Exploring the Experiences of Youth and Staff in Aotearoa New Zealand Youth Justice Residences

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Abstract

In Aotearoa New Zealand, youth justice residences (YJR) are a commonly used intervention to address serious youth offending, intended as an alternative to traditional incarceration and an opportunity to engage youth to encourage their desistance. Despite youth justice being a heavily researched topic overall, academic scholarship on Aotearoa YJR remains lacking. At any given time, almost two hundred young people may occupy YJR across Aotearoa, 88% of whom will reoffend after release (Oranga Tamariki Evidence Centre, 2020). Though youth crime has more than halved in the past decade (Ministry of Justice, 2024), community outcry over public offenses like 'ram raids' has fostered populist pressure on the government to enforce a more punitive system, promoting an increased use of YJR and the reopening of military-style boot camps.

This heightened tough-on-crime approach will no doubt affect youth unequally, as rangatahi Māori make up at least three quarters of those in YJR despite only accounting for one quarter of the wider population (Francis & Vlaanderen, 2023). The government's intended shift towards a restorative and culturally sensitive approach to youth justice has thus far not counteracted this disproportionate impact. It remains unclear if piecemeal reform situated within a Western justice system, particularly in a neocolonial context, is a feasible solution to youth offending (Agozino, 2004; Cunneen & Tauri, 2016, Chapter 3; Tauri, 2014; Webb, 2017).

This research uses qualitative semi-structured interviews with seven youth justice residents and staff members at two Aotearoa YJR, to gather insight into their experiences. Interview responses are explored through reflexive thematic analysis (Braun & Clarke, 2022) and expanded on through a critical discussion of responsibility, narrative, and power, supported by existing contextual literature. Themes are developed that frame justice-involved

youth within an experiential “personal microcosm” and a critical “structural macrocosm”, both of which influence their behaviour and trajectory. Through these frames, YJR is described as a “three-body problem” where youth, staff, and the larger government are all made responsible for fixing youth offending, but none have the ability to do so. With analysis rooted in critical race theory (Delgado & Stefancic, 2017) and counter-colonial criminology (Agozino, 2004), this thesis discusses how YJR has been perpetuated as a “zombie idea” (Peters & Nagel, 2020) through majoritarian storytelling (Solórzano & Yosso, 2002). This storytelling involves a proliferation of “tales of terror” (Rappaport, 2000) told about Māori, exacerbated by sensationalised media reporting on youth offending. Furthermore, the government “performs ignorance” around the failures of YJR in order to dodge accountability and maintain institutional legitimacy (Stanley et al., 2024). This thesis closes by highlighting the need for transformative justice, identifying alternatives that center decolonial action to promote healing for rangatahi and their whānau.

Attestation of Authorship and Disclaimer

I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person, nor material which to a substantial extent has been submitted for the award of any other degree or diploma of a university or other institution of higher learning.

Additionally, opinions expressed here are my own and do not necessarily represent the views of Auckland University of Technology, Fulbright New Zealand, Oranga Tamariki, or any other associated or mentioned individuals or organisations.

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Ethical Approval

- Ethics application 23/284 was approved by the Auckland University of Technology Ethics Committee (AUTEC) on 30 November 2023 [Appendix A]

- The Oranga Tamariki–Ministry for Children Research and Data Access Committee (RADA) approved research access on 7 December 2023 [Appendix B]

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Glossary of Te Reo Māori Terms

(Procured from the Te Aka Māori Dictionary unless otherwise specified, slight modifications were made to capture meaning as intended within this thesis)

Aotearoa: New Zealand.

Haka: traditional Māori dance (Smith, 2023).

Hauora: health.

Hui: a gathering or meeting.

Iwi: extended kinship group or tribe - often refers to a large group of people descended from a common ancestor and associated with a distinct territory.

Kai: food.

Kanohi-te-kanohi: face to face.

Kaupapa Māori: Māori approach, ideology, customary practice, and principles.

Kawa: (ritual chants) and customs for special events.

Koha: gift, offering, or contribution - especially one maintaining social relationships and has connotations of reciprocity.

Kōrero: to tell (v.) or a discussion (n.)

Mahi: work.

Mana: a supernatural force in a person, place or object denoting authority, control, spiritual power and influence. Mana gives a person the authority to lead, organise and regulate communal expeditions and activities and to make decisions regarding social and political matters. A person or tribe's mana can increase from successful ventures or decrease through the lack of success.

Manaaki: support.

Manaakitanga: the process of showing respect, generosity and care for others.

Māori: Indigenous person of Aotearoa New Zealand.

Mātauranga Māori: Māori knowledge - the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives, creativity and cultural practices.

Mauri: life force in people and objects (Manatū Hauora, 2023).

Mauri Ora: Conscious, alive.

Mihi whakatau: welcome speech acknowledging those present at a gathering.

Oranga Tamariki: Ministry for Children, formerly Child, Youth, and Family Services (CYFS) until 2017. As per the webpage of Oranga Tamariki (2023a): "'Oranga' is the wellbeing we want to help the children we work with to have. 'Tamariki' reminds us that children are descended from greatness. They are born with an inherent mana that can be damaged by abuse and neglect."

Pākehā: New Zealander of European descent - probably originally applied to English-speaking Europeans living in Aotearoa New Zealand.

Pātai: to ask.

Pepeha: a way of introducing yourself in Māori. It tells people who you are by sharing your connections with the people and places that are important to you (Pepeha New Zealand, n.d.).

Rangatahi: youth.

Tamariki: children.

Tangata Whenua: local Indigenous people, people born of the whenua, i.e. of the placenta and of the land where the people's ancestors have lived and where their placenta are buried.

Taonga: treasure, often a socially or culturally valuable object.

Tauiwi: foreigner.

Te Ao Māori: the Māori world, typically referring to 3 key areas: Te Reo Māori (Māori language), Tikanga Māori (protocols and customs), and Te Tiriti o Waitangi (The Treaty of Waitangi) (University of Otago, n.d.).

Te Reo: Māori language.

Te Tiriti O Waitangi: A written agreement made in 1840 between the British Crown (the monarch) and more than 500 Māori chiefs. Considered New Zealand's founding document, it was meant to be a partnership between Māori and the British Crown. Although it was intended to create unity, different understandings of the treaty, and breaches of it, have caused conflict. From the 1970s, the general public gradually came to know more about the treaty, and efforts to honour the treaty and its principles expanded (Orange, 2023).

Tikanga: procedure, practice or custom - the customary system of values and practices that have developed over time and are deeply embedded in social context.

Tino rangatiratanga: self-determination, autonomy, or self-governance.

Whakapiri: close association.

Whakatere: navigation.

Whakawhanaungatanga: process of establishing relationships.

Whānau: extended family, family group, a familiar term of address to a number of people - the primary economic unit of traditional Māori society. In the modern context the term is sometimes used to include friends who may not have any kinship ties to other members.

Wharenui: meeting house.

Whatumanawa: the open and healthy expression of emotion (Manatū Hauora, 2023).

Whenua: country, land, nation, state.

Table of Contents

Positionality

I arrived in Aotearoa New Zealand in January of 2023, while the country was experiencing a mass flood event followed by a cyclone, which damaged large parts of the country and resulted in a number of casualties. Having just spent 10 years in Charleston, South Carolina (SC) in the United States, where flooding is a regular occurrence and hurricane prep is a reflex, it was natural to begin noting parallels. Like Charleston, New Zealand's poorest often live in flood zones and suffer the greatest impact of serious weather events. This is only a small piece of a larger oppressive web that contributes to poor outcomes for marginalised individuals. It quickly became clear that like the disproportionate impact of climate change, structural issues in New Zealand were not dissimilar to those in the United States.

My postgraduate pursuit was inspired by my time working for the SC Department of Juvenile Justice and SC Department of Corrections trying to help young people either stay out of the justice system or recover from its often-detrimental effects. New Zealand as an international leader in restorative justice seemed like the perfect place to learn how to fix things, to make things better for at-risk and justice-involved kids moving forward. After my arrival, however, I discovered that many of the challenges within the US justice system also appeared within New Zealand. The ratio of incarceration of minorities nearly mimics that of the US, only set amongst a neo-colonial backdrop rather than neo-slavery. It did not take long after arriving to develop an acute awareness of the thinly veiled systemic racism permeating not only legislation but also interpersonal politics. Simultaneously, I was amazed by the integration of Māori culture through so much of everyday life in Aotearoa. The strong, passionate groups that engage in active resistance of ongoing colonialism and promote cultural revival were and continue to be a large inspiration for my work.

This study reflects my experience of 19 months living, working, and studying in Aotearoa. I am tauiwi, a grateful visitor to this beautiful whenua, who entered with admittedly little knowledge of tikanga Māori or even the Indigenous experience of First Nation peoples in the US. Though my work in the past has largely focused on African Americans, as population-wise, they make up the largest group suffering from hyper incarceration, being in Aotearoa has provoked me to think critically about my understanding of and relation to Native Americans in the United States, as well as my own whakapapa. I would like to acknowledge Christopher Judge of the Native American Studies Center at USC Lancaster for explaining Native American land and movement in my own birthplace of Hilton Head Island. Indigenous groups in South Carolina, and across other states, are still working to be recognised in both educational and political settings. I am hopeful that one day, Indigenous groups across the US, Aotearoa, and globally will receive the respect, recognition, reparation, and right to self-governance that they are entitled to, mana restored.

It should be noted that I am white, cisgender, and grew up privileged. My research is that of an outsider, not only locationally and demographically, but also experientially. I do not have lived experience within the justice system or of the regular oppression that minorities face. Many of the structural barriers that marginalised communities encounter do not exist for me. My experience working in the justice space and within disadvantaged and marginalised communities has only given me insight into some of these barriers. All of this to say I cannot see through the eyes of my participants, or feel through the hearts that they do, but I am grateful to have some background and context to try. I in no way claim to speak for Māori or other marginalised groups through this work. I only attempt to present their voices and the sentiments they express and interpret those findings in a way that aligns with my theoretical approach and ontological positioning, with an eye to empowerment and advocacy to honour my own ideological commitments.

I employed reflexivity throughout the research process to try to understand how my own positioning has influenced this work. However, as Braun and Clarke state (2022), "reflexivity is never final" or complete. A full understanding of a researcher's subjectivity can never be achieved, only partially acknowledged, which I attempt to do here and in the latter parts of this thesis. This thesis has been shaped through not only my AUT coursework but my larger understanding of the culture and history of Aotearoa New Zealand, informed by interactions with its residents, media, literature, art, and land. As this thesis does not have the size or scope to cover the host of interconnected issues surrounding youth justice systems internationally and the marginalisation of minorities more broadly, it only hopes to act as a small piece of a much larger body of work that highlights areas in need of attention.

Chapter 1: Introduction

New Zealand has been recognised internationally for its restorative stance on youth justice (Goldson, 2011; Lynch, 2012; Mitchell, 2018). However, it has become evident that this approach alone cannot right a deeply inequitable justice system rooted in colonisation (Cunneen, & Tauri, 2016, Chapter 3; Tauri, 2014; Webb, 2017). It has been well documented how hundreds of years of abuse and suppression have negatively impacted Indigenous communities physically, financially, psychologically, and culturally, all of which have become push factors into the criminal justice system that was designed to oppress and control (ActionStation, 2018; Agozino, 2004; Cunneen & Tauri, 2016; Hillyard & Tombs, 2021). While many praise diversion by way of restorative practices (Becroft, 2015; Bidois, 2016), scholars have noted that restorative justice is applicable only to a subset of young offenders (Cleland & Quince, 2014); those who have low enough risk scores to pose little threat to the community, in the eyes of the courts (Cunneen & Goldson, 2015).

The narrow focus that has been placed on implementing restorative practices as a solution to youth offending has left a significant portion of largely Indigenous youth falling through the cracks, reflecting a selective de-institutionalisation (Javdani, 2019). Goldson (2011) highlights that 'heavy-enders' who score high on risk assessments are subject to a more conventional punitive response, criminalised even pre-conviction. With risk factors inextricably linked to marginalised communities (Creaney, 2013; Jackson, 1987), youth risk assessments may act as a tool for modern day colonisation, justifying the removal of rangatahi from their whānau (Gordon & Webb, 2022; McIntosh, 2022; Mitchell, 2018, p. 18). Stanley and Monod de Froideville (2020) emphasise this idea, stating that despite a reduction in justice system involvement for Pākehā youth, "young Māori continue to be funnelled to the 'sharp' end of the system" (p. 540).

This inequity is evident when looking at demographics within New Zealand's secure youth justice residences (YJR), as rangatahi Māori make up 75% of youth residents (Francis & Vlaanderen, 2023). YJR are secure facilities that youth are placed in when they are deemed a danger to themselves and/or the community. There are currently five YJR operating in New Zealand with a total capacity of 171 when fully staffed, serving youth aged 14 to 17 (Francis & Vlaanderen, 2023). YJR is the most severe order a judge can impart outside of transferring a young person's case to district court and therefore, is often seen as a "last chance" or "last shot" intervention for youth with a high risk of reoffending (Cleland & Quince, 2014).

The vast majority (80%) of youth within YJR are on remand meaning they are still awaiting conviction and sentencing, with only 20% serving out sentences in YJR custody (Francis & Vlaanderen, 2023). A 2023 report by Oranga Tamariki on youth justice custody trends stated that 949 youth were placed on remand during a 10-month period between 2022-2023, the highest number recorded in the past five years (Spier, 2023). During this time, the average stay in YJR for youth on remand was 49 days. This length of stay is double that of youth remanded to community homes, who instead averaged a stay of 18 days (Spier, 2023). Community remand homes, specialist youth homes, and placement with whānau are scarcely utilised alternatives, making up only 15% of remand placements (Spier, 2023). Further, only 2% of youth are placed in inpatient mental health services or therapeutic residential treatment (Spier, 2023). This makes YJR by far the most utilised option for youth on remand.

Though YJR have received regular criticism as of late (Action Station, 2023; Forward-Taua, 2023; Norman, 2024; Reid & Sumner, 2021), an increase in penal populism has resulted in a push for more residences to be created. In June of 2024, the National, ACT, NZ First Coalition announced that $68.7 million in funding was being allocated to address youth offending, with plans for military-style bootcamps in addition to extra YJR beds

(Manch, 2023; Willis, 2024). The ongoing disproportionate detention of rangatahi Māori means that this increased tough-on-crime approach will no doubt affect youth unequally.

The growing population of Māori youth (Te Puni Kōkiri, 2017) next to abundant evidence showing the harms of institutionalisation (Lightowler et al., 2021; Nowak, 2019; Souverein et al., 2023; Van den Brink, 2019) makes this issue of mass inequity exigent. Detaining or incarcerating young people exacerbates existing trauma (Evans-Chase, 2014), impacts neuro-biological development (Malvaso et al., 2022), and severs positive social ties (Souverein et al., 2023), all of which impede reintegration into society and contribute to negative outcomes, including reoffending (Crofts et al., 2023; Gavin, 2014). Studies show that youth experience a "loss of childhood" even during short periods of detention (Gooch, 2016) and that the delinquent labelling that follows detention impacts a young person's ability to achieve "goodness of fit" as they re-enter the community (Greene, 2014; Novak & De Francisco Lopes, 2022). Given that by 2038, 1 in 3 children born in Aotearoa will be Māori (Te Puni Kōkiri, 2017) and that Māori youth face a significantly higher likelihood of justice-system involvement, it is paramount that the disproportionality within Aotearoa's justice system be addressed. This necessitates an urgent reflection of the current systems that rangatahi and their whānau interact with to slow the entry of Māori youth into the justice system while simultaneously enhancing the delivery of intervention for those currently in custody.

Oranga Tamariki, formerly Child, Youth, and Family Services (CYFS), is the agency responsible for youth in custody or state care in Aotearoa. Recognising the disproportionate number of rangatahi Māori in custody and a failure to fulfil Te Tiriti o Waitangi obligations, Oranga Tamariki introduced Whakamana Tangata to YJR in 2017 (Francis & Vlaanderen, 2023). Whakamana Tangata is a restorative-relational approach informed by Te Ao Māori which seeks to "enhance the culture" of YJR (Păroşanu & Wehipeihana, 2021) (For more

information on Whakamana Tangata, see Chapter 2: Literature Review). After a brief pilot of this program at Te Maioha o Parekarangi that yielded positive outcomes, it was expanded to all YJR. In addition to implementing the Whakamana Tangata model across YJR, Oranga Tamariki opened the first Māori-centred YJR, Whakatakapokai, in 2021. Whakatakapokai is unique from the other four YJR in Aotearoa in that it is co-designed with Waikato-Tainui iwi as a Māori-based service, built to incorporate Mātauranga Māori and implement care based on Te Ao Māori principles (Oranga Tamariki, 2023b).

While these shifts appear to be positive steps towards tailoring programs to the unique needs of youth, and Oranga Tamariki has indicated initial promising results (Aikman, 2023), the effects of these cultural adaptations remain largely unexplored in academic literature. Outside of Oranga Tamariki-produced reports, little research has been conducted on the usefulness or impact of these models for justice-involved rangatahi Māori. It is therefore unclear if a shift towards cultural sensitivity in response to crime is feasible and/or meaningful within the context of a punitive Western justice system. Some argue that these kinds of reforms play a role in perpetuating oppressive colonial infrastructure, further marginalizing Indigenous persons (Blagg & Anthony, 2019; Tauri, 2022). Others have posited that culturally sensitive models, even within secure facilities, offer a meaningful path towards decolonisation, "support[ing] the dignity of incarcerated Indigenous peoples" (Tetrault, 2023, p. 1).

Academic research that directly examines youth and staff experiences of YJR as a justice intervention has thus far been sparse (Turner, 2019). This is particularly true for rangatahi Māori whose voices are immensely underrepresented in the literature (Blank-Penetito et al., 2023). Addressing these gaps can work to provide a clearer, more cohesive picture of YJR operation, its role as a justice intervention, and what processes and programs are meaningful to justice-involved youth. Gathering this information from those directly

involved can inform the best ways to mitigate harm and cater to the needs of those most heavily impacted by the justice system.

Research Questions and Methodology

This research began with a broad aim to gather the experiences of youth justice residents and staff in order to understand what contributes to feelings of growth and fulfilment for justice-involved rangatahi. This inquiry was driven by gaps in the academic literature around YJR and youth justice in Aotearoa, such as youth experience of YJR interventions (Lambie et al., 2016), the role of cultural adaptations in youth justice (Vergara et al., 2016), and emphasis on youth voice within YJR (Turner, 2019). Given the propensity of researchers to conduct deficit-based research on marginalised populations and the potential negative implications of this (Deckert, 2017), I purposefully designed neutral or positive-leaning research questions which still sought to address gaps in literature:

1) What are the experiences of youth in justice residences in Aotearoa?
2) How do youth justice residents experience growth and fulfilment and how do YJR staff facilitate this?
3) How do youth in justice residences perceive and interact with the cultural adaptations implemented by Oranga Tamariki?

To answer my research questions, I selected a qualitative methodology which best aligns with my theoretical framework and ethical considerations of conducting research in secure facilities (See Chapter 3: Methodology for more information on methodology selection). I employed semi-structured interviews with five rangatahi and two staff members at two YJR in Aotearoa, Whakatakapokai in Weymouth, and Te Maioha o Parekarangi in Rotorua. Interview questions are strength-based rather than deficit-based (Lee et al., 2023) such that they do not interrogate specific factors of why youth enter the system or details of their offenses. Staff members were interviewed in addition to youth as data source

triangulation (Carter et al., 2014). It has been noted that comparing data from multiple sources creates an “iterative process”, where ideas can be explored in more depth. Additionally, multiple data sources can lead to a better understanding of the context discussed in individual interviews (Carter et al., 2014) which proved to be very beneficial in getting a sense of the larger nature of YJR to help answer my research questions. Data was collected over six site visits between 2023 and 2024 (exact data collection dates are withheld to protect the anonymity of participants). Interviews were recorded, transcribed, and coded using NVIVO. Reflexive thematic analysis was then employed using Braun and Clarke’s (2022) six-step process.

Throughout the course of this research, I underwent consultation with my supervisors, Oranga Tamariki, and multiple youth organisations and professionals in an effort to ensure my research design was not only feasible but respectful of participants and situated appropriately in the local and historical context. This consultation led to a number of careful decisions about the positioning and scoping of this project, including the selection of my theoretical framework. Incorporating both critical race theory and counter-colonial criminology offered a compelling lens to explore my research questions and analyse my data.

Theoretical Framework

Since Māori youth are incredibly overrepresented in the justice system (The Office of the Children’s Commissioner, 2019) the theoretical basis for studying youth justice residences in New Zealand must hold central historical context and current race relations. There is a wide range of theories that explore this, with the most overarching being critical race theory (CRT). CRT conceptualises the inequity and power dynamics ingrained in society that keep minorities disadvantaged and marginalised (Delgado & Stefancic, 2017). Within the research context, it means avoiding the hegemonic and pathologizing assumption that race is in itself a risk factor leading to bad outcomes, instead acknowledging the underlying

structural issues that affect minority groups (Manuel et al., 2023). Using CRT to study Māori youth requires unpacking hundreds of years of colonisation that continue to have lasting detrimental impacts (Tauri, 2016; Vázquez, 2018). Hillyard and Tombs (2004) posit that colonisation caused compounding harm even beyond the physical, financial, and psychological, also devastating the social-cultural realm that connects the Indigenous community and holds close its knowledge and values. For the purposes of this study, a CRT framework is best set alongside other theoretical models like counter-colonial criminology to fully contextualise and validate the localised experiences of participants.

Counter-colonial criminology can be used to further conceptualise how ongoing repeated social harms result in Māori overrepresentation in every step of the justice system (Agozino, 2004). Scholars have detailed how criminology as an academic discipline has reinforced the suppression of Indigenous knowledge and stereotype of the deviant 'other' (Cunneen & Tauri, 2016; Deckert, 2017; Tauri & Webb, 2012). Through a counter-colonial framework, this thesis exhibits disciplinary reflexivity (Wilkinson, 1988) to critically engage with the data, dismissing a traditional understanding of crime and punishment as an interpersonal issue in favour of an Indigenous model of community harm and healing. This reflexivity acknowledges the larger systems at play, including the self-serving criminological discipline, that feed individuals into the current justice system and reinforce harmful stereotypes. Taking a counter-colonial and CRT positioning allows this research to avoid a pathologising deficit-based approach which risks perpetuating problematic and harmful stereotypes about Māori youth.

Designing a study with these frameworks as a tauiwi researcher also means identifying and adopting a "research interface" which draws from both Kaupapa Māori and Western research principles (Ryder et al., 2020). Though non-Māori cannot conduct Kaupapa Māori research outright, scholars suggest that researchers can promote cultural safety for

Māori participants by drawing from Kaupapa principles, "privileging" Indigenous methodologies and worldviews (Wilson et al., 2022). This interaction of epistemology as a combined approach adds rigour and structural integrity to research, while still acknowledging and challenging the white hegemony that has historically dominated research (Ryder et al., 2020). Collecting and analysing data through an approach which acknowledges, respects, and values Indigenous processes, and positions the participant as the "expert" in their own experiences helps to mitigate unequal power dynamics, promoting a mutually beneficial and respectful research process (Deckert, 2017; Dunkerly & Poplin, 2022; Vázquez, 2018).

Research Paradigms and Scoping

Multiple research paradigms were used over the course of this study. Rather than taking on a positivist empirical approach to uncover one single reality or truth, this research adopts ontological relativism to validate the varied experiences of participants (Braun & Clarke, 2022). This relativism is evident in the findings section of the thesis (see Chapter 5: Findings), which focuses on "interrogating and unpacking the realities that are expressed within the dataset" (Braun & Clarke, 2022, p. 10). Given the use of this paradigm, it should be noted that my data source triangulation in interviewing both youth and staff was used to allow for additional depth in analysis, not to establish validity of responses. Since relativism emphasises the inherent value and agency in individual responses, outside verification is not essential.

Relativism was combined with a critical approach, which examined the data from a wider, more systemic lens. Using this critical lens in the discussion section of this paper (See Chapter 6: Discussion), therefore, allowed for a richer analysis by uncovering the intricacy of social ills that underlie the findings (Heiner, 2006, as cited in Anzari & Sarwono, 2019). The strength of combining these two research paradigms as a decolonial action is aptly captured by Fine et al. (2008, p. 174 as cited in Braun & Clarke, 2022): "Inquiry that seeks to reveal

the historic and contextual specificities of place and identity can shed light on the worldly effects of domination and resistance". Both the relativist ontology and critical lens align with Kaupapa Māori research and a decolonial agenda, allowing me as a Pākehā researcher to respect the culture and voices of my participants, underscore the value in Indigenous ways of knowing, and acknowledge the role of dominant groups in knowledge construction and control (Moko-Painting et al., 2023).

Given the critical paradigm and theoretical framework used, the decision to initiate this research with a focus on reform was not made lightly. Valid objections to prison and justice system reform have been raised by abolitionists who claim that reforms only strengthen current systems of control, allowing the state more institutional power to marginalise and oppress (Brown & Schept, 2017; Evans, 2021). While I tend to agree with overarching arguments for abolition, I also believe that there is merit in trying to improve the existing systems for those currently in state custody and those who will enter custody before mass systemic change can take hold. This is particularly relevant for a country which routinely sensationalises, and in turn harshly condemns youth crime (1news, 2023a; 1news, 2023b; Hewett, 2024; Little, 2019; Morton, 2022; Webb et al., 2022), making abolition a valiant but likely distant solution. This study, therefore, embraces "abolitionist reform" which seeks to not "legitimize the prevailing system, but gradually diminish its power and functions." (Knopp et al., 1976, p. 24, as cited in Lamusse, 2023, p. 38). This is pursued through the theoretical framework of the study, applied in both analysis and discussion.

Finally, in order to examine youth justice and carry out a study that directly engages youth, it is important to clearly define "youth". Though it may appear straightforward, this topic has been debated for decades across disciplines (Doolan, 2008; Meiners, 2014). From arguments on age of criminal responsibility (Meiners, 2014) to developmental stages (Haines et al., 2021), what distinguishes "youth" from "children" and "adolescence" is often a grey

area which is fluid and contextual. Given that this study interacts with youth in Oranga Tamariki custody, the definitions provided by Oranga Tamariki will be used, which categorises children (tamariki) as aged 10-13 and youth (rangatahi) as aged 14-17 (Ministry of Justice, 2023). It should be noted that persons aged 17 were considered adults by Oranga Tamariki until 2019 when the upper parameter was adjusted to move them into the youth category (Spier, 2023). I acknowledge that the use of the Te Reo Māori term "rangatahi" to discuss youth in custody risks perpetuating existing stereotypes about Māori youth delinquency. The terms "youth" and "rangatahi" are therefore used interchangeably throughout this thesis, where rangatahi should be considered to mean all those aged 14-17, not solely Māori youth unless otherwise specified.

Thesis Structure

This thesis opened with a statement of positionality which discussed my background and intention in carrying out this project. Chapter 1: Introduction then presented foundational information and key concepts to establish rationale for this research. The introduction also included the theoretical framework for this study, outlined the research questions and noted decisions that were made regarding the scope of this project. The introduction concludes by describing the structure of this thesis.

The next section, Chapter 2: Literature review, provides brief historical and situational context regarding the removal of youth from their homes in New Zealand. The literature review maintains focus on the youth justice space, approaching existing literature with a lens to the development of youth justice processes and Oranga Tamariki. It also outlines the impact of institutionalisation on youth and children. After providing this context, the literature review touches on several proposed youth justice reforms within New Zealand. Finally, it takes an in-depth look at research surrounding cultural adaptations. It discusses

adaptations to health and education models in New Zealand followed by adaptations to substance use, social services, and justice internationally.

After the literature review is Chapter 3: Methodology. This chapter begins by covering important considerations in methodology selection and development, which have informed the research methods. It goes on to detail the process of gaining ethics approval and research access for this project. Methods are then described including procedure for recruitment, consent and data collection. This chapter concludes with an in-depth explanation of the reflexive thematic analysis process and acknowledges the limitations of this research.

The next chapter, Chapter 4: The Journey and the Participants, provides background on both residences from which participants were recruited for this study, a description of the interview experience, as well as a short synopsis of each participant. These synopses, which highlight core points and key features of each interview, were included to help individualise the participants in this study before a collective cohesive analysis is presented.

Next is Chapter 5: Findings. This chapter identifies six key themes produced from the data analysis. Themes are organised under two different scopes, the Personal Microcosm (with themes of *Expressions of agency and control, Varied relationships; varied value*, and *Kids as kids*) and the Structural Macrocosm (with themes of *YJR has benefits, but these do not curb offending, Institutionalisation is not a fix and cannot be fixed* and *Historical and cultural baggage impede service delivery*). Each theme includes direct quotes from interviews, in situ.

Chapter 6: Discussion then describes how these themes fit together to form critical structural issues in the administration of youth justice in Aotearoa. It starts by highlighting a system that diffuses responsibility amongst parties who are unable to carry out what is expected of them, what I term the Three-Body Problem. It then talks about how dominant narratives perpetuate YJR even as a "zombie idea" (Peters & Nagel, 2020). It goes on to

discuss how the state maintains the power and metaphorical stage to “perform ignorance” (Stanley et al., 2024). Finally, it touches on the need for collective and societal responsibility for true ground-up community-based justice reform. The final chapter, Chapter 7: Conclusion, systematically reviews what has been discussed and touches on action items as well as a future research direction.

Chapter 2: Literature Review

The following literature review takes what Braun and Clarke (2022, p. 120) call a "making an argument" model, which offers a focused look into why this research was developed, providing rationale as well as in-depth localised context for this study. This literature review does not intend to detail all extant information available about youth justice interventions, YJR, or cultural adaptations. Extensive research exists on youth justice, development, and child studies, such that focus for the purpose of this review is necessary. This literature review looks first at the history of child removal in New Zealand (NZ) followed by a look at the impacts of institutionalisation on youth. Current suggestions for youth justice reform are then outlined, offering a brief on "what is known about what works in NZ YJR". This chapter then delves into research on cultural adaptations across different disciplines including health and education. Finally, it discusses how cultural adaptations have been applied in substance use, social services, and in justice settings, outlining both strengths and critiques of these models. It concludes by emphasizing the need for additional research on NZ YJR.

Brief History of New Zealand Youth in Custody

Though New Zealand's use of restorative practices in youth justice is well-researched and highly praised internationally, its long history of removing youth from their homes for protection or punishment has only recently garnered widespread attention. "The Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions" (2020) has placed a spotlight on this issue, uncovering that up to 250,000 children and youth may have been abused in state care since the 1950s. Since the 1900s, reformatories, borstals, and boot-camp-style detention centres have been used to handle youth crime and have repeatedly been deemed unsuccessful in 'rehabilitating' youth or encouraging

desistance (Maxwell, 2017). Scholars and reform organisations alike have historically vocally opposed the tough-on-youth-crime rhetoric that continuously re-emerges, as research shows that the detention and incarceration of children is not only ineffective in reducing recidivism (Reil et al., 2022) but is also incredibly damaging to youth development (Cavanagh, 2022; Singh, 2023) and regularly violates children's rights (Cunneen et al., 2016; Lynch, 2008).

The 1989 Children, Young Persons, and Their Families Act (CYFA) shifted the focus of youth justice away from punishment and towards rehabilitation, introducing a variety of different options for handling youth crime such as family group conferences (FGC) and rangatahi courts (Maxwell, 2017). The intention of these reforms was to give judges the choice to divert low-risk offenders away from the justice system, limiting their institutionalisation. While the number of diversions did increase, the disproportionate incarceration of Māori youth remained consistent (Cleland & Quince, 2014). This ever-present disparity has caused some scholars to scrutinise the purpose and function of these reforms.

For example, Tauri regularly criticises New Zealand's emphasis on youth justice restorative practices as a "by Māori for Māori" approach, citing tokenism and assimilation as the key drivers rather than decolonisation and return of tino rangatiratanga to Māori. Tauri (2022) distinguishes between state-centred and Indigenous-centred restorative justice, highlighting that Indigenous voices are regularly silenced in the administration of justice and restorative justice practitioners are notoriously resistant to Indigenous critique. Family court, adjacent to youth court, has also received critique about its failure to respect and uphold tikanga (Boulton et al., 2020; Moyle, 2016; Reil et al., 2022). A 2020 study (Boulton et al.) investigated how Māori whānau experience family court, revealing that they often found it alienating, stigmatising, and monocultural. Additionally, Māori social workers have

identified the lack of cultural sensitivity and acknowledgement in court processes as a huge barrier to building trust and rapport with families (Moyle, 2016).

In agreement with Tauri, Fitzmaurice-Brown (2023) argues that Māori-centred reforms within the CYFA were not properly resourced, hindering their development and leaving Māori youth falling through the cracks. Lynch (2012) points out that the progressive foundations behind CYFA reforms have been negated by the politicisation of youth crime, as punitive rhetoric continues to re-emerge with governmental shifts. This is relevant and applicable in the current political landscape where the National, ACT and NZ First coalition government hastily moves forward with plans to build new youth justice residences and boot camps (Manch, 2023; Pearse, 2024). The insistence on a harsh response to youth crime comes even with abundant research outlining the negative ramifications of a "tough-on-crime" approach (Antolak-Saper, 2020; Crofts et al., 2023; Lambie; 2022; Van Vuuren, 2023). Research suggests that while secure facilities intend to interrupt offending and stop its escalation, they work counterintuitively, increasing the likelihood of reoffending by stripping children of protective factors and inhibiting the development of beneficial prosocial characteristics (Antolak-Saper, 2020; Cavanagh, 2022). The next section will delve into the known impacts of institutionalisation in more detail.

Impacts of Institutionalisation

The negative impacts of institutionalisation on a young person's development are extremely well documented. A young person's resilience, their ability to return to baseline functioning after a stressful event, develops naturally as they interact with their surroundings and cope with everyday challenges (Greene, 2014). This process is dynamic, shifting situationally. Hostile, unpredictable environments, like secure facilities, cause children to abandon socially acceptable responses to stress, instead adopting emotionally charged behaviour as a survival mechanism. This is illustrated by Fairchild et al. (2019) in a study that

showed children with conduct disorder, who make up a large portion of justice-involved youth, had less grey matter in the limbic system of the brain suggesting reduced capacity for emotional control. Chestang (1972, as cited in Greene, 2014) posited that only environments that foster pride, self-respect, and hope for the future allow children to overcome adversity. The youth justice system generally imparts an opposite environment for youth due to its punitive nature and tendency to characterise, restrict, and label.

Additionally, most justice-involved children have experienced some form of trauma or neglect, which deeply affects brain structure, function, and connectivity (Malvaso et al., 2022; Singh, 2023). In recent years, the Adverse Childhood Experiences (ACE) measure has been used to understand the extent children are influenced by various life events such as abuse, neglect, and parental incarceration. ACE studies outlining cumulative complex traumas have shown devastating outcomes for children including poor health, lower educational attainment, and a higher risk of incarceration (Malvaso et al., 2022). As ACEs occur, children experience neurobiological damage that permanently alters their behaviour and executive functioning (Malvaso et al., 2022). This may both contribute to offending and be exacerbated by institutionalisation (Evans-Chase, 2014). There is evidence that youth regularly face additional trauma during periods of detention, further negatively impacting their brain development (Evans-Chase, 2014; Reid & Sumner, 2021). Beyond ACEs, minority children must also bear the burden of intergenerational trauma, which is passed down from years of oppression and discrimination (Gluckman & Lambie, 2018). These compounding traumas may limit a child's capacity to develop resilience, which would combat antisocial and delinquent behaviour (Greene, 2014; Thomlison, 2003).

Another detrimental aspect of youth being placed in secure facilities is their removal from social supports and the absence of opportunities for positive pro-social interaction. Youth in residences experience "deviancy training" as they pick up on new delinquent

behaviour from antisocial peers (Souverein et al., 2023). Further, relationships within facilities are often characterised by power and control causing the malleable youth brain to adopt this maladaptive relational model (Cavanagh, 2022). In the New Zealand context, there is often a wide gap between youth and the healthy relational support they need. While Oranga Tamariki makes an effort to place children in the YJR closest to their homes, placements are dependent on bed space such that youth are regularly moved far from their families. This strains their ability to stay connected, negatively impacting their re-entry (Francis & Vlaanderen, 2023).

This is not the only challenge that youth face post-release. The damage a child experiences from labelling and institutionalisation carries over into the community after incarceration, making return to normalcy extremely difficult (Kroska et al., 2017). One longitudinal study conducted in the United States correlated age of detention with recidivism, finding that 94% of youth imprisoned between the ages of 10 and 12 reoffend before adulthood (Singh, 2023). In New Zealand from 2016-2017, 88% of youth released from YJR reoffended within 12 months of their release (Oranga Tamariki Evidence Centre, 2019). Children who are labelled as delinquent from justice system involvement can no longer achieve "goodness of fit" in normal social situations (Greene, 2014; Novak & De Francisco Lopes, 2022). Given that youth success is often measured by their desistance, detention sets justice-involved youth up for failure as they lose a sense of belonging and connectedness from their time out of the community (Benton, 2021). Research shows that children feel a perceived "loss of childhood" even in short periods of detention, affecting their ability to successfully re-integrate (Crofts et al., 2023; Gavin, 2014; Gooch, 2016; Mallett et al., 2011).

Ideas on how to manage the negative effects of detention for youth while balancing community safety have varied. While some urge reform to existing structures like YJR, others have called for their complete shutdown, promoting community-integrated alternatives

under the guidance and control of community groups instead (Action Station, 2023). Despite the well-documented negative impacts of detention and incarceration documented here, many still show strong and even enthusiastic support for harsh punishment for youth offenders, reinforcing the illusion that secure facilities like YJR are justified and beneficial in curbing youth offending. The next section will highlight some of the key reports and memos that have been produced by New Zealand scholars and governmental organisations suggesting reforms to YJR.

Suggested Reforms to New Zealand YJR

A 2021 Oranga Tamariki Ministerial Advisory Board report found that the large focus on reform that has been placed on care and protection residences regularly excludes YJR, which tend to be "deprioritised" on a national level (Francis & Vlaanderen, 2023). Though Oranga Tamariki had long planned to "refresh residential options" to include secure therapeutic care facilities, under resourcing within the youth justice division made this endeavour impossible. This was compounded by issues in staffing and training to meet the complex needs of rangatahi, making the focus of YJR containment rather than rehabilitation. A transition plan for care and protection residences, designed by Oranga Tamariki, intends to partner with Māori organisations and mana whenua to "lead the development, design and delivery of solutions" allowing Oranga Tamariki to take a smaller role in the provision of youth services (Oranga Tamariki, 2021). Whānau Ora, which delivers governmental services to families through Māori community partners, echoed this transition plan in a 2022 report that focused on reducing child poverty. Largely, they suggest changing the funding of the social sector to prioritise Kaupapa Māori and "whānau-centered approaches." While these recommendations speak to the management of youth in Oranga Tamariki care more generally, other governmental reports have focused specifically on YJR. These YJR-specific

reports, outlined below, have not yet suggested transitioning administration of residences to the Māori community.

In 2023, Oranga Tamariki published a report on "International Best Practice and Models for YJR" which states that YJR must maintain a clear purpose and role in order to implement a more appropriate model to work with young people (Matheson, 2023). The same year, following allegations against Oranga Tamariki staff, a rapid review of Oranga Tamariki-managed secure residences was ordered by Oranga Tamariki CEO Chappie Te Kani. The findings of this review aligned with the initial report by Oranga Tamariki on best practices, finding that change talk and transition tended to be vague and unclear, without consistent operating models, procedures, or strategies for implementation (Francis & Vlaanderen, 2023). The review states that Oranga Tamariki has long been a catch-all, last resort organisation for children and youth who have fallen through the cracks of other government services, such that key on-the-ground purpose is abstract and indiscernible. The review emphasises the need to align priorities with actions so that there is not a disconnect between what is discussed as important within the agency and what is shown to be important through agency actions. For example, if therapeutic models of care are highlighted as priority, programmes must swiftly and clearly follow.

Actionable items within the rapid review (Francis & Vlaanderen, 2023) are geared more towards organisational restructuring to promote safety and efficiency and streamline service delivery, rather than changes that centre youth programming or success. However, one recommendation that emerged is that a set of more individualised residences be established for specific needs such as complex mental health, younger first-time impulsive offenders, and older 'life course persistent' offenders. The review also suggests the consistent and correct use of individual care plans and investment in developing and strengthening relationships with whānau (Francis & Vlaanderen, 2023).

Lambie et al.'s 2016 report for the Ministry of Social Development evaluated international evidence on best practices within YJR, offering an in-depth look at a variety of intervention and treatment models. This report was compiled through not only literature review but also interviews with youth justice experts. The report found that several youth justice practices are well supported by evidence to include a risk, need, responsivity model (RNR), multisystemic therapy (MST), multidimensional treatment foster care (MTFC), and cognitive behavioural therapy (CBT). An RNR model works to address youth risk factors in offending by taking into account the specific characteristics of individual offenders and tailoring interventions to meet them where they are. MST, based on Bronfenbrenner's social-ecological theory (1979), is generally utilised in community settings, focusing on addressing issues within youth social circles and environments that they move through. MTFC is an alternative to secure residence and involves placing youth in a foster home and involving foster parents in the treatment of challenging behavioural or emotional issues. Finally, CBT involves correcting unhelpful thought patterns and beliefs to reduce negative behaviours. Each of these practices are client-focused and evidence-backed, showing positive results when implemented with youth offenders.

Practices that do not have sufficient evidence to support their efficacy or hold a high risk of harm are also noted in this report (Lambie et al., 2016). For example, Lambie et al. (2016) describe a lack of evidence supporting alternative education, which takes young people out of the classroom and places them in a specialised setting for behavioural management. One practice, behaviour modification systems (BMS), was deemed to be a high risk to youth, with evidence to suggest negative repercussions (Mohr et al., 2009). BMS uses rewards to motivate positive behaviour usually in the form of a token or point system. Mohr et al. (2009) argue that the use of BMS is counterproductive as staff get stuck in a "aggression-coercion cycle" (p. 12) which can increase the chances of using seclusion or

restraint when positive youth behaviour is not demonstrated. Furthermore, BMS does not align with best practice which requires client-centred, culturally and developmentally appropriate care (Mohr et al., 2009). It should be noted that BMS is currently used in all but one of New Zealand's YJR.

Lambie et al.'s (2016) report did not score cultural adaptations, stating that there has not been enough empirical evidence produced to evaluate these programs efficacy (though they are noted as "sustained" and promising). More recent reports still indicate a need for increased cultural relevance for youth services. A report published in 2022 by Reil et al. titled "How we fail children who offend and what to do about it: 'A breakdown across the whole system'" highlights the government's responsibility to incorporate "cultural responses and practices" within the family court system. This report also states that increasing iwi involvement in both justice and care cases should be a priority. The most recent report by Oranga Tamariki on best practices in residences (2023), mentioned briefly above, makes very little mention of culture, simply stating that there is a need for "Te ao Māori perspectives and bicultural practice." Without further expansion, actionable plans to achieve this remain unclear. The next section of this literature review discusses how cultural adaptations are applied across different disciplines within New Zealand and then within social services internationally.

Research on Cultural Adaptations

Strong cultural identity has been identified as a protective factor against offending while simultaneously, Indigenous groups experience "cultural disintegration" (Blake et al., 2015; Garcia, 2020; Lambie et al., 2016; Ravulo, 2009; Tauri & Webb, 2012). In a New Zealand context, the late Māori legal scholar Moana Jackson described an immense amount of dissipation of Māori culture at the hands of British colonisers (1988). However, he cautions criminologists against individually pathologizing offending as a cultural disconnect

when larger “socio-cultural forces” are at play (1988). Jackson promoted an Indigenous approach to crime that let Māori hold governance over their own justice system. Rather than transferring jurisdiction into the hands of Māori, however, the New Zealand government has gradually co-opted parts of Māori culture to incorporate into their justice processes (Tauri & Webb, 2012).

In broader terms, the literature on cultural adaptations depicts a spectrum of different influence culture can play in programming ranging from cultural sensitivity to full cultural participatory design and implementation. Furthermore, programming may also include different levels of structure, where participants may choose a level of involvement that works best for them (Tetrault, 2023). Views on the benefits of cultural adaptations vary throughout the literature. Some praise it as a promising decolonial route forward for justice systems that hyper-incarcerate Indigenous people (Tetrault, 2023; Vergara et al., 2016) while others call it “destructive” (McGuire & Murdoch, 2021), arguing that Indigenous programming within restrictive settings is another tactic for “control, assimilation, and extermination” (Marques & Monchalin, 2020). Thus far, academic literature on cultural adaptation has mainly been reserved for health, education, and addiction models with limited implementation within the criminal justice world. This portion of the literature review will discuss culturally adapted health and education models in New Zealand and then touch on a number of cultural adaptations implemented in substance use, social services, and justice systems internationally.

In NZ health

New Zealand health systems have implemented cultural adaptations to try to address significant healthcare inequities for Māori, with Māori health providers and programmes officially forming in the 1980’s (Pollock, 2019). In 1982, Mason Durie introduced the now widely used Te Whare Tapa Whā, a model of health that is based on a Māori worldview of

wellness. It incorporates spiritual, mental, physical, and family health, represented by a wharenui (meeting house). Manatū Hauora, The New Zealand Ministry of Health, use Te Whare Tapa Whā along with another Māori health model called Te Wheke (Manatū Hauora, 2023). Created in the 1990's by "international educationalist" Dr. Rose Pere (Educational Leadership Project, 2021) Te Wheke uses an octopus to depict different elements of individual and family health. Each of 8 tentacles on the octopus represent a different dimension of health such as "whatumanawa: the open and healthy expression of emotion" and "mauri: life force in people and objects" (Manatū Hauora, 2023). Like Te Whare Tapa Whā, Te Wheke shows interconnection of the mind, spirit, whānau, and physical world (Manatū Hauora, 2023).

A new model was proposed by Mark and Lyons in 2010 called Te Whetu (the star) which also incorporates the land and genealogy into the existing elements of Te Whare Tapa Whā. Employing these models allows practitioners to better understand and engage with Māori approaches to health, to better care for Māori patients. The Meihana Model introduced in 2007 is also used by health professionals to connect with Māori patients. It uses whakatere (navigation) to conceptualise a patient's movement through health systems. It has received favourable feedback from medical professionals and patients since its inception and has proved promising in increasing the quality of healthcare interactions for Māori (Pitama et al., 2014). By building this cultural framework from elements of Te Ao Māori while also contextualising health historically and socially, Pitama et al. (2014) states that "This model allows diverse Māori realities within a colonised society to be recognised and responded to" (p. 116).

In NZ education

The educational sector has also attempted to remedy Māori inequities in education through culturally adapted processes and models. Te Pikinga ki Runga is a Māori wellbeing

model that was created in New Zealand to address problematic behaviours in school, offering a 'holistic strengths-based' framework based on the principles of Te Tiriti O Waitangi (McFarlane, 2009). It has been implemented in conjunction with He Hui Whakatika, a programme based on the idea of a restorative "hui" (Bateman & Berryman, 2008) as a traditional culturally grounded space for conversation. Scholars have argued that reassertion of Māori practices in standardised school settings can encourage participation and positive relationships for Māori students (Bishop & Glynn, 1999, as cited in Bateman & Berryman, 2008). The more recently formed Huakina Mai model was designed to promote a "positive school culture" through strength-based behavioural intervention and inclusion of tikanga (Savage et al., 2014). It is a whole-school relational framework intended to cater to the needs of Māori students. Both of these models, though not empirically tested, have initial promising results, and received "endorsement" from Māori (Lambie et al., 2016).

In 2021, Te Tāhuhu o te Mātauranga, the Ministry of Education, commissioned an evaluation of a pilot educational mana enhancement program titled Te Ara Whakamana (Hammond, 2021). This model is a "culturally centred, research-based tool for positive behaviour change" (p. 13) created in response to a rise in "extreme behaviour" in schools, particularly from Māori students. The model, which uses imagery and tales from the Māori creation story, was designed to help teachers manage behavioral issues in a non-punitive way instead encouraging "self-awareness, emotional regulation, and communication" (Hammond, 2021, p. 13). Thirty-six schools piloted Te Ara Whakamana, with 23 fully trained in the model and 13 partially trained. Evaluation of this pilot found positive effects on wellbeing of students, teachers and whānau, an increased cultural capability of schools, and an improvement in pedagogy (teaching and learning) and whole school reflection. In turn, it was recommended that Aotearoa invest in "culturally responsive education" to further "professional development" and improve outcomes for students (Hammond, 2021, p. 11).

It should be noted that schools implementing the models discussed above differ from schools which adopt a full Kura Kaupapa Māori approach. There are currently 67 Kura Kaupapa Māori in Aotearoa (Kerr-Laurie & Macduff, 2024), which offer not only tikanga and Mātauranga Māori but also language immersion. Smith (1997, as cited in Tocker, 2015, p. 24) describes Kura Kaupapa as a "transformative model of resistance" which pushed back against the state's "monolingual and monocultural stipulations" of traditional education (Tocker, 2015, p. 24).

In NZ YJR

The most prominent cultural adaptation implemented by Oranga Tamariki within YJR is the Whakamana Tangata Model. This model was piloted in Te Maioha o Parekarangi YJR in 2017 and expanded across all residences after an evaluation showed beneficial results for youth and staff (Păroşanu & Wehipeihana, 2021). Whakamana Tangata is described as a restorative-relational approach to managing youth behaviour, created to prevent harmful incidents and respond to conflict in a culturally appropriate manner by using several Te Ao Māori informed practice tools. Many of these tools are discussion based, empowering rangatahi to voice their opinions freely in a safe space.

"Pātai vs Kōrero (ask versus tell)" employs McCold and Wachtel's restorative Social Discipline Window (2003) to encourage rangatahi to guide discussions rather than placing control of dialogue in the hands of staff (Păroşanu & Wehipeihana, 2021, p. 21). "Community Hui" and "Hui Whakapiri" (p. 21 & 23) are meetings based in a restorative philosophy which allow youth to voice their opinions or resolve conflict through dialogue, restoring mana for all meeting participants. Similarly, "Kōrero Whakapiri" is a discussion tool used to respond to a breach of rules with a focus on repairing harm and preventing future harm (p. 22). Each of these tools is guided by "Hue Whakapiri", a metaphorical gourd that encourages use of restorative philosophy (p. 23). Evaluation of this model through interviews

with youth and staff found that it improved "relational culture" within the residence, allowing for improved communication and respect. However, the model's effect on frequency or severity of behavioural incidents was not captured (Păroşanu & Wehipeihana, 2021).

In addition to this model, Oranga Tamariki opened their first culturally centred youth justice residence, Whakatakapokai, in 2021 (Oranga Tamariki, 2023b). This residence, designed in partnership with mana whenua, adopts a Te Ao Māori approach through culturally appropriate entry and departure, collaborative decision-making, as well as greater whānau engagement. Additionally, "Mātauranga Māori concepts of hauora, tikanga, kawa, whakapapa, and mauri ora" are integrated into health and education services (Oranga Tamariki, 2023b). Reports on this residence have explored the treatment of youth (Office of the Children's Commissioner, 2022) but contain little information on how cultural adaptations are received by rangatahi or if there is any influence on their desistance. As Whakatakapokai is one of the residences recruited from for this thesis research, more information is included in Chapter 4: The Research Journey and Participants.

In substance use, justice, and social services internationally

Countries like Australia, Canada and the United States have been exploring culturally tailored solutions to manage the overrepresentation of Indigenous persons in both addiction and crime. In 2013, the Australian Institute of Criminology (AIC) produced a report on the efficacy of Indigenous Youth Justice Programs (Stewart et al., 2014). The report outlines difficulty in measuring the "success" of these programs, not only because of limited availability of data but also because the programs could not be isolated from other life events or social factors that youth experience, making them difficult to empirically test. This struggle was also outlined by Vergara et al. (2016) in their attempt to understand the effectiveness of cultural adaptations in the United States. Still, understanding the design and

operation of these programs provides insight into what currently exists in this culturally adapted intervention space.

Four different programs for Aboriginal youth aimed at preventing and interrupting crime were evaluated (Stewart et al., 2014). Aboriginal Power Cup is a sports-based program that encourages Indigenous engagement in education by introducing positive Aboriginal role models to at-risk youth. While its success in keeping youth in schools has been inconclusive, qualitative interviews with participants have shown that it "facilitates culturally relevant curriculum" and gives students "a sense of achievement" (Stewart et al., 2014, p. vii). The Tiwi Islands Youth Development and Diversion Unit is a diversion program that focuses on engaging first-time offenders with the community through community services and addressing risk factors, as an alternative to incarceration. Initial results of this program were promising in that only 20% of youth reoffended within the year following their involvement, much lower than typical reoffending rates. Not only that, but youth and their families found the program useful in "reconnecting young people to cultural norms" (Stewart et al., 2014, p. vii). The Woorabinda Early Intervention Panel acts as an early intervention service to meet the needs of young offenders or at-risk youth. The reoffending period measured for this program was significantly longer than the Tiwi Islands program, such that within six years of participation, the majority of youth had reoffended. Despite this, participants of this intervention reported positive behaviour change and verified that it was culturally appropriate. Finally, the Aggression Replacement Training program is a 10-week CBT intervention that helps at-risk youth develop pro-social skills and emotional management. Reoffending data as well as measures of cultural appropriateness were not captured, though participants did seem to find the program valuable. Stewart et al. (2014) note that each program suffered from inadequate resourcing. Evaluating these programs also revealed that failure to take a culturally sensitive approach to programming may result in Indigenous youth

not internalising the “knowledges, attitudes and behaviours” (p. 87) that the programs attempt to teach.

Since the 2013 AIC report, other cultural adaptation efforts have been pursued in Australia. One program attempted to reconnect young offenders to their culture through a partnership with the Australian Museum, under the assumption that strengthening their cultural identity would encourage their desistance (Blake et al., 2015). This intervention invited Pacific youth on community supervision to visit the museum and interact with cultural artefacts (Blake et al., 2015). A qualitative study was then conducted to understand youth and family attitudes towards this intervention. Results showed that while generally youth and their families appreciated and enjoyed the program, it was not transformative within itself. Many youth in the study struggled with the concept of culture as too vague to comprehend but simultaneously asserted that they already felt confident in and comfortable with their heritage. None expressed any isolation or distance from culture as some suggest is a core reason for young offending. The study recognised that cultural connection only offered a small piece of support in the scheme of many other needs that justice-involved youth have and that longer-term engagement and a more holistic approach to address those needs was crucial (Blake et al., 2015).

This sentiment was echoed in New Zealand studies that investigated cultural adaptations. One study which looked at a culturally adapted model for intensive family intervention found that a lack of “macro level interventions” like tools to address poverty and racism results in the continued pathologizing of Indigenous groups for factors outside of their control (Atwool, 2021, p. 556). Atwool (2021) argues that generic relational models between program worker and family are “likely to reproduce dynamics of colonisation” (p. 554) despite a well-intentioned underlying framework. It therefore becomes dangerous to place a focus solely on culture, ignoring the other needs of program participants. This idea is also

discussed in a study by Haldane (2009) that explored a culturally adapted response to family violence. The qualitative study interviewed front line workers and found that while considering culture is important in responding to incidences of violence, there are a larger set of structures that must also be addressed to care for victims such as systemic and economic challenges. Importantly, Haldane (2009) states that "what gets labelled as culture in the policy documents are the symbolic and traditional artefacts of culture" (p. 487) and that in practice, real interventions extend beyond this and require additional resources. Lack of resourcing extends to the youth justice and care and protection space, as is highlighted in a comprehensive report by Reil et al. (2022). This study explores "How we fail children who offend and what to do about it" making a host of recommendations to address structural barriers, spanning far beyond cultural adaptations.

Furthermore, scholars have posited that simple adaptations to a Western model do not map well onto an Indigenous worldview (Day et al., 2024; Tauri, 2022; Trudgett et al., 2024). In an Australian study conducted by Trudgett et al. (2024), researchers sought to understand the causes behind the lack of Aboriginal engagement with standardised community rehabilitation programmes. The study found that the nature of the program itself misaligned with Indigenous worldviews and that things like learning style, motivation to change and lack of inclusion of broader historical context affect participation. Justice interventions are largely influenced by Western theory, pulling from ideas like CBT which place a focus on individual harm and causes of criminal offending whereas an Indigenous model would focus on collective values, community, and kinship. This is also recognised in a New Zealand context by Reil et al. (2022) who found social work practices with a Western lens did not encourage cultural safety for Indigenous participants. Trudgett et al.'s (2024) study recommended that rehabilitation programs involve elders in program design and implementation and include historical information to help participants understand the background and relevance of

programming. Like scholars above, this study also highlights the need for additional supports on a larger systemic level, outside of simply offering cultural programming.

Other studies also emphasise both providing relevant historical context and allowing Indigenous communities to lead the design and execution of culturally adapted programs. In the United States, researchers investigated how a "life skills curriculum" could be culturally tailored to help at-risk First Nations youth transition to adulthood, focusing on youth and family perspectives of the intervention (Day et al., 2024). The study highlighted the importance of contextualising this kind of programming, stating "Culturally adapted programming requires service providers to have extensive knowledge of historical trauma, cultural motivators, worldview, and knowledge of laws, including federal, state, and tribal, that have an impact on the population." (Day et al., 2024, p. 336). They also discussed the importance of involving tribal members in the development of cultural programs and that while engagement in cultural activities themselves can improve the development of ethnic identity, it also takes reflecting on trauma to make "informed decisions about the lives they wish to lead" (Day et al., 2024). This means acknowledging and validating different parts of one's identity.

This lends itself to the importance of modern situational context, which should also be considered. Critique in the literature suggests that a bicultural approach could be more productive for minority youth, who exist straddling the line between two worlds (Blake et al., 2015). Losoya et al. (2008) looked at how acculturation (adopting values and norms of another culture) and enculturation (adopting values and norms of one's own culture) affected substance use in Mexican American juvenile offenders. The longitudinal study found that offenders who simply acculturate are likely to exhibit higher levels of substance use, whereas those who adapt biculturally, retaining some values of their native culture and adopting some of mainstream culture, tend to use less substances and therefore have better outcomes. The

findings do not support the idea that enculturation alone is a protective factor. Researchers do note that the results are likely related to how accultured or encultured a young person's immediate support systems and home life are as well, speaking to Bronfenbrenner's ecological model (1979). The idea that cultural adaptations should aim beyond simply enculturation is supported by a study by Steiker at al. (2011) who investigated substance use in older youth. They found that cultural adaptations that focus only on ethnicity fail to take into account other characteristics of a young person's life and how youth understand their own identity. Steiker et al. (2011) suggest that this barrier can be overcome by developing culturally adapted programs with a participatory design.

Similarly, some scholars have suggested that culturally adapted programs can only be implemented when the culture of an organisation itself also shifts to be under the design and control of the target group. A study in Canada looked at culturally adapting a program that helped Indigenous youth transition out of homelessness (Lund et al., 2022). Rather than simply including individual Indigenous practices within the scheme of a Western model, this study emphasised the need for a top-down approach that would restructure the organisation to embed Indigenous values at its core. Steiker et al. (2011), however, suggest that cultural relevance can be achieved more successfully through a bottom-up participatory design, which includes participants in the development of programs. A study done in the United States on a culture-based substance use intervention for Native Hawaiians endorsed both a top-down and bottom-up approach (Williams et al., 2021). Williams et al. (2021) state that while indeed the structure and operation of an organisation administering programs to Native persons should capture the culture of that group, participants should also be utilised to understand the types of programming desired as well as program reception and suitability. This helps to avoid the forceful implementation of programming that does not resonate with participants. Tetrault (2023) argues that Indigenous communities playing a role in the formation of culturally

adapted programs allows them to “maximize Indigenous control of institutions and challenge coloniality” (p. 18). In his study on Canada’s “indigenisation” of prisons, he states that Indigenous peoples in Canada find a great deal of worth in Indigenous programming within prisons. He posits that though it is not the overarching solution, cultural programming should not be overlooked as a useful decolonial tool. This is particularly the case if staff are knowledgeable about Indigenous practices and participant trauma is contextualised in relation to a country’s history of colonisation.

Summary

As evidenced in this literature review, New Zealand has a long history of removing youth, particularly rangatahi Māori, from their homes for the means of “care” or custody. There have been a number of governmental reports published which detail the need for youth justice reform. These reports explore best practices, including the transfer of administration of justice services to Indigenous providers. However, like administration transfer, many of the recommendations from these reports suffer from a lack of implementation. This could be due to a lack of guidance on tools to actually implement or a lack of input from on-the-ground staff and community members on feasibility of implementation. Justice reforms geared towards Māori, including cultural programming, have been critiqued as piecemeal and underfunded. The disproportionate ratio of Māori detained in YJR has remained consistent and there is not currently evidence available to suggest that YJR decreases the likelihood of offending post-release. Furthermore, the effect of cultural adaptations on youth justice is largely unexplored within existing academic literature.

Cultural adaptations are beginning to be implemented in various parts of the world with an aim to better meet the needs of Indigenous communities, however, their efficacy has not been fully substantiated, particularly within the justice space. Critiques of culturally adapted programs have included their assumption of participant’s cultural disconnect,

creation and development by individuals outside of the target population, failure to include historical context to establish relevance, and failure to address a larger set of systemic issues that affect Indigenous peoples. Despite these critiques, studies have shown that participants generally have positive feelings towards culturally adapted programs, suggesting this could be a meaningful route to reform if implemented correctly. Cultural adaptations have largely not been adopted in justice settings, or more specifically in youth facilities, making YJR in Aotearoa unique and worthy of examination.

Chapter 3: Methodology

This chapter is broad, beginning with a discussion of important considerations that went into methodology selection, as this research works with largely Indigenous youth in a secure state-controlled setting. After outlining important methodological points, this section discusses my process of preparing to conduct research including obtaining ethical approval and access, designing research materials, and organising koha. It then delves into research methods, detailing the process of recruitment, consent, and data collection. Finally, it explores my step-by-step journey with reflexive thematic analysis.

Qualitative Methodology

The qualitative methodology for this research was carefully selected based on the theoretical framework outlined in the introduction, as well as multiple compounding vulnerabilities of participants. Wright and Sekalala (2020) state that working with unique populations requires that an emphasis be placed on researchers as "duty bearers" to protect the rights and dignity of those they are studying. This duty was held at the forefront during both methodology selection and method design, balanced with the notion that justice-involved youth have a right to participate in research and have valuable information to contribute (Drake et al., 2014; Turner, 2019). This study chose to use semi-structured interviews to collect rich narrative information and allow participants to guide the process in a way that is comfortable to them (Deverick & Mooney, 2023). This section will discuss the considerations that were made in methodology selection to include participant's indigeneity, age, and status in state custody. It will then discuss the importance of a strength-based approach, given these unique qualities of participants.

Research with Indigenous populations

In choosing my methodology, I was acutely aware that conducting research within youth justice residences involved a high likelihood of recruiting Māori participants due to their overrepresentation within residences. However, I was also aware that as a Pākehā individual, I would be unable to conduct Kaupapa Māori research (research that is by Māori for Māori) (Smith, 1999). It became apparent that I would need to choose methodology that most agreed with the culture of the community I would be working with, hence my choice of qualitative design (Braun & Clarke, 2022).

A qualitative design is most regularly used in Kaupapa Māori research as it best respects Indigenous self-determination and preferred ways of information sharing, since a high value is placed on narration and storytelling (Haitana et al., 2020; Hudson & Russell, 2009; Smith, 1999). The semi-structured interview was chosen for this study in order to solicit narrative information that captures and values each individual's experience in their own words. This method reflects Indigenous methodology that recognises each unique individual experiences the world differently, and that no individual's reality is truer than another's (Lee et al., 2023). Additionally, Haitana et al. (2020) highlight that a semi-structured interview design aligns with Kaupapa Māori research in that it allows rapport building between researcher and participant (whakawhanaungatanga) and upholds the mana of participants by allowing them the authority and autonomy to guide the interview.

Given that the theoretical framework of this study recognises the ongoing harm of colonisation, including the silencing of Indigenous voices and perspectives, it is necessary to acknowledge how this harm is perpetuated within research. Traditional Western research models often suffer from an obsession with unbiased positivist methodology (Shields, 2016), a format that tends to negate Indigenous knowledge systems and silences Indigenous worldviews. Furthermore, criminological researchers are regularly caught in the pitfall of

deficit or damage-centred research, recording the pain and suffering of participants and pathologising their experience of oppression and abuse (Deckert, 2017; Dunkerly & Poplin, 2022; Lee et al., 2023; Raciti, 2023). This framework ignores strengths and positive attributes, suppresses self-determination, and silences already marginalised communities by only outlining part-truths. In order to not inflict further damage and to combat the traditional "damaged other" narrative that often appears in social sciences research, all of the semi-structured interview questions in this research are strength-based rather than deficit-based.

This strength-based approach, which is sometimes described as a "healing" methodology (Lee et al., 2023), is a valuable tool within criminological research, particularly in decolonial research with Indigenous individuals. Furthermore, it acts as a trauma-informed model which is very important in this context, given that the majority of those who are justice-involved have experienced trauma in their lifetime (Evans-Chase, 2014; Javdani, 2019; Lambie et al., 2016) and Indigenous individuals also contend with intergenerational trauma (Webb, 2017). This research seeks to avoid a "deficit" discourse that portrays marginalised individuals as disempowered and in need of voice, but rather, looks to "amplify" the voices and agency that already exist, by analysing and presenting data critically through a counter-colonial lens (Deckert, 2017).

Research with young people

The view of minors as subjects of study with their own agency and voice emerged around the time that the UN Convention on the Rights of the Child (CRC) was developed (Alanen, 2010; United Nations General Assembly [UNGA], 1989). Human rights discourse recognises specific portions of the CRC that allow children agency and promote their ability to become active participants in matters that involve them, to include research (Turner, 2019). Article 8 gives children a right to their own identity, Article 14 provides children the right to freedom of thought while Articles 12 and 13 allow children the right to express their opinions

in ways that they prefer (UNGA, 1989). Each of these articles speaks to children's ability and right to meaningfully participate in research and have therefore been embraced in methodology selection for this project.

Smith et al. (2023) point out that though the importance of youth voice has been highlighted regularly in a research context, marginalised youth still often "feel ignored or dismissed" when talking about key elements of their lives. Turner (2019) concurs, stating this is especially true for justice-involved youth whose views and perspectives are regularly excluded from public discourse. Moody and Darbellay (2019) argue that to view young people as "social actors" and "rights bearers" places them as active participants in research rather than "observed objects". This research attempts to resituate youth in this context, both in study design and analysis, to break free from the prescribed conventional framework that traditionally oppresses already marginalised youth in research.

Rather than adopting a rigid research design that disregards youth as passive "developmentally incomplete" subjects (McNamara, 2013), a qualitative semi-structured interview design centres youth voice, using methodology to advocate for a child's right to agency, identity, and expression. It also lessens the chance of exploitation by safeguarding youth self-determination, rather than gatekeeping and blocking their thoughts and perspectives (Powell et al., 2012). By viewing youth as experts in their own lives, and therefore, as holders of valuable and unique knowledge and contributions, this study validates the youth experience (Mason & Urquhart, 2001).

While highlighting youth voices and giving youth the opportunity to participate in research is important, it is also paramount to be mindful of the ethical considerations regarding youth vulnerability and the risks of involvement. Powell et al. (2012) identify key issues around consent when conducting research with youth: It must be explicitly given (either a verbal or written agreement), it must be informed in that participants understand the

research and what it means to participate, it must be voluntary without coercion, and it must be renegotiable so that consent can be withdrawn at any point. I kept these considerations at the forefront while planning and carrying out this research, along with the "principles of beneficence and non-maleficence" which obligate a researcher to "assess the potential harms from research and work assiduously to minimise or eliminate them" (Powell et al., 2012, p. 8). By shaping my research materials to fit the age and developmental status of participants, reviewing the participants' information sheet with them multiple times and reiterating the voluntary nature of the study and participants' ability to withdraw consent at any time, I aimed to fulfil my obligation as "duty bearer," (Wright & Sekalala, 2020) to balance youth protection and right to participate (Powell et al., 2012).

Research with incarcerated or detained individuals

Martin (2023) has highlighted the need for criminological research which includes the voices of incarcerated individuals, to clearly demonstrate and articulate the link between colonisation and everyday experiences of oppression. She also states that "insider voices" help to establish dissonance between the negatively biased community perception of offenders and the reality of those who are incarcerated, offering an important tool for criminal justice reform (Martin, 2023). However, research with individuals in secure facilities requires extra consideration in aspects of agency and control. Conducting research within institutions means recognising the coercive nature of the setting and maintaining awareness of the pressure many may feel to participate (Naylor, 2015). In this context, participants hold very little choice in their everyday lives. They are under constant surveillance and pressure to adapt their behaviour to meet the expectations of either staff or counterparts. Therefore, it is imperative that appropriate methodology be selected for these research settings. A relaxed "naturalistic" approach to the research can foster an environment that allows those in custody the ability to exercise power over the process (Turner, 2019). The semi-structured interview

design holds a focus on choice and flexibility (Deckert, 2017; Lee et al., 2023; McNamara, 2013) but it is not enough alone to safeguard against coercion, making monitoring consent also crucial.

Kara et al. (2022) and McNamara (2013) outline the importance of consistently monitoring consent through awareness of a participant's interaction with their surroundings, their body language, and their capacity to concentrate both before and during the interview. This research prioritised clearly and repeatedly communicating a participant's ability to withdraw or take breaks to avoid applying undue pressure to participate. The methods employed placed the researcher and importance of the research second to the participant, whose ability and comfortability to opt out of the study were made paramount (Tolich, 2002). The next section will discuss the process of gaining ethics approval for this research and therefore discuss consent and access in more detail.

Research Preparation

In planning this research, I understood that my intention to work with rangatahi within YJR would create challenges in terms of ethics approval and access. Though the approval process did prove to be long and intense, I carried through because of my belief in the importance of this research. In alignment with my theoretical framework and methodological considerations, I felt it both exigent and timely that this research be conducted so that the loud strum of political populism which demonises justice-involved youth had a meaningful counterbalance, to complement the activist groups that already push back on this narrative. My commitment to this research required flexibility, openness and the skill to quickly pivot during both the approval and data collection process. I had to, at times harshly, reconcile with change as both Auckland University of Technology Ethics Committee (AUTEC) and Oranga Tamariki brought forth valid questions and concerns. This section will discuss my process in

preparing to conduct my study, to include consultation, ethics applications and research material design.

To move my research idea from concept to design, I started by reaching out to several different organisations and individuals working within the youth justice space. The names of the people and groups I have consulted with are not included here due to the informal nature of these conversations, but this process proved extremely helpful in exploring what barriers I may face and extra considerations I may need to make as I moved forward with my research. They also contextualised Aotearoa's youth justice space and the different organisations that interact with youth and their families. I was impressed with and incredibly grateful for the openness and kindness from all the organisations I spoke with, most notably Oranga Tamariki. My early engagement with a representative from Oranga Tamariki allowed me to gain an understanding of YJR, the youth justice process, and the feasibility of my project. My next step following these consultations was to apply for ethical approval from the Auckland University of Technology's ethics committee (AUTEC).

The AUTEC application was daunting, but I was confident that my inclusion of extant literature to justify my positioning, methodology selection, and study design would result in approval with only minor edits. However, my initial application to AUTEC was denied as AUTEC requested significant changes to my study design. One of these changes involved including additional measures to protect vulnerable persons during the interview process. To remedy this, I detailed my interview techniques of active listening and OARS, an acronym for Open-ended questions, Affirmation, Reflective listening, and Summaries (Buckley & Powers, 2022; Epperson & Oluwole-Sangoseni, 2023). These methods have been historically used in counselling to comfort, calm, and de-escalate those in distress. Not only that, they have been proven to strengthen "respect, acceptance, compassion and partnership" when communicating with someone experiencing hardship (Buckley & Powers, 2022, p. 219).

Ramezani et al. (2016) state these techniques show empathy, support self-efficacy, and reflect elements of supportive therapy utilised by behavioural professionals. In my revised application, I detailed my own experience in using these methods in roles I held before beginning my master's degree, including in secure settings with justice-involved youth.

The largest request from AUTEC was that my focus be revised as they expressed concern over my ability as an outsider to conduct research on Māori youth, given my limited knowledge of Kaupapa Māori. This dilemma has existed in the research space for decades, what Tolich (2002) describes as "Pākehā paralysis": the tendency of white postgraduate students to exclude Māori from their research samples due to ethical concerns about lack of cultural sensitivity, in-turn violating principles of Te Tiriti O Waitangi. While I attempted to mitigate this concern in my initial application through inclusion of Kaupapa Māori principles, outlining my understanding of historical factors and my history working in youth justice, AUTEC was not supportive of me taking a Māori-centred approach. After meeting with AUTEC, to get further information on their expectations and clarify some of their concerns around my application, I revised my project significantly. I resubmitted my application with a broadened lens to look at overall experiences in YJR rather than solely evaluating efficacy of cultural adaptations for Māori youth. I also removed much of my information on incorporating principles of Kaupapa Māori. AUTEC approved this revision, and I began my work on my application to the Oranga Tamariki Research and Data Access committee (RADA).

RADA responded to my application with general support but requested clarification on several aspects of my study, including my research questions. This allowed me the chance to think critically about what I wanted to investigate and refine the focus of my research. In order to maintain a strength-based rather than deficit-based study and to center advocacy and empowerment, I geared my research focus towards growth and fulfilment of youth within

YJR. I wanted to understand what specific strengths youth pull from as they navigate the justice system and how staff help to foster these strengths during youth time in residence.

RADA also requested that I revise my research materials, like my consent form and participant information sheet, to ensure they were both age and developmentally appropriate. In order to do this, I tapped into a previous connection I had made with Talking Trouble Aotearoa New Zealand (TTANZ). TTANZ is an organisation that provides access to speech-language therapists for children and youth moving through the court system. They were able to provide a model consent form and participant information sheet which I used to modify my own. For ease of reading for youth participants, I simplified the language on each form and added pictures and icons.

Finally, RADA expressed a concern in my lack of cultural guidance for this project. Though one my supervisors is Samoan and had significant experience researching in Māori spaces, they requested that I secure a Māori cultural advisor. This proved to be a significant obstacle, as during my consultation period, I reached out to local iwi and Māori researchers, from whom I either did not receive a response or was told they did not have the capacity to assist. The overburdening of Māori academics and professionals is well-documented such that Pākehā researchers must balance their need for consultation with their understanding of Māori resource constraints (Finlay-Smits et al., 2024; National Ethics Advisory Committee, 2023).

I was overjoyed to connect with well-known Māori sociologist Professor Tracey McIntosh (Ngāi Tūhoe), who agreed to be a cultural advisor for this project. Professor McIntosh met with me prior to my data collection to discuss cultural considerations within this research and ensure my research materials and design were appropriate. Both my consultation with Talking Trouble and Professor McIntosh helped to ease concerns from Oranga Tamariki, resulting in their approval of my research access. Still, they maintained

several limitations on my project, not allowing me to conduct observations, only to interview, and allowing me access to only one residence, Whakatakapokai.

In planning my YJR visits with Whakatakapokai's psychologist, he expressed concern that Whakatakapokai was the smallest residence and therefore did not have a lot of youth within my participant age range criteria (16 years old to 18 years old). He encouraged I reach back out to RADA to see if they would allow recruitment from other residences. When I contacted RADA regarding this, they let me know that Korowai Manaaki up the road from Whakatakapokai was off limits due to events from 2023 that elicited an emergency governmental review. They did, however, approve recruitment from Te Maioha o Parekarangi in Rotorua, so long as the staff could support my visits. I reached out to Te Maioha who agreed to allow and facilitate recruitment from their residence.

To avoid a simply extractive research design, I knew I would need to organise koha to offer participants. Haitana et al. (2020) describe koha as "a culturally aligned protocol where you provide a gift to recognise the expertise of the participants and enact the importance of reciprocity" (p. 6). Appropriate forms of koha for participants were discussed with supervisors and during consultations mentioned above. While kai is sometimes used as a koha and recognised as a valuable way to show manaakitanga and build whanaungatanga while interviewing (Te Rōpū Arotahi, 2022), the secure setting of my interviews limited my ability to provide this. Instead, from AUT's postgraduate research budget, I organised koha in the form of $25 Prezzy gift cards which could be used anywhere that accepts EFTPOS. Prezzy cards were chosen as koha over other gift cards like Westfield or Countdown due to their versatility, so that participants were not constrained to using their cards somewhere they may not typically shop. With approvals in place, YJR visits scheduled, koha, printed materials, and a digital recorder in hand, I was ready to begin my data collection.

Conducting the Study

This thesis is based on semi-structured individual interviews collected from two New Zealand youth justice residences, Te Maioha o Parekarangi in Rotorua and Whakatakapokai in Weymouth, South Auckland. My semi-structured interview questions were reviewed by two senior criminologists, my supervisor Dr. Laumua Tunufa'i and my cultural advisor Professor Tracey McIntosh, to ensure relevance and cultural appropriateness.

Data collection

Interviews were conducted over the course of six site visits between 2023 and 2024. Exact data collection dates are not shared to help protect youth anonymity. Some rangatahi are in YJR for a short period of time so providing exact data collection dates could make them more identifiable. Criterion sampling was used in order to simplify the consent process, since youth aged 16-18 could consent themselves but those under 16 would require parental consent. The setting of this research made obtaining parental consent impractical and would have limited participation to those who had stable and responsive guardians (Turner, 2019). Therefore, youth criteria for this study were that youth must be between the ages of 16 and 18 and be currently within a YJR. Staff criteria was that they had to be working within a YJR at the time of their interview.

On-site coordination was managed by each residence's psychologist. I recruited rangatahi participants by giving a brief presentation on this project to eligible youth, introducing myself and talking through the participant information sheet and consent form. Approximately 15-20 youth between both residences were eligible to participate, around 13 of whom agreed to attend the recruitment presentation. Youth had overtly mixed reactions to this presentation, some declined to participate stating that it would be too much work or that they had other programming they would prefer to do such as school or cooking class. Some youth requested to hold onto the paperwork to consider whether or not they wanted to

participate. Other youth signed the consent form immediately. In total, seven rangatahi interviews were scheduled but two rangatahi declined to participate at the time of their interview. Of the five rangatahi who interviewed, four were male and one was female. All rangatahi self-identified as Māori. All youth participants were between the ages of 16 and 18 years old. Interview length varied with the shortest interview 24 minutes and the longest 78 minutes. Rangatahi who were interviewed self-selected the pseudonyms Ray, Mason, TJ, Ben, and Henny.

Staff participant information sheets were distributed by each residence's psychologist, with staff instructed to reach out to me if they were interested in participating. Four staff members expressed initial interest via email, 1 male and 1 female staff member followed through with interview scheduling. I allowed each staff member to choose their interview location, offering to meet outside of their YJR if preferred. Both staff members opted to be interviewed within their residence. One staff interview took place in a semi-public meeting room and the other in a private office. Interview length varied significantly, with one interview lasting 65 minutes and the other 200 minutes. The pseudonyms Larms and Manu were self-selected by staff participants.

As discussed at the beginning of this chapter, monitoring willingness to participate was made a priority in this research, given the restrictive and coercive environment. Therefore, it was reassuring to have a number of youth choose not to participate after the recruitment presentation and several youth withdraw after their interviews were scheduled. This conveyed a level of autonomy for participants that I was consistently trying to promote. Similarly, having staff express initial interest and not follow through with interview scheduling displayed comfortability in their ability to decline involvement. Participants who agreed to participate were reminded prior to being interviewed that they could take breaks or withdraw from the study at any time, and it would have no effect on their court outcomes.

This “re-negotiability of consent” has been deemed a key factor in protecting youth during research (Powell et al., 2012). One youth participant took advantage of this to attend programming but requested to finish interviewing at a later date. Their interview was therefore conducted in two parts, on separate days.

All rangatahi interviews took place in private rooms with a staff member outside within line of sight and were audio recorded. Interviews began with introductions and “warm up” rapport-building questions such as favourite food and favourite activity. In order to establish reciprocity, I answered these rapport-building questions as well. I then asked questions from the semi-structured interview guide, deviating from the guide where appropriate in order to further rapport or explore different things participants mentioned in more depth (Turner, 2019). I allowed participants ample time to respond to questions and rephrased or simplified questions where participants said they did not understand what I was asking. During interviews, I applied many tips that Turner (2019) used in her thesis research conducting interviews with juvenile justice clients on their understanding of case management. This included a form of on-the-spot member checking, by asking participants the same question in different ways, or summarising their response and repeating it back to them. This allowed me to make sure I interpreted their responses correctly whilst allowing them the opportunity to correct or change what they said. Once interviews concluded, I stopped the recorder and thanked participants for their time. At that point, youth participants were made aware that a koha in the form of a $25 Prezzy gift card would be placed in their personal items to be given to them upon release. Koha could not be given to youth immediately after participation due to their status in custody, as per my agreement with Oranga Tamariki. For staff, however, koha was given to them immediately following the conclusion of their interviews.

Audio interviews and transcripts were managed with privacy and confidentiality in mind, only ever accessible to the primary research and supervisor for this project. Data files were stored securely, in line with AUT ethics processes. Interviews were transcribed through Word transcription service, and then de-identified by the primary researcher. This involved checking to ensure the transcription matched the recording and removing any identifying information. Transcripts and any quotes pulled from interviews to be incorporated into analysis were kept intact, without corrections in grammar or removal of "filled pauses" (like "um" or "uh). This allowed me to relay the voices of participants verbatim without interfering. Transcripts were then uploaded into NVIVO software for data management. A reflexive thematic analysis was conducted using Braun and Clarke's six-step process (2022). This process, as well as the rationale behind selecting this analysis method, is detailed in the next section.

Analysis

After contemplation on what analysis would be fitting for this data and much trepidation on whether I was picking the correct method, I landed on Braun and Clarke's (2022) reflexive thematic analysis (RTA). This method seemed most appropriate for numerous reasons. My research design intends to honour Indigenous methodologies by respecting individual worldviews as valid and valuable sources of information, rejecting the idea of one true reality by adopting a relativist ontology. Furthermore, RTA acknowledges that the past experiences of a researcher and their knowledge base are assets within the analytic process and used in conjunction with participant data to create meaning and respond to the research questions (Braun & Clarke, 2022). Rich analysis is conducted not in spite of but in embrace of subjectivity. Simultaneously, reflexivity is employed to interact deeply and intimately with the data and explore how one's own positioning contributes to research outcomes.

On a more pragmatic note, RTA touts flexibility in terms of how it is carried out. Different variations in RTA were not solidified in advance but shifted naturally as the process flowed, depending on what the data required. For example, my analysis began with an inductive approach, drawing conclusions from the data, but moved into a more deductive space as I began to develop themes that interacted with my understanding of existing theory. Additionally, both relativist and critical lenses were applied to the data, as my findings section explains and validates individuals' perspectives while my discussion section addresses larger systemic issues that frame individual experience. Finally, important information in youth interviews was often latent, in that they scarcely discussed their experience within YJR, preferring to talk about their behaviour and relationships. Staff interviews, however, tended to be semantic, as they articulated clearly about their experience operating within YJR. RTA, therefore, created the space for me to continuously synthesise information across a spectrum, allowing for a richer analysis. I conducted my RTA over the course of several months across various settings, memo-ing throughout [Appendix H]. Furthermore, my RTA involved repeated rounds of consultation with academics and colleagues both within and outside of the criminology discipline.

I started with RTA phase 1, familiarising myself with my data, immediately after data collection. This began with transcribing my audio-recorded interviews. I uploaded recordings into Microsoft Word's transcription service and then went line by line to check for accuracy. It should be noted that this transcription service struggled to correctly transcribe the New Zealand accent as well as any Te Reo Māori words, meaning that I spent a copious amount of time correcting each transcript and in turn, familiarising myself with the data. Additionally, I created a brief synopsis with key traits of participants and points made in each interview. This allowed me to keep the individual participant in mind through the analysis process and understand the uniqueness of each interaction. I included a pared down and deidentified

version of these synopses in this thesis (see Chapter 4: The Journey and the Participants). This helps to recognise and maintain the individual contributions that have been made to this research, rather than simply meshing interviews together to be processed as a collective response.

I decided to use NVIVO software for RTA phase 2, coding, as it seemed to be an efficient and productive way to organise and conceptualise my analysis. After uploading transcripts into NVIVO, I read through each developing and revising codes. Naturally this took an iterative form as participants expressed similar sentiments, though new codes were also created throughout. As I developed codes, it became evident that coding youth and staff data separately was necessary to honour the respective positioning of each group and distinguish the direction of the data. After each round of coding, I spent time away from the data and then returned to it to make sure that the codes I had created really captured the sentiment of the data. Names of codes were adjusted as needed and descriptions of codes were developed to conceptualise to myself and others my own thinking behind each code. I ended up with 37 codes total- 19 youth codes and 18 staff codes [Appendix G].

I approached phase 3, theme generation, using a helpful metaphor from one of my supervisors who advised that I visualise this process as assigning individuals (codes) to dorm rooms (themes) based on their shared qualities. I did this by creating a sticky note map of my codes on my closet door, indicating connections and contradictions. I also returned to my memos to explore my initial thoughts on my codes and ensure that the ideas I considered core were incorporated into my themes. After generating initial ideas of themes, I utilised Chat GPT, a fast emerging yet controversial artificial intelligence tool, as a sounding board to discuss the best way to name themes to fully capture the essence of my codes (Hitch, 2024). Using these various methods, I was able to generate six “candidate themes”. I considered how

the themes might dialogue with each other to create a full narrative picture of my data. This line of thinking was a perfect segue into phase 4, developing and reviewing themes.

A large part of phase 4 involved consulting with others on my codes and candidate themes to improve reliability. While I was not resourced for double coding, I was lucky enough to have five separate colleagues examine my codes and themes and discuss with me possible shared meaning and presentation. Additionally, I went back through the data that I attributed to each code (then housed under one of six themes) and distinguished quotes that spoke to their corresponding theme. I printed out a list of quotes for each theme and then identified different manifestations of each theme by labelling and colour coding using highlighters. This allowed me to see whether each theme was both rich and relevant. It also helped me to recognise potential relationships between themes due to overlapping quotes.

I started phase 5, refining, defining and naming themes, by writing up definitions for each theme, trying to establish clear scope and boundaries. I revised the names of themes in order to best capture the ideas that were portrayed, and I began thinking more in-depth about what story my themes told. I developed my final analysis by chatting with colleagues about connections that I saw between themes and constructing a cohesive framework to describe the data. Each time I explained my framework, it seemed to grow into a wider, more critical picture. I began loosely searching for existing academic literature which helped to make sense of the story that was forming. This culminated into phase 6, the write-up, which is shared in Chapter 5: Findings and Chapter 6: Discussion.

Limitations

This research aimed to explore the experiences of youth and staff within Aotearoa YJR, under the constraints of master's level study. This means that limitations in time, cost and access must be acknowledged. The duration of this course of study is 18 months, where a significant amount of time was dedicated to coursework and the ethics approval process.

Therefore, the timeframe for data collection and analysis was constricted. This, along with limited funding for things like koha for participants resulted in a limit in the number of participants that could be interviewed. Further, findings only reflect the responses of participants from two out of six YJR in Aotearoa. This means that they may not be reflective of the thoughts and feelings of all justice-involved youth or Oranga Tamariki staff, bringing into question generalisability. This struggle with generalisability is furthered by my analytical method, which has drawn critique due to its lean into subjectivity.

To counter this limitation, I used overlapping research paradigms of relativism and critical ontology, which value both subjective experience and larger systemic themes. In this thesis, reporting of individual experiences humanises participants, before a critical discussion of power dynamics and inequality place those experiences into a larger historical and cultural context. Braun and Clarke (2022, p. 142) describe the value of intersectional generalisability, where small sample size can still capture the nature of similar social systems. This allows researchers to "track patterns across nations, communities, homes and bodies to theorize the arteries of oppression and colonialism" (Fine et al., 2008, p. 174 as cited in Braun & Clarke, 2022, p. 142). It should therefore be acknowledged that insights from this work are drawn from a small sample size and a qualitative methodology, but that does not discount their significance.

Another limitation of this work was the extent which I was able to develop trust and rapport with participants. Oranga Tamariki only allowed me to spend time in residence during recruitment and while conducting interviews. This differed from my original intention to also observe residence processes. Being in the residence space with participants for an extended period prior to conducting interviews may have allowed additional comfortability to develop between myself and participants, resulting in more openness during interviews. To mitigate this limitation, I personalised my participant information sheet to include relevant

information about myself and allowed participants plenty of time to ask questions or chat informally with me during recruitment. Additionally, I made sure to incorporate rapport-building questions at the beginning of each interview.

Relatedly, there are limitations that exist in my capacity to carry out this research as an outsider, a tauiwi woman who does not have lived experience within the justice system. This notion was discussed repeatedly with local youth justice professionals, supervisors, and both the AUT ethics committee and the RADA committee of Oranga Tamariki. Though I have experience working in the justice system and had navigated Indigenous scholarship and coursework that discusses Indigenous issues in Aotearoa, my status as an outsider is important to acknowledge. I was lucky enough to receive cultural guidance from Professor Tracey McIntosh (Ngāi Tūhoe), which helped to ensure cultural sensitivity throughout this process. Furthermore, I made sure to begin this thesis with a statement of positionality in order to establish transparency and avoid misrepresenting myself, my capabilities, or my intentions.

Finally, the clear link that has been made between colonisation and the disproportionate impact of the justice system on Māori (Jackson, 1987; McIntosh, 2022) offers a strong theoretical starting point to conceptualise the overuse of YJR for Māori. Furthermore, in planning this research, it became clear that the high ratio of Māori youth within YJR meant a high likelihood of recruiting Māori participants. Given these factors, this research naturally gravitated to literature and positioning that centres and validates Māori experience. Though Māori are the group that is population-wise most disproportionately impacted by New Zealand's justice system, they are not the only group receiving inequitable treatment. It should be noted that Pasifika youth are also massively disproportionately represented in figures of arrest and incarceration (Reil et al., 2022; Suaalii-Sauni et al., 2018). Pasifika can be defined as a "diverse population made up of cultures from many different

Pacific Islands" such as "Samoa, Cook Islands, Tonga, Niue, Fiji, Tokelau, Tuvalu and Kiribati" (Pasefika Proud, 2016, p. 2). In 2018, the Chief Science Advisor Sir Peter Gluckman and Science Advisor to the Justice Sector, Associate Professor Ian Lambie published a discussion paper on youth offending in New Zealand, identifying a lack of knowledge on the best ways to respond to Pasifika youth offending, with a specific concern about high rates of violent offenses (a link that has previously been addressed by Tunufa'i, 2017). Similar to conclusions that have been drawn about working with rangatahi Māori offenders (Reil et al., 2022), Gluckman and Lambie recommended "genuine engagement" with Pasifika communities to curb offending (2018, p. 26). Webb et al. (2022) concurred with this recommendation after conducting a three-year international study on Māori and Samoan experiences of youth justice, agreeing that meaningful engagement with Pasifika communities is paramount. Though this research establishes a focus on Māori youth, further research and advocacy is necessary to understand what is most helpful for Pasifika youth and their families.

Summary

This chapter titled Methodology has outlined the various considerations that went into methodology selection to include my participants' age, indigeneity and status in state care. It went on to discuss the long process of preparing to conduct research which involved gaining both ethical approval and access from AUT's ethics committee and the Oranga Tamariki RADA committee. It then detailed my methods for data collection and my six-step process of reflexive thematic analysis. This chapter concluded with a brief discussion of limitations of this research. The next chapter, titled, The Journey and Participants provides background on both residences that were recruited from, explores my experience interviewing at each residence, and provides a brief synopsis of each interview.

Chapter 4: The Research Journey and Participants

Introduction

This chapter begins by providing background information on both residences I recruited from and recounting my data collection experience. It goes on to present a brief synopsis of each interview, highlighting some of the key messages that participants expressed. These synopses speak directly to the study's research questions, touching on youth general experiences in residence, how growth and fulfilment are conceptualised, and how youth perceive cultural adaptions. Direct quotes are mainly used in the next chapter, (Chapter 5: Findings) rather than in this section, though brief references to quotes are made. Interviews took place at two YJRs, Te Maioha o Parekarangi in Rotorua and Whakatakapokai in Weymouth (South Auckland).

Te Maioha o Parekarangi

Te Maioha was opened in 2010 on Parekarangi Trust land, which is an Ahu Whenua Trust (Parekarangi Trust, n.d.). This form of trust is the most common Māori land trust and is often used for commercial purposes, serving the owners of the land (in this case, a group of five families). It differs from other forms of trusts that seek to serve iwi, hapū, and whānau interests more generally (Te Kooti Whenua Māori, 2021). The land originally belonged to Ngati Wahiao iwi who extended hospitality to Tuhourangi iwi in the 1800's (Parekarangi Trust, n.d.). When the YJR was built, a taonga was buried at the site by Rotorua District Council's Kaupapa Māori director at that time, Mauriora Kingi, of Te Arawa. The ceremony intended to give "the life force to the whenua and protect the land" (Rotorua Daily Post, n.d.). Kingi also provided the residence with its name which translates to "a gift" to Parekarangi.

Te Maioha has 30 beds and caters to males 13 – 16 years old. Once youth reach 17, Te Maioha can no longer house them, as per trust guidelines. At that point, a request is

submitted to transfer them out, either to a different YJR or to a youth sector of an adult facility. In 2018, Te Maioha was the pilot site for a "restorative practice approach built around Te Ao Māori values" called Whakamana Tangata (Păroşanu &Wehipeihana, 2021). After seeing promising results from this pilot as a relational model for youth and staff, it was implemented in all five of New Zealand's YJRs. It was most recently evaluated at Te Maioha in 2021 and though it was reported that it has "positively contributed to the relational culture" there are still areas in need of improvement such as more practice-based training, support from leadership, and research to evaluate its efficacy in reducing behavioral incidents (Păroşanu & Wehipeihana, 2021).

Interview experience

Five minutes from downtown Rotorua, I drive past Te Puia a prominent geothermal valley touted as the "Māori cultural centre of New Zealand" ("Work begins," 2006, p. 10), also home to the Māori Arts and Crafts Institute. I take the second exit out of the roundabout towards Horohoro. First on my right I pass the Rotorua landfill. Shortly thereafter the dog pound flies by, also on my right. The next right turn is down the long drive to Te Maioha o Parekarangi. I park, gather my things, and walk into reception. Upon entering the residence, the first thing that meets my eye is a large art piece. It is a sepia photo depicting several folks in old fashioned clothing farming a plot of land. There is a note in the corner of the photo that describes it as a depiction of what life would have looked like when Tuhourangi Ngati Wahiao cultivated the land. At the top of the photo is text that reads:

"The meaning of the name Te Maioha O Parekarangi is a gift to the people of the residence, a gift to benefit its residences, and an inclusive gift from everyone."

I am quickly ushered through the outdoor space and then several units, introducing my project to rangatahi, three to five at a time. They are light and energetic, cracking jokes with each other and testing me, the outsider, as kids do. They appeared to be confused by my

presence rather than intrigued, many expressing immediate disinterest or an earnest desire to get back to whatever activity they were pulled from, even be it school. Still, some rangatahi agreed to, in their words, “sign their life away” and signed consent forms immediately following my recruitment presentation. Te Maioha staff were notified of who signed consent forms so that interviews could be scheduled. Participant information sheets for staff were distributed through the residence psychologist with instructions for staff to reach out to me if they were interested.

Whakatakapokai

Whakatakapokai was opened in 2021 as a YJR, previously serving as a care and protection residence in 2006 and a YJR long before that, in 1973 (Aikman, 2023). The origin of the name Whakatakapokai is contested, as some state it was given by John Turei of Ngāi Tūhoe in 2006 while others claim it was named much earlier than that. Whakatakapokai translated refers to rangatahi “falling into a pit” (Law, 2023, as cited in Aikman, 2023) or “navigating out of darkness” (Aikman, 2023). The aim of reopening the residence was that it serve as a “normalised” environment which incorporates “Māori models of care” (Beca, 2019). It is built on Waikato-Tainui whenua and was “designed in partnership with Tangata Whenua” (Oranga Tamariki, 2023).

There was initial pushback from the community on reopening Whakatakapokai as a YJR, with Weymouth residents stating that they were not consulted properly or given adequate time to provide feedback (Auckland Council, n.d.; Biddle, 2020). Oranga Tamariki attempted to remedy the concerns of the community by conducting a social impact assessment and implementing the recommendations from that assessment. These are known as “environmental court conditions” which stipulate who can and cannot enter the residence (Auckland Council, 2020). In order to be housed at Whakatakapokai, rangatahi must be screened for several factors. They must have a low propensity for aggression, low risk for

negative peer dynamics, have no previous absconding incidents, and be willing to engage in treatment (Auckland Council, 2020).

Whakatakapokai can house 15 rangatahi, with both male and female units. In order for youth to enter Whakatakapokai they must be aged 14 - 17. Before rangatahi are accepted into Whakatakapokai, they are assessed by a registered psychologist to confirm suitability, due to the environmental court conditions (Office of the Children's Commissioner, 2022). Rangatahi must come through another residence before moving to Whakatakapokai meaning there are no admissions straight from the community. Like Te Maioha, Whakatakapokai has adopted a Whakamana Tangata approach to care, on top of their Te Ao Māori framework which focuses on "manaaki and the mana of rangatahi" (Aikman, 2023). Whakatakapokai was most recently evaluated in 2023, where it was found that Whakamana Tangata has been implemented by most staff, conceptualised as a "lifestyle and a way of being" rather than an operational framework (Aikman, 2023).

An Office of the Children's Commissioner OPCAT (Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment) monitoring report conducted in 2022 found that Whakatakapokai took a different approach to managing rangatahi than other residences, aligning more with restorative practices. However, the report noted that the staff were not adequately trained to administer therapeutic interventions that many of their neurodivergent youth needed (Office of the Children's Commissioner, 2022). It was also found that youth spent much of their time within their rooms and the outdoor spaces were not utilised well. The OPCAT report recommended that a larger focus be placed on cultural development as there was little tikanga involved in day-to-day operations. It also recommended that Whakatakapokai embrace a bicultural framework, Te Toka Tūmoana, which leadership acknowledged as key to their practice framework, but on-the-ground staff did not mention (Office of the Children's Commissioner, 2022).

Interview experience

Whakatakapokai, along with another YJR that is not a part of this study, Korowai Manaaki, are located in South Auckland, an area primarily known in New Zealand for its poverty, crime, and gang activity. This is a reputation that has been largely built by biased media reporting and locational policing (Fitzpatrick, 2011). Racial undertones of this depiction should not be ignored, as South Auckland houses a large demographic of Māori and Pasifika individuals. This is the result of concerted efforts by the crown during its colonisation of New Zealand to move Māori and Pasifika communities away from Pākehā settlers that occupied areas of central Auckland and concentrate them into industrialised areas (Smale, 2023). This promoted minority work within these industries, rather than encouraging pursuit of higher-paying employment. The effect of this industrialisation on South Aucklanders is still felt today, as despite having a "significant share of jobs" in the region, "less skilled, low paying work" leaves many living in poverty (Shepherd & Parahi, 2018). The struggle for financial stability and home ownership facilitates the ongoing marginalisation of minorities (Collins, 2020).

Furthermore, Smale (2023) states that early urban segregation allowed police and welfare workers to target these areas beginning in the 1970's and continuing into modern day, resulting in an increased institutionalisation of both Māori youth and adults. Collins (2020) argues that the media's focus on crime and gang violence is a deliberate distraction from the "unacceptable social condition" that the government has created for minority families. By placing these state-formed social ills in the "too hard" basket (Collins, 2020) and attributing blame to gang culture (Roguski & Tauri, 2012), lawmakers actively "other" South Auckland communities, perpetuating negative stereotypes (Allen & Bruce, 2017).

The criminalisation of entire communities was at the forefront of my mind during my brief drive through South Auckland, where there was a noticeable increase in police vehicles

compared to Auckland suburbs. I arrived at Whakatakapokai, nestled between suburbs in Weymouth. I am greeted at this residence with a mihi whakatau and I try not to tear up at the welcoming words from staff, who encourage feedback about my experience and express hope that I gain useful information during my time there. I am escorted through the outdoor area to a meeting room where several rangatahi are brought in so that I may explain my research and invite them to participate. Staff remain present to simplify words and elaborate on things the youth may not understand. After my presentation, some rangatahi agree to participate so interviews are then scheduled by YJR staff. Like at Te Maioha, participant information sheets for staff were circulated by the residence psychologist with instructions for staff to reach out to me if they were interested.

Participants

This section allows you to "meet" the rangatahi and staff members who gave their time to this project. In order to protect the privacy of participants and help maintain their anonymity, no personally identifying details have been included in these synopses. Additionally, it is not shared which residence each participant was associated with. All names of participants are pseudonyms that they selected.

Ray

My interview with Ray lasted approximately 45 minutes. Ray was polite and warm throughout the interview. Within the first few minutes of chatting, Ray worked to show bravado, emphasizing a kind of toughness or strength. He asserted that others would describe him as "straight gangster". Despite this initial bravado, Ray quickly and repeatedly established duality, describing two different sides of himself, a good side and a bad side. He noted that he switched from day to day, and it was mainly correlated to who he was around. Ray did not speak much about his family but spoke repeatedly about his "homies". He spoke highly of his connections with them and their "loyalty" however, he also fiercely valued his

independence, expressing a desire to “make it” himself. He discussed the potential that even close homies could betray him and therefore he was not comfortable relying on them.

Ray described a positive experience within the residence, stating “this is a wonderful place”. Ray said there is nothing the residence or the system could do to help him, that only he could help himself. He detailed positive interactions with staff, the best being when he attempts to get a reaction out of them, and they do not react negatively. Ray said this garners his respect. He stated multiple times that he appreciates not being treated like a child. Despite entering the interview room doing the haka, Ray expressed a strong disinterest in his Māori culture. He stated he did not want to be one of “those Māoris” and described cultural practices as boring, though he will go along with them in order to appeal to the courts. Ray stated that the most important thing within the residence is peace and iterated that all the residents value this since they are all brothers. Ray ultimately rejected the concept of reflection, instead preferring forward thinking, what he called “striving”. He envisioned two futures for himself, one that involves crime and one that does not and said that money plays a large role in which path he will take. He said that success would look like achieving his goals, and although he could celebrate the success of getting out of the residence and not reoffending, this celebration would be short lived and not ultimately influence him further.

Henny

My interview with Henny lasted approximately 78 minutes. Henny was energetic and talkative throughout the interview. Like Ray, Henny expressed bravado throughout his interview but also possessed a clear passion for storytelling, recounting a variety of adventures. He briefly mentioned family, but this connection appeared to be strained. He cared more about bonds with friends, frequently bringing up his “love for the homies” and attributing his behaviour to strengthening those bonds more than adrenaline-seeking. Henny found confidence in himself through building his reputation and being known by his

community. Henny spent time both reflecting (though scarcely) and thinking about his future, stating that he would like to be a youth worker in the future so he would not have to do much of anything. Henny said that his interactions with residence staff have been mixed, depending which staff member was on shift. While he generally got along with staff, he noted that some staff make youth look bad to make themselves look good. Henny views his time in residence as a game that he can play to get what he wants so that things go his way.

Henny lit up while we were discussing his Māori culture. He said the residents often do hakas to each other and occasionally sing Māori songs, which he values as a bonding experience. Henny said he feels very connected to his culture and his being Māori. He mentioned that his family mainly goes to the marae for funerals, but he enjoys building relationships with others through pepeha. However, when asked about incorporating these things into residence life, he said he would not find it helpful. He said this is in part because residence life is not and cannot be helpful and noted that the only beneficial change that staff could make in residence would be allowing youth to vape. He did have thoughts on boot camps, stating that youth would likely incite riots if they were re-instituted. Like Ray, Henny said that only he could change his behaviour, that there was nothing anyone could do to help him.

Ben

My interview with Ben lasted approximately 31 minutes. When the interview began, Ben was largely unengaged providing mostly short answers only to express bravado. He appeared lethargic and upset, moving towards frustrated. I told Ben that he did not need to interview with me if he did not want to and that we could sit in silence or talk about whatever he wished so he could enjoy the time out of his room. I offered to end the interview repeatedly, but Ben declined and began to take interest in some of the questions. I moved forward with my semi-structured questions but skipped several when he expressed a

disinterest in answering. When asked to describe himself, Ben said he was street smart, stating that it was important for his survival. Unlike other rangatahi, he did not speak about his family or friends.

Ben spoke very negatively of the residence, saying several times that it was a "shit place" with "shitty staff." When I asked him to elaborate, he explained that it is boring and that more programming would be useful, particularly things that could help them in the future like job applications and training opportunities. He also said that the staff are "soft" that they are too scared to "take risks" and that is why residents are bored and do not get to do anything. Ben said he would not mind cultural programming, as it would just be something for them to do. However, he said when he is in the community he does not care about culture as it does not serve him practically. He explained that being connected to his iwi or marae is not useful in the same way employment tools or vocational training are. Like Ray, Ben rejected the idea of reflection and embraced forward thinking, stating he wanted to get a good paying job and refrain from illegal activity. Ben wished there were more vocational training programs in residence so that rangatahi could upskill and be better prepared to re-enter the community.

TJ

My interview with TJ lasted approximately 38 minutes. TJ was thoughtful, soft spoken, and articulate throughout the interview. TJ's interview diverged from the other youth interviews in that she did not express bravado or toughness. Instead, she focused on how trauma facilitates crime. TJ expressed value in her family rather than centering her friends and even admitted that her relationships with friends had negatively impacted her. She described herself as strong-minded, open, respectful, and very empathetic, stating that she "feels her feelings really big". TJ expressed a disinterest and discomfort in reflection due to trauma in her past. She felt that looking back may keep her stuck in the same space she was

in and instead, she found value in forward thinking and goal setting. She stated that she wants to have a productive and meaningful future but most importantly, she wants to be happy mentally, with who she is as a person.

TJ described a positive experience within the residence, contrasting it with her horrible experience within a police holding cell. TJ said she has had many positive interactions with staff ranging from deep meaningful conversations to goofy and light interactions. She said it is important to her that staff do not have "favourites". She expressed a desire for more staff one-on-ones and showed an appreciation for staff who had lived experience. Like Ray, she valued peace within the residence and described the value of group hui to resolve conflict. She did not feel like there were a lot of opportunities for cultural engagement within residence, noting that to learn about their iwi, have Māori choir classes or practice kapa haka may be valuable.

TJ did describe a desire to connect with her culture more but felt that this kind of connection would be much more helpful if made outside of the residence. When asked to define what a successful life would look like for her, TJ felt that success should not just be defined by offending or not offending, but by little wins that occur even while they are still in residence. TJ did note that offending would likely interrupt a path to success in the long run but that it does not block success completely. Finally, when asked what she would want the public to know about youth in her position, TJ responded that bail conditions and the current system are isolating when justice-involved youth need normality, stability, and comfort. She would want others to know that kids in residence are not criminals, that their crimes are often trauma-based, and that strict punishment only makes things worse.

Mason

My interview with Mason lasted approximately 24 minutes. Mason was fidgety but otherwise appeared to be relaxed during the interview, laying back in his seat and eating a

snack he had brought in with him. He did not elaborate as much as other participants, responding instead in mostly yes or no answers. Like some of the other participants, Mason expressed bravado at the beginning of the interview. Mason's main focus, however, was to do better for his family in order to show them that he is more than just a criminal. Several times through the interview Mason said his family has communicated to him that he needs to change. Mason said he felt only kind of connected to his culture and enjoyed when they had Māori history and culture lessons but that they have not had them in a while. Mason said he felt Māori because of how he was raised but he is not engaged with his marae when he is in the community.

Mason praised staff members, considering them his good friends. He stated that they take care of him and help him self-regulate when he is feeling angry. Like Ben, Mason expressed that residence life was boring, even though he received a lot of freedom and privileges. He mentioned that rewards helped him to stay engaged. Mason expressed a desire to change because he was "getting a bit too old for that stuff". He was the only young person who highlighted social media as a bad influence, stating that it makes crime too accessible. Mason saw value in reflection, saying that looking back at his actions would help him do better in the future. He also mentioned that he felt stricter measures like boot camps for young offenders were a good idea, as it would make it easier for people to change. When asked what success would look like to him, he initially said it would look like having fun. He then added that he would like to get a job and save his own money, so he did not have to steal anything. He said one of the biggest elements to not reoffending was staying busy and he intends to forget about the residence completely once he leaves. When asked what he would want the public to know about youth in his position, Mason said that everybody can change, and that the community should be aware that crime is a result of how youth grew up, "some of us had nothing".

Larms

My first staff interview was with Larms, who was talkative, open and engaged throughout the interview. This interview lasted approximately 65 minutes. Larms began his interview by briefly discussing organisational struggles such as staff scheduling and high staff turnover rate. Larms said the turnover rate was due to staff blurring lines between home and work, which involved both bringing work home and bringing interpersonal issues into work. He stated he believes that everybody begins at Oranga Tamariki with appropriate qualifications and good intention, but that it can quickly snowball into bad behaviour.

Larms stated that his residence pushes delivery of Te Ao Māori practices. Throughout the interview, Larms described a residence culture which is soft, understanding, and generous. He explained that at his residence, privileges are given to youth no matter their behaviour, which helps to show them they are deserving of basic care. He emphasised that aroha and whakawhanaungatanga are involved in service delivery. Larms said service improves with staff capacity, explaining that smaller numbers of youth in residence can result in one-on-one time and more individualised care. Larms said the most important features in residence are their wrap-around services, which connect youth with their whānau to bridge relational gaps that may exist. He explained that youth in residence often come from homes of addiction and poverty and that years of trauma build up within a family unit and need to be addressed. Larms expressed a deep concern for the $300,000 that is spent yearly on housing each child in residence when that money could go towards supporting the family as a whole. Overall, Larms said the residences do not work, as he sees kids return to residence over and over again. He states that the youth who enter the residence innocent come back hardened and rowdier, committing more serious offenses.

Larms described a poor relationship between Oranga Tamariki and Māori. He said Māori see Oranga Tamariki as taking their kids away from them when rather, their agency is

just following orders from the courts. He also pointed out that the new government is further damaging an already poor relationship as they cut funding to iwi programs. Larms said there is a heavy disconnect between youth and their culture, that generally they are ashamed to speak Te Reo or engage with Tikanga as they do not want to be singled out or seen as different. Larms also highlighted a lack of reflection from youth and an unwillingness to learn from past actions. He said this may be because some of the things they have done are very bad and would therefore be difficult for them to face. Larms would want the public to know that the kids coming through the residence are "just like your kids at home". They have been through a lot but are very strong, brave, and resilient as well as "knowledgeable about things well beyond their years."

Manu

My interview with staff member Manu lasted around 200 minutes, as Manu discussed a range of very important topics in long form. The length of this interview contributed to its depth and therefore, the depth of this synopsis. Manu was friendly, passionate, and blunt during our interview. She expressed many sentiments by telling stories about rangatahi in residence. These stories were excluded from this thesis to protect the confidentiality of all parties involved. Instead of presenting those stories here, I discuss the general message Manu was using stories to deliver. Manu spoke in-depth about the importance of building and maintaining rapport not only with youth but also with their whānau. She said facilitating these relationships in a nonjudgemental way is key to youth success, making a huge difference in young people's lives. She critiqued the way that gatekeepers within the system, including social workers and clinicians, often either disregard or unfairly block family access to their children for the sake of risk reduction. She expressed frustration that these stakeholders have good intentions but are regularly out of touch with what is really going on

with youth. Manu outlined a range of resources staff have available to them to promote and encourage family visits, a generally underused tool in YJR.

Manu felt that having Māori in upper management was extremely important and stated that it allowed a level of trust to develop that would be difficult to build otherwise. She stated that YJR often suffer from issues with the culture of their residence and the solution is to call these things out so they can be addressed swiftly. Quick action from upper management regarding potential issues in residence allows her to feel safe and do her job effectively. Still, she noted that there is a lack of training for staff, who are often not equipped to manage the many neurodiverse and unpredictable youth moving through the residence. She mentioned that youth are, however, typically a good gauge for quality of staff and that their thoughts and feelings around a particular person or shift should not go unnoticed.

Manu critiqued the institutionalisation of youth in general, arguing that YJR should be an absolute last resort for youth. She said that YJR are often used to hold youth who have nowhere else to go. She felt Oranga Tamariki was not following best practice in this regard and that there is not a big enough push to keep youth out of residences in the first place or to get them out quickly once they arrive. Like Larms, Manu expressed frustration with the $400,000 (note these numbers differ from those that Larms provided) that is spent annually per bed on residents, stating that these funds could be used to support youth and their families in the community. Manu did praise the small interventions that could be provided in residence such as meeting medical and dental needs. However, she also noted that these things are short-term and dissipate once youth leave residence, highlighting the need for long-term support. She supported the idea that control over youth justice should be transferred to iwi and local Kaupapa Māori groups but only if they are well-resourced. Echoing Larms, she noted that this is becoming increasingly difficult with the new government in place who are continuing to damage the relationship between Oranga Tamariki and the Māori community.

When beginning with Oranga Tamariki, Manu said was shocked at the lack of Māori staff and lack of knowledge of tikanga among staff. Manu felt the Te Ao Māori model is very beneficial for youth. She said that youth get a sense of belonging when their culture is recognised openly. Manu said even if youth do not feel connected to their culture, having cultural adaptations on offer is a validating experience and may benefit some youth in their healing processes. She distinguished between a Te Ao Māori (informed by Māori practices) and a Kaupapa Māori approach (by Māori for Māori) approach, noting that the government cannot take a full Kaupapa Māori approach given that they are not Māori, but that they should make more of an effort to incorporate Māori principles and partner with iwi. She noted that governmental arms can only be as good as the current government is so that if there is a rejection of Māori on a higher level, this sentiment trickles down greatly.

Summary

This section has provided background on both residences that I recruited participants from and spoken briefly about my interview experience. Additionally, it has introduced each participant, highlighting key aspects of each interview and offering an individualised experiential look into the data that was collected. The next chapter, findings, presents the results of my reflexive thematic analysis by outlining six key themes which fall under two scopes: The personal microcosm and the structural macrocosm. This section includes and elaborates on a selection of quotes from participants.

Chapter 5: Findings

Introduction

Presenting findings from this research first requires an explanation of how participants shaped the research focus during data collection and how this focus was integrated into the analysis. Though interview questions were designed around understanding growth and fulfilment (i.e. Think about the happiest version of you. What things would help you get there? What things (or people) help you believe in yourself or be confident in yourself?), the semi-structured nature of interviews allowed participants to guide the conversation and discuss what they felt was important. This has been identified as a valuable tool to protect the agency of vulnerable populations in research (Deverick & Mooney, 2023). During the data collection process, it became evident that some of the semi-structured interview questions did not resonate with participants, as engagement with ideas on growth and fulfilment was often implicit rather than explicitly stated. Additionally, youth participants were largely uninterested in discussing life within residence. These deviations were reassuring in terms of ethics, as they allowed me confidence that participants could tell the stories they wished to tell rather than feel the need to stay within the parameters that I had prescribed. However, it also meant that the data that I collected would need to be analysed and presented in a way that addressed my research intentions more broadly.

The use of reflexive thematic analysis (RTA), therefore, was a pragmatic decision, as it allowed me to examine and present the data in a way that underscores what participants chose to share with me rather than forcing ideas to fulfil my own agenda. Braun and Clarke (2022), advise that during RTA, researchers should keep their research questions in broad focus to avoid a surface level read of the data (p. 42). They caution against embarking on RTA with rigid concrete research questions in mind, stating: “This type of ‘asking questions

and seeking answers' can stymie theme development by inadvertently: (a) constraining your ability to notice patterned meaning across the dataset, (b) preventing you from exploring patterns or clusters that aren't immediately obvious but might ultimately offer the most useful and important analytical insights" (Braun & Clarke, 2022, p. 90). Additionally, Agee (2009) and DeCarlo et al. (2020) have identified the evolution of research questions as a common and even desirable quality in qualitative reflexive research. Following this guidance, I carried out my RTA to broadly explore the experiences of YJR residents and staff, with an expectation that themes would speak to aspects of each research question and maintain the original intention to examine youth ideas on what works best for them, and still explore the gaps identified in literature regarding youth justice and YJR in Aotearoa.

In developing themes through reflexive thematic analysis, it also became apparent that the themes would be best conceptualised using two separate scopes. A microcosm and macrocosm framework has previously been used in research analysis to link "micro-level interactions to contextual factors" (Prins, 2009, p. 93) and explain how historical systemic forces play out on a personal level (Austad & Rezentes, 2023; Haines et al., 2021). A thesis using a developmental lens may discuss these findings in terms of Bronfenbrenner's social-ecological theory (Bronfenbrenner, 1995, as cited in Haines et al., 2021), however, given my approach of critical race theory and counter-colonial criminology, I resist a focus on youth development, which tends towards an obsession on individual deficit, to examine the system more broadly. Zooming out to look at structural catalysts helps to avoid a neoliberal understanding of responsibility. Therefore, using a microcosm/macrocosm framework to present findings allows me to both honour the localised experiences of participants and incorporate my bigger picture theoretical framework.

The first scope titled “The Personal Microcosm” addresses experiential themes and speaks to all three research questions. This scope interprets the way that rangatahi make sense and meaning of the world around them as they navigate the YJR space:

Theme 1. Expressions of agency and control: Rangatahi do and say things that allow them to feel in control of their situation, despite their setting. This theme speaks to the general experience of youth within residence (research question 1) as well as the ontological positioning youth take in order to maintain control of their own growth (research question 2).

Theme 2. Varied relationships; varied value: Rangatahi are multi-faceted in that they value and appreciate different things and different relationships in their lives. There is no singular concept around which all YJR kids construct their identity. This theme discusses different aspects that youth lean on for fulfilment (research question 2) as well as the presence or absence of value around culture (research question 3).

Theme 3. Kids as kids: Rangatahi are still youth, they act in a way developmentally consistent with their age. Therefore, they are in need of compassion and protection, like any other child. This theme touches on how youth identity is expressed within residence (research question 1) and how that identity affects positive progression (research question 2).

The second scope is titled “The Structural Macrocosm” which offers a more critical analysis to discuss larger systemic themes. These themes outline messages about the systems at play that influence youth and staff experience, also speaking to all three research questions:

Theme 4. YJR has benefits, but these do not curb offending: In YJR, youth are able to have their basic needs fulfilled and are shown a standard level of care and compassion from most YJR staff. However, these benefits are short-term and do not affect recidivism. This theme speaks to the youth experience (research question 1) as well as

how progress may be present in small ways and lacking in others (research question 2).

Theme 5. Institutionalisation is not a fix and cannot be fixed: The nature of YJR as a means to punish youth does not and cannot align with a rehabilitative and restorative model that Oranga Tamariki tries to incorporate. There is no "fixing" a system that was built for shame and renunciation. This theme therefore discusses the incompatibility between growth and institutionalisation (research question 2) and why cultural adaptions cannot override the negative effects of detention (research question 3).

Theme 6. Historical and cultural baggage impedes service delivery: New Zealand's history of colonisation and the ongoing oppression of Indigenous individuals makes partnering with iwi and reconnecting youth to their culture extremely difficult. This is exacerbated by current political affairs which further damage this strained relationship. This theme primarily speaks to a misalignment between cultural adaptations and incarceration, given the historical context it is operating in (research question 3).

In order to visually distinguish between youth quotes and staff quotes, youth quotes are left-aligned while staff quotes are right-aligned. While data from both rangatahi and staff were categorised under each theme, the microcosm scope captured more rangatahi data while the macrocosm captured more staff data. This variation may be framed through Wilkinson's (1988) idea of functional reflexivity which describes how the methods that I employed in the research process, and the power dynamics that exist inherently beside those methods, have influenced the data. As mentioned, rangatahi generally were not interested in explicitly discussing matters associated with residence life itself. This could have been due to the general discomfort of being interviewed, though each rangatahi appeared relaxed and open.

Aware of my positioning as a researcher and an outsider, rangatahi may have been trying to distance themselves from their current situation, to show that their identity spanned beyond the residence and the negative narratives they were surrounded by (Rappaport, 2000). This idea ties into the first themes I will discuss which reflect how agency and control, identity and relationships, and developmental nature shape the youth experience within residence.

The Personal Microcosm

This section describes experiential themes of rangatahi within YJR. It captures some of the key messages from rangatahi and staff interviews regarding how rangatahi position themselves within the residence and the narratives that they use to reckon with their current setting. The "microcosm" described here is both "spatially" and "socially" produced (Prins, 2009) given the setting of interviews and the participants' positioning in custody. Importantly, highlighting microcosm themes validates the localised and unique experience of residents, humanising and individualising participants whilst setting the stage for a bigger discussion on the function of YJR.

Theme 1: Expressions of agency and control

This theme captures the idea that rangatahi speak and behave in a way that lets them feel in control despite their situation. Many rangatahi positioned themselves as individuals who are indifferent to consequences, willing and able to "take hits". Henny explained that the physical punishment he faced when he got in trouble as a pre-teen did not act as a deterrent to future offending, while Ray stated YJR has not been a hindrance to him:

"Yeah. I'll just like, take the hiding. I'll just take the hiding."-Henny

"Ah no, it [YJR] hasn't been a barrier. I get through all of it. Yo, it hasn't stopped me from doing anything though."-Ray

Rangatahi seemed to manage these hits by adopting an un-interruptible perseverance. To do this, they embraced a form of temporal control by rejecting reflection, instead placing a focus on future-casting and leaning heavily on "non-stop" forward movement. Through this forward movement, rangatahi can overcome obstacles, including that of YJR. This frames YJR as something to be pushed through, rather than a meaningful time of reflection and change. Ray captured this several times throughout his interview when he discussed what success meant to him:

"I just look forward to the future…cause there's no point in looking back, you know, it's not like it's going to change anything." -Ray

"Just nonstop. Just keep going. Just doing stuff little things than doing stuff big things. Just keep going." -Ray

"Like not letting anything hold me back. Like if I'm… how do I explain it... I don't know just keep moving forward like even though I'm in one of these [YJR] right now and… most officials thinking "oh fuck they're…", nah just keep going, wait until you're gonna get out. Just move on." -Ray

Staff felt that rangatahi refusal of reflection impeded rangatahi ability to engage in transformative change, implying that by examining their past behaviour and passing moral judgement on it, they could understand the harm that they caused which would inspire change:

"The only reflection work that they really get into is what they've done to get them into secure or they've had a bit of a tiff with somebody and then we try to do that reflective work with them at that point. But they're not reflecting say their crime wave of ramraids or you know the aggravated robs or the burgles or all of that, you know, far from it. Unfortunately, they're not really…. and when you bring it up, they don't want to hear it." **-Larms**

Rangatahi did not discuss reflection in the same light, instead framing it as a way to work out how to advance their offending:

"No I don't look back at stuff. The only thing I look back at is how I could do crime different. That's the only thing I look back at." **-Ray**

"Sometimes I'll make a choice and then I think back like fuck that was a stupid decision. Maybe then I think about it, I could have just made better choices and then it could have been a better outcome… instead of carry on pulling the high speed, if we just pulled over and started running, or if we just carried on if the bro just slowed down or something, you know, like different choices." **-Henny**

Furthermore, rangatahi see themselves as solely responsible for their own outcomes. This allows them the ability to "drive" the car even when they are experiencing restrictions as they do within YJR. They maintain control and can easily manipulate their environment, which may be done to establish a sense of comfort and safety when much of what they experience is not by choice:

"Oh the way I see it is like… ah fuck I don't know how to explain it. I see it like I'm the player and they're the game, I just gotta play the game." -Henny

"Sometimes, I'm confident in myself to like, I don't know what I'm trying to say. I'm confident in myself sometimes, but sometimes I'm not. I get like… yo sometimes I'm confident or I feel like I'm not gonna make it. Ah fuck, what if it doesn't even go this way or go that way, fuck. But then I'm just like, ah fuck nah yep, let's make it go this way." -Ray

"Like sometimes I get involved [in YJR programming] just so I can get good name, a good name for my report so I can get out. So basically, just using culture to get out." -Ray

The flip side of this positioning is that it also causes them to bear the brunt of responsibility when they experience punishment. Rangatahi tended not to blame others, instead, citing themselves as the cause of their predicament or the catalyst for any of their future offending:

"I obviously like take accountability for my actions and stuff and I don't just forget about it but a lot of the stuff that's happened is trauma based so I don't try to think about it. I just say, yeah, well, that happened, let's just move forward. Yeah. And let things go." -TJ

"I don't see myself in there [YJR] anytime soon or ever anymore to be honest, yeah. Yeah, I can't say for sure, but I'm hoping this is my last time because things… I can promise as much as I want but sometimes my mind will just trick off and something will happen and… but I hope no more reoffending." -TJ

"I don't really mind because you obviously did something to get there [YJR]." -Ben

"No that's just me. I swear. I just gotta stop dreaming and thinking that I'm a gangster and gotta fucking go to the good side."-Ray

Rangatahi emphasise that their path is theirs alone such that any negative effects they face are their own doing. This relays neoliberal messages that both the state and society instil about blame and personal responsibility (Franzén & Gottzén, 2022) (see more about this in the next chapter, Chapter 5: Discussion). While YJR as an intervention intends to help rangatahi to change their ways, many rangatahi felt no services or additional support that they received would be helpful, since only they hold the key to change:

"I just wanna stop doing crime. Get a job and get my own money so I don't have to steal anything… yeah, changing my ways." -Mason

"No, there's nothing I know I've already been asked this question heaps. But there's nothing. I don't ask for it, I don't really want help. I want to try to do it on my own. Like the independency like, as much as people want to help me. You know, like these people ask me, like my professional and all that, ask me like blah blah blah… I'm just trying to do it on my own." -Ray

"I reckon only myself can stop that I reckon. Yeah, my choices, decisions." -Henny

These expressions, ownership of choice and outcome, may be a coping mechanism, taking the form of avoidance or escapism from their current situation. Rangatahi seemed determined

to adhere to or adjust their own trajectory on their own terms, without recognising factors that may limit their ability to do that:

"Nah, there's no… I don't know how I can get there all I know is I just keep going forward. Just keep striving until I make it. There's no pathway, ah there's a pathway, but there's no pathway that I know what to take. I'm just going to just go with the flow until I make it to the top." -Ray

Theme 2: Varied relationships; varied value

This theme highlights that different rangatahi value and devalue different things, suggesting that there is not a "one size fits all" model or one central organising factor to encourage positive identity development. Rangatahi discuss how various relationships, with people like family and friends, and concepts like culture and crime, are influential or inconsequential in their lives. For example, Ray and Henny expressed opposing views about culture, with Ray negating the importance of culture in favour of individual responsibility, relating to the previous section:

"I just like to know where I come from, or if you don't know where you come from, then you like, don't really know who you are. So, like yeah that's all that really matters to me. So I know where my marae is, I know my river, my mountain, my waka, and my iwi. I just know all that so I could just go to a Māori and say what's your pepeha. Say their pepeha and if it lines up to yours it's like, ah we're family." -Henny

"Nah I just don't like loving my Māori culture because I don't want to turn into one of those Māoris. Even I am one of those Māoris. But like I just wanna have myself and do it for myself." -Ray

TJ and Henny expressed different views on the importance of relationship with their family and friends, showing that even the value of social ties varies greatly in same-age justice-involved youth:

"Nah, I don't really care about family, cause like, everyone's got a life to live." -Henny

"Like some of my family, I'm blood related but I'm not even as close with them as someone I'm not even blood related. It's just like loyalty just made us closer somewhere, loyalty just made it closer to my friend than I was to some of my family." -Henny

"My dad, both my parents actually, but my dad's like my rock. Yeah, he's probably one of the only ones that's been by, always believed in me the whole time. None of my friends are really… like I love my friends, but they're not like that. They're kind of like on the same pathways as me, so they don't think about those sorts of things." -TJ

In contrast to rangatahi finding varied value in different aspects of their lives, staff placed a large focus on family connections and culture as core elements guiding their YJR work. This highlights what things they believe rangatahi should value in order to better improve their chances of rehabilitation, despite these things not resonating as a top priority with every rangatahi. Staff describe how they apply these principles when working with rangatahi:

"We are a Te Ao Māori focused site, which puts the relationship between the whānau and the young person right at the top of our priority list. Why? Because you have to have healthy

relationships to support this young person. They're going to be returning to their families whether you like it or not." -Manu

"...we're trying to bring in tikanga, we're trying to bring in you know, whakawhanaungatanga in, Māori Mātauranga into this place." -Larms

"Yeah, so, these kids have a heart for their family at the end of the day." -Larms

"And you can't underestimate the value that [Reconnecting with family] has for a young person trying to land on their feet. They had the experience that people don't believe in them, or they believe they need to be locked up and institutionalised. They already feel bad about themselves, their self-esteem is not great. But they don't believe that anyone's in their corner so when their professionals talk about their family in disparaging ways, it strips another level." -Manu

Staff expressed a strong concern about the relationship that rangatahi have with their culture, stating that many rangatahi experienced a gap in their identity by failing to connect to their roots. Staff shared that rangatahi who were connected with their culture were embarrassed to express this outwardly, likely due to the pressure to "fit in". Rangatahi, however, did not share any concern about cultural disconnect. Rather, when asked about their culture, some rangatahi were immediately dismissive, seemingly confused by the origin and validity of this notion:

"Nah, huge disconnect. A lot of them, even if they are brought up in their Māori culture, they don't like to talk to people about it. Very few. The word is whakama or shame, they don't want people to know that they can speak Māori…" -Larms

"Now for a Māori person understanding your ancestral roots, is critical. If you can't say who you are and where you're from it's really hard to feel like you belong, your identity is whole and complete…I rang her social worker and I said it's really important you find someone who can connect to her tribally from her region, who can take her and her son around to all these places to visit. That's what they did but they didn't know to ask for that. They didn't know to say, you know when they come in here, they're like, "oh, what I really want is for you to get someone to drive you around to the tribal ancestry places." But a Māori person who understands their roots, that's kind of like, of course, why would we not do that?" -Manu

"Fuck I don't really care about that shit…it's not really useful to me." -Ben

"I just still like, I don't want to believe in all this bullshit and all that bullshit. I just want to just believe in you just wake up, boom, come to this world and grow up. Go to work or go do whatever you want and just fake it till you make it until you die. None of this fucking we waka came here at this time… fuck up. I don't care. I just want to live my life and then just die." -Ray

Rangatahi value or devalue of culture did not seem to relate to their desire to stop offending, their ideas of success or fulfilment, or their sense of self. Rangatahi generally communicated either a positive self-view or a balanced one, where they acknowledged multiple facets of themselves that are at times influenced or elicited by outside factors:

"[I'm] Probably like pretty feisty. Yeah. Well, strong willed. Yeah, but like loyal. And kind most of the time." -TJ

"Cause I do bad stuff but I do good stuff too." -Mason

"...depends who I hang around with because who I hang around with I got these two different sides of me, one's a nice side one's a real bad side." -Ray

It was notable that rangatahi's relationship to crime was in some instances hyper-emphasised. When some rangatahi were asked to talk about themselves, they jumped to describe themselves as tough and "gangster" or defaulted to discuss their illegal behaviour. Though I initially perceived this as an intimidation technique or a show of bravado, further reflection led to a different conclusion. It is more likely that crime is used as a placeholder in identity formation (Reid, 2023), when rangatahi are unable to articulate other aspects of their personhood. This is consistent with labelling theory, which suggests youth get inundated by messages about their criminality and therefore align themselves with this label, which is more "potent" than other labels like "child" or "teen" (Doolan, 2008; Kroska et al., 2017). For example, when asked about their favourite activities, four out of five rangatahi responded with illegal activity:

"Umm. I was going to say stealing cars and all that but um, I don't know it's pretty hard to make that as a hobby without getting caught." -Henny

"Shoot guns." -Ben

"Um steal cars, beat people up. Nah…" -Ray

"Stealing cars." -Mason

Their association with their behaviour as "gangster" is an idea perpetuated by the system of punishment that is forced upon them through institutionalisation, by giving them an official designation of "offender" (Kroska et al., 2017). Placing this powerful label front of mind allows youth a quick identity notion to pull from. This aligns with research which states youth identity is "produced in relation to the available discourses" (Franzén & Gottzén, 2022, p. 1023), subject to what discourses are readily accessible. When probed a bit further to explore their identity, many rangatahi were at a loss. For example, when asked to explain how their friends and family would describe them:

"Like words to… I don't even know maybe like… I don't even know what they would say like…" -Henny

"I don't think… they won't know, they'll be like, I don't know that's just the homie." -Ray

Rangatahi found it difficult to explain how others see them beyond criminals, given their current positioning and environment that focuses on their damaging actions. This places them at fault, and narrows their sense of identity.

Theme 3: Kids as kids

This theme highlights where rangatahi stand developmentally, with quotes that discuss youth culture and grandiose future plans. This section reiterates that rangatahi are

young and do and say things that are in-line with other young people. Within this theme, staff dispel the trope of young offenders as monsters or inherently different from kids who do not offend. Rangatahi emphasise risk-tasking/adrenaline-based activities such as using substances, which, while in alignment with labelling theory discussed in theme 2, is not out of line with developmentally typical non-justice involved youth (Cavanagh, 2022):

"[On favourite activities] Hang out with my homies sometimes… smoke heaps of drugs… drink heaps of alcohol." -Ray

"[On what could make YJR more helpful] Vapes on the fucking gang like. If there was just one maybe even one hour of the whole day you're allowed to just go, go outside and the staff will have to hold the vapes and you can just have a vape. Everyone would be like, can't wait till tomorrow to vape and then after that go to tomorrow, have a vape. I can't wait till the next day have another vape."-Henny

Rangatahi also express acute awareness of their adolescent positioning. They discuss themselves as having a lot of time in front of them to achieve their goals, connecting to the temporal "future casting" idea that appeared in theme 1:

"Yeah, I would actually be proud of myself. Like if I'm out in 20 years and doing good I'd actually be proud. Like fuck I remember when I was in YJ just kicking it with the homies broke like whose gonna rob another store? Tryna plan on having a kid so by the time I'm like, in 20 years, my kids, like, really like 15 or something down the road."-Henny

"Starting the stairway to my dream, being rich as. Yeah just being the richest cunt ever. Nah, not ever. Just being rich enough. Having a bit of family and having a nice, lovely, beautiful looking wife, some kids. just boom. Nice house, nice money, nice income." -Ray

"Yeah, hard. But I haven't made it that far yet but still got a couple of years in me might make it one day." -Ray

"I think it will be after I've achieved all my goals and got in my like school levels and travelling, I wanna go to Greece. But my happiest self would just be, honestly, just being happy with who I am and be connected to my family, yep." -TJ

Standing in contradiction to rangatahi focus on their own agency and control as discussed in theme 1, this theme captures that staff see rangatahi in a more passive light, in need of protection due to their age and developmental status. Staff regularly attribute youth behaviour to their age and advocate for leniency and ethical treatment because of this:

"That's what teenagers do sometimes when they get pissed off with people who don't have good rapport." -Manu

"…the kids just being a kid. Remember, they're only kids…at the end of the day that kid is here for a reason because they don't have the tools to be able to cope." -Larms

"They kind of have an exterior that portrays that they're tough, but we break it down and talk to them one to one. They're no different than your own child at home that needs love and needs care, that needs support, needs somebody to listen to." -Larms

"For the young person, she had the experience of being listened to and taken seriously and being believed. And then she had the experience of her situation being taken care of and her well-being protected." -Manu

This helps to explain why rangatahi and staff interviews were inherently different in nature, despite a similar line of questioning, and therefore in need of a bifurcated analysis. Rangatahi experience and communicate within their personal microcosm, which they prefer to see themselves in control of, as is developmentally typical for youth. They are often unaware of the structural issues diminishing their own agency as they are scarcely educated or informed on contextual and historical factors that may contribute to justice system involvement. Staff are more able to explain bigger-picture conceptual ideas and acknowledge outside influence.

Rangatahi's inability to contextualise their offending within the structural concepts that staff express causes friction in the youth experience of YJR. Rangatahi tend to see themselves in control without understanding the circumstances that limit this. Furthermore, rangatahi experience an indifference towards current intervention as it may not align with their values, instead perceiving it as a stop-gap, an easily manipulated space to "push through". Differing from the focus of staff, many rangatahi place little importance on things that adults would like to be important for them. Not only does the YJR intervention not resonate with rangatahi as a deterrent to offending, it actually reinforces a negative narrative that their offending is core to their identity, the most prominent thing about them, and something they are solely responsible for getting under control. This is despite operating within a system that is not set up for their success, often thwarting progress. The themes covered in the next section delve into this system in more detail.

The Structural Macrocosm

This section discusses “the structural macrocosm”, which reflects the idea that staff “see the forest for the trees” where youth are unable to, experiencing residence life primarily as a conglomeration of gaps in addressing systemic issues, with bits of positive influence scattered throughout. This scope speaks to each research question tangentially, capturing parts of the youth experience and explaining barriers to growth and fulfilment and effective, meaningful cultural adaptations. Though this research was intended to be strength-based, this section captures embedded systemic deficits described during interviews, which inherently limit staff capability to assist and therefore, inhibit youth capacity for growth. These themes paint a picture of a system that does not work for its intended purpose and cannot be fixed, no matter the adaptation, due to its inherent punitive nature and governing bodies.

Theme 4: YJR has benefits, but these do not curb offending

This theme explains that YJR is not without benefits. It presents the different things that YJR can offer, standing in opposition to the other themes in this section and therefore contributing to a more balanced discussion. These benefits were primarily communicated by staff though a few rangatahi interviews also mentioned positive experiences in residence. Benefits include things like meeting immediate needs, forming relationships or facilitating stronger relationships, and treating rangatahi with love and respect, all of which offer a baseline level of validation and restoration. However, in identifying these benefits, there is also a recognition that rangatahi needs are only being met for the short term and that there are minimal perceived lasting effects.

Larms speaks to the importance of establishing baseline care for rangatahi while Manu discusses how things like poor health and medication management can be addressed immediately within residence:

"They haven't had much food. They haven't had a place to sleep. They've been on the run for a little bit when they come to us, we're able to kind of care for them. Give them something to eat. Care for them and make sure they're having showers. Get some, a little bit of normalcy back into their life before they get transitioned back to wherever they're gonna be going to."

-Larms

"So you know when they first come in, we usually get the health team to see them straight away if they can. If they're here on the day or the very next morning. So everything, I'll do eye test, hearing test, teeth, the number of kids that need hearing aids. Fuck, how could you not know a kid needs hearing aids? And they cost thousands of dollars. And their beneficiary parents aren't gonna buy that for them, while they're in our care get it. Get it… One good thing about being in this role is decisions for improving access to interventions and addressing immediate like health needs." -Manu

"If I need to, I can just ring the psychiatrist. I can just ring the paediatrician. And every other residence can do that too, but this is the relationship I have with the mental health team, they will take my calls." -Manu

"So these kids will have every opportunity to have whatever needs met, met while they're in our care. But that is temporary, it's not long term." -Manu

Beyond immediate care needs, staff emphasised the importance of treating youth in a respectful and safe way that aligns with tikanga. Benefits from cultural adaptations were framed more in terms of offering caring and respectful treatment rather than actual instruction of Māori practices:

"If we show them that they're loved, they're cared for, that we're trying to show them that, hey, you know you can be something out there, but we're going to treat you no different to the community, we're gonna treat you really well. You don't need to fight for your benefits."

-Larms

"So whakawhanaungatanga is about that building of rapport and getting to know a person and forming a bridge between people and how you do that, there's no tikanga book you can go to and go, this is what you do, this is how you apply it in practice. It's a way of being, and it's a way of living. So I think even though most of the staff at this residence are not Māori, they have a way of being where they're kind of collectively enough on the same page that we're able to do some good things."-Manu

Whakawhanaungatanga was one of the main benefits that staff focused on. They felt that forming connections with rangatahi themselves or their families was at times difficult but a valuable outcome overall. They also noted that not all YJR facilitate or prioritise this level of relationship building:

"So you get that relationship really close with these kids because a little bit different to the case leaders at other sites we do a little bit more wraparound." -Larms

"A lot more connection with whānau. We're going out there sourcing whatever we can to get their kid help" -Larms

"However, for me, the crunch line is how do the families see us?" -Manu

"I talked to the care team and like someone on their team must have rapport, some rapport, a sliver of rapport. They're like oh these kids… can't guarantee." -Manu

"So building rapport was like trying to like…I don't know. I can't even imagine, I've never worked so hard in my entire life, like never ever have I worked so hard to build rapport. And it took everything but anyway I persisted, and they did eventually tolerate me to come and see them and two of them I had really good rapport with and they're really quite gentle souls when you get to know them. And once they let their guard down and you earn their respect and trust, they are quite lovely to work with." -Manu

Despite these positive attributes of YJR, staff note that majority of benefits that rangatahi experience do not affect their likelihood of offending. That is, fulfilling basic needs of youth will not stop them from committing crimes. This begs the question of YJR purpose and whether it is achieving what it intends to. Furthermore, staff question why basic needs cannot be fulfilled within the community to avoid subjecting youth to institutionalisation which, as discussed, can worsen offending:

"But I was really clear with the professionals that [medication] is not going to cure anything. That medication can't stop them from wanting to continue to like speeding in stolen cars or hanging out with your mates and jumping out the house at 4:00 AM or stealing or whatever." -Manu

"There's a lot of things that could possibly be looked at from the hours of work for staff to kind of help these kids to the type of placement or place that these kids should be in. Rather than being in a place with other kids that kind of teach them how to do bad things." -Larms

"Why can't other people do that not in an institution? There's no reason why everybody could not do great care…" -Manu

"Put that money towards supporting their family and trying to do a little bit more with them in the community rather than housing them in the place like this." -Larms

Manu succinctly describes the impression she hopes YJR leaves on rangatahi as they move through, noting that YJR is not able to fulfil the type of long-term wrap-around care that families need. This segues into the next theme about institutionalisation:

"We're not the one stop shop for everything we're like 5 minutes in their journey of life. They're gonna blink and they'll forget us. And they should forget us. They should never want to come back here again. There should be nothing memorable about this place, that's lasting. If there's anything that's lasting, it should be how quickly they left our care. They should appreciate how fast we got them away and return them to a healthier, safer environment where they got a little bit of bubble wrapping, or their family actually finally had the experience of getting grounded on their feet again with parenting their challenging teenagers. So we should be forgetful for all the right reasons. That's what best practice would look like, but a long way to go." -Manu

Theme 5: Institutionalisation is not a fix and cannot be fixed

This theme discusses the failures and dangers of institutionalisation, explaining that although there are some benefits to YJR, a cumulative set of structural issues do not allow for the intended "rehabilitation" of rangatahi or deterrence against future offending. A prominent manifestation of this idea was that YJR are not fit for purpose, meaning they do not fill the role that they are intending to, to promote a lasting interruption in offending. Rather, they become a catch-all when basic needs of youth like housing or trauma-care are not met. Both staff and youth reflected this sentiment:

"I said, we're not a housing option. We should never be considered as a housing option but increasingly we're seeing that."-Manu

"I just think that the system needs to realise that it's more mental health than it is behavioural. A lot of it is actually that, the fact that everyone you talk to in here has had a bunch of trauma, for 14/15/16 year olds… So that's what I think. But every single charge I've had I have done for a reason, not just because I was having fun and being stupid and silly." -TJ

Though staff highlighted short-term benefits of YJR in theme 4, they also strongly and repeatedly communicated that YJR does not interrupt offending:

"Because at the moment what we're doing isn't really working. You know, as much as we want, we're saying that we're giving a lot of aroha or love or we're using culture, we're using, trying to do the rights of the kids and all that, it still hasn't, hasn't happened" -Larms

"When you're working as a case leader at [specific YJR] your only main goal is to just kind of do the case management side of things just writing up notes and all that, their court dates, their visits and then get them out as quick as possible. Get the next kid coming in again. No support in regard to kind of connecting with whānau and all that."-Larms

"You know they talk about revolving doors in here which is just stay in the system it's like, it takes a long time. You can't… I cannot just go and have a couple of therapeutic sessions with motivational interviewing to, you know, stop someone from heading towards prison." -Manu

"I then have a conversation with them like look we're not here to keep you here, we're just temporary. You can think of us as boring babysitters." -Manu

Rangatahi further this idea, finding that YJR either does not hold lasting influence or has a negative influence on their lives. This reinforces the view of YJR as a "stop-gap" rather than a place for transformational change, as discussed in theme 1:

"Nah, not really. I wouldn't think about it again after that. The day I go to court, I come out with a big smile, or not a big smile you know what I mean, I'll feel happy, boom have a bit of a celebration. Depends what it is, you never know what it is. And then, yeah after that first day, boom feels nice but then after a couple days feels back to normal." -Ray

"It [YJR] just makes us feel isolated and we don't have any normality in our life… we don't feel normal." -TJ

Staff concur, finding that if there has been an influence on rangatahi, it is generally not positive. This supports existing research presented in the Chapter 2: Literature Review that outlines the damages of institutionalisation. Even though staff try to mitigate negative effects, they are still felt by rangatahi due to the nature of institutionalisation:

> *"Just being in a residence is trauma inducing so, you know it's not a home. Yeah, it's not a home environment. And it doesn't matter how nice we are or how great we are or how wonderful we are, even building rapport, it's not their home, and it's not their bedroom and it's not their things. And the walls are concrete, and the doors are heavy metal." -Manu*

> *"It's a real fine balancing act at the moment because the kids don't seem to be learning, the ones that continue to get into crime. Which is really difficult because you've got kids that come to us the first time and then probably after about a year and a half and all that, you'll notice they've come back about four or five times, and they've actually gotten wiser. They've gotten worse. Their attitudes change from being this innocent kid that's come into our residence to now being the violent kid, the angry kid." -Larms*

Staff member Manu outlines that the trauma of institutionalisation begins far before rangatahi reach YJR, an idea reiterated by rangatahi TJ's description of being arrested and held in a police cell. This highlights a common thread running throughout the youth justice system, that current responses to youth crime are damaging and do not take the best interests of youth or their developmental status into account:

"So part of the trauma is how we handle, physically handle, the arrest, the containing in the cells, the how we communicate with them at court. If I could wave my wand I would have speech language therapists in every court." -Manu

"It fucks with your head. Mentally I was having panic attacks. I was being treated like an adult, like a criminal. You know, I wasn't eating in there because my anxiety caused me to self-harm and everything in there because of how I felt and they shouldn't, it shouldn't be like that. There should be somewhere we can go, other than that. Or like a certain amount of days that someone can only be held in there for because a week, half a week in the cells is it's actually hell. It's traumatic as well. Because. Yeah, and your family can't do anything about it as much as they try. It's traumatic for them as well, but... I just, I don't think the system's right." -TJ

The limitations of trying to provide care within a secure facility are evident, not only because of the system's overarching intention to punish and shame but because of a large host of issues that are unable to be addressed through institutionalisation, like intergenerational trauma, domestic violence, and substance abuse:

"There's nobody actually hand shaking through family violence, out the other side into safe spaces.... I'm like if we keep reacting that way we're not actually helping, we're part of the problem, we're prolonging. That kid keeps running away, stealing cars. Or we could just deal with the whole parent punching child situation and see if we can adjust that." -Manu

"You have to look at the family the whole dynamic of where they come from. You have to have to go real deep to find out what's actually happened and all of them are very similar. It's

all started at home. It's been generational. Yeah, it's been something that's happened through you know years and years of abuse. Yeah. Years and years of abuse and it just doesn't happen." -Larms

Manu highlights that some of these issues are exacerbated by confusion on how the system works and growing resentment against it. This point is reinforced by existing literature which has identified a lack of clarity and straight-forward culturally appropriate communication within the justice system, particularly for Indigenous families (Boulton et al., 2020):

"You can't just expect someone to get off the drugs and come clean and have their kids back in their care. So that doesn't mean I could see you and judge and make decisions around the access and the level of gatekeeping that the rangatahi are subjected to and their whānau is rife. It's not legal. And very few people understand their legal rights." -Manu

"The families will say fuck the residences, we needed help when they [youth] were seven years old. Why did we not get help when we were asking for it?" -Manu

This array of issues led staff to conclude that YJR funding could be much better spent elsewhere such as on wholistic community care that actually meets the needs families experience. This would involve a divestment in YJR and youth justice to instead invest in caring for entire families and communities:

"But yeah, if there was a model where you could have a house. And you're looking after the whole family rather than just looking after the kid, that's basically what you're really

needing. Because if each kid is doing $300,000, then that $300,000 should be put towards the whole family, not just one kid." -Larms

"I personally, I think the best thing that could happen would be for youth justice residences around the country to close. Not because they need to close, but because the type of things that we do and the way the system is set up is not set up to win. It's not designed to win and this particular site is multi millions of dollars a year for [number] beds. If we took the amount of money that this particular residence costs, and we invested it into [number] young people preventatively. That's $400,000 per kid. most of the rangatahi here don't get that kind of support. But if we have them in the community, maybe. If we had $400,000 to chuck at it in the community, you wouldn't need me here. You wouldn't need me, you wouldn't need 6 staff on the floor. You wouldn't need the keys and the locks and restraints, any of that." -Manu

Staff were clear that institutionalisation was not a sustainable solution for rangatahi or their families, who need other significant forms of support administered in a wholistic and culturally appropriate way. Simply culturally adapting an existing service, one which still centralises individual responsibility and punishment with a funding focus on containment, does not fix all the other existing issues with the system. This makes community care a better option:

"There has to be so much better than the government trying to do everything. The kids come from the community, they will return to their communities. Trespassing them is not gonna address youth offending. It just needs to be done differently." -Manu

"Go to the community, the people know what they're doing, they know their people, they know their kids, they have all their connections and networks." -Manu

Theme 6: Historical and cultural baggage impede service delivery

This theme supports the investment in and development of community care rather than the use of secure facilities, by capturing how the ongoing colonisation of Māori families influences and reproduces youth justice involvement. It explains how this colonisation has created a deep rift between Oranga Tamariki and Māori. This conflict, exacerbated by the current government, makes it impossible for Oranga Tamariki to provide effective intervention for youth most heavily impacted by the justice system, or to impart culturally adapted service in the manner required of them.

The impact of colonisation, discussed in Chapter 1: Introduction, manifested in a number of ways within interviews, namely in an immense focus on money and the hardships of capitalism for rangatahi and their families:

"[Owning a business] That's what I've had dreams for. Like, that's my dream. But I already know if it's not gunna be like that. Cause in this life, it's hard to do shit like that. So you're gunna have to be, like, a bit of a peasant there and work, work, work, right. Or just do what we're doing now and rob people." -Ray

"I'd say [to members of the public about justice-involved youth] that we make money in our way, how other people make money and we see the world in a different way. How we grow and our struggle. That's how we're raised and that's how you're taught to make money. Cause some of us had nothing." -Mason

Staff discussed other challenges that rangatahi and their whānau face including intergenerational trauma and substance abuse, which scholars have previously identified as ongoing impacts of colonisation (Garcia, 2020; McIntosh, 2022). In bringing up these issues, staff underscore service gaps and a lack of governmental action to meaningfully address these impacts:

"You can see the drugs, you can see the alcohol, you can see how that's affecting people. And I don't believe kind of penalizing people for that really makes sense if they're sick. So there needs to be a better way of doing things..." -Larms

"And people are afraid to have those sorts of conversations because they're just afraid, and it's an uncommon conversation to have. How are people gonna address drug and alcohol addiction or child abuse or family violence or whatever?" -Manu

"...they come to us with trauma, addiction, sexual abuse trauma, as well as every other kind of trauma you can possibly imagine." -Manu

On top of colonisation creating and perpetuating mass systemic issues for Indigenous families, it also maintains a contentious relationship between Māori and Oranga Tamariki. This makes it difficult for Oranga Tamariki to involve families in rangatahi care, something that staff feel is essential to assisting rangatahi (as described in theme 3):

"People don't like OT [Oranga Tamariki]. Māori don't like OT because they see us going in and grabbing kids and taking them off their whānau." -Larms

"Very often I meet with family members who are quite hostile towards OT. They've had very awful experiences, meetings done badly. Confrontational conversations around allegations of abuse or whatnot but handled in a way that's so undiplomatic" -Manu

This relationship has been further strained by current political affairs. In discussing the current or incoming government, staff members are referring to the conservative National, ACT and NZ First coalition who were voted into office in late 2023. This government has been accused of being "anti-Māori" due to their efforts to reverse Indigenous policies, including rolling back the use of Te Reo, cutting funding from Māori agencies, and questioning the modern-day application of Te Tiriti O Waitangi (BBC, 2023; Duff, 2023). One manifestation of this relevant to youth justice is the government's intention to repeal section 7AA of the Oranga Tamariki Act which requires Oranga Tamariki to "ensure policies and practices of the department aim to reduce the disparities for Māori" (Smale, 2024). Staff explain the tension that these kinds of policy repeals create between Oranga Tamariki and Māori communities:

"But the current government hasn't made friends that easy so they've kind of cut funding to a lot of iwi services a lot of support services in the community which makes it really difficult to be able to kind of get some of the kids home." -Larms

"The other thing is we're a government agency, so our best practice, bottom line, looks like what happens in our government and it's not looking good."-Manu

"So, if the Treaty of Waitangi is being argued at the highest levels of my country, and the Māori Health Authority is being disestablished within 100 days of the current government

after 30 odd years of fighting to try and close some of those gaps… how is one organisation able to like… you know, we can't fight that tide. Yeah, it's not… It's not about… you know, maybe we're not the best people to do it. So, if you want culturally best practice, give it back to the people." -Manu

"I think it doesn't matter how good we are at the frontline, a lot of things need to happen higher up, way higher up. The coalition government we have at the moment, you know I'm supposed to be neutral. It's incredibly difficult to be neutral when there's conversations around cuts. We ought to be investing in these young people" -Manu

Staff member Manu in particular was very vocal about the unlikelihood of change within Oranga Tamariki, again advocating for the solution of community care but emphasizing the need for appropriate resource allocation to achieve this:

"There's the culture of OT [Oranga Tamariki] and that is like trying to shift gravity, it's very difficult and there is a lot of resistance…pigs will fly before there's any major dramatic life altering in a good way kind of best practice change across the organisation" -Manu

"Go to the community, the people know what they're doing, they know their people, they know their kids, they have all their connections and networks" -Manu

"We have a Te Ao Māori focus, but there's a real distinction between Te Ao Māori and Kaupapa Māori. I don't know if you know that. So Te Ao Māori is a Māori worldview but Kaupapa Māori is by Māori for Māori. They're quite different. So the government can't do Kaupapa Māori, because the government is not Māori. Does that make sense? So the

government can partner with Kaupapa Māori agencies and organisations and people who are culturally competent and try and recruit and employ staff but those staff will only do to a certain point… I don't know, the Kaupapa Māori way of doing things culturally for youth justice looks like Māori lead organisations and Māori leadership caring for rangatahi young people in their care from that tribal region. Now that's ideal, right. You can go oh, that's wonderful. But when you talk to the iwi, they'll go, we don't have the fucking resources. Who are our clinicians? Who are our people? Who are our foster carers? Who are our youth workers? You guys are burning us out and under resourcing us so many of the Māori organisations and iwi led services. You're setting us up to fail, we have to say no, because we will burn out. So we'll work with the resources we've got for the people in our care currently, but if you want to start shipping your kids in our direction, you need to start being responsible for how you go about it. So there isn't a lot of that and I understand why, they get like diddly squat for it. They're expected to do nothing with no resourcing or anything like that" -Manu

Summary

This chapter has discussed six distinct themes developed through reflexive thematic analysis, highlighting important quotes from participants to respond to the three research questions. Three themes fell under The Personal Microcosm scope which outlined key factors relevant to the rangatahi experience within YJR: *Expressions of agency and control, Varied relationships; varied value,* and *Kids as kids.* Three themes fell under The Structural Macrocosm scope which looked at larger critical systemic issues effecting the YJR experience: *YJR has benefits, but these do not curb offending, Institutionalisation is not a fix and cannot be fixed* and *Historical and cultural baggage impedes service delivery.* All six themes work together to demonstrate common threads in the data and form a cohesive picture

of YJR, a system that does not “work” for those involved. The next chapter, Chapter 6: Discussion, will delve deeper into the links between these themes, applying theoretical framework of critical race theory and counter-colonial criminology to contextualise these findings within existing literature, explaining real world implications.

Chapter 6: Discussion

While the previous two chapters, Chapter 4: The Research Journey and Participants and Chapter 5: Findings were oriented "backwards" towards the data with a relativist approach, this section is oriented "outwards" towards other scholarship (Braun & Clarke, 2022, p. 148), offering critical insight into ongoing discourse around narrative, context and power, with a focus on the youth justice space. It uses the themes above to explore whether YJR "works" for rangatahi and their whānau. It also discusses the viability of using reform and cultural adaptation to correct Māori overrepresentation within the youth justice system.

First, the microcosm and macrocosm concepts outlined above are synthesised to demonstrate an unwinnable game, the "three-body problem" in which responsibility is diffused to three groups; rangatahi, staff members, and the government as an institutional structure, none of whom have the ability to meet their supposed responsibility. Consequently, YJR is framed as a "zombie idea" (Peters & Nagel, 2020), one which is ineffective yet recurrent due to majoritarian storytelling (Solórzano & Yosso, 2002) and penal populism. Cultural adaptations, presented by the government as a promising future for youth justice, are instead conceptualised here through Stanley et al.'s (2024) notion of "performing ignorance." Discussion of these ideas will underscore the importance of state accountability in relation to a broken youth justice system and highlight the need for change. To close, the ideas of collective and community responsibility for decolonial action and transformative justice are explored.

The Three-Body Problem

So how do the themes outlined in Chapter 6: Findings fit together to form a cohesive message about YJR? Liu Cixin's 2008 award-winning sci-fi novel, made into a Netflix miniseries in 2024, titled "The Three-Body Problem" features an alien species who live in

another galaxy that has one planet and three suns. The gravitational pull of the three suns makes the planet unliveable, causing chaotic periods of intense heat, cold, and catastrophic weather events. When scientists from Earth are brought in to solve this issue, they quickly determine it is unsolvable. The planet is unliveable due to the behaviour of the three suns with none of the suns functioning in a way with the others that allows for sustained life and growth. In looking at the network of youth justice and YJRs specifically, their very own three-body problem can be identified. Findings from this research combined with existing literature show that rangatahi, staff, and the government all struggle around the idea of responsibility and onus- who is meant to "fix" the issue of youth offending? Who can best promote life and growth for youth?

This comes down to the idea of responsibility without ability, which means that rangatahi, staff, and the larger government are all seen as responsible for "fixing" youth offending in some regard, but none have the tools or ability to do so. For the purposes of this discussion, "responsibility" is not interchangeable with guilt or blame but instead describes one's ability to fill a prescribed role and meet the tasks expected of them. The YJR system fails because it is not set up in a way that any of the players can appropriately manage.

The findings section of this thesis demonstrates that rangatahi see themselves as personally responsible and culpable, as noted in the *expressions of agency and control* theme. This idea is reinforced by state punishment, which instils an individualistic neoliberal sentiment of responsibility (Franzén & Gottzén, 2022), placing the blame on youth for their own behaviour and deeming them the sole party responsible for change. In doing so, the government ingrains in youth their "imprisonability," assigning an official designation as deviant (Kroska et al., 2017; Stanley, 2017); youth then see custody as unavoidable due to their own criminality. New Zealand criminologist Liam Martin (2018) highlights the issue with these kinds of interventions, stating "programs that rely on personal or individual

transformation not only offer little hope of broad success but threaten to further extend social control at a time of already unprecedented levels of punitive state intervention" (p. 690). For the government, individual youth change is of higher priority than systems reform, despite the regular recognition that contextual and historical factors are the main contributors to offending (Javdani, 2019). Further, past research has shown that youth struggle to recognise and correct outside factors that contribute to their offending (Franzén & Gottzén, 2022); they may recount difficult things they experienced during childhood or challenges they face in society, and even note these things as influential, but they do not link their adversities to their criminal actions (Franzén & Gottzén, 2022).

It is well documented that outside factors and adversities affect the capacity for personal change (Martin, 2018), such that youth are not able to adjust in the way that is expected of them, or the way that they themselves anticipate being able to. This can be conceptualised using the idea of structural determinism, a tenet of critical race theory. Structural determinism has been defined as "the fundamental role of macro-level forces in driving and sustaining inequities across time and contexts." (Ford & Airhihenbuwa, 2010, p. 1394). It outlines the way in which intentional structures, rather than individuals, most strongly influence outcomes in order to maintain an existing power hierarchy (Ford & Airhihenbuwa, 2010). This is exhibited in the racist colonial infrastructure which facilitates disproportionate Māori contact with the justice system, a framework that has been repeatedly identified by Māori scholars (Jackson, 1987; McIntosh, 2022; Tauri, 2014). YJR staff awareness of this colonial infrastructure is outlined in the *historical and cultural baggage impedes service delivery* theme. This understanding allows staff to remove the onus from rangatahi, as is reflected in the *kids as kids* theme, to place it on the system itself. Despite staff awareness of the system's faulty functioning, they are unable to shift the system because it is inherently designed for punishment and personal responsibility. Even if staff pushed for

change that aligns with their understanding of what is helpful for youth and the dangers of institutionalisation, YJR "embeddedness" in racist infrastructure (Wen et al., 2023) make this model unfixable.

This is where the *historical and cultural baggage impedes service delivery* theme meets the *institutionalisation is not a fix and cannot be fixed* theme. The government's adamance on imparting punishment through institutionalisation, in part to maintain its foundation in oppression of minorities (Franzén & Gottzén, 2022), negatively impacts youth development and stands in opposition to the restorative, culturally appropriate, community-based service that staff are expected to provide. Though Oranga Tamariki has attempted a shift to culturally adapted service, it is evident through this study that cultural adaptations within YJR are scarcely valued by youth, as shown in the *varied relationships; varied values* theme. Youth have a variety of values and characteristics that fall outside of the category of culture and therefore also need attention when designing intervention. This suggests that implementation of cultural adaptations is not the overarching fix to youth offending or disproportionate justice system impact on Māori, as Oranga Tamariki may have hoped. The findings of this research suggest that youth do not experience fulfilment, success, or more connection to their culture from the current implementation of cultural adaptations within YJR. The literature review in this thesis (See Chapter 2) explores reasons why these kinds of cultural adaptations may fail such as hasty reactive implementation, insufficient resourcing, or lack of Indigenous input.

The historically fraught relationship between Oranga Tamariki and Māori makes recruitment of Indigenous YJR staff difficult, limiting the extent and richness of cultural programming that can be delivered. Furthermore, the tikanga that staff try to implement to fight the tide of institutionalisation of youth does not align with detention and removal from community, causing dissonance between what is noted to be important and actions that are

actually taken. Staff efforts to make YJRs a beneficial space, as outlined in the *YJR has benefits, but these do not curb offending* theme, are recognised as small contributions to youth wellbeing but go without lasting impact as youth re-enter the community with more damage and little support.

The themes discussed here show that staff are expected to provide culturally adapted service in an environment which actively disagrees with that culture (Jackson, 2017; Lamusse, 2023). Government agencies do not have the ability to provide meaningful Kaupapa Māori service given that they are not Māori, maintain a contentious relationship with Māori, and are rooted in racist neocolonial infrastructure. The blame and individual responsibility to change is therefore placed on rangatahi, an unreasonable expectation given their environment, likelihood of trauma, and the oppressive historical context at play. No party has the tools to make the current infrastructure "work" so that like Cixin's three-body problem, with the current system in place, the issue of youth offending is unsolvable.

Perpetuating Zombie Ideas Through Majoritarian Storytelling

Given the three-body problem, the mass of information about the impact of institutionalisation (see Chapter 2: Literature Review), and the well-documented failures and abuses within the current youth justice system- including its high recidivism rate and disproportionate impact on minorities - it may seem puzzling that YJR continues to be used as an intervention and even elicits increased public and political support. Peters and Nagel (2020) coined the term "zombie idea" to describe concepts that "will not die, no matter how often they are disproved" (p. 3). This section will discuss how the zombie idea of YJR as a successful and helpful intervention is kept alive through majoritarian storytelling. The narrative that the government perpetuates about Māori as criminals, solely responsible for their own woes, and the government as good-willed protectors of children allows them to maintain ineffective and harmful systems like YJR.

Taonui (2010) and McIntosh (2022) contend that attributing poor outcomes for Māori to a "deficit in culture" perpetuates a one-dimensional stereotype that unfairly places the burden of restoration on the oppressed group. This "majoritarian story" is often told from a place of white privilege and perpetuated or bought into by the oppressed group (Solórzano & Yosso, 2002). A good example of this storytelling in New Zealand's youth justice context is the famous 1994 film *Once Were Warriors* (Tamahori, 1994). In this film, the Heke family struggles with a number of systemic issues including domestic violence, addiction, and poverty. One of the Heke children nick-named 'Boogie' is remanded to a boys' home after being detained by police. In the boys' home, he is diverted from his impending life of crime by developing a connection with his culture through learning te reo and haka. In this film, the government is positioned as the saviour, advertising the value of meaningful cultural intervention by state agencies where the family failed to provide it. Beyond this failure of the family and Māori community to facilitate cultural embrace, the film perpetuates Rappaport's (2000) narrative "tales of terror" which Hollis et al. (2011) describe as "community narratives that suggest a highly undesirable life pattern for a social group" (p. 58). This is shown in the film through vivid depictions of violence, poverty and neglect. Māori youth are aware of these "tales" and ongoing negative stereotypes about their race and culture (Hollis et al., 2011) which can result in internalised oppression (McIntosh & Curcic, 2020).

A study conducted by Wray-Lake et al. (2023) posits that youth awareness of the inequities that exist in society, due to racialised experiences, causes inner turmoil and contributes to a distrust in government bodies, which can increase the likelihood of offending. However, fostered correctly, Cammarota (2016) argues that this increased awareness in the relationship between race, power, and privilege can also be a strong driver for action towards political and structural change. Oppressed minorities develop an awareness of inequality at a significantly increased rate in comparison to their white peers, finding that

their own experiences of oppression, those of their parents, and historical context can help develop critical consciousness (Cammarota, 2016). This underscores the importance of providing context to youth regarding underlying causes of justice system involvement.

However, this context has been historically excluded from youth justice interventions. Instead, Māori youth are talked about and interacted with from the perspective of "tales of terror" (Rappaport, 2000) and punished within the neoliberal model that stresses individual blame and responsibility. This positions youth in a bleak place where they may feel helpless to their cultural strife and unable to fix it, though continuously expected to (McIntosh & Curcic, 2020). Cultural adaptations to YJR in Aotearoa have yet to incorporate essential historical context that could allow youth to understand their positioning through the impacts of colonisation. This perpetuates a majoritarian story of inevitable Māori failure and suffering, at their own fault.

This majoritarian storytelling which privileges Pākehā at the expense of Māori has allowed for the "zombie idea" of YJR as a productive approach to youth offending to span generations and even generate increased support. Harsh punishment for youth continues to permeate community narratives around how to handle youth crime. This often appears in the form of moral panics followed by a knee jerk tough-on-crime response (Blank-Penetito et al., 2023; Roguski & Tauri, 2012). This is most recently evident in the proposed "ramraid" bill, which seeks to criminalise 12- and 13-year-olds, despite 10-13 year-olds only accounting for 12% of ram-raid offenses (Gordon, 2024). This bill has received strong opposition from justice reform and human rights groups in New Zealand including Kick Back (Almeida, 2024), People Against Prisons Aotearoa (2023), JustSpeak (2023), VOYCE - Whakarongo Mai (2024), Pillars Ka Pou Whakahou (2023), the New Zealand Council for Civil Liberties (2023), Te Kāhui Tika Tangata Human Rights Commission (2024), and Amnesty International Aotearoa (2024). These groups argue that the bill ignores evidence on the

detrimental impact of early institutionalisation and blatantly violates international human rights standards regarding holding children criminally responsible. Still, and despite an 80% decrease in ram-raids from 2023 (Gordon, 2024), lawmakers continue to move the bill forward, motivated by a "tough on crime" rhetoric (Silver, 2023). Muncie (2008) argues that this neoliberal conservative approach to crime "dissolves" the protection that is traditionally afforded to youth. Meiners (2014) furthers this, stating that the label of "child" or "youth" is only beneficial for some and instead, acts as a way to further marginalise or "other" minority youth (Allen & Bruce, 2017; Roguski & Tauri, 2012). This is displayed in the New Zealand government's insistence on a punitive approach to youth crime, despite clear evidence this approach is ineffective and harmful, and will disproportionately negatively impact rangatahi Māori.

The dramatised narrative around youth crime and the punitive zombie ideas that follow are a way for the government to provide the illusion of safety and control, criminalising developmentally typical behaviours and shifting responsibility away from the state (Roguski & Tauri, 2012). Scholars argue that the uplift of children, as through detention, is a means of ongoing colonial control by the state (McIntosh, 2022; Stanley et al., 2024). This idea would align with the majoritarian story of the state as the saviour in keeping kids out of the dangerous and harmful care of their own communities. This is evidenced by selective de-institutionalisation which allows primarily white youth of higher socioeconomic status access to alternative consequences to offending, such as family group conferencing or community sentences (Javdani, 2019; Stanley & Monod de Froideville, 2020). Justice system reforms aimed at keeping youth out of institutions are therefore only beneficial to some youth, maintaining the disproportionate impact on Indigenous communities.

The community buys into the punitive response to youth offending in an effort to stay safe, without understanding that institutionalising youth is a self-sustaining system. Youth

spend years in the “revolving door” of state involvement without receiving “consistent access to effective services” (Javdani, 2019). The continued investment in a system which reproduces and often worsens youth offending necessitates realisation that resources could be much better allocated to support families and communities rather than perpetuating a cycle of harm. Shifting this narrative requires a community open to examining social and structural issues which lead to the disproportionate incarceration of minority youth, rather than an obsession with criminality and bad behaviour. This means approaching youth justice through a counter-colonial criminological lens. Furthermore, it requires a government that is held responsible for the inequality it has created and injustices that it continues to perpetuate.

Slow Violence, Performing Ignorance, and Government Accountability

Since the colonisation of New Zealand, the government has assumed responsibility of both punishment and protection of youth, through a variety of means including removal from their homes. McIntosh (2022) argues that this is a form of slow systemic violence, and that this violence is reproductive, meaning that it “gives birth to itself” both on an interpersonal level and a structural level (Scheper-Hughes & Bourgois, 2004). Structural violence is regularly carried out in “sites of confinement” such as YJR, which have become subtle and normalised due to the majoritarian storytelling discussed above (McIntosh, 2022). Given that 1 in 3 children born will be Māori in 2038 (Te Puni Kōkiri, 2017), the use of removal from home as a consequence and deterrent to offending becomes all the more costly- financially, socially and culturally.

Multiple authors have identified an intentional resistance by the government to address these structural issues, due to an indifference or hostility towards Te ao Māori and an ongoing effort to colonise and assimilate Indigenous people (McIntosh, 2022). In analysing 3,862 pages of crown documents related to the abuse of children in care, Stanley et al. (2024)

have detailed the idea of the state "performing ignorance". They outline the ways that the state shirks responsibility for the abuse of children in their care while still maintaining "institutional legitimacy". While this article primarily discusses children in care, some of the ideas discussed, such as "asserting new norms of partnership, emphasizing reforms, declaring decolonising futures, and proclaiming they hold transformative solutions" (Stanley et al., 2024, p. 4) are particularly relevant to upholding the performance of ignorance around the failings of youth justice. These tools for performing ignorance are clearly seen in abundantly produced reports either by or about Oranga Tamariki. In these reports, Oranga Tamariki presents a bright and culturally informed future through the implementation of frameworks like Whakamana Tangata and Te Toka Tūmoana. They regularly emphasise that "lessons have been learned" and change is imminent (Stanley et al., 2024, p. 10). However, in a recent rapid review of YJR, Francis and Vlaanderen (2023) found that staff experience "review fatigue" as Oranga Tamariki fails to create coherent implementation plans, making perpetual report recommendations for partnership and reform redundant.

Furthermore, the focus of Oranga Tamariki on implementing reforms through "partnership" with iwi fails to understand that there is not a "better way" to institutionalise children and youth, it is "always damaging, detrimental, and counterproductive" (Stanley et al., 2024, p. 11). The government's "preoccupation with discipline" as a form of behaviour control leaves them without room for care, compassion, and context (Rappaport, 2000). In New Zealand, it has been argued that "solutions do not reside within the culture that has marginalised Māori" but instead can be found within both traditional and modern cultural knowledge (Bishop, 1996, as cited in Bateman & Berryman, 2008). The Office of the Children's Commissioner seems to agree, as a 2020 report stated that no iteration of Oranga Tamariki can "deliver care and protection interventions and services in a way that will be most effective for Tamariki and whānau Māori." (p. 6). The report instead urges that Māori

are best positioned to care for their own. Similarly, the Waitangi Tribunal (2021, p. 179) found that “piecemeal reform of Oranga Tamariki, no matter how well designed, will ultimately fail another generation of children”. Despite this, Oranga Tamariki continue to position themselves as those best able to care for rangatahi, arguing for “state enhancement” rather than a transfer of resources and control from the government to Māori (Stanley et al., 2024). This performance of ignorance allows the government to avoid responsibility while still maintaining “institutional legitimacy” (Smale, 2024; Stanley et al., 2024).

The maintenance of institutional legitimacy in this fashion allows the National, ACT, and NZ First coalition to actively bury the issue of disproportionate justice system impact. This is evidenced through the government’s intention to repeal section 7AA of the Oranga Tamariki Act, which requires Oranga Tamariki to “ensure policies and practices of the department aim to reduce the disparities for Māori” (Smale, 2024). 7AA has previously involved Oranga Tamariki working closely with iwi to understand and address the causes of disparity. In a paper published by legal professionals which outlines urgent changes needed in the youth justice system, Lynch et al. (2021) recommend the enhancement of section 7AA, as it shows a clear commitment by Oranga Tamariki to “develop effective partnerships with Māori” (p. 9). A 2024 evaluation of section 7AA conducted by Oranga Tamariki validated that Te Tiriti principles have previously been breached by failing to address the “significant prejudice” which exists in the system. This evaluation determined there would not be benefits to the repeal of 7AA and recommended that the act be maintained (Oranga Tamariki, 2024). Still, the government has backed the repeal of 7AA stating that it “creates a divisive system that has had a negative impact on caregivers” and its repeal “puts children first” by removing race from the equation (Chhour, 2024).

The government’s argument that race-based policy should be gutted fails to recognise the decades of race-based policy that has placed Māori in their current position, to include

legislation on housing, education, and employment (Smale, 2024). This intertwines with Stanley et al.'s (2024) argument about "performing ignorance". The government has thus far failed to be held accountable in any meaningful way for the suffering of Indigenous children under their care. According to Smale (2024), there is no mechanism for the government to be held legally liable for children in their care so that, without any deterrent, the government has no reason to stop its oppression of Indigenous persons and erasure of important historical backdrop. Stanley et al. (2024, p. 14) argue that commissions intended to hold the government responsible actually provide a platform to "restore public confidence and reaffirm existing institutional and social structures". They allow excuse and reproach without consequence, often resulting in fruitless plans for additional reports and recommendations. Endless reports finding violations in both child rights and Te Tiriti do not amount to the mass systemic shift that is needed to not only avoid further harm of rangatahi and their whānau but to address the harms that have been caused.

This is apparent now more than ever in the youth justice space, as less than a week after the Royal Commission of Inquiry into Abuse in Care was published, detailing the severe and pervasive abuse of youth in care and custody from the 1950's onward, the National, ACT and NZ First Coalition reopened military-style boot camps for youth offenders (RNZ, 2024). This political action flagrantly ignored Royal Commission recommendations to shift away from the use of state custody (RNZ, 2024; Royal Commission of Inquiry, 2024). Children's Minister Karen Chhour said the abuse detailed in the Royal Commission report was "horrendous" and "traumatic" but that she could also not guarantee the safety of youth entering the reopened boot camps, as there will never be no risk (RNZ, 2024). The government's blatant disregard of official inquiry and report recommendations, amongst the backdrop of a host of youth justice professionals loudly detailing harms of punitive youth justice measures (Davies et al., 2024; Dexter, 2024), is a clear display of "slow violence,"

normalising the continuous damage to generations of Indigenous communities, with the veiled motive of maintaining state legitimacy (McIntosh, 2022; Stanley et al., 2024). Therefore, so long as youth justice is managed by the state, which mandates control and power, violence against youth will continue.

Transformative Justice and Healing

Acknowledging the three-body problem and the government's inability to provide appropriate service to rangatahi means exploring other possibilities of addressing youth offending. This requires putting aside traditional notions of retribution and justice in favour of repairing harm that has been done. Instead of looking at individual parties (rangatahi, staff, the government) to "fix" youth offending, it focuses on a collective, societal responsibility to support whānau and rangatahi. However, due to Aotearoa's historical context, a reframing of youth justice would first and foremost require the government to address structural issues, prioritizing solutions to "post-colonial traumatic stress disorder" (Turia, 2000) by honouring obligations of Te Tiriti O Waitangi.

Thus far, the government's obligations of Te Tiriti O Waitangi in regard to the justice system more generally have not been fulfilled. The Waitangi Tribunal (2018) found that by not prioritising the reduction of disproportionate incarceration of Māori, the Crown failed its treaty responsibility to protect Māori interests. The specific principles of "active protection" and "equity" have therefore been breached. Additionally, the second report of Te Uepū Hāpai i Te Ora (2019) found that the Treaty obligation of tino rangatiratanga (self-determination) has not been honoured as Māori communities have not been able to design and deliver their own justice services.

Luckily, the route to meeting these obligations and keys to effective justice reform have been clearly outlined by activist organisations and scholars. The 2019 Turuki! Turuki! Report by Te Uepū Hāpai I te Ora, The Safe and Effective Justice Advisory Group, makes 12

recommendations to improve and transform the existing justice system. Much of the report focuses on implementing transformative justice, which they define as a system in which "individuals, families, communities, government and wider society share responsibility for preventing, responding to, and healing the harms that occur." (p. 7). Transformative justice, or what the Royal Commission of Inquiry into Abuse in Care call "devolution" (2024; p. 286), responds to the three-body problem by proposing a collective responsibility to enact system reform, "entrusting and empowering communities" (Royal Commission of Inquiry, 2024, p. 269) by transitioning away from the use of state care, instead investing in whānau and community-led services. This first requires governmental accountability in "addressing persistent disadvantage and lack of support" (p. 282), followed by collaborative community work to address structural issues like poverty, substance use, and domestic violence.

In her interview, Manu states *"There's nobody actually hand shaking through family violence, out the other side into safe spaces."* This sentiment echoes a 2019 report from the E Tu Wāhine, E Tu Whānau project (Wilson et al., 2019) which McIntosh (2022) uses to discuss structural violence. One member of the focus group from this report discusses repeating a cycle of violence because that was the norm, how they thought things were handled. This illustrates the need to impart family care and intervention and gain an understanding of what a family needs to keep a child safely within the home. This can be done in a way that is unobtrusive and non-judgemental, through Māori community services themselves. However, this requires the government's confidence and sustained investment in these services.

Similarly, a research study conducted in 2023 titled He Ture Kia Tika (Black et al., 2023) urges the government to address mental health and substance use issues with care and community-based resources rather than incarceration. This report highlights the need for wholistic support for families which cater to individual needs, recommending that trauma-

informed care be embedded within the justice system. Though this study focused on adults, these recommendations can also be applied to youth justice system. Majority of youth in custody have experienced complex traumas, both in and out of institutions, but their rights and label as a victim is disregarded immediately upon their offending (Stanley, 2017). McGuire and Murdoch (2022) refer to this as the victimisation-offending continuum which dehumanises Indigenous individuals moving through the justice system. Efforts to connect offending to victimisation are perceived as attempts to excuse behaviour and avoid accepting individual responsibility- something the current justice system mandates (Stanley, 2017). By adopting a model which contextualises youth offending amongst adversities that they've faced and resituating their status as "criminals" into that of "survivors," appropriate care can be given rather than an ineffective pursuit of deterrence and retribution (Benekos et al., 2013).

This can be encompassed more broadly into the idea of Indigenous healing and restoration. Lee et al. (2023) describe this healing as entire communities "becoming whole in the face of multiple forms of oppression" (p. 7). They argue that this can be achieved through collective resistance, recreating "spaces that prioritise interpersonal relationships and communities" (p. 7 & 9). This involves developing critical consciousness to understand not only what has happened but what has yet to happen, highlighting opportunities for connection and active resistance (Lee et al., 2023; McCaslin & Breton, 2008, p. 12). In youth justice, research has shown the value in developing this critical consciousness. Giving "second sight" to minority youth helps them to understand power and privilege that facilitates their othering (Cammarota, 2016), allowing them to avoid internalising their criminalisation. Encouraging awareness of inequality through critical reflection on historical and contextual features could facilitate a strengths-based change model that is based on the collective rather than individual responsibility.

Chapter 7: Conclusion

The push for a punitive tough-on-crime approach to youth offending in New Zealand, which intends to establish additional YJR beds and reinstatement of military-style bootcamps, means that more youth will face the detrimental impacts of institutionalisation. This will affect Māori youth disproportionately given that they experience the highest rates of interaction with the justice system. This necessitates urgent action, to not only correct this disproportionality but ensure the protection of all youth who are justice-involved. These factors acted as the motivation for this study, which sought to answer the following research questions: *1) What are the experiences of youth in justice residences in Aotearoa? 2) How do youth justice residents experience growth and fulfilment and how do YJR staff facilitate this? 3) How do youth in justice residences perceive and interact with the cultural adaptations implemented by Oranga Tamariki?* Critical race theory and counter-colonial criminology were used as the theoretical framework to develop this study as well as to analyse, interpret, and present findings.

This research employed semi-structured qualitative interviews with youth justice residents and staff members to gain a better understanding of Aotearoa YJR. In outlining the historical context of YJR in New Zealand and suggested reforms, the impacts of institutionalisation on youth, and literature on the usefulness of cultural adaptations, rationale was provided for moving forward with this study. Seven interviews with rangatahi and staff were conducted across two different YJR, Whakatakapokai in South Auckland and Te Maioha o Parekarangi in Rotorua. Reflexive thematic analysis was employed to develop six themes from the data which describe the personal microcosm of youth experience within residence followed by the structural macrocosm, which details systemic factors that influence the administration of YJR. Findings presented with direct quotes from interviews responded

directly to research questions, explaining youth experiences within YJR and then discussing the way that institutionalisation is incongruent with growth and fulfilment that youth seek, and that staff attempt to promote. Additionally, New Zealand's history of colonisation and the current government's relationship with Māori does not allow for the meaningful implementation of cultural adaptations by the state.

After presenting these findings, the discussion section adopted a critical approach to situate these ideas within existing literature and expand outwards to explore their implications. The personal microcosm, structural macrocosm framework painted a picture of an "unwinnable game" in what I described as the "three-body problem." In this problem, rangatahi, staff, and the government are all independently responsible for "fixing" youth offending, but none have the ability to actually do so. Rangatahi are expected to make personal changes to curb offending, but they are unable to do so due to structural determinism- outside factors that keep communities marginalised. Staff are unable to enact change because of limited resources and the punitive and individualistic nature of punishment. Finally, the government is unable to make change due to its foundation in racist oppressive infrastructure and its commitment to a traditional sense of justice rooted in retribution.

Despite a clear awareness that YJR and institutionalisation does not work to curb offending, it continues to be implemented, making it a "zombie idea". It is kept alive because of majoritarian storytelling which demonises rangatahi, instils "tales of terror" about the Māori community, and positions the government as the saviour and only solution. This positioning is intentional and historical, as research has highlighted how the "slow violence" of oppression continues to marginalise Indigenous communities. Furthermore, the government engages in a performance of ignorance which helps them to avoid accountability while simultaneously maintaining legitimacy.

To create real change within the youth justice system, transformative justice is needed. This involves putting the power and responsibility back into the hands of communities, as a collective, well-resourced, force of good to protect rangatahi and whānau. This is inherently decolonial as it works to break down oppressive Western neoliberal systems of control which target Indigenous communities. By developing critical consciousness in youth, situating their offending in contextual and historical factors rather than forcing them to internalise their "imprisonability," youth can engage in active resistance. In establishing equality, community connection, and Indigenous knowledge through a societal response to youth crime, Indigenous communities can heal. The dominance of penal populism and institutional racism in New Zealand is strong but not insurmountable (Grey & Roo, 2010), particularly given the abundance of passionate activist groups that consistently push for meaningful and drastic change and have articulated clear implementation to make this change a reality.

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Appendix A. AUTEC Ethics Approval

Auckland University of Technology Ethics Committee (AUTEC)

30 November 2023

Laumua Tunufa'i
Faculty of Culture and Society

Dear Laumua

Re Ethics Application: **23/284 Towards a Culturally Tailored Future for Justice-Involved Youth: Evaluating the Benefit of Cultural Adaptations in Youth Justice Residences**

Thank you for your responses to AUTEC's conditions.

Your ethics application has been approved for three years until 30 November 2026.

Non-Standard Conditions of Approval

1. Inclusion of the oral consent option in the staff Information Sheet.

Non-standard conditions do not need to be submitted to or reviewed by AUTEC unless requested but must be completed before commencing your study.

Standard Conditions of Approval

1. The research is to be undertaken in accordance with the Auckland University of Technology Code of Conduct for Research and as approved by AUTEC.
2. All public facing documents must have the AUTEC approval number and be of a high standard of spelling and grammar. Dates on the Information Sheet(s) and Consent Form(s) must be consistent.
3. Any amendments to the project must be approved by AUTEC prior to being implemented.
4. A progress report is due annually on the anniversary of the approval date.
5. A final report is due at the expiration of the approval period, or, upon completion of project.
6. Any serious or adverse events must be reported to AUTEC, this includes unforeseen issues that might affect continued ethical acceptability of the project.
7. AUTEC grants ethical approval only. You are responsible for obtaining management permission for access from any institution or organisation at which your research is being conducted and you need to meet all ethical, legal, public health, and locality obligations or requirements for the jurisdictions in which the research is being undertaken.

The application number and title need to be referenced on all correspondence related to this project.

All forms are available online http://www.aut.ac.nz/research/researchethics

For any enquiries, please contact ethics@aut.ac.nz
(This is a computer-generated letter for which no signature is required)

The AUTEC Secretariat
Auckland University of Technology Ethics Committee

Cc: Beckemily.chs@gmail.com

Appendix B. RADA Approval

ORANGA TAMARIKI
Ministry for Children

7th December 2023

140 Balmoral Road,
Mt Eden,
NEW ZEALAND

Tēnā koe Emily,

LETTER OF RESEARCH APPROVAL
"Exploring the Experiences of Youth in Aotearoa New Zealand Youth Justice Residences."

Thank you for submitting your research access application to the Oranga Tamariki–Ministry for Children Research and Data Access Committee (RADA).

I am pleased to inform you that your research access application for *Exploring the Experiences of Youth in Aotearoa New Zealand Youth Justice Residences* has been given full approval. However, approval has not been given for observation and for multiple residences (limited to Whakatakapokai only).

The research access conditions and requirements are set out in detail below. Your research must maintain fidelity with your RADA application and HEC approval. Please notify us if there are significant changes.

RADA also asks that you provide a summary of your research to the Ministry upon completion and adhere to the research access conditions and requirements set out below.

Should you have any concerns or questions about the research approval, or for other research related matters, please continue to contact the RADA Coordinator.

Good luck with your research.

Nāku noa, nā,

Fiona Dempsey

Fiona Dempsey

Research Access Coordinator
Senior Analyst | Evidence Centre

Oranga Tamariki
Research and Data Access Committee

RADA CONDITIONS

Research access for "Exploring the Experiences of Youth in Aotearoa New Zealand Youth Justice Residences" is subject to the following research access conditions.

- Approval is granted for the interview component of the research only and is limited to one site (Whakatakapokai) and a sample size of no larger than *N* =12.
- The observation component of the research is not approved due to the complexity of obtaining informed consent from rangatahi and kaimahi, insufficient rationale as to why observation is an appropriate methodology, and operational constraints.
- You must develop a clear protocol to address the appropriate handling of disclosure/harm information raised during interviews to ensure participant and researcher safety and wellbeing.
- You must develop a more robust safety plan to support participants at the time of the interview rather than your existing plan, which relies solely on Oranga Tamariki kaimahi.
- Interviews must be conducted in a space that ensures the privacy of participants i.e., not a 'semi-private space'.
- The research must maintain fidelity with the details provided in the RADA application and with the Human Ethics Committee approval.

RADA REQUIREMENTS

Research changes and review

RADA application approval is based on the proposed research design and the commitment to good research practice. It is important that the Research Access Coordinator is informed of any significant changes or delays to the research (and research access). RADA may also stipulate periodic reviews of the research.

- The researcher is required to inform RADA if there are significant changes that impact upon their research access request (approval).

Confidentiality agreement

Oranga Tamariki research access is contingent on the researcher(s) (and other parties if applicable) signing the Deed of Confidentiality. This is an acceptance of the way information for which research access has been granted will be used. It also reflects the seriousness of any breach of the information privacy principles contained within the Privacy Act 1993.

- The researcher will sign and return confidentiality agreements to RADA. Confidential research information gathered will not be shared or disclosed to anyone else.

Safety checks

Safety checks are carried out as a matter of course. Safety clearance 'Police vetting' forms are ordinarily submitted with the application form.

- The researcher will complete a Police background check. This must be completed prior to the research being carried out with Oranga Tamariki.

Draft (penultimate) copy

Researchers are required to send draft (penultimate) copies for review of all documents for which research access was granted, including articles, reports, and theses. This is to ensure matters-of-fact, ethical and legal details are adequately addressed.

- The researcher is required to provide (penultimate) drafts of any reports, papers or presentations for review that use the information for which access was granted prior to their submission, publication, or use. Penultimate drafts will be reviewed by the RADA and nominated reviewers.

Final report or findings

Researchers are also required to submit final copies of all primary research outputs for which research access was granted, for the RADA's records and wider dissemination, if appropriate. In some cases, researchers may also be asked to carry out presentations at the sites of their research and/or to Oranga Tamariki National Office.

- The researcher, if requested, is required to give a presentation on their research findings at an agreeable time to Oranga Tamariki staff.
- The researchers are required to send to the Research Access Coordinator at National Office (Wellington) a copy of their final reports or findings.
- The researcher must also send a separate abstract/synopsis of their final report or findings. This abstract/synopsis may be placed on the Oranga Tamariki webpage.

RADA RECOMMENDATIONS

The review of your RADA application considered several additional points important. These are recommendations only and not research conditions.

- Consider engaging with the Office of the Childrens Commissioner (OCC) regarding their interview procedures, how they interview young people, and make them feel comfortable. OCC also document the responses of young people and kaimahi they have interviewed. They are likely to hold information that will be of use to you.
- We suggest liaising with the site as to what would be appropriate to give as koha and to the timing of the gift. For example, you could consider a morning tea for all kaimahi and rangatahi as (part of) the koha.
- Consider further how your research could benefit rangatahi Māori.

Submission details

Confidentiality agreement(s) and the safety check form(s) are to be completed and returned by email (scanned) to the RADA Coordinator.

Please ensure that separate PDF files are sent for each individual submitting electronic confidentiality forms and safety check form(s).

Penultimate drafts are to be sent via email to the RADA Coordinator in Microsoft Word or Rich Text Format (in a single file).

Final copies are to be sent via email to the RADA Coordinator in PDF, Microsoft Word or Rich Text Format (in a single file). Hard copies of the draft or final versions may also be requested.

The Aurora Centre
56 The Terrace
Wellington, 6011

PO Box 546
Wellington, 6140

Phone 04 916 3300
research@ot.govt.nz
www.orangatamariki.govt.nz

Research Access Coordinator (contact)

RADA Coordinator
Evidence Centre
Oranga Tamariki–Ministry for Children
PO Box 546
Wellington 6140
NEW ZEALAND

Email: rada@ot.govt.nz

Appendix C. Consent Form

Consent Form

Project title: ***Exploring the Experiences of Former Youth Justice Residents in Aotearoa New Zealand***

Project Supervisor: ***Dr. Laumua Tunufa'i***

Researcher: ***Emily Beck***

If you have read the information sheet about *Exploring the Experiences of Youth Justice Residents in Aotearoa New Zealand* and would like to take part in this study, please read the information below. You will need to write and sign your name so we know you understand the information and would like to participate. By signing you agree:

- ○ I have read and understood the participant information sheet.
- ○ I have had time to ask all of my questions about this study and to have them answered.
- ○ I understand that our chat will be audio-taped and my responses written out by the researcher. My real name will not be attached to my responses.
- ○ I understand that I do not have to answer all or any of the questions asked during the interview, I may choose which questions I answer
- ○ I understand that taking part in this study is voluntary (my choice) and will not effect my court case.
- ○ I understand I may take breaks or stop completely at any time with no consequences.
- ○ I understand that if I stop participating, I will be offered the choice between having my responses removed or allowing them to continue to be used. However, once the findings have been produced, removal of my responses may not be possible.
- ○ I am of at least 16 years of age and agree to take part in this research.

I want a copy of the research results (CHECK ONE): [ ] YES [ ] NO

Signature : _____

Name : _____

Date: _____

Approved by the Auckland University of Technology Ethics Committee on 30/11/2023 AUTEC Reference number 23/284

Appendix D. Rangatahi Participant Information Sheet

Participant Information Sheet:

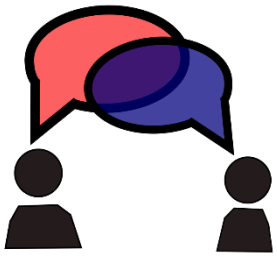
Exploring the Experiences of Youth in Aotearoa New Zealand Youth Justice Residences

Hello! You are invited to take part in this research called: *Exploring the Experiences of Youth in Aotearoa New Zealand Youth Justice Residences*

This research is about listening to young people, aged 16-18, talk about their experiences within youth justice residences.

This information sheet will help young people decide if they want to take part in this research. Things to know:

- I will go through this information with you and answer any questions you have
- You do not have to decide if you want to participate in this study today
- Before you decide, you might want to talk about the research with your family, friends, or others you trust

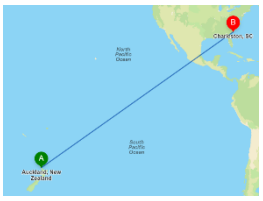


Why are we doing this research?

There are many young people who move through the justice system, some of whom must spend time in a secure place away from home. We want to understand what things youth justice residents need to grow as they re-enter their communities. The things we learn from this research will allow us to work towards a system that keeps young people's thoughts, wishes, and well-being at the centre.

Who is doing this research?

My name is Emily Beck, I am a student at the Auckland University of Technology. I am from South Carolina, USA. I travelled over 13,000 km to come to Aotearoa! Before coming here, I worked with justice-involved young people in America.



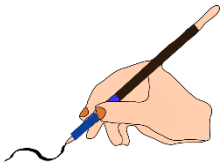
What will happen in this research?

Six young people in youth justice residences are invited to take part in this research.

I will chat with each young person in a quiet space for around an hour. I will tell them about myself and ask them to do the same. I will then ask questions related to experiences, strengths, values, and goals. Participants do not need to answer all or any of the questions if they do not want to. They are the experts on their lives so they may talk about whatever they want to and share as much or as a little with me as they would like.

The chat will be scheduled so young people will know ahead of time when it will happen. Each young person will choose a *pseudonym*, kind of like a codename, so that their responses are private. Each chat will be recorded with an audio recorder, so that I can write out the responses once we are finished. Participants may ask for a break or decide to stop the chat altogether at any point in time.

In the weeks after a chat, I will write out responses and bring them back to each participant so that they can make sure they're happy with them. They will have a week to add, remove or change information. After they are happy with what they've said, the information will be written into a report. At no point will a young person's name be tied to their interview.



If I want to participate, what do I need to do?

Carefully read over this information sheet and the consent form, which you will be asked to sign before our chat. Please let me know verbally that you are interested in participating and we will schedule a time for your interview. It may be a good idea to chat with a friend, family member, or other trusted person about your participation before you agree.

What else do I need to know?

- This research will take approximately 2 hours of your time, 1 hour for our chat and 1 hour to review your responses. You may take more or less time if you need it.
- Your participation in this research is voluntary (it is your choice) and whether or not you choose to participate will neither advantage nor disadvantage you. It will not affect the outcome of your case.
- Your real name will never be attached to your responses. Your responses will only be seen by myself and my supervisor.

- Your responses and consent form will be kept separate from each other and will be stored securely by my university for 6 years
- You are able to stop participating in the study at any time. If you choose to stop participating, you will be offered the choice between having any information belonging to you removed or allowing it to continue to be used. However, once the findings have been written, removal may not be possible.

What are the discomforts and risks? How are these handled?

You may feel strong emotions while sharing your experiences. None of the questions in our chat are meant to make you sad or angry so these feelings are unlikely but may come up!

It is your choice which questions you answer, you may answer one or none. I will not pressure you to speak to me at any time. At any point you can take a break or stop the interview. There is a list of helpline numbers attached to this sheet that you may use if you would like to. If you have a lot of emotions and would like to talk to someone you know, I can connect you with a staff member.

What are the benefits?

This research allows you to talk about your experiences openly and share your thoughts. I can't promise that this research will change things but I hope it will allow others to learn more about youth justice residents and what things are important to you all.

What opportunity do I have to consider this invitation?

You have a month to let me know you are interested in participating.

Will I receive feedback on the results of this research?

The results of this research will be written into a large report and then a summary created. Both papers will be publicly available. If you would like to receive these, check the receive box on your consent form. I will work with your social worker to get you the results.

What do I do if I have concerns about this research?

Any concerns regarding the nature of this project should be notified in the first instance to the Project Supervisor, Dr. Laumua Tunufa'i, Laumua.tunufai@aut.ac.nz (0212225688)

Concerns regarding the conduct of the research should be notified to the Executive Secretary of AUTEC, *ethics@aut.ac.nz* , (+649) 921 9999 ext 6038.

Whom do I contact for further information about this research?

Please keep this Information Sheet and a copy of the Consent Form for your future reference. You are also able to contact the research team as follows:

Researcher Contact Details:

Emily Beck, Emily.beck@aut.ac.nz

Project Supervisor Contact Details:

Dr. Laumua Tunufa'i, Laumua.tunufai@aut.ac.nz

Approved by the Auckland University of Technology Ethics Committee on *30 11 2023*, AUTEC Reference number *23/284*.

Helplines

Source: https://www.caprisanctuary.co.nz/helplines/

Below is a list of some of the services available in New Zealand that offer support, information, and help. All services are available 24 hours a day, seven days a week unless otherwise specified.

National helplines

• Emergency Services - 111

• **1737, need to talk? - Text or Call 1737** – *This is New Zealand's new national mental health & addictions helpline number. The 4-digit number is free to text or call anytime to talk with a trained counsellor, who are available 24 hours a day 7 days a week.*

• **Lifeline** – 0800 543 354 or (09) 5222 999 *within Auckland*

• **Suicide Crisis Helpline** – 0508 828 865 (0508 TAUTOKO)

• **Healthline** – 0800 611 116

• **Samaritans** – 0800 726 666

Addiction-specific helplines

• **Alcohol and Drug Helpline** – 0800 787 797 or online chat

• **Gambling Helpline** – 0800 654 655

Depression-specific helplines

• **Depression Helpline** – 0800 111 757 or free text 4202 *(to talk to a trained counsellor about how you are feeling or to ask any questions)*

• **www.depression.org.nz** – *includes The Journal online help service*

• **SPARX.org.nz** – *online e-therapy tool provided by the University of Auckland that helps young people learn skills to deal with feeling down, depressed or stressed*

Domestic Violence - Where to go for help or more information:

• **Women's Refuge:** Free national crisis line operates 24/7 - 0800 refuge or 0800 733 843

• **Shine**, free national helpline 9am- 11pm every day - 0508 744 633

• **It's Not Ok**: Information line 0800 456 450

• **Shakti**: *Providing specialist cultural services for African, Asian and Middle Eastern women and their children.* Crisis line 24/7 0800 742 584

• **Ministry of Justice**

• **National Network of Stopping Violence**

• **White Ribbon**: *Aiming to eliminate men's violence towards women*

Sexuality or gender identity helpline

• **OUTLine NZ** – 0800 688 5463 (OUTLINE) *provides confidential telephone support*

Helplines for children and young people

• **Youthline** – 0800 376 633, free text 234 or email talk@youthline.co.nz or online chat

• **thelowdown.co.nz** – or email team@thelowdown.co.nz or free text 5626

• **What's Up** – 0800 942 8787 (for 5–18 year olds). *Phone counselling is available Monday to Friday, 1pm–10pm and weekends, 3pm–10pm. Online chat is available 7pm–10pm daily.*

• **Kidsline** – 0800 54 37 54 (0800 kidsline) *for young people up to 18 years of age. Open 24/7.*

Help for parents, family and friends

• **Commonground** – *a website hub providing parents, family, whānau and friends with access to information, tools and support to help a young person who is struggling*

• **Parent Help** – 0800 568 856

Appendix E. Staff Participant Information Sheet

Participant Information Sheet

This information sheet is for potential youth justice residence staff participants.

Date Information Sheet Produced:

15/10/2023

Project Title

Exploring the Experiences of Youth in Aotearoa New Zealand Youth Justice Residences

An Invitation

My name is Emily, I am a master's student at the Auckland University of Technology. I am from the state of South Carolina, in the United States. My background is in psychology but for the past five years, my focus has been on working with those who are affected by the justice system. I moved to Auckland, New Zealand in January 2023 on a cultural exchange scholarship to learn more about New Zealand's youth justice system. I would like to invite you to participate in a project that explores the experiences of youth within youth justice residences. Your thoughts and feelings on this topic are unique and valuable, as someone who works closely with you. Please reach out with your expression of interest.

What is the purpose of this research?

This research will explore the experiences of youth in justice residences and attempt to understand what things are beneficial and important to justice-involved youth. The results of this research will be accessible upon completion of the researcher's master's thesis. A summary report will be created outlining the findings and a public presentation will be held to inform the community of the research that was undertaken.

How was I identified and why am I being invited to participate in this research?

You are invited to take part in this research because your experience with youth justice residences is unique and invaluable. You are able to provide insight into what things youth justice residents need for growth and fulfilment. You are a justice residence employee and are willing to participate in a 45-60 minute one-on-one conversation.

How do I agree to participate in this research?

Within a month of receiving this document, you should let me know verbally or through email that you are interested in participating. You should email beckemily.chs@gmail.com with the subject line research. Before your interview, you will be asked to give consent either written (for in person interviews) or verbally (for virtual interviews). Your participation in this research is voluntary (it is your choice) and whether or not you choose to participate will neither advantage nor disadvantage you. You are able to withdraw from the study at any time. If you choose to withdraw from the study, then you will be offered the choice between having any data that is identifiable as belonging to you removed or allowing it to continue to be used. However, once the findings have been produced, removal of your data may not be possible.

What will happen in this research?

Once you receive this sheet you will have a month to express your interest in participating. If you would like to participate, you will be asked to sit down with me in a semi-private location for a chat that should last 45 minutes to an hour. The interview will be scheduled so you will know ahead of time when it will take place. Before your interview, I will remind you the purpose of the study, and you may ask any questions about the study. If you are comfortable moving forward, you will be asked to sign a consent form confirming your willingness to participate. You may decide on a pseudonym to protect your confidentiality, or if you don't want to choose one, I will choose for you.

Once you are ready to start, I will turn on an audio recording so that your responses can be written out once we are finished. At any point in time, you may request a break or withdraw from participation. If you choose to do so, the recorder will be paused or stopped. We will start with introductions; I will tell you about myself and ask you to do the same. I will then ask you about your experiences with youth in the residences, and your perspective on the things their strengths, things they value, and things they need to grow. Questions are open-ended and flexible, so you do not need to answer all or any of them if you don't want to. You are the expert and the knowledge holder on your experiences, so you may talk about whatever you wish to talk about and share as much or as a little with me as you would like.

Once our discussion ends, the recorded will be stopped. In the weeks following our interview, I will transcribe it and bring it back to you so that you can look over it. You will have a week to add, remove or amend information in the transcript. After you are satisfied with your transcript, I will compile and analyse results from all participants. These will be written up into a master's thesis. At no point in time will your name be associated with your interview. You will not be contacted regarding any further research, though you may contact me at any point during the study.

What are the discomforts and risks?

You may feel strong emotions while sharing your experiences as the justice system is not light-hearted or easy to discuss. Given that the methods and approach are strength-based, and questions are designed to not solicit negative answers or emotions, distress will likely be limited.

How will these discomforts and risks be alleviated?

It is completely your choice which questions you choose to respond to you; you may answer one or none at all. I will not pressure you to speak with me at any time. At any point you may take a break or withdraw entirely. There is a list of helpline numbers attached to the back of this sheet that will be provided to you again at the conclusion of your interview.

What are the benefits?

This research allows you to talk about your experiences openly and share your thoughts. The report of this research will be available publicly. I will benefit from this research by finishing my postgraduate degree, Master of Criminology and Criminal Justice.

How will my privacy be protected?

Interviews will take place one-on-one in semi-private spaces. Your name will be confidential and never attached to your consent form, audio recording, or transcript. You will have the opportunity to choose a pseudonym. If you do not want to choose, one will be assigned to you. Any identifying information or unique speech patterns that appear in interview transcripts will not be included in final research write-up. Your responses will only be seen by myself and the project supervisor. Your consent form will be stored in a secure location on the Auckland University of Technology campus for six years following the completion of the study. The interview data will be stored digitally in a separate secure location for the same period. After this time has elapsed, this data will be destroyed. This is a requirement for ethical approval by the Auckland University of Technology Ethics Committee.

What are the costs of participating in this research?

Participation will take approximately two hours, one hour for the interview and one hour for you to check the transcription.

What opportunity do I have to consider this invitation?

You have a month from receipt of this information sheet to express your interest in participating.

Will I receive feedback on the results of this research?

Once data has been analysed and the study has been written up, a results summary sheet will be created and made publicly available. Additionally, a public presentation will be held to share the results of this research.

What do I do if I have concerns about this research?

Any concerns regarding the nature of this project should be notified in the first instance to the Project Supervisor, Dr. Laumua Tunufa'i, Laumua.tunufai@aut.ac.nz (0212225688). Concerns regarding the conduct of the research should be notified to the Executive Secretary of AUTEC, *ethics@aut.ac.nz* , (+649) 921 9999 ext 6038.

Whom do I contact for further information about this research?

Please keep this Information Sheet and a copy of the Consent Form for your future reference. You are also able to contact the research team as follows:

Researcher Contact Details:

Emily Beck, Emily.beck@aut.ac.nz

Project Supervisor Contact Details:

Dr. Laumua Tunufa'i, Laumua.tunufai@aut.ac.nz

Approved by the Auckland University of Technology Ethics Committee on 30 11 2023, AUTEC Reference number *23/284*.

Helplines

Source: https://www.caprisanctuary.co.nz/helplines/

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• Emergency Services - 111

• **1737, need to talk? - Text or Call 1737** – *This is New Zealand's new national mental health & addictions helpline number. The 4-digit number is free to text or call anytime to talk with a trained counsellor, who are available 24 hours a day 7 days a week.*

• **Lifeline** – 0800 543 354 or (09) 5222 999 *within Auckland*

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• **Gambling Helpline** – 0800 654 655

Depression-specific helplines

• **Depression Helpline** – 0800 111 757 or free text 4202 *(to talk to a trained counsellor about how you are feeling or to ask any questions)*

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• **Shine**, free national helpline 9am- 11pm every day - 0508 744 633

• **It's Not Ok**: Information line 0800 456 450

• **Shakti**: *Providing specialist cultural services for African, Asian and Middle Eastern women and their children.* Crisis line 24/7 0800 742 584

• **Ministry of Justice**

• **National Network of Stopping Violence**

• **White Ribbon**: *Aiming to eliminate men's violence towards women*

Sexuality or gender identity helpline

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Helplines for children and young people

• **Youthline** – 0800 376 633, free text 234 or email talk@youthline.co.nz or online chat

• **thelowdown.co.nz** – or email team@thelowdown.co.nz or free text 5626

• **What's Up** – 0800 942 8787 (for 5–18 year olds). *Phone counselling is available Monday to Friday, 1pm–10pm and weekends, 3pm–10pm. Online chat is available 7pm–10pm daily.*

• **Kidsline** – 0800 54 37 54 (0800 kidsline) *for young people up to 18 years of age. Open 24/7.*

Help for parents, family and friends

• **Commonground** – *a website hub providing parents, family, whānau and friends with access to information, tools and support to help a young person who is struggling*

• **Parent Help** – 0800 568 856

Appendix F. Interview Guide

INTERVIEW GUIDE

CREATED: 15/10/2023

Exploring the Experiences of Youth in Aotearoa New Zealand Youth Justice Residences

Prior to the interview:

1. The project will be reviewed with the participant using the Participant Information Sheet.
2. The participant will be given the opportunity to ask questions.
3. The primary researcher will review the consent form. If the participant is comfortable moving forward, they will be asked the participant to sign the consent form.
4. The participant will be asked to choose a pseudonym. If they do not wish to choose, one will be assigned to them.
5. The participant will be reminded that they make take a break or withdraw from the study at any time.
6. The participant will be notified that the audio recording is going to be turned on.

After the interview:

1. The participant will be notified that the audio recording has been turned off.
2. The participant will be thanked for their time and contribution.
3. The participant will be offered a koha.
4. The participant will be reminded that after their interview is transcribed, it will be provided to the participant for their review. They will have a week to review and make any amendments to the transcript.
5. The participant will be reminded that after data analysis and write-up, the results will available publicly.
6. The participant will be provided a list of helpline numbers in case they wish to seek out support following their interview (see page 5-6)

Opener/rapport building questions for all participants. These questions will be answered by both the primary researcher and the participant:

What is your name?

Where are you from?

What are some of your favorite things to do?

What is your favorite food?

What words would you friends/family use to describe you?

What words would you use to describe yourself?

Would you like to share a fond memory

Interview Prompts for:

List of helpline services

Interview prompts for youth:

1. Think about the happiest version of you. What things would help you get there?

2. What things (or people) help you believe in yourself or be confident in yourself?

3. What strengths or characteristics do you have right now that future-you would be proud of?

4. What activities or programs do you like best here? Are there activities or programs you don't have here that you'd enjoy?

5. What are the best or most helpful interactions that you have with justice-system staff?

6. Is there anything else you'd like to share?

Interview prompts for staff:

1. What allows you to best connect with and/or support youth?

2. What strategies or approaches do you take to help youth experience growth?

3. What are the most important qualities for staff to have when working with justice-involved youth?

4. What does youth success look like to you?

5. How do you think justice residences can be more beneficial to youth?

6. Is there anything else you'd like to share?

Appendix G. Codes

Codes for YJR Youth Data 23/4/24

Emily Beck

Name	Description	References
Relationships are core to understanding of self	Most frequently captures relationships with family and friends. Youth view their identity, roles, and responsibilities in terms of the social connections they hold. I've also included in this code relationships to other things, like relationships to crime and culture	61
What is NOT me	Eager to delineate what is outside of barriers of how they define themselves.	28
Success is a diverse and never-ending staircase	Code captures how youth talk about "success" and not always how we would define it. Aligns with perseverance, non-stop push forward	22
Duality of self	I am sometimes this, sometimes that. Sometimes I want this, sometimes I want that. I fall into grey areas often. Moral judgements are regularly made on who I am, what I do or what I want.	20
Consequences are a non-barrier	Consequences (like YJRs) do not interfere with relationship building, success, culture, momentum	19
YJR as liminal and easily manipulated space	Just a pit-stop, transitional	13
Ownership of headspace	Suggests individual is responsible for own mood or mindset, assigns agency. This code stands next to (not necessarily in opposition to) "Factors outside my control affect me" code	19
Illegal activities to characterise myself and others	Includes any mention of illegal or adult activities (things with age restrictions like vaping). These activities are often incorporated into descriptions of themselves or others, what they like to do, or their aspirations. Think of a self pie chart that has a large piece of crime pie. Seems to allow for identity development/definition.	18
The YJR that you're sent to holds weight	Your placement holds meaning and reflects something about you	18
Factors outside of my control affect me	Captures an array of outside influences that youth identify affect their mood or actions. In their world, circumstantial things are influential so that, even though they may have ownership of headspace (see headspace code), they do not operate within a vacuum.	17
Portrayal of toughness or independence	"tough" talk that falls outside of illegal activity code. Not sure this is a useful code	16

Name	Description	References
Money is a useful tool	Achieving wealth either aligns with crime or departs from it. It is a motivator for crime or a way to get distance from it.	15
Preference to 'do stuff'	Reflects when youth talk about wanting more activities within residence, or being bored	9
Culture strengthens bonds	With others or self. This code stands in opposition with "culture is not a priority" code.	6
Culture is not a priority	It is not entirely unimportant, but it is not useful to me	6
Time-related cognition		
Future-casting is a useful tool	Developing future self-identity or self-concept. Can allow or include ability and freedom to change. Idea is captured that unpredictable things will happen that one should be ready for	30
Other time-related	Instances where youth talk about time in an ambiguous way or a way that doesn't align with existing codes	5
Reflection impedes momentum	Looking backwards interrupts future-casting and success staircase so it can be harmful	4

Codes for YJR Staff Data 1/5/24

Emily Beck

Name	Description	References
Institutionalisation is harmful and should be avoided	Captures when staff discuss YJR not working or way they try to combat the "institutional feel". Youth need and deserve MORE- best practice rather than bare minimum.	44
YJR funding could be better used elsewhere	Like investing in families and communities	12
YJRs do not interrupt offending	Changing/transformation is not a priority- how to interrupt offending should not be the question	9
Culture is built with consultation, action, and attitude	Not sure this code really captures what is being said about culture. Speaks to a "humane" approach about working with people, normalize a healthy living standard. Walk before you can run? Also, related to reading the kids well, behaving appropriately towards them and modifying your own actions- related to "status as youth" code. Actual cultural needs don't always occur to people, but they FEEL it when they are involved.	32
Priority is securing resources for youth	Resources or support- may be simple or complex, differently levels of Maslow's hierarchy.	23
Some youth are difficult or riskier to work with	Often not intentionally difficult but a result of neurodiversity, trauma, or family circumstances. Can make them dangerous but they are synonymous with a normal kid.	23
They're just kids	Status as youth is an important thing to keep in mind. Developmental state is reflected in their actions and consequences should echo that. Staff are responsible for responding to this with flexibility and grace. Youth are deserving regardless of behaviour. This code is related to the "institutionalisation should be avoided" code	22
Family needs intertwined with offending	One cannot solely address youth needs- they are extremely tied into family needs. Offending is deep-seated and multi-faceted. It is neglectful to block relationships with family, disparage family members or ignore family needs.	20
YJRs operate differently from each other	Usually in reference to Whakatakapokai vs. others	19

Name	Description	References
Youth voices are valued and responded to	Their thoughts matter and their actions can tell you a lot	17
Historical and cultural baggage influences service delivery	Communities (particularly Māori) do not like OT. This impedes relationship building and the ability to build cultural connections.	17
Politics affect community relationships	Current politics particularly	8
Meaningful relationships are built in YJR		16
YJR work is different from other work	Need to refine this code, not sure what it means or if it's relevant. Speaks to this "kind" of work being inherently DIFFERENT from other kinds of work. Potentially harder?	16
Youth are deserving regardless	It doesn't matter what they've done, they should be treated properly with respect and care.	9
Staff must read and adapt to cultural norms	May be collapsed into "Culture is built" code	6
Culture is not important to youth, but it should be	Adult-imposed judgement	6
Staff need more training	not well-equipped to handle complex care needs	6

Appendix H. Memo-ing example

Selection of Memo-ing Through RTA

22/4

2:30 PM

Coding mindset shifting towards ontology. Understanding of time and space. Understanding of roles and responsibilities in relation to others "as a son" "as a homie"

3:17 PM

Fighting urge to list "reasons" instead of code.

Relationships/proximity relevant to whether respectful person or not (Does it make me nice? Need to dissect this more, relationships to what or whom?)

"What is not me" code is an interesting but important one I think

Need to be clear in my analysis section that it would have been easy/simple to list out what was said, what was wanted/not wanted/explicit but RTA requires more

Could headspace/mood hold great pull on if YJR is viewed as a barrier or not

Just feel like there's **something in here about individual responsibility** placed, **repealing of victimisation**

4:58 PM

Starting on interview 2- Mason

Not sure how to fit into analysis information about **cultural activities as infrequent?**

Mason only new code is "engagement in activities"

Need to note that relationships frequently discussed topic (family/friends). Relationship code may need to be broken down further

5:30 PM

Some message here around Henny and consequences. Not sure I coded enough from this data, not sure how to capture fully

Successful relationship to crime means getting away with it – smart

7:56 PM

Themes/analysis could be solely based on relationships (i.e. relationships to others, relationship to time, to space, to crime)

Lots of contradiction in Henny too, does not care about consequences but also says nobody wants to go to jail forever

why do they feel the way they do about culture? What is the context that is important to them if not cultural? What other things did they WANT to talk about and why? System acts under the assumption that youth experience a heavy cultural disconnect and that is the source of their offending. That cultural things can be taught and implemented and practiced outside of

the community- an idea that conflicts with Indigenous nature and ways of understanding that must be within appropriate context.

A lot of my coding/analysis hinted at how youth position themselves ontologically (within time and space) to maximise... control? Comfortability?

23/4

3:12 PM

Thoughts when reviewing codes today:

- Wondering if there's another code about moral judgement on choices/behaviours? I.e. good vs. bad. This code could interact with "headspace" code or "duality" code
- Headspace code- could a developing theme be individual responsibility/ownership?
- I almost think the "success" code allows for the "duality" code to exist. Like cognitive dissonance can be overcome by a young persons ability to perservere or continue pushing through regardless of circumstance. Is this connected to the ownership of headspace code?
- Trying to work out what the code on illegal activities means- it seems youth use it as an understanding of self, a self-characterisation. On the surface I took "stealing cars" and "beating people up" to be a show of bravado but it seems more like a characterisation than an intimidation technique. Youth do not know how else to describe themselves or what they like to do
- Money as a motivator could collapse into factors outside of my control code? I'm not totally sure what to make of this code either. What is it that they are saying about money or wealth? It's important and valuable. It's worth pursuing. It often stands in opposition to crime. It is either a motivator for or a way to depart from crime. Chat GPT advised: pursuit of material wealth as a form of validation or identity"
- My relationships code is massive, feels kind of like a catch-all code. Not sure if this is ok or not
- Success code maybe too broad in capture, does it need to be parsed out more?
- In "future-casting" code, important to depart from script ideas. Does not feel like it's about redemption or condemnation due to "YJR as a nonbarrier" code. Feels more about change and persistence (consistency?). Not totally sure what to do with these cognition related codes. Feels like may be related to control or perception of control but not 100% on this
- Not sure the tough/independent persona code is a good one, not sure it's telling anything valuable. The ideas behind this code feel like they can be collapsed into other codes
- liminal/manipulated space code may collapse into consequences code... "waiting room" occuring outside of reality rather than "transformative"
- YJRs holding weight may be collapsed into What is NOT me code
- "Culture is not a priority" code reflects utility- what is going to be useful for me to achieve my future-casting?
- Does "what is not me" code allow for social and moral positioning?

I will make it clear that data disputes assumptions about cultural disconnect resulting in offending and reconnecting uniculturally will save the day

24/4

12:05 PM
Just rebuilt my sticky wall to reflect new codes. Going to begin staff coding now
Feel like a lot of these codes can be collapsed in, need to revisit

29/4

12:32 PM

Starting by revisiting the staff codes I've made for Larms

-Understanding and adapting to cultural norms code could probably be collapsed

-Youth are deserving regardless code could collapse into status as youth code or youth voices are valued codes

-Getting the sense that the family needs code and historical baggage codes are most important/relevant

1/5

11:24 am

Revisiting my staff codes before meeting with Laumua...

-Think maybe the youth are deserving regardless code and YJR funding better used elsewhere code should be collapsed into the Institutionalisation code

-Themes of overwhelmingly institutionalisation is negative and needs are multifaceted emerging. Frontline thoughts from years working

-Not sure "culture is built" code really captures message...

-"They're just kids" code means youth are deserving regardless of behaviour. Inherently less responsible or culpable because they are children