

# Northland Region Corrections Facility

## Inspection

March 2018

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## Foreword

This is one of 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, which are derived from United Nations guidelines for the treatment of people in detention.

Prison performance is assessed under four 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.

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.

The purpose of the prison system is to protect society from crime, both during imprisonment and after release.<sup>1</sup> The four principles reflect that purpose, and also highlight the potentially competing demands that are often 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, 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.

Our inspection of Northland Region Corrections Facility took place in March 2018. At that time, the prison generally provided a good environment in which prisoners' needs were met. There were some environmental issues including condensation, leaks and mould. Food was adequate, although clothing was not.

Security was generally good with low levels of gang influence and contraband. The prison was generally safe but there was evidence of violence and intimidation in some units.

Limited access to telephones was a significant source of tension in several of the units. Staff interactions with prisoners were positive in some areas and less positive in others, with some reports of staff bullying. A good range of rehabilitation, education and work opportunities were provided. Prisoners' health needs were not always well met, with prisoners complaining of long waiting times to see a medical officer or dentist.

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<sup>1</sup> United Nations Standard 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 provides ongoing monitoring through the work of its Regional Inspectors. In addition to their general responsibilities, they will be reporting to me on matters specifically identified in this report.

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

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

A handwritten signature in blue ink, appearing to be "Janis Adair", written over the printed name and title.

Janis Adair  
Chief Inspector of Corrections

## Overview

1. Northland Region Corrections Facility was established in 2005 as the first of four new open-style prisons built as part of the Regional Prisons Development Project. It is located at Ngawha, about 5km east of Kaikohe, and is known informally as “Ngawha” after the local area.
2. The prison was the first to establish a working relationship with a recognised iwi. Ngāti Rangi currently has kaitiaki status and mana whenua over the site, and is available to help prisoners to reduce reoffending.
3. Our inspection team visited from March 4–9 2018.<sup>2</sup>

## Our findings

### Transport and reception

- |            |  |
|------------|--|
| Finding 1. | Prisoners were generally kept safe during transport to and from the prison.  |
| Finding 2. | The high volume of transfers and last-minute list changes created health risks, including possible impact on medication, appointment times and continuity of care.   |
| Finding 3. | The prison is making good use of the audio visual facilities. This mitigates risks to safety and good order that can arise when prisoners are transported to and from court. At times staffing was inadequate in covering operation of the suite and movements to and from it.                                     |
| Finding 4. | During reception and admission, prisoners were kept safe and staff generally treated prisoners in a humane and respectful manner. At times prisoners’ privacy was not respected adequately. Nurses did not provide enough information regarding reception assessments, consent forms or health services available. |

### First days in custody

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|------------|--|
| Finding 5. | Most prisoners received inductions and were provided with initial telephone calls. |
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### Residential units – Environment and basic needs

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|------------|---|
| Finding 6. | In general, the prison provided a safe and healthy environment in which prisoners’ needs were met. There were issues with condensation, leaks, and mould in some locations.               |
| Finding 7. | Clothing in some units was not adequate to meet prisoners’ needs and prisoners said clothing had become a commodity which contributed to standovers and bullying.                         |
| Finding 8. | Food was generally adequate, if lacking variety, and was sometimes unappetising. Broken kitchen equipment affected what food could be produced. Prisoner access to hot water was limited. |

<sup>2</sup> A scheduled inspection involves a 12-week programme of work. The Northland Region Corrections Facility inspection commenced its 12 week programme on 5 February 2018.

**Residential units – Safety and humane treatment**

- Finding 9. Residential units generally provided a safe environment with limited contraband and thorough searches. Incidents of fights, gang influence, bullying and standovers were reported. Prisoners also reported some antagonism by staff towards prisoners. Staff resources appeared stretched.
- Finding 10. Access to telephones was a significant source of tension and some fights in several units. Staff told us more telephones were needed in units with double bunking.
- Finding 11. In the Karamū separates unit, there were staffing issues, yards were unsuitable, daily welfare checks seemed to be cursory and showers were in view of CCTV cameras, compromising privacy.

**Residential units – Rehabilitation**

- Finding 12. The prison provided most prisoners with a good range of rehabilitation, education, and industry training opportunities, and prisoners were generally positive about the opportunities they received. Access to rehabilitation programmes was limited and some prisoners had to wait a long time for programmes that were identified on their offender plans.
- Finding 13. Visits were well managed and generally family friendly, although remand prisoners do not have any scheduled visits that school-age children can attend.
- Finding 14. Limited access to telephones caused tension and reported fighting and interfered with prisoners' ability to stay in contact with families.

**Health, mental health and other services**

- Finding 15. Prisoners' health needs were not always well met. Some prisoners complained there could be long waiting times to see a medical officer or dentist. Many appointments needed to be rescheduled and there was a large number of outstanding recalls.
- Finding 16. Prisoners' mental health needs were generally well met. The prison was taking all reasonable steps to identify prisoners at risk of self-harm and respond appropriately. Prisoners in the At Risk Unit were kept safe.
- Finding 17. The needs of prisoners with disabilities were generally well met with some specific issues raised with staff.
- Finding 18. Prisoners' spiritual needs were generally well met.

**Reintegration**

- Finding 19. Some services were available to support reintegration. The majority of prisoners interviewed did not think they were ready for release or their parole board hearing.

# Introduction

## Northland Region Corrections Facility

4. Northland Region Corrections Facility 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. Northland Region Corrections Facility is one of five prisons in the Northern Region.

### *Prisoner and staffing numbers*

5. The prison can accommodate up to 630 male prisoners. On 31 January 2018, the prison housed 628 prisoners (69 on remand and 559 sentenced). Among the sentenced prisoners, 199 were classified as low-medium security, 192 as low, 161 as minimum, one as high and the remainder as unclassified. (The prison does not house high security sentenced prisoners. If a classification changes to high for a prisoner, they are transferred from the site.)
6. As at 31 January 2018, the prison had 280 full-time equivalent (FTE) staff. Of these, 224 were corrections officers, senior corrections officers, principal corrections officers and the site security team. There were also health staff, case managers and instructors on staff. Another 11.7 FTE positions were vacant.

## Inspection criteria

7. We assessed Northland Region Corrections Facility against a set of healthy prison standards, which are 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.<sup>3</sup>
8. A prison's success at achieving these goals depends on a range of factors, including:
  - » 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

3 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 reduce prisoners' personal responsibility. The principles are consistent with the purpose and principles of the Corrections Act 2004. The Office of the Inspectorate's methodology for scheduled inspections is under review. Changes may be made during 2018.



- » 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 associate with others
- » a clear and consistent pathway towards rehabilitation, release, and successful reintegration

## Inspection process

9. Our inspection team visited the prison from March 4–9 2018. During our inspection:
  - » We interviewed 31 prisoners about life in prison and readiness for release back into the community. In low-medium security units, this included seven interviews in Kākā, five in Pūkeko, four in Weka, four in Kāhu, four in Kea, two in Karamū (the separates unit) and two in Karo (the At Risk Unit). In minimum security Self Care Units, this included three interviews in Pīpīwharauoa.
  - » We interviewed prison managers, custodial staff, and other staff such as health professionals, 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 prison's health centre, and other prison facilities.
  - » We inspected the prison's perimeter and entrances.
10. On 30 October 2018, we provided the Department of Corrections' National Commissioner Corrections Services with a draft of this report. On 28 January 2019, the National Commissioner responded to the draft report. The National Commissioner's responses have, where appropriate, been incorporated into the report.

## Report structure

11. 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.
12. 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

### *Transport*

13. Prisoners are transported to and from the prison for a range of reasons, including: transfers to and from other prisons; arrival from court after sentencing or remand; transfers to and from court for hearings; and temporary removal for medical treatment, or to assist with reintegration, and for other purposes.
14. Between 1 January and 28 February 2018, 247 prisoners were transferred out of the prison and a similar number were transferred in. There were also 80 medical escorts in the same period. The prison uses its own van for transfers and medical escorts. The van can transport eight prisoners in individual cubicles. Court escorts are managed by a private security firm, which uses its own transport.
15. We interviewed 15 prisoners about travel to and from the prison. Nine had no concerns. Three said the cubicles in the van were too small and cramped. Of the three, one said he left Mount Eden Corrections Facility after breakfast and did not arrive at Northland Region Corrections Facility until around 4.30pm, with no stops, food or water being provided.
16. The other two prisoners, one of whom was partially disabled, said they had experienced pain while being transported.
17. Staff advised that there could be a number of changes to the transfer list each day at short notice. This creates possible health risks as prisoners may not receive their medication prior to transportation or may miss a scheduled specialist appointment; this may also have an impact on their continuity of care.
18. Following our inspection, the National Commissioner advised that the National Office movements' team is now managing all remand transfers. Further, a clear process has been put in place to mitigate the high volumes of remand transfers. This process has been working well and has cut down the risks associated for prisoners with medical needs.
19. The prison's Operational Movements Manager oversees a monthly review of the transfer process, and any issues are raised directly with the Prison Director.

### *Audio visual link suite*

20. The prison has a secure audio visual suite, which can be used for court or parole hearings, family visits, and interviews with legal representatives, probation officers, psychologists and others. The suite has four general booths and one dedicated to parole hearings.
21. Having these facilities reduces the need to transport prisoners to and from court, and reduces risks associated with transport and temporary escort. Prisoners told us that some of their court hearings were conducted this way and they had adequate access to the audio visual suite.
22. A staff member from the audio visual link suite told us that the audio visual link was used, on average, 10 times a day.
23. The staff member said the number of staff working in the suite had reduced from three in December 2016 to two at the time of our inspection, and that audio visual suite staff often had to escort prisoners to and from their residential units because staff shortages meant movement staff were unavailable.

24. Use of the audio visual link suite had increased since the reduction in staffing. Occasionally, prisoners were not on time and this could cause problems, especially with court appearances. Lawyers were also regularly late for audio visual link consultations, or did not show up at all, causing difficulties with scheduling.
25. At times, staff were alone in the audio visual suite with prisoners and this could present risks, as upsetting news was sometimes delivered using the audio visual link.
26. Following our inspection, the National Commissioner advised that the prison conducted a review into the audio visual link suite and a schedule had been put in place. Residential Units are provided with a schedule by 3pm the day prior to a hearing. They are also contacted at least 30 minutes prior to a hearing by telephone to have the prisoner ready for pick up. The prisoner is then escorted by the audio visual link staff. This continues to work well and has mitigated any delays.

### *Reception*

27. When prisoners arrive at the prison's Receiving Office, custodial and health staff conduct an immediate needs assessment (covering matters such as health, mental health and childcare) and a risk assessment (covering risks to safety, including risks of self-harm).
28. Before placing prisoners in shared cells, a Shared Accommodation Cell Risk Assessment (SACRA) must be carried out to determine whether there are any safety risks.<sup>4</sup> Records show that not all these assessments were completed during the inspection period.
29. The Receiving Office ran smoothly during observations and prisoners did not raise any issues regarding their treatment on arrival or departure from the prison. The reception area was clean and tidy and seemed to be a calm environment.
30. During our inspection, we observed staff conducting reception interviews (including the immediate needs and risk assessments). These interviews were held in a booth. However, the door was open and movements staff could hear the interviews, compromising prisoners' privacy.
31. The way nursing staff engage with prisoners could be improved and the Health Manager was alerted to this.
32. We observed that nurses did not have a good understanding of the informed consent process. New arrivals were given a consent form and asked to read and sign it to give consent to receive health care. Nursing staff did not assess whether the person had the capacity to read the form or understand the content and the form was not explained.
33. When one person asked a question about the form, a nurse provided an incorrect response. The process was task-oriented rather than aimed at gathering quality information and establishing a therapeutic and trusting nurse-patient relationship.
34. Prisoners were given very little information about the reception assessment or about the health services available. Nurses observed predominantly gave a one-sentence explanation that if prisoners had any health problems they could put in a 'chit' which they could get from the custody officer in the unit.

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4 The risk assessment takes account of a prisoner's age, offending history, gang affiliation, prison experience, size and strength, mental health, risks of violence and/or self harm, special needs, health needs, security classification, segregation status, sentence status, and other factors relevant to safety and good order.

35. Prisoners should be issued with a Department of Corrections Managing Your Health booklet when they are processed through the Receiving Office. During our inspection we saw that this was not occurring. We understand the pamphlet has since been provided following feedback.
36. Following our inspection, the National Commissioner advised that work had been undertaken to increase Health Centre staff's understanding of reception assessments, consent forms and available health services. The Health Centre Manager reported that this issue would be monitored closely.
37. The Health Centre Manager advised that he was now confident the Health team was completing induction interviews effectively and with rapport building in mind. Further development would allow the team to continue with their development to provide a high level of health care for the prisoners.

### Findings

- Finding 1. Prisoners were generally kept safe during transport to and from the prison.
- Finding 2. The high volume of transfers and last-minute list changes create health risks, including possible impact on medication, appointment times and continuity of care.
- Finding 3. The prison is making good use of the audio visual facilities. This mitigates risks to safety and good order that can arise when prisoners are transported to and from court. At times staffing was inadequate in covering operation of the suite and movements to and from it.
- Finding 4. During reception and admission, prisoners were kept safe and staff generally treated prisoners in a humane and respectful manner. At times prisoners' privacy was not respected adequately. Nurses did not provide enough information regarding reception assessments, consent forms or health services available.

## First days in custody

38. When a prisoner arrives in a residential unit, he should receive an induction to determine any immediate needs (such as health needs or safety risks) and have unit rules and routines explained to him. He should also be given access to a self-service kiosk, allowing him to access information and request support.<sup>5</sup>
39. If prisoners do not receive inductions, they may not know what is expected of them in terms of rules and routines, and they may not know what support is available.
40. New prisoners should be allowed to make telephone calls to family or friends. Four prisoners interviewed said they were not given their initial telephone call on arrival.
41. Most prisoners interviewed said they had received inductions, with seven saying they were thorough and informative.
42. Five prisoners made negative comments, including two who said they did not receive inductions and three said they were rushed or uninformative.
43. The prisoner induction booklets we saw provided very limited information about health.
44. In Pukeko, only two of the four self-service kiosks were found to be working.
45. The National Commissioner also advised that, overall, the prison felt that the induction process was well established. The prison believed its process with prisoners was robust. A review of the process and secondary assurance checks had been completed to ensure it was in line with operational expectations and policy.

### Finding

Finding 5. Most prisoners received inductions and were provided with initial telephone calls.

5 Prisoners can use the kiosks to access a range of information including legislation and policies, prison rules, and key dates in their sentences. They can also order food and other items from prison canteens, ask for meetings with their case manager or their unit's principal corrections officer, and check the balance of their prison trust account.

## Residential units

### Facilities

46. The prison has a highly secure perimeter fence which encloses a large open space containing a range of buildings for accommodation and services.
47. The open-style facilities promote freedom within defined boundaries and allow prisoners to move within the facility and to take responsibility for their daily routines of sleeping, eating, recreation, health and safety and working.
48. The prison has five low-medium security units, named Kākā, Pūkeko, Kāhu, Weka, and Kea.
49. Kākā Unit and Pūkeko Unit (174 beds) each have 87 double bunked cells and one single cell for disabled prisoners (see Image 1). These units house sentenced prisoners in voluntary segregation. These are prisoners who have asked to be kept apart from others for their own safety. Pūkeko is used for prisoners who are beginning their custodial sentences.
50. Kāhu Unit (89 beds) houses a mixture of remand prisoners (50 beds in south pod) and sentenced prisoners (39 beds in north pod). Most of the unit's cells are double bunked. South pod is used as a remand hub for prisoners from Auckland who are attending court in Kaitia, Kaikohe, Whāngārei or Dargaville.
51. Weka Unit (114 beds) has 56 double bunked and two disabled single cells. The unit houses sentenced mainstream (non-segregated) prisoners. Weka is a reintegration unit where prisoners are involved in education, work and other re-integrative activities prior to their release.
52. Kea Unit (31 beds) houses sentenced mainstream (non-segregated) prisoners. It is used for vulnerable young men to reduce the risk of gang influence and intimidation.
53. The prison also has two minimum security Self Care units, in which prisoners live in a flatting type situation (see Images 2 and 3). These units are intended to support prisoners to prepare for life in the community.
54. Pīpīwharau (internal Self Care) is located within the prison perimeter, and consists of seven four-bedroom houses accommodating a maximum of 28 prisoners.
55. Kūaka (external Self Care) is located outside the prison perimeter, about 350 metres from the main prison, and consists of five four-bedroom houses accommodating a maximum of 20 prisoners. Prisoners in Kūaka are encouraged to take part in Release to Work or temporary release activities to support their reintegration into the community.
56. In addition, the prison has two specialist units:
  - » Karo has 12 single cells for prisoners who are at risk of self-harm or require medical oversight, and two 'dry' cells for prisoners who are suspected of concealing drugs or other items in their bodies (a 'dry' cell has no toilet or water supply, which could be used to flush away contraband).
  - » Karamū (seven single cells and seven double bunked cells) is a separates unit for prisoners who have been sentenced to cell confinement following a disciplinary process. It is also used for prisoners who are on directed segregation (that is, the prison has separated them in order to protect others or maintain order).

## Environment and basic needs

### *Physical environment*

57. The prison's grounds were well maintained at the time of our inspection. Most residential units and cells were tidy and free of graffiti, but we saw graffiti and tagging in cell windows in Karo (the At Risk Unit) and in cells in Karamū (the separates unit). We saw a small amount of graffiti in the Kāhu yards, where prisoners had scratched through anti-graffiti paint on the walls. In Kāhu and Weka, we observed peeling paint and mould in the shower areas of cells. Prison managers told us they were discussing with the maintenance contractor how to address this.
58. We observed condensation dripping from air conditioning vents in the staff hub of Kāro and a programmes room in Kāhu. In the Kāro staff hub, the condensation left a damp patch on the carpet, potentially creating a safety hazard.
59. Staff in Kāhu told us they wanted to set up computers in the programmes room so prisoners could engage in online learning opportunities, but the condensation had prevented this. Staff told us that condensation was also an issue in the Receiving Office. Prison management said the prison's maintenance contractors had been informed about these issues.
60. We also observed leaks around doors in Pipīwharau (internal Self Care) houses one and two, and broken furniture in some of the unit's houses. In Kea, we saw evidence of insect infestation inside the unit. Prisoners had put towels and clothing under their cell doors to keep insects out.
61. The prison's maintenance contractor told us that some toilets in residential unit cells have been leaking, but the contractor had been unable to carry out repairs as custodial staff did not have time to escort maintenance staff to the cells and stay there with them.
62. In the Karo exercise yard, we saw a toilet that leaked badly, with a large area around it covered in moss (see Image 4). We found that, upon flushing, some of the water drained onto the surface of the yard. This was unhygienic. We informed unit staff of the issue. Next to a stream, we saw a long drop toilet (see Image 5) used by prisoners working outside the prison perimeter.
63. Following our inspection, the National Commissioner advised that the prison had engaged with a contractor to assess and eliminate the condensation dripping from the air conditioning vents. The Prison Director had tasked Downers to ensure all vents were checked regularly and repaired to ensure no further leaking occurred. Staff had also been advised of the process to ensure work orders were completed when required. The ongoing maintenance plan for the prison should ensure this did not occur again in the future.

### *Clothing*

64. The quality and quantity of clothing and bedding varied throughout the site.
65. In Pūkeko, Karamū (the separates unit), and Karo (the At Risk Unit) all of the prisoners we interviewed said their units did not have enough clothing and that their clothing was inadequate. They said they had asked staff for more clothing but had not received any. Prisoners in Pūkeko told us that clothing had become a commodity which contributed to standovers and bullying.
66. In Weka, all four of the prisoners we interviewed said they had enough clothing, but two said the unit did not have enough clothing for all prisoners. In Kāhu (which includes the remand unit), three of the four prisoners interviewed had no issues with clothing. One said he did not have enough. The unit Principal Corrections Officer told us Kāhu was short of clothing due to prisoners damaging clothing or taking it with them when they were transferred or released.



67. In Kākā, six of the seven prisoners interviewed felt the clothing was adequate and one did not. In Kea and Pīpīwharau, all of the prisoners we interviewed were satisfied with their clothing.
68. Prisoners working in the prison kitchen told us they shared boots. One prisoner wore them in the morning and another in the afternoon. The boots were in poor condition.
69. The prison has a central laundry with three washers and three dryers. Pūkeko and Weka also have their own laundries (though the Weka South washing machine was not working at the time of our inspection and had been logged for repair). Four of the prisoners from Weka and one from Kāhu said items of clothing had gone missing after being sent to the laundry.
70. The Acting Prison Director told us that new clothing was being issued on 31 March 2018, with new colours being rolled out across the site: green for remand prisoners and grey for sentenced prisoners. He said each prisoner should receive two sweatshirts, two pairs of sweatpants, two pairs of shorts and two towels. Underwear, T-shirts, and jandals were issued on request. Prisoners usually provided their own.
71. Following our inspection, the National Commissioner advised that the prison replaced all old worn gear, and gumboots were checked monthly and replaced if necessary.

### *Bedding*

72. Most of the prisoners we interviewed raised no issues about bedding. Three prisoners (two from Pūkeko and one from Kāhu) said some prisoners had no pillows. Two prisoners in Karamū said bedding was washed only once a fortnight, which was not often enough, and they had difficulty getting fresh towels. One in Weka said the towels were in a poor state. Kāhu's Principal Corrections Officer said pillows seemed to go missing and some prisoners had more than one. The unit had no spare pillows but more had been ordered. A Senior Corrections Officer in Karo (the At Risk Unit) said the unit had good quality bedding, but prisoners had only one sheet each and no spares. The bedding we saw in Kea and Kākā was in good repair (see Image 6).
73. Following our inspection, the National Commissioner advised that, on reviewing the practice, the prison found that sentenced prisoners in the main residential units had clothes and towels washed twice per week. Bedding such as duvet outers, pillowcases, sheets were washed once a week and duvet inners and pillows were washed four-monthly.
74. For remand prisoners, clothes, towels, duvet outers and pillowcases were washed daily. Bedding such as duvet inners and pillows were washed four-monthly. Bedding was washed when prisoners were transferred, which ensured that newly-received prisoners were provided with a fully laundered kit (See Image 7).

### *Food*

75. Prison meals are prepared in line with Department of Corrections national menus, which are aimed at providing each prisoner with a diet that meets Ministry of Health Food and Nutrition Guidelines. Of the 31 prisoners we interviewed, most raised no issues about the quality of the food they received. Eight prisoners said they wanted more variety (there was too much mince), and four said the portions could be larger.
76. Prisoners in Pūkeko, Kākā, and Kea told us they received breakfast packs with their evening meal (see Image 8). The packs included cereals and bread for toast. In Pūkeko, prisoners told us there were no toasters. Staff confirmed the toasters had been removed after prisoners had damaged them. In Karamū, staff told us that breakfast cereals were refrigerated overnight. One prisoner told us the cereal was soggy by morning. During our inspection, we saw prisoners who did not eat their breakfast because they considered it unappetising.



77. All prisoners we interviewed in Pukeko said that the unit's hot water dispenser was too small to provide for all of the unit's prisoners. During our inspection, staff and other prisoners also expressed this concern. In Kākā, prisoners expressed concern about limited access to hot water, which was provided in urns at breakfast and dinner time only. The Acting Prison Director told us this was done to prevent the water getting too hot and so it could not be used as a weapon.
78. The Kitchen Instructor advised that several key pieces of kitchen equipment had been broken for several months, including the large mixer and main tray line to convey the insulated food trays and automatic dishwasher conveyor; this was compromising the food produced on site.
79. Following our inspection, the National Commissioner advised that the Manager Industries and Residential Managers had formulated a plan to have bread toasted and delivered with breakfasts the night before. So far prisoners had been happy with this.
80. All practices regarding hot water had been reviewed. At the time, Spotless was tasked with increasing capacity. A new Zip boiler (temperature controlled) had been fitted into the larger units, Kākā and Pukeko, to meet the requirements. There had been some issues with temperature control on the boilers so they were currently off line. Additionally, a Zip boiler had been approved for Weka Unit and was waiting to be fitted.
81. A review of all essential equipment by the Assistant Prison Director and Manager Industries had been completed. Identified equipment had been recommended for replacement under capital asset replacement. Bi-monthly and daily health and safety checks were completed on equipment to ensure they were in good operating order. Any defects were noted and a works request submitted to Spotless.
82. Similarly, Downers had advised there was a preventative maintenance plan in place for essential services (kitchen/laundry).

### *Prisoner property*

83. Prisoners interviewed told us of delays in receiving property. Staff advised that while the prison population had increased, there was only one property staff member. She advised she had interviewed prisoners on her own and had been abused in the past. During the six-month period to 31 January 2018, about 80 complaints were made about prisoner property.

### *Double bunking*

84. All of the low-medium security residential units, other than Kea, had double bunking in some or all cells. Shortly before our inspection, prisoners in Pipīwharauoa (internal Self Care) had been told that double bunking might be introduced to the unit. Five prisoners expressed concern about this to us. They said the rooms in the four-bedroom houses were small, with limited storage and one shower and toilet for four people. The prisoners said the prospect of double-bunking made them anxious. They feared it might cause tension in the houses and health issues (due to overcrowding), and hinder their ability to prepare for reintegration into the community. At the time of inspection, double bunking had not been installed.

**Findings**

- Finding 6. In general, the prison provided a safe and healthy environment in which prisoners' needs were met. There were issues with condensation, leaks, and mould in some locations.
- Finding 7. Clothing in some units was not adequate to meet prisoners' needs and prisoners said clothing had become a commodity which contributed to standovers and bullying.
- Finding 8. Food was generally adequate, if lacking variety, and was sometimes unappetising. Broken kitchen equipment affected what food could be produced. Prisoner access to hot water was limited.

**Safety and humane treatment***Access to unauthorised items*

85. Unauthorised items such as drugs, alcohol and weapons can create risks to safety and good order. The prison's Security Manager told us the prison had very low amounts of contraband. In the six months to 31 January 2018, a total of 152 items of contraband were discovered in the prison. Five were drugs or drug paraphernalia, four were cellphones or other communication devices, two were weapons, and three were of alcohol. Another 44 were of tattoo equipment and the rest fell into the 'other' category which includes money, tobacco, gang paraphernalia, pornography, and stockpiling of food and other items.
86. Of the 31 prisoners we interviewed, seven said they were aware of contraband in the prison, including cigarettes, home brew and cellphones.
87. At the time of our inspection, the prison was about to begin a programme of searches of custodial staff to deter them from bringing in unauthorised items. 9(2)(a)
88. The prison's dedicated collection unit officer reported that drug tests were carried out regularly at the prison with a very low rate of positive tests. In the six months to 31 January 2018, the prison completed 170 random tests with one positive result.

*Gang influence*

89. At 31 January 2018, 149 of the prison's 628 prisoners identified themselves as having gang affiliations. The most common gang affiliations were: Black Power (41 prisoners), Mongrel Mob (25 prisoners), Crips (35 prisoners), Tribesmen (19 prisoners), Headhunters (16 prisoners), and Killer Beez (13 prisoners).
90. Among the 31 prisoners we interviewed, nine said they were aware of gang activity or influence in their unit, which on some occasions included bullying or fighting (discussed further below). One of these prisoners was from Kea (the unit for young men), while the others were from Pūkeko, Kāhu, and Weka. While aware of gang activity, several of these prisoners said they personally felt safe and were not affected by gang activity.
91. A Department of Corrections Northern Region intelligence analyst told us a new motorcycle gang called No Surrender had attempted to recruit others at the prison, but without success. The potential recruits (but not the recruiters) had been moved to other prisons.

### *Conduct of searches*

92. During our inspection we saw corrections officers conducting rubdown searches as prisoners left their units to go to work or outside for exercise. Of 45 searches observed, 39 were thorough and included searches of the prisoners' bodies including their hair, mouth, and feet. In the remaining six, the rubdown targeted only the prisoners' backs, shoulders, arms, sides and hips.
93. We saw four prisoners arrive at the Receiving Office. Only three were required to go through the walk-through scanner before being placed in a holding cell. One was not stopped when the scanner activated. All were subjected to rubdown searches.
94. We assessed nine strip searches, all of which were respectful and thorough.
95. Following our inspection, the National Commissioner advised that reminders were sent to staff to ensure they did not get complacent when conducting rubdown searches.

### *Active management and supervision*

96. During our inspection, we observed positive and supportive interactions between staff and prisoners throughout the prison. In some units, staff appeared to be overstretched. In Kea, for example, two staff members had responsibility for the unit while also overseeing mainstream prisoners from other units who were engaged in programmes in the compound. In Pukeko, there were prisoners subject to loss of privileges, increasing staff workloads.
97. Prisoners gave mixed descriptions of their interactions with staff. All of the prisoners we interviewed in Karo (the At Risk Unit), Weka, Kea, and Pipiwharau (internal Self Care) said staff were helpful and treated them with respect. One prisoner said staff were excellent and made considerable effort to support him and keep him safe. Another prisoner from Kahu said staff were very visible in the unit and very helpful, and two prisoners from Weka said staff proactively dealt with tensions or issues that arose in the unit.
98. However, four prisoners from Pukeko, three from Kaka, two from Karamu and one from Kahu all expressed reservations about their relationships with staff. Among these prisoners, typical complaints were that staff were not visible or supportive, did not respond to requests, and were sometimes antagonistic towards prisoners. In Pukeko, three prisoners said that staff refused to provide them with complaint forms when asked. Instead, one of the prisoners had photocopied a complaint form and distributed it to others.
99. Following our inspection, the National Commissioner advised that poor performance (including staff attitudes towards prisoners) was to be challenged by the senior officers who supervised staff. Performance would be addressed further if poor standards presented again. This would continue to be monitored by the management team. Additional support would be provided to staff around further tactical communication training if required. A communication mentor would also be provided to any officers if required.

### *Staffing and supervision of Karamu*

100. Karamu is used to house prisoners who are in cell confinement following disciplinary charges, those on directed segregation, and high security prisoners who are waiting to be moved to another prison. It can house 21 prisoners in 14 cells (with seven double bunked cells and seven single). At the time of our inspection, none of the cells housed two prisoners.
101. Each cell has a bed, a bench, and a toilet, and a small (cell-sized) fenced yard with an outdoor shower. All prisoners receive their statutory minimum entitlements, including at least one hour of exercise per day, and a weekly telephone call. The unit's management plan indicated that prisoners

in Karamū could have a daily telephone call, however some were not receiving this. Prisoners in Karamū spent almost all of each day locked in their cells, but were allowed into the yard for about an hour a day. The yards contained no exercise equipment and we observed overalls tied to the yard grill used to exercise.

102. We interviewed two prisoners in the unit. Both said the yards were dirty and exposed to the weather, which made them unsuitable for exercise. One said he used the yard only for showering. Both prisoners said they were unhappy they had to shower in view of CCTV cameras. Two other prisoners who had spent time in Karamū also expressed concern about this.
103. One said that Karamū prisoners had previously been able to visit the prison's gym but that no longer occurred. The only time they got out of their cells was when they made telephone calls, which happened only if staff were available. One prisoner in Karamū became upset when, two days in a row, staff were unavailable to provide him time out of his cell to use the telephone.
104. Both prisoners interviewed said staff were rarely seen in the unit, and, when they were present, did not follow through on any concerns prisoners raised. These included concerns about towels, linen and clothing going unwashed. An inspector observed a prisoner washing his clothes in the shower area. The unit's cleaner told us he had not been given access to the cells for about a month.
105. Daily welfare checks for the directed segregated prisoners occurred at the prisoner's cell door and appeared to be cursory with nurses asking the same few routine questions.
106. The Acting Prison Director and the unit's Principal Corrections Officer both told us that Karamū had not been permanently staffed for some time before our inspection. Instead, the prison's security staff and movements staff (whose job is to escort prisoners between different parts of the prison) visit the unit to bring meals and let prisoners out for their exercise and other entitlements. The unit, including the cells and yards, are monitored using CCTV.
107. The Acting Prison Director told us the prison had been seeking suitable staff from other units to reallocate to Karamū. The day after our inspection began, one staff member was permanently assigned to the unit. The Principal Corrections Officer told us that new exercise yards were under construction and were due to be completed by April 2018.
108. All prisoners on directed segregation should have a management plan in place setting out how their statutory minimum entitlements will be provided, what activities (such as work or rehabilitation) they can undertake while in segregation, and what behavioural changes they must make to return to the general prison population. This must be signed by the Prison Director, a Visiting Justice or the Senior Advisor to the Regional Commissioner. We asked to see the management plan for one prisoner who had recently been placed in directed segregation. The plan was not in the unit. When staff did locate it, it was not signed.
109. Following our inspection, the National Commissioner advised that the Operations Group has implemented a number of changes to support the unit, including:
  - » A new staff roster.
  - » The installation of an electronic kiosk.
  - » Prisoner cleaners were now employed in the unit, targeting any graffiti.
  - » All cells (as and when they were available) were being repainted, which would address any remaining graffiti.
  - » All staff had been reminded not to leave security doors open in the unit.
  - » Approval to replace all graffiti covered glass had been granted.

- » An alternative roof design for the exercise yards was being considered by National Office.
- » Honeywell had been tasked with installing black-out in the toilet areas within the cells. They had also deactivated the cameras in the shower yards. Velcro curtains had been installed to use when prisoners were showering.

### *Violence and intimidation*

110. Of the 31 prisoners we interviewed, only four said they felt unsafe in the prison. Of those, two were in Pūkeko, one was in Kāhu, and one was in Karo (the At Risk unit). None of the prisoners in Weka, Kākā, Kea, or Pīpīwharauoa (the internal Self Care unit) told us they felt unsafe.
111. In Kākā, prisoners told us that fights and bullying were rare. One said that senior prisoners did not tolerate fighting or intimidation and put a stop to it. Prisoners said the only source of tension was over access to telephones, but this was usually resolved without fighting. Prisoners did report racist language and some staff bullying of prisoners.
112. In Weka, Kea, and Pīpīwharauoa (internal Self Care), prisoners told us they were not aware of fighting or bullying. One prisoner from Pīpīwharauoa said he had previously been in Weka and there had been tension over access to telephones.
113. In Kea, two prisoners said they had never seen any evidence of fighting or intimidation, and one said he had witnessed only one fight during his time in the unit. Another said that fights occasionally occurred only when new gang associates moved into the unit and sought to assert themselves. Kea prisoners said staff responded quickly to any fighting or standovers, and usually moved the perpetrators out of the unit.
114. Kāhu Unit was on amber alert<sup>6</sup> during our inspection. In Kāhu South, which houses remand prisoners, 21 violence incidents were recorded in the six months to 31 January 2018.
115. Due to standovers at mealtime, evening lockup in Kāhu was at 3pm, which meant prisoners had to eat dinner in their cells. One of the prisoners we spoke with said he was being bullied constantly by his cell mate in Kāhu, before moving to voluntary segregation. Another prisoner informed Inspectors that he witnessed bullying and had been bullied to the extent that he could not take it anymore.
116. At the time of our inspection, there were 387 prisoners in voluntary segregation for their own protection. These prisoners are housed in a number of units, including Kākā, Kāhu and Pūkeko.
117. We interviewed four prisoners in Kāhu who had been segregated for their own safety after threats from other prisoners. Three said they felt safe in segregation and had never seen any evidence of violence or intimidation among segregated prisoners in the unit, and that staff were proactive at keeping segregated prisoners safe and responding to any arguments or tension within the unit. One prisoner from Kāhu said he felt unsafe because mainstream (non-segregated) prisoners could sometimes see him and make threats or abusive comments even though they were physically separated.
118. In Pūkeko, two of the five prisoners we interviewed felt unsafe, and four of the five said they were aware of violence or intimidation within the unit. One said he had been bullied and intimidated, and had been coerced into storing unauthorised items for other prisoners, which had led to him

6 As identified by the Prison Tension Assessment Tool (PTAT), one of the controls in place for managing the risk of violence in a custodial environment. PTAT contributes towards a safer environment by allowing staff to identify any potential increases in tension before they escalate into something more serious.



facing disciplinary charges. He said there were tensions in the unit between rival gangs, and staff did not always respond proactively.

119. Prisoners were allowed to enter each other's cells, which created opportunities for assaults to occur out of sight of custodial staff. The prisoner said that when prisoners were assaulted they usually told staff they had fallen and injured themselves.
120. Of the other Pūkeko prisoners interviewed, two said they had previously been bullied in Weka unit. Three said they felt safe in Pūkeko but were aware of others being bullied, and of fights over access to telephones. Like Kākā, Pūkeko's wings each had only two telephones in the unit and one in the yard for 87 prisoners.
121. Altogether, in the six months to 31 January 2018, 27 incidents of violence and 77 incidents of verbal abuse were recorded at the prison.
122. As noted, access to telephones was a significant source of tension in several of the units. Prisoners told us that each wing of Kākā and Pūkeko had two telephones inside and one in the exercise yard for about 87 prisoners. Kea and Pīpiwharaua had one telephone each for 31 and 28 prisoners respectively. In some units, prisoners were using a board to list the order of access to the telephones. The Acting Prison Director told us he had requested more telephones to increase the number in the units.
123. Following our inspection, the National Commissioner advised that work was completed to explore the need for additional telephones in the units. Although a new telephone was installed in Kāhu Unit, it was determined that this was not necessary in the other units given the current usage of the telephones already in place.
124. Unit staff are trained to provide immediate responses to incidents of heightened tension, disorder, violence and intimidation. Staff can use reasonable force under certain circumstances to protect safety and restore order. There is also a Site Emergency Response Team (SERT). Following any incident involving violence or intimidation, or any other breach of discipline, the prison has a range of sanctions available to it. These include bringing disciplinary charges, moving prisoners to other units, placing prisoners in directed segregation, reviewing security classifications, and notifying the Police.
125. In the six months to 31 January 2018, there were 36 notifiable incidents involving spontaneous use of force by staff. Department of Corrections policy requires that these incidents are recorded in a use of force register that sets out what happened, who was involved, the force used, and the outcome. All use of force incidents are reviewed to determine whether they were handled appropriately, and the register should record the outcome of this review. The Prison Director signs the register to confirm that all required post-incident steps have been taken.
126. We inspected the prison register and found that, for some incidents, no review details were given, and the Prison Director had not signed the register. The Acting Prison Director told us the review requirement of the register was not operating well.

### Findings

- Finding 9. Residential units generally provided a safe environment with limited contraband and thorough searches. Incidents of fights, gang influence, bullying and standovers were reported. Prisoners also reported some antagonism by staff towards prisoners. Staff resources appeared stretched.
- Finding 10. Access to telephones was a significant source of tension and some fights in several units. Staff told us more telephones were needed in units with double bunking.
- Finding 11. In the Karamū separates unit, there were staffing issues, yards were unsuitable, daily welfare checks seemed to be cursory and showers were in view of CCTV cameras, compromising privacy.

### Rehabilitation

127. As well as detaining prisoners in a safe and humane manner, prisons are expected to support prisoners to make positive changes in their lives.
128. All New Zealand prisons offer programmes aimed at supporting prisoners to address their causes of offending, and acquire skills that will help them after release. Successful rehabilitation depends on a prisoner's motivation and on access to support and opportunities to make positive changes.
129. Case managers work with prisoners to create an offender plan for each prisoner, setting out rehabilitation and reintegration goals and pathway, including rehabilitation, learning and work experience programmes the prisoner should complete.
130. Each prisoner is assigned a case officer from among custodial staff in his unit, who provides day-to-day support and keeps track of the prisoner's progress towards rehabilitation goals.
131. During their sentence, prisoners are supported to make positive changes under a process called Right Track. Custodial staff, health and education staff, case managers, and others (such as psychologists and chaplains) work together and share information in regular meetings to support the prisoner's journey towards rehabilitation.
132. Staff in Pukeko told us they were expected to complete 15 Right Track<sup>7</sup> meetings per week and it was difficult to keep up. A February 2018 report noted that 54 percent of Right Track meetings had been completed across the prison during January.

#### *Time out of cell*

133. Access to opportunities for rehabilitation, education and work experience – as well as other constructive activities such as exercise and associating with other prisoners – depend on prisoners having sufficient time out of their cells each day.
134. Pukeko, Kākā, Weka, Kea, and Pīpīwharau units had 8am–5pm staff roster regimes with a noon–1pm lockdown for staff lunches.
135. In practice, this meant unlocking started at about 8am and was completed by about 8.30am–9am, lunchtime lockup began at about 11.30am, afternoon unlock began at 1pm and was completed by about 1.30pm, and evening lockup began at about 4.30pm. Prisoners had about six hours out

<sup>7</sup> Right Track involves staff supporting prisoners to make progress with their offender plans and ensuring that actions focus on reducing re-offending.

of their cells on a typical day. Additional lockups sometimes occurred on Friday afternoons for staff training.

136. Kāhu has multiple categories of prisoners (remand, sentenced, segregated, non-segregated), some of which cannot be mixed; it operated multiple unlock regimes. Between the hours of 9am and 11.30am, and between 1pm and 4pm, different categories of prisoners were allowed out to use compound areas and exercise yards. Meals were provided to prisoners in their cells.
137. In Karamū (see earlier) and Karo, unlock regimes depend on the management plans of individual prisoners.

### *Treatment and rehabilitation programmes*

138. The prison offered a variety of treatment and rehabilitation programmes for mainstream and voluntary segregated prisoners from most residential units.
139. At the time of inspection, 91 of the prison's 627 prisoners were involved in rehabilitation programmes.
140. Programmes included:
  - » alcohol and drug treatment programmes
  - » tikanga Māori programmes using Māori values and practices to motivate prisoners to address offending
  - » short and medium intensity rehabilitation programmes (aimed at addressing causes of offending)
  - » a parenting skills programme.
141. Eligibility for rehabilitation programmes depends on a range of factors, including age, security classification, risk of reoffending and re-imprisonment,<sup>8</sup> and the nature of the prisoner's offending and sentence. If prisoners are eligible, opportunities depend on programme availability. Priority is given to prisoners who are closest to scheduled release date or parole eligibility.
142. Remand prisoners have access to a more limited number of programmes, including a brief alcohol and drug treatment programme, intensive numeracy and literacy, English as a Second Language, art and first aid.
143. At the time of our inspection, programme rooms were reported to be at capacity and there were long waiting lists for some programmes. For example, 12 people were on the alcohol and drug intermediate support programme, with another 151 waitlisted for it.
144. Ten prisoners were doing the Medium Intensity Rehabilitation Programme, with another 63 waitlisted – at least one of whom had been waiting since February 2016. Twelve were on the Parenting Skills programme, with 41 waitlisted.
145. A principal case manager told us that many factors were taken into account when allocating places, including the importance of a programme for the prisoner's rehabilitation pathway, and the availability of alternative options that might meet the same need. In accordance with national guidelines, if all other factors were equal, priority would be given to prisoners who were closer to their scheduled release date or parole eligibility date.
146. Among the prisoners we interviewed about access to rehabilitation programmes, one said he had completed all of the programmes required by his offender plan, five said they had been able to

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



complete programmes but had more to complete, and five said they had been unable to complete programmes they needed.

147. Of those who had been unable to complete their programmes, one said his parole eligibility date was approaching but the programmes he was required to complete had conflicting dates. Four said they had been told they could not complete rehabilitation courses until later in their sentence.
148. We attended a Right Track meeting for one prisoner who had been unable to complete rehabilitation programmes because he was serving a short sentence. Staff at the meeting felt that he was not getting the support he needed and, as a result, was more likely to reoffend after release.
149. Following our inspection, the National Commissioner advised that the number of criminogenic (offence-focused) programmes delivered each year was determined by National Office based on the availability of programme facilitators and programme delivery rooms. Programme capacity was always at its maximum, and the waitlist could be lengthy. Despite this, the principal case managers and the Site Scheduler met regularly to discuss programme scheduling and placement of prisoners. The prison had also been exploring other options to make more space available on site for programmes.

### *Work experience and training*

150. Working in prison industries provides prisoners with the opportunity to gain skills and qualifications that might be useful after release.
151. The prison provides a variety of industry training and work experience opportunities for mainstream and voluntary segregated prisoners from across the site. Courses were offered in horticulture, forestry, painting and decorating, automotive and carpentry (see Images 9–11), some of which led to NZQA approved qualifications. Prisoners also had opportunities to work shifts in the kitchen and laundry areas, and at a garden maintenance workshop.
152. At the time of our inspection, all prisoners in Pīpīwharaua were engaged in industry training and/or rehabilitation and education programmes. Five prisoners took part in Release to Work, which allowed them to leave the prison during the day (with electronic monitoring) to work with private employers in the construction, aluminium joinery, and orchard industries. Prisoners participating in these activities told us they felt very positive about this opportunity. All three employers had offered fulltime employment to prisoners on release.
153. We identified significant over-reporting of the number of hours some prisoners spent working. On several occasions in January 2018, three prisoners were recorded as working for more than 24 hours per day. The Assistant Prison Director told us he had identified an error in the way the hours were being recorded, and had raised this with the team responsible.

### Education

154. Every prisoner receives an education assessment to determine their literacy and numeracy learning needs. This is followed by a learning pathway discussion, which identifies recommended programmes to help the prisoner meet his learning needs and goals.
155. The prison offers a range of formal education opportunities including:
  - » Literacy and numeracy programmes
  - » Foundation skills programme – this follows on from literacy and numeracy programmes and aims to prepare prisoners for further learning
  - » Secure Online Learning<sup>9</sup>
  - » Self-directed learning – study towards high school or tertiary qualifications via distance learning
  - » Driver licence testing
  - » English as a second language
  - » Te reo Māori
156. The prison also offered other constructive and reintegrative courses, such as first aid, art and music classes.
157. Prisoners are entitled to 100 hours of numeracy and literacy programmes each, and are assessed after every 25 hours.
158. At the time of the inspection, 177 of the prison's 627 prisoners were involved with some kind of education, including 80 involved in self-directed learning. Another 31 prisoners were completing their education assessments, while 85 were on a waiting list. The longest wait time was from May 2017. Four prisoners were doing university papers.
159. Several prisoners, who will be deported once released from prison, advised they had been told they were unable to access education and industry training opportunities. A principal case manager told us they could access these opportunities if they paid their own costs. The prison told us that 43 of its prisoners were subject to deportation orders.

### Physical exercise

160. Prisoners in all residential units had rostered access to the gym (prisoners in Karamū told us that they no longer had access). About 30 people were allowed in the gym at a time. Equipment included five spin cycles, two rowing machines and other aerobic equipment (see Image 12). There were cross-fit courses for staff and prisoners. Units could play games against each other. Activities included volleyball, dodgeball, yoga, circuit training and basketball. Prisoners in most units had access to exercise yards. Some had access to equipment such as for volleyball or table tennis. Prisoners in Pūkeko, Weka, Kea and Kākā could use the prison's main fields at the weekends.
161. At the time of our inspection, the yard in Karo (the At Risk Unit) had a spin cycle, a torn weight bag and old torn bean bag. One prisoner had been allowed to wet the sand in the bag to increase the weight. The bag was put on a stationary bike, creating a hazard. Staff could not say when the

<sup>9</sup> Every prison has a Secure Online Learning suite with computers which prisoners can use to gain digital literacy skills and complete learning assignments. Prisoners have access to a limited range of pre-approved websites and apps, and can email their education tutor.

yard equipment was last inspected. We saw no evidence of a maintenance plan for the training equipment. Staff confirmed that the equipment was usually left outside, exposed to the weather.

### *Other constructive activity*

162. The prison library, open 9am–3pm Monday to Thursday, can take 10 prisoners at a time with a corrections officer. The librarian advised that the library hours were too short to allow prisoners in Karamū or the external Self Care Unit access to the library. In residential units, several constructive activities were available, such as games, crosswords and jigsaws. Some units offered activities such as art classes. In Kea, a visiting facilitator provided life-skills training, including cooking, gardening and budgeting, twice a week to prisoners who wished to attend. We observed five prisoners learning about budgeting. In Karo, prisoners received more time out of their cell than management plans required and could play board games, attend training or read books.

### *Contact with family and friends*

163. Contact with family and friends is important for prisoners' wellbeing and eventual reintegration into the community. Visits are held from Wednesday to Sunday, between 8.45am–11.15am and 1.45pm–3.45pm. Every prisoner is entitled to receive at least one private visitor each week, approved through the visitor application process, for a minimum duration of 30 minutes.
164. On weekdays, adults and preschool children may visit, but school age children may not. Sentenced prisoners can receive weekend visitors but remand prisoners cannot, so schoolchildren cannot visit remand prisoners. Two remand prisoners told us this dissatisfied them. Other prisoners were positive about visits. Some had few visitors, with families living far away. Visits were in a child-friendly environment, with an initiative to provide books and activities for children. Staff advised there were 100 external visit applications the week before the inspection and 40 applications awaited final approval. It could take many weeks to process visit applications.
165. Following our inspection, the National Commissioner advised that the Operations Principal Corrections Officer was reviewing the entire visits schedule due to the potential large increase in remand prisoners at the prison. The Operations and Movements Manager was providing oversight and assistance. Currently sentenced mainstream and voluntary segregated prisoners had equal timeslots at weekends. The original practice of not allowing children to visit during school hours had stopped as responsibility for school attendance lay with parents not the prison.
166. As discussed, prisoners and staff shared concerns about prisoner access to telephones. Some units had only two telephones for more than 80 prisoners. In addition, some telephones were logged as not working. In Weka, we saw prisoners queuing to use the telephone, and were told that some prisoners had waited all afternoon. In Pukeko, about 87 prisoners (in each wing) shared two telephones and fights over access had been reported.
167. Access to telephones is important for prisoners to stay in contact with families, and to provide them access to legal representatives when needed. Prisoners should have access to the telephone at least once a week. Most prisoners in the At Risk Unit had easy access to a telephone. However, a prisoner who arrived at the unit over a week before was waiting for his telephone numbers to be approved. We found the prisoner's application on a staff desk, not acted on.

**Findings**

- Finding 12. The prison provided most prisoners with a good range of rehabilitation, education, and industry training opportunities, and prisoners were generally positive about the opportunities they received. Access to rehabilitation programmes was limited and some prisoners had to wait a long time for programmes that were identified on their offender plans.
- Finding 13. Visits were well managed and generally family friendly, although remand prisoners do not have any scheduled visits that school-age children can attend.
- Finding 14. Limited access to telephones caused tension and interfered with prisoners' ability to stay in contact with families.

## Health and other services

### Health

168. Corrections Health Service is a primary health care service that is required by Section 75 of the Corrections Act 2004 to provide health care that is "reasonably necessary" and the standard of that care must be "reasonably equivalent to the standard of health care available to the public."
169. The prison's main health unit has large treatment rooms, consultation rooms, two holding cells, a dental clinic, meeting room, offices and kitchen, and a satellite health unit with one treatment room and two holding cells. The health units were clean and fitted with expected equipment.
170. Medical services are contracted through Broadway Medical, Kaikohe, with three medical officers providing clinics for 16 hours per week. The medical officers also provide an on call service outside normal clinic hours.
171. Dental services on site are provided by Northland District Health Board with clinics for six hours per week. Since this provider has been in place, the dental waiting time has reduced considerably, with a waiting time for non-urgent dental care of less than one month.
172. Other regular health services provided at the prison include forensic services, physiotherapy, podiatry, mental health packages of care and community alcohol and drug services. Clinical Nurse Specialists also attend as required to support people with hepatitis and diabetes.
173. The Health Centre Manager and Team Leader support a nursing team of 14.7 FTEs with no vacancies at the time of inspection. All staff had the appropriate qualification and current registration. There are two morning nursing shifts a day, seven days a week, 6.30am–3pm and 7am–3.30pm. The afternoon nursing shift is 1pm–9.30pm. A nurse is on call outside these hours.
174. Services include health screening assessments, triage and treatment, health education and promotion, immunisations, risk assessments and emergency responses. Medication management forms a significant part of the nursing role, with 56% of nursing time spent on this.
175. Quarterly clinical governance meetings occur on site and are well embedded, with a wide attendance of multidisciplinary providers. Monthly Quality Forum<sup>10</sup> meetings were not well embedded on site, but the Health Centre Manager ensured weekly team meetings occurred.
176. The relatively new Health Centre Manager had built good working relationships both within the prison environment and externally, within the DHB and community sector.
177. When the Health Centre Manager receives an email from custody staff regarding a concern for a particular prisoner, rather than reply in the first instance by email, he will go to the writer (often a principal corrections officer) and speak directly with them. This facilitates better sharing of information, education and understanding of the concerns, and also supports a more collaborative approach to decision-making and management planning.
178. The manager has invited the St John Ambulance team and regional managers on site to familiarise themselves and discuss local procedures, and has met with the Northland DHB Health of Older People service to discuss training that may be available to staff, and hospice services.
179. A comprehensive set of national policies help Health Centre staff to meet the standards required.

<sup>10</sup> A Quality Forum Meeting is an opportunity for all Health Centre staff to be involved in clinical governance. Forums operate in each Health Centre each month, with standard agenda items and terms of reference.

180. Prisoner interviews indicated that the health team were generally friendly and respectful.
181. At the time of our inspection, waiting times to see a medical officer and dentist were four and 17 days respectively. Some prisoners complained, however, about delays in getting appointments or medication prescribed.
182. It was difficult to ascertain which patients had an active Treatment Plan.
183. Dedicated custodial support is rostered to support the regular clinics by ensuring prisoners who have appointments attend the health unit and ensuring the safety of everyone at clinic times. These staff presented as professional, helpful and respectful to both staff and prisoners.
184. Observation of controlled drug administration showed that custody staff were not directly present and supervising the patients but were in the reception area where they could not observe patients taking their medications. It was noted that custody staff did move to intervene if a patient became angry or aggressive.
185. Clinic books were used on the MedTech electronic patient management system for appointments. These included clinics for nursing, doctors, dentists and physiotherapist.
186. A MedTech report showed large numbers of appointments that were not completed and needed to be rescheduled.
187. For the two-month period to the end of February 2018, 204 appointments were cancelled due to either nursing (115) or custodial time constraints and lock downs (89). This impacts on patient care delivery and runs the risk that appointments are not rescheduled as required. There were examples of some patients having appointments rescheduled up to 12 times before being seen.
188. The MedTech recall system showed a large number of outstanding recalls. Recalls are an important part of a patient's plan of care, alerting health staff of future tests or required interventions. The recall system process at the prison had some gaps that put patient care at risk of interventions not being followed up or completed. The Health Manager was alerted to this.
189. Controlled drug medication administration is impacted by the unlock times of units. Some morning controlled drug medications are being administered after 9am and some lunch-time controlled drug medications are being administered after 1pm. These times sit outside the policy stipulated medication times. Two patients who were interviewed complained about the timing of their controlled drug medication.
190. Health records should be held securely and in confidence. It was observed that prisoners were sometimes able to read the computer screens during consultations and, at one time, a prisoner was observed being able to see the screen where another prisoner's health record was showing.
191. Prisoners interviewed knew how to make a health complaint if required but said that it was difficult at times to get the form from custody staff. Records for February 2018 showed that two people had made health complaints. One of them had put in three complaints within the month.
192. Following our inspection, the National Commissioner advised that the site now uses a national pamphlet, 'Your health in prison'. This includes information on how to make a complaint.
193. Prisoners were often unable to put their Health Request Form directly into the secure 'chit' box in their unit but would pass them to a custodial officer. This compromises confidentiality and is not in line with the Corrections Health Services Health Care Pathway Policy.
194. There was no evidence of a robust process being in place for the monitoring of an outbreak of communicable disease as required by Corrections Health Services Infection Control Policy. This was discussed with staff while on site.

195. Following our inspection, the National Manager advised that the Health team has a communicable disease portfolio holder who regularly analyses patterns and trends of presentations at the Health Unit. A proactive approach is taken if there are increases of any particular disease or illness. This is dealt with through education, treatment and pre-emptive sterilisation of cells etc. The Health team is aware and understanding of the requirements in reacting to a communicable disease outbreak situation.

## Mental health and self-harm

### *Mental health services*

196. Waitemata District Health Board provides the Regional Forensic Psychiatric Services for those prisoners with serious mental health conditions. A forensic nurse is on site every weekday and provides triage assessments of newly referred patients as well as routine monitoring of the forensic caseload. A psychiatrist attends once a week to review patients and some clinics are held via audio visual link where appropriate.
197. The closest forensic in-patient facility is in Auckland where, we were advised, the number of beds falls short of the demand. Patients assessed as acutely unwell can sometimes wait one to two weeks for admission.
198. Patients who are required to have a Section 38 report<sup>11</sup> completed need to be transferred to Mt Eden Corrections Facility for this to be done, as the forensic staff advised they did not have the resource to complete this on site.
199. The national pilot of Improving Mental Health and Reintegration had one fulltime mental health clinician at the prison providing support and intervention to prisoners referred with mild to moderate mental health needs.
200. When it is identified that a prisoner has had previous contact with mental health services in the community, appropriate referrals are made and information about previous history is actively sought and used.
201. There is no specific training for prison staff on learning disabilities and personality disorders.

### *At Risk Unit*

202. Karo is a specialist unit housing prisoners who are at risk of self-harming, placed on medical oversight, or confined to a dry cell due to being suspected of internally concealing contraband. The unit consists of 12 specially designed At Risk cells and two dry cells. It has specialist staff.
203. At-risk prisoners are monitored depending on their level of risk, from between every 15 minutes to every 60 minutes, to ascertain their wellbeing. Additionally, all cells are monitored by security cameras, and prisoners were at times clothed in anti-suicide gowns and clothing.
204. Six prisoners were in the unit at the time of inspection. Four prisoner files were reviewed. Observation notes were generic with little detail. One prisoner's file could not be found in the unit. One Reception Risk Assessment form was not signed off by the prisoner or the assessor.

<sup>11</sup> This Power of Court to Require Assessment Report is meant to assist the court to determine whether a person is unfit to stand trial, is insane within the meaning of section 23 of the Crimes Act 1961, the type and length of sentence that might be imposed on a person, the nature of a requirement that the court may impose on a person as part of, or condition of a sentence or order.



- 205. Following our inspection, the National Commissioner advised that staff had been reminded to ensure that detailed observation notes were kept. Further, a review into the Reception Risk Assessment process found that the unsigned form was a one off situation.
- 206. Unlock hours were dependent on individual management plans from Monday to Sunday. Prisoners were observed as having more that their required time out of cell, with a good range of activities to engage them.
- 207. Nurses completed daily assessments in the unit, using a consultation room when safe to do so.
- 208. There was a very low stock of clothing in the unit at the time of the inspection.
- 209. The prisoners share a shaver that is not sanitised between uses.
- 210. Alcohol-based hand gel was found in an area prisoners could access.
- 211. There was no kiosk in the unit and there were delays in telephone numbers being approved.
- 212. Following our inspection, the National Commissioner advised that a kiosk had been requested and was awaiting approval. Further, a check of the stock room found sufficient clothing.

### Prisoners with disabilities

- 213. 9(2)(a)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

### Spiritual support

- 217. A Māori Services team is on site to help prisoners connect with whanau and iwi. Specialist cultural assessments are delivered by Aramoana Adventures. Cultural programmes such as tikanga and Mauri Tu Pae and Kapa Haka are available.
- 218. There were 34 faith-based volunteers who visit and provide services to the site.
- 219. Six out of eight prisoners interviewed from Kāhu and Weka said they had access to the Chaplain when requested. Two prisoners stated that they felt that their spiritual needs are not met. One wanted to see a kaumatua and one wanted to see the Jehovah's Witnesses.
- 220. Inspectors were informed the Chaplaincy has a good relationship with custodial staff. The Chaplain has keys for the site which allows for easy movement and access. Bible studies are provided in the units and in the chapel three days a week, with Sunday church services in units and the chapel.
- 221. The Chaplaincy is also supported by a Rabbi and a Muslim cleric who travel from Auckland to assist the Muslim and Jewish prisoners.



222. Prisoners are able to access religious material in other languages, including the Quran, Bibles for Pacific Islanders, Hindu scriptures, and booklets in Chinese.

### Findings

- Finding 15. Prisoners' health needs were not always well met. Some prisoners complained there could be long waiting times to see a medical officer or dentist. Many appointments needed to be rescheduled and there was a large number of outstanding recalls.
- Finding 16. Prisoners' mental health needs were generally well met. The prison was taking all reasonable steps to identify prisoners at risk of self-harm and respond appropriately. Prisoners in the At Risk Unit were kept safe.
- Finding 17. The needs of prisoners with disabilities were generally well met with some specific issues raised with staff.
- Finding 18. Prisoners' spiritual needs were generally well met.

## Reintegration

223. When prisoners are received into custody, case managers begin work on a release plan and, over time, continue to develop and confirm this plan. Proposed release plans for long-serving prisoners are outlined and confirmed in the Parole Assessment Reports provided to the New Zealand Parole Board (NZPB) before the prisoner's scheduled hearing. Planning is based on a prisoner's risk of re-offending and the support needed to manage those risks.
224. At the time of our inspection, the prison had 19 case managers, one guided release case manager and two principal case managers. Four of the case managers had reduced caseloads. Two staff were new and were allocated only four prisoners each. Another two staff were on sick/annual leave and were allocated 12 prisoners each. The remaining case managers were responsible for 31-32 prisoners.
225. Following our inspection, the National Commissioner advised that at the time of the inspection there was a shortage of case managers. This increased workloads for the existing staff. Recruitment had taken place to increase staffing to full strength. The four new recruits were six months away from being able to take on a full caseload. They were able to take on a partial case load four weeks after their start date.
226. The Prison's Principal Case Manager told us the prison had a dispensation which meant it did not have to assign case managers to remand prisoners. We requested a copy of the dispensation but the prison has not supplied it. The Corrections Act requires that all prisoners on remand for two months or more have offender plans, which are overseen by case managers.
227. Following our inspection, the National Commissioner advised that the Assistant Prison Director was aware there was pressure with remand prisoners due to the transient nature of the Remand Hub, with an average stay of one to two weeks. A decision was made at site level and supported by the regional team not to assign case managers at this time.
228. The Assistant Prison Director had developed a plan for case management regarding offender plans. This plan detailed six actions including the phasing of training and allocation for new case managers, completion of offender plans for 60 remand prisoners, ongoing practice development and using available reporting to track upcoming due dates for offender plan completion.
229. Case management had re-visited the remand process and confirmed that remand prisoners were reviewed and where required an assessment was carried out.

### *Temporary release*

230. The Department of Corrections has programmes aimed at helping eligible, suitable prisoners to reintegrate into the community through temporary release.<sup>12</sup> Programmes include Release to Work, where prisoners work in industries outside prison; guided release, where prisoners visit local communities and services such as accommodation providers and banks; and 'outside the wire' employment, where prisoners have work opportunities outside their unit or the prison.<sup>13</sup>
231. The Prison Director makes decisions about temporary release with assistance from an advisory panel made up of Corrections staff, Police and community representatives. At the time of the inspection, five prisoners were on Release to Work, including in construction, aluminium joinery

12 Temporary release purposes and criteria are set out in Corrections Act 2004, ss 62-64. Also see Corrections Regulations 2005, regulations 26-29; Department of Corrections Prison Operations Manual, M04.06.

13 Other temporary release opportunities include external Self Care in which prisoners live in accommodation outside the prison perimeter; and visits to children under child protection protocols.

and orchard work. All three employers had offered fulltime employment to prisoners on release. Several civil construction projects in Northland offer opportunities for future releases.

### *Prisoners' readiness for parole*

232. Case managers provide reports for the NZPB. Parole preparation starts four months before the parole hearing date. Parole reports include information on programmes completed, education and release planning. Staff told us programmes were few for many prisoners. The aim was to get prisoners parole ready, but short-serving prisoners or those who had already attended the NZPB had precedence. Six out of seven prisoners interviewed in Kākā and four out of eight in Kāhu and Weka said they were not parole ready due to offender plans not being completed.
233. 9(2)(a) [REDACTED]
234. Following our inspection, the National Commissioner advised that targeted programmes were available for remand prisoners. Following a review, additional programmes were added for remand prisoners including art, meditation and Intensive Numeracy and Literacy alongside the educational assessments already conducted.

### *Prisoners' readiness for release*

235. Several services are available for prisoners due for release, including PARS, the Manukau Urban Māori Authority and Out of Gate reintegration services for short-serving prisoners and remandees. Arrangements are in place for prisoners to see Work and Income, the Ministry of Social Development and put in place after-care alcohol and drug counselling. Prisoners also receive Steps to Freedom, a one-off financial grant supplied through Work and Income. Of the prisoners interviewed about this, five out of 13 said they were ready for release.

## **Finding**

Finding 19. Some services were available to support reintegration. The majority of prisoners interviewed did not think they were ready for release or their parole board hearing.

## Appendix – Images



Image 1. Cell in Kākā Unit North



Image 2. Internal Self Care Unit



Image 3. A kitchen in Internal Self Care Unit



Image 4. Toilet in At Risk Unit



Image 5. Long drop toilet outside wire



Image 6. A cell in Kea Unit





Image 7. Example of kit locker



Image 8. An example of a meal served to a prisoner



Image 9. The nursery



Image 10. The automotive workshop



Image 11. Carving workshop



Image 12. The gym