

29 May 1998

Section 9(2)(a) Privacy of Natural Persons

Chairperson
Moerangi Treks
P O Box 658
WHAKATANE

Kia Ora Section 9(2)(a)

Re: Allegations of physical abuse and concerns of neglect

On 19 December 1997 I advised you that the Department of Social Welfare had received a number of allegations of physical abuse and concerns of neglect pertaining to placements made to Moerangi Treks by the Children Young Persons & Their Families Service. I also advised that the Department would be fully investigating the allegations. This investigation has now been completed. A copy of the report is enclosed for your information.

The investigation has found substantial evidence to suggest that physical abuse is a regular occurrence at Moerangi Treks and that the abuse is inflicted by staff members and other clients on the programme. Because of the consistency of the allegations and the number and seriousness of them, the Director General of the Department of Social Welfare cannot be assured that the proper standards of care are being provided for the young people who are in the custody or care of Moerangi Treks.

As a result of the investigation of Moerangi Treks as a Child and Family Support Service, I advise that the Level 1 Approval of Moerangi Treks has been suspended under section 399 of the Children Young Persons and Their Families Act (1989).

This action has been taken as there is specific evidence that Moerangi Treks is not meeting Standard 11 of the Level 1 Approval, which is "Children and young persons are not physically punished, or disciplined or treated in a way that is degrading or humiliating or causes unreasonable fear or anxiety. Alternative methods of discipline are employed".

Moerangi Treks now have until 4 August 1998 in which to present a submission to the writer as to why this approval should not be revoked. On receipt of such a submission I will decide either to reinstate the approval status or to revoke the approval.

As a result of the suspension of Moerangi Treks approval to operate a Child & Family Support Service, all placements currently in the care of your organisation will be removed and no further referrals will be made. CYPFS Area Managers have been advised accordingly.

If you wish to meet with representatives of NZCFA to discuss the suspension and revocation process further, Section 9(2)(a) and Section 9(2)(a) are available on the following dates:

Wednesday 3 June
Friday 19 June
Wednesday 24 June

Can you please confirm by return fax, that you have received this correspondence.

Yours sincerely



Wendy Reid
General Manager

c.c. Manager, Moerangi Treks, 672 Ruatoki Valley Road,
R.D. 1., Whakatane

REPORT

INTO ALLEGATIONS OF

MISTREATMENT AT

MOBRANGI TREKS

Section 9(2)(a)

RELEASED UNDER THE OIA

Background

At various times over recent years questions have arisen over the care of some clients placed on the Moerangi Treks Programme. While each of these concerns were considered at the time, no overview had ever been undertaken to assess any themes or patterns which may exist in the information available.

Late in 1997 two complaints into the care of clients at Moerangi Treks arose. They provided a timely opportunity to undertake a more substantive assessment of all historical and contemporary material.

On 28 November 1997 the Community Funding Agency (CFA) received correspondence (Appendix 1) from Ngati Awa Social Services Trust, an approved Child and Family Support Service, advising of their concerns about the Moerangi Treks Ormaio site where a number of the young persons referred to Moerangi Treks by the Children, Young Persons and Their Families Service (CYPFS) were cared for. Not long after, on 17 December 1997, the General Manager of CFA, Wendy Reid, and the CYPFS National Service Manager, Section 9(2)(a) Privacy of Natural Persons received a correspondence from CYPFS staff in Auckland (Appendix 2) advising of two separate concerns about the care of clients referred by them to Moerangi Treks. In brief those concerns were:

- a failure to provide appropriate medical attention; and
- allegations regarding abuse, perpetrated under the guise of a game called CRASH.

In response, the General Manager, CFA, wrote to Moerangi Treks (19 December 1997; Appendix 3) to inform them of the allegations and to request that they provide a written assurance that the game of CRASH cease, and that appropriate medical attention be provided as necessary. A written response was received from Moerangi Treks (23 December 1997; Appendix 4) agreeing to the conditions.

Terms of Reference

Terms of Reference were promulgated in National Office and the CYPFS Area Manager, Tauranga, directed to undertake an investigation into the allegations. The Terms of Reference were:

1. The CYPFS Area Manager, Tauranga, will set up a Serious Abuse Team in conjunction with the Police and CFA to be known as "The Enquiry Co-ordination Team".
2. The Enquiry Co-ordination Team will function as a Serious Abuse Team and co-ordinate a full and comprehensive investigation.
3. The investigation will be carried out under Section 15 of the CYPF Act 1989 by Social Workers from CYPFS areas who have placed young people on the Moerangi Treks Programme.
4. Area Managers will provide a list of all young people who have been on the programme in 1997 and arrange for them to be interviewed to determine if they have been subjected to, or witness to, any abuse or neglect while on the programme.
5. Any young person who alleges abuse or neglect will be encouraged and supported to make a formal statement to the local Police.
6. Area Managers will report the outcome of the investigation to the Enquiry Co-ordination Team.

7. Young people currently on the programme may need to be interviewed. If so, the process for this to be determined by the Enquiry Co-ordination Team.
8. The Enquiry Co-ordination Team should obtain from CYPFS areas, or from CFA, or from Police, any relevant information from past concerns about the programme.
9. The Enquiry Team may recommend to the CYPFS Area Manager the removal of young people off the programme if safety cannot be assured.
10. The Enquiry Team will write up a report and recommendations for each respective business with the Report to initially go to the CYPFS Area Manager.

Process

Areas who had clients at Moerangi Treks were asked to identify and interview clients who had attended the programme. As well as this, members of the Enquiry Team interviewed seven clients in the Auckland area. During these interviews, information that was gathered and then forwarded to the Police for their consideration. These young persons were all interviewed independently and alone to minimise the risk of them colluding and comparing information. Five of the clients interviewed by the Enquiry Team indicated that they would talk to the Police about Moerangi Treks. However all were fearful of being identified by staff of Moerangi Treks as they were scared of reprisals. This may impact on the Police process. Because of the genuine fear expressed by these ex-clients of Moerangi Treks, this Report does not include any 'client identifying information'.

One client, who had previously been interviewed by the Police, and whose allegations were not believed at that time, has had the allegations corroborated, to some extent by

other clients interviewed, as a result of this investigation. He has again been interviewed by a social worker and the information that he has given is consistent with information given by other clients of Moerangi Treks. This information has been forwarded to the Police for their consideration.

Outcome

Sixteen youths who have been clients at Moerangi Treks have been spoken to by Social Workers, the Police or the Enquiry Team. There have been five incidents that have been corroborated by more than one of the clients on the programme. These are:

1. Two clients bashed around the head by staff member, Section 9(2)(a). This occurred after they tried to run away.
2. A client was roped around the neck by Section 9(2)(a) for not tying a horse up. The rope was pulled tight until the client was choking and had difficulty breathing.
3. A client was hit on the head with a closed fist by a staff member named Section 9(2)(a) when he first arrived for sitting around doing nothing. The client reported it to Section 9(2)(a) who responded by saying "Welcome to Hell".
4. A client was hit on the head with a gun (looked like a .22 rifle). This was done, with force, by a tutor named Section 9(2)(a).

As well as these incidents there were other incidents for which the Enquiry Team currently has not more than one witness. These include:

1. One client was beaten by other clients on the programme so badly that he was in bed for two days recovering. The result of the beating was bruises and burns.
2. Client hit by Section 9(2)(a) for not saddling a horse properly. Visible results of this, included a black eye.
3. Client hit about five times with force, by Section 9(2)(a) with bolt cutters. This occurred after the client had accidentally run horses into a fence.
4. One client heard Section 9(2)(a) tell clients to beat up another boy for leaving rubbish in the bush. The result was a bruised and very swollen face. He was taken to Section 9(2)(a) sister, a nurse, who fixed him up.
5. Another incident with a gun where the butt of the gun (probably a .22 rifle) was used to hit a client on the back and shoulder area.
6. One client stated he was punched in the face by Section 9(2)(a) after he stole \$10 and his shoes, to run away. Any other witnesses to this have not been interviewed, the incident occurred in 1996.
7. One young man, who stated he enjoyed his time at Moerangi Treks, said he was bashed by Section 9(2)(a) with a large piece of wood for having drugs.
8. Two new clients of the programme were told to get off their horses, and a supervisor named Section 9(2)(a), proceeded to punch both of them four or five times in the head. No reason for the assault was given.
9. The same two clients, when no supervisor was present, were set upon by other boys and "punched and kicked heaps".

10. One boy was stoned by a supervisor and two other clients, after not doing the dishes properly. The result was bruising and split skin.

Comments from Clients

1. Two of the twelve youths interviewed stated they would go back to Moerangi Treks. Both acknowledged that bashing occurred. One stated that "if you didn't do things right, you got bashed, and mostly the supervisor did the bashing. New boys get it when they first arrive on the programme and some find it hard to hack".
2. The others interviewed, would not go back, nor would they want a member of their family there.
3. A game called "crash" was a regular occurrence during which boys would be picked on by supervisors and others, if they had done something wrong.
4. "It was a very regular occurrence for boys to get bashed".
5. "It was hard to remember exact cases of boys getting hit because it was a way of life at Moerangi".
6. One young man stated hidings from staff were given in front of other kids.
7. One said that in his opinion the boys who are down there now are in danger.
8. One said he hasn't told of what was going on there, because he was scared of the repercussions.

9. Several youths said they were frightened that Section 9(2)(a) would find out that they had spoken to someone.

Conclusions

1. There is a substantial amount of evidence to suggest that physical abuse is a regular occurrence at Moerangi Treks. The abuse is systematic and harsh, and serious injuries have occurred as a result. Firearms are alleged to have been used.
2. The alleged abuse is inflicted by senior staff members, staff at a "tutor" or "supervisor" level, and by other clients on the programme.
3. Because of the consistency of the allegations, the number and seriousness of them, CYPFS cannot be assured of the ongoing safety of the young people currently on the programme.
4. CYPFS is promoting the "Break the Cycle Campaign". Some of the clients sent to Moerangi Treks by CYPFS would have been from abusive backgrounds. To have these clients treated in such an abusive and violent manner (as has been alleged), is not only illegal and unacceptable, it is also at odds with the message given to individuals and the community through this campaign.
5. Moerangi Treks are not meeting Standard 11 of the Level 1 Approval, which is "Children and young persons are not physically punished, or disciplined or treated in a way that is degrading or humiliating or causes unreasonable fear or anxiety. Alternative methods of discipline are employed".

Recommendations

1. All young people that have been referred to Moerangi Treks by CYPFS be removed immediately and other arrangements made for their care.
2. That Moerangi Treks approval as an Approved Child and Family Support Service be suspended.
3. Section 9(2)(a) is an approved carer for CYPFS and has at least one young person placed with on that basis. These clients should be removed on the basis of the allegations against Section 9(2)(a) and his approval as a carer suspended pending this current investigation, and any other that may now take place.

RELEASED UNDER THE OIA