education, provided these services to the Child Welfare Division:

- psychological services;
- institutional teaching services;
- building services, for example, land purchase negotiations, supervision of maintenance;
- transport service supervision;
- computers;
- stores;
- office inspection;
- work on staff salaries; and
- libraries.

The calls for a single department encompassing all the government's welfare activities that were first made in the late 1950s gathered pace during the 1960s. In the end, only social security and child welfare were combined.<sup>31</sup> Robyn Dalley observes that "the marriage of a large Department devoted to income maintenance and a relatively small Division dedicated to social work was a restless, and unequal, alliance."<sup>32</sup>

The amalgamation process considered how tasks would be divided.<sup>33</sup> Department of Social Welfare was created by the Social Welfare Act 1971 and came into operation on 1 April 1972. The new department had both policy and operational functions, as well as having a co-ordination role for all social welfare activities. For example, under section 4(2)(d) of the Social Welfare Act 1971, the Department of Social Work was responsible for the provision of direct social services and supportive services to the voluntary sector and other government agency providers. As well as direct service provision, the department was also involved in funding, advice and administrative support of the voluntary sector.<sup>34</sup>

The Department of Social Welfare had three main divisions, Benefits and Pensions, Administration and Social Work. A fourth division, the Developmental Services division, co-ordinated research, planning and advisory services. The Department of Social Welfare had offices in 29 Districts and 22 smaller towns.<sup>35</sup> One result of the 1972 merger was a rapid increase in social work staff. For example, from 1972 to 1975, staff increased by 40%.<sup>36</sup>

The 1975/1976 Residential Workers Manual was released after the formation of the Department of Social Welfare in 1972. The overarching structure of this manual is therefore the new departmental one, and the manual is specific to the residential setting.<sup>37</sup> The Residential Workers Manual covers public service controls, such as Audit Office, Treasury and State Services Commission systems.<sup>38</sup> As in the 1958-69 Manual, the

<sup>31</sup> Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland, p 262.

<sup>32</sup> Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland, p 262.

<sup>33</sup> DSW, 1970, A report on the establishment of a new department by the amalgamation of the Social Security Department and the Child Welfare Division of the Department of Education, Frameworks folder, Department Structure, 3942.

<sup>34</sup> Barretta-Herman, A, 1994, *Welfare State to Welfare Society: Restructuring New Zealand's Social Services*, Garland Publishing, New York, p 61.

<sup>35</sup> Residential Social Workers Manual, DSW, 1975/76, Figure 1 and Figure 2.

<sup>36</sup> Ministerial Task Force on Social Welfare Services, August 1986, Supplementary Paper No 1, Elworthy, J "The Development of Social Welfare Services in New Zealand", Department Structure, Frameworks Folder, p 10.

<sup>37</sup> Residential Social Workers Manual, DSW, 1975/76, C 1.01.

<sup>38</sup> Residential Social Workers Manual, DSW, 1975/76, C 2. The State Services Act 1962 was still in force at the time.

department was still linked into public sector services such as the Ministry of Works and Development, the Government Stores Board and the Departmental Motor Vehicle Committee.<sup>39</sup>

The ethics and integrity section of the 1975/1976 Manual is similar to the 1958-1969 Manual, with the special nature of residential social work again being noted.<sup>40</sup>

Organisation of the Department of Social Welfare in the mid-70s is set out in Section C 3 of the 1975/1976 Residential Workers Manual. The Director-General had overall responsibility for the department. The Director-General (Social Work) oversaw both field and residential social work. The Assistant Director (Residences) reported to the Director-General (Social Work) and looked after long-term planning of institutions. The Senior Institutions Officer was responsible for day-to-day institutional issues, including social work, administration and personnel issues.<sup>41</sup>

Initially, all admissions to institutions required Head Office approval. District institutions could admit children and young people without Head Office approval from 1979; national institutions could do so from 1982.<sup>42</sup>

Principals of district institutions reported to the local district Director while Principals of national institutions reported directly to the Director-General.<sup>43</sup> Of a small team of inspectors visiting all places where children were in care, one inspector specialised in institutions and was required to visit each institution at least once a year to keep a close eye on standards of care and to meet with as many staff as possible.<sup>44</sup>

With regard to secure care, the Director or Principal of a national institution was responsible for the running of the secure unit. Responsibility for secure care could be delegated to the Assistant Principal of a national institution. In the case of district institutions, admission to secure care could be delegated by the Director-General to the Assistant Director (Social Work). Directors or Assistant Directors could delegate responsibility to the Principal of a district institution if they were satisfied that the authority was being properly exercised.<sup>45</sup>

### **Children and Young Persons Act 1974.**

The Children and Young Persons Act 1974 came into effect in April 1975 and replaced the Child Welfare Act 1925. The Children's Court was at the centre of the 1974 Act. As with its predecessor, the Children and Young Persons Act also operated on the welfare model. No distinction was made under the 1974 Act between youth justice and care and protection. The 1974 Act did however distinguish between children (those under 14) and young people (15 and 16 year olds). Children were diverted away from the Court system.

In general, the 1974 Act tidied up areas of uncertainty under the 1925 Act without introducing radical change. For example, it gave a legislative basis to preventive work

<sup>39</sup> Residential Social Workers Manual, DSW, 1975/76, C 2.07 – C 2.10.

<sup>40</sup> Residential Social Workers Manual, DSW, 1975/76, C 2.13.

<sup>41</sup> Residential Social Workers Manual, DSW, 1975/76, C 3.

<sup>42</sup> Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland, p 291.

<sup>43</sup> Residential Social Workers Manual, DSW, 1975/76, C 3.04.

<sup>44</sup> Residential Social Workers Manual, DSW, 1975/76, C 4.03

<sup>45</sup> Residential Social Workers Manual, DSW, 1975/76, F 7.02; Lallu H, (1979) *The Role of Secure Units In Social Welfare Department Institutions*, MA (Applied) Social Work Thesis, Victoria University of Wellington; p 48, citing National Institutions Management File, April 1972, p 40.

(previously implied) and gave foster care a formal status.<sup>46</sup> The Court of Appeal has said that the 1974 Act introduced a positive duty on the department to undertake preventative work and to investigate complaints of neglect.<sup>47</sup>

The two main orders (applying to both care and protection and youth justice matters) available under the 1974 Act were guardianship orders and supervision orders. Under a supervision order, supervision by a social worker could be undertaken in the home, or any residence specified, including centres and other institutions. A wide range of conditions could be made, including conditions stating where the child or young person resided and worked, whether they could drive and who they could associate with. Community work could also be ordered as a condition of supervision.<sup>48</sup> It was an offence to fail to observe a supervision condition.

Under a guardianship order, a child was made a state ward with Director-General of the Department of Social Welfare as his or her guardian, to the exclusion of all others. There were corresponding responsibilities on the Director-General to ensure the provision of "care, protection, education, training and control" for every young person who was either the subject of a guardianship order or a section 11 agreement.<sup>49</sup> The responsibility was supplemented by the requirement in section 4 of the Act that the interests of the child or young person should be the first and paramount consideration.

As well as the orders, the Act provided for an informal agreement between the department and parents for the department to have control of the child; under which the state became the child's guardian. These were known as section 11 agreements, after the relevant section of the 1974 Act. Section 11 agreements could be terminated on notice by either party.<sup>50</sup>

On the youth justice side, the 1974 Act legislated for the already existing practice of conferencing between Police, Department of Social Welfare and, where appropriate, the Department of Maori Affairs. The recommendation of the conference, usually to either press charges or offer a form of diversion, was usually accepted by the Police.<sup>51</sup>

The 1974 Act gave the Minister a discretion to set up Visiting Committees, which could visit "from time to time" and report to the Minister on any matter.<sup>52</sup>

Quite early in the life of the 1974 Act, the statute came in for two major criticisms. Firstly, that institutional care was failing and secondly that the Act was not addressing an increasing amount of child abuse. Institutional care was criticised for its disproportionately high numbers of Maori and Pacific Island residents, and also because of high re-offending rates.<sup>53</sup>

By the 1980s, the Department of Social Welfare was headed by the Director-General, who had 3 Assistant Directors-General reporting to him, each respectively responsible for Administration, Social Work and Benefits and Pensions. The Head Office, based in Wellington had a direct line of authority over the 73 District Offices and Area Welfare

<sup>46</sup> Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland, p 262.

<sup>47</sup> *Attorney-General v Prince* [1978] 1 NZLR 262, Richardson P.

<sup>48</sup> Children and Young Persons Act 1974, sections 46 and 47.

<sup>49</sup> Children and Young Persons Act 1974, s 49(4). Section 11 agreements are discussed below.

<sup>50</sup> Children and Young Persons Act 1974, s 11(4).

<sup>51</sup> Some commentators say these practices did not offer standard protections to young offenders, such as due process and the right to be heard.

<sup>52</sup> Children and Young Persons Act 1974, s70.

<sup>53</sup> Cheyne C, O'Brien, M and Belgrave, M (1997) *Social Policy in Aotearoa New Zealand; a critical introduction*, 1<sup>st</sup> edition, Oxford University Press, Auckland, p 198.



Offices and over the 19 Institutions.<sup>54</sup> All statutory social work, both fieldwork and residential, came under the responsibility of the Assistant Director General (Social Work). Below the Assistant Director (Social Work) were a Director, Social Work Services and a Director, Residential Services. The Director, Residential Services was responsible for all institutions and family homes.<sup>55</sup>

A review of the Social Work Division in 1982 stated that each district was responsible for its own programmes and the monitoring of them.<sup>56</sup> The Director was responsible for the overall performance of the District. Head Office was responsible for ensuring that overall standards were met, including monitoring and taking action where standards were not met. However, a Working Party set up to examine the division questioned the ability of Head Office to do this.<sup>57</sup> The review noted that at this time (i.e. 1982) the department appeared to be evolving from a centralised system to a more decentralised one where district offices had more powers of decision and were self-contained units.<sup>58</sup> The Working Party recommended this decentralisation become more formalised but noted that some functions were best retained by Head Office. Further clarity on the accountability of District Directors for all activities within their district was also recommended.<sup>59</sup>

The report also found variable staffing levels across institutions, with some being critically understaffed. Separate staffing of secure units of 4 or more beds was recommended and it was noted that even though secure work was the most sensitive and difficult work, often the most junior staff would staff the secure unit.<sup>60</sup>

The 1984 Manual does not contain specific information on ethics, but there is a section on delegated authority. The minimum level of delegation for a wide range of actions is set out.<sup>61</sup> A Circular Memorandum on the 1986 Regulations, discussed below, referred to Section Q of the 1984 Manual as the Code of Practice that set out the desired standard of professional care.<sup>62</sup>

In 1986 the department completed its first formal management plan – which indicated forthcoming restructuring.

The Children and Young Persons (Residential Care) Regulations 1986 contained detailed standards of residential care.<sup>63</sup> The regulations often outlined prohibited actions. Under regulation 3, the Director-General was responsible to provide adequate facilities, staff and training to enable the regulations to apply. The regulations provided detailed instruction across a range of issues including the need for planned programmes, use of personal items, and access to visitors. The Regulations prohibited the use of non-verbal instruction, children being required to appear naked or toilet in front of staff, excessive physical exercise as a punishment, or humiliation or threats. Part III detailed rules for secure care, including regular reviews of secure care. Residences were also required to keep certain records. A document about the regulations was written for residents.<sup>64</sup>

<sup>54</sup> Barretta-Herman, A, 1994, *Welfare State to Welfare Society: Restructuring New Zealand's Social Services*, Garland Publishing, New York, p 59.

<sup>55</sup> Barretta-Herman, A, 1994, *Welfare State to Welfare Society: Restructuring New Zealand's Social Services*, Garland Publishing, New York, Figure Two, p 60.

<sup>56</sup> DSW, 1982, *New Horizons Review of the Social Work Division: Report of a Working Party*, Wellington, p 35.

<sup>57</sup> DSW, 1982, *New Horizons Review of the Social Work Division: Report of a Working Party*, Wellington, p 35.

<sup>58</sup> DSW, 1982, *New Horizons Review of the Social Work Division: Report of a Working Party*, Wellington, p 37.

<sup>59</sup> DSW, 1982, *New Horizons Review of the Social Work Division: Report of a Working Party*, Wellington, p 40.

<sup>60</sup> DSW, 1982, *New Horizons Review of the Social Work Division: Report of a Working Party*, Wellington, p 51.

<sup>61</sup> *Social Workers Manual*, DSW, 1984, H 7; l1sts at H 7.5b.

<sup>62</sup> Circular Memorandum 1986/255, 10/111/86, Codes and Standards, National Information.

<sup>63</sup> Circular Memorandum 1986/255, 10/111/86, Codes and Standards, National Information.

<sup>64</sup> "The Children and Young Persons (Residential Care) Regulations 1986", undated, Codes and Standards, National Information.

From 1987, concerns about the need for a bicultural approach, including keeping children within their communities, along with concerns about the benefits of institutional care, led to a drop in the numbers of children sent into institutional care.<sup>65</sup> During 1989, a further marked drop in admissions led to a departmental review in 1990 that found an over-capacity of institutional beds, leading to further closures.<sup>66</sup>

### **Children, Young Persons and Their Families Act 1989**

The Children, Young Persons and Their Families Act came into force on 1 November 1989 and the Act is still in force. The introduction of the Act was preceded by five years of reviews and reports by working parties and other bodies.

The 1989 Act separated youth justice from care and protection issues for the first time. Care and Protection Resource Panels were set up. In a departure from the previously applied welfare model, youth justice now followed a justice model, incorporating due process and children's rights.<sup>67</sup> The Act was also significant for its introduction of Family Group Conferences, its bicultural approach and its transfer of power to families.

Broad obligations were placed on the Director-General (later the Chief Executive) in section 7. These included ensuring the objects of the Act were attained. The objects of the Act include protecting children from harm, ill-treatment, abuse, neglect and deprivation.<sup>68</sup> The Director-General was also to ensure that supportive services and policies were adopted and that anyone providing services received adequate training and complied with appropriate standards.<sup>69</sup>

Sections 362 – 367 of the Act govern the placement of children in out-of-family care. Section 364 gives the department the authority to establish residences. Sections 367-383 cover the use of secure care facilities.

### **The 1990s – a period of restructuring**

The 1990s was a period of a series of restructuring exercises for the department. A 1991 review brought about by fiscal pressures identified the impact of losing Executive Senior Social Worker positions (who led the Social Worker Supervisor group on site) as the biggest loss to social work support at that time. The Executive Senior Social Workers were also responsible for professional standards.

The Kirkland Review in 1992 led to the creation of 5 business units within the department pursuant to the Social Security Amendment Act 1992. One unit provided policy advice and another unit had a corporate focus. The three remaining units were operational – income support, funding community agencies to provide social support and thirdly the direct provision of social services. These last 2 units, represented by the Community

<sup>65</sup> Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland, p 314.

<sup>66</sup> Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland, p 314.

<sup>67</sup> Cheyne C, O'Brien, M and Belgrave, M (1997) *Social Policy in Aotearoa New Zealand; a critical introduction*, 1<sup>st</sup> edition, Oxford University Press, Auckland, p 205.

<sup>68</sup> The Children, Young Persons and Their Families Act 1989, s 4.

<sup>69</sup> The Children, Young Persons and Their Families Act 1989, s 7(1) and (2).

Funding Agency (NZCFA) and the Children and Young Persons Service came into being 1 May 1992.

The Weeks Report was commissioned in June 1993, after a budget overspend of \$1.2 million. The Weeks recommendations were accepted in December 1993 and actioned in 1994. Recommendations actioned included:

- nationwide restructuring. Former four regions and 36 branches disestablished and replaced by 14 Areas. In each Area a number of sites reported to an Area Manager;
- new Purchase Agreement with government; and
- the creation of Key Performance Indicators.

Therefore, at the end of the period covered by this report, the department had undergone a period of organisational change. Rapid changes had also taken place in department institutions from the mid-1980s as fewer children and young people were admitted to them and a number of residences were closed.

Change continued unabated from 1994 onwards, with the department being renamed; restructured into business units; amalgamated with Work and Income NZ and then the Community Funding Agency; subsumed within the Ministry of Social Policy which then became the Ministry of Social Development; re-instated and as a separate entity and latterly brought back within the Ministry of Social Development.

Chapter

3

# National policies and practices

## Social welfare residences – a national overview

The state has long had an interest in the care of children, and there has always been a place for institution care of various kinds. The nature of this care, the extent of its use and its place within a range of other care options has, of course, shifted over time.

It is not the place of this report to document this history fully. For a thorough look at institutional care in 20<sup>th</sup> century New Zealand, one has to go no further than Bronwyn Dalley's *Family Matters*.<sup>70</sup> However, a brief overview helps to provide the context for this report.

Institutional care has always formed a small part of the overall numbers of children placed outside their homes. The first institutions were Industrial Schools, with an emphasis on education and an even stronger emphasis on vocational training. Early on, the Department of Education had significant responsibilities for Industrial Schools and throughout the early part of the 20<sup>th</sup> century, the role of the Child Welfare Division increased.

However, there were problems with Industrial Schools and many of these large institutions were closed in the ten years prior to the passing of the Child Welfare Act 1925. Institutional care was seen as an option of last resort and the numbers of children in this type of care has already dropped markedly before the Act came into force. Numbers in institutional care remained at low levels from 1925 through to the time that this report starts – 1950. The corollary to this policy was that only the most problematic children ended up in institutions.

In many ways, the changes in the Child Welfare Act reflected changes that had already taken place, but the Act also set up a variety of new institutions. There were two types of short-term care – receiving homes (young boys and girls) and probation homes (boys). Probation homes came to be known as Boys' Homes from the 1930s. There were hostels for working age young people and other institutions for children who required special instruction (children with special needs in current parlance).

Longer term institutions emerged to replace the Industrial Schools. Burwood, the early version of Kingslea, opened in 1928 for older girls and extended to younger girls from 1942. Fareham House, originally housing only Maori girls, opened in 1944. The origins of the Hokio and Kohitere long-term institutions for boys near Levin rest in the 1920s and 1930s. Some children admitted to the long-term institutions spent time in the shorter-term residences first.

<sup>70</sup> Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland. Dalley's book is the main source of information for this section of the report.

Therefore, by 1950, when this report begins, there were boys' and girls' homes in the major centres, and long-term "training centres" for boys and girls as above. The special school Campbell Park was also in operation. Of the residences profiled in this report, those open in 1950 were:

- Wellington Girls' Home
- Christchurch Boys' Home
- Dunedin Boys' Home
- Kingslea
- Fareham House
- Hokio
- Kohitere
- Campbell Park

In the late 1950s and early 1960s, four more residences that are profiled in this report were opened. These were:

- Hamilton Boys' Home
- Owairaka Boys' Home
- Epuni Boys' Home
- Allendale Girls' Home

The final three residences with which this report is concerned opened in the 1970s, these being:

- Holdsworth
- Weymouth
- Wesleydale

By the 1970s however, there were fresh concerns that institutional care was failing children, and in particular that it was not culturally responsive. By the 1980s, use of institutions was falling and many were closed. Smaller, local, mixed gender residences emerged in their place. By 1994, when this report ends, the institutions still open, the landscape was very different. Kingslea and Weymouth were open as co-educational facilities. Epuni, Christchurch and Dunedin Boys' Homes had merged and reformed as co-educational units, as had Holdsworth. However, Hokio, Kohitere, Owairaka, Allendale, Campbell Park and Miramar had all closed in the late 1980s.

## National policies and practices

### Introduction

This section of the report draws together available information on policies and practices applying nationally across all residences. The purpose of this section is to provide a national benchmark against which to assess policies and practices applied at specific residences at certain points in time. For that reason, the headings in this section reflect the headings used in each residence profile, beginning with programmes and care.<sup>71</sup>

A variety of sources have been used to create this section:

- material from residence files, where the information is of wider application;

<sup>71</sup> The first 3 headings, physical description, resident profile and length of stay are proposed to be drawn together to create a national overview in a separate section.

- searches of available circular memoranda. These were issued by Head Office and some collections of these were found and searched for information regarding policy and practice directions to residences. In some cases circular memoranda amended social work manuals;
- a library search uncovered a number of reviews and reports in relation to residences and these are also incorporated;
- the findings of a number of research projects from students at NZ universities;
- the manuals issued in relation to residential social work. A series of 4 manuals were in place from 1959 onwards and they set out detail in regard to required practice. Although these manuals did not have the force of law they provide a guide to standards and expectations of the day. Particular instructions are difficult to date as they were regularly amended but amendments were not dated on each page. Therefore, manuals are referenced in this report as covering time periods, namely:
  - The Field Officers Manual (Child Welfare Division) 1958-1969
  - The Social Workers Manual (Child Welfare Division), 1970
  - The Residential Workers Manual (DSW), circa 1975/76
  - The Social Work Manuals (DSW, Vols I and II) circa 1984.
- Codes of Practice that set out the desired standard of professional care; and
- relevant legislation and regulations.

While this section of the report gathers together all available information, there are considerable gaps. Therefore, a complete picture of the framework that Managers and Principals of institutions operated within has not been able to be constructed. Some of the detail has been lost to the record. However, this section does set out what was found and organises the material according to the topic headings used for the residence profiles.

## Programmes and care

Each manual sets out the admissions policy for national and district institution.<sup>72</sup> Some admission criteria were broad.<sup>73</sup>

### The Manuals – short-term institutions

The 1958-1969 Manual sets out the basic approach to care in regard to short-term institutions; that is, Boys' and Girls' Homes.<sup>74</sup> Staff were instructed to get to know the children well, and show respect for each child, even if that child's behaviour was not acceptable. The Manual set out the importance of the admissions process; the need for children to have familiar clothes and possessions, and to either talk or be left alone,

<sup>72</sup> See, for example Field Officers Manual, Child Welfare Division, 1958-1969, Q3; Social Work Manual, 1984, Vol II, DSW, Q2.1.3.

<sup>73</sup> Social Workers Manual, Child Welfare Division, 1970, J5.5.

<sup>74</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 84 et seq.

depending on their circumstances. The Manual also stated that children in care could not be expected to respect authority for its own sake. Home backgrounds often meant that children needed new ways to interpret authority. Where home life had been unstable, children would benefit from "reasonable limits consistently applied".<sup>75</sup> Rules and regulations were to be kept to a minimum.<sup>76</sup> The 1975/76 Manual also noted that routines should be reasonable but not excessive.<sup>77</sup>

Staff were instructed to keep an eye on outgoing and incoming mail, rather than to apply censorship rules. It was noted that half-truths in letters from children sometimes gave their parents cause for concern.<sup>78</sup>

According to the 1958-1969 Manual, a system of rewards and privileges was to be used instead of applying punishments. Bargaining points in terms of rewards included pocket money, chores and outings. Bribery was not permitted and any chores assigned were not to be unconstructive or unnecessary.<sup>79</sup>

Group methods based on discussion and majority votes were permitted but anything resembling a prefect system, where children had power over other children, was not permitted.<sup>80</sup>

Meals were to be sociable occasions with staff sharing the same food as residents.<sup>81</sup>

Recreational activities were to be encouraged but not forced on residents and were to include big-muscle activities as well as relaxing pastimes.<sup>82</sup> In addition, music, singing, drama, arts and crafts, cinema and hobbies were suggested as useful and therapeutic activities.<sup>83</sup>

Within reason, residents were able to spend pocket money on what they liked. "Credit entries" and group purchasing by staff were preferred over children handling money themselves. Pocket money could be withheld as part of an incentive programme.<sup>84</sup>

Instructions in relation to programmes and care as outlined above do not appear in the 1970 Manual but were repeated, largely unchanged, in the 1975-76 Manual.<sup>85</sup>

Department representatives travelled overseas in the early 1970s to examine residential practices, and this influenced the design of institutions opened in the early 1970s such as Weymouth.

The 1984 Manual advised that pocket money could not be withheld, but that spending could be delayed or curtailed as a punishment. Deductions to pay for property damage were also permitted.<sup>86</sup> The 1984 Manual also included a Code of Practice that set out the standards of care that an institution should aim for.<sup>87</sup> Other aspects of the 1984 Manual's instructions in relation to programmes and care are set out below.

<sup>75</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 112.

<sup>76</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 118.

<sup>77</sup> Residential Workers Manual, DSW, 1975/76, F6.13.

<sup>78</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 98.

<sup>79</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 116.

<sup>80</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 116.

<sup>81</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J119. See also, Social Work Manual 1984, DSW Vol II, Q 4.12.

<sup>82</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 121.

<sup>83</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 122.

<sup>84</sup> Field Officers Manual, Child Welfare Division, 1958, J 130. See also, Residential Workers Manual, DSW, 1975/76, F6.14.

<sup>85</sup> Residential Workers Manual, DSW, 1975-1976, F 6.

<sup>86</sup> Social Work Manual 1984, DSW Vol II, Q 4.14.

<sup>87</sup> Social Work Manual 1984, DSW Vol II, Q 10.14.

## The Manuals – long-term institutions

A separate section of the 1958 Manual sets out policies for long-term institutions.<sup>88</sup> The long-term institutions at that time were the four training centres at Kohitere, Hokio, Kingslea and Fareham House.<sup>89</sup> Most children in these institutions were state wards and the approval of the Superintendent was required for all admissions.<sup>90</sup> They were institutions of last resort and before placement it was necessary that all other means of care had been exhausted.<sup>91</sup> In considering whether to recommend a child to a long-term training centre, an officer was required to weigh up whether the harm that might be done by being in close association with other unsettled and delinquent children might be outweighed by the good achieved by institutional training.<sup>92</sup>

Medical certificates were required prior to admission, in particular certifying that the child did not suffer from any communicable disease.<sup>93</sup> District files were also to be sent ahead.<sup>94</sup>

The 1958-1969 Manual provides a brief description of each long-term residence, but does not set out policies in regard to programmes and care in the detail provided for short-term residences. It appears as if the Principal of each long-term institution had a degree of autonomy to run the institution under their control.

Instructions in relation to programmes and care as outlined above do not appear in the 1970 Manual but were repeated, largely unchanged, in the 1975-76 Manual.<sup>95</sup> The 1970 Manual refers to the Division's responsibility to clothe state wards in a way that didn't make them stand out in the community. This was to be done without extravagance in either quality or quantity but rather to be at the standard of a sensible parent of average means.<sup>96</sup>

## 1984 Social Work Manual

In 1983, any child or young person admitted into extended care had to have a care plan prepared before admission.<sup>97</sup> The 1984 Manual stated that a child or young person should be admitted to the unit or house where they would stay throughout an extended care placement. Principals were instructed to resist progressive or staircase systems where promotion between houses was made on behavioural grounds.<sup>98</sup>

The 1984 Manual stated that daily chores were to be those expected of children living with their families.<sup>99</sup> Children and young people were to be given adequate rest but enforced bed rest was prohibited.<sup>100</sup>

The 1984 Manual also stated that timeout was an acceptable behaviour strategy and needed to be applied according to clear guidelines set down by the Principal.<sup>101</sup>

<sup>88</sup> Field Officers Manual, Child Welfare Division, 1958, Part Q: Training Centres.

<sup>89</sup> There were still 4 institutions in 1970, see Social Workers Manual, Child Welfare Division, 1970, J 6.1.

<sup>90</sup> Field Officers Manual, Child Welfare Division, 1958, Q 3. Still the case in 1970; see Social Workers Manual, Child Welfare Division, 1970, J 6.2.

<sup>91</sup> Field Officers Manual, Child Welfare Division, 1958, Q 4.

<sup>92</sup> Field Officers Manual, Child Welfare Division, 1958, Q 7.

<sup>93</sup> Field Officers Manual, Child Welfare Division, 1958, Q 9. Still the case in 1970; see Social Workers Manual, Child Welfare Division, 1970, J 6.8.

<sup>94</sup> Field Officers Manual, Child Welfare Division, 1958, Q 11.

<sup>95</sup> Residential Workers Manual, DSW, 1975-1976, F 6.

<sup>96</sup> Social Workers Manual, Child Welfare Division, 1970, J 16.

<sup>97</sup> Circular Memorandum 1983/92, 25/7/83, General Residence Information, Programmes and Care.

<sup>98</sup> Social Work Manual 1984, DSW Vol II, Q 4.6.

<sup>99</sup> Social Work Manual 1984, DSW Vol II, Q 4.9.

<sup>100</sup> Social Work Manual 1984, DSW Vol II, Q 4.11.



Programme principles were set out and programmes were expected to link with an individual's programme.<sup>102</sup> Opportunities were also to be provided within the daily lived experience within an institution.<sup>103</sup>

Progress reports on each resident were required "at intervals consistent with the Department's planning and review processes".<sup>104</sup> Reference was also made in the 1984 Manual to the Code of Practice, which set out minimum standards.<sup>105</sup>

## Post 1984

The Department had a focus on meeting the needs of both Maori staff and residents in 1985, setting up a Ministerial Advisory Committee and attempting to institute a bi-cultural approach to social work.<sup>106</sup>

The Children and Young Persons (Residential Care) Regulations 1986 set out a number of requirements, as well as stipulating that children and young people were made aware of the regulations.<sup>107</sup> For example, children were to eat together and instructions were to be given verbally.<sup>108</sup> Mail searches had to be done in the presence of young people and correspondence was not to be read.<sup>109</sup> Five hours a day of constructive learning activity was required, as well as 2 hours a day of sport and recreation.<sup>110</sup> General and specific behaviour modification programmes had to be explained to residents.<sup>111</sup> Silence could not be used as a punishment.<sup>112</sup>

In 1987, a policy was issued in regard to the showing of films in residences. Films had to be of an appropriate age restriction and not feature violence or explicit sexual activity nor denigrate women. Home recorded videos of TV programmes were not permitted. Television programmes screened after 8.30pm had to be subject to a content check and Principals were to guard against the overuse of passive entertainment.<sup>113</sup>

A Code of Practice in 1991 set out detailed standards across programmes and care, as well as providing many specifics in regard to, for example, health and medication and appropriate staff behaviour.<sup>114</sup>

## Work and training

Policies and practices in relation to work and training are mostly found in regard to information about the running of particular institutions, for example, Kohitere, as a long-term institution for older boys, had an emphasis on work and training, while residences for

<sup>101</sup> Social Work Manual, 1984, Vol II, DSW, Q 5.6.

<sup>102</sup> Social Work Manual, 1984, Vol II, DSW, Q 4.5; 4.5

<sup>103</sup> Social Work Manual, 1984, Vol II, DSW, Q 4.7.

<sup>104</sup> Social Work Manual, 1984, Vol II, DSW, Q 10.11.

<sup>105</sup> Social Work Manual, 1984, Vol II, DSW, Q 10.11.

<sup>106</sup> KJ Woods, Principal, Bollard Girls' Home, Response to Circular Memorandum 1985/126, General Residence Information, Programmes and Care, F5000002185665.

<sup>107</sup> For an example see "The Children and Young Persons (Residential Care) Regulations 1986", DSW, General Residence Information, Secure Care, ADM 21-6-202 Part Two.

<sup>108</sup> The Children and Young Persons (Residential Care) Regulations 1986, Regulations 11, 12, and 35.

<sup>109</sup> The Children and Young Persons (Residential Care) Regulations 1986, Regulations 14-17.

<sup>110</sup> The Children and Young Persons (Residential Care) Regulations 1986, Regulation 36.

<sup>111</sup> The Children and Young Persons (Residential Care) Regulations 1986, Regulation 21.

<sup>112</sup> The Children and Young Persons (Residential Care) Regulations 1986, Regulation 25.

<sup>113</sup> Circular Memorandum 1987/95, 30/6/87, General Residence Information, Programmes and Care.

<sup>114</sup> Department of Social Welfare, 1991, Code of Practice for Residential Care Services, National Information folder, Codes and Standards.

younger children were more focussed on meeting educational needs. There is little in the Manuals about work and training specifically, although preparation for life after institutional care included work experience and skill development, although the implementation of this varied from residence to residence.

In 1967, the policy in regard to work experience for backward children in social welfare institutions was set out. Fourteen year olds could work a maximum of on day a week, but there was no such restriction for those 15 and over.<sup>115</sup>

### Resident-to-resident issues

Programmes and care sections of the manuals set out basic approaches to privacy and other issues. There is little specific mention of policies relating to the handling of disputes between residents at a national level, with most information of this nature appearing in incident reports or personal files for specific residences.

In answer to a parliamentary question in 1994, the Minister of Social Welfare noted that the sexual assault of residents by other residents was prevented by 24-hour social work supervision. Only one incident of sexual assault by a resident on another resident had been reported – at Weymouth in February 1994.<sup>116</sup>

### Health and medication

For short-term Boys' and Girls' Homes, the 1958-1969 Manual suggested bathing on admission, depending on the physical and emotional state of the child, noting that bathing in front of a stranger would place strain on the child. Therefore, if a child could not bathe unaided, this step was to be postponed.<sup>117</sup> For long-term training institutions, a medical certificate stating a child was free of any contagious or infectious disease was to accompany all admissions.<sup>118</sup>

The Health Act 1956 made it an offence for a person in charge of someone with a communicable or infectious disease to take them into a public place without taking proper precautions against the spread of disease. In 1966, two policewomen faced disciplinary charges when a young woman under treatment for venereal disease they were escorting by train to Arohata escaped.<sup>119</sup>

The 1975/76 Manual stated that medical checks, including those for venereal disease, should be carried out by a visiting doctor and that reasons for the checks should be thoroughly discussed with girls in care. In terms of communicable and infectious diseases "Chronic absconders who refuse treatment must be restrained in the interests of public health".<sup>120</sup>

<sup>115</sup> Circular Memorandum 1967/65, 20/10/6, General Residence Information, Work and Training.

<sup>116</sup> General Residence Information, Resident-to-resident Issues, Question for Oral Answer on Wednesday 16 March 1994, F5000004081323.

<sup>117</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 90.

<sup>118</sup> Field Officers Manual, Child Welfare Division, 1958-1969, Q 9.

<sup>119</sup> Memo KJ FlInt, DCWO to Superintendent 3 Mar 1966, Allendale file 31419.

<sup>120</sup> Residential Workers Manual, DSW, 1975-1976, F2.26.

The 1975/76 Manual expanded on the provisions relating to health, adopting a more holistic view of a positive health programme and setting out minimum first-aid and medical room requirements.<sup>121</sup> By 1975/76 the policy was that venereal disease checks could only be done with the consent of the child or young person.<sup>122</sup> There is some evidence that consent was not sought.<sup>123</sup>

The importance of keeping full medical files, conducting medical checks and consulting with family was noted in 1980.<sup>124</sup>

There was no Departmental policy on how often a psychologist or psychiatrist should attend an institution.<sup>125</sup>

The 1984 Manual stated that all children should receive a medical examination as soon as possible after coming into care.<sup>126</sup> Medical examinations were voluntary and could not be done without the consent of the young person. Discussions about risk of sexually transmitted infections were to be carried out sensitively.<sup>127</sup> Access to medical and specialist health care were also set out in detail in the 1984 Manual.<sup>128</sup>

## Psychiatric hospital placement

The 1958-1969 Manual states that under an arrangement with the Division of Mental Health of the Department of Health, a state ward placed in a mental hospital was not discharged from the Superintendent's control, but kept on the books of the Child Welfare Division. An officer of the Child Welfare Division was required to visit the state ward once every 4 months until the child was discharged or until they reached 21 years of age. Where a ward was discharged from hospital before turning 21, the Child Welfare Division resumed responsibility for the supervision and guidance of the ward until they were settled in the community.<sup>129</sup>

The 1958-1969 Manual also contains procedures for admission to hospital, including the preparation of an application under the relevant law, including submitting medical assessments.<sup>130</sup>

In regard to children and young people admitted to psychiatric hospitals, the Division of Mental Health was responsible for the child or young person's clothing and pocket money. However, any extra or special clothing requirements, for example for adolescents, could be purchased by a DCWO, provided it did not exceed what the average responsible parent would buy. In addition, the DCWO was responsible for ensuring a child or young

<sup>121</sup> Residential Workers Manual, DSW, 1975/76, F2 section generally.

<sup>122</sup> Residential Workers Manual, DSW, 1975/76, F2.26.

<sup>123</sup> Communication between Jennifer Pomeroy, Senior Social Work Advisor, Historic Claims Team, Child Youth and Family and Dr Margaret Sparrow, Medical Officer to girls at Miramar Girls' Home in the late 1970s (24/08/06) Filed at: General Residence Information, Health and Medication.

<sup>124</sup> Circular Memorandum 1980/75, 11.7.80, Head Office DSW, C0/10/1-16.

<sup>125</sup> Visiting Committee Seminar, 16-17 April 1980, Issues Raised with the Director-General, p 3, General Residence Information, Visiting Committees, F5000006661406

<sup>126</sup> Social Workers Manual 1984 Part I, C4.12, General Residence Information, Health.

<sup>127</sup> Social Workers Manual 1984 Vol II, Q2.2.12, General Residence Information, Health.

<sup>128</sup> Social Work Manual, 1984, Vol II, DSW, Q 7.

<sup>129</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 513 (ii).

<sup>130</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 511.

person leaving hospital had an outfit adequate to commence employment or resume life in the community.<sup>131</sup>

The 1970 Manual repeats these provisions, lowering the age of majority to 20 years, and updating procedures to reflect the Mental Health Act 1969 requirements.<sup>132</sup>

Under the 1984 Manual instructions, admissions to psychiatric hospitals were to be done pursuant to the processes in the Mental Health Act 1969. Treatment of state wards was covered by section 49A(2) of the Children and Young Persons Act 1974. State wards aged 16 or over had to consent to treatment while those under 16 required the consent of a parent or guardian (not the Director-General), or in certain circumstances, a substitute of the parent or guardian.<sup>133</sup>

In 1984, after a suicide occurred at Weymouth Girls' School, guidelines on risk assessment and management of suicidal residents were issued.<sup>134</sup>

## Staffing

Staffing and management structures within the department are covered in the section on Lines of Responsibility. Staff training and the professionalisation of social work are out of the scope of this report and may be the subject of a separate report in the future.

The Child Welfare Division set out duties of institution officers.<sup>135</sup> The 1958-1969 Manual set out how Boys' and Girls' Homes were to be run. Managers' and Matrons' duties were listed.<sup>136</sup> The holding of staff meetings at least once a month was expected as standard practice.<sup>137</sup> The 1970 Manual did not list the respective duties of Managers of Boys' Homes and Principals of Girls' Homes (note the name change from the previous "Matron"), but simply stated that these officers had administrative control of the Home.<sup>138</sup> In 1970, staff meetings were still expected to be held at least once a month.<sup>139</sup> The 1975/1976 Manual set out the lines of responsibility and relationships between different sections of the department.<sup>140</sup>

In response to a Parliamentary question, the Minister of Social Welfare advised that as at 18 December 1979 there were 52 male staff members of department residential institutions for girls, being 19% of the total staff at these institutions. The House was also advised that two official complaints had been laid by either female staff or female residents against male staff in the past five years.<sup>141</sup>

<sup>131</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 513 (a) and (b).

<sup>132</sup> Social Workers Manual, Child Welfare Division, 1970, J 28.

<sup>133</sup> Social Work Manual, 1984, Vol II, DSW, Q 18.14.

<sup>134</sup> Circular Memorandum 1985/28, 14/2/85, General Residence Information, Health. See also Social Workers Manual 1984, Vol II, Q5.9.

<sup>135</sup> Child Welfare Division, undated, pre 1972, Duties of Institution Officers, see General Residence Information, Staffing, Dunedin Archives, ABNT D505/21.

<sup>136</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 74.

<sup>137</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 77.

<sup>138</sup> Social Workers Manual, Child Welfare Division, 1970, J 5.7.

<sup>139</sup> Social Workers Manual, Child Welfare Division, 1970, J 5.11.

<sup>140</sup> Residential Workers Manual, DSW, 1975/76, E.

<sup>141</sup> GF Gair, Minister of Social Welfare, Question for Written Answer 18/12/79, General Polices, Staffing, F5000005627876.

In 1979, Maori staff made up 21% of staff at department children's homes.<sup>142</sup>

For a few years in the early 1980s, a residential social worker's newsletter was produced and circulated to all residences. The newsletter contained articles of interest to residential social workers, including observations by staff, articles on solvent abuse and tattooing and plans for a national training programme.<sup>143</sup>

In 1982 the department reviewed its residential services. The *New Horizons* report set out the ways in which the department and its employees were accountable. In addition to the normal channels of public service accountability, the report considered that residential social work staff were accountable through:

- visits by Head Office staff
- inspection reports by Advisors
- Principal's Annual Reports
- Monthly statistical returns
- Incident diary
- Regular social work supervision
- CYP planning reviews, progress reports and placement reports
- Codes of Practice
- Residential Workers Manual

The 1984 Manual states that the desired attributes of staff were warmth, friendliness and an accepting manner.<sup>144</sup> In addition, programme principles are set out in this Manual.<sup>145</sup>

The 1984 Manual set out policies for responding to complaints by residents against staff and by staff against residents.<sup>146</sup> These included policies in regard to alleged assaults.<sup>147</sup>

The 1984 Manual required formal social work supervision of residential staff no less than once every 3 weeks, with informal shift supervision also encouraged.<sup>148</sup> Problems with adequate formal supervision due to a lack of trained staff were noted in 1984.<sup>149</sup> Each institution was to also have a Social Work Advisor based at Head Office, who assisted on management and programme issues. A formal review of each institution took place once every 3 years.<sup>150</sup>

<sup>142</sup> GF Gair, Minister of Social Welfare, Question for Written Answer 18/12/79, General Polices, Staffing, F5000005627876.

<sup>143</sup> Residential Social Workers' Newsletters Numbers 18, 19 and 22 are filed in the "National Information" folder. Newsletter 22 is also filed in the Social Work Education file because it contains information about a proposed training programme.

<sup>144</sup> Social Work Manual 1984, DSW Vol II, Q 4.2.2.

<sup>145</sup> Social Work Manual 1984, DSW Vol II, Q 4.4.

<sup>146</sup> Social Work Manual 1984 Vol II, Q5.8.5, General Residence Information, Health.

<sup>147</sup> Social Work Manual, 1984, Vol II, DSW, Q 5.8.

<sup>148</sup> Social Work Manual, 1984, Vol II, DSW, Q 10.7.

<sup>149</sup> BM Manchester for Director-General to Directors/Principals 7/6/84, General Residence Information, Staffing F5000002186500.

<sup>150</sup> Social Work Manual, 1984, Vol II, DSW, Q 10.8.

Some time after 1992, all department employees were required to sign a Code of Conduct, which included a code of behaviour and disciplinary procedures for breaches of the code.<sup>151</sup>

## Schooling

The 1958-1969 Manual stipulates that children in Boys' and Girls' Homes should attend the local school, unless for good reason a child is best placed at their former school.<sup>152</sup> The specific approval of the Senior Inspector of Schools was required in each case where a child was kept out of school. Approval not to attend school was to be given for a specified time period.<sup>153</sup> In contrast, national institutions had schools on-site.

However, change occurred during the 1960s; the 1970 Manual notes that by that time most Boys' and Girls' Homes had schools on the premises.<sup>154</sup>

The 1970 Manual discusses education in relation to all state wards, including consideration of whether a child should attend school beyond the age of 15 years.<sup>155</sup>

In 1978 the Department of Education considered a number of changes in respect of schools in social welfare institutions. At this time all senior or head teachers were on a primary salary scale at a level related to the number of teachers at the school rather than to the number of pupils. All schools in social welfare institutions, with the possible exception of Beck House, contained either a mix of primary and secondary school pupils or secondary pupils only. It was recommended that a special education salary scale be used. The existing ratio of 1:12 was recommended to drop to 1:8, that a new appointments and points of contact system be instituted and that schools draw up budgets.<sup>156</sup>

During November/December 1981 a review of education of children in department residences was undertaken.<sup>157</sup> This 65 page review, referred to as the Rolfe/Doolan report, made a raft of recommendations. The reviewers found a wide variation in the quality of education offered and a service that had "grown like Topsy" leading to a "motley array of haphazard development with confusion over roles and management".<sup>158</sup> Recommendations included the updating of the Handbook for Teachers, a greater emphasis on the teaching of basic skills, and better professional support for teachers.

The Handbook for Teachers was re-issued in May 1986.<sup>159</sup> The Handbook noted that teaching styles based on teacher dominance were usually incompatible with the

<sup>151</sup> Code of Conduct, undated, DSW, General Residence Information, Staffing, F5000001630732.

<sup>152</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 102.

<sup>153</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 102.

<sup>154</sup> Social Workers Manual, Child Welfare Division, 1970, J 5.9.

<sup>155</sup> Social Workers Manual, Child Welfare Division, 1970, J 14.

<sup>156</sup> NP Harris, Regional Superintendent of Education, to Head Office, Department of Education 29/5/78, General Polices, Schooling, W35556/88 Prod# 2006/985.

<sup>157</sup> Rolfe, J and Doolan M, (1981) Review of Schools and Teaching Services in Department of Social Welfare Homes, Department of Education/Department of Social Welfare, Wellington, General Residence Information, Schooling, W35556/88 Prod# 2006/985.

<sup>158</sup> Rolfe, J and Doolan M, (1981) Review of Schools and Teaching Services in Department of Social Welfare Homes, Department of Education/Department of Social Welfare, Wellington, General Residence Information, Schooling, W35556/88 Prod# 2006/985, p 8.

<sup>159</sup> A Handbook for Teachers in Department of Social Welfare Institutions, 1986, General Residence Information, Schooling, F5000002368864.

characteristics of pupils in social welfare residences. Instead, the Handbook advised that an approach aimed at encouraging pupil responsibility should be used.<sup>160</sup>

A Ministerial Review of 7 Department of Education residential schools was undertaken in 1986. Apart from Campbell Park School, the schools reviewed fall outside the ambit of this report. The review recommended the closure of Campbell Park School, with services for backward children to be consolidated at Salisbury and Hogben Schools.<sup>161</sup>

A report to the Minister of Social Welfare in 1992 recommended the establishment of educational units attached to social welfare institutions to provide education for youth justice residents only. Care and protection cases were to attend local community schools. In 1992, three of the four existing residences had schools on campus, with Epuni School having closed in 1990 and been replaced with a unit attached to the local high school. Kingslea School had 12 classrooms staffed by 13.5 teachers and a high proportion of non-resident students (56%). Highcliff had 2 classrooms, 3.2 teaching positions and a 63% non-resident roll. Weymouth School had 13 classrooms that could take up to 72 students, although only 28 were enrolled in 1992. Weymouth school was designated primary, although only pupils were mostly of secondary level.<sup>162</sup>

## Absconding

The 1958-1969 Manual states that absconding was to be guarded against because of the danger to young people of serious misconduct while absconding, and the effect of this on the reputation of the institution within the community.<sup>163</sup>

The 1958-1969 Manual stipulates that local police and the District Child Welfare Officer or Senior Child Welfare Officer were to be notified of absconding incidents. Returned absconders were not necessarily to be punished, if, for example, deprivation of privileges would suffice.<sup>164</sup> Extra chores might be imposed, if they were constructive chores. In some cases corporal punishment might be applied. Each case should be considered on its merits, and no rule of thumb followed.<sup>165</sup> These instructions were repeated in the 1975/76 Manual.<sup>166</sup> However, departmental policy sanctioned confinement in secure as a punishment for certain cases of absconding, where senior officers considered it warranted.<sup>167</sup>

The Department came in for some criticism in 1973 after 3 absconders died in 2 separate accidents and where parents had not been notified of the absconding in the case of 2 of the boys. Procedure for notifying parents of absconding was set out, via Districts in the case of National Institutions. Notification of return to the institution was also required.<sup>168</sup>

<sup>160</sup> A Handbook for Teachers In Department of Social Welfare Institutions, 1986, General Residence Information, Schooling, F5000002368864, p 15.

<sup>161</sup> Department of Education (1986) Ministerial Review: Evaluation of Departmental Residential Special Schools, Draft Report, General Residence Information, Schooling, F5000004673586.

<sup>162</sup> Report to the Minister of Social Welfare – Special Services – Schools on Social Welfare Residence Campuses, 1/8/92, General Residence Information, Schooling, F5000006021151.

<sup>163</sup> Field Officers Manual, Child Welfare Division, 1958, J 125.

<sup>164</sup> Field Officers Manual, Child Welfare Division, 1958, J 127.

<sup>165</sup> Field Officers Manual, Child Welfare Division, 1958, J 127.

<sup>166</sup> Residential Workers Manual, DSW, 1975/76, F12.04.

<sup>167</sup> Field Officers' Manual, 1975/76, DSW, F 6.09.

<sup>168</sup> Circular Memorandum 1975/78, 7/11/73, Head Office DSW C0/10/1-9. 5. Abscondings from Institutions – Notifying Parents CW 3/11. General Residence Information, Absconding.

By the 1970s, it was departmental policy to notify parents whenever a child in a residence absconded.<sup>169</sup>

The responsibility of a Field Social Worker to return any absconder making contact with them was noted in 1975. It was common for absconders to make contact with their social worker but for the social worker to believe it important that the young person returned of their own free will. Social workers were instructed to return the absconder, seeking assistance from a senior social worker or the Police if necessary.<sup>170</sup>

Absconding policies are set out in the 1984 Manual. Parents and Police were to be advised. Except at Bollard and Owairaka, where rapid turnover made matters impracticable, residential social work staff were expected to take part in searches for absconders.<sup>171</sup>

From the late 1970s, national absconding statistics were compiled. In a number of residences, the figures supplied the Head Office for this purpose differed from the figures used in Annual Reports from residences. These discrepancies are noted in the individual residence profiles.

Notification of an upcoming study on absconding by Victoria University of Wellington was given in 1985.<sup>172</sup>

### Secure care

In line with overseas trends, secure units (also known as close custody units) were set up within New Zealand social welfare institutions during the 1950s.<sup>173</sup> Public and police pressure in response to a rise in the number of absconding children, led to the building of these units.<sup>174</sup> Increase in absconding was in turn due to other pressures in the system, for example; increased numbers of children in institutional care, overcrowding, admission of more "serious, troubled" cases and a lack of trained staff. Many institutions had to deal with a wider range of children.

Helen Lallu and other researchers have questioned whether secure units were a response to needs of staff rather than due to any therapeutic purpose. Secure units were a way of meeting the physical shortcomings of institutions and could also be used in times of staff shortages.<sup>175</sup> However, a new treatment involving periods of physical isolation was also gaining prevalence at the time, giving some basis to the use of secure for therapeutic reasons.<sup>176</sup>

<sup>169</sup> Memo from Manager to staff 22/3/71, Dunedin Boys' Home file F500000673295; Kohitere file F5000001599565 file 8/6/19 1973. See also Residential Workers Manual, DSW, 1975/76, F12.03.

<sup>170</sup> Circular Memorandum 1975/26, 19/3/75, Head Office DSW C0/10/1-11. 5. Absconders from Institutions CW 3/11. General Residence Information, Absconding.

<sup>171</sup> Social Work Manual, 1984, Vol II, DSW, Q 5.4.5.

<sup>172</sup> Circular Memorandum 1985/63, 11/4/85, Head Office DSW, File F5000006089539, Absconding from Social Welfare Institutions, SWK 9-0014; OCCS 4/4.

<sup>173</sup> Lallu H, (1979) The Role of Secure Units in Social Welfare Department Institutions, MA (Applied) Social Work Thesis, Victoria University of Wellington; p 48, citing National Institutions Management File, April 1972, p17.

<sup>174</sup> Lallu H, (1979) The Role of Secure Units in Social Welfare Department Institutions, MA (Applied) Social Work Thesis, Victoria University of Wellington; p 48, citing National Institutions Management File, April 1972, p 24.

<sup>175</sup> Lallu H, (1979) The Role of Secure Units in Social Welfare Department Institutions, MA (Applied) Social Work Thesis, Victoria University of Wellington; p 48, citing National Institutions Management File, April 1972, p 32.

Helen Lallu studied the use of secure care at Kohitere and Epuni in 1979.

<sup>176</sup> Lallu H, (1979) The Role of Secure Units in Social Welfare Department Institutions, MA (Applied) Social Work Thesis, Victoria University of Wellington; p 48, citing National Institutions Management File, April 1972, p 38.



At times the physical limitations posed by secure units limited the therapeutic use to which they could be put. For example, concerns were noted about the physical limitations of Kohitere secure facilities in 1973, "Not only is this building archaic and depressing physically, but it allows little room for the development of a positive programme. We are at the moment more often than not simply putting boys out of circulation by admission to this unit".<sup>177</sup> The Kohitere 1981 Annual Report noted "It is generally accepted that the present facilities impose serious limitations on what can be achieved within the secure unit".<sup>178</sup> At Kingslea, despite physical limitations and the growing use of secure for residents on remand, an effort was made to maintain the therapeutic use of the secure unit.<sup>179</sup>

The 1958-69 Manual appears to contain the first detailed policies in regard to secure care. All of the rules from the 1958-1969 Manual were also incorporated into the 1975/76 Manual, and they were updated in the 1984 Manual and so this discussion extends through later periods also.<sup>180</sup>

The 1958-1969 Manual required the keeping of a detailed secure care register – a requirement that continued in subsequent periods.<sup>181</sup> Records had to be kept of admission time, reason for admission; the name of the admitting officer and time of release. The Manual stated that "It is clearly in the interests of all institution officers that this instruction [in regard to keeping a register] is meticulously observed".<sup>182</sup>

While there was no minimum or maximum duration for secure care, the 1958-1969 Manual stated that "close custody" was to be terminated as soon as the child or young person's behaviour warranted. Secure care was to be reviewed regularly and the opinions of staff working with the child or young person considered. Placement in secure was viewed by the department as an emergency procedure to be terminated as soon as the behaviour of the child or young person indicated otherwise. However, there are some instances of long-stays on the files.

A number of other secure care requirements are set out in the Manuals. For example, only specially designed or adapted rooms could be used, and, other than in an emergency, only one child could be placed in each room. However, there are examples of overcrowding in secure facilities – for example in 1977, the Principal of Owairaka advised that it would be impractical to notify the Director-General every time that more than one boy occupied a secure room, due to the frequency with which doubling up took place.<sup>183</sup>

There was a requirement that children and young people in secure care were constructively occupied with activities and appropriate leisure pastimes. However, children in some Auckland residences in the 1960s and 1970s complained of having little meaningful activity.<sup>184</sup> No food restrictions were permitted for those in secure care. Observations were required half hourly during the day and hourly at night.<sup>185</sup>

Any person in secure for more than 3 days had to be visited by the institution's teacher and encouraged to continue their formal education.

<sup>177</sup> letter from PT Woulfe, Principal to Director-General 23/11/73, Kohitere file 32573.

<sup>178</sup> (Annual Report 1981, p2 Kohitere files ADM 21-6-02 Part Two).

<sup>179</sup> See residence profile, Kingslea, Secure section.

<sup>180</sup> Residential Workers Manual, DSW, 1975/76, F7.04 – 7.10.

<sup>181</sup> Field Officers Manual, Child Welfare Division, 1958, J 124, (III).

<sup>182</sup> Field Officers Manual, Child Welfare Division, 1958, J 124.

<sup>183</sup> A Ricketts, Principal Owairaka to Director-General, 7/12/77, Owairaka Secure F5000002388339.

<sup>184</sup> See Auckland Committee on Racism and Discrimination, 1979, *Social Welfare Children's Homes, Report on an Inquiry held on June 11 1978*, ACORD, Auckland, p 2.

<sup>185</sup> All of these matters appear in the Guidelines Issued in July 1974.

Rules about health and hygiene were set out, with residents supposed to have a daily shower or bath as well as have adequate light, warmth, ventilation and a safe environment. No less than one hour in every 24 hour period was to be for physical activity.

Children and young people in secure care were not to have restrictions on food quantity. Wherever possible they were to eat in a common room with other residents in secure and staff and were not to be locked up immediately after a meal without good reason.

Staff were to be provided with written guidelines based on section 7 of the Manual and the guidelines were to be reviewed frequently at staff training sessions. These rules applied to both short-term and long-term institutions.<sup>186</sup>

By November 1966, Fareham House was the only long-term facility without secure care. Some of these units were small at the time, but many extensions were being planned<sup>187</sup>, and upgrades took place at many institutions throughout the 1970s and 1980s. In 1979, 14 out of 23 residences had a secure unit, while 9 did not. In 1982 14 out of 21 institutions had secure care facilities, ranging from 2 to 19 rooms. Most were designed as remand facilities and were suitable for short term stays.

Guidelines on the use of secure were issued to all residences on 16 July 1974.<sup>188</sup> Each issue in the guidelines was subsequently incorporated into the 1975/1976 Residential Workers' Manual.<sup>189</sup> In December 1974, a Circular Memorandum ordered that secure rooms were not to be referred to as "cells", and the secure units were to be called "secure".<sup>190</sup>

The 1975/76 Residential Workers Manual states that secure care could be used as a punishment, for serious offences committed while in the institution (especially serious and persistent misbehaviour), or for absconders.<sup>191</sup>

It was common to issue a complete change of clothes to young people being admitted through secure, in order to minimise the chance of contraband articles entering secure.<sup>192</sup> The 1975/76 Manual also noted that this was a good time to check the young person for bruises or hypodermic needle marks.<sup>193</sup>

Admission directly to secure as a matter of course was prohibited by the 1975/76 Manual.<sup>194</sup> However, admission through secure was not viewed as a punishment by the Department, but rather a way of offering a settling in period and was common practice at short-stay local institutions in the late 1970s.<sup>195</sup> Admission through secure was standard practice at Epuni,<sup>196</sup> Bollard and at Weymouth in the mid- to late-1970s.<sup>197</sup>

<sup>186</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 124.

<sup>187</sup> Lallu H, (1979) The Role of Secure Units in Social Welfare Department Institutions, MA (Applied) Social Work Thesis, Victoria University of Wellington; p 48, citing National Institutions Management File, April 1972, p 35.

<sup>188</sup> DG Reilly for Director-General to All Directors, All Principals, 16/7/74, General Residence Information, Secure, SWK 9-22-1 Part One EBH 6/41/18.

<sup>189</sup> Annual Report Kohitere 1981, Kohitere Reports 32922.

<sup>190</sup> Circular Memorandum 1974/102, 5/12/74, Head Office DSW, General Polices, Secure, CO/10/1-10.

<sup>191</sup> Residential Workers Manual, DSW, 1975/76, F6.09.

<sup>192</sup> Residential Workers Manual, DSW, 1975/76, F7.03.

<sup>193</sup> Residential Workers Manual, DSW, 1975/76, F7.03.

<sup>194</sup> Residential Workers Manual, DSW, 1975/76, F1.06.

<sup>195</sup> Lallu H, (1979) The Role of Secure Units in Social Welfare Department Institutions, MA (Applied) Social Work Thesis, Victoria University of Wellington; p 48, citing National Institutions Management File, April 1972.

<sup>196</sup> See Lallu H, (1979) The Role of Secure Units in Social Welfare Department Institutions, MA (Applied) Social Work Thesis, Victoria University of Wellington; p 48, citing National Institutions Management File, April 1972.

There is evidence that secure was used as a punishment in the late 1970s. For example, at Weymouth, returned absconders and those committing serious offences within the residence were sent to secure for a routine 3 weeks, although by 1979 the system was modified so that a girl could be released earlier for good behaviour.<sup>198</sup> At Epuni, a distinction was made between those offenders taking part in induction, who were allowed group contact within secure, and those who were there to be punished for absconding, who were not.<sup>199</sup>

Lallu argues that the regulation of the use of secure was vague enough to allow distinct practices to evolve at each institution.<sup>200</sup> One staff member with experience in a range of institutions said "Weymouth secure is different, freer, than Bollard or Allendale" suggesting that different practices did exist.<sup>201</sup>

Directors or Principals of national institutions were responsible for the use made of secure. This authority could be delegated to the Assistant Director (Social Work) or to the Assistant Principal. The Principal was also required to prepare a written guide for staff based on the guidelines, including emergency and fire drills. Regular review of the guidelines was required at training sessions of secure staff.<sup>202</sup>

In 1981, a meeting attended by representatives from lower North Island districts was held to discuss the need for additional secure facilities.<sup>203</sup> The Principal of Kohitere had raised the issue of the adequacy of their secure facilities 2 years earlier with Head Office and Epuni and Owairaka had also expressed similar concerns. The minutes indicate that a discussion document would be drawn up but this document was not found on file.<sup>204</sup>

Numbers of admissions to secure and the average length of stay in secure units throughout the country from 1979 to September 1982 were provided in response to a parliamentary question in October 1982.<sup>205</sup> Total admissions had dropped; the total number of secure admissions in 1981 was just over half of the total for 1979. The average length of stay had remained at around 3 days. Most young people spent between one day and one week in secure, with declining numbers of longer stay cases.<sup>206</sup> In 1982, 14 out of 21 residences had secure units, with a total of 98 secure beds nationwide.<sup>207</sup>

<sup>197</sup> (Human Rights Commission, 1982 at 20 (Bollard); Weymouth -Atwool, NR, 1977, *Weymouth Girls' School; A study of what is with a view to what might be*, thesis MA In Social Work (Applied) Victoria University of Wellington, p 39 - admission was to a medium secure unit and girls were only locked into their rooms at night.

<sup>198</sup> Atwool, NR, 1977, *Weymouth Girls' School; A study of what is with a view to what might be*, thesis MA In Social Work (Applied) Victoria University of Wellington, p 42.

<sup>199</sup> Lallu H, (1979) *The Role of Secure Units In Social Welfare Department Institutions*, MA (Applied) Social Work Thesis, Victoria University of Wellington; p 48, citing National Institutions Management File, April 1972.

<sup>200</sup> Lallu H, (1979) *The Role of Secure Units In Social Welfare Department Institutions*, MA (Applied) Social Work Thesis, Victoria University of Wellington; p 48, citing National Institutions Management File, April 1972, p 41.

<sup>201</sup> See Auckland Committee on Racism and Discrimination, 1979, *Social Welfare Children's Homes, Report on an Inquiry held on June 11 1978*, ACORD, Auckland, p 19.

<sup>202</sup> Residential Workers Manual, DSW, 1975/76, F7.02.

<sup>203</sup> Minutes of a meeting held on 5/11/81 to discuss the need for additional secure facilities, 13/11/81, General Residence Information, Secure, F5000001643102.

<sup>204</sup> Minutes of a meeting held on 5/11/81 to discuss the need for additional secure facilities, 13/11/81, General Residence Information, Secure, F5000001643102.

<sup>205</sup> Question for written answer for Tuesday 19 October 1982, General Residence Information, Secure, F5000005627876.

<sup>206</sup> Question for written answer for Tuesday 19 October 1982, General Residence Information, Secure, F5000005627876. Figures also appear in DSW, 1982, *New Horizons: A review of the residential services of the Department of Social Welfare*, Wellington, p 70.

<sup>207</sup> DSW, 1982, *New Horizons: A review of the residential services of the Department of Social Welfare*, Wellington, p 69.

The Human Rights Commission released a report in September 1982, in response to a complaint laid by the Auckland Committee on Racism and Discrimination (ACORD) in 1979 in regard to Children and Young Persons Homes administered by the Department of Social Welfare in the Auckland region.<sup>208</sup> The Human Rights Commission was critical of a number of department practices, and considered the use of secure care without legal rules to be in breach of the International Covenant On Civil and Political Rights. The report noted that the Manual fell short of having the force of law and that its contents did not seem to be widely known amongst Departmental staff.<sup>209</sup> Accordingly, in 1982 the Commission recommended regulations be enacted in respect of secure care.

In response to the Human Rights Commission Report, the Minister of Social Welfare appointed the Most Reverend AH Johnston to investigate and report on practices in the Auckland region. The Johnston report found that practices and procedures in the Auckland region were not generally as reported by the Human Rights Commission.<sup>210</sup> However, a number of changes were made as a result of the Johnston Report, including a policy not to admit to secure unless absolutely necessary.<sup>211</sup>

In response to the Johnston Report, the department issued an instruction in 1982 that all placements in secure be reviewed after 72 hours.<sup>212</sup> (The Johnston Report had recommended review after 48 hours.) The level of review was the Director or Assistant Director as appropriate. After the initial review, daily reviews were to be conducted by the Principal, with another review by the Director at the end of 3 days. Head Office was to be notified in writing of any cases of 14 days in secure without a break. Admissions were to be made to open units unless there was a substantial reason for admission to secure.<sup>213</sup>

A month after the release of the Human Rights Commission report, the department issued the *New Horizons* report, which reviewed residential services.<sup>214</sup> *New Horizons* noted that the lack of explicit departmental instructions in the use of secure care had led to individual Principals producing their own guidelines, which varied from institution to institution, as did practice.<sup>215</sup>

The working party considered three factors prevented secure units from fully operating in a social work model in all residences apart from Weymouth - design, inadequate staff numbers and the incompatibility of treatment and remand functions.<sup>216</sup> Building design in many institutions aimed to meet short periods of confinement along the justice model and layouts were unsuitable for the use to which they were being put. The review recommended alterations to ensure toilet privacy.

*New Horizons* found that staffing problems arose when dedicated secure staff were called on to work in open units when staff shortages arose. This led to half hourly checks on secure and a lack of programmes offered there. The recommendation was for separate

<sup>208</sup> See Auckland Committee on Racism and Discrimination, 1979, *Social Welfare Children's Homes, Report on an Inquiry held on June 11 1978*, ACORD, Auckland.

<sup>209</sup> HRC 1982 at 127

<sup>210</sup> Circular Memorandum 1983/32, 14/3/83, CO/10/1-21, General Residence Information, Secure.

<sup>211</sup> Circular Memorandum 1983/32, 14/3/83, CO/10/1-21, General Residence Information, Secure.

<sup>212</sup> Letter to Regional Director Auckland, 26/11/82, Allendale file F5000002386580. Also referenced in General Residence Information, Secure, SWK 9-22-1 Part One.

<sup>213</sup> Letter to Regional Director Auckland, 26/11/82, Allendale file F5000002386580. Also referenced in General Residence Information, Secure, SWK 9-22-1 Part One.

<sup>214</sup> DSW, 1982, *New Horizons: A review of the residential services of the Department of Social Welfare*, Wellington.

<sup>215</sup> DSW, 1982, *New Horizons: A review of the residential services of the Department of Social Welfare*, Wellington, p 69.

<sup>216</sup> DSW, 1982, *New Horizons: A review of the residential services of the Department of Social Welfare*, Wellington, p 70.

staffing of secure units with 4 or more beds. The review also noted that a practice had arose of putting the least experienced and lowest grade staff on secure unit duties.

Role conflict arose between the needs of the justice system and the social work model. Children and young people on remand were expected to be available for their next court appearance and expected not to abscond.

The working party presented options rather than making recommendations. Urgent development of rules or regulations regarding secure care as well as regular independent reviews of secure facilities, were called for.<sup>217</sup> This included the appointment of youth advocates (lawyers) to speak for young people whose secure care was being reviewed. Guiding principles were also drafted and these set out a standard of care.<sup>218</sup> Each institution was required to develop a Code of Practice and these would then be used to create a national Code.<sup>219</sup> The beginnings of the trend towards declining admissions to DSW institutions were evident at the time of the review.

In December 1982, a system of reviewing secure care placements at 3, 5 and 14 day intervals was introduced. This was altered to reviews at 3, 7 and 14 day intervals in the case of young people placed in secure care by residential staff and at 3 and 14 days for court-ordered placements. Daily reviews were also conducted in all cases.<sup>220</sup>

Prior to 1983, there was no specific empowering legislation to confine young people to secure care, although it had been the practice for more than 20 years. Further, by 1983 all department institutions had a secure unit of some description.<sup>221</sup> In 1983, amendments to sections 43A and 49AA of the Children and Young Persons Act 1974 gave specific powers to confine children and young people to secure.

In some cases a judge would, when remanding a young person, recommend that they remain in secure care. This presented problems where remands were for long periods, because secure care facilities in residences were designed for short stays. The long-standing practice of the department was to accommodate the court's wishes wherever possible, but to admit to secure on the discretion of the Principal.<sup>222</sup> Court officers were expected to argue against such orders where custody of a young person could be maintained under less restrictive conditions. Residential staff were to act on all Court orders for remand to secure, but as long as the young person was in the direct custody of staff, they need not be confined at all times to the secure unit.<sup>223</sup>

The 1984 Social Work Manual set out principles and policies in regard to secure care and close custody.<sup>224</sup> The limitation of freedom inherent in secure care meant that it was not to be applied wherever other, less restrictive means could be applied. Secure care was to be used only where necessary for the safety of the young person, or as part of a planned treatment programme.<sup>225</sup> Institutions were responsible for providing a safe secure

<sup>217</sup> DSW, 1982, *New Horizons: A review of the residential services of the Department of Social Welfare*, Wellington, p 82.

<sup>218</sup> DSW, 1982, *New Horizons: A review of the residential services of the Department of Social Welfare*, Wellington, at 73-74.

<sup>219</sup> DSW, 1982, *New Horizons: A review of the residential services of the Department of Social Welfare*, Wellington, p 83. Circular Memorandum 1983/32, 14/3/83, CO/10/1-21, General Residence Information, Secure.

<sup>220</sup> Circular Memorandum 1985/107, 3/7/85, Head Office DSW, [no file ref]

<sup>221</sup> Circular Memorandum 1987/14, 23/2/87, Head Office DSW, F5000004673594.

<sup>222</sup> SJ Stanton, Acting Regional Director, to Directors, 26/10/82, General Residence Information, Secure, F5000002388539.

<sup>223</sup> Circular Memorandum 1985/106, 3/7/85, Head Office DSW, General Residence Information, Secure F5000006089539.

<sup>224</sup> Social Work Manual, 1984, Vol II, DSW, Q 6. Close custody was defined as being in the secure unit in an unlocked room. See Q 6.2.2.

<sup>225</sup> Social Work Manual, 1984, Vol II, DSW, Q 6.1.

environment and for limiting stay to the shortest time possible.<sup>226</sup> Compliance with a Court recommendation to confine to secure was to be done wherever possible.<sup>227</sup>

Admission to secure could only be effected by a Senior Residential Social Worker or higher position.<sup>228</sup> The Principal was responsible for establishing an admission procedure.<sup>229</sup> Reviews were to be conducted daily, after 72 hours and after 7 days. Stays of over 7 days had to be notified to the Director.<sup>230</sup> Programme requirements while in secure are also set out.<sup>231</sup> A secure care register had to be kept.<sup>232</sup>

The Residential Social Work induction training module of July 1985 stated that it was more honest to admit using secure as a punishment than to hide it under therapeutic terms, but that if secure was used as punishment then appropriate behaviour management techniques needed to be adopted. The training material also noted "it pays to be aware that if parents created a Spartan lockable bedroom in which they punished their children for long periods of time, the department would prosecute and probably gain guardianship of the children".<sup>233</sup>

A 1985 Circular Memorandum adjusted review procedures, distinguishing between young people in secure on the recommendation of the Court and those in secure on the decision of the department.<sup>234</sup> Reviews were to be conducted at local level, with regional and Head Office oversight.

The Court order issue was clarified a year later in October 1986 after a legal opinion advised that the Court could not order remand to a secure facility, and each decision about whether to order secure care was at the discretion of the residence. Responsibility, including for review procedures rested with the Department with authority delegated to the Principal (Court action not required).<sup>235</sup>

The Children and Young Persons (Residential Care) Regulations 1986 ("the 1986 Regulations") set out details relating to secure care. Punishment was not a ground for admission to secure. As a general rule, children and young people were not to be confined to their rooms and maximum free association between 9am and 5pm was promoted. Meals were to be eaten in the presence of others and never in a room with an uncovered toilet. Review procedures were set out.<sup>236</sup>

Secure Care statistics for 1987 were compiled by the Monitoring and Evaluation Section, Head Office in June 1988.<sup>237</sup> The Youth Law Project raised concerns after the first year of operation under the regulations, claiming only a negligible drop in the use of secure, a lack of reasons for admission in some cases and the inappropriate use of secure for time-out.<sup>238</sup> Although the department disputed the ways in which statistics had been

<sup>226</sup> Social Work Manual, 1984, Vol II, DSW, Q 6.1.

<sup>227</sup> Social Work Manual, 1984, Vol II, DSW, Q 6.3(g).

<sup>228</sup> Social Work Manual, 1984, Vol II, DSW, Q 6.4.1.

<sup>229</sup> Social Work Manual, 1984, Vol II, DSW, Q 6.7.

<sup>230</sup> Social Work Manual, 1984, Vol II, DSW, Q 6.9.

<sup>231</sup> Social Work Manual, 1984, Vol II, DSW, Q 6.11.

<sup>232</sup> Social Work Manual, 1984, Vol II, DSW, Q 10.6.

<sup>233</sup> Residential Social Workers Induction Training Module 6: Working with the individual child, July 1985, General Polices, Secure.

<sup>234</sup> Circular Memorandum 1985/107, 3/7/85, Head Office DSW, General Residence Information, Secure F5000006089539.

<sup>235</sup> Circular Memorandum 1986/228, 16/10/86, Head Office DSW, F5000005133780.

<sup>236</sup> Children and Young Persons (Residential Care) Regulations 1986.

<sup>237</sup> DSW Residential Institutions, Secure Care Statistics 1987, Monitoring and Evaluation Section, Head Office, 1988, General Residence Information, Secure, F5000004606880.

<sup>238</sup> Youth Law Project (1988) Concerns of Youth Law Project as to Secure Care Statistics 1987, General Residence Information, Secure, F5000004606880.

represented by the Youth Law Project, the Minister of Social Welfare asked the Human Rights Commission to check that the secure care regulations were being complied with.<sup>239</sup>

The Human Rights Commission interviewed staff at Head Office, Regional Offices and at 10 institutions where a number of residents were also interviewed. Staff and residents viewed secure care differently. Residents saw it as a form of punishment, while staff viewed it as having the dual roles of therapy and custody, while also noting that these roles were always in conflict. Head Office staff interviewed saw secure care as being limited to a crisis intervention role.

The study found that secure care was used mainly for remand cases and for returned absconders. Routine use of secure on admission was no longer the practice, although it still occurred regularly at Owairaka. Secure was still being used to settle new arrivals, monitor medical conditions and protect residents from harming either themselves or others. The 1989 report recommended clarification over the ability to place remand cases in secure (the regulations were unclear, but a Crown Law opinion of 1986 said the practice was permissible). The separation of youth justice from special needs cases was recommended along with the development of activity programmes for children and young people in secure care.

The failure of time in secure to prevent repeat abscondings was noted along with a recommendation that policies for absconders be developed beyond routine confinement to secure care.<sup>240</sup> A reminder to all staff that the use of secure as a punishment was forbidden by the regulations was recommended.

The Human Rights Commission also recommended core training for all staff; clear communication to young people who were confined to secure for their own protection; the development of a separate admission suite for each institution and the development of national policy guidelines on the use of secure.<sup>241</sup> Many of the Human Rights Commission recommendations were adopted by the department.

In 1987 a memorandum was issued clarifying that the legislation permitted secure care of young people only with certain kinds of legal status; those under arrest without a warrant, on remand or adjournment or under guardianship or postponement orders. This meant that those young people under other legal status could not be confined to secure, including those under s 11 agreements.<sup>242</sup>

Head Office policy in 1987 was to admit boys needing secure care due to the nature of their offences to Kohitere, while other remand cases were to go to Hamilton Boys' Home or Epuni.<sup>243</sup>

By the late 1980s, there was an expectation that residences would use secure care consistently and according to a philosophy. The lack of a consistent or philosophy-based approach, and the resulting tendency to over-use secure care as a control mechanism were noted in regard to Dunedin Boys' Home.<sup>244</sup>

<sup>239</sup> "Lock up Breach Claims Denied", *NZ Herald*, 17/8/88; "Details of locked-up children called for" *Dominion* 18/8/88, General Residence Information, Secure, F5000004516500.

<sup>240</sup> Human Rights Commission, 1989, The use of secure care and related issues in Social Welfare Institutions, Human Rights Commission, Wellington, at 81

<sup>241</sup> Human Rights Commission, 1989, The use of secure care and related issues in Social Welfare Institutions, Human Rights Commission, Wellington, pp82-85.

<sup>242</sup> Circular Memorandum 1987/14, 23/2/87, General Residence Information, Secure, F5000004673594.

<sup>243</sup> Letter from J Worfolk, Regional Executive Officer (Residential Services) to Central Region Directors, Principals of Kohitere, Epuni, and REO, Central South, 9/6/87, Kohitere Admissions, F5000004247349.

<sup>244</sup> Dunedin Boys' Home file F5000005243986, Internal Audit Report 12/9/88, p3.

## The Children, Young Persons and Their Families (Residential Care) Regulations 1986

Data released in June 1989 showed a 27% reduction in admissions to secure during 1988 compared to 1987. Just under one-third of admissions were through secure and just over half of all returned absconders were admitted to secure (prevention of absconding was the reason given for admission to secure in 62% of cases).<sup>245</sup>

The Children, Young Persons and Their Families Act 1989 set down requirements for secure custody and amended the previous position limiting secure care to certain legal statuses.<sup>246</sup> Young people had to either be at risk of absconding or presenting a danger to themselves or others.<sup>247</sup> Extension of secure care beyond 72 hours was possible only on application of the Court. Practice Guidelines were issued on 31 October 1989.<sup>248</sup>

In 1994, districts could not negotiate admission to secure care. The decision whether or not to admit to secure was delegated to the Residential Social Work Supervisor under section 368 Children, Young Persons and Their Families Act 1989.<sup>249</sup>

Policies on the use of secure care (undated, but circa 1994) required its provision in a designated area, and only where legal grounds existed. It was also noted that secure care was the most restrictive option available, and was only to be used sparingly and if other alternatives had been rejected as inadequate in the circumstances. Quarterly reports on the use of secure were to be provided.<sup>250</sup>

## Discipline

Department Manuals set out the department's position on discipline. The 1958 Field Officers Manual discussed the general approach, as set out in the Programmes and Care section of this report. Corporal punishment was a last resort, and systems of rewards and privileges were the preferred approach to discipline.<sup>251</sup>

By 1975/76, department policy was that while reward systems were permissible, any form of bribery was not. Chores should not involve unnecessary tasks. Residents should be able to have some say in disciplinary matters, but any system of "prefects" was not. It was unacceptable to have residents decide the fate of other residents. Withdrawal of pocket money was acceptable, but this form of discipline was not to be used excessively and the approval of a senior officer was required.<sup>252</sup>

According to the 1975/76 Manual, physical force could only be used by staff in self-defence; to restrain someone from damaging property, others or themselves; and thirdly for residents resisting close custody.<sup>253</sup> By this time it was expected that any system of

<sup>245</sup> MP Doolan, National Director (Youth and Community), Social Welfare Commission and Executive Management Group "Institution Monitoring: Secure Care Statistics" 22/6/89, General Residence Information, Secure, SWK 9-0-12, F5000001642056.

<sup>246</sup> Sections 367 - 383.

<sup>247</sup> This was later given wide interpretation by the Court; see Circular Memorandum, 1991/10, Head Office DSW 16.1.91, p15 Secure care. See s 368 Children, Young Persons and Their Families Act 1989.

<sup>248</sup> Circular Memorandum 1989/94, 31.10.89, Head Office DSW, C0/10/1-92.

<sup>249</sup> General Manager's Policy Statement No 7, Head Office DSW 2.5.94., File F5000000892351.

<sup>250</sup> Residential Care Policies, Secure Care, Appendix 2, F5000002786487.

<sup>251</sup> 1958 Manual, J 107 et seq.

<sup>252</sup> 1975/76 Manual F 6.11.

<sup>253</sup> 1975/76 Manual F6.10.



discipline in a residence should be based on core values which included having respect for residents and focusing on the underlying causes rather than the surface behaviour.<sup>254</sup>

A memorandum of November 1982 noted that administrative directives for staff relating to disciplinary practices would be issued but in the meantime all staff were to record all disciplinary measures, as well as continuing to record secure admissions and corporal punishment.<sup>255</sup>

The 1984 Manual set out guidelines for behaviour management, and listed forms of discipline, punishment and control that were not permitted. These included corporal punishment, humiliating and degrading responses in any form, excessive physical exercise or prolonged confinement to bed.<sup>256</sup> The 1984 Manual also suggests appropriate disciplinary and behavioural measures, such as bringing the person's attention to the matter, giving direction or placing limits on behaviour, temporary removal from the situation or removal of privileges.<sup>257</sup> Disciplinary measures were to be administered as soon after the action as possible, related to the nature of the offence and not be excessive, and motivated by a desire to help the young person and not by hostility.<sup>258</sup>

The 1986 Regulations required the content of behaviour management programmes had to be conveyed to the Director-General.<sup>259</sup> Silence could not be used as a punishment, force could only be used under defined circumstances.<sup>260</sup> Residents were to be treated with respect and not humiliated or threatened.<sup>261</sup>

### Lockable timeout

The 1986 Regulations prohibited any child or young person from being locked in a room, unless in secure care.<sup>262</sup> A 1987 Department Working Party recommended that the regulation be amended to permit lockable time out, but only where other measures had proved not to be effective, where a purpose-built facility was available and where the practice was supervised by trained staff.<sup>263</sup>

## Physical punishment

### Corporal punishment

In respect of Boys' and Girls' Homes, the 1958 Manual stated that corporal punishment was to be regarded as a measure of last resort. Further, it signalled that other methods of discipline had failed. Strapping was described as "a negative temporary measure with short term effect".<sup>264</sup>

<sup>254</sup> 1975/76 Manual F6

<sup>255</sup> BM Manchester for D-G, Nov 1982 Allendale files F5000002386580.

<sup>256</sup> Social Work Manual, 1984, Vol II, DSW, Q 5.2.1.

<sup>257</sup> Social Work Manual, 1984, Vol II, DSW, Q 5.2.3.

<sup>258</sup> Social Work Manual, 1984, Vol II, DSW, Q 5.2.4.

<sup>259</sup> Children, Young Persons and Their Families (Residential Care) Regulations 1986, Regulation

21.

<sup>260</sup> Children, Young Persons and Their Families (Residential Care) Regulations 1986, Regulations 25 and 24.

<sup>261</sup> Children, Young Persons and Their Families (Residential Care) Regulations 1986, Regulation

23.

<sup>262</sup> Children, Young Persons and Their Families (Residential Care) Regulations 1986, Regulation xx.

<sup>263</sup> DSW, 1987, Lockable time out in residential facilities, DSW, Wellington.

<sup>264</sup> Field Officers Manual, Child Welfare Division, 1958-1969 J 113.

The 1958 Manual in respect of Kohitere states "Corporal punishment should be used rarely and then only for serious offences".<sup>265</sup>

By 1975/76, the place of corporal punishment as an option of limited effectiveness and one of last resort was firmly stated:

"If a strap effected a cure very few of these children or young persons would be under our care for misbehaviour, as many of them have been strapped or hit repeatedly by their parents, as the only measure they know of dealing with them".<sup>266</sup>

Corporal punishment was to be used when it was the only way to bring a child to his senses or would be an effective deterrent to others and officers were instructed not to use it if another method, such as removing a child from the group, was available.

Furthermore, corporal punishment could only be administered by the Principal, Assistant Principal or Senior Housemaster, or by an experienced officer acting in one of those capacities.<sup>267</sup> By 1975 corporal punishment of any kind by any other staff member was expressly prohibited.<sup>268</sup> A punishment register had to be kept. The register needed to record the date of the punishment, child's name, officer's name, how many straps were administered and to which part of the body.<sup>269</sup>

In response to a question in the House in 1980, the department noted that corporal punishment was only used at Wesleydale, because the boys were younger and because Wesleydale did not have secure facilities. Corporal punishment was administered to 63 boys over 12 months, mainly for absconding or aggressive and defiant behaviour.<sup>270</sup>

There is evidence that corporal punishment was still administered in residences in 1982.<sup>271</sup>

Corporal punishment was forbidden by the 1986 Regulations, as was excessive physical activity and adopting particular body positions as punishment.<sup>272</sup>

### **Punishment returns**

All institutions had to return monthly punishment returns in the 1940s and 50s. This practice was discontinued at the end of 1974 but a punishment register was still required to be kept at the institution.<sup>273</sup> The keeping of a register was also required under the 1984 Manual's provisions.<sup>274</sup> The register had to record any extra work or activity, loss of any privilege for more than one day and any occasions on which all privileges were withheld.

An undated guidance to the use of the punishment register notes that any punishment other than a short sharp reprimand with a consequence should be recorded in the register.

<sup>265</sup> 1958 Manual Q 54

<sup>266</sup> Residential Workers Manual, DSW, 1975/76, F6.06.

<sup>267</sup> 1975/76 Manual check F6.07 – this was effective of 22/4/71, Dept of Education memo to all DCWOs and Principals, Dunedin Boys' Home file F500000673295.

<sup>268</sup> Residential Workers Manual, DSW, 1975/76, F6.07.

<sup>269</sup> Residential Workers Manual, DSW, 1975/76, F6.08.

<sup>270</sup> Memo, Johnston to Regional Director, 28/11/80, F5000002185732, General Residence Information, Physical Punishment.

<sup>271</sup> BM Manchester for Director-General to Director, Action to be taken following study of Archbishop Johnston's Report, 26/11/82, SWK 9-22-1 Part One, General Residence Information, Discipline.

<sup>272</sup> Children, Young Persons and Their Families (Residential Care) Regulations 1986, Regulation

22.

<sup>273</sup> Circular Memorandum 1974/102, 5/12/74, Head Office, DSW, CO-10/1-10, General Residence Information, Discipline.

<sup>274</sup> Social Work Manual, 1984, DSW Vol II, Q 10.5.

Any sanction involving extra work was to be recorded, as was deprivation of privileges for more than a day.<sup>275</sup>

### Physical force

The 1958 Manual confined the use of physical force to acts of restraint and only where an officer needed to:

- protect himself or others
- prevent damage to property or prevent the child or others from physical danger
- in cases where a child resists close custody.

The use of physical force as a punishment was not permitted under any circumstances. Any incident where an officer struck a child had to be reported to the Superintendent. Striking a child could lead to dismissal.<sup>276</sup> All of these provisions were repeated in the 1975/76 Manual.<sup>277</sup>

The 1975/76 Manual states that the use of physical force (apart from approved forms of corporal punishment) as a punishment was not acceptable in any circumstances.<sup>278</sup> Any incidents of staff striking residents had to be reported to the Director-General.<sup>279</sup>

The 1984 Manual prohibited the use of physical force, unless it was reasonably necessary:

- to prevent the young person from harming themselves or others or from harming property;
- to prevent absconding;
- for the purpose of putting a young person in secure care.

In these circumstances, the minimum force necessary was to be applied.<sup>280</sup>

## Drugs, alcohol, and tattoos

The 1975/76 Manual asked for good supervision of tattoos. Any incidents of tattooing while in the residence were to be taken seriously and reported to a senior officer. As tattoos were often the result of Ombudsman or Ministerial enquiries, records of all tattoos were to be kept.<sup>281</sup>

The on-going problem of tattooing was noted in a 1977 Circular Memorandum, with a request for more vigilance in regard to tattoos applied while in residence. Early removal techniques were also suggested and the adverse effect of tattooing on future employment

<sup>275</sup> Punishment Register, undated, F5000006021048, General Residence Information, Discipline.

<sup>276</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 115.

<sup>277</sup> Residential Workers Manual, DSW, 1975/76, F6.10.

<sup>278</sup> 1975/76 Manual F6.10.

<sup>279</sup> 1975/76 Manual F6.10.

<sup>280</sup> Social Work Manual, 1984, Vol II, DSW, Q 5.2.2.

<sup>281</sup> Residential Workers Manual, DSW, 1975/76, F2.28; F2.29.

prospects noted. In some instances, the department had paid for tattoo removal by plastic surgery.<sup>282</sup>

Inconsistent early removal practices across institutions were noted in 1981. This author also commented that it "may be an interesting legal problem to find out who is responsible financially for removal of tattoos put on while a child is in one of our institutions".<sup>283</sup>

The 1984 Manual set out the policy in regard to tattooing as being to focus on any underlying issues that may lead to this form of self-mutilation and to monitor access to materials that might be used to create tattoos.<sup>284</sup> In some instances the department would consider assistance with tattoo removal, and the young person would be encouraged to contribute to the cost of removal.<sup>285</sup>

In 1981, the 3 main solvents of abuse were lighter fluid, glue and petrol. Males were more likely to abuse solvents than females and the issue affected mainly the 10 – 15 age group.<sup>286</sup>

## Smoking

In the 1958 Manual, smoking was described as a privilege that could be lost as a means of discipline in the residence.<sup>287</sup>

In 1961 the law was that no person under 15 could smoke.

The 1975/76 Manual set out the law and stated that all officers must obey it by prohibiting smoking by anyone under 15. Smoking by those over 15 was to be discouraged, and supervised within the institution.<sup>288</sup>

The Toxic Substances Act 1979 was amended by the Toxic Substances Regulations 1983.

The 1984 Manual stated the law at the time that smoking was not prohibited for anyone under 15. While smoking was not prohibited, every effort was to be made to discourage the habit. Principals could also ban smoking in a residence if they wished, but if they did, staff were not permitted to smoke in front of residents. Those residents over 15 who were working were permitted to buy cigarettes and those at school could buy cigarettes with their pocket money. Those under 15 were not to be permitted to smoke, unless their habit was well established and their parents gave permission for them to smoke. Smoking was not permitted in bedrooms or confined areas and had to be adequately supervised.<sup>289</sup>

From 1 April 1988 it was illegal to sell or provide any person under 16 with tobacco. A Circular Memorandum of 29 July 1988 reminded staff of their obligations under the law.<sup>290</sup>

<sup>282</sup> Circular Memorandum, 1977/26, 30/5/77, Head Office DSW, CO/10/1-13, General Residence Information, Drugs, alcohol and tattoos.

<sup>283</sup> Residential Social Workers' Newsletter, No 19 April 1981, F5000001643102, General Residence Information, Drugs, alcohol and tattoos.

<sup>284</sup> Social Work Manual, 1984, Vol II, DSW, Q 5.11.

<sup>285</sup> Social Work Manual, 1984, Vol II, DSW, Q 7.1.16.

<sup>286</sup> Residential Social Workers Newsletter No 19, April 1981, F5000001643102, General Residence Information, Drugs, alcohol and tattoos.

<sup>287</sup> See, for example, Field Officers Manual, Child Welfare Division, 1958-1969 Q54 in respect of Kohitere.

<sup>288</sup> Residential Workers Manual, DSW, 1975/76, F2.24.

<sup>289</sup> Social Work Manual, 1984, Vol II, DSW, Q 5.10.

<sup>290</sup> Circular Memorandum 1988/106, 29/7/88, Head Office DSW, General Residence Information, Smoking, F5000002368862.

The Manual was also amended at this time. The supply of tobacco to those over 16 was discretionary. Where banned, staff were instructed not to smoke in front of residents. Supervision of smoking was required and it was not permitted in bedrooms.

### Contact with field social workers

Information on file indicates that links between residences and other residences, and between residences and districts was always considered very important, but that there were always issues to be addressed and a constant focus on making improvements in communication.<sup>291</sup>

The 1958 Manual stipulated that progress reports from long-term training institutions were required at specified intervals, in order to keep field staff apprised of progress.<sup>292</sup> Field staff were also to report to training centres about any change in the home situation.<sup>293</sup> In addition, each child in a Boys' or Girls' Home was to be assigned a field worker.<sup>294</sup> A designated field worker was also a requirement of the 1970 Manual.<sup>295</sup> In 1970, relationships between Home staff and field social workers was described as "complementary".<sup>296</sup> Progress reports were required.<sup>297</sup>

A document, circa early-1980s notes that residential centres were a resource to District Social Workers as one of a range of placement options (although an option of last resort by legal definition) and that the quality of the relationships between social workers was critical to the provision of a quality service.<sup>298</sup>

Attention focused on admission and discharge.

### Admission

Admissions were always escorted to institutions, usually by a social worker. Permission was given for parents to escort children and young people in appropriate cases in 1980.<sup>299</sup> Districts were asked not to pressure national institutions for urgent admissions or to process immediate transfers unless there were special circumstances, to allow institutions time to arrange admission matters.<sup>300</sup> Some young people arrived in the residence with preconceived ideas about what the institution could offer, and field staff were asked to maintain regular contact with the institutions so that they could convey accurate information.<sup>301</sup> Further changes were made at the end of 1983, after problems were highlighted by the *New Horizons* report. These included a requirement for all admissions to residences to have written approval on the personal file by the Senior Social Worker. In

<sup>291</sup> For an example of specific instances in communication breakdown, see Memo to DCWO Lower Hutt, 25/6/71, General Residence Information, Contact with Field Social Workers, F5000002359081.

<sup>292</sup> Still the case in 1970; see Social Workers Manual, Child Welfare Division, 1970, J 6.14.

<sup>293</sup> Progress reports were required at specified intervals. Q 18.

<sup>294</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 79.

<sup>295</sup> Social Workers Manual, Child Welfare Division, 1970, J 5.15.

<sup>296</sup> Social Workers Manual, Child Welfare Division, 1970, J 5.10.

<sup>297</sup> Social Workers Manual, Child Welfare Division, 1970, J 23.

<sup>298</sup> "A residential services policy: A resource paper", undated, General Residence Information, Contact with Field Social Workers, F5000002388234.

<sup>299</sup> Circular Memorandum 1980/75, 11/7/80, Head Office DSW, C0/10/1-16.

<sup>300</sup> Circular Memorandum 1980/75, 11/7/80, Head Office DSW, C0/10/1-16.

<sup>301</sup> Circular Memorandum 1980/75, 11.7.80, Head Office DSW, C0/10/1-16.

larger districts, a Liaison Senior Social Worker was appointed. A timeframe of 3 days for districts providing admission information was also set.<sup>302</sup>

A 1984 Circular Memorandum updated the Manual in respect of admission to extended care residences from either Regional Institutions or directly from Districts, noting the need for formal admission papers with full supporting reports, issues and goals sought from the placement in a long-term institution. The amendment stressed the need for priority to be given to preparing this information.<sup>303</sup>

Another 1984 Circular documents a successful planned admissions procedure to regional institutions set out in the Annual Report from the Dunedin Boys' Home and invites reports on other experiences. In Dunedin, in selected cases, the residential social worker made a joint home visit with the field social worker prior to admission. This visit was to set up a contract with objectives for admission and in some cases led to a successful programme within the family, thus avoiding admission.<sup>304</sup>

Admissions were centralised through Head Office Residential Services in 1994, with that Service determining the most appropriate residence of the 5 available at that time. Social Workers made application to their nearest residence in the first instance.<sup>305</sup>

Liaison was requested where important events occurred during home leave, or where changed occurred within the family while the young person was in an institution.<sup>306</sup>

The Planning for Children in Care system came into effect on 1 July 1981. Residential social workers were involved in planning for all children and young people likely to need residential care and the system re-inforced links with residential and field social workers.<sup>307</sup>

In 1983, it was noted that some Field Social Workers were not appraised of the many changes in institutions, and that this needed to be improved by better communication.<sup>308</sup>

## Contact with community

Voluntary and community-based help was encouraged in the 1958 Manual, subject to checks being carried out as to the suitability and good intent of interested people.<sup>309</sup> The 1958 Manual stated: "Very few institutions are fortunate enough to be spared completely from the attentions of individuals whose interest in children is not a healthy one".<sup>310</sup>

The 1975-76 manual noted that Principals had authority to involve local organisations on a voluntary basis. District institutions had to report such involvement to district Directors for

<sup>302</sup> Circular Memorandum 1983/171, 9/12/83, Head Office DSW, CO/10/1-22, General Residence Information, Preparation for Discharge.

<sup>303</sup> General Circular 1984/82, 9.7.84, Head Office, DSW, CO/10/1-24. 12. Admission proposals for extended care institutions – SWK 9/0. General Residence Information, Preparation for Discharge.

<sup>304</sup> General Circular 1984/93, 3.8.84, Head Office, DSW, CO/10/1-24. 8.. Planned admissions to regional institutions SWK 3/6/4. General Residence Information, Preparation for Discharge.

<sup>305</sup> General Manager's Policy Statement No 7, Head Office DSW 2.5.94., File F5000000892351.

<sup>306</sup> Circular Memorandum 1980/75, 11.7.80, Head Office DSW, CO/10/1-16.

<sup>307</sup> DSW, 1982, *New Horizons: A review of the residential services of the Department of Social Welfare*, Wellington, p 80.

<sup>308</sup> Circular Memorandum 1983/50, 20/4/83, Head Office DSW, CO/10/1-21, General Polices, Preparation for Discharge.

<sup>309</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 99 et seq.

<sup>310</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 101.

their information.<sup>311</sup> The 1984 Manual placed an onus on Principals to develop positive relationships with their local community and to involve residents in the life of the community.<sup>312</sup>

## Visiting committees

Section 70 of the Children, Young Persons and Their Families Act 1974 required the Minister to appoint Visiting Committees from suitable community members to visit each institution. These provided a safeguard for children in residences by allowing community representatives access as of right to these institutions.<sup>313</sup> The first committees were not set up until 1978.<sup>314</sup>

In answer to a parliamentary question in 1979, the Minister of Social Welfare said it was not possible to provide specific figures on the number of children in department institutions seen by Visiting Committees, although the approximate number of visits per institution were set out.<sup>315</sup>

In response to a second question on the same day, the Minister advised parliament that 3 of the 46 visiting committee members were past employees of the department.<sup>316</sup>

*New Horizons* noted that at a number of residences, Visiting Committees had not managed to keep a sustained level of interest at some institutions. The review therefore recommended legislative amendment requiring regular visits and annual reports from committees.<sup>317</sup>

The Children and Young Persons Act 1974 was amended in 1982, tightening up provisions relating to Visiting Committees.<sup>318</sup> The amendment Act made the appointment of a Visiting Committee mandatory for each institution and increased the committee's minimum size from two to three members. One member was to be appointed Chairperson, one appointed by the Minister of Maori Affairs and another to represent the interests of the community generally. Regard was to be had to the personal attributes of applicants as well as to their knowledge of and interest in the welfare of children. Committee members were required to visit the residence at least once every three months and provide the Minister with an annual report, also made available to the public.<sup>319</sup> The Act set out the powers and functions of the committees. Existing committees were disbanded and reappointed from 1 April 1983 for a period of up to three years.

<sup>311</sup> Residential Workers Manual, DSW, 1975/76, E3.06.

<sup>312</sup> Social Work Manual, 1984, Vol II, DSW Q 4.20.

<sup>313</sup> The role of the Visiting Committee for Department of Social Welfare Institutions, And 25/22/4/, General Residence Information, Visiting Committees, F5000006661406.

<sup>314</sup> SL Callahan, Director-General, Address to Visiting Committee Seminar, *Philosophy behind creation of Visiting Committees, Clarification of Roles*, 16 April 1980, General Residence Information, Visiting Committees, F5000006661406.

<sup>315</sup> Question for Written Answer Tuesday 18 December 1979, F5000005627876, General Residence Information, Visiting Committees.

<sup>316</sup> Question for Written Answer Tuesday 18 December 1979, F5000005627876, General Residence Information, Visiting Committees.

<sup>317</sup> DSW, 1982, *New Horizons: A review of the residential services of the Department of Social Welfare*, Wellington, p 82.

<sup>318</sup> The provisions relating to Visiting Committees were amended at a late stage via Supplementary Order Paper, see General Residence Information, Visiting Committees.

<sup>319</sup> A collection of Annual Reports can be found at: General Residence Information, Visiting Committees. This file also contains related Head Office correspondence.

In part, the amendment was in response to variability in how committees functioned around the country. As the Director-General commented in a memo to all Directors and Principals in 1982 "you are aware that some visiting committees have been very active and effective, whilst others have tended to adopt a very low profile with little tangible evidence of benefit to the institution for which they were appointed".<sup>320</sup>

The 1984 Manual set out a grievance procedure for all residences, with staff to assist as advocates and the Principal to develop a formal grievance procedure. This procedure was to include regular times for discussion and open access to the Visiting Committee.<sup>321</sup> The Committee were set up under section 70A of the Children and Young Persons Act 1974, and required to visit at least once every 3 months.<sup>322</sup>

The 1986 Handbook for Teachers states<sup>323</sup>:

"The visiting committee is a statutory body appointed by the Minister of Social Welfare. Members are charged with visiting the institution at any time they wish, to obtain an objective impression of conditions and practices current in the institution. They have the right to communicate with any child or member of staff, in private. The visiting committee have rights of access to all buildings and records.

Regular interaction of both staff and children with members of the visiting committee should be encouraged."

## Contact with families

The importance of maintaining contact with families through letters and visits to Boys' and Girls' Homes was stressed in the 1958 Manual.<sup>324</sup> Home leave from these short-stay institutions was encouraged, with "a day or a weekend from time-to-time" suggested.<sup>325</sup>

The 1958 Manual states that home leave was a privilege and could be granted at the discretion of the Principal.<sup>326</sup> However, home leave could only be granted after a child or young person had been in the residence for 4 months. Periods of 4 months were required between home leave, with a maximum of 2 home leaves in any 12 month period. Six months had to have elapsed since the last "serious incident".<sup>327</sup> Home leave was for a maximum of 7 days, and it was suggested that leave be staggered so that groups of children from an institution did not associate away from the centre.<sup>328</sup> The 1970 Manual kept the same home leave criteria in place, but added that the first 4 month period could include time in a Boys' or Girls' Home as well as in a long-term institution.<sup>329</sup>

In 1970, leave for younger children in Hokio and Fareham House was longer – for all of the May and August holidays.<sup>330</sup>

<sup>320</sup> Memo, JW Grant, Director-General to Directors/Principals, *Visiting Committees*, 24 December 1982, F5000006661405, General Residence Information, Visiting Committees.

<sup>321</sup> Social Work Manual, 1984, Vol II, DSW, Q 5.3.3.

<sup>322</sup> Social Work Manual, 1984, Vol II, DSW, Q 10.9.

<sup>323</sup> A Handbook for Teachers in Department of Social Welfare Institutions, 1986, General Residence Information, Schooling, F5000002368864, p 42.

<sup>324</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 92 et seq.

<sup>325</sup> Field Officers Manual, Child Welfare Division, 1958-1969, J 97.

<sup>326</sup> Field Officers Manual, Child Welfare Division, 1958, Q 12.

<sup>327</sup> Field Officers Manual, Child Welfare Division, 1958, Q 14.

<sup>328</sup> Field Officers Manual, Child Welfare Division, 1958, Q 15.

<sup>329</sup> Social Workers Manual, Child Welfare Division, 1970, J 6.12.

<sup>330</sup> Social Workers Manual, Child Welfare Division, 1970, J 6.12.



Following a trial of extended home leave at Kohitere and Kingslea, a new home leave policy was adopted in January 1974. Children or young people in Kingslea, Kohitere or Weymouth could earn 2 periods of home leave up to two weeks long while in residence. Christmas leave should be considered for all residents unless there were special circumstances. The previous rules that a child or young person had to have been in residence for at least 4 months and that 6 months had to have elapsed since any serious offence were abolished.<sup>331</sup>

The 1975/76 Manual encouraged visitors to institutions but mentioned the need to protect children from outside influences and the need to sometimes check and prohibit certain visitors where necessary.<sup>332</sup> In addition, Court prohibitions on visitors needed to be adhered to.<sup>333</sup> Parents were to be allowed to visit with their children in private.<sup>334</sup>

In 1982 progress reports were done 3 monthly for children and young people in national institutions and some institutions had adopted the practice of providing a copy of the report to parents.<sup>335</sup>

### Preparation for discharge and after care arrangements

The 1958 Manual noted the vulnerability of children in the first few months after discharge from long-term training institutions. It was the responsibility of the centre to explain the function of the field officer to the child, and convey that the field officer was there to help and not just to check up on the child.<sup>336</sup> These provisions were repeated in the 1970 Manual.<sup>337</sup>

In 1983 it was noted that an inordinate amount of time was spent by institutional staff co-ordinating placements, sometimes due to a lack of information from the district or notification of changes within the family.<sup>338</sup>

<sup>331</sup> Circular Memorandum 1974/1, 28/1/74, Head Office DSW, C0/10/1-10, General Residence Information, Preparation for Discharge.

<sup>332</sup> Residential Workers Manual, DSW, 1975/76, F8.07. See also Social Work Manual 1984, DSW Vol II, Q 4.21.3.

<sup>333</sup> Residential Workers Manual, DSW, 1975/76, F8.08.

<sup>334</sup> Residential Workers Manual, DSW, 1975/76, F8.14.

<sup>335</sup> DSW, 1982, *New Horizons: A review of the residential services of the Department of Social Welfare*, Wellington, p 80.

<sup>336</sup> Field Officers Manual, Child Welfare Division, 1958-1969, Q 22.

<sup>337</sup> Social Workers Manual, Child Welfare Division, 1970, J 6.18.

<sup>338</sup> Circular Memorandum 1983/50, 20/4/83, Head Office DSW, C0/10/1-21, General Residence Information, Preparation for Discharge.

## Chapter 4 National themes

This section of the report draws together the information from the residential profiles found in Volumes II and III of this report, to distil themes and trends across residences, as a way of drawing together the practices of the day.

For consistency, this section uses the same topic headings as for the residential profiles.<sup>339</sup>

### Physical description

A number of residences, for example, Fareham, Holdsworth, Allendale and Wesleydale, consisted of a large homestead, often with a number of outbuildings. These larger buildings tended to have dormitory-style accommodation and were generally smaller institutions, typically of around 25 beds (the exception being Holdsworth at 60 beds).

A number of single-room facilities were also in operation, namely, Epuni, Hokio, Owairaka, and Weymouth while Christchurch Boys' Home contained a mix of dormitory and single-room accommodation. Institutions were sometimes converted from other group accommodation. For example, Wesleydale was originally a Methodist children's home.

Some institutions were set in large grounds (for example Kohitere, Kingslea, Weymouth, Fareham and Holdsworth), and most institutions had playing fields and other opportunities for outdoor activities.

Patterns emerge in terms of property work. For example, there was a raft of gymnasiums and swimming pools installed in institutions throughout the country in the late 1970s and early 1980s. Also at this time, many institutions were redecorated and extensively refurbished.

Many institutions had their bed numbers increased throughout the 1960s and 1970s, in part driven by a rising adolescent population generally, pressure on beds and frequent overcrowding. By the mid 1980s, however, the use of large institutions, often situated far from a child's home district, had fallen from fashion. As declining numbers took pressure off beds, wings and dormitories were shut down, with many institutions becoming smaller.

Prior to 1986, the department operated 26 institutions. By late 1989 it operated nine institutions, with all of the pre-adolescent units closed. By 1990 it operated five institutions – at Auckland (Weymouth), Hamilton (Dey St), Wellington (Epuni), Christchurch (Kingslea) and Dunedin (Elliot St). These institutions were all mixed gender.

<sup>339</sup> Dalley, B, 1998, *Family Matters, Child Welfare In Twentieth-Century New Zealand*, Auckland University Press, Auckland

## Resident profile

National institutions had larger catchment areas than district institutions, with district institutions being set up to serve local needs. Often there would be a preponderance of residents from the nearest large town or city at a national institution even though it had a large catchment area.

Sometimes an institution had to fulfil a number of different functions for different groups of residents. For example, Wesleydale housed boys on short-term remands as well as those on two-month stays. This mixed function aspect sometimes lead to conflicts in service provision and impacted on the ability of the department's institutions to cater adequately for all groups. In 1967 the Manager at Owairaka noted the conflict between remand and assessment functions on the one hand, and short-term training functions on the other. In the late 1970s, the mix of residents at Allendale included shelter care cases, guardianship cases and those awaiting placement in long-term care.

In 1980, Kingslea provided the first mix of remand and assessment facilities with long-term care residents. This was said to be a success, with the two programmes being very compatible. By 1983 Weymouth also had a mix of remand and assessment cases alongside long-term residents, and in addition, both boys and girls were admitted on remand. In 1983 the Principal of Wesleydale considered the mixed status of residents (youth justice and care and protection cases) a challenge. Both youth justice and care and protection residents were housed at Weymouth in 1990. Youth justice and care and protection residents continued to be catered for at Kingslea until the year that this report ends, 1994, although the two groups were kept separate as much as possible.

Until the late 1980s, 14 of the 15 residences profiled for this report were single sex (Weymouth first admitted boys as well as girls in 1983).<sup>340</sup> Different homes catered for older and younger children. For example, the Hokio residence took younger boys while the nearby Kohitere residence took the older boys.<sup>341</sup> Overlapping admission policies provided for boys who were physically small or big for their age to be accommodated with others of similar size. For example, Holdsworth took boys aged 7-14 and Hokio took boys aged 11-14.

From 1944 to 1963, Fareham House admitted only Māori girls.

Themes to arise from the resident profile were:

- a rise in the number of emotionally disturbed children in the mid- to late-1970s, especially those children requiring psychiatric or psychological help (see for example, Allendale, Wesleydale and Duendin Boy's Home) – this trend may have been linked to a drop in the number of children placed in psychiatric hospitals;
- concerns about the increasingly sophisticated and criminal behaviour of residents in the late-1970s, (including, at Owairaka, a number who had been in detention centres or borstal; at Hamilton Boys Home where those in care and accused of serious offences increased; and at Christchurch Boys' Home in 1975, when three boys had to be returned to Police custody);
- a rise in the number of older residents, especially after the Criminal Justice Act 1985 allowed for young people up to the age of 19 to be admitted to residences;

<sup>340</sup> Some mixed gender facilities not studied in this report existed for young children. By 1990 the department only operated mixed gender institutions.

<sup>341</sup> This shifted again when Holdsworth opened in 1971 catering for younger boys, resulting in Hokio taking an older age group (in 1972, 90% of boys at Hokio were 13 or over).

- effect of the more sophisticated group, especially the older ones, on the younger residents (for example, there was a 60% increase in older boys at Owairaka in 1985 with a number of these boys using stand-over tactics on younger residents);
- a rise in numbers of Māori children from the late-1960s and throughout the 1970s in North Island residences.<sup>342</sup> In response to rising percentages of Māori and Pacific Island residents, many institutions incorporated cultural programmes. Some complaints were made by Pakeha residents, who usually formed a minority of residents;
- the rise in gang membership among residents from the late 1970s, leading to increased conflict between residents with different gang affiliations and more aggressive behaviour. See for example, Hamilton Boys' Home in 1978 where gang membership was linked to property damage and violence, and Wesleydale in 1984, where links were also made between behaviour and solvent abuse;

### Length of stay

Institutions were either reception centres (very short-stay while a young person was assessed and processed), short-stay institutions (i.e. up to 3 months residence) or long-stay institutions (stays of one to two years). Generally speaking, the long-stay institutions were national institutions. National institutions were described as either training centres or extended care facilities. Long-stay institutions also contained high proportions of state wards.

Length of stay was affected by age on admission; as this increased, the stay shortened as residents reached the upper discharge age in a shorter time. Sometimes, a sub-group within a residence distorted length of stay statistics. For example, at Epuni, a number of very short-stay remand cases pulled all length of stay figures downward. Conversely, one or two very long stay cases would skew figures upwards.

Length of stay determined the kind of programmes that could be offered and what might be achieved during the time in residence. Declining length of stay was seen to adversely affect outcomes, with residences becoming just short-term "holding pens". For example, the very short stay at the Owairaka residence (a reception centre) impacted on the programmes and schooling that could be offered.

The length of residents' stay was affected by external factors. For example, when the job market was tight in the mid-1970s, 15 year old boys at Hokio were not discharged because no work placements could be found for them.

Factors between institutions and with other placement options available to the department also had an effect. For example, in December 1971, there were delays in discharges from Owairaka due to a lack of beds in national institutions or foster homes. In 1978, a similar lack of beds led to an increased length of stay at Wesleydale. In 1974, some Districts had begun to seek admissions direct to national institutions because district boys' and girls' homes were full (Head Office approval was still required). Pressure on Owairaka Boys' Home and Bollard Girls' Home in late 1983 created an influx of admissions at Weymouth.

Principals often commented on the effects on their residence of not being able to control admissions. This was a perennial issue, appearing as early as 1965 at Allendale Girls' Home, but having periods of greater prominence, such as during the 1970s and 1980s when the number of police admissions rose (see, for example, Wesleydale in 1976). Where unplanned admissions co-

<sup>342</sup> Interestingly, Dunedin showed a decline in the number of Māori children in care during the first half of the 1980s, from 39% to 14%.

incided with periods where discharges were slow, bottlenecks and overcrowding occurred. In 1966, for example, Allendale had double the number of girls that it officially had beds for. There are many examples in the profiles of children sleeping in makeshift facilities, such as recreation rooms.

Rises in admission figures sometimes simply reflected faster throughput, as happened at Epuni in the 1980s. The rapid turnover experienced at reception centres meant very high admission rates – for example, 1000 boys a year at Owairaka from 1984-1986 (as the Criminal Justice Act took effect). Owairaka also experienced very high readmission rates, and many other institutions experienced rising readmission rates (see, for example, Wesleydale in the early 1980s).

Views on the optimum length of stay also changed during the period of this research, trending downward throughout this time. For example, the average length of stay at Hokio in 1957 was 2 ½ years. By the 1970s, this had dropped to 13 or 14 months, the shorter stay being thought more beneficial for the boys. There was apparently a view that the pendulum had swung too far and that stays had become too short. At Allendale, the optimum stay rose from 1-2 terms to 2-3 terms in 1982, with the *increase* in stay being viewed as beneficial, though notably still lower than the 13-14 month optimum at Hokio during the 1970s. At the other end of the spectrum, very short stays also fell from favour. The Human Rights Commission and Johnston Reports in 1982 led to a move away from short-stay remand cases.

Another trend; that of admitting boys (in particular) to national institutions earlier and for shorter periods, meant that they were still young offenders and had the consequence that any later offending was dealt with by the youth justice system instead of within the welfare system. Young offenders were one-third of admissions to Owairaka in 1976. The Criminal Justice Act in 1985 increased the upper end of offenders that could be dealt with at residences to 19 years, and this had a major effect on admissions.

As the Department and the Police came to the view that placing children in institutions generally, and especially in places that were a long way from their families, was not in the best interests of children, numbers in residences declined. Many institutions were operating far below maximum capacity by the mid-80s, leading to large scale closures, as described above.

## Programmes and care

The type of programmes and care offered depended on whether the institution housed girls or boys or younger or older children. Opportunities presented by the surrounding district also affected the kind of programmes available (for example, work training at local businesses at Epuni set in Lower Hutt, or forestry and farming opportunities at Kohitere near Levin and where the department owned surrounding land).

Girls were required to undertake more domestic tasks than boys, and their vocational training centred on cooking and sewing. Fareham, for example, was said to turn out competent housekeepers, and Kingslea trained girls to be good housewives who would later marry. In contrast, as late as 1990 there was no home skills programme at Owairaka and staff set the tables. Girls at Allendale, however, were provided with preparation for the workforce training, as well as with instruction in the domestic arts, and boys at Wesleydale did domestic tasks, and "chatted freely" to the female domestic staff. Boys at Christchurch Boys' Home repaired and ironed clothes as part of their pre-discharge programme.

Length of stay affected the programmes offered, with short-stay institutions particularly limited in what they could provide. Overcrowding and staff shortages also curtailed programme offerings.

Some institutions had a group work philosophy. This was very strong in some of the larger institutions, such as Hokio and Kohitere, and prevailed for many decades. By the 1980s, however, more emphasis was given to individually tailored programmes and to one-on-one casework. Throughout the period there was a growing emphasis on casework, and usually structured systems for implementation and supervision. Over time, more emphasis was also given to planning and record-keeping.

Behaviour management programmes were very common throughout the period, but emphasis changed as new ideas, philosophies and techniques became popular. At times, changes were quite rapid. For example, Dr Glasser's Reality Therapy was applied at Allendale in 1978, with a behaviour modification programme based on a token economy being introduced there in 1979. By 1981 there was no formal points system at Allendale, but a series of privileges allowed more freedom as girls progressed through the system.

Progressive systems were common, and used, for example, at Kohitere, Fareham, Allendale, Weymouth and Holdsworth. Holdsworth applied relationships therapy alongside a token economy system in 1975. An Inspector noted in 1980 that the behaviour medication programmes at Holdsworth were not given the prominence they were elsewhere. The token economy was long-used, still being operational at Dunedin Boys' Home, for example, in 1985.

In a few institutions, behaviour systems allowed some children to have authority over others – for example the Boys' Council that operated at Kohitere and at Hokio and the Management Council at Kingslea. This approach was later considered inappropriate.

In other institutions, usually those where one principal remained in charge for many years, such as at Owairaka, Epuni, Hokio and Miramar, the same systems were in place for a long time.

There was sometimes a fine line between punishment and reward, with systems being criticised if it was felt that the punishment element was too predominant (for example, Wesleydale in 1979). Comparisons with the military were made – for example, it was said that orders were shouted in several institutions.

Pocket money was a privilege and generally available in all institutions. Pocket money systems sometimes came in for criticism, for example the Owairaka system was criticised for not being available to boys in secure. It was common for the amount of pocket money to be docked for bad behaviour, thus integrating pocket money with systems of reward and punishment.

Almost all of the reward and punishment systems in widespread use earlier in the period of this report were illegal by the end of it, as beliefs and accepted practices changed.

Sport and recreation often played a big part in the life of an institution. In boys' institutions, in particular, it was thought important for boys to be able to let off steam. Almost all residences had a gymnasium on site. Most institutions entered sports teams in local competitions, many doing very well. Generally, such programmes worked well, although some did not. For example, all sports and camps were curtailed at Owairaka in 1972 after adverse publicity.

It was also common for institutions to cater for a wide range of cultural, arts and leisure programmes, such as canework, macramé, mechanics, carving and so on. Some of these programmes were extensive and employed specialist help on a fee-for-service basis. Camps away from the residence were also a common feature.

Local churches were attended – at an off-site church if behaviour warranted, although in some institutions clergy visited regularly on site. Church visits required an accompanying staff member at Kohitere after boys left church services to meet with girls.

One controversial aspect of care was the daily rest period. Promoted for many years by Mr Ricketts, Principal of Owairaka, it was used by many Principals even after the department ordered in 1973 that it no longer be used. Daily rests were part of the programme in Epuni, Owairaka and

Hamilton Boys' Home (where the practice was criticised as early as 1959 but which was still in use in 1985).

Cultural programmes were offered at many institutions. For example, at Owairaka, bone carving, haka practice, flax work and te reo classes were available. Owairaka appointed a Cultural Involvement Officer in the early 1980s. Fareham also offered a cultural programme. Sometimes these programmes were criticised as being inadequate, for example at Weymouth in 1980.

Movies were played at residences, for example at Owairaka and Kohitere, and this was a popular pastime in these institutions in the late 1970s and early 1980s. At Allendale, inspectors noted in 1980 that this aspect of the programme had been over done, with girls watching many feature films each week.

### Work and training

Those institutions catering for older age groups and for longer-stays, such as Kohitere, were more likely to have a vocational training aspect to their programmes. Kohitere contained an entire trade training section, with a building workshop, motor workshop and painting team. Forestry and farm work were also provided at Kohitere, as were work placements in Levin. All off-site work was affected by labour market trends – work was harder to get in times of economic downturn. The geographic isolation of Holdsworth made off-site vocational training difficult.

Work programmes effecting improvements or undertaking routine institutional maintenance were common – for example at Hokio, boys were involved in major concreting work and the development of the playing field in 1966. Work in the gardens at the residence was also commonly provided, although the centrality of gardens and garden work declined over time, probably reflecting trends in wider society.

It was also common for residents to help with routine domestic tasks. For example, boys had to polish wooden corridor floors at Epuni in the late 1960s.

Work and training activities were used to prepare residents for discharge from institutions. Community work was used to endear an ethic of service and of helping others, as well as to build links with the surrounding community.

### Resident-to-resident issues

Considering the number of children in care in the 15 institutions profiled in this report, there are relatively few documented cases of issues between residents. Some institutions, for example, Holdsworth, Hamilton Boys' Home and Christchurch Boys' Home had no incidents on record at all. Those incidents that were recorded in other institutions naturally tended to be cases of a serious nature.

As all institutions were single sex, allegations of sexual misconduct were always homosexual in nature. Allegations of sexual misconduct were made about Hokio in 1958, at Kingslea in 1961 (a lesbian "infecting" other residents), Epuni in 1963 (incidence so widespread the Home was closed for a time to deal with the issue), at Allendale in 1960 and 1966 (no evidence found of alleged "lesbian tuition"), and at Dunedin in 1987.

Severe beatings were alleged at Kohitere in 1973, an assault at Dunedin Boys' Home was alleged in 1985, and five cases of assault at Weymouth were investigated in 1994. The Weymouth

incidents also contained allegations of assault of female residents by male residents, having operated as a mixed gender facility since 1983.

Nocturnal kangaroo courts including violence and homosexual activity were alleged to occur at Hokio in 1972. Violent inductions for new boys by existing residents were reported at Kohitere in 1984, as was a system where new boys performed chores for others. Violent inductions were also alleged to take place at Fareham in 1979. Boys' Council members were also said to abuse their power at Kohitere.

Ethnic issues caused conflict in some residences, with small Pakeha boys and girls often being victims of attacks or bullying. The establishment of 'king pins' was common throughout many institutions. A student studying Weymouth also identified a number of 'isolates'.

In 1972, staff at Epuni permitted two boys to take part in an organised fight to settle a dispute. This did not meet with Head Office approval. Similar events were purported to have taken place at Wesleydale in 1980.

Visits by other young people could sometimes cause issues, as they did at Hokio in 1980, where a fight involving about 60 boys broke out.

## Health and medication

All institutions had access to regular GP attendances, and usually to the regular services of a psychologist or psychiatrist, although it was frequently noted that visits did not address all the needs of the institution due to time constraints on the part of the visiting specialists. Several institutions went for long periods with no visits at all during periods when staff were not available (for example, Campbell Park for 7 months in 1971; Hokio for 2 years from 1973-75; Dunedin in 1978 and 1984; Holdsworth in 1980; Epuni in 1981)

Counselling services were also available in some institutions. Sister Rose offered counselling services at a number of Auckland residences.

Concern was raised at Kohitere that once boys were placed on medication they stayed on it for a long time because it was seldom reviewed.

Health checks were common on admission, especially for infectious conditions such as head lice, scabies or impetigo. Outbreaks of other infectious diseases, such as influenza, sometimes occurred in the communal living conditions present in all residences.

Districts were supposed to provide a medical certificate before admission, but this system frequently fell down.

Problems with solvent abuse appeared in the late 1970s through to the early 1980s.

Venereal disease testing came under the spotlight in the ACCORD and other inquiries in the early 1980s in homes in the Auckland area (for example, Allendale where compulsory tests ended in 1978, and at Weymouth, where procedures came in for criticism). Policies were later adopted to ensure consent was given to these procedures.

Sexual health education was provided in several institutions.



## Psychiatric hospital placement

Referrals by visiting psychiatrists often made use of nearby psychiatric hospital facilities – for example boys at Hokio could be referred to Kimberley; Holdsworth boys to Lake Alice (though by 1974 they preferred to treat boys while in the residence and some social workers had concerns about conditions in the Lake Alice Adolescent Unit); Fareham girls to the psychiatric ward at Wellington Hospital.

A small number of residents were considered to have very serious mental illnesses. Principals sometimes made comments about the difficulty of dealing with such children. In some residences there was no mention of psychiatric hospital placement (for example at Owairaka, Wesleydale, or Hamilton Boys' Home) while in others, there were a small but significant group that had either come from, or went on to, hospital (for example, between Hokio and Lake Alice Hospital, and between Allendale and the psychiatric ward at Auckland hospital). Epuni Boys' Home and Miramar Girls' Home both had close links with Porirua hospital.

Admissions to hospital were sometimes due to suicide attempts (for example, at Kohitere and Allendale, as well as at Hokio – where staff action in applying mouth to mouth resuscitation was said to have saved a life). At Weymouth, there were six suicide attempts in 1984 and 1985, including one death by suicide. In 1985 and 1986, there were a number of suicide attempts at Kingslea.

Some institutions took in numbers of residents with existing conditions. In particular Holdsworth catered for emotionally disturbed boys and so there was frequent contact with local psychiatric and psychological services.

## Staffing

Material relating to staffing found on file was fuller in some institutions than in others. Some institutions left a paper trail of staffing issues throughout their operation, whereas for other institutions, little was found on file until the 1970s (for examples of the latter, see Dunedin Boys' Home and Hamilton Boys' Home).

Some institutions had long periods of staff stability – for example, Hokio in the late 1970s, but many also had periods of staff shortages and high staff turnover. These occurrences were very common. The profiles contain many examples of key positions being unfilled for long periods, sometimes for up to two years. In 1976, staff shortages were described as "about normal" at Kohitere. In some institutions, shortages meant that existing staff could not take their rostered days off.

Another common theme was the delay between a request to Head Office for an increase in staffing complement and the approval of that request. Many institutions made requests for night watchmen in the late 1950s and early 1960s, with it being common for institutions to have no cover other than a day staff member who slept on-site. An increase in absconding or allegations of improper nocturnal behaviour by residents in dormitories was often used to justify the request for appointment of night staff. By the mid-1970s, requests for double night cover were being made. By the mid-1980s, industrial action was being proposed unless staffing was increased.

Staff shortages were also experienced as admissions rose. Staff shortages sometimes meant that secure care facilities could not be used. Staff shortages also led to "disturbances" created by a loss of control by staff, for example at Allendale in 1963; Epuni in 1972, and at Fareham in 1973 and 1979.

## Section 29(1)(a) Privacy Act 1993- Affairs of Another

Domestic staff were important in the smooth running of the institution, often working with residents on tasks. In the case of Allendale, the cook and gardener had an official caseload. Female domestic staff were thought to bring a positive "mothering" influence in boys' homes, especially those catering for the younger age groups. Female staff in institutions were more likely to be domestic staff than social work staff during the 1950s and 1960s. In some institutions, female residential social work staff were first appointed as late as 1978. As with domestic staff, female social work staff were also thought to have a positive influence within residences.

From the early 1970s, clerical staff took some of the administrative load off social work staff.

In some institutions, the same person held the position of principal for many years. Examples include [redacted] principal of Epuni for [redacted] and [redacted] principal of Owairaka for [redacted]. Sometimes, management methods of principals were criticised, especially where these were seen as being autocratic or not keeping up with the times. The principals of Epuni and Kohitere came in for this type of criticism.

Staff training took on a more formal shape from the late 1970s, and staff attended departmental training sessions. Up until this time, and despite efforts to up-skill staff, overwhelmingly, institutional staff were untrained. The files provide many examples of problems with untrained and unsuitable staff appointments. The profiles set out cases where allegations were made against staff. These include allegations of verbal, physical and sexual abuse.

In periods of high staff turnover, there were problems with the number of inexperienced staff, including high use of relievers. In times of staff shortages, releasing staff for training was difficult.

The emphasis on management in the early 1980s, led to a trend across residences for more senior staff to attend to management duties as opposed to having a caseload of residents. Increased clerical support was provided. About this time, staff responsibilities and lines of management within the institutions began to be documented.

## Schooling

Almost all institutions had on-site schools. Where residents attended local schools, this helped to build links with local communities, although boys' and girls' home residents attending regular school were sometimes shunned within that environment and tended as a result to stick together at school. Some institutions had a mix of on-site schooling as well as sending some pupils, whose progress warranted it, to outside schools.

Residential schools commonly consisted of 1-3 classrooms, although Holdsworth had 5 classrooms, Kingslea had 4, plus an art, home economics and sewing room, and Weymouth had 11 classrooms. Class sizes were smaller than in outside schools. Head Office policy was for a 1:12 ratio, lowered to 1:8 in 1974. These ratios allowed for more teachers to pupils than in the community, and this was thought appropriate due to the nature of the children in institutions, and in particular to their generally lower standard of education and problems with schooling prior to admission.

The schools faced many challenges, among them constant staff shortages and an inability to attract teachers who could cope with the nature of residential care and the generally low level of academic achievement of their pupils. Concerns were raised in some instances about the calibre of staff. Teachers sometimes felt professionally isolated.

The interruptions to learning presented by the low motivation to learn and challenging behaviour of residents also affected the educational achievement within the institutions. School programmes were often necessarily remedial in nature. Some schools experimented with different learning

styles, such as activity-based programmes. There was a focus on "social re-education" and in many cases individual learning programmes were created for each resident. Expectations for education achievement were not high.

The length of stay also had an impact on learning programmes.

Classrooms and teacher numbers grew as the size of a residence grew. Correspondence School courses were sometimes taken in addition to other study and Teacher's College students attended residential schools as part of their training.

Relationships between the school and the residence often fluctuated. As might be expected, only the polarised states (i.e. very good and very bad) were mentioned in the Annual Reports by principals. When relationships were not good, the effects were profoundly felt in both the school and in the rest of the institution. Sometimes, professional tensions between teachers and residential social workers were evident.

## Absconding

Residences were run as open institutions and absconding was experienced in all department institutions covered by this report. In most institutions, abscondings were a regular occurrence, although the frequency of absconding differed markedly between residences. For example, Hokio had a low rate of absconding, whereas just down the road, but housing older boys, Kohitere experienced much higher rates of absconding.

These patterns were not linked to the degree of security provided. Hokio, for example, was an open institution, that was relatively easy to leave, although its rural, coastal aspect may have deterred some. However, the urban environment seemed to increase the likelihood of high absconding rates. At Epuni, for example, the locality and the ability to meet with other young people in the community, seemed to give added impetus to abscond. The same could be said of other urban residences, such as Owairaka, Allendale, Wesleydale and Christchurch Boys' Home, all with high absconding rates. Kingslea's rates were lower, even though it was situated within Christchurch. Owairaka's absconding rates were very high, peaking at 449 in 1986 and fuelled by the high rate of admissions and rapid turnover.

High rates of absconding were said to unsettle residences and residents. Absconding sometimes had a negative effect on relations with the police and the local community, especially when, as was not uncommon, offences were committed by absconders. Some of these incidents led to prominent media treatment, including one case where a converted car contained a shotgun. In some instances, rises in absconding were related to periods of staff shortages and an increase in admissions of older, more sophisticated residents.

Group abscondings were a feature of many residences. In one 1978 incident, the entire population of 30 girls at Allendale absconded. Sometimes, repeat offenders would boost absconding figures.

## Secure care

Those facilities open in the 1950s and 1960s did not always have any secure facilities built for this purpose (Allendale being an exception), but most either had secure facilities adapted or built during the 1960s. An exception was Holdsworth, which had no secure facilities at all. A couple of institutions used nearby facilities – for example, Hokio and Epuni made use of Kohitere facilities,

and Wesleydale of Owairaka secure. In response to rising demand, many institutions had secure beds added in the late 1960s.

This trend continued. Over time, the number of secure beds increased and many secure facilities were extended and upgraded in the late 1970s, although the generally spartan nature of secure facilities remained a defining feature. The sparseness of facilities was often commented on, as were a number of depressingly outdated and jail-like secure rooms.

During the 1980s, there was increasing emphasis on record-keeping. Some, but not all institutions had documented policies for secure before this time. Others, such as Epuni, did not keep good records as late as 1990, when an audit found no method of recording activities, programme details and duty period details in secure. A number of discrepancies were also found in this research in different statistics provided to Head Office.

Residences varied on their use of secure on admission. For example, there were no admissions to secure at Hokio before 1969. In contrast, admissions were always made through secure at Epuni, and at Weymouth (at the latter residence for up to 2 weeks). The routine practise of always admitting through secure at Owairaka tailed off over time as it came in for increasing criticism. At other institutions, only some residents were admitted this way, for example at Hamilton Boys' Home and at Miramar Girls' Home (about 50% at Miramar). The use of secure on admission was justified in order to allow new admissions to catch up on food and sleep, and in some cases, as a detoxification period.

The other main uses of secure were for returned absconders and for residents whose behaviour in the residence merited time in secure. Problems were created by mixing these residents with new admissions in the secure environment.

Programmes within secure came under scrutiny, with some residences asked to provide more for residents in secure to do. Schooling in secure was sometimes but not always provided, as were other organised activities. Kingslea incorporated therapeutic programmes within its secure unit.

The average length of time in secure tended to decline over the period in line with thinking about what was appropriate treatment. Rules tended to be strictly enforced in secure as institutions tried to walk a line between punishment and not wanting to make secure care an attractive option.

Inexperienced staff were sometimes left to run secure units and this came in for criticism by inspectors. Staff shortages also led to temporary closures of secure units.

A number of allegations of mis-treatment were made by residents in relation to time in secure. A number of suicide attempts and at least one successful suicide was made. Lack of privacy where residents doubled-up in secure, and being made to eat in secure rooms that also contained a toilet were other concerns raised.

Nationwide, there was rising concern about the adequacy of secure buildings and about the use of secure generally. The department was also facing major outlays in upgrading some facilities.

## Discipline

It was common to find little detail on the methods of discipline applied in residences on file, although at times the philosophical differences between principals came through.

Removal of privileges was a common form of discipline, including loss of pocket money, smoking privileges, movies and TV time. The removal of smoking as a privilege was endorsed by the 1958 Manual. In residences that used progressive systems, demotions or loss of credit points were used as punishments. Residents were sometimes sent to bed early as a punishment. Returned

absconders at Wesleydale had to help with chores for a few days before returning to school. Girls at Fareham were given extra cleaning duties as punishment.

Lockable time-out was used for up to 3 hours. Group punishments were used and pocket money was cut. Such actions were very common in the 1950s and 1960s, less so in the 1970s and illegal by the mid-1980s - all of these practices were subsequently made illegal by the 1986 regulations.

### Physical punishment

Punishment returns were required as early as 1946. Some residences showed very low use of corporal punishment and most required the approval of the principal before it could be applied. Where corporal punishment was administered in residences, it was most commonly a strap applied to the buttocks.

The administration of corporal punishment ceased at all institutions except a few, including Holdsworth, Wesleydale and Campbell Park by 1980 (corporal punishment was thought more appropriate for younger boys and was also not prominent in girls' institutions). Its continued use at Wesleydale was said to be because of the age of the boys and the lack of any secure facilities. Sixty-three boys received corporal punishment at Wesleydale in the year to November 1981. In contrast, it was used only sparingly at Holdsworth.

Hard physical activity was sometimes used as a punishment, especially for returned absconders. For example, a group of returned absconders were put on a "crash get fit programme". Extra time in the gym was a punishment at Epuni in 1972.

Concerns arising from a number of allegations made by former residents in Auckland homes led to the ACCORD, Human Rights Commission and Johnston Reports. Allegations about excessive physical punishment also arose outside of Auckland, for example at Christchurch Boys' Home.

At Wesleydale, Campbell Park and Epuni, boxing matches between residents were organised by staff to resolve disputes. Residents alleged that staff hit them at Fareham in 1979.

Formal records of all disciplinary measures were required from 1982, including the administration of corporal punishment.

### Drugs, alcohol, and tattoos

In some cases these aspects got no mention at all in the files examined.

In the late 1970s, solvent abuse and increased use of cannabis were issues in many residences. Addiction to glue was said to increase absconding. Girls were caught sniffing petrol at Fareham in 1979. At Christchurch Boys' Home there were problems with cannabis, but also with harder drugs such as LSD, cocaine and heroin.

Solvent abuse, in particular, flared up as a major issue, but just for a few years in the late 1970s and early 1980s. Tattoos were a more perennial issue. In 1980, tattoos were removed by a plastic surgeon at Auckland hospital on girls from Allendale, and at Dunedin Hospital for boys from the Dunedin Boys' Home and from Campbell Park.

## Smoking

Although the law made smoking by any person under 15 years illegal, there is some evidence that people under 15 had access to cigarettes in residences. For example, girls under 15 were found to be smoking at Allendale in 1963 and while all boys in Hokio were underage, smoking by residents was said to have created problems with theft and bullying in 1979. At Weymouth, staff were continually frustrated in their efforts to apply the law and ban smoking for all under 15-year old girls. Staff at Weymouth also tried to educate the girls about the harms of smoking and to actively discourage it. At other residences, for example Holdsworth, the only thing noted on file was that smoking was not permitted. Neither was it permitted at Fareham, although in fact smoking was rife and difficult for staff to control.

Smoking was permitted for older residents in a number of institutions. In Owairaka, boys were allowed to smoke at set times and cigarettes were issued by staff. In 1990, cigarettes were available at Owairaka at cost price from the canteen. Allowing older residents to smoke in institutions containing residents both over and under 15 created the need to supervise smoking by those who were legally permitted to smoke as well as to police smoking by those underage. A number of comments in the files show that there was an awareness of the dangers of smoking along with an appreciation of the role of the department in discouraging smoking for all children, and in applying the law of the day in the case of younger children.

## Contact with field social workers

Some institutions had sparse information on their contact with field social workers, although in almost all cases better links between residential and field social workers were suggested by Principals – both before and after discharge. It was long recognised that problems arose when communication was not of a high standard but attempts to improve communication were not always successful.

At Holdsworth, field social workers escorting children to the residence were encouraged to spend some time at the institution to make links for the child and to impart information. At other residences, staff complained that admissions arrived with little knowledge of the institution. For example at Fareham, girls apparently arrived thinking the institution was a farm where they could ride horses.

Issues of linkage were more prevalent in national institutions, although district institutions also experienced difficulties. Lack of information about new arrivals was frequently mentioned. In 1970, for example, some boys had been in Epuni for 2 months before information arrived from their district. Lack of medical information was sometimes singled out as being particularly problematic.

Residential social workers sometimes felt their work was devalued by the lack of information provided by districts. It was also felt that field social workers tended to forget about their charges while they were in residences.

The Criminal Justice Act 1985 allowed admissions without the involvement of social work staff. At Owairaka, for example, as the remand admissions grew, district and field staff became less involved, while justice agencies became more involved with the residence.

### Contact with community

Most institutions had extensive community contact, ranging from sports teams, community work and cultural activities. The contact was two-way – with residents attending events in the community and members of the community coming into the institutions. Relationships were often described as excellent.

Community organisations such as Rotary and Lions clubs visited residences. Some institutions let the public use their swimming pool or gymnasium. Residents played in local sports leagues. Open days and gala days were sometimes held. Discos were arranged where boys and girls could get together.

Boys from Kohitere undertook community work in an attempt to teach the value of helping others, such as sorting clothes at CORSO, painting murals at schools and cleaning local playgrounds. Work experience programmes at several residences also linked the residence with the community.

Incidents involving residents could have a negative effect – for example where absconders committed offences in the local community.

### Visiting committees

The activities of Visiting Committees across residences was variable, with some committees either not being mentioned at all, or noted for their lack of attendance, while a very few committees took an active interest in the institution. Miramar Girls' Home, for example, had a very active committee. Because Visiting Committees were first set up in 1978, it was common to find no information on Visiting Committees at all until the 1980s.

Visiting Committees were revamped in the early 1980s, and more emphasis given to the rights of residents to access grievance procedures.

### Contact with families

Parents were commonly able to visit their children in residences, and children were also routinely offered home leave. In the longer-stay institutions, home leave was granted three times a year.

Home leave was viewed as a privilege in many institutions. There was some staff opposition to leave only being granted to deserving girls at Fareham in 1974.

There were relatively few incidents or problems experienced while residents were on home leave. Institutions sought information from field social workers on home leave, especially about changes in home circumstances. Holdsworth experienced great difficulty in getting such information in 1977.

Parents were encouraged to visit their children, but not so often as to unsettle them. Some institutions, for example Kohitere and Weymouth, would meet parents at the train or bus station and provide overnight accommodation.

## Preparation for discharge and after care arrangements

In the early part of the period under consideration in this report, children were more likely to return home after time in a departmental institution. As the period went on, placements were to a range of places – for example to foster homes or family homes, as well as back with the family. Family homes were sometimes used to test a child's readiness to return to the community. Residents were also given more autonomy within the institution prior to discharge.

Where after-care placements failed, the child or young person often ended up returning to the residence. Some readmission figures were very high. A lack of placements sometimes delayed the discharge of residents and this sometimes resulted in deterioration in behaviour.

Pre-release planning and preparation became more formalised in the 1970s. In 1973, boys at Holdsworth were sent to local schools before discharge and in 1978 a pre-discharge programme was set up. A pre-discharge group of residents was also set up at Hokio in 1975 and a pre-release work programme in 1976.

Regionalisation affected links when it was introduced in 1979.

The Christchurch pre-discharge programme in 1980 focused on employment, schooling, social skills and relationships with adults and peers. A pre-discharge team was set up at Allendale in 1985, while at Dunedin Boys' Home strong links were made with families prior to discharge.



# Bibliography

- Atwool, N R, 1977, *Weymouth Girls' School; A study of what is with a view to what might be*, thesis MA in Social Work (Applied) Victoria University of Wellington
- Auckland Committee on Racism and Discrimination, 1979, *Social Welfare Children's Homes, Report on an Inquiry held on June 11 1978*, ACORD, Auckland
- Barretta-Herman, A, 1994, *Welfare State to Welfare Society: Restructuring New Zealand's Social Services*, Garland Publishing, New York
- Cheyne C, O'Brien, M and Belgrave, M, 1997, *Social Policy in Aotearoa New Zealand; a critical introduction*, 1<sup>st</sup> edition, Oxford University Press, Auckland
- Dalley, B, 1998, *Family Matters, Child Welfare in Twentieth-Century New Zealand*, Auckland University Press, Auckland
- Department of Education, *Child Welfare Division Field Officers Manual*, 1958-1969, Wellington
- Department of Education, 1986, *Ministerial Review: Evaluation of Departmental Residential Special Schools*, Draft Report, Wellington
- Department of Social Welfare, 1970, *A report on the establishment of a new department by the amalgamation of the Social Security Department and the Child Welfare Division of the Department of Education*, Wellington
- Department of Social Welfare, 1970, *Social Workers Manual*, DSW, Wellington
- Department of Social Welfare, 1975/76, *Residential Workers Manual*, DSW, Wellington
- Department of Social Welfare, 1982, *New Horizons Review of the Social Work Division: Report of a Working Party*, Wellington
- Department of Social Welfare, 1982, *Report of Committee to report to the Minister of Social Welfare on the current practices and procedures followed in institutions of the Department of Social Welfare in Auckland*, DSW, Wellington ("the Johnston report")
- Department of Social Welfare, 1984, *Social Workers Manual*, Wellington
- Department of Social Welfare, 1985, *Review of Residential Care Dunedin, Report of the Working Party*, DSW, Wellington
- Department of Social Welfare, 1987, *Lockable Timeout in Residential Facilities*, DSW, Wellington
- Department of Social Welfare, 1990, *Review of Residential Services*, DSW, Wellington
- Human Rights Commission, 1982, *Report of Human Rights Commission on representations by the Auckland Committee on Racism and Discrimination, Children and Young Persons Homes administered by the Department of Social Welfare*, Human Rights Commission, Wellington.

- Human Rights Commission, 1989, *The use of secure care and related issues in Social Welfare Institutions*, Human Rights Commission, Wellington.
- Human Rights Commission, 1992, *Who Cares for the Kids? A study of children and young people in out of family care*, Human Rights Commission, Wellington
- Lallu H, 1979, *The Role of Secure Units in Social Welfare Department Institutions*, MA (Applied) Social Work Thesis, Victoria University of Wellington, Wellington
- Ministerial Task Force on Social Welfare Services, August 1986, Supplementary Paper No 1, Elworthy, J "*The Development of Social Welfare Services in New Zealand*", Wellington
- Rolfe, J and Doolan M, 1981, *Review of Schools and Teaching Services in Department of Social Welfare Homes*, Department of Education/Department of Social Welfare, Wellington
- Youth Law Project, 1988, *Concerns of Youth Law Project as to Secure Care Statistics 1987*, Auckland