

OIA-CE-2024-02585

22 October 2024

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[REDACTED]
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Tēnā koe 9(2)(a) [REDACTED]

Thank you for your email, received on 24 September 2024, to Oranga Tamariki—Ministry for Children (Oranga Tamariki) requesting information regarding strip searches. Your request has been considered under the Official Information Act 1982 (the Act).

Strip searches would only be used by Oranga Tamariki staff in rare circumstances, as a last resort to keep a young person or those around them safe. As per the Oranga Tamariki Act, they would only be used if:

- a staff member believes on reasonable grounds that a child or young person has a harmful item in their possession
- the staff member has already requested that the child or young person hand over the unauthorised item, and the child or young person has refused.
- a scanner search or a pat down search of the child or young person has already been carried out for that purpose.

Oranga Tamariki has strict guidelines about the use of strip searches and, as per our Standard Operating Procedure, there would need to be authorisation in advance by either the Manager, Residential Services Youth Justice or a more senior manager.

Children and young people residing at Oranga Tamariki care, including those in Youth Justice residences, have rights and they deserve to know what they expect from us. When we carry out a search or inspection, we inform them, and we undertake searches and inspections with the greatest care and sensitivity. We provide information, on admission, and regularly during their stay, about their rights and responsibilities and the procedures in respect of searches.

If our residential staff believe that a child or young person has an unauthorised item, they consult with the Residence Manager or team leader. An unauthorised item is any item that is believed to be harmful or that may not be lawfully possessed in the residence. Before the search is undertaken, we must have reasonable grounds to support our beliefs that a child or young person has in their possession an unauthorised item. The staff member should say and write down why they believe a search or inspection is necessary and the grounds for that belief. Please note, search training must be undertaken before a staff member can undertake a search.

IN-CONFIDENCE

Search methods include a mail inspection, a room search, an electronic scanner search, a pat down search and a strip search. Oranga Tamariki aim to choose the most acceptable and least invasive search method for the situation. If a staff member believes that a search is necessary, permission is required from the relevant Manager. They are then logged in the residence logbook, including details of the seized items and what happened to these items.

Any unauthorised items, substances, or articles that could be harmful can be seized. Final decisions are made by the Residence Manager. After discussing with the child or young person, these unauthorised items can be:

- destroyed under the Residence Manager's direction
- handed over to the Police (in the case of drugs) who will make a decision whether to take the matter further and will issue a receipt which is kept on file at the residence
- retained in the residence and returned to the child or young person when they are discharged or at the discretion of the Residence Manager
- returned to the lawful owner, if the item belongs to someone other than the young person.

Please refer to the following link for further information regarding searches in our residences [here](#).

You have requested:

A spreadsheet of strip searches conducted on children in Oranga Tamariki care from 1 January to 1 September 2024, including their locations, ages, and what items were found, if any. Please include all children in all types of care, including those in Youth Justice.

Oranga Tamariki defines children as those under 14 years old. On 27 September 2024, you advised that you would like information for young people up aged up to 18 years old included in your request.

There have been no strip searches undertaken by Oranga Tamariki in the period covered by your request (1 January to 1 September 2024).

Oranga Tamariki may make the information contained in this letter available to the public by publishing this on our website with your personal details removed.

I trust you find this information useful. Should you have any concerns with this response, I would encourage you to raise them with Oranga Tamariki. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. Information about this is available at www.ombudsman.parliament.nz or by contacting them on 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, consisting of a large, sweeping loop on the left, followed by a series of smaller, overlapping strokes that form the letters 'I', 'C', and 'A', and ending with a long, horizontal tail stroke.

Iain Chapman
Acting Deputy Chief Executive
Youth Justice Services and Residential Care