

Waikeria Prison

Inspection

July-August 2017

Inspection team

Trevor Riddle	Principal Inspector
Steven Bell	Inspector
Brenden Makinson	Inspector
Katrina Wolfgramm	Inspector

8 March 2018

Office of the Inspectorate
Department of Corrections
Private Box 1206
Wellington 6140
Telephone: 04 460 3000
Email: inspectorate@corrections.govt.nz

Contents

Foreword	2
Overview	4
Introduction	6
Transport and reception	8
Residential units	9
High security units	9
Low security units	17
Health and other services	25
Reintegration	29
Appendix – Images	31

Released under the Official Information Act 1982

Foreword

This is the third in a series of public reports on scheduled inspections of New Zealand prisons.

The inspections are intended to provide a 'window into prisons', giving early warning of emerging risks and challenges, and highlighting areas of innovation and good practice that other prisons might wish to follow.

Inspections are carried out against a set of healthy prison standards derived from United Nations guidelines on the treatment of people in detention. These standards consider all aspects of prison life,¹ with a particular focus on four guiding principles:

- » **Safety:** Prisoners are held safely.
- » **Respect:** Prisoners are treated with respect for human dignity.
- » **Rehabilitation:** Prisoners are able, and expect, to engage in activity that is likely to benefit them.
- » **Reintegration:** Prisoners are prepared for release into the community, and helped to reduce their likelihood of re-offending.

These principles reflect the essential purpose of the prison system, which is to protect society from crime, both during imprisonment and after release.² They also highlight the complex demands that are placed on prison staff and management. In an ideal world, prisons would be able to deliver on all four principles on all occasions. In practice, safety, humane treatment, and rehabilitation and reintegration needs are sometimes balanced against one another, and short-term requirements sometimes take precedence over longer-term needs.

I encourage prison directors, managers and staff to use these principles as a guide to decision-making, and to foster continual improvement that, as much as possible, sees their prisons deliver on all four principles.

The inspection programme is relatively new. It is an ambitious programme involving inspection of all New Zealand prisons within a 20-month period. We have learned a great deal from our first few inspections about the challenges facing New Zealand prisons, and about the contribution inspections can make to prison management.

I am committed to progressively maturing our inspection methodology to ensure that we are agile in adapting to new developments and delivering robust and meaningful reports that can aid decision-making. We are reviewing our inspection methodology to reflect lessons learned from our first few inspections and to bring the methodology into line with changes in United Nations standard rules on treatment of prisoners.

From this report onwards, we are also adopting a new, simpler report structure. While our inspections consider all areas of prison life, the report aims to highlight what matters most – focusing on areas where safety, humane treatment, rehabilitation and reintegration are at risk, and on innovative practices that appear to be particularly effective at supporting all of these goals.

The report highlights some of the pressures that Waikeria Prison and other prisons face – including the challenges associated with ageing facilities, a rising prison population, pressure on staffing and barriers to rehabilitation. It also highlights some significant successes – parts of the prison programme that have effectively supported prisoners to make positive changes.

¹ As well as considering the four principles, the healthy prison standards require inspectors to consider nine specific areas of prison life: reception and admission; first days in custody, good order, duty of care, environment, health, escorts and transfers, rehabilitation, and reintegration.

² United Nations Minimum Rules for the Treatment of Prisoners (The Nelson Mandela Rules), rule 4. Also see Corrections Act 2004, ss 5, 6.

As well as conducting our scheduled programme of prison inspections, the Office of the Inspectorate will be providing ongoing monitoring through the work of its Regional Inspectors who, in addition to their general responsibilities, will be reporting to me on progress against the healthy prison standards. Further rounds of scheduled inspections will also consider the prison's progress.

My oversight of these activities will provide a significant ongoing and critical insight into prisons. I am confident this will provide assurance that any shortcomings will be identified and addressed with pace, and that examples of good practice will be shared so that other prisons can follow.

I acknowledge the cooperation of Waikeria Prison's management and staff, both during the inspection and since, and I look forward to working with them as I continue to monitor progress.



Janis Adair
Chief Inspector of Corrections

Released under the Official Information Act 1982

Overview

1. Waikeria Prison occupies a large (12 square kilometre) rural site in south Waikato. At the time of our inspection, it housed 713 minimum to high security male prisoners, including prisoners on remand awaiting trial or sentence.
2. Our inspection took place between 31 July and 4 August 2017.

Key findings

3. The prison's high security facility was established in 1911. It was in very poor condition, and its design made it very challenging for staff to actively supervise prisoners. The Department of Corrections planned to close several units. The Central Unit was closed first. In 2015, the West Unit and Miro Unit were closed. Because of rapid growth in the national prison population, these two units were recommissioned in 2017 and the East Unit and Kotuku Unit have remained open.
4. Waikeria Prison offers a wide range of rehabilitation, training and work opportunities. In particular, there is a strong focus on work experience. The prison operates one of New Zealand's largest dairy farms, and offers prisoners opportunities to achieve qualifications in other industries such as cooking and engineering. There is also a strong focus on kaupapa Māori rehabilitation programmes.
5. Prisoners were generally positive about the support they received from staff, including custodial staff, programme facilitators, health and mental health staff, case management and guided release staff, programme facilitators, library staff and the prison chaplains.
6. At the time of our inspection, the prison was short of experienced staff. Seventeen percent of principal corrections officer positions and 35% of senior corrections officer positions were vacant and being filled by other staff. Thirty-seven corrections officers were still completing their training. Many of the people we interviewed highlighted the pressures created by limits on staffing. Following our inspection, the Department of Corrections National Commissioner advised that recruitment was under way and the prison expected to be fully staffed by the end of January 2018.
7. Each of Waikeria Prison's individual units is fenced, but the site as a whole is not. Nor is there a single point of entry. Maintaining security across the whole of the site is challenging and resource-intensive.
8. The prison's high security facility housed a mix of prisoners, including those on voluntary and directed segregation,³ remand and sentenced prisoners, and prisoners of different security classifications. Staff were diligent in their management of prisoners and appeared to be reasonably successful in controlling access to unauthorised items such as drugs. 6 (c)

Gangs had a significant influence in the prison's high security facility, and prisoners told us that violence was a regular part of prison life. The prison managed security risks by closing off communal areas to keep rival prisoners apart. At the time of our inspection, prisoners were being unlocked for only a few hours a day due to a threat made against some staff and prisoners. These measures helped to keep people safe, which must be the prison's overriding priority. But they also limited opportunities for prisoners to take part in constructive activities.

³ Prisoners can be kept apart (segregated) from others for their own protection, or because they are a threat to the safety of others or to the prison's security and good order. Some prisoners ask to be placed in segregation for their own protection. This is known as voluntary segregation. Others are placed in segregation by prison management. This is known as non-voluntary or directed segregation. Prisoners on segregation for their own protection must be managed so their immediate safety is assured, with a longer-term view to returning them to a normal prison regime: Corrections Act 2004, ss 57-60; Corrections Regulations 2005, Part 2.

9. In the prison's At Risk Unit, prisoners spent 22 hours of each day locked in their cells with few activities to engage them. At times, they spent 26 hours in their cell between unlocks. The environment and lockup regime may have minimised opportunities for self-harm, but did not appear consistent with the therapeutic purpose of an At Risk Unit. Health centre staff expressed concern to us about the regime, and one prisoner said he had become more focused on self-harm thoughts while in the unit, due to the lack of other activities to keep him engaged.
10. In the low security units, staff-prisoner relationships were generally positive. In most units, staff were highly visible and actively supported prisoners to engage in rehabilitation and work opportunities, and to make positive changes. The prison's industries provided opportunities for prisoners to gain qualifications and prepare for employment. However, access to programmes and other purposeful activity was limited because of reduced unlock hours, due to staffing pressures.
11. The prison's guided release programme supported eligible and suitable minimum security prisoners who were approaching the end of their sentences to make the transition back into the community – obtaining accommodation, bank accounts, work opportunities and so on. Prisoners were positive about the support they received to help them successfully reintegrate into the community.

Released under the Official Information Act 1982

Introduction

Waikeria Prison

12. Waikeria Prison is one of 17 public prisons in New Zealand. Together, with one prison run as a public private partnership, these prisons operate under the direction of the National Commissioner Corrections Services. The prisons operate in four regions – Northern, Central, Lower North and Southern – each led by a regional commissioner. Waikeria Prison is one of three prisons in the Central region.
13. The prison was established in 1911 as a prison farm. It occupies an unfenced 12 square kilometre rural site southwest of Te Awamutu in southern Waikato.
14. At the time of the inspection, the prison could accommodate up to 740 prisoners in high and low security facilities. On 15 July 2017, the prison held 713 prisoners.
15. At the time, the prison was short of experienced staff. It was funded for 289 custodial staff. However, only 268 were employed, the other 21 positions being vacant.
16. In particular, 15 of 44 senior corrections officer positions were filled by staff on long-term secondment. Of the 228 corrections officer positions, three were vacant and 37 were held by officers who were still completing their training and could not yet be rostered to full duties.⁴
17. In 2015, the Department of Corrections decided to close the prison's high security facility, which is in a building opened in 1911. Central Unit had already been closed. In 2015, West Unit and Miro Unit were closed. Twenty-seven staff took early retirement and a further 33 transferred to other prisons. In total in 2015 and 2016, 148 people ceased employment at Waikeria Prison. Since that time, the prison population has increased. As a result, the Department decided to re-open West Unit and Miro Unit and keep East Unit and Kotuku Unit open. Some former staff returned, but the prison had to recruit new staff to replace those who had left.
18. Following our inspection, the National Commissioner advised that recruitment was under way and the prison expected to be fully staffed by the end of January 2018. The shortage of experienced staff was seen as an opportunity to increase the diversity of, and broaden the skill base, among custodial staff.

Inspection criteria

19. We assessed Waikeria Prison against a set of healthy prison standards derived from United Nations principles for the treatment of people in detention:
 - » **Safety:** Prisoners are held safely.
 - » **Respect:** Prisoners are treated with respect for human dignity.
 - » **Rehabilitation:** Prisoners are able, and expect, to engage in activity that is likely to benefit them.
 - » **Reintegration:** Prisoners are prepared for release into the community, and helped to reduce their likelihood of re-offending.⁵
20. A prison's success at achieving these goals depends on a range of factors, including:

⁴ The vacancies were: three principal corrections officers (out of 17 total), 15 senior corrections officers (out of 44 total), and three corrections officers (out of 228 total). Of the 228 corrections officers, 37 were completing their training.

⁵ These four principles (or close variations) are used by prison inspectorates in the United Kingdom and Australian states, among others. They are also consistent with the basic principles (rules 1-5) in the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), though those principles also emphasise the importance of equitable treatment, and the importance of not taking steps that diminish prisoners' personal responsibility. These principles are also consistent with the purpose and principles of the Corrections Act 2004. The Office of the Inspectorate's inspection methodology is under review and changes may be made during 2018.

- » an environment and routines that are safe and secure without being unduly restrictive
- » effective supervision, management and discipline to minimise risks of violence and disorder and encourage constructive use of time
- » positive and respectful staff-prisoner relationships to encourage voluntary compliance with prison rules and procedures
- » opportunities for prisoners to take part in constructive activities that support positive change, including physical activity; treatment and rehabilitation programmes; education and training opportunities; work experience; and time to socialise with others
- » a clear and consistent pathway towards rehabilitation, release and successful reintegration.

Inspection process

21. During our inspection:

- » We interviewed 28 prisoners (nine in the high security facility, 15 in the low security units, and four in the At Risk Unit) about life in prison and readiness for release into the community.
- » We interviewed prison managers, custodial staff, and other staff such as health professionals, psychologists, case managers, and prison chaplains.
- » We visited the prison's residential units to assess their physical condition, and to observe prison operations including staff-prisoner interactions and prisoner activities. During these visits, we spoke with prisoners and staff informally.
- » We visited industry and rehabilitation programme facilities, the health centre and other prison facilities.
- » We inspected the prison's perimeter and entrances.
- » We attended prison meetings where prison staff discussed prisoners' progress and considered applications for temporary release.

Report structure

22. The following sections describe what we found during our inspection, with a particular focus on risks or barriers to safety, humane treatment, rehabilitation and reintegration, and on innovations that support those principles.
23. The report's structure follows the prisoner's experience – from reception into prison, through life in the prison's residential units, to health and other services, through to release and reintegration.

Transport and reception

24. Prisoners are escorted to and from Waikeria Prison for a range of reasons, including transport to and from court (either on remand or after sentencing), transfers to and from other prisons, and temporary removal for medical treatment, to assist with reintegration, and for other purposes.
25. During the 12 months to 30 June 2017, the prison received 2035 prisoners, including new arrivals, transfers from other prisons, and those returning after court hearings.
26. Those prisoners were processed through the prison's Receiving Office. One of the important roles of Receiving Office staff is to interview prisoners to assess their immediate needs (including matters such as health and childcare) and risks (including matters such as risks to safety and risks of self-harm).
27. During our inspection, Receiving Office staff appeared to be performing these tasks thoroughly and diligently, and in a manner that was sensitive to prisoners' concerns and needs. However, when we reviewed files for nine high security prisoners, we found that immediate needs assessments had been completed and signed for only five. All of the risk assessments had been completed and signed. Following our inspection, the National Commissioner advised that the prison had taken steps to ensure that all immediate needs assessments were completed and signed.
28. Strip searches of prisoners were conducted behind a screen, and could be seen from neighbouring holding cells and from the prison's property office. The National Commissioner advised that the prison was looking at ways to address this.

Audio visual links

29. The prison has two secure audio visual link suites (one with four booths and one with two) which prisoners can use to instruct their lawyers and take part in court hearings without leaving the prison. Between 1 and 18 August 2017, the suites were used for 196 court hearings and 118 conferences with lawyers.
30. The number of booths appeared to be sufficient to meet the prison's needs. However, staff told us the number of holding cells was inadequate to meet demand, and it was not always possible to keep accused prisoners who were on remand awaiting trial apart from those who had been sentenced.⁶
31. Staff told us the two-booth suite was not used often, due to staff shortages. Prison management told us it was addressing this.

Findings

During reception and admission, the prison generally took steps to keep prisoners safe and generally treated them in a humane and respectful manner. Non-completion of immediate needs assessments could create risks to health or safety of prisoners or others. Having a strip search area that was visible from neighbouring offices is not consistent with respect for human dignity. We acknowledge the steps the prison has taken since our inspection to address these issues.

Use of audio visual links eliminates risks to safety and good order that can arise when prisoners are transported to and from court. The limited number of holding cells and the resulting mix of remand and sentenced prisoners created potential risks and placed additional demands on staff.

⁶ Corrections regulations provide that accused prisoners should be kept apart from others if at all practicable. The Chief Executive can grant exemptions in exceptional circumstances: Corrections Regulations 2005, regulation 186.

Residential units

High security units

Introduction

32. Waikeria Prison's original 1911 building remains on the site (with alterations) and is still used to house high security prisoners, including those on remand. In 2012, four of the building's nine units were closed, as they were no longer considered fit for purpose. In 2015, the Department of Corrections announced it planned to close the building's remaining units. However, due to the rising prison population, some closures did not go ahead and four of the units continue to be used as a high security facility.
33. The facility has five units – East North and East South (with a combined 126 beds), West North (60 beds), West South (65 beds) and an At Risk Unit with 29 beds. The high security facility also housed a kitchen, a bakery, a visits centre, a gym, rehabilitation programmes facilities, offices and the prison's Receiving Office. The rehabilitation programmes facilities are also used for employment programmes.
34. At the time of our inspection, East North was being used for prisoners on directed segregation.⁷ Prisoners in voluntary segregation were housed either in East North (with the directed segregation prisoners) or in West North. In 2018, East North will become a dedicated management unit for prisoners on directed segregation.
35. Remand accused prisoners were housed in East South. The other units housed a mixture of remand convicted prisoners and sentenced prisoners.
36. Although most of the sentenced prisoners were classified as high security, some minimum, low, and low-medium security prisoners were also in the units. These prisoners were held in a more restrictive environment than was consistent with their security classification, so potentially missed out on opportunities that other prisoners of the same classifications would have.

Environment and basic needs

Physical environment

37. The high security facilities were in very poor condition. Many of the cells were dark and damp, with minimal natural light and little air flow. Some parts of flooring in the toilet areas were stained and the floor coverings were lifting and decaying (see Appendix). Graffiti was on most surfaces. The stainless steel toilets were designed not to have lids, which was a hygiene issue, because meals were eaten in the cells
38. The exercise yards had rubbish on the floor, graffiti (some gang-related) on the walls, and moss on the floors and walls. We saw signs of burning in the yards, which indicated that prisoners had access to sources of fire.
39. The exercise yards had dirty shower blocks that had paint peeling from the walls. In one of the yards, we saw a broken water basin spraying out water
40. Following our inspection, the National Commissioner advised that painters had been employed in the high security facility to ensure that it was maintained to an appropriate standard. Some repainting was also taking place in cells, though access was limited because cells were in use. The prison's maintenance contractor had been informed of damage in cells that needed repair.

⁷ See note 4.

41. The National Commissioner also advised that facilities in the yards would be maintained to an acceptable standard. Walkways had been resurfaced and moss had been removed. Options to install stainless steel cladding to the showers were being costed. However, no significant upgrades were planned.

Bedding

42. Three high security prisoners told us the pillows did not give them enough support. One of them said he had obtained extra pillows from former cellmates who had left the prison, and another said the prison had given him a second pillow.
43. One high security prisoner said mattresses in his unit formed an indent with repeated use; he said the foam mattresses used in other units offered better support. One prisoner said the duvets were too thin in winter.
44. Most of the pillows we saw in high security cells were dirty and had fillings that had become clumped together, which meant they offered little support. Duvets were found to be in a similar condition. Some were so thin that we could hold them up to the light and see through.
45. Following our inspection, the National Commissioner advised that pillows and other bedding would be replaced as needed. This would be monitored by unit staff.

Clothing

46. High security prisoners told us they were expected to wear one set of clothes (t-shirt, shorts, pants, and a jumper) for a whole week between changes. They said that a week was too long to wait for a change of clothes. Clothes could become dirty and smelly, especially after exercising.
47. Following our inspection, the National Commissioner advised that there had been a shortage of clothing due to a delay with a clothing manufacturer. This had since been resolved.

Finding

The physical environment in the high security facility was not conducive to the humane treatment of prisoners, safety or rehabilitation. The Department of Corrections had scheduled the facility for closure because it was considered unfit for purpose. The facility's continued use is a direct result of growth in the national prison population since 2015. Provision of bedding and clothing was not adequate. We acknowledge the steps the prison has taken since our inspection to address these issues.

First days in custody

Unit inductions

48. When prisoners first arrive in a unit, staff are required to interview and induct them to explain the unit's rules and routines and find out about any immediate needs or concerns, including safety needs.⁸
49. Induction interviews are important for establishing relationships of trust between staff and prisoners, and ensuring prisoners have a robust understanding of what they can expect while in the unit. Prisoners told us that, when interviews did not occur, they relied on other prisoners for information about unit rules and routines.
50. We interviewed nine prisoners about life in the high security unit. Of those, only one said he received an induction interview. Seven prisoners told us the interviews were not occurring, and that induction forms were either handed to them or (more commonly) slipped under their cell doors with an instruction for them to sign but with little or no explanation provided. One low

⁸ Department of Corrections Prison Operations Manual I.04.

security prisoner also told us he had previously been in a high security unit and had not received an induction.

51. We also spoke with prisoners informally during our inspection of the high security facility, and several told us they had not received inductions.
52. We spoke with the Prison Director about this issue and he said it would be addressed. The National Commissioner subsequently confirmed that steps had been taken to ensure that all prisoners were properly inducted.

Phone calls

53. A regular complaint from prisoners was that there had been delays in them being given their initial phone calls to family and friends. Three prisoners said this had taken up to three weeks. The Prison Director informed us that he had been given approval for a new telephone to be installed in the Receiving Office so prisoners could receive their initial call before being placed in their cell for the night.

Case officers

54. A case officer should be assigned for each prisoner within a few days of arrival. The case officer's role is to support the prisoner to make positive steps towards rehabilitation and reintegration.⁹ During our inspection, we spoke with four prisoners who said their case officers had not yet introduced themselves. All of those we spoke to had been in their unit for at least a week.

Finding

The failure to properly induct prisoners in the high security facility was a reflection of competing demands on staff. Failure to complete induction interviews could create risks due to prisoners not understanding unit rules, routines and their entitlements. Failure to complete inductions could also cause distress, especially for prisoners who were not familiar with the environment or routines. Prisoners' rehabilitation could be compromised by lack of access to a case officer. We acknowledge the steps the prison has taken since our inspection to address these issues.

Safety and humane treatment

Physical security

55. The high security units were challenging for staff to supervise, with multiple exercise yards, poor lines of sight, and 6 (c).

Gang influence

56. The Prison Director, other staff, and prisoners told us there was friction between gangs in the facility. On 15 July 2017, the prison had 713 prisoners, of whom 361 identified as members of gangs. The largest gangs were Mongrel Mob (36% of the prison's gang population) and Black Power (26%). Other significant gangs were Crips (8%) and Killer Beez (7.5%). During our inspection, we found staff and management were proactive in dealing with the gangs.
57. The National Commissioner advised that gang tension in prisons was often related to disputes in the community. As a result, the Prison Director and the Deputy Prison Director meet weekly with the intelligence team to share information.

⁹ A case officer is expected to hold an informal meeting with the prisoner at least once a fortnight, and a formal meeting at least once a month. Every prisoner has an offender plan setting out rehabilitation goals. The prisoner works with a case manager to develop the plan. The case officer's role is to monitor and support progress against the plan, and to liaise with the case manager. See Department of Corrections Custodial Practice Manual: Role of the Case Officer.

Active management and supervision

58. The management of rival factions created significant demands on staff, as did the mixing of different categories of prisoners and different security classifications. As noted above, one unit housed prisoners on voluntary segregation (due to fears for their safety) and prisoners on directed segregation (because they were a threat to others' safety). Other units mixed voluntary segregation and mainstream prisoners, remand and sentenced prisoners, and prisoners of different security classifications.
59. The prison managed these security risks by closing off communal areas such as dining rooms, so that prisoners of different categories or rival factions could be kept apart during their out-of-cell time.
60. One consequence of this was that staff spent significant time locking and unlocking prisoners from cells and escorting them to exercise yards. This left staff with little time to interact with prisoners. Active engagement between staff and prisoners helps to build trust, maintain discipline, and ensure that prisoners' needs are met and safety and security issues are identified.

Access to drugs and other unauthorised items

61. During our inspection, whenever we saw prisoners leave their cells they were consistently and thoroughly searched for unauthorised items. Regular cell searches, drug dog searches, and intelligence were all used for this purpose.
62. Prisoners told us that prisoners in the facility had limited access to unauthorised items (such as drugs and weapons).
63. Between 1 January and 30 June 2017, a total of 269 items of contraband were discovered in the prison, including 39 drug items, 12 weapons, two mobile phones and one home brew. Of the 269 items discovered, 97 were in the high security units and 52 in low security.

Violence and intimidation

64. Staff in the high security facility told us they took a zero tolerance approach to violence. When they became aware of violence or threats they responded decisively by separating or removing prisoners, laying charges, or taking other action as appropriate. Prisoners told us they were able to approach officers if they felt threatened, and that staff responded well.
65. However, of the nine high security prisoners we interviewed, seven told us that violence or stand-overs occurred regularly in their unit, particularly in the exercise yards. They told us that violence often involved young gang members. One prisoner in East South (which houses remand accused prisoners) said that assaults or fights occurred almost every day, and another prisoner from that unit said there was a lot of fighting and he no longer went into the yard because he felt unsafe.
66. Staff also confirmed that violence occurred frequently in these units. The prison's health centre manager told us that nurses regularly saw injuries which prisoners explained as being caused by slips or falls, but which nurses believed were more likely due to assaults. When this occurred, nurses informed custodial staff so they could investigate.
67. According to Department of Corrections records, 55 assaults by prisoners were recorded at Waikeria between 1 January and 30 June 2017. Of those, 45 were prisoner on prisoner, nine were prisoner on staff, and one was against another person. All but three of those assaults were in high security units.
68. There were also 22 fights between prisoners recorded, and 87 incidents of prisoners abusing or threatening staff or other prisoners.

69. Prisoners said the main causes of violence were gang tensions or attempts to assert dominance, and issues outside of prison. All three of the East Remand prisoners we interviewed told us that standovers occurred regularly, mainly to obtain nicotine replacement therapy patches.¹⁰
70. A prisoner in West North said that gang members would take on anyone who was seen as alone or vulnerable, and that one reason for this was that prisoners had little to do and were bored. 6 (c)
71. Although the high security units had CCTV coverage, prisoners said they knew which areas were not covered, and that violence and other prohibited activities (such as smoking, drug use, and intimidation) tended to occur in those areas.
72. Prisoners also told us they were aware of gaps in physical supervision. Each unit had several small exercise yards which prisoners could use when they are out of their cells. 6 (c)

The prison's response to incidents

73. The prison does not have a Site Emergency Response Team to respond to violent incidents, and has no time frame for one to be introduced.¹¹ Unit staff are trained to provide immediate responses to incidents of heightened tension, disorder, or violence and intimidation. Following any incident involving violence or intimidation, or any other breach of discipline, the prison has a range of options available to deal with the prisoners involved. These include bringing disciplinary charges,¹² moving prisoners to other units, placing prisoners in directed segregation, reviewing security classifications, and notifying the Police.
74. Following our inspection, the National Commissioner advised that the number of staff on sentry duty in high security exercise yards had been increased to more effectively deter and respond to violence and intimidation.
75. The National Commissioner also advised that:
- » The prison would take steps to improve management plans for prisoners who were identified as disruptive.
 - » Regular information sharing among Police, Department of Corrections intelligence teams, and prison staff and management, helped the prison to identify and address gang tensions arising from incidents outside the prison
 - » The change from nicotine replacement patches to lozenges was expected to help to reduce the incidence of standovers and intimidation.

¹⁰ Prisoners who smoked are offered nicotine replacement patches during their first 12 weeks in prison. Smoking is prohibited in prisons.

¹¹ The Site Emergency Response Team is a team of corrections officers with specialist responsibilities, including responding to incidents of violence and disorder, and leading intelligence-led searches to detect unauthorised items.

¹² Corrections Act 2004, ss 128-140; Corrections Regulations 2005, regulations 150-153, schedule 7; Department of Corrections Prison Operations Manual MC.01.

Safety in segregation

76. Most of the prisoners we spoke with said they felt they could approach a staff member for support if they were at risk of violence or intimidation. Most knew they could ask to be placed in voluntary segregation¹³ if needed. We interviewed seven prisoners who were on voluntary segregation in the high security facility, and they told us they felt safe.

Finding

Waikeria Prison's high security facility does not provide a physical environment that is conducive to safety and good order. The facility's design makes supervision challenging and this, combined with a complex mix of prisoners and a time consuming unlock regime, creates significant challenges for staff. Although staff placed a high priority on safety and were highly responsive to any incidents they became aware of, their efforts were constrained by limits on time available for active management of prisoners, and by limits on opportunities for prisoners to be engaged in out of cell activities. All of these factors together created conditions that gave some prisoners the opportunity to engage in violence and standover tactics. Prisoners, custodial staff and health staff all confirmed that assaults and fights took place regularly. We acknowledge the steps the prison has taken to address these issues since our inspection, including increased staffing.

Rehabilitation

77. As well as detaining prisoners in a safe and humane manner, prisons are expected to support prisoners to make positive changes in their lives. All New Zealand prisons offer programmes aimed at supporting prisoners to address the causes of their offending, and acquire skills that will help them after release. Case managers work with prisoners to create plans for rehabilitation and reintegration, and case officers work with prisoners to motivate them and to keep track of progress.
78. Successful rehabilitation depends on a prisoner's motivation and on access to support and opportunities to make positive changes.
79. During their sentences, all prisoners are managed under a process called Right Track, which aims to support prisoners to make positive changes. Custodial staff, health and education staff, case managers, and others (such as psychologists and chaplains) work together to support the prisoner's journey towards leading a crime-free lifestyle.

Time out of cell

80. Department of Corrections policy is to operate an 8am–5pm staff roster regime in high security units. In practice, prisoners spend less time out of their cells due to time taken for unlock and lock up, staff briefings and lunch breaks, security checks, and so on.¹⁴ During our inspection, the high security facility was operating shortened unlock regimes, with a 9.30am–3pm regime in some units and an 11am–2pm regime in others.
81. Within those regimes, unlock times varied, with prisoners of each category (such as remand, segregated and mainstream) and security classification being unlocked at different times and allowed into an exercise yard.
82. These measures were intended to keep prisoners and staff safe, and this must be the prison's overriding priority. But time out of cell is also important. When prisoners are engaged in

¹³ Prisoners can ask to be kept apart from other prisoners for their own safety. This is known as voluntary segregation. Prisoners make these requests for a range of reasons, including the nature of their offending, because they have been threatened or intimidated, because actions either inside or outside of prison make them vulnerable to retaliation, because they are new to prison and feel vulnerable, or because they are trying to break away from gangs.

¹⁴ Department of Corrections Prison Operations Manual M.01.01.02.

constructive activities, this helps to alleviate boredom and contributes to a prison's good order and to positive relationships among prisoners and staff. It also supports prisoners to make positive changes that can help them to rehabilitate. The Department of Corrections aims to engage all prisoners in industry, training, learning and constructive activities for a significant part of each day.¹⁵

83. Closing off communal areas limited prisoners' opportunities to make constructive use of their time out of cell and, in particular, limited opportunities to socialise with others. Prisoners could shower only in shower blocks in the yards, which were in poor condition. They had breakfast and dinner in their cells, many of which were also in poor condition. Some prisoners chose to remain in their cells rather than join others in the yards. As noted above, one prisoner told us this was because he did not feel safe.
84. The limited unlock times and restricted access to communal areas were particularly restrictive for the minimum, low and low-medium security prisoners who were housed in the high security facility. If at all possible, prisoners should be housed in accommodation that reflects their security classifications and is not unnecessarily restrictive.¹⁶
85. The prison's high security Residential Manager told us the prison was considering turning the East North into a management unit for prisoners on directed segregation.
86. Following our inspection, the National Commissioner acknowledged that prisoners' time out of cell was constrained due to the high security facility's physical environment and the mix of prisoners and security classifications housed in the facility.

Work experience, rehabilitation and learning

87. When they were allowed out of cells, the high security facility offered a range of work experience opportunities to some high security prisoners:
 - » The high security facility has New Zealand's only prison bakery. Mainstream prisoners were able to work there. Prisoners can complete a course in health and safety and can complete NZQA unit standards in bakery (to level 3). Prisoners bake bread, biscuits, meat pies and apple pies for prison meals. They also create seasonal Christmas tarts and hot cross buns for church groups and schools. Some former prisoners have found employment in commercial bakeries.
 - » The prison's main laundry is also in the high security facility, and does all the washing from other units except Nikau Unit. Voluntary segregated prisoners were able to work there. Prisoners obtain NZQA unit standards in laundry.
 - » A painting and trade training room was also set up not long before our inspection, and provided opportunities for prisoners to learn a trade skill and obtain qualifications relevant to the building and construction industry. This was available to voluntary segregated prisoners.
88. In addition, one high security prisoner was employed to clean the case management offices. Others were employed cleaning showers and yards.
89. High security prisoners had limited access to treatment programmes, which were offered in the prison's low security units. Following our inspection, the National Commissioner advised that CCTV cameras had been installed in high security programme rooms so that treatment and rehabilitation programmes could be offered. The Assistant Prison Director had been assigned to ensure that programmes were made available for high security prisoners.

¹⁵ This goal is part of the Department's Working Prisons policy. The Department's goal is to have all prisoners engaged in constructive activities for 40 hours per week. For high security prisoners, it sets specific goals for each prison.

¹⁶ See Corrections Act 2004, ss 47-48; Corrections Regulations 2005, regulations 44-52.

Physical activity

90. In addition to work experience opportunities, prisoners had access to the facility's gym for an hour or two per week.
91. We visited the gym and saw seven prisoners from a high security unit attending a training session. The environment was clean and tidy, and the walls had several murals showing sportsmen. The equipment appeared basic but safe. Prisoners were following a circuit that the prison's activity officer had prepared. The officer told us that requiring prisoners to follow a circuit allowed him to control the session and ensure that everyone remained active. He said he ensured that all prisoners were aware of gym rules.
92. One prisoner assisted the activity officer by cleaning the gym and sometimes providing instruction to other prisoners. The activity officer said the prisoner was well liked and trusted by other prisoners.
93. At the time of our visit, the prison had only one activity officer but had begun the process to recruit another one. The activity officer said he had previously offered other activities, including Pacific Island days, talent quests, volleyball and basketball, but had been unable to provide these activities on his own. Following our inspection, the National Commissioner advised that an additional activity officer had been employed.

Contact with families

94. Contact with families is important for prisoners' wellbeing and eventual reintegration into the community. There were payphones in the exercise yards that prisoners could use to stay in contact with families, but these offered little privacy. There were also payphones in communal areas, but prisoners told us they did not have access to those phones because the communal areas were not being used. Following our inspection, the National Commissioner advised that prisoners typically had 4-6 hours per day in yards which provided them with enough time to use phones.
95. Prisoners can only telephone approved numbers. Three prisoners in high security told us that getting approval could take several weeks. Some said that being unable to contact families caused them anxiety or distress.
96. We asked nine high security prisoners about visits. Eight said they had not received any visits during their current prison term. Of those, one said he was too far from his family and one said he chose not to have visitors. The one prisoner who did receive visits said they were well managed and his visitors were treated well.

Finding

The physical conditions and management regime in the high security facility were not conducive to rehabilitation, even for motivated prisoners. Prisoners had limited opportunities to engage in constructive out of cell activities other than exercising in yards which some considered unsafe. Prisoners had access to industry programmes, but not to treatment programmes. Staff had few opportunities to actively manage prisoners to assist with rehabilitation. Sentenced prisoners did have access to a good range of work experience opportunities. In a challenging environment, the service provided by the activity officer was an example of the positive impacts that can result when staff are able to actively manage prisoners and provide access to constructive activities.

We acknowledge the steps the prison has taken since our inspection to provide access to rehabilitation programmes.

Low security units

97. Waikeria Prison has five low security units clustered together about 3.5 kilometres from the high security facility. They are Te Ao Marama, Rata, Karaka, Totara, and Puriri. Te Ao Marama is a 60-bed unit and the others are 80-bed units. A programmes building, a library, and a health centre are located near these units.
98. Another two low security units (the 80-bed Nikau and the 38-bed Miro) are located in other parts of the site. Miro was closed at the time of our inspection, but was reopened in September 2017 (after our inspection) due to the growing national prison population.
99. In 2015, the Department of Corrections announced plans to refurbish the low security units and develop a new kitchen, laundry, bakery and kitchen training facility. Work was due to start in 2016, but was postponed awaiting evaluation of the prison's future needs.

Environment and basic needs

Physical environment

100. Most of the low security units were built in the 1980s. Our inspectors found them in much better condition than the high security facility. The single cells appeared clean and well maintained. Our inspectors saw no graffiti. Cell lighting appeared adequate for night time use, while the large windows provided natural light during the daytime. Prisoners told us the cells were warm at night and well ventilated. All cells had drinking water and functioning toilets.

Clothing

101. Prisoners told us they get a t-shirt, pants, shorts and a jumper when they are inducted to their residential unit. They told us they could access changes of clothing as needed.

Bedding

102. Bedding in all units is a sheet, duvet inner, duvet cover and a pillow with a pillow case. Most of the low security prisoners we interviewed had no complaints about their bedding. One said the pillows were "shocking", with yellow stains. As in the high security units, most of the pillows we saw were lumpy, dirty with yellow and/or black marks, and too thin to offer sufficient support.
103. Following our inspection, the National Commissioner advised that pillows and other bedding would be replaced as needed. This need would be monitored by unit staff.

Water and water heating

104. Two prisoners in Totara Unit said the water in their cells sometimes turned brown. We were also told that hot water in Totara Unit sometimes turned off for parts of the day. The prison's maintenance contractors told us that both issues were being addressed. The contractors told us that the brown water was due to low water levels in the prison bore, and that the water was safe for drinking and was tested daily. The National Commissioner subsequently informed us that faulty water heaters had been replaced. The National Commissioner also confirmed that the drinking water was safe.

Food

105. We interviewed 13 low security prisoners about food in their units. Only one said the food was good. Others said the food was adequate or poor, but they had become used to it. Five said the food was unhealthy, either because there was too much bread or not enough fruit. One of those

said he had diabetes and the carbohydrates were unhealthy. Three prisoners said that some of the food was unappetising because of being over- or under-cooked. Two said the menu was repetitive and predictable. Following our inspection, the National Commissioner advised that prisoners' meals complied with the national menu, and the amount of fruit would not be increased.

106. Two prisoners complained about the timing of meals. Evening meals were served between 4pm and 5pm, in time for evening lock-up, and breakfast was not served until 16 hours later, at 8am.¹⁷ Both of those prisoners said they worked all day and became hungry within hours of eating their evening meal. They acknowledged that this would be addressed by longer unlock hours.

Finding

Waikeria Prison's low security facilities provided a good environment in which prisoners' needs were generally met. Pillows in some units did not provide adequate support. Meals complied with Department of Corrections national menus but some prisoners complained that the quality was poor. The gap between evening and morning meals is potentially unreasonable, but was a consequence of a reduction in unlock hours arising from limits on staffing and growth in the national prisoner population.

Safety and humane treatment

Active management and supervision

107. Staff-prisoner relationships appeared to be very positive in the low security units. Staff tended to be highly visible and engaged with prisoners, looking after their needs and supporting their involvement in rehabilitation or work opportunities. Prisoners were positive about the support they received from custodial staff and from other services such as case management,¹⁸ libraries, health, and the chaplaincy.

Violence and intimidation

108. Prisoners in the low security units told us that they generally felt safe from violence and intimidation, though standovers did sometimes occur and were particularly focused on nicotine replacement treatment and food.¹⁹
109. Staff told us they took a zero tolerance approach to violence. Prisoners were clearly informed of the consequences of violence or intimidation, which could include removal from the low security units. Of the 44 prisoner-on-prisoner assaults that occurred in the prison between 1 January and 18 June 2017, only four were in the low security units.
110. Prisoners and staff told us that unauthorised items such as drugs were sometimes found in the units but not in large quantities. Staff were thorough and diligent in searching prisoners and cells to detect these items.
111. Rata Unit mainly housed older prisoners, many of whom have child sex convictions and are on long-term or indeterminate sentences. Staff and prisoners called it a "harmony unit" because violence and intimidation were virtually non-existent. Just before our inspection, about 15

¹⁷ United Nations Minimum Standard Rules for the Treatment of Prisoners provide that prisoners should receive their meals at usual times: rule 22.

¹⁸ Case managers work with prisoners to develop and implement offender plans, setting out ways in which they can make positive changes. Among other things, offender plans set out rehabilitation programmes or other activities that would benefit the prisoner.

¹⁹ Nicotine replacement lozenges and patches are given out to new prisoners who have a history of smoking, to help them adjust to the prison's smoke free rules.

younger prisoners were transferred there from Nikau. Unit staff and prisoners expressed concern that this could upset the unit's balance and leave some older prisoners vulnerable to bullying and standovers. We raised this with the Prison Director. The National Commissioner subsequently advised that the new prisoners had successfully integrated into the unit and there was no evidence of significant bullying or intimidation. Staff used a Prison Tension Assessment Tool daily to monitor levels of tension in Rata and other units.

Finding

Waikeria Prison's low security units provided a safe environment in which prisoners were actively managed, and levels of violence and intimidation were low.

Rehabilitation

Time out of cell

- 112. At the time of our inspection, the prison operated an 8am–5pm staff roster regime across all of its low security units. Some of those units previously had 6am–9pm unlock regimes²⁰ that provided prisoners with greater opportunities for constructive out-of-cell activities, but hours were reduced due to reductions in staffing levels when Waikeria Prison supplied staff to other sites in response to national initiatives.
- 113. Prisoners in some of the low security units (Karakā, Totara, and Puriri) told us that unlock hours were reduced on Fridays, to allow for staff training, and on weekends, to allow for visits. Prisoners said they were locked down between 11.30am and 3pm at weekends, and typically got no more than four and a half hours a day out of their cells.
- 114. Staff from several of the units told us that opportunities for rehabilitation and reintegration would be enhanced with longer unlock hours. The Prison Director told us that the unlock hours might be increased if staffing levels increased.
- 115. Following our inspection, the National Commissioner advised that unlock hours would be increased during 2018 in three of the low security units.

Range of industry, treatment and learning programmes

- 116. The low security units offered prisoners a wide range of rehabilitation, work experience, and educational opportunities. There was a particular focus on work experience, with opportunities at the prison's farm, kitchens, and light engineering workshop. Employment opportunities provide prisoners with valuable skills, and some lead to NZQA-approved qualifications.
- 117. Waikeria Prison has been operating a prison farm since it opened in 1911. The prison has three dairies, and a dairy herd (at the time of our inspection) of 2700 cows and 450 calves, placing the farm among New Zealand's largest.²¹ Prisoners can work on the farm and obtain NZQA qualifications in agriculture.
- 118. The prison also offers training and work experience in other agriculture and horticulture industries. The prison is working with a private company to establish 300 beehives on the farm, of which six will be used to train prisoners in beekeeping.
- 119. Another example of industry training is the engineering workshop at Rata Unit, where prisoners can obtain NZQA qualifications in mechanical engineering and welding. The industry manager for

²⁰ During this prisoner unlock regime, staff worked two shifts – from 6am to 2pm and from 2pm to 10pm.

²¹ At 30 June 2016, only 1% of New Zealand's dairy farms had more than 1500 cattle: Livestock Improvement Corporation and Dairy NZ, *New Zealand Dairy Statistics 2015-16*, p 11.

engineering and welding told us the courses were demanding but could lead to worthwhile careers – 15 prisoners who had trained in the workshop had gone on to employment in the engineering industry.

120. Low security units also offered a range of rehabilitation and treatment programmes, including Te Tirohanga (kaupapa Māori treatment and rehabilitation programme mainly aimed at violent offenders), drug and alcohol treatment, adult sex offender rehabilitation programme, and Special Treatment Unit Rehabilitative Programme for violent offenders.
121. As well as work experience and rehabilitation, the prison offered a range of education and training opportunities including literacy and numeracy, and self-directed learning.
122. Units also provided a wide range of other opportunities for constructive activity. All prisoners had access to library books and gymnasiums (each low security unit had its own gym). Other out-of-cell activities could include table tennis, volleyball, basketball, touch rugby, reading, chess, flax weaving, bone carving and wood carving.

Access to rehabilitation programmes

123. Eligibility for programmes depends on a range of factors, including age, security classification, risk of re-offending and re-imprisonment, and the nature of the prisoner's offending and sentence.²² If prisoners are eligible, opportunities depend on the number of spaces available.
124. Case managers told us they prioritised prisoners who are regarded as most in need. Priority is typically given to prisoners who are closer to the end of their sentences. Some prisoners said they found this frustrating as they had to wait for programmes they would find beneficial, while those on shorter sentences or closer to the end of their sentences got priority.
125. There were other barriers to participation in programmes, including limited time out of cell and security issues, such as a lack of CCTV in programme rooms.

Contact with families

126. Prisoners in low security units were generally positive about the prison's management of visits. One prisoner in Karaka Unit said the visiting environment was good for his whānau and children. Another prisoner, in Te Ao Marama, said that his visits were respected and the visits were well managed. Three of the low security prisoners we spoke with said they received no visits. In two cases, this was because the prison was too far from their families.
127. Of the 15 low security prisoners we interviewed, six expressed concerns about access to phones. Prisoners in Karaka, Nikau, and Puriri units said the units had two phones for 80 people, and that there were sometimes long queues for phones. Prisoners said that, because they were occupied during the day with work or therapeutic activities, they had difficulty getting access to phones before lockup.

²² Risk of conviction and re-imprisonment is measured using an index known as RoC*RoI (Risk of conviction x risk of imprisonment).

Unit focus: Te Ao Marama

128. Te Ao Marama is a 60-bed unit. Since 2013 it has offered the prison's Te Tirohanga kaupapa Māori rehabilitation and therapy programme.
129. Te Tirohanga has six phases, each lasting three months:
 - » Phase 1 (compulsory) – Te Waharoa: Prisoners complete an NZQA level 2 course in Māori Studies, which includes te reo Māori, tikanga Māori, and literacy and numeracy credits. Prisoners are also supported to strengthen relationships with whānau.
 - » Phase 2 (compulsory) – Mauri Tu Pae: This is a group-based therapy and rehabilitation programme aimed at addressing causes of offending among medium-risk prisoners.
 - » Phase 3 is a drug and alcohol treatment programme (if needed).
 - » Phase 4 consists of vocational training and work experience, generally including work towards a qualification.
 - » Phase 5 moves prisoners into self-care and Release to Work programmes.
 - » In phase 6 prisoners are supported to return to the community.
130. The programme is intended to provide a pathway for prisoners to make a series of positive changes, which reconnect them with their culture and whānau, address causes of offending, foster pro-social attitudes and behaviour, and prepare them for reintegration to the community.
131. Phases 1, 2, and 4 are completed at Te Ao Marama. Phase 3 (if needed) is completed at Whanganui Prison's kaupapa Māori Drug Treatment Unit.
132. During Phase 4, Te Ao Marama prisoners have opportunities to gain work experience. Some minimum security prisoners worked on the prison's farm. Other prisoners worked in the unit as cleaners, or doing laundry, painting or bone or wood carving. The unit also had a vegetable garden, which grew produce to donate to women's refuges and local marae.
133. Some prisons have kaupapa Māori self-care units where prisoners can engage in Release to Work programmes as part of Phases 5 and 6. Waikeria Prison does not have self-care units (kaupapa Māori or otherwise).
134. The unit had four staff members rostered on during unlock hours. Staff showed a high level of commitment to prisoners' wellbeing and rehabilitation. Staff said that by reconnecting with culture and strengthening relationships with whānau, prisoners could make changes that would help them after release.
135. The unit's Principal Corrections Officer was highly visible in the unit and engaged with prisoners, who he knew by name, checking that their needs were being met.
136. He told us that incidents of violence and intimidation were rare but did occasionally occur. Having some prisoners working on the prison farm could create opportunities for contraband to be brought back into the unit. However, prisoners were searched after each day's work. The Principal Corrections Officer also told us that he had removed eight people from the unit soon after he first arrived in March 2017, for intimidation or possessing unauthorised items.
137. We saw the Principal Corrections Officer and his staff deal with an assault that had taken place. Both the victim and the offender were spoken to. The offending prisoner was removed from the unit due to his behaviour, including his involvement in previous incidents. The victim asked to be moved for his own safety; because he had spoken to staff he feared he may be targeted by other prisoners.
138. Prisoners in Te Ao Marama told us they were happy to be in a low security unit, and two out of the three we interviewed said they were happy to reconnect with te reo Māori and Māori culture.

139. The Principal Corrections Officer told us there was a waiting list of 15-20 people to get onto the course. Some arrived without having completed basic literacy and numeracy courses, which could reduce the effectiveness of Te Tirohanga courses.
140. The Principal Corrections Officer also said some prisoners in the unit had completed all of the tikanga Māori and te reo Māori courses available to them at the prison. He wanted to support further learning but some courses were only available through universities.

Case study

141. Prisoner A told us about his life in Te Ao Marama. He told us that everyone who comes to the unit is welcomed and is expected to participate. Staff and prisoners treated each other with respect, and everyone was treated as family. Each day began with prisoners and staff praying together.
142. He said that when prisoners first arrived from high security units it sometimes took them time to adapt. They could turn to senior prisoners and staff for support. Prisoners were empowered to learn te reo and tikanga Māori. He found it positive to see prisoners change their ways as they got used to the unit's culture and routines.
143. He said there was very little violence or intimidation in the unit, and they were not tolerated – standovers were not the Māori way. If there were any issues, they were dealt with appropriately. Prisoners often dealt with the issues peacefully by talking among themselves, but they kept staff informed. Prisoners who resorted to violence were helped to change their ways.
144. The prisoner said he had worked as a kaiwhakairo (carver), and had created carvings for the unit, for other Department of Corrections sites, and for other sites in the community, including a carving to commemorate the 150th anniversary of the Battle of Rangiaowhia, one of the pivotal battles of the Waikato War, which took place near Te Awamutu.

Unit focus: Totara

145. Totara is a 60-bed low security unit with a 20-bed annex. The main unit housed remand prisoners. Accused prisoners are not normally mixed with convicted ones unless there are exceptional circumstances.²³ In this case, the Department of Corrections had determined that there were exceptional circumstances, due to growth in the remand prisoner population.
146. Staff were proactive in ensuring that prisoners understood rules and routines, including the possibility that disruptive behaviour could result in them being transferred to the high security facility's remand unit. The Principal Corrections Officer was visible, ensuring that staff were supported and prisoners' needs were met. She knew prisoners by their first names.
147. The remand prisoners told us they liked being housed in a low security unit.²⁴
148. Staff and prisoners told us that violence was rare. Staff said that members of rival gangs lived side by side with little negativity.
149. Prisoners told us that if violence did occur it was out of sight of corrections officers and CCTV coverage, and that unauthorised items only occasionally got into the unit with prisoners who arrived from court. Prisoners said that standovers sometimes occurred, mainly over nicotine replacement patches or food. Some prisoners said they would prefer the nicotine replacement therapy programme to be ended, because it contributed to bullying and intimidation.

²³ See Corrections Regulations 2005, regulation 186.

²⁴ Remand prisoners are typically housed in high security.

150. Remand prisoners typically have fewer opportunities than sentenced prisoners to take part in education, training and other activities. Prisoners told us they wanted more courses and activities. Prisoners had access to library books, but the unit's gym was closed, as equipment was broken. Following our inspection, the National Commissioner advised that this had been addressed.
151. The unit's 20-bed annex housed sentenced prisoners of minimum, low and low medium security classification whose voluntary segregation had been approved. Prisoners in the annex told us that no corrections officer was with them when they were unlocked. Officers unlocked them and then returned to the main unit. Some prisoners expressed concern that in the absence of an officer they would not be able to get help if they needed it. The Residential Manager told us that this would be addressed.
152. Prisoners in the annex also told us they did not have enough to keep them occupied during the day. When outside their cells, they had access to a volleyball court and a dining room.
153. Following our inspection, the National Commissioner advised that the annex was no longer operating as a segregated area, and was instead housing remand prisoners. During unlock hours, the gate between the annex and the rest of the unit was opened, allowing prisoners and staff to move between the areas. Therefore, there was no need for a corrections officer to be permanently based in the annex. The National Commissioner advised that one extra staff member had been placed in Totara Unit in response to the increase in the number of remand prisoners in the unit.

Unit focus: Karaka

154. Karaka Unit operates the prison's drug and alcohol and adult sex offender treatment programmes and the Special Treatment Unit Rehabilitative Programme aimed at violent offenders.
155. The prison's principal psychologist told us that the unit conducted five programmes a year, attended by about 50 prisoners. Graduates of one programme in the unit tended to complete others if they were relevant.
156. The Principal Psychologist said that, when prisoners were not participating in programmes, they were encouraged to engage in other activities including education, games and cultural activities that would support them on release. Prisoners were encouraged to take part in projects that required them to work together and problem solve. For example, they had been involved in designing and creating gardens in the unit's grounds.
157. The prison's Reintegration Coordinator told us that more programmes could be offered with volunteers. However, the unit needed more classrooms, and needed CCTV in the classrooms to ensure that volunteers and programme coordinators were safe.
158. The unit's Principal Corrections Officer said that reduced unlock hours had also limited opportunities for prisoners to take part in programmes and out of cell activities.

Unit focus: Nikau

159. Many of the prisoners who work on the prison farm are from Nikau Unit.
160. Prisoners from Nikau Unit can also work in the prison's main kitchen (in high security), which supplies food to the prison. By working there, they can obtain NZQA level 2 qualifications in hospitality.
161. Prisoners with experience in the main kitchen can transfer to the Nikau kitchen to further develop skills to work in the food industry. Some are being trained to work as chefs in commercial kitchens and achieve NZQA level 3 and 4 qualifications.

162. Nikau Unit also has a prisoner canteen²⁵ distribution centre which provides canteen orders to the other prisons in the Central Region. We were told that about 14 prisoners typically work there at any one time. Prisoners can complete forklift driver training and gain skills at working in a warehouse or factory environment, including matching purchase orders to prisoners, and stocktaking.
163. Working on the farm gives prisoners skills to gain employment on release, but it can also create opportunities for prisoners to obtain items such as drugs, tobacco, and mobile phones and introduce them to the prison. The prison has sought to address this by housing most farm workers together in Nikau Unit, so they could not easily pass items onto the wider prison population. They also ensured that prisoners and vulnerable areas are regularly and thoroughly searched.

Finding

Most of Waikeria Prison's low security units provided a wide range of rehabilitation, work, and learning opportunities. This kept prisoners engaged, offered clear pathways to positive change and allowed prisoners to address the causes of offending and obtain valuable skills. Access to these opportunities was constrained by limits on out-of-cell time, which had resulted from growth in the national prison population.

²⁵ Prisoners are able to purchase additional grocery items from an approved list, which includes snacks, toiletries and phone cards, through the prison canteen system. Each prisoner has a trust account that can be used for purchases.

Health and other services

Health

164. During our inspection, the inspection team was not supported by a Health Specialist. In future inspections, this will be addressed.
165. The prison has several health facilities. The high security facility has a medical clinic staffed by five nurses (three rostered on in the morning and two in the afternoon) and the clinic's team leader. Nikau, Puriri, Rata and Totara Units have their own medical clinics, each with one nurse. Te Ao Marama and Karaka Units also have medical clinics but share a nurse, due to the low health needs of these units.
166. At weekends, five nurses cover the whole site. An on-call nurse is available outside normal operating hours to deal with urgent matters.
167. Two doctors each attend the prison two days a week. In the low security units, the doctors cover three units per visit, so each unit is visited once a week. The doctors visit the high security facility one day a week.
168. As part of the reception process all prisoners are seen by a nurse who completes an initial health assessment. During the initial assessment nurses ask for contact details for the prisoner's general practitioner so the prison can obtain medical records.
169. Prisoners who want to see a doctor or nurse submit a health referral form to staff in their unit. Nurses collect the forms daily and consider what action is needed. The nurse may dispense medicine or make an appointment for the prisoner to see a doctor or other health professional. Medical staff also brief unit staff every day about prisoners' health conditions and needs.
170. We were not told of any significant issues with access to health care. In one day during our inspection, a doctor saw 33 high security patients. Doctors also made it a priority to see all newly arrived prisoners, and go to the At Risk Unit as needed.
171. The health team sends prisoners for external appointments as required.
172. Between 1 January and 1 July 2017 prisoners made 35 complaints about health care. In 19 complaints, the prisoner said he had not received the treatment he wanted or needed. Nine complaints were about nicotine replacement therapy and seven were for other reasons.
173. Most of the prisoners we interviewed spoke highly of the health centre staff, though a small number of prisoners told us that they felt their treatment had been abrupt or said they did not feel cared for.

Finding

Prisoners health needs were generally being met.

Mental health and self-harm

Mental health services

174. Waikeria Prison has two Waikato District Health Board mental health clinicians assigned to provide mental health and forensic service support for prisoners. The clinicians assess prisoners' mental health as needed, and develop plans to manage any mental illness a prisoner has. At the time of our inspection, 61 of Waikeria's 713 prisoners were going through this assessment process.
175. The prison also had access to mental health clinicians who were available through the Mental Health & Reintegration Services programme, a 2017 pilot programme under which mental health professionals work directly with prisoners to manage mild to moderate mental health needs, and

also work with staff to educate and upskill them so they can support people with mental health needs.

176. As discussed above, the prison has an At Risk Unit for prisoners who are determined to be at risk of self-harm.
177. At the time of our inspection, 96% of the prison's staff were certified in Suicide Awareness Training. Custodial, health and Receiving Office staff are trained in assessing prisoners who may be vulnerable or at risk of self-harm.

At Risk Unit

178. The prison's At Risk Unit is intended to provide a safe and secure environment for prisoners at risk of self-harm. The unit has 29 cells, of which three are referred to as "round rooms", where prisoners who are actively self-harming can be kept in a safe environment with all items that could be used for self-harm removed.
179. At the time of our inspection, the unit was housing 25 prisoners, all of whom had been assessed as being at risk of self-harm.
180. Prisoners in the At Risk Unit were allowed out of their cells for two hours per day. The hours alternated daily, with a 9am–11am unlock time on one day and a 1pm–3pm unlock time the next day. This meant that prisoners could be locked up for up to 26 hours at a time.
181. Prisoners had little to occupy them while they were locked in their cells. As is usual in At Risk Units, the cells did not contain televisions or radios. The prisoners were allowed books, but their usefulness depended on the reading ability of the prisoners.
182. During unlock hours, prisoners followed a roster in which they had access to an exercise yard on four days out of every six, and to a television room on two days out of every six.
183. We interviewed four prisoners in the At Risk Unit. The prisoners understood why they had been placed there, and said the staff showed them empathy, treated them with respect and responded to their needs. They said they received good support from health and mental health staff, who they met regularly.
184. They said they were allowed to shower and had a clothing and bedding change every two days, and felt this was adequate.
185. However, the prisoners also told us there was little to do in the unit to keep them mentally or physically stimulated. They had little to occupy them in their cells, and there was very little variety or stimulation in their out of cell activities. When they were in the exercise yards, they had nothing to do but walk around. One prisoner said the lack of mental stimulation resulted in him thinking constantly about the issues underlying his self-harm thoughts.
186. The prison's Health Centre Manager expressed similar concerns. She told us that the prisoners needed help to address their mental health issues and, as part of that, they needed mental stimulation and access to suitable activities.
187. The prisoners told us that when they were allowed to associate with other suitable prisoners in the exercise yards, they found this social interaction positive.
188. We informed the Prison Director about the unit's unlock regime. He said he would review it as a matter of priority.
189. Following our inspection, the National Commissioner advised that a comprehensive review of At Risk Unit processes had taken place, and that the prison had changed the line of accountability so that the Principal Corrections Officer answers directly to the Deputy Prison Director.
190. Unit regimes had changed to ensure that prisoners were not held in their cells for excessive periods of time. The unit had introduced books, playing cards and puzzles into the unit's recreation room, basketballs in the yards, and increased opportunities to interact with staff and

other prisoners where appropriate. Prisoners sometimes visited mainstream units accompanied by staff.

191. The National Commissioner also advised that all prisoners in the At Risk Unit had reintegration plans in place, under which the prison aimed to return them to mainstream units. There was also weekly oversight from health and custody of prisoner placements in the At Risk Unit.

Finding

Prison management were taking steps to monitor and address prisoners' mental health needs. In the At Risk Unit, prisoners were being managed in a way that minimised risks of self-harm but could not be considered therapeutic given the long hours of lockup and very limited opportunities to interact with others or engage in constructive activity. We acknowledge the steps the prison has taken to address these issues.

Drug testing

192. The shortage of staff in the prison has significantly reduced the effectiveness of its drug-testing programme.

193. Waikeria Prison has two full-time custodial staff in its dedicated collections unit, who take urine samples from prisoners to be tested for drug content.²⁶ As well as taking samples for random or voluntary testing programmes, which is routine in the prison, they also proactively monitor incident reports to see if potential drug use has been identified. If there are reasonable grounds to suspect that a prisoner has used drugs, staff will require the prisoner to provide a urine sample for analysis.

194. 6 (c) [Redacted]

195. 6 (c) [Redacted]

196. The prison has a drug dog detection team which carries out search operations in response to requests from managers or principal corrections officers, or from the local or Central Region intelligence teams.

197. The team's Regional Supervisor and handlers told us that the prison's staff generally provided good support for detector dog searches. However, this could depend on which staff members were on duty. Some units moved prisoners into the dining room or exercise yards to allow the detector dogs to work. Following our inspection, the National Commissioner advised that training had been provided to selected staff so they could assist with detector dog searches.

Finding

The drug testing regime makes an important contribution to prisoners' health and safety, and for the good order of the prison. Its effectiveness was limited due to staffing shortages.

²⁶ Prisoners from all units can be tested for drugs as part of a random testing programme, or a voluntary testing programme, or if there are reasonable grounds to believe he has consumed drugs. See Corrections Act 2004, ss 124, 129, 130(1); Corrections Regulations 2005, regulations. Prisoners who return a positive sample can be declared an Identified Drug User and have their visits restricted. See Department of Corrections Prison Operations Manual, S.07.Res.03.

Spiritual support

198. The Prison Chaplaincy Service of Aotearoa NZ provides religious and spiritual support services at Waikeria Prison. The prison has two chaplains, who conduct bible classes and church services, and offer emotional and spiritual support.
199. Prisoners told us they knew how to contact the chaplains if needed.
200. The chaplains told us that volunteers offered bible classes and attended Sunday services. One former pastor offered a seminar aimed at helping prisoners to move beyond issues that prevented them from living full and purposeful lives.

Released under the Official Information Act 1982

Reintegration

Guided release

201. The guided release programme is aimed at long-serving prisoners who need help reintegrating back into the community. Guided release coordinators work with prisoners to gradually reintroduce them to the community, and help them deal with immediate needs such as finding accommodation, opening bank accounts, looking for work or applying for benefits, helping them if problems arose, so on. The programme is available only to prisoners who are eligible and suitable for temporary release.²⁷ It is particularly important for prisoners who have little or no support on release.
202. Prisoners spoke highly of the support they had received, which had included helping them to catch the bus, get used to crowds, visit accommodation providers, meet people, sit and pass driving tests, open bank accounts and obtain employment.
203. Guided release staff told us they had learned from experience what caused prisoners difficulty as they were making the transition back into the community. They had also realised that some prisoners were re-offending because they were unable to find work or accommodation, nor to obtain a benefit. A reintegration coordinator told us that the prison had increased the number of guided release staff so they could provide additional support for prisoners. The staff had built strong relationships with the community and with service providers who can assist with employment, accommodation, and further rehabilitation and treatment programmes.
204. Guided release staff also told us that reduced unlock hours in the low security units limited the range of activities they could provide.

Case study: Prisoner B

205. Prisoner B experienced a traumatic childhood, which included violence and alcoholism in his home, multiple foster homes, years of sexual abuse in foster care, and the suicide of a trusted foster parent – an event that led to him being hospitalised due to psychosis.
206. During his teens, he turned to drugs and alcohol as a way to mask traumatic memories and fear of abandonment. In turn, that contributed to him offending, which led to prison. While he was in prison, his marriage dissolved and his former wife and both of his natural parents died, his mother from suicide. He was estranged from his siblings and left with no support from the community.
207. Over a period of more than 20 years, he offended multiple times and received several long-term prison sentences. We spoke with him shortly before he was scheduled for release from his latest sentence.
208. He told us that, for many years, he had feared returning to the community, and had little motivation to make changes. He refused to take rehabilitation courses or apply for parole. On previous occasions he had been released, he had received little support to reintegrate into the community. He was concerned about things that most people take for granted, such as having shoes and clothing.
209. Prisoner B said that things started to change for him about two years ago when he started to see a psychologist. He had seen psychologists 15-20 years ago and had not found them helpful, but the methods used now helped him. Instead of focusing on mental or psychological disorder, they

²⁷ Temporary release criteria are set out in Corrections Act 2004, ss 62-64. The programme is only available to minimum security prisoners or those who the Parole Board has ordered released.

were focused on addressing thought patterns and beliefs, and regulating emotions and behaviour.

210. In the previous two years, he achieved minimum security classification for the first time, and was able to work outside the prison fence and gain NZQA approved qualifications. He began to enjoy reading. In 2017, he graduated from the prison's Drug Treatment Unit and became a mentor for other prisoners on the programme. Staff regard him as a courteous and compliant prisoner with a good work ethic.
211. Case managers, case officers and other staff worked together to support the prisoner. If they noticed he was down or having difficulties, they immediately intervened and spoke with him. They then notified others so that they were aware of any potential issues and any support they needed to provide.
212. In the 10 months leading up to his release, the prisoner took part in the guided release programme. He was slowly reintroduced to the community, going on excursions to open a bank account and buy some clothes, visiting the Anglican Action supported accommodation where he would live after release, and visiting Community Corrections and Work and Income. He sat and passed a driving test, bought a meal, looked at cell phones, and got used to being in crowds.
213. Prisoner B said he still had fears and concerns about not having a lot of support in the community, but said he was accountable for his own actions and would continue to use the tools he had learned in prison. He was looking forward to working and having his own place.
214. He said he felt better prepared and supported for release than on any previous occasion, and was grateful to everyone who had helped him during his prison term.

Finding

The prison has a strong focus on providing reintegration and rehabilitation opportunities that will support prisoners to live crime-free lives on release. The prison's guided release programme offered excellent support for long-serving prisoners who were integrating back into the community.

Appendix – Images



Figure 1. Damp flooring and a broken toilet in the high security facility



Figure 2. Examples of clean and tidy cells in the high security facility



Figure 3. Examples of moss on walls and graffiti in the high security facility exercise yards

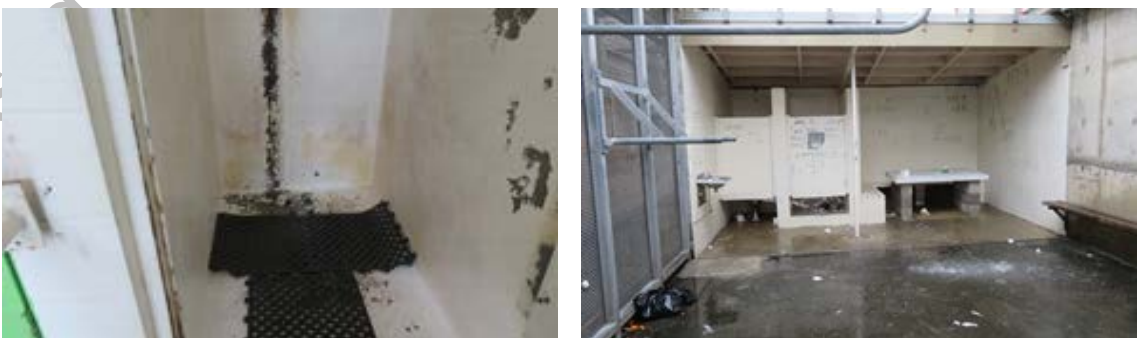


Figure 4. Paint peeling off walls and a broken basin in the high security exercise yards



Figure 5. Bakery



Figure 6. Painting and trade training room



Figure 7. Food from the prison kitchen prepared for guests



Figure 8. The engineering workshop in Rata Unit



Figure 9. Pou and garden in Te Ao Marama



Figure 10. Wood carving in Te Ao Marama

Released under
Official Information Act 1982