

Invercargill Prison

Unannounced Inspection

May-June 2021



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Office of Inspectorate *Te Tari Tirohia*

Our whakataukī

Mā te titiro me te whakarongo ka puta mai te māramatanga

By looking and listening, we will gain insight

Our vision

That prisoners and offenders are treated in a fair, safe, secure and humane way.

Our values

Respect – We are considerate of the dignity of others

Integrity – We are ethical and do the right thing

Professionalism – We are competent and focused

Objectivity – We are open-minded and do not take sides

Diversity – We are inclusive and value difference

We also acknowledge the Department of Corrections' values: rangatira (leadership), manaaki (respect), wairua (spirituality), kaitiaki (guardianship) and whānau (relationships).





Foreword

The Office of the Inspectorate *Te Tari Tirohia* is a critical part of the independent oversight of the Corrections system and operates under the Corrections Act 2004 and the Corrections Regulations 2005. The Inspectorate, while part of the Department of Corrections, is operationally independent, which is necessary to ensure objectivity and integrity.

This report is part of the programme of prison inspections carried out by the Office of the Inspectorate. The inspection process provides an ongoing invaluable insight into prisons and provides assurance that shortcomings are identified and addressed in a timely way, and examples of good practice are shared across the prison network.

Despite Invercargill Prison's age, it was pleasing to note that the South and Centre Units provided a clean and well-maintained environment. The conditions in the Remand Unit, however, were poor and the Department took immediate steps to respond to my concerns. The unit was closed and the men relocated soon after the inspection.

We found that prisoners generally felt safe, except for those in the Remand Unit, and most were not concerned about the influence of gangs in the prison.

Prisoners' health needs were generally being met. Waiting times to see a nurse or doctor were reasonable, but some men had to wait to receive dental treatment. Prisoners had access to a variety of mental health providers.

At times, more prisoners required placement in the Intervention and Support Unit, which houses at risk prisoners, than the unit could accommodate.

Our inspection found there were few opportunities for prisoners to practise Māori culture and customs.

Sentenced prisoners had access to a wide range of education programmes and work opportunities. However, they needed to transfer to other prisons to access offence-focused rehabilitation programmes. Remand prisoners had less access to education and could not take part in rehabilitation.

I acknowledge the cooperation of Invercargill Prison 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

Our findings

1. This report sets out observations from our unannounced inspection of Invercargill Prison conducted from 30 May to 2 June 2021. At the time of our inspection, the prison housed 121 male remand and sentenced prisoners. Sentenced prisoners were of minimum to low-medium security classifications.

Reception and induction

- Finding 1. Most prisoners reported no issues with their transfers or short escorts to or from the prison. A few men, who travelled longer distances, felt uncomfortable during the journey.
- Finding 2. Receiving Office staff treated prisoners with respect on arrival and their immediate needs were met.
- Finding 3. A locally agreed Receiving Office procedure for holding people in prison for four hours or less was not supported by Corrections' policy and legislation. We acknowledge the immediate response by the National Commissioner to end this practice.
- Finding 4. Unit inductions were not occurring consistently across all parts of the prison.
- Finding 5. Prisoners' immediate physical and mental health needs were generally well met. Health staff were professional and respectful in their interactions with the men.
- Finding 6. Custodial staff were not always present nearby to ensure the safety of health staff during their assessments in the Receiving Office.
- Finding 7. The interview room in the Receiving Office did not provide privacy for health assessments for newly arrived prisoners.
- Finding 8. Prisoners we spoke with in South and Centre Units had reasonable access to legal advisers. Some men who were working had limited time available to make legal calls in the unit.
- Finding 9. Some prisoners in the Remand Unit experienced delays when accessing legal advisers, as staff had to be available to facilitate their calls.
- Finding 10. The prison is making good use of the audio-visual link facilities. Movements to and from the AVL suite add extra responsibilities for staff in the Remand Unit.

Duty of care

- Finding 11. Prisoners generally felt safe, except for those we spoke with in the Remand Unit.
- Finding 12. Staff in the Remand Unit have taken steps to maintain separation between mainstream prisoners and those on voluntary segregation.
- Finding 13. Most prisoners were not concerned about the influence of gangs across the prison.

- Finding 14. Documentation stored in prisoner files was comprehensive and current.
- Finding 15. Most prisoner paper files were stored securely. However, in South Unit's staff base we observed prisoner files were stored in an unsecured cabinet.
- Finding 16. The few prisoners who were double bunked raised no concerns about sharing a cell.
- Finding 17. Staff assessed prisoners for their eligibility and suitability before being considered for sharing a cell.
- Finding 18. Prisoners generally understood the complaints process, but some said the process did not work well.
- Finding 19. Some prisoners could access limited opportunities to practise Māori culture and customs.
- Finding 20. The prison meets the needs of its foreign national prisoner.
- Finding 21. Prisoners had no concerns with how their personal property was managed by staff and there were few prisoner claims for lost property.
- Finding 22. The prison had robust processes in place for managing prisoners' funds.
- Finding 23. Necessary health services are available and prisoners' health needs are generally being met.
- Finding 24. The health team could benefit from a Clinical Team Leader position to assist the Health Centre Manager and support clinical practice on site.
- Finding 25. Waiting times to see a nurse or doctor were reasonable, however, some men had to wait to receive dental treatment.

Health

- Finding 26. Not all clinical information was documented in the patient management system by external providers.
- Finding 27. Health staff did not feel safe on some medication rounds if custodial staff were diverted away from their direct supervision role.
- Finding 28. The health team was not confident in its understanding of the Hōkai Rangi Strategy and how this contributed to working responsively with Māori.
- Finding 29. The site had made progress with improved custodial support for clinics in the health unit.
- Finding 30. Not all prisoners received an ASSIST assessment as part of their Initial Health Assessment.
- Finding 31. When prisoners with alcohol and drug withdrawal were identified, they were provided with appropriate interventions.
- Finding 32. Prisoners had access to a variety of mental health providers.
- Finding 33. At times, there were more prisoners requiring an ISU placement than the unit can currently accommodate.

- Finding 34. Accommodation for prisoners with disabilities has improved, although at the time of our inspection the prison could not tell us how many men had disabilities.
- Finding 35. South and Centre Units provided a clean and well-maintained environment. After our inspection, prisoners accommodated in the Remand Unit were relocated to improve their cell conditions.
- Finding 36. Generally, bedding for prisoners was of good quality and condition. However, some mattresses were damp from condensation and others in the ISU needed replacing.
- Finding 37. Prison design constraints meant the men could not eat together during mealtimes and smaller cells meant large bunk beds were placed close to toilets.

Environment

- Finding 38. Cells lacked privacy screens for toilets.
- Finding 39. The ISU generally provided a clean, safe environment. Prisoners could only access television in the day room.
- Finding 40. Prisoners were provided with necessary toiletries and cleaning products.
- Finding 41. Rules about which cleaning products men could retain in their cells varied among staff (in Centre Unit).
- Finding 42. Prisoners generally found clothing suitable for indoor use and the prison was making larger clothing for some men so it fitted properly.
- Finding 43. Prisoners could not access appropriate clothing for wearing outside.
- Finding 44. The supply of basic prisoner clothing was limited in the Remand Unit.
- Finding 45. Prisoners' meals were adequate and served at appropriate mealtimes.
- Finding 46. Prisoners in the ISU had to request access to drinking water.
- Finding 47. The prison has enhanced how physical site security is managed since our last inspection. However, there is no intelligence analyst or Site Emergency Response Team dedicated to the site, which could present challenges when a timely response is needed.
- Finding 48. The prison's facilities, which accommodate lower security prisoners, are more restrictive than is proportionate to the risk posed by these men.
- Finding 49. Staff generally maintained the separation of different categories of prisoners.

Good order

- Finding 50. Staff in the Remand Unit were managing up to six different unlock regimes to keep different categories of prisoners separated. They were also responsible for managing prisoners in the Separates cells adjoining the Remand Unit. This limited the amount of time men in the Remand Unit could have out of their cells.

- Finding 51. The prison offers few incentives to encourage pro-social behaviour among the men, other than some informal activities coordinated by staff in Centre Unit.
- Finding 52. Prisoners generally had no issues with the misconduct process.
- Finding 53. The prison has more staff trained to support the misconduct process. Misconduct hearings have become difficult to schedule due to the availability of staff.
- Finding 54. Prisoners on directed segregation were held under the appropriate authority.
- Finding 55. Use of force was used appropriately and staff produced quality documentation of incidents.
- Finding 56. Prisoners we spoke with raised no concerns about being subject to cell or personal searches.
- Finding 57. Strip searches were completed when necessary and rub down searches continue to be of varying quality.
- Finding 58. Prisoners could exercise in outdoor yards adjoining their units for a least an hour a day. Men in South and Centre Units received many hours in the yards each day.
- Finding 59. Prisoners in South and Centre Units had access to a good range of exercise equipment while those in the Remand Unit and Separates cells had little access.
- Finding 60. Prisoners in the Separates cells relied on staff to open the adjoining door to their cells to access their individual exercise yards. If staff were busy in the Remand Unit, men could be locked outside for extended periods of time without any access to a toilet, water or shelter.
- Finding 61. The prison does not have an Activities Officer or a gym the men could use.

Purposeful activity

- Finding 62. Prisoners could send and receive mail and access telephones to contact their family and whānau.
- Finding 63. The AVL facilities are not available to the prisoners to contact family and whānau. Some men are able to access secure video calls. Men who arrived in prison recently did not know that video calls are possible.
- Finding 64. Prisoners can receive visits with their families and whānau in a welcoming environment.
- Finding 65. The prison offers a good range of visiting hours, including times suitable for school-aged children to visit.
- Finding 66. Prisoners have good access to library services and reading material.
- Finding 67. The prison does not employ a librarian and relies on the Regional Volunteer Coordinator and two prisoners to provide library services.
- Finding 68. Prisoners have good access to chaplains and other appropriate faith-based support.

- Finding 69. The prison is well supported by a volunteer coordinator and a team of volunteers who support many men to access constructive activities and life skills courses. Remand prisoners receive less access to these activities.
- Finding 70. Most prisoners had offender plans and were satisfied with the support received from their case manager.
- Finding 71. Some prisoners did not have access to a case officer in their unit, however improvements in this area are underway.
- Finding 72. Sentenced prisoners had access to a wide range of education focused programmes throughout the year.
- Finding 73. Remand prisoners received less access to education programmes.
- Finding 74. Most sentenced prisoners must be prepared to transfer to other prisons to access offence-focused rehabilitation programmes.
- Finding 75. Remand-convicted prisoners were not permitted to participate in rehabilitation programmes.
- Finding 76. Sentenced prisoners had access to a good range of meaningful work opportunities both inside and outside of their units. The men enjoyed the contributions they made to the prison and the wider community.
- Finding 77. It is positive to note that voluntary segregated prisoners work cleaning outside the residential units, but disappointing that this is known as the 'internal gang'.
- Finding 78. Some prisoners had limited opportunities to keep up with news and the outside world.
- Finding 79. Prisoners had release plans and access to most reintegration activities.
- Finding 80. The developing Ready for Release Programme is a promising education initiative.

Reintegration

- Finding 81. Prisoners could not access Release to Work despite being eligible.
- Finding 82. Some staff had concerns about the impacts of the recently-introduced staff rostering system Making Shifts Work.
- Finding 83. We observed pockets of pro-social and supportive relationships between staff and prisoners that aligned with Hōkai Rangī.
- Finding 84. Some staff and prisoners said that inconsistent applications of unit rules led to unnecessary tension.

Prison staff

- Finding 85. Staff morale was low across the prison, with some staff reporting they felt unsupported by the management team.

Finding 86. Staff in the ISU wanted specialist training to help them care for prisoners with poor mental health.

Introduction

2. The Office of the Inspectorate *Te Tari Tirohia* is authorised under section 29(1)(b) of the Corrections Act 2004 to undertake inspections and visits to prisons. Section 157 of the Act provides that when undertaking an inspection, inspectors have the power to access any prisoners, personnel, records, information, Corrections' vehicles or property.
3. The purpose of a prison inspection is to assess whether a prison provides a safe, secure and humane environment by gaining insight into all relevant parts of prison life, including any emerging risks, issues or problems. Inspectors assess prison conditions, management procedures and operational practices against relevant legislation and our *Inspection Standards*.
4. The *Inspection Standards* were developed by the Inspectorate and reflect the prison environment and procedures applicable in New Zealand prisons. The *Inspection Standards* are informed by:
 - » the United Nations Standard Minimum Rules for the Treatment of Prisoners ('the Nelson Mandela Rules')
 - » HM Inspectorate of Prisons *Expectations* (England's equivalent criteria for assessing the treatment and conditions of prisoners)
 - » the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders ('the Bangkok Rules')
 - » the Yogyakarta Principles, which guide the application of human rights law in relation to sexual orientation and gender identity.
5. The Inspectorate visited Invercargill Prison between 30 May and 2 June 2021 to carry out this inspection.
6. The fieldwork for the inspection was completed by six Inspectors, including two Clinical Inspectors for health-related matters.
7. Inspectors assessed the treatment of and conditions for prisoners at Invercargill Prison against the *Inspection Standards* which consider 10 areas of prison life: reception, induction and escorts, duty of care, health, environment, good order, purposeful activity, reintegration and prison staff. Inspectors accessed all parts of the prison to complete their assessment.
8. Inspectors may also evaluate how the site is applying the Corrections Act 2004 and the Corrections Regulations 2005, together with relevant Corrections' policies and procedures.
9. Inspectors make their assessments with four key principles in mind, to ensure that prisoners are treated in a fair, safe, secure and humane way. The principles are:
 - » **Safety:** Prisoners are held safely.
 - » **Respect:** Prisoners are treated with respect for human dignity.
 - » **Purposeful activity:** 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 reoffending.
10. Inspectors carried out:



- » formal and informal interviews with prisoners and staff¹
 - » direct observation of unit procedures, staff duties and relevant staff meetings throughout the inspection
 - » a physical inspection of the prison environment, including the Health Centre
 - » a review and analysis of relevant information and data from the prison, Corrections databases and performance reports.
11. We were informed by Correction's Hōkai Rangi Strategy 2019-2024 which sets out a strategic direction, aimed at achieving transformative and intergenerational change for prisoners and their whānau.
12. On 9 December 2021, we provided the National Commissioner and Deputy Chief Executive Health with a draft of this report. They responded to the draft on 17 February 2022 and the response is attached as Appendix B.

¹ Including contracted service providers and volunteers where appropriate.

Invercargill Prison

13. Invercargill Prison is one of 15 prisons for men in New Zealand and is Corrections' southern-most prison. The prison is located in Invercargill, two blocks from the town centre. Opened in 1910, the site operated as a borstal for youth until 1981. The nearest prison which provides support to Invercargill Prison is Otago Corrections Facility, more than two and a half hours away by road.²
14. Since our last inspection in 2017, several building projects have been completed at Invercargill Prison. The prison has a new Health Centre and Intervention and Support Unit, and North Unit has new yards and a programme room. New Separates cells have been added to the Remand Block. Staff have a new amenities building, which included upgrades to the Industries area. The prison kitchen has also been upgraded.

Prisoners

15. Invercargill Prison can accommodate up to 135 remand and sentenced prisoners. Sentenced prisoners are minimum to low-medium security classifications. The prison had reduced capacity at the time of our inspection as North Unit was not in use.³

Unit name	Category of prisoner	Available beds (Operational capacity)	Number of prisoners (on day one of our inspection)
Centre	Mainstream prisoners	45	42
North	Not in use	0	0
South	Voluntary segregation	60	49
Remand	Prisoners on remand plus small numbers of newly sentenced prisoners.	30	24
Intervention and Support Unit (ISU)*	Prisoners at risk of self-harm	6	3
Separates* (attached to the Remand Unit)	Prisoners serving sentence of cell confinement or on directed segregation	4	3 ⁴
Total		135	121

* Beds in these units are used on a temporary basis and therefore not counted in the number of beds generally available for prisoners.

16. On the first day of our inspection, there were 121 prisoners at Invercargill Prison; 76 were sentenced, 28 were remand accused and 17 were remand convicted.

² Otago Corrections Facility (OCF) supports Invercargill with an intelligence analyst and a Site Emergency Response Team (SERT).

³ At the end of February 2021, prisoners in North Unit were dispersed to other areas of the prison to optimise staffing with the lower prisoner population. The prison was using the opportunity to carry out maintenance on the unit. At the time of the Inspectorate's last visit in 2017, the site could hold up to 172 prisoners.

⁴ Two prisoners on directed segregation for poor behaviour and one on directed protective custody.

17. The largest ethnic group was New Zealand European/Pākehā (57%), followed by Māori (35%), and Pacific Peoples (5%).
18. At the time of the inspection, no prisoners were aged 19 years and under. There were seven prisoners aged 60 years and over.
19. No prisoners identified as transgender at the time of our inspection.
20. On day one of our inspection, 40% of prisoners were on voluntary segregation.⁵ At 30 April 2021, 39 (32%) prisoners had gang connections.

Staff

21. At the time of our inspection, Invercargill Prison was managing a reducing prison population. The prison was allocated 106.8 Fulltime Equivalent (FTE) staff comprised of:
 - » 89 FTE in management, administration, and custodial roles (84 custodial)
 - » 10.8 FTE in case management, education and reintegration roles
 - » 7 FTE in offender employment.
22. Because of its size, Invercargill Prison does not employ an Assistant Prison Director like larger prisons. The Prison Director is supported by a management team of senior staff. The site was six FTE custodial staff below its full establishment staffing level and had some vacancies among case management, education and reintegration staff.
23. The health team was led by an acting Health Centre Manager while the site recruited a permanent replacement. The team included 5.3 FTE registered nurses and an administrator.

Complaints received and deaths in custody investigated by the Inspectorate

24. For the six-month period ending 30 April 2021, the Inspectorate received 18 complaints from prisoners at Invercargill Prison. The most common complaints were about prisoner welfare (3), staff conduct and attitude (3) and health services (2).
25. In the same period there was one death in custody.⁶
26. The Inspectorate also received one information request and was involved in one statutory review of the misconduct process.⁷

Previous Inspection Reports

27. The Inspectorate conducted its first inspection of Invercargill Prison in 2017. The Office of the Ombudsman has published two reports on Invercargill Prison, one in 2016 with a follow up report in 2019.⁸ We reflect on the findings and recommendations of these reports in the current inspection report where relevant.

⁵ Corrections Act, 2004, Section 59, Segregation for the purpose of protective custody allows prisoners to ask for restricted association, or the Prison Director to separate a prisoner because of concern for the safety of the prisoner. 'Mainstream' prisoners refers to those who have elected to remain among the general prison population.

⁶ There is no further comment about the death in this report. The Inspectorate has investigated this separately.

⁷ The misconduct process deals with allegations of poor prisoner behaviour. The Inspectorate can only review the timeliness of the misconduct process. If a prisoner is not satisfied with the outcome of a misconduct process in the prison it is referred to a Visiting Justice (external judge).

⁸ Boshier, P. (July 2019). OPCAT Report: Report on an Unannounced Follow-up Inspection of Invercargill Prison Under the Crimes of Torture Act, 1989. Wellington: Office of the Ombudsman.

Inspection

Reception, induction and escorts

Escorts and transfers

Inspection Standards

- Prisoners travel in safe, decent conditions and are treated with respect, and attention is paid to their individual needs.
- Prisoners understand why and where they are being transferred to.

28. Prisoners are transported to and from Invercargill Prison for a range of reasons, including inter-prison transfers, attending court, or for health or reintegration appointments.
29. Shorter journeys, for example to local medical appointments, are called escorts. Between 1 November 2020 and 30 April 2021, Invercargill Prison staff undertook 196 prisoner escorts, almost all for medical reasons. Prisoners we spoke with did not raise any issues about their experience with escorts.
30. Between 1 November 2020 and 30 April 2021, staff managed 74 inter-prison transfers.
31. For longer journeys, prisoners are typically transported in eight seat Prisoner Escort Vehicles (PEV). They may also arrive at the prison by police vehicle. When transferring from a South Island prison to a North Island prison (or vice versa), prisoners travel by a chartered or commercial flight.
32. Two prisoners we spoke with flew on a charter flight from North Island prisons to the South Island and they said they were satisfied with their experience.
33. A few prisoners who transferred via PEV from South Island prisons or courts reported feeling uncomfortable on their journeys due to the requirement to wear handcuffs and sit facing backwards while travelling and, in one case, because the prisoner had a back condition that made sitting for long periods painful.
34. Our observation of a selection of journey plans showed them to be thorough and complete.
35. Corrections is engaged in a significant programme of work to improve the conditions for prisoners during inter-prison transfers.⁹

Finding

Finding 1. Most prisoners reported no issues with their transfers or short escorts to or from the prison. A few men, who travelled longer distances, felt uncomfortable during the journey.

⁹ The Inspectorate released a thematic report on the lived prisoner experiences of inter-prison transfers on 12 October 2021 and made 10 recommendations to the Corrections' National Commissioner.

https://inspectorate.corrections.govt.nz/reports/thematic_reports/thematic_report_inter-prison_transfers

Reception and induction

Inspection Standards

- Prisoners are safe and treated with respect on their reception and during their first days in prison. Prisoners' immediate needs are identified on arrival and staff ensure that individuals' immediate anxieties are addressed before the end of the first day.
- Prisoners are promptly inducted and supported to understand life in prison and know what will happen to them next.
- Prisoners can access legal advice and, where applicable, a consular representative.
- Information relating to prison life is accessible for all prisoners.

36. When prisoners arrive at or leave the prison they are processed through the prison's Receiving Office.
37. In the six months to 30 April 2021, the prison managed 138 prisoner receptions and 158 exits. On arrival, staff check each individual's identity, then conduct strip searches and issue each person with prison clothing. Custodial staff conduct an at risk assessment and an immediate needs assessment¹⁰ and the prisoner's personal property is checked and registered. All newly arriving prisoners are entitled to one free telephone call. Health staff conduct a Reception Health Assessment with each new arrival. When reception processes are complete, custodial staff escort prisoners to their units.
38. Prisoners we spoke with confirmed that they were treated well in the Receiving Office and most received their opportunity to make an initial telephone call. Our review of a selection of records shows prisoners received an immediate needs assessment and an at risk assessment. This is an improvement on our 2017 Inspection which found some prisoners did not receive an immediate needs assessment.
39. At the time of our inspection, two custodial staff were working in the Receiving Office. During the week, their shifts started at different times (one earlier, one later), overlapping in the middle of the day. We were advised that it was difficult for staff to manage all Receiving Office processes when only one staff member was present.
40. Receiving Office staff are not rostered on the weekends,¹¹ at which time the Receiving Office is covered by staff called in from other units. This meant some Receiving Office tasks, such as registering prisoners' fingerprints so they can use the prison kiosks¹² were left until the earliest available weekday. We spoke with four prisoners who were received during the weekend who were required to wait for their fingerprints at the time of our inspection.
41. The Receiving Office was clean, tidy and well organised although, as we noted in our 2017 inspection, it is a small space. Located in the Remand Block, the Receiving Office comprises

¹⁰ The New Arrival Risk Assessment (NARA) identifies risk of self harm and the immediate needs assessment covers health issues, contact information and family arrangements.

¹¹ Three other custodial staff members were trained in the Receiving Office processes but they were rostered to other units at the time of our inspection.

¹² Prison kiosks are interactive digital terminals that provide access to prison services such as requests to see a Principal Corrections Officer or a case manager, to view a prisoner's trust account balance and make canteen orders. Kiosks also provide information about the prison.

an office for file storage, a laundry, a property storage area, an interview room used by health staff and two holding cells. Staff also use two interview rooms across the hallway in the Remand office to conduct prisoner interviews. Custodial staff are required to supervise prisoners in the interview rooms at all times. Staff from the adjoining Remand Unit often provided support to the Receiving Office staff when required.

42. We observed the Receiving Office process for three prisoners who arrived into the prison. As policy requires, all three prisoners were strip searched. However, only two of the three prisoners were interviewed by a custodial staff member and assessed by health staff.
43. Staff told us that the third prisoner was on a 'paper muster' from the courts. This prisoner had a warrant of commitment to the prison and was to be returned to court later that day (which subsequently occurred).¹³ We later learned that the arrangement to temporarily hold a person at the prison was based on a local agreement between police and the prison. Staff told us an at risk and immediate needs assessment were not required for prisoners on the 'paper muster' because they were held in prison for less than four hours. Prisoners on a 'paper muster' were not entered into IOMS, Corrections' Offender Management System. This practice is a breach of Corrections' policy and legislation. We escalated our observations to the National Commissioner immediately after our inspection, who has since confirmed that appropriate action by the prison had been taken to end this practice.
44. Unit staff are required to complete an induction with every newly arrived prisoner into the unit. Prisoners we spoke with provided mixed accounts of their induction experience. Prisoners in Centre Unit received an induction, and those taken to the Intervention and Support Unit and Separates cells spoke of being treated with respect by staff. However, a few prisoners in South Unit and none of the prisoners in the Remand Unit said they received an induction into their unit. Staff we spoke with in the Remand Unit provided conflicting accounts of the induction process. Some believed this happened at the Receiving Office, while others said a booklet was being developed for the Remand Unit. The Acting Residential Manager provided us with an induction booklet that he said had been introduced in June 2020.

Findings

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| Finding 2. | Receiving Office staff treated prisoners with respect on arrival and their immediate needs were met. |
| Finding 3. | A locally agreed Receiving Office procedure for holding people in prison for four hours or less was not supported by Corrections' policy and legislation. We acknowledge the immediate response by the National Commissioner to end this practice. |
| Finding 4. | Unit inductions were not occurring consistently across all parts of the prison. |

¹³ A warrant of commitment is an instruction from a judge to hold a prisoner in custody.

Health screening on entry

Inspection Standards

- Prisoners' immediate physical and mental health needs, including substance use and prescription medication needs are assessed on reception and responded to promptly and effectively.

45. During the reception process, nurses screen all new arrivals and people returning to the prison for their physical and mental health needs. New arrivals are prioritised for follow-up care based on their immediate health care needs.
46. During our inspection we reviewed the reception health assessments of several prisoners. Health staff obtained a good level of information from prisoners about their physical and mental health needs, asking appropriate follow-up questions. While appropriate plans of care were made for prisoners based on this information, not all planned interventions were followed through.
47. We observed one prisoner being assessed for their health needs in the Receiving Office. The nurse was professional and respectful in her communication with the prisoner. She asked about his health conditions and current medication and confirmed how his medication would be managed. After undertaking an assessment of his mental health, the nurse discussed a recommended placement in the prison's Intervention and Support Unit (ISU) with the prisoner. We observed that custodial staff had been informed that the prisoner was very distressed while in police custody. However, this information was not shared with the nurse before he received his health assessment.
48. The health interview room in the Receiving Office was visible to prisoners in the holding cell opposite. At the time of our inspection, the nurse was left with the prisoner in the health interview room with minimal supervision from custodial staff.
49. Prisoners receive a further Initial Health Assessment with health staff after they are received into the prison.¹⁴ These assessments take place in the prison's Health Centre. Our review of health files found that Initial Health Assessments were mostly conducted within the required timeframes, were comprehensive, and resulted in appropriate follow-up interventions (such as referral to the Medical Officer) where required.

Findings

- Finding 5. Prisoners' immediate physical and mental health needs were generally well met. Health staff were professional and respectful in their interactions with the men.
- Finding 6. Custodial staff were not always present nearby to ensure the safety of health staff during their assessments in the Receiving Office.
- Finding 7. The interview room in the Receiving Office did not provide privacy for health assessments for newly arrived prisoners.

¹⁴ The Initial Health Assessment is a comprehensive health assessment designed to explore the patient's health history, presenting conditions, ongoing health needs and establish the need for an assessment or referral to another provider, such as a doctor.

Duty of care

Access to legal advisers and attendance at court hearings

Inspection Standards

- Prisoners have reasonable access to consult with a legal advisor.
- An audio-visual link can be used for eligible court cases and for other legal consultations.¹⁵

50. Most prisoners we spoke with in each unit, except the Remand Unit, reported having good access to confidential telephone calls to lawyers. Some prisoners from Centre Unit said it could be difficult to find the time to call their lawyer after returning from work, showering and then being locked up for the evening.
51. Prisoners we spoke with in the Remand Unit said it could be two to three days after they requested a call to their lawyer before unit staff facilitated a call. Staff informed us that it could be difficult to co-ordinate a call for prisoners because of the nature of their duties and the layout of the unit. The telephone for making calls to lawyers is located in the staff base which is upstairs above the Remand Unit cells. Staff in the Remand Unit also support the Receiving Office and manage the Separates Unit as well as prisoners on remand.
52. The prison has four audio-visual link (AVL) suites: one in the Emergency Operations Centre (EOC), one for the Parole Board which is located at the Visits Centre, and two dedicated to court matters.
53. Between 1 November 2020 and 30 April 2021, the site conducted 482 movements for AVL calls.
54. AVL facilities for court matters are located in the AVL Base next to the Remand Unit. This has two AVL booths, two holding cells and a staff base. At the time of our visit, the AVL Base was clean and tidy and staff could maintain good visibility of the AVL booths. The AVL base does not have a water source or toilets which is an inconvenience to staff and prisoners.¹⁶
55. Two staff members are rostered to support the AVL Base each day. As duties permit, another staff member who is dedicated to supporting prisoner movements on site will help move prisoners to the AVL Base.
56. Staff explained that they needed to plan movements to and from the AVL base carefully. Staff were challenged by time constraints and managing movements with different prisoner categories¹⁷ with only two holding cells to facilitate the process. The Principal Corrections Officer in charge of the AVL Base is also responsible for the Remand Unit, the Separates Unit, and the Receiving Office, so had little time available to oversee the AVL Base activities.

¹⁵ Note this is an indicator – not a standard.

¹⁶ Staff rostered on to the AVL Base would have to leave the base or arrange coverage to access water and toilets, and prisoners would have to be escorted back to the nearest available toilet.

¹⁷ Staff are required to separate some prisoners from others, such as voluntary segregation and remand-accused prisoners.

Findings

- Finding 8. Prisoners we spoke with in South and Centre Units had reasonable access to legal advisers. Some men who were working had limited time available to make legal calls in the unit.
- Finding 9. Some prisoners in the Remand Unit experienced delays when accessing legal advisers, as staff had to be available to facilitate their calls.
- Finding 10. The prison is making good use of the audio-visual link facilities. Movements to and from the AVL suite add extra responsibilities for staff in the Remand Unit.

Bullying and violence reduction**Inspection Standards**

- Prisoners feel safe from bullying, abuse and violence.

Feelings of Safety

57. On day one of our inspection, 40% of prisoners were on voluntary segregation. This is a slight increase from 37% at the time of our 2017 Inspection.
58. Prisoners we spoke with shared mixed accounts of their personal feelings of safety. Men in South, Centre, the ISU and Separates cells reported feeling safe in the prison. However, all four of the men we spoke with in the Remand Unit said that either they had been subject to bullying, violence or stand-overs, or they had witnessed this behaviour.
59. Some prisoners on voluntary segregation in the Remand Unit told us they had been assaulted or intimidated when working elsewhere in the prison.¹⁸ For example, early in 2021, one man was assaulted by a mainstream prisoner while working near the kitchen. He chose not to tell unit staff about the assault because he did not want to be labelled by other prisoners as a "snitch". Instead he withdrew from work. The incident was later discovered by staff reviewing CCTV camera footage.
60. A manager we spoke with was aware there were past concerns that prisoners on voluntary segregation could be mixed with mainstream prisoners. He told us he had impressed on staff the importance of separating prisoners on voluntary segregation from mainstream prisoners.

Incidents and gangs

61. In the six months to 30 April 2021, 360 incidents were recorded at Invercargill Prison.
62. Our analysis of the incident data shows that around two-thirds of incidents related to prisoner behaviour (231 or 64%).¹⁹ Of these incidents, one third involved prisoners being

¹⁸ Prisoner Employment Support (PES) are custodial staff supporting voluntary segregated prisoners working around the prison as cleaners or managing the prison's waste and recycling clean. Written guidance for staff working in PES states that due to the design of the work areas, there is a risk that mixing could occur and staff must manage this risk closely.

¹⁹ All incidents in prisons are recorded. Incidents may be assigned one or more categories (or labels) depending on the nature of the incident. For example, if a prisoner attempts to escape and hurts a staff member in the process, this is one incident but two categories – prison security and prisoner behaviour.

threatening or violent toward another prisoner, a staff member or another person (78 or 33%).²⁰ However, none of these incidents were recorded as resulting in serious injury. There was one non-serious assault on a staff member and 12 non-serious assaults between prisoners.²¹

63. The highest number of incidents were in the Remand Unit, followed by Centre Unit and then South Unit.
64. At the end of April 2021, around one third of prisoners identified as gang members (39 prisoners). Gang affiliations were mixed with membership ranging from Mongrel Mob (22), Killer Beez (8), Head Hunters MC (4), Crips (3) and Black Power (2). The prison is managing a larger proportion of gang members compared with the number noted in our 2017 inspection, when fewer than one quarter of prisoners were gang members.
65. We heard varying accounts of gang influence in the prison. As noted above, prisoners we spoke with in the Remand Unit reported feeling unsafe and some incidents were related to gang intimidation. Prisoners in South Unit, the ISU and Separates cells said there was no gang influence in their areas. Prisoners in Centre Unit told us that leaders of rival gangs maintained civil relationships and would intervene if younger gang members behaved badly. When issues could not be settled among prisoners, they were managed by the Principal Corrections Officer.
66. Invercargill Prison holds monthly Safer Custody Meetings where managers discuss prison safety matters. These matters include any prisoners of concern, monitoring of violent incidents, misconducts, use of force, and any other incidents of concern. While gangs are not a specific focus in these meetings, prisoners of interest (who may be gang members) were discussed.

Findings

- Finding 11. Prisoners generally felt safe, except for those we spoke with in the Remand Unit.
- Finding 12. Staff in the Remand Unit have taken steps to maintain separation between mainstream prisoners and those on voluntary segregation.
- Finding 13. Most prisoners were not concerned about the influence of gangs across the prison.

²⁰ Other incidents in the prisoner behaviour category include among other things, wilful damage, refusing to obey an order or breaking prison rules.

²¹ Corrections categorises incidents involving violence in prisons into three categories: serious, non-serious and assault no injury. Serious assaults include any assault of a sexual nature, or an injury requiring overnight hospitalisation (beyond initial assessment or observation), and/or ongoing medical intervention. Non-serious assaults include physical violence resulting in injuries which do not require ongoing medical treatment beyond the initial assessment and treatment. Assault no injury includes physical violence that did not result in a physical injury.

Prisoner files

Inspection Standards

- A prisoner file management system is in place and used to record all information about that prisoner and confidentiality is maintained.

67. Prisoners' files contain personal information about individual prisoners throughout their time in prison. In Invercargill Prison, paper files for remand prisoners are kept secure in the staff only area of the Receiving Office. Paper files for sentenced prisoners are securely stored in staff hubs in each of the units. However, in South Unit we observed prisoner files were stored in an unsecured cabinet.
68. During our inspection, we reviewed a sample of paper and electronic files for prisoners. We found files were comprehensive and up to date with input from all staff working with prisoners (including custodial, education and case management staff).

Findings

Finding 14. Documentation stored in prisoner files was comprehensive and current.

Finding 15. Most prisoner paper files were stored securely. However, in South Unit's staff base we observed prisoner files were stored in an unsecured cabinet.

Accommodation

Inspection Standards

- The placement of prisoners in shared cells is done after careful consideration of their suitability for associating with one another.

69. Corrections staff use the Shared Accommodation Cell Risk Assessment () to review any safety risks and the compatibility of prisoners before they are placed in a shared cell.²² Staff review the results of the SACRA for both prisoners before making a final decision on cell sharing.
70. At the time of our inspection, four prisoners were double-bunked. Prisoners' files showed SACRAs had been completed. Prisoners did not raise any concerns about sharing their cells.
71. Our 2017 inspection found some prisoners were being temporarily placed in shared cells without any risk assessments being completed. This situation appears to have improved.

²² SACRA considers a prisoner's age, security classification, offending history, history of imprisonment, any gang affiliation, notable physical characteristics, mental health concerns and any other factors relevant to safety and good order.

Findings

Finding 16. The few prisoners who were double bunked raised no concerns about sharing a cell.

Finding 17. Staff assessed prisoners for their eligibility and suitability before being considered for sharing a cell.

Complaints**Inspection Standards**

- Complaints procedures are effective, timely and well understood.
- Staff and prisoners are encouraged to resolve complaints at the lowest level in the first instance; when this is not possible prisoners understand how to make a complaint, and are able to do so easily.
- Prisoners feel safe from repercussions when using complaints procedures and can appeal decisions easily.
- Where a prisoner raises a concern about their safety, these matters are prioritised.

72. In the prison network, prisoners' complaints should be resolved at the lowest level possible. Prisoners can fill in a prisoner complaint form (PC.01) to make a complaint.
73. In the six months to 30 April 2021, 58 PC.01 complaints were recorded for Invercargill Prison. The most common complaints were about health services (26%) followed by staff conduct and attitude (20%), with small numbers of complaints across the remaining 14 categories. Prisoners in the Remand Unit (19) and Centre Unit (15) generated the most complaints.
74. If prisoners are not satisfied with the outcome of the prison complaints process they can make a complaint to the Office of the Inspectorate or the Office of the Ombudsman.
75. In the six months to 30 April 2021, the Inspectorate received 18 complaints from prisoners at Invercargill Prison. The two most common complaints were about prisoner welfare (3) and staff conduct and attitude (3), with two complaints about the health services.
76. All the prisoners we spoke with were aware of the complaints process but gave varied accounts of how well it worked. Prisoners in Centre Unit were satisfied with the complaints process and said staff were good at resolving issues before they needed to be escalated to a complaint. A few prisoners in the South and Remand Units shared concerns about the process. Prisoners in the Remand Unit said their complaints were not being responded to until they lodged more than one complaint. Prisoners in South Unit said some staff discouraged them from making complaints.

Finding

Finding 18. Prisoners generally understood the complaints process, but some said the process did not work well.

Māori prisoners

Inspection Standards

- Māori prisoners can access and practise their Māori culture and customs.
- Māori prisoners have access to kaupapa Māori informed and tikanga-based rehabilitation and reintegration programmes that are specifically designed to meet their needs.
- Māori prisoners receive practical help to access stable whānau support.

77. At the time of our inspection, 35% of prisoners on site identified as Māori.
78. Opportunities for prisoners to practice Māori culture were inconsistent across the prison. Prisons in the Separates cells, the ISU and Remand Unit told us they did not have access to cultural activities in their units. None of the men we spoke with in South Unit were Māori or reported participating in cultural activities. One prisoner had read Corrections' Hōkai Rangī strategy but said he saw little evidence of it being practised in his unit.²³
79. Prisoners in Centre Unit reported taking part in a Kapa Haka group and accessing the Tikanga Māori Motivational Programme as well as having occasional 'boil ups'. Such activities are consistent with Corrections' Hōkai Rangī Strategy.
80. In the six months to the end of April 2021, 18 prisoners completed the Tikanga Māori Motivational Programme. Completion numbers for the Tikanga programme are among the highest for all interventions offered at the prison (including across rehabilitation, educational and integrative activities).²⁴
81. Invercargill Prison also offers the Short Rehabilitation Programme (SRP-M) which assists prisoners to alter the thoughts, attitudes and behaviours linked to offending. While not originally derived from Te Ao Māori, the programme includes Te Whare Tapa Wha model of balance and wellbeing. Four prisoners completed this programme in the six months ending 30 April 2021. One of the prisoners we spoke with said he had learned about Te Whare Tapa Wha at another prison and found it helpful. He aspired to eventually transfer to another prison where he could access a Māori focused unit (Te Tirohanga).
82. A volunteer at the prison provides Toi Māori, a programme which teaches culture and whakapapa through the medium of art. At the time we visited, seven prisoners were participating in this activity.
83. The site does not have a staff member dedicated to providing cultural support.

²³ Hōkai Rangī (2019-2024) aims to help eliminate the overrepresentation of Māori in the criminal justice system, building on six principles: partnership and leadership, humanising and healing, whānau, incorporating a Te Ao Māori worldview, whakapapa and foundations for participation.

²⁴ Tikanga Māori Motivational Programmes aims to encourage prisoners to address their offending. Programmes are held over four to five days, at a marae if possible. If not, the programme is delivered within the prison in a suitable area.

Finding

Finding 19. Some prisoners could access limited opportunities to practise Māori culture and customs.

Foreign national prisoners**Inspection Standards**

- The specific needs of foreign national prisoners are met, including practical help so they can keep in touch with their families overseas.
- There are prison staff with the skills to communicate with all prisoners on site. Where required, interpreters are provided.

84. Foreign national (non-New Zealand citizen) prisoners can expect to be supported in prison to access their consular representative,²⁵ if required, and to use a translation service to understand prison information such as during inductions. Foreign national prisoners should also have their health, culture, religion, and dietary requirements met.
85. At the time of our inspections, the prison held one foreign national prisoner. He told us he was satisfied with the support he received from the prison. This prisoner said there was a Corrections Officer who spoke his native language who helped with interpretation when needed. The prison facilitated a 30 minute video call with his wife overseas once a month.

Finding

Finding 20. The prison meets the needs of its foreign national prisoner.

Property**Inspection Standards**

- Prisoner's property held in storage is secure, and prisoners can access it on reasonable request.
- Prisoner funds are managed securely and are accounted for.

86. When people enter prison, their personal clothing and other property is checked, recorded and either given back to the them, stored or disposed of.²⁶ If a prisoner has cash it will be deposited into their prison trust account. Prisoners may ask family or whānau to send them authorised personal items (such as exercise clothing and telephone cards) which are also

²⁵ Section 87 of the Corrections Regulations 2005 states a prisoner detained in a prison who is not a New Zealand citizen must be given reasonable access to a telephone, free of charge, for the purpose of communicating with a consular representative of the country of which that prisoner is a citizen.

²⁶ Department of Corrections Authorised Property Rules (2020) guide what prisoners may keep on arrival, in storage, or what needs to be disposed of. Property rules are authorised by the Corrections Act, 2004, section 45A.

- checked and registered on individual prisoner property lists by Property Office staff. Prisoners can request a limited number of personal items at a time.
87. At the time of our inspection, 4,391 items of property were registered to prisoners at Invercargill Prison, with around three-quarters of these items issued to prisoners.
 88. Two Receiving Office staff process and manage prisoners' property, in addition to their other duties. These staff identify, record, wash (if required) and store property in storage containers for each prisoner. Property containers are stored in a staff-only room behind the Receiving Office.
 89. Prisoners we spoke with had no issues with accessing their personal property. Some prisoners said they were pleased the clothing they were wearing when they arrived in prison was washed and safely stored for them.
 90. We observed the prison has an excellent property tracking system for prisoners' personal property. The prison received very few claims from prisoners for lost property.
 91. Staff in the Receiving Office said they would benefit from a part-time property officer to assist them when they were busy with other Receiving Office processes.
 92. We considered the prison's process for managing prisoner funds and found this process to be robust with secure transfers and appropriate recording keeping in place.

Findings

Finding 21. Prisoners had no concerns with how their personal property was managed by staff and there were few prisoner claims for lost property.

Finding 22. The prison had robust processes in place for managing prisoners' funds.

Health

Inspection Standards

- Prisoners have timely access to community-equivalent health and dental services, and receive treatment which is sensitive to their diverse needs from competent staff in an environment that promotes dignity and maintains privacy.
- Prisoners are supported and encouraged to optimise their health and well-being.
- Prisons have a health-care service which ensures professional care of the physical and mental health of prisoners.
- Health files are accurate, up-to-date and confidential, and accompany the prisoner when they are transferred.
- Prisoners have access to specialised external secondary and tertiary health care services when required.
- On reception, prisoners are made aware of the prison health services available and how to access them.
- Prisoners have a right to health confidentiality and do not have to provide information, undergo health interventions or screening.

Provision of health care

93. Prisoners are entitled to receive medical treatment that is reasonably necessary and of a standard that is reasonably equivalent to health care available to the public.²⁷ The prison's health service is nurse-led, supported by contracted providers including a Medical Officer (general practitioner) and a physiotherapist.
94. At the time of our inspection, the site was recruiting for a permanent Health Centre Manager. An acting Health Centre Manager was supporting the site in the interim. The site does not have an established position for a Clinical Team Leader. This role could assist the Health Centre Manager and provide closer oversight of clinical practice to ensure practice changes are implemented. We observed that some staff were unsure of some policies, procedures or local operating manual processes.
95. Prisoners request health services using a paper health-request form, which they place in a locked box in their respective units. We observed that nurses cleared and triaged health-request forms daily, resulting in prisoners receiving appropriate health care within reasonable timeframes.
96. Most prisoners we spoke with were satisfied with the level of health care provided by the prison. They said the staff were friendly and they found the Health Centre a welcoming and clean environment to visit. However, a couple of prisoners spoke of long wait times for the dentist or to have a chronic health complaint attended to.
97. The prison contracts a Medical Officer for six hours a week. Our review of health records showed the Medical Officer saw six to seven prisoners per week. Prisoners were generally

²⁷ Corrections Act, 2004, Section 75.

- seen within two weeks for a non-urgent health issue, with the Medical Officer often booking appointments for further review and evaluation of treatments provided.
98. Nurses were running a daily nurse clinic in the Health Centre which is an improvement from our last inspection. This meant that they did not have to assess patients in the residential units, where privacy was not able to be maintained.
 99. We observed the Health Centre had an appropriate level of custodial support, with two Corrections Officers assigned to escorting prisoners to and from the Health Centre. This is also an improvement on our 2017 Inspection.
 100. Neither the Medical Officer nor the health staff on site had access to Health Connect South /HealthOne IT secure patient clinical information platforms on site.²⁸ Regional forensic staff were also not documenting their assessments in patient health files as required. This means health staff are less likely to have access to all information they need to plan for and manage prisoners' health.
 101. Health staff complete medication administration rounds in the morning and again in the evening. We observed nurses on their medication rounds and found this process was well managed. Nurses checked prisoners' identity and ensured medication was swallowed. Some nurses we spoke with felt unsafe on medication rounds when custodial staff were not supervising them as required, but attending to other tasks nearby.
 102. The health team was not engaged with local Māori health providers and so prisoners did not have access to Rongoā Māori (traditional Māori healing). Access to Rongoa is being progressed nationally by Corrections' Health Services, with the development of a new kaupapa Māori model of care. Our discussions with health staff indicated that Corrections' Hōkai Rangi strategy was not well understood, but that the Acting Health Centre Manager was organising education sessions about Hōkai Rangi to promote appropriate health practice changes.
 103. Registered nurses assess the dental needs of prisoners and place them on urgent, semi urgent or the routine dental list. Prisoners are taken off-site to receive dental treatment. Since our 2017 Inspection, the site has moved from a capped number of dental visits to booking visits as required. Nurses now also assess remand prisoners. While we found some prisoners were still waiting for urgent and semi-urgent care, overall dental provision has increased and the dental waiting list has reduced.
 104. Our review of training records showed two staff had not completed all mandatory health training. Our follow-up, post-inspection, showed these staff had been booked on the necessary training courses.
 105. The Health Centre has a range of equipment in the consulting and treatment rooms that appears to be in good condition. Required biomedical electrical testing of equipment was complete. We observed some uncertainty among health staff about who was responsible for checking clinical emergency equipment; however one staff member had taken it upon herself to complete this task.

²⁸ This is platform for secure medical information sharing for practitioners involved in a patient's care. The new Health Centre Manager has since advised that she has supported staff to gain access to this platform.

Findings

- Finding 23. Necessary health services are available and prisoners' health needs are generally being met.
- Finding 24. The health team could benefit from a Clinical Team Leader position to assist the Health Centre Manager and support clinical practice on site.
- Finding 25. Waiting times to see a nurse or doctor were reasonable, however, some men had to wait to receive dental treatment.
- Finding 26. Not all clinical information was documented in the patient management system by external providers.
- Finding 27. Health staff did not feel safe on some medication rounds if custodial staff were diverted away from their direct supervision role.
- Finding 28. The health team was not confident in its understanding of the Hōkai Rangi Strategy and how this contributed to working responsively with Māori.
- Finding 29. The site had made progress with improved custodial support for clinics in the health unit.

Substance abuse**Inspection Standards**

- Prisoners dependent on drugs and/or alcohol receive prompt clinical treatment which is effective, meets individual and gender-specific needs and offers the same services as those available in the community.

106. Prisoners may be assessed for alcohol and other drug dependency by health staff or case managers using ASSIST.²⁹ This assessment is usually undertaken by health staff during the Initial Health Assessment. We reviewed a sample of medical files and found not all prisoners received an ASSIST assessment during their Initial Health Assessment.
107. We found that prisoners who were identified with alcohol and drug withdrawal were provided with appropriate interventions, including a review by the Medical Officer if appropriate. If intensive support is required, such as that offered in Drug Treatment Units, prisoners need to transfer to another prison.
108. Those people coming into prison who are on Opioid Substitution Treatment had continuity of care with their medications and were followed up by the Community Alcohol and Drug Service.

²⁹ The Alcohol, Smoking and Substance Involvement Screening Test (ASSIST) identifies the extent of alcohol and other drug (AOD) difficulties for prisoners. The ASSIST helps staff to determine which programme could be useful for prisoners.

Findings

Finding 30. Not all prisoners received an ASSIST assessment as part of their Initial Health Assessment.

Finding 31. When prisoners with alcohol and drug withdrawal were identified, they were provided with appropriate interventions.

Mental health care**Inspection Standards**

- Prisoners with mental health needs are identified promptly and supported by community-equivalent services to optimise their well-being during their time in prison and on release.
- Prisoners at risk are appropriately located in a therapeutic environment and supported by trained staff who are resourced to meet their individual needs.

109. Additional primary mental health services are available to prisoners from contracted Mental Health Clinicians who are on site five days a week. Forensic staff from the local District Health Board also support the site, with a Forensic doctor visiting once a month when required. An Accident Compensation Corporation (ACC) counsellor works with prisoners who have approved sensitive claims.
110. The Mental Health Clinician works with prisoners in a dedicated consultation room in the Health Centre. This room offers a therapeutic environment for prisoners, being of a good size and containing soft furnishings and sensory items. The Mental Health Clinician appears well integrated with the wider health team.
111. Prisoners are placed in the Intervention and Support Unit (ISU) when staff are concerned for their wellbeing, specifically that they might harm themselves. The ISU comprises six cells, two of which are dry cells.³⁰ Health staff visit prisoners in the ISU at least once a day or more depending on the needs of the prisoner. We observed health staff in the ISU completing mental health assessments. Health staff engaged well with both prisoners and custodial staff in the ISU.
112. We also observed professional and supportive interactions between ISU custodial staff and prisoners. The site did not have daily Multidisciplinary Team (MDT) meetings for prisoners in the ISU at the time of our inspection, but the acting Health Centre Manager was reviewing this practice.
113. Management plans for prisoners in the ISU varied from thorough to unsigned and incomplete. Concerns about management plans are consistent with the Ombudsman's Inspection of 2019.
114. When the ISU is full, prisoners spend the day in the ISU and are then escorted at night to the 'safe cells' in Centre Unit.³¹ Prisoners who are in the ISU by day only, use a bed, chair and

³⁰ Dry cells have no running water or toilet. They are used when a prisoner is suspected of concealing unauthorised items.

³¹ 'Safe cells' are the old 'at risk cells' which are furnished in the same way as cells in the ISU. If 'safe cells' are used at night, staff in the Centre Unit become responsible for checking prisoners.

table placed in the corridor outside a dry cell, with access to the unit's shower suite. One prisoner we spoke with seemed comfortable with this arrangement. Staff told us the prison was considering converting one of the dry cells into a regular ISU cell to meet demand. In 2019, the Ombudsman raised concerns about prisoners being accommodated in the dry cells when the ISU was full.³²

Findings

Finding 32. Prisoners had access to a variety of mental health providers.

Finding 33. At times, there were more prisoners requiring an ISU placement than the unit can currently accommodate.

Prisoners with disabilities

Inspection Standards

- Prisoners with physical, mental or other disabilities have full and effective access to prison life on an equitable basis.³³
- Prisoners with a disability or age-related needs are placed in a cell that is suitable and appropriate for their health-related needs.³⁴

115. At the time of our inspection, the prison was unable to tell us how many prisoners were managing with a disability on site. We note that Corrections does not keep a central register of people with disabilities in prison. Rather, this information is stored in prisoners' health information, which can only be accessed by health staff.
116. Health staff informed us that prisoners with disabilities were identified during health assessment processes, from their previous medical histories, through self-referral and referral from custodial staff. When required, prisoners could be referred to the Needs Assessment Service Coordinator for assessment and support planning.
117. Our previous inspection noted the prison did not have any specialist accommodation for prisoners with disabilities. This situation has improved. The site's Separates cells are wheelchair accessible and a disability cell is available in the Health Centre. Health staff advised us that the disability cell is used on a temporary basis as required. Prisoners can stay overnight in the cell supervised by nursing staff or monitored by staff from the ISU next door.

Finding

Finding 34. Accommodation for prisoners with disabilities has improved, although at the time of our inspection the prison could not tell us how many men had disabilities.

³² At the time prisoners had to ask for water and use a cardboard box for ablutions. At the time of our inspection, prisoners used the toilet in the unit's shared bathroom.

³³ Note, this is a basic principle – not a standard.

³⁴ Note, this is an indicator – not a standard.

Environment

Inspection Standards

- Prisoners live in a clean and suitable environment which is in a good state of repair and fit for purpose.
- Prisoners have sufficient bedding that is laundered regularly.

Residential units

118. Invercargill Prison has four residential units with three in use at the time of our inspection: South Unit, Centre Unit and the Remand Unit.
119. Cells in each unit are spread across two levels. The Remand Unit has cells in the basement with the Separate cells on the ground floor. Cells in South and Centre Units are spread between the ground floor and a mezzanine floor. Each cell contains a bed or a set of bunks, a desk, shelves, chair, a toilet and wash basin. Cells in Centre Unit also have a built-in television. Most of the cells in the units are equipped with bunks so two people can be accommodated per cell if necessary (101 out of a total 116 cells across the prison). Prisoners shower in the shower blocks in their units.
120. Since our last inspection, the cells have been equipped with new bunk beds. We observed the new bunk beds are much larger than the old models, limiting space in the cell. The larger bunk beds meant that prisoners are sleeping with their heads even closer to the toilet. Some prisoners said this made it difficult to sleep.
121. We observed that toilets in all cells lacked privacy screening. Staff undertaking cell observations looked directly towards the toilet. If prisoners were sharing a cell, there was no privacy from each other either.
122. Several prisoners raised issues with their mattresses. Some said the mattresses were too thin and needed replacing, and some were damp. This was confirmed by inspectors. While damp mattresses were a problem for many prisoners, most prisoners said they were otherwise comfortable with the quality and access to bedding and pillows.
123. All units have common rooms with a television, interview rooms and external exercise yards. Remand Unit has three external yards. South and Centre Units have one yard each with an adjoining small weights yard. All yards have a toilet and built-in seating. Each unit has two kiosks, located either inside the unit or in the yard. Prisoners have access to telephones both in the units and in the yards and separate telephones for lawyers' calls in staff bases.
124. All units have basic food preparation areas where men on 'orderly duties' help prepare meals for distribution. Prisoners in South and Centre Units have good access to basic kitchen appliances for making snacks, including a hot water cistern, a fridge, a sandwich press and microwave. Remand Unit has more limited facilities, with prisoners only able to access hot water and a sink in one of the two television rooms.
125. Centre and South Units have a shared dining room next to the prison kitchen. Consistent with observations from our 2017 inspection, the dining room was not used. Staff told us it remained unused because moving prisoners up the stairs to the dining room introduced safety hazards and required prisoner supervision. We note that prisoners with a minimum

security classification in other prisons have access to shared dining facilities. Lack of opportunity to socialise at mealtimes was also raised by the Ombudsman in 2019.

126. Overall, we observed that Centre and South Units were clean and in a good state of repair, particularly considering the age of the prison. This observation is consistent with our previous inspection report and the Ombudsman's follow-up inspection of 2019.
127. However, the cells in the Remand Unit were in the basement, so below ground level. We found these cells were dim, cold and in need of maintenance. In many cells, we found extensive vandalism and graffiti. One cell had a red film over the light, a colour associated with the Mongrel Mob. Staff confirmed the prisoner in this cell was a ranked member of this gang.
128. We observed many of the cells in the Remand Unit had condensation on the walls and windows. As with other units, we found several prisoners' mattresses and bedding were damp. Staff had advised prisoners to keep their windows open to alleviate condensation in cells. However, this left prisoners exposed to cold air and insects. Our Clinical Inspectors identified prisoners with related health issues (such as rashes) that were consistent with poor ventilation and high levels of moisture.³⁵
129. In some cells, the mattresses were too big for the bed bases, which meant some prisoners had pulled their mattresses onto the floor to sleep. This practice represents a fire and security risk as mattresses blocked the cell door. In addition, the larger bunk beds meant prisoners were sleeping with their heads close to the toilet. Some prisoners said this made it difficult to sleep.
130. The Remand Unit also has four cells known by staff and prisoners as the 'old punishment cells'. At the time of our inspection, we found that one of these cells where a prisoner was accommodated was infested with silverfish. Inspectors raised the issue with staff who told us infestations were a regular occurrence. Staff called the prison's maintenance contractor immediately, and the cell was promptly treated while the prisoner was having yard time.³⁶
131. We raised our concerns about the conditions in the Remand Unit with the Prison Director and, after our visit, with the Southern Region and National Commissioners. Prompt action was taken and the Remand Unit was closed. Most prisoners were relocated to another unit on site and a small number were transferred to another prison. With the need to isolate new prisoners because of Covid-19, some cells in the basement of the Remand Unit have been reopened.³⁷

Separates cells

132. Separates cells are usually used to house prisoners who are serving a penalty of cell confinement as the result of a misconduct charge. The prison's Separates area is a detached unit made up of four cells situated in the Remand Block. These cells have a bed, a built-in desk, toilet, hand basin and shower and individual attached yards.

³⁵ The Ombudsman also had concerns about the Remand Unit. At his 2019 follow-up inspection, he found remand prisoners continued to be double-bunked in cells built for one and there was a lack of internal recreation space for prisoners.

³⁶ We learnt that no items were removed from the cell during the treatment. Following repeated attempts to speak with the maintenance contractor, we were not able to establish the process or chemicals required for treating silverfish infestations.

³⁷ In a letter to the Chief Inspector on 20 August 2021, the Chief Executive said all graffiti and mould had been removed and the entire area had been repainted. The use of the beds would be continuously monitored, and mitigations would be put in place to ensure minimum entitlements and prisoner welfare was maintained.

133. At the time of our inspection, the Separates area was well lit and clean with limited graffiti. Staff were aware of the graffiti and had already arranged to have this painted over.
134. The staff base in the Remand Unit is some distance from the Separates area. Therefore, staff find it difficult to maintain oversight of these cells while attending to their other duties in the Remand Unit.

Intervention and Support Unit

135. As noted earlier, the Intervention and Support Unit (ISU) temporarily houses prisoners at risk of self harm or requiring more intensive mental health support. The ISU comprises six cells, two of which are dry cells.³⁸ The four regular ISU cells contain a bed, toilet and wash basin, a built-in desk with a fixed stool, and a blackboard and chalk. Prisoners are required to ask staff for toilet flushes and to switch on water in their cells.³⁹ The ISU also contains a shower suite with a shower, basin and flushable toilet for prisoners to use.
136. We found the ISU was clean and warm. The cells and furnishings are designed to keep at-risk prisoners safe. The CCTV, which also covers inside the cells, can be monitored from the staff base and provided good coverage throughout the unit. However, we noted the lack of privacy for prisoners when they used the toilet, which was observed by the Ombudsman in his 2019 inspection.
137. We observed some prisoners had moved their mattress onto the floor, or had turned the mattresses around so the head of the mattress (with built in pillow) was as the foot of the bed. Prisoners told us this was because the vent above the head of the bed made them cold. When we raised this, staff said they were aware of the issue and they supplied extra blankets if requested. We also observed rips in the fabric of some mattresses which could be used to hide unauthorised items. Staff were also aware of this issue and confirmed that requests for the mattresses to be replaced had been made some months earlier.
138. Prisoners could use the ISU's day room or the yard when it was their turn for time out of their cells. They could watch television in the day room or sit on beanbags and read.⁴⁰ With no covered roof, the ISU yard afforded little protection against the weather. The yard also had a toilet, which we found to be very clean.

Findings

Finding 35. South and Centre Units provided a clean and well-maintained environment. After our inspection, prisoners accommodated in the Remand Unit were relocated to improve their cell conditions.

Finding 36. Generally, bedding for prisoners was of good quality and condition. However, some mattresses were damp from condensation and others in the ISU needed replacing.

Finding 37. Prison design constraints meant the men could not eat together during mealtimes and smaller cells meant large bunk beds were placed close to toilets.

³⁸ Dry cells have no running water or toilet. They are used when a prisoner is suspected of concealing unauthorised items.

³⁹ Corrections Regulations, 2005, Schedule 2, Parts A, C and D, do not require 'at risk cells' to have potable water or a power outlet from which to run a television. We discuss concerns about access to water in the Food section of this report.

⁴⁰ This expectation is consistent with Nelson Mandela Rules and our own standard that provides for prisoners being able to stay up to date with news and the outside world where appropriate. (SMR 30 and Inspection Standard 102.)

Finding 38. Cells lacked privacy screens for toilets.

Finding 39. The ISU generally provided a clean, safe environment. Prisoners could only access television in the day room.

Hygiene

Inspection Standards

- Prisoners are encouraged to keep themselves clean and are provided with the appropriate toiletries.

139. Prisoners in all units told us they were provided with the allocated free toiletries and products to clean their cells. Prisoners' clothes and bedding were washed in the prison's central laundry.
140. We found the toilets and showers were clean in South and Centre Units. The shower rooms in the Remand Unit were not clean on two separate observations but had been cleaned by our third visit.⁴¹
141. Some prisoners in South Unit raised concerns about the showers. One prisoner thought more showers were needed given the number of men in the unit. He told us he showered at times when the showers were less likely to be busy. South Unit has the fewest showers available (5), and Centre Unit the most (12). Both units accommodate the same number of prisoners. The Remand Unit has six showers. Access to showers was raised in our last inspection.⁴²
142. Another prisoner in South Unit told us the drains in the showers blocked up when all showers were being used at once. The Principal Corrections Officer (PCO) in the unit we spoke with said he was unaware of this issue.
143. In Centre Unit, there was some confusion about whether prisoners could keep toilet brushes and other cleaning products for use in their cells.⁴³ Some staff in the unit removed them because they had deemed them unauthorised property. Other staff allowed prisoners to keep these items. The inconsistent decision-making among staff caused frustration for prisoners and led to tension in the unit.

Findings

Finding 40. Prisoners were provided with necessary toiletries and cleaning products.

Finding 41. Rules about which cleaning products men could retain in their cells varied among staff (in Centre Unit).

⁴¹ Our observation of ablution areas in the Remand Unit occurred after the unit cleaner was supposed to have had completed their work.

⁴² In 2017 we found some prisoners were not able to shower after work or exercise before units were locked up for the evening. The National Commissioner subsequently advised that longer unlock hours had been introduced in units where showering was difficult.

⁴³ The PCO told us he had recently purchased toilet brushes for every cell. Authorised Property Rules, pursuant to section 45A of the Corrections Act, 2004, published in December 2020 specify which items of property prisoners may keep in their cells, with permission of the Prison Director. Toilet brushes are not included in this list, nor are any cleaning products.

Clothing

Inspection Standards

- Prisoners have adequate access to a variety of clean clothing, including underwear and footwear, which is seasonally appropriate and of the right size and quality.

144. Prisoners we spoke with in South and Centre Unit said they generally felt comfortable in their clothing while indoors. We noted the prison was making larger clothing for some men so it fitted them properly. A couple of prisoners did not like the way clothing was marked with a pen. We were advised clothes were marked with a number to keep track of them.
145. Some prisoners we spoke with said the clothing was not warm enough, nor did they have jackets to keep them dry in bad weather, when they were in the yards or working outside.
146. We checked the kit lockers for prisoners across all units. We found prisoners in the Remand Unit did not have sufficient access to clothing at the time of our inspection. Some prisoners in this unit had cut open the seams of their clothing to make them fit.

Findings

Finding 42. Prisoners generally found clothing suitable for indoor use and the prison was making larger clothing for some men so it fitted properly.

Finding 43. Prisoners could not access appropriate clothing for wearing outside.

Finding 44. The supply of basic prisoner clothing was limited in the Remand Unit.

Food

Inspection Standards

- Prisoners have a varied, healthy and balanced diet which meets their individual needs.
- Upon request, the prison provides meals and food in line with religious, cultural and other special dietary requirements.
- Prisoners' food and meals are stored, prepared and served in line with hygiene regulations.
- Clean drinking water shall be available to every prisoner.
- Mealtimes are reasonable and generally match those in the community, where possible.

147. Prisoners are served the same meals across all Corrections' prisons, with standard and vegetarian options available.⁴⁴ Prisoners with specific health conditions are also catered for.
148. At Invercargill Prison, meals are prepared in the prison kitchen. Men we spoke with gave varied accounts of their meals. While some meals were good, the men said they wanted healthier and better prepared food.
149. South and Centre Units had similar food distribution routines. Prisoners working as 'unit orderlies' issued breakfast from the servery and staff issued lunches. Prisoners collected their evening meals from the servery (supervised by staff) and then returned to their cells to eat. As noted above, we are concerned that prisoners cannot access the dining room and share meals.
150. All meals in the Remand Unit were delivered to prisoners in their cells by staff. Prisoners ate in their cells.
151. Staff and prisoners confirmed that evening meals were served just after 5pm.⁴⁵ The timing of evening meals is an improvement on what we observed in our 2017 Inspection, when evening meals were served around 4pm.⁴⁶
152. Our *Inspection Standards* state that clean drinking water should be available to every prisoner and all prisoners should have effective access to prison life on an equitable basis.⁴⁷ Prisoners in all units except the ISU had access to drinking water. Prisoners in the ISU must ask for the water in their cells to be switched on. However, staff were willing to fill cups with water for prisoners.⁴⁸

Findings

Finding 45. Prisoners' meals were adequate and served at appropriate mealtimes.

Finding 46. Prisoners in the ISU had to request access to drinking water.

⁴⁴ Auckland South Corrections Facility is privately run and has a wider choice of menu items. Corrections' prisons provide three daily meals and supper on a four week menu cycle. Menus are prepared in consultation with a qualified dietitian.

⁴⁵ We were unable to observe an evening mealtime because an incident occurred at the time our observation was scheduled.

⁴⁶ The Ombudsman was also pleased to see prisoners receiving their meals at the later time of 5pm at his follow-up Inspection in 2019.

⁴⁷ Inspection Standard 58 and Principle 6.

⁴⁸ Corrections Regulations do not provide for potable water in 'at risk' cells.

Good Order

Security

Inspection Standards

- Prisoners are held in a safe environment where security is proportionate to risk and not unnecessarily restrictive.

153. We observed improvements in the site's physical security features since our 2017 inspection.⁴⁹
154. All visitors to the prison enter through the single gatehouse which is attended by three custodial staff. Because Invercargill Prison is an urban prison, there is an increased risk of contraband entering the prison compared with more isolated prisons. However, the prison has good technology in place to maintain the security of the prison perimeter. Staff also conduct regular physical perimeter checks throughout the day and night to mitigate this risk.
155. The site does not have its own intelligence analyst or Site Emergency Response Team (SERT).⁵⁰ Otago Corrections Facility (OCF) supports Invercargill with these functions. As noted in the introduction, OCF is over two hours away by road. This distance could present a challenge if urgent assistance is required.
156. The prison is supported by a drug detector dog and dog handler. The drug detector dog team regularly visits the prison to undertake searches, although our interviews with staff involved suggested searches could be better coordinated.
157. Invercargill Prison houses prisoners with lower security classifications. However, as mentioned earlier, some of the prison design does not reflect what we would expect to see in accommodation for lower security prisoners (e.g. usable dining rooms). The prison offers no self-care living arrangements that are available to minimum security prisoners in some other locations. Exercise yards have metal grilles fitted to the walls and the roof. While this optimises security, it limits views outside the prison.

Findings

- Finding 47. The prison has enhanced how physical site security is managed since our last inspection. However, there is no intelligence analyst or Site Emergency Response Team dedicated to the site, which could present challenges when a timely response is needed.
- Finding 48. The prison's facilities, which accommodate lower security prisoners, are more restrictive than is proportionate to the risk posed by these men.

⁴⁹ Previously, the prison did not have a single point of entry (which limits the points where contraband can be introduced) and the design of the perimeter created opportunities for unauthorised items to enter the prison.

⁵⁰ SERT contributes to prison safety by targeting the introduction of contraband and responding to incidents and emergency events.

Classification and accommodation

Inspection Standards

- Prisoners of different categories are separated, where possible, by allocating them to separate parts of the prison.
- Classification, placement and treatment are based on an individual assessment of each prisoner's risks and needs.
- Prisoners are held in the appropriate security conditions and can seek review about decisions on their security classification.

158. Prisoners of different categories and security classifications were generally placed in different parts of the prison, except for prisoners on remand.⁵¹
159. The Remand Unit housed mainstream remand accused, remand convicted and newly sentenced prisoners. This unit also housed remand accused and sentenced prisoners on voluntary segregation. In addition, staff were managing prisoners on directed segregation in Separates cells adjoining the Remand Unit.⁵² At the time of our inspection, staff were running up to six regimes to ensure different categories of prisoners were kept separate but could still receive their minimal entitlements, including an hour outside for exercise.⁵³
160. Staff had developed a system to identify and help them manage the movements of different categories of prisoners in the unit. Running multiple regimes to accommodate different categories of prisoners limited the amount of time the men could spend out of their cells. However, as noted earlier in this report, we learned of instances where staff in the Remand Unit were not always able to successfully keep different categories of prisoners apart.
161. Most men on voluntary segregation were held in South Unit. Staff used the 'birdcage,' a small areas of six cells that could be secured from the rest of the unit, to separate remand accused prisoners from remand convicted and sentenced prisoners. Mainstream prisoners, from minimum to low-minimum security, were accommodated together in Centre Unit.
162. In South and Centre Units, prisoners generally spent around eight hours a day unlocked from their cells during the week, with shorter unlock hours on the weekend. We confirmed the following weekday unlock hours for these units:
- | | | |
|---|-----------------|----------------------------|
| » | Unlock | 7.00 am (breakfast) |
| » | Yard time | 8.30 am – 12 pm |
| » | Lock up | 12.00 pm – 1.00 pm (lunch) |
| » | Yard time | 1.00 pm – 3.30 pm |
| » | Unit recreation | 3.30 pm – 5pm |
| » | Lock up | 5.00 pm – 5.30pm (dinner) |
| » | Unit recreation | 5.30 – 6.20pm |

⁵¹ Most of the remand accused prisoners were held in the Remand Unit (18), with some on voluntary segregation in South Unit (7). Three remand accused prisoners were in non-permanent beds: two in the ISU and one in the Separates cell.

⁵² Separates cells generally house prisoners who are serving a penalty of cell confinement resulting from a charge made via the misconduct process.

⁵³ Time out of cell for other activities should be in addition to any hour allocated for exercise.

163. Prisoners in Centre Unit told us their unlock time varied depending on the staff working in the unit each day. They perceived that some staff were more supportive of their rehabilitation and these staff tended to allow the full complement of unlock hours.
164. At the time of his follow-up inspection, the Ombudsman found that prisoners in North and Basement (Remand) Units were still being locked too early (from 4pm instead at 4.45pm). Our observations indicated most prisoners, except for those in the Remand Unit, were also given time out of their cells after their evening meal.
165. We confirmed the men held in the ISU also received at least one hour out of their cell in addition to time for exercise.

Findings

Finding 49. Staff generally maintained the separation of different categories of prisoners.

Finding 50. Staff in the Remand Unit were managing up to six different unlock regimes to keep different categories of prisoners separated. They were also responsible for managing prisoners in the Separates cells adjoining the Remand Unit. This limited the amount of time men in the Remand Unit could have out of their cells.

Incentives

Inspection Standards

- Systems of rewards and privileges appropriate for different categories of prisoners are established, in order to encourage prosocial behaviour, develop a sense of responsibility and secure the interest and cooperation of prisoners.

166. Most prisoners and staff we spoke with said there were few incentives in place to encourage pro-social behaviour. However, we learned that Centre Unit has a prisoner welfare committee that is supported by the unit's Principal Corrections Officer. From time to time staff supported the committee to organise sports activities and incentives beyond prisoners' basic needs, such as 'pie days' and 'boil-ups'.⁵⁴

Finding

Finding 51. The prison offers few incentives to encourage pro-social behaviour among the men, other than some informal activities coordinated by staff in Centre Unit.

⁵⁴ On 'pie days' prisoners withdrew money from their trust accounts and the PCO purchased pies for them from a local bakery. 'Boil-ups' are soups or stews cooked according to Māori culinary traditions.

Discipline

Inspection Standards

- Disciplinary sanctions against prisoners are imposed by the proper authority.
- Prisoners are subject to disciplinary procedures which are fair and proportionate and follow due process.
- Prisoners are promptly informed of any disciplinary sanction, and understand the charges and procedures they face.
- Interpreter services will be used, where necessary, to explain any disciplinary charges, procedures and the process for defending the charges.
- Prison management does not rely on prisoners for any disciplinary functions, whether in a formal or informal manner.
- Prisoner disciplinary sanctions do not include prohibition of family contact, especially with their children.
- Health professionals do not participate in disciplinary sanctions.

167. Prisons are required to maintain good discipline and order through effective supervision, communication and fair and effective disciplinary procedures. Following any incident prisons have a range of responses available to them. These include bringing a misconduct charge, moving prisoners to other units or prisons, or placing prisoners in directed segregation.⁵⁵ In this section we consider the misconduct process.
168. For the period 1 November 2020 to 30 April 2021, 142 misconducts were generated across the site. Of these 22 (15%) were withdrawn and 32 (22%) cancelled. Most misconducts originated in the Remand Unit, followed by North Unit (closed at the time of our inspection), Centre Unit then South Unit.
169. Prisoners we spoke with generally raised no issues about the misconduct process. However, a few prisoners in Centre Unit said staff had charged prisoners for the possession of unauthorised items (cleaning products), while others were willing to let prisoners keep them. We confirmed these charges. As noted earlier, these staff decisions were a source of tension for prisoners in the unit.
170. For misconduct hearings to proceed, staff appointed as prosecutors and hearing adjudicators, as well as witnesses, need to be available.⁵⁶ Previously, in our 2017 inspection, we found the site did not have a dedicated prosecutor and staffing pressures meant misconducts were not dealt with promptly. We are pleased to confirm the prison now has three trained prosecutors and four hearing adjudicators.
171. The improved staff support for the misconduct process is reflected in a reduced number of misconduct withdrawals (from 30% to 15%). However, staff we talked with said shift changes introduced under the new rostering system, *Making Shifts Work*, made scheduling misconduct hearings more difficult. To enable misconduct hearings to take place, the

⁵⁵ Prisons may also review a prisoner's security classification or notify the Police.

⁵⁶ Prosecutors are staff trained to charge prisoners with an offence and who have responsibility for proving that charge. Hearing adjudicators hear complaints relating to offences against discipline and have the power to impose a penalty on any prisoner subject to a misconduct charge. If misconducts charges are more serious, they may be heard by a Visiting Justice who is a district court judge.

necessary prosecutors, hearing adjudicators and staff witnesses must be working the same shifts. Staff we spoke with said the need to wait for staff to be available contributed to hearing delays.

Findings

Finding 52. Prisoners generally had no issues with the misconduct process.

Finding 53. The prison has more staff trained to support the misconduct process. Misconduct hearings have become difficult to schedule due to the availability of staff.

Segregation and cell confinement

Inspection Standards

- Prisoners are placed on directed segregation only with proper authority and for the shortest time period, which is regularly reviewed. Prisoners understand why they have been segregated.
- Prisoners are kept safe at all times while on directed segregation and individual needs are recognised and given proper attention.
- Cell confinement is subject to strict policies and procedures.
- Prisoners suspected of internal concealment are located in a dry cell as a last resort and the proper authorisation is recorded.

172. Prison management can temporarily separate a prisoner for their own safety (directed protective segregation) or because they pose a threat to the safety of others or the good order of the prison. Collectively, these measures are referred to as 'directed segregation'.⁵⁷
173. If a prisoner is charged with an offence against discipline and the charge is proven, the hearing adjudicator may impose one or more penalties against the prisoner. Penalties include forfeiture or postponement of privileges for up to 28 days, forfeiture of earnings for up to seven days or cell confinement for up to seven days.⁵⁸
174. At Invercargill Prison, prisoners placed on directed segregation or serving a sentence of cell confinement may be housed in one of four Separates cells. At the time of our inspection, prisoners occupied three of the Separates cells. Two prisoners had been placed on directed segregation because of poor behaviour, and one prisoner was on directed protective custody⁵⁹ from another prison.
175. One prisoner in the Separates cells told us that the cell had rubbish in it when he arrived and he did not receive clothing, a towel, a pillow or sheets. He had to ask for an extra blanket.

⁵⁷ Corrections Act, 2004, sections 58 and 59 describes segregation for the purposes of security, good order, or safety. A direction expires after 14 days unless the Chief Executive directs that it continues. This situation is reviewed monthly, and if continued after three months is directed and monitored by a Visiting Justice. Prisoners may also be segregated for the purposes of medical oversight (section 60). We discuss prisoners in the ISU in the mental health section of this report.

⁵⁸ Corrections Regulation 2005, Section 133. Loss of privileges stated in section 158.

⁵⁹ Directed protective custody occurs when a Prison Director takes the decision to restrict association of a prisoner for their own safety.

176. Another prisoner was on directed segregation for the third time in three months because of his violent behaviour. Staff said this man was getting support from the District Health Board forensic mental health team.
177. Staff informed us prisoners serving a penalty period of cell confinement could also complete this in their own cells.

Finding

Finding 54. Prisoners on directed segregation were held under the appropriate authority.

Use of Force

Inspection Standards

- Force is used only against prisoners as a last resort and never as a disciplinary procedure. When used, force is legitimate, necessary, proportionate, and subject to rigorous governance.
- Instruments of restraint are used only in clearly defined circumstances, when lesser forms of control fail, and only for the time strictly required.

178. Force may be used by staff in response to an incident in prison. Section 83 of the Corrections Act states that physical force can only be used in prescribed circumstances and if reasonably necessary.⁶⁰
179. In the six months to the end of April 2021, 21 instances of use of force were recorded. Most incidents occurred in the ISU (7), followed by the Remand Unit (6) and the Separates cells (4).
180. Our review of the use of force documentation showed it to be complete and comprehensive. We concluded that use of force seemed reasonable in the circumstances described. Prisoners we spoke with did not raise any concerns with us about staff use of force.
181. In his follow-up inspection of 2019, the Ombudsman was concerned that the ISU was being used as the default management unit following use of force, which undermined the intended purpose of the environment.
182. Staff we spoke with confirmed that prisoners were brought to the ISU following any use of force. This was to assess their health in a safe environment and to decontaminate them following the use of pepper spray. Staff generally kept prisoners in the ISU for a couple of hours to allow for a medical assessment or, if need be, until prisoners in a heightened state were calm enough to move.

⁶⁰ POM IR.02 Incident Response outlines the circumstances in which use of force may be needed and what intervention should be deployed, such as pepper spray or control and restraint. Staff may use force only if there is no other option in the following situations: in self-defence, to defend another person, if a prisoner is attempting to escape, if a prisoner is damaging property or is resisting a lawful order

Finding

Finding 55. Use of force was used appropriately and staff produced quality documentation of incidents.

Searches

Inspection Standards

- Searches of cells and prisoners are carried out only when necessary and are proportionate, with due respect for privacy and dignity.

183. Contraband (such as drugs, alcohol and weapons) can create risks to safety and good order in a prison. For this reason, prison staff are required to undertake a range of regular searches.
184. During our inspection we confirmed custodial staff regularly undertook routine prisoner and cell searches. As noted previously, a dog handler also visits the prison to assist with searches on a regular basis.
185. For the six months to 30 April 2021, the site recorded 65 incidents where contraband was found. By far the largest category of contraband recorded by the prison was 'other'. This includes a range of items from tobacco and smoking equipment to unauthorized razor blades.
186. In the six months ending 30 April 2021, records show staff completed 267 cell searches and 751 strip searches.
187. Most prisoners raised no issues about cell or personal searches. However, our random check of a unit diary showed cell searches and active management of cell standards were not happening as often as they should be.⁶¹ Staff told us this was because they often did not have the staff capacity to conduct them.
188. During our inspection we reviewed documentation and records for strip searches. We confirmed 57% (407) of strip searches were undertaken when prisoners were leaving or moving back into the prison after a temporary absence, before or after prisoners received visitors, or before prisoners undertook a penalty of cell confinement.⁶² The balance of strip searches were largely conducted because staff suspected a prisoner might be carrying an unauthorised item (260 or 36%). Up to three percent of strip searches were undertaken when a person first arrived in prison or was placed in an ISU cell.
189. Our 2017 inspection report found the quality of rub down searches by staff varied. We found this continues to be the case.

⁶¹ POM S.01.Res.14.01 Cell Search gives guidance on the frequency of cell searches and protecting the dignity of prisoners. Cell searches may be undertaken at any time, but must be undertaken after the cell has been vacated by a prisoner, before the cell is occupied by another prisoner, to meet the unit's agreed security standards and when there are reasonable grounds to suspect that a cell may contain unauthorised items. In addition, staff should 'security' check each occupied cell daily and each unit must undertake three occupied cell searches per day. POM F.02.Res.02 Hygiene and Sanitation provides for cell checks for hygiene purposes with schedules outlined in the Prisons Hygiene and Sanitation Plan.

⁶² Corrections Act, Section 98 (3)b.

Findings

Finding 56. Prisoners we spoke with raised no concerns about being subject to cell or personal searches.

Finding 57. Strip searches were completed when necessary and rub down searches continue to be of varying quality.

Purposeful activity

Exercise

Inspection Standards

- All prisoners are able to spend at least one hour in the open air every day.
- Prisoners have access to physical exercise and recreational activities.

190. Every prisoner (other than those engaged in outdoor work) is entitled to a minimum of at least one hour of physical exercise every day. This exercise may be taken in the open air if the weather permits.⁶³
191. Prisoners we spoke with across all units said they had access to the outdoor yards for exercise. Yards have a set of pull up bars, with some having additional equipment (like a swiss ball that prisoners used to play 'squash'). Prisoners in the Remand Unit did not have access to stationary bikes or hand-held weights.
192. Prisoners in South Unit and Centre Units spent many hours in the yards if they were not working. These prisoners also had limited access to a further small yard which contained stationary bikes and hand-held weights. There is no toilet in this area. When prisoners need to use the toilet, they ask a Corrections Officer to facilitate their access via the intercom. One prisoner told us he once waited an hour for a Corrections Officer to provide assistance and that staff had told him to urinate in a bottle instead. The men have no access to grass or other greenery from within these yards.
193. Prisoners in South and Centre Unit said that in summer they went out to the 'green', an outside grassed area within the prison.
194. Staff informed us there is a gym on site which prisoners had used in the past, before yards had been built in each unit. Currently the gym is used only for staff physical assessments.
195. At the time of our inspection, the men in the ISU were receiving at least one and a half hours out of their cell each day, which they typically spent in the day room, plus there was additional time for exercise in the yard. This seems to be an improvement on the Ombudsman's 2019 report finding.⁶⁴ The men could access an exercise ball and basketball in the yard if they wished.
196. Access to time out of cell and exercise in the yards was more difficult to manage for prisoners in the Remand Unit and prisoners placed in Separates cells. The Remand Unit has three external exercise yards. As noted earlier, staff managed multiple unlock regimes in the Remand Unit to maintain the separation of prisoners as required, limiting their time out of cell. Prisoners we spoke with in the Remand Unit confirmed they were able to go outside into a yard for at least an hour each day.
197. Prisoners in the Separates cells could only access their individual yards attached to their cells when staff remotely opened the adjoining door for them.⁶⁵ When staff were busy in the

⁶³ Section 69 of the Corrections Act sets out minimum entitlements for prisoners, with exercise defined further in Section 70.

⁶⁴ The Ombudsman found prisoners in the ISU were isolated for up to 23 hours a day in 2019.

⁶⁵ We are not aware of any Corrections policy that prevents prisoners in cells with attached individual yards from moving freely between their cells and the yards. This appears to be a local practice.

Remand Unit, prisoners could be locked in their yards without access to a toilet, water or shelter from the weather.

198. Many prisoners commented on the fact that the prison does not have an Activities Officer. Activities Officers organise exercise classes, games and advise prisoners on exercise regimes. Prisoners relied on each other for advice about how to use available equipment.

Findings

- Finding 58. Prisoners could exercise in outdoor yards adjoining their units for a least an hour a day. Men in South and Centre Units received many hours in the yards each day.
- Finding 59. Prisoners in South and Centre Units had access to a good range of exercise equipment while those in the Remand Unit and Separates cells had little access.
- Finding 60. Prisoners in the Separates cells relied on staff to open the adjoining door to their cells to access their individual exercise yards. If staff were busy in the Remand Unit, men could be locked outside for extended periods of time without any access to a toilet, water or shelter.
- Finding 61. The prison does not have an Activities Officer or a gym the men could use.

Communication and relationships with family and whānau

Inspection Standards

- Prisoners are encouraged and receive practical support to maintain contact with family/whānau members.
- Prisoners have regular access to telephones and other communications, subject to a risk assessment.
- Prisoners are located as close as possible to their family/whānau and the community they have a strong attachment to. If prisoners are placed in prisons outside their home region, it is for the minimum time necessary and for an identified reason.
- Staff support prisoners to maintain close relationships with stable family or whānau.
- Prisoners can promptly inform their family or whānau or designated contact person about their imprisonment, transfers, illness or injury.
- Prison staff notify prisoners of the serious illness or death of a family/whānau member or significant other, and a risk/wellbeing assessment is subsequently conducted.

199. Prisoners can stay in contact with their family and whānau by telephone, mail, email, in-person visits and, more recently, secure video calls. These modes of communication are reliant on prison staff facilitating access.

200. Prisoners we spoke with throughout the prison were comfortable with the opportunities available to them to contact their families and whānau if they wished, including access to telephones.
201. Prisoners in all units had access to pay phones.⁶⁶ Telephones were located in the units and in the yards. We were pleased to confirm that staff in the ISU went out of their way to assist prisoners to call their families. They allowed prisoners more than the permitted number of calls to family and whānau members and collected phone cards with small balances that were left by released prisoners, so prisoners in their care could make local calls.
202. Prisoners we spoke with did not use the AVL facilities on site to connect with family and whānau. Staff confirmed that these facilities are only used for court and Parole Board hearings.⁶⁷ AVL connects prisons to specific locations in the community, such as Community Probation offices or courts.
203. Subject to an assessment by Corrections' staff, prisoners may also make supervised video calls of up to 10 minutes.⁶⁸ We were pleased to see staff linking some prisoners with their families via secure video calls (like Skype). One foreign national prisoner saw his wife, who lived overseas, once a month this way. Video calls were also available to those men with local family and whānau. Secure video calls were first trialled in some prisons during the first national Covid-19 lockdown in 2020. However, some prisoners we spoke with who had arrived in prison more recently were not aware that video calls were available. We found no evidence that new prisoners were routinely informed of this option by staff.
204. Prisoners raised no issues about the mail system.

Findings

- Finding 62. Prisoners could send and receive mail and access telephones to contact their family and whānau.
- Finding 63. The AVL facilities are not available to the prisoners to contact family and whānau. Some men are able to access secure video calls. Men who arrived in prison recently did not know that video calls are possible.

⁶⁶ Prisoners need to purchase telephone cards with their own funds to make private calls, or have telephone cards sent in by family members. Staff may allow prisoners to use staff telephones under limited circumstances, typically for compassionate reasons. Calls to lawyers, the Inspectorate and the Ombudsman are free.

⁶⁷ At the time of his 2019 follow-up inspection, the Ombudsman found that the site had not achieved his recommendation to expand the use of Audio Visual Link (AVL) visits for out-of-region family contact.

⁶⁸ Corrections' guidance (C.05.03 Prisoner Video Calling) notes video calling is a privilege and prisoners must meet eligibility and suitability criteria to make video calls.

Visits

Inspection Standards

- Prisoners have regular access to visits. (80)
- Prisoners are aware of prison procedures and their visits entitlements. (82)
- Prisoners and their visitors are able to attend visits in a clean, safe and respectful environment which meets their needs.
- Visitors are informed about search procedures, and understand their right to refuse the search and leave the prison.
- Child visitors are searched only when there are reasonable grounds. Reasons for the search should be explained to the child, who should be searched in full view of his/her guardian.
- Visits areas are child friendly and allow for physical contact.
- There is special provision of visits for children at times which are least interruptive of their education and other activities.

205. The prison hosts visits every day except Wednesdays. Prisoners can arrange visits lasting one and a quarter hours at three different times, beginning at 9.30am, 1.00pm and 3.15pm. Morning visits on Thursday are restricted to adults over 18 years only, while afternoon visits are timed to allow children to visit after school.⁶⁹
206. Prisoners we spoke with were aware of the visits processes and those who wanted visits with their families were supported to arrange these. Around half the prisoners we spoke with received visits from their families. Some did not receive visits because their families lived too far away and trips to Invercargill were expensive.
207. Some prisoners we spoke with wanted better access to 'special visits' so when their family and whānau travelled great distances (like from the North Island) they could have an extended period of time with them. Prisoners indicated that whether a special visit was allowed depended on the goodwill of the staff member responsible for approving the visit.
208. The Visits Centre comprised 24 tables with seating for either two or four people. Staff told us the number of seats had been reduced to allow for social distancing during the Covid-19 pandemic. The Visits Centre has a small children's play area and a cupboard full of children's toys. Visitors could access toilets, lockers and a baby changing room at the gatehouse entry and water from a water cooler in the Visits Centre. We found the Visits Centre bright, clean and tidy.
209. We were pleased to see staff in the Remand Unit allowing visits to occur in interview rooms at the unit instead of the Visits Centre when they were short staffed.

⁶⁹ Adults only visits allow prisoners subject to the Child Protection Policy to remain separated from child visitors.

Findings

Finding 64. Prisoners can receive visits with their families and whānau in a welcoming environment.

Finding 65. The prison offers a good range of visiting hours, including times suitable for school-aged children to visit.

Library**Inspection Standards**

Prisoners have regular access to a suitable library, library materials and additional learning resources that meet their needs.

210. Invercargill Prison has a library situated in the Education Centre but does not formally employ a librarian. The Regional Volunteer Coordinator (RVC), along with two prisoners, supports the library and it was evident they were making significant progress to improve the library services.
211. Prisoners in South and Centre Units could request library books using a chit from the 'big library' at the Education Centre. Prisoners could request books from a particular genre, rather than a specific book as, at the time of our inspection, a library catalogue was still in development. In addition, the RVC was arranging for sentenced prisoners to access books on loan from the local public library. One foreign national prisoner told us he was able to source books in his first language from the public library.
212. A prisoner library worker told us that sentenced prisoners would soon be able to visit the library. Currently, books are delivered to prisoners in the units. We found each unit also kept a small collection of books and other reading material for the men that were supplied and rotated between units and the central library.
213. Twice a month, South and Centre Units receive a visit from *Books on Wheels*. In this initiative, a city council librarian meets with prisoners to talk about books and brings books for the men to borrow.
214. We learned the RVC had expanded the selection of books in the library through book donations from several sources including other prisons and public libraries. Some books were also purchased during retail book sales. The prison has some subscription magazines (e.g. National Geographic) available. Each item introduced to the library is vetted by the RVC which takes a significant portion of her time. The RVC suggested the library needs a paid assistant for approximately ten hours a week.

Findings

Finding 66. Prisoners have good access to library services and reading material.

Finding 67. The prison does not employ a librarian and relies on the Regional Volunteer Coordinator and two prisoners to provide library services.

Religious or spiritual support

Inspection Standards

- Prisoners are supported by the chaplaincy, which contributes to prisoners' overall care, support and rehabilitation.
- Prisoners' freedom of religion is respected, and they are able to practise their religion.

215. Prisoners access appropriate faith-based support from three part-time chaplains. Two chaplains are contracted for 20 hours a week and one for 14 hours a week. Chaplains told us they typically provided more than their contracted hours to support prisoners.
216. The prison has a chapel. However, the chaplains organise and deliver services on a Saturday and Sunday in both Centre and South Units, followed by time for fellowship. This arrangement reduces the need for custodial staff to move the men to and from the units on the weekend. The chaplains told us around 30 prisoners regularly attend weekend services.
217. The chaplains also arrange for volunteers of other faiths to visit, including Buddhists, Baha'i, Islam, and representatives from Korean and Samoan communities. Once a month volunteers from the Baptist Church, Assembly of God and Brethren Church also take services.
218. Prisoners in the Remand Unit, Separates cells and the ISU are unable to participate in religious services, however they can request individual support from the chaplains. Any prisoner can request a meeting with a chaplain using an internal services form. Chaplains said staff will usually let them know if they think a prisoner needs their help or support. Chaplains generally meet with these prisoners in the chapel to offer their support. Chaplains told us the main issues they speak with the men about are grief and relationships.
219. If a death in custody occurs, chaplains told us they will bless the cell, hold a service for the unit and work with the Māori community, where appropriate, to ensure a culturally respectful farewell is given for the man and his family and whānau.
220. Chaplains told us they provide prisoners with bibles and other religious reading materials on request and we observed a good range of this material available in the chapel. They also actively support prisoners to source authorised items that cannot be purchased from the prison canteen, such as craft materials, electrical equipment (radios and lamps), watch batteries, and underwear, socks and shoes. Chaplains source appropriate clothing for men who have an upcoming court appearance or are being released.
221. The chaplains also run two programmes for prisoners: Seasons for Growth and Positive Lifestyles. They have also set up a music group where prisoners can play instruments including a drum, guitar and electric piano. The chaplains told us music helped to calm troubled prisoners.
222. Nearly all the prisoners we spoke with were positive about the support they received from the chaplains.

Finding

Finding 68. Prisoners have good access to chaplains and other appropriate faith-based support.

Supporting prisoner wellbeing**Inspection Standards**

- Prisoners can access out of cell activities which promote learning, well-being and support rehabilitation.

223. The prison employs a Regional Volunteer Coordinator (RVC) for 20 hours a week to identify and manage the relationship with community volunteers who support the prison. The prison has 19 volunteers who provide up to 17 classes for prisoners to attend each week at the Education Centre. At the time of our inspection, classes included Hapouri baking, Threads for Life (crochet), sewing, Toi Māori, driver licensing, art, Education Plus (one on one literacy support), and woodburning.⁷⁰ Alcoholics Anonymous also runs sessions for prisoners needing support for alcohol misuse.
224. Courses typically run for six weeks with the most popular classes, such as baking, having many people on the waiting list. Staff said prisoners who have not attended a class previously or who will be released soon are given priority access as the classes also offer important life skills such as leadership and self-management.
225. Information provided to us by the prison shows that between 39 and 47 prisoners attended a volunteer-led class each week between January and June 2021. Prisoners we spoke with told us they enjoyed their classes. Some prisoners practised the skills they learned from the volunteer programmes back in their residential units.
226. Sentenced prisoners are the main participants in volunteer-led activities. Foreign deportees can also participate in classes. Staff told us remand prisoners can still receive help with driver licensing, money matters and crafts in their unit. The RVC told us that barriers to remand prisoners participating in volunteer programmes are that they can be unsettled, and it is not known how long they will be at the prison.
227. Items produced by prisoners in some classes are shared with the community. Community groups receive baking (up to 300 biscuits most weeks) and Ronald McDonald House Charities receives up to 150 crocheted toys each year to gift to children staying in hospital. Toys are also distributed to other charities. One staff member told us prisoners can also gift toys to their own families, once they have made a certain number of toys for charity.
228. As well as volunteer-led activities, prisoners in South and Centre Units said they could play pool, darts, cards, table tennis and practise their hobbies (e.g. making clocks, pendants, knitting and needle work). One prisoner we spoke with was frustrated that he was unable to continue with his pendant making when he was moved from Centre to South Unit. This seemed to be because staff interpreted the rules differently.

⁷⁰ Hapouri baking is baking for the community. Toi Māori explores whakapapa through arts. Woodburning is a technique that uses a heated tool to etch patterns onto wood.

229. We noted men accommodated in the Remand Unit had access to fewer unit activities compared with other prisoners. This observation is consistent with the Ombudsman's 2019 findings.
230. Staff in the ISU told us they talked to prisoners to find out what activities interested them. We observed staff printing off materials to support prisoners' interest in rap music and chess, with staff joining in when they could. Staff had also brought in activities for prisoners including board games, writing and colouring-in materials, quoits, balls and skittles, and they played music on the CD player for prisoners. In the ISU's day room, prisoners could watch television, use the telephone or relax in a bean bag and read books from the unit library. Staff in the unit told us they also played games with the men when they could, such as ten-pin bowling.
231. The men in the ISU also receive visits daily from the unit's Principal Corrections Officer and health staff. We could also confirm visits were occurring with case managers, reintegration providers, the forensic nurse and other mental health professionals as required.

Finding

Finding 69. The prison is well supported by a volunteer coordinator and a team of volunteers who support many men to access constructive activities and life skills courses. Remand prisoners receive less access to these activities.

Offender Plans

Inspection Standards

- All prisoners have an offender plan.
- All prisoners receive support to achieve the targets in their offender plans and progress through their sentence.
- Prisoners have a dedicated member of staff who supports them to make positive changes in their lives.

232. Case managers are responsible for assessing the rehabilitative and reintegrative needs of prisoners with the aim of assisting them to live offence free lives. Activities contributing to a prisoner's journey are recorded in an offender plan. Case managers work with both remand and sentenced prisoners.
233. At the time of our inspection, the prison was short two FTE case managers from its full complement of 6.5 FTEs. With the reducing prison population, the prison had elected not to fill these vacant roles. One staff member told us the decrease in the prison population had allowed case managers to work more productively with prisoners from initial contact through to organising whānau hui for release.
234. We reviewed the Case Management Standards of Practice for the six months to 30 April 2020. Case managers met the standard for initial contact with prisoners in 99.2% of cases.⁷¹ The

⁷¹ Case managers are expected to meet with all prisoners within 20 days of their arrival in prison.

- prison also met the standard for agreeing an initial offender plan (within 40 days of imprisonment) in most cases (88.6%).
235. Prisoners we spoke with about their case managers were generally satisfied with the support they received. Our review of prisoners' files confirmed Right Track meetings occurred and were well documented, though the range of staff attending the meetings was limited in some cases.⁷²
236. Case officers are Corrections Officers assigned to individual prisoners to encourage them to participate in rehabilitative activities and to relay information back to case managers. Prisoners should be assigned a case officer within three days of arriving in a unit. In the six months to 30 April 2021, this criterion was met for only 53% of prisoners.
237. Some prisoners we spoke with in the Remand Unit did not seem interested in their case officer or could not identify them. Some staff we spoke with said prisoners had been assigned to custodial officers who were not working in their unit. Recently, the prison had tried to assign case officers to prisoners who were housed in the same unit as the officer worked.

Findings

Finding 70. Most prisoners had offender plans and were satisfied with the support received from their case manager.

Finding 71. Some prisoners did not have access to a case officer in their unit, however improvements in this area are underway.

Education

Inspection Standards

- Education and vocational training programmes are offered in line with the needs of the learners.

238. Within the first month of entering prison, all prisoners receive an educational assessment then meet one-to-one with an education tutor to co-produce an individual learning pathway. Actions for the learning pathway are shared with a case manager who includes the recommended education activities in the offender plan.
239. At the time of our inspection, two education tutors were available on site. Education tutors confirmed they were up to date with their assessment and planning activities, having completed 24 literacy and numeracy assessments and 18 learning pathways in the six months ending 30 April 2021. Overall, 124 prisoners completed an education programme or course available during this period.
240. These outcomes were confirmed by prisoners we spoke with who said they had good access to education programmes and courses. One foreign national said he was very appreciative of the education activities he had accessed. He acknowledged that staff had gone out of their way to include him in these activities.

⁷² Right Track is a framework to support custodial staff to manage prisoners through their sentences.

241. The Education Centre has three programme rooms, which are shared between the education tutors and volunteers delivering classes. Each residential unit also has a programme room. Thirteen programmes were run on the site with education tutors co-ordinating a range of providers to deliver these programmes. Education staff told us they were well supported by custodial staff who facilitated prisoner movements or kept everybody safe during classes.
242. Several programmes aimed to help prisoners understand and relate better to their children. These included the Brainwave Trust's parenting programme and practical help for parents to read with their children (Story Book Dads, Skills for Dads, Story Reading Dads). Thirty-six prisoners completed these programmes in the six months ending April 2021.
243. In the same period, 13 prisoners completed programmes aimed at improving their social skills. These included the Positive Lifestyles Programme, Seasons for Growth and Head Start. Other education programmes included Think-It Art, driver licensing programmes, Intensive Literacy and Numeracy support, music and assistance to apply for a Kiwi Access Card.⁷³
244. Three vocational courses were delivered in association with prison industries: New Zealand Certificate for Infrastructure Works (Level 2), First Aid Certificate and Forklift Certificate. Seventy-nine prisoners completed vocational and drivers licensing courses in the six months ending April 2021.
245. Staff told us that most of the education and vocational programmes referred to above were available to sentenced prisoners only as they were generally in prison for longer periods. Remand prisoners could access the driver licensing, Kiwi Access Card and Positive Lifestyle Programme.
246. In addition to programmes run on-site, suitable prisoners could enrol in distance-learning certificates, diplomas or degree-level courses via Self-Directed Learning (SDL).⁷⁴ Two prisoners had completed a qualification via SDL in the six months ending April 2021. In the month of our inspection, 19 prisoners were waitlisted for SDL.
247. Prisoners can complete SDL study using the prison's Secure Online Learning (SOL) suite. SOL provides a limited number of secure computers for prisoners to improve their digital literacy. Prisoners have access to Microsoft Word, Excel, PowerPoint, Publisher and the ability to email their education tutor. Along with these applications, prisoners can access a range of pre-approved websites to learn computer skills, Te Reo Māori and complete online learning assessments. In the month of our inspection, 14 prisoners were waitlisted for SOL.
248. We were pleased to see the education tutors were developing their own reintegrative programme for supporting prisoners who were soon to be released. We discuss this programme in more detail later in this report.

⁷³ Kiwi Access Cards are a government recognised form of photographic identification that prisoners can apply for. Without identification documents it may be difficult for people to access accommodation, social welfare benefits and a bank account when they are released from prison. Driver licences are another useful form of identification.

⁷⁴ Study needs to be accessible and achievable within the prison environment and must align with the learner's learning pathway. Prisoners generally pay for their study or can access the Student Loan Scheme.

Findings

Finding 72. Sentenced prisoners had access to a wide range of education focused programmes throughout the year.

Finding 73. Remand prisoners received less access to education programmes.

Rehabilitation

Inspection Standards

- Appropriate interventions are provided to reduce the likelihood of reoffending and promote successful reintegration.
- Rehabilitation programmes, targeting the specific needs of the prisoner, are available and accessible.
- There is good cooperation and communication between the prison and social support organisations, including those that deliver rehabilitation programmes in the prison.

249. Rehabilitation programmes help prisoners address the thoughts, attitudes and behaviour that led to their offending and supports them to develop the skills to avoid reoffending after release.
250. Rehabilitation programmes can be offered to all sentenced and remand convicted prisoners. At Invercargill Prison, staff advised us that only sentenced prisoners accessed rehabilitation programmes. Remand accused prisoners cannot access offence-focused treatment programmes because their offending has not been proven in court.
251. Case management staff told us prisoners had to transfer to other sites to access many rehabilitation programmes as the prison had too few prisoners to make many rehabilitation programmes viable. A few prisoners we spoke with did not want to transfer prisons to participate in programmes, preferring to stay closer to their support networks.
252. The prison offers two motivational programmes. Three prisoners completed the Short Motivational Programme in the six months to 31 April 2021 and, as mentioned earlier, 18 prisoners completed the Tikanga Māori programme in the same period.
253. The prison also offers the Maintenance Programme (for offenders who completed an offence-focused rehabilitation programme elsewhere) and the offence-focused Short Rehabilitation Programme for Men (SRP-M). In the six months to April 2021, three prisoners completed the Maintenance Programme and four prisoners completed the SRP-M.
254. At our previous inspection we found waiting times for rehabilitation were lengthy, sometimes exceeding a year. At the time of our inspection, there were six prisoners waitlisted for the SRP-M and one for the Maintenance Programme.

Findings

Finding 74. Most sentenced prisoners must be prepared to transfer to other prisons to access offence-focused rehabilitation programmes.

Finding 75. Remand-convicted prisoners were not permitted to participate in rehabilitation programmes.

Work

Inspection Standards

- All prisoners, where possible, can engage in work that is purposeful, benefits them and increases their employability.
- Prisoners' health and safety is safeguarded during all work activities to the same standards as in community based work.
- Prisoners receive a fair incentive payment for the work they perform.

255. The prison provides work opportunities for prisoners in their units, around the prison and in prison industries.
256. Data provided by the prison shows that at the time of our inspection 57 prisoners were working in the prison: 29 prisoners from Centre Unit, 22 from South Unit and six from the Remand Unit. Rates of incentive payment varied between 40 and 55 cents an hour depending on the work being undertaken. Any prisoners not engaged in work received a basic weekly allowance of \$2.70. These rates are in accordance with Corrections' policy.
257. Working prisoners we spoke with were motivated to work and were pleased to have access to work at the prison.
258. Within their units, some prisoners worked as cleaners, painters, laundry workers or in the servery. Prisoners employed as orderlies are trusted to complete their jobs, such as cleaning other parts of the prison, with minimal supervision. The PCO of each unit allocates the men to work in the unit.
259. Some voluntary segregated prisoners worked in a group known as the 'internal gang' which cleaned parts of the prison outside the residential units. The 'internal gang' is supervised by custodial staff assigned to prison industries.
260. Prison industries offered work for 36 sentenced prisoners. Men worked in the prison kitchen, laundry, sewing room, the horticultural area, the prison grounds or the painting and maintenance teams. Remand prisoners could not work in the prison industries. Our previous inspection report also noted the prison offered a range of work activities to prisoners and this continues to be the case.
261. Some of the work completed by prisoners directly supported the community. For example, prisoners in the painting and maintenance team worked with the Department of Conservation to construct a boardwalk for the Anchor Island Sanctuary in Dusky Sound. Prisoners also built boxes for St John's defibrillators located in the town centre. Prisoners working in horticulture were growing plants for local runanga to support riparian planting

on farms and school-based projects. Prisoners grew vegetables, some of which were donated to the Salvation Army.

262. Prisoners working in the grounds and horticulture area told us their work enables them to have more time outside beyond their yard and unit. They appreciated the health and safety focus of their work⁷⁵ and that they were contributing to the local community. Staff confirmed that prisoners could complete New Zealand Qualifications Authority unit standards in horticulture. However, we found none of these unit standards were completed in the six months prior our inspection.

Findings

Finding 76. Sentenced prisoners had access to a good range of meaningful work opportunities both inside and outside of their units. The men enjoyed the contributions they made to the prison and the wider community.

Finding 77. It is positive to note that voluntary segregated prisoners work cleaning outside the residential units, but disappointing that this is known as the 'internal gang'.

⁷⁵ Through their work prisoners in grounds and horticulture learned how to safely use equipment such as chainsaws, mowers and tractors.

Reintegration

Inspection Standards

- Prisoners are able to keep up to date with news and the outside world while in prison, where appropriate.
- Prison management actively prepares prisoners for their release by facilitating access to post-release services.
- Prisoners with continuing health and social care needs are prepared and assisted to access appropriate services in the community prior to their release.
- Prisoners with drug and/or alcohol problems are prepared for release and have access to appropriate support and continued treatment in the community.
- Prior to release, prisoners have an up-to-date plan for addressing outstanding rehabilitation needs, which is managed in partnership with Community Corrections.
- Prisoners are given all necessary practical support and support information ready for their day of release.

263. Reintegration activities aim to help prisoners identify and overcome any barriers to successfully transitioning back into the community.
264. In the six months to 30 April 2021, 61 prisoners were released from Invercargill Prison. Most of these prisoners were either released on conditions (33) or on parole (12).⁷⁶
265. Case Managers assist prisoners to develop a release plan as they move towards release.⁷⁷ At Invercargill Prison, case managers met the standard for release planning in 85.5% of cases in the six months ending April 2021.
266. Some prisoners we spoke with were completing the early part of their sentences and were not yet focused on their preparations for release. However, a few of these men were concerned about the unavailability of newspapers in prison. Our *Inspection Standards* state prisoners should be able to keep up to date with news and the outside world.⁷⁸ This reduces the sense of isolation for people while in prison and may help prepare some prisoners who are due for release for their re-entry to the community. Without newspapers, prisoners' access to news depends on them having the financial means to rent a television⁷⁹ or having access to a radio. We found this was not the case for all prisoners.

⁷⁶ Standard release conditions can include reporting regularly to community probation, restrictions on living and working arrangements, restrictions on associating with certain people, and limitations on the offender's ability to move to a new residential address.

⁷⁷ A release plan should include activities for each of the six pillars of reintegration, spanning prison and community corrections. The pillars cover accommodation, oranga/wellbeing, family whānau and community support, education and training, employment and skills for life.

⁷⁸ See also SMR 63. Having a television in a common room does not mean prisoners have access to news, as news programmes may not be available at the time prisoners are using the common room.

⁷⁹ All prisoners can opt into the Television Rental Scheme. This is free for the first 90 days, then costs \$2.00 per week. Costs are shared between prisoners when sharing a cell. Costs may be halved for prisoners who successfully apply to the Prison Director for a subsidy because of financial hardship.

267. The prison offers a Tattoo Removal Programme for prisoners. Some tattoos, particularly those on the face, can be a barrier to an individual's chance of a successful reintegration. One prisoner we spoke with was having his tattoos removed as part of his process to leave a gang.
268. Some prisoners said they felt confident about their release because of support they were receiving from family and whānau in the community. In contrast, three prisoners we spoke with told us they would be relying on support from available reintegration programmes for their release.
269. In the six months to 31 April 2021, the prison approved eight of 18 Guided Release applications. Guided Release is a temporary release for prisoners serving longer sentences to help them become accustomed to being in the community.⁸⁰ Typically, this might be a supervised outing to open a bank account, view accommodation or participate in a job interview. In the same period, no prisoners were involved in Release to Work (RtW) opportunities. RtW allows prisoners to participate in employment in the community.⁸¹ A couple of prisoners we spoke with said they would like to take part in RtW.
270. Some staff we spoke with said that the prison's Advisory Panel, which recommends whether prisoners should be granted Guided Release or RtW opportunities, was overly cautious in its assessments.
271. For many prisoners, release from prison involves at least one appearance before the New Zealand Parole Board. The Parole Board decides whether a prisoner is ready and has the necessary supports in place for successful release. The Parole Board can also place conditions for release on a prisoner, based on recommendations from Corrections.⁸²
272. Case managers told us they were working to enhance the quality of their reports sent to the Parole Board, and that they now attended Parole Board hearings with prisoners on their caseload. Data we reviewed for the year to the end of April 2021 showed the prison's case managers were meeting the timeliness standard for Parole Board reports.
273. In the six months to April 2021, 46 referrals were made to reintegration service providers contracted by Corrections. Most referrals were to Out of Gate (38), which supports prisoners on remand or on short sentences. Smaller numbers of prisoners (7) were referred to Tiaki Tangata, a wrap-around reintegration service for Māori prisoners, and one prisoner was referred to a Supported Accommodation service.
274. As mentioned in the Education section, the education tutors at the prison had developed a programme to support prisoners who were soon to be released. Known as Ready for Release or 'End of Lag', this programme supports prisoners to identify and adopt practical solutions to manage any anxiety about their release. Sessions are tailored to each prisoner's needs, for example, how to engage with the Parole Board, Community Corrections, employers and/or members of the community. Staff said they had received positive feedback from the men who had participated so far in the programme.

⁸⁰ Longer sentences are two years or more.

⁸¹ In RtW prisoners are paid for work at the same rate as other employees with similar skills and experience. Minutes from the Advisory Panel show five prisoners (including one person applying twice) had been presented for consideration for RtW opportunities from December 2020 to May 2021.

⁸² Among other things, prisoners need to demonstrate to the Parole Board their understanding of their offending and how they will avoid offending in the future, have completed their programmes and have somewhere to live when they leave the prison. The Parole Board can require prisoners to participate in further rehabilitative or reintegrative activities before they are released.

275. Case management staff told us they had received improved guidance from Corrections for managing prisoners who had been served with deportation orders but who were not able to be deported (because of limits on international travel due to Covid-19). Corrections can access funding to support deportees to integrate into the New Zealand community with case managers expected to plan for two scenarios: release to the community and deportation.

Findings

- Finding 78. Some prisoners had limited opportunities to keep up with news and the outside world.
- Finding 79. Prisoners had release plans and access to most reintegration activities.
- Finding 80. The developing Ready for Release Programme is a promising education initiative.
- Finding 81. Prisoners could not access Release to Work despite being eligible.

Prison Staff

Inspection Standards

- There is an adequate number of custodial staff to manage prisoners safely.
- All prison staff, who work with prisoners, have the necessary knowledge, skills and attitude, and are trained to work in line with professional and human rights standards.
- Staff are good role models for prisoners and relationships between them are professional, positive and courteous.
- Prison staff include a sufficient number of specialists, which could include social workers, teachers, trade instructors, counsellors and psychologists.

276. At the time of our inspection, prison staff were managing a reducing prison population. The site had recently closed North Unit to optimise staffing levels in other units. Prisoners from North Unit, among whom were remand convicted prisoners, had been transferred to South and Centre Units.⁸³ The ratio of custodial staff to prisoners had consequently increased from 1:20 to 1:15 in these units.
277. As noted in the Introduction, the site was six custodial staff below its full establishment staffing level. Some staff were concerned about custodial staff shortages and said that even when all roles were filled, the site was under-resourced. Staff from many parts of the prison also spoke about the challenges faced by custodial staff working in the Remand Unit. As previously noted, two staff are responsible for managing remand prisoners who are housed in basement cells, the men in the Separates cells on the ground floor as well as supporting the Receiving Office.
278. The prison implemented *Making Shifts Work*, Corrections' new rostering system, in early 2021. Since its introduction staff said Principal Corrections Officers were having difficulty regularly meeting with Senior Corrections Officers in the residential units with the rostering changes. Staff were relying on hand over notes, rather than having conversations to keep abreast of daily events and activities. Some staff also told us they felt exhausted by the consecutive long shifts (up to 12 hours) and that they were concerned about making mistakes due to their fatigue.
279. Our analysis of the staff roster showed leave cover was only available for the 8am-4pm shifts. If staff were needed to cover a longer shift, for example a 12 hour shift, they had to agree to this. The individual officer was then paid overtime for the extra four hours worked. Similarly, the roster did not allow for staff training, which meant when staff attended mandatory training, such as fire and first aid training, units could be short staffed.
280. Corrections demands a high standard of conduct from all employees, and staff are expected to role model pro-social behaviour. We observed positive relationships between staff and prisoners in some areas of the prison, particularly in the Centre and South Units and the ISU.
281. However, some prisoners and staff thought some custodial practices, such as time out of cell and unit activities, were inconsistent, which caused tension among staff and prisoners in

⁸³ Corrections' treats remand convicted prisoners as high security prisoners. Therefore, a higher staffing level was needed for the units receiving remand prisoners from the closed North Unit.

some units. The inconsistencies suggested some staff were more risk averse and focused primarily on security and others were prioritising prisoner rehabilitation and reintegration.⁸⁴

282. Some staff members told us they felt unsupported by the prison's management team who did not listen to their concerns. We observed low morale amongst staff across the site.
283. ISU staff spoke of the need to have the right people working in the unit, that is, people who wanted to work there and were interested in learning about the care of prisoners experiencing poor mental health. They also spoke of the need for specialised training to help them to provide the best possible care for prisoners in the unit. The request for specialist training for staff working in the ISU is common across the prison network.

Findings

- Finding 82. Some staff had concerns about the impacts of the recently-introduced staff rostering system *Making Shifts Work*.
- Finding 83. We observed pockets of pro-social and supportive relationships between staff and prisoners that aligned with Hōkai Rangi.
- Finding 84. Some staff and prisoners said that inconsistent applications of unit rules led to unnecessary tension.
- Finding 85. Staff morale was low across the prison, with some staff reporting they felt unsupported by the management team.
- Finding 86. Staff in the ISU wanted specialist training to help them care for prisoners with poor mental health.

⁸⁴ As previously noted, staff had different rules about allowing prisoners to keep cleaning products in their cells. Different approaches led to tension among staff and prisoners.

Appendix A – Images



Image 1. Invercargill Prison



Image 2. Remand Unit cell



Image 3. Remand Unit showers



Image 4. AVL booth



Image 5. Prison library



Image 6. Knitted toys



Image 7. Centre Unit



Image 8. Centre Unit cell

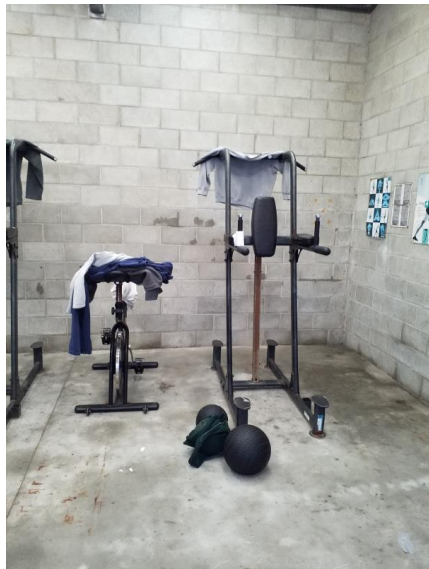


Image 9. South Unit exercise area



Image 10. South Unit yard



Image 11. Baking



Image 12. Wooden truck

Appendix B – Corrections' response



17 February 2022

Janis Adair
Chief Inspector
Department of Corrections

By email: janis.adair@corrections.govt.nz

Tēnā koe Janis

Re: Draft Report on Invercargill Prison Announced Inspection 30 May – 2 June 2021

On behalf of Corrections, thank you for the opportunity to respond to the draft inspection report for Invercargill Prison.

We were pleased that overall, the report noted men at Invercargill Prison were accommodated in a clean and well-maintained environment, felt safe from bullying and violence, and staff were professional in their interactions with the men in prison. The men interviewed provided positive feedback regarding contact with health staff and said that the Health Centre was a welcoming and clean environment. We were encouraged by your acknowledgement of the good support in terms of mental health care.

The report also noted positive improvement in areas highlighted within the 2017 inspection including the immediate needs assessments for men on arrival to prison, mealtimes, daily nurse clinics, several building projects, and the enhancement of physical site security.

Several areas that were highlighted during your inspection have since been addressed including Custodial support for health staff and additional specialist training for staff working in the ISU.

The site moved to the new Making Shifts Work (MSW) roster in early 2021 and this determines that most staff now work 10 hour shifts. This allows for rostered staff to support the health team, an increased unlock time and improved routines for men, including mealtimes which are more closely aligned with "normal" dining times. As stated within your report dinner is now served from 5.00pm.

We acknowledge that similar to other sites where MSW has been implemented, it has highlighted several staffing challenges and limits the number of staff available to cover unplanned absences. However, it places staff into a

residential unit more consistently and for longer hours on a rostered day which increases case officer availability and access and a greater opportunity to observe and engage. Since the introduction of MSW at Invercargill Prison a number of minor adjustments to the roster and desk files have been made based on staff feedback while still balancing and satisfying the needs of safety and operations.

It is accepted the physical infrastructure limitations at Invercargill Prison provide some complexities, such as in the Receiving Office and shared dining room facilities.

The report stated there were limited opportunities for prisoners to practice Māori culture and customs. Significant ongoing work is underway to strengthen the prison's practice in this area, and Invercargill Prison participated for the first time in the Whakataetae Kapa Haka competition which took place over four weeks from mid June to mid July 2021. It was heartening to note that during the inspection inspectors observed some pro-social and supportive relationships between staff and people in prison that aligned with Hōkai Rangi.

The Inspectors noted that access to dental services was identified as an area for concern with waiting lists. Wait times for dental treatment are well documented across many sites, and health is providing more dental appointments to reduce waiting lists over the next 3 months. It is anticipated that new contracting will increase availability of clinicians and a decrease in waiting lists in this area and improve the service offered.

Forensic Mental Health Service clinicians visiting the site have logins for MedTech and are requested to document in the PMS at the time of a consultation. This can initially be a brief overview prior to a more comprehensive report being carried out.

Weekly MDT meetings commenced in December 2021 and work will be ongoing to ensure that clinical information is well documented. A Service Level Agreement (SLA) (to be renamed Operational Guidelines) with Southern District Health Board Forensic Mental Health Service and Ara Poutama is being prepared and will be signed off by 15 March 2022. The documentation of clinical information is noted as a requirement in the SLA.

The report highlighted the health team lacked confidence in their understanding of the Hōkai Rangi strategy and how this contributed to working responsively with Māori. Work is ongoing to address this, including an education session surrounding Hōkai Rangi which was run by the Health Centre. This highlighted the need for ongoing education, which is now carried out on a monthly basis. Alongside this, cultural supervision is about to commence to support Māori members of the health team who are taking on a desire to increase their role within Māori healthcare and health literacy. This will progress with an introduction to the design work being undertaken in relation to Te Matatiki o te Ōranga, which will be the name of the Māori health service (currently being developed) for Ara Poutama.

Hōkai Rangi calls for the co-development of a kaupapa Māori health service that reflects the aspirations of whānau, delivers equitable health outcomes, and helps achieve pae ora – healthy futures for Māori and all people in our care and management. The Health Services Pae Ora team have been working to develop the work programmes required to begin high level design of the service in 2022

A Māori Health & Literacy Portfolio has also been established and assigned to the Māori nurse on site. This is proving effective with significant success around education and engagement with Māori and especially to encourage the Covid-19 vaccination uptake.

It is pleasing to note that interactions with men accommodated in the ISU were engaging and respectful. However, we acknowledge the concerns raised regarding incomplete and unsigned management plans.

While we acknowledge that there is sometimes more demand than available beds in the ISU, we have the option of using safe cells and the separates area during urgent need. Liaison with forensics and the mental health Clinical Nurse Specialist has assisted in tackling the needs of men at risk. Risk assessments are carried out prior to moving anyone from the ISU environment. This includes discussion with the individual. Men who are considered closest to transitioning out of the ISU (ideally on less frequent observation periods) are the preferred option.

The men are able to maintain contact with family/whānau through mail and access to telephones. Your report also noted there was also a welcoming environment for the men to receive visits with family/whānau including times suitable for school aged children to visit. It is worth noting that the prison also offers video calling with a laptop available in all units, and while current demand levels are low, the men are aware of the process involved in facilitating the use of these.

At the time of the inspection it was noted there was a good level of access to chaplains and the volunteer coordinator provided a good level of support with a large number of activities organised and offered. A large number of volunteers engaged to provide access to constructive activities.

Your report noted that men on remand received less access to education programmes than men who have been convicted and sentenced. We recognise due to the transient nature of the remand population, programme delivery tends to be modular. Out of Gate delivers life skill modules (such as goal setting, budgeting, writing a CV, communication skills) Head Start, Intensive Literacy and Numeracy. Some remandees located in residential units are able to access employment based on their risk category.

Your report noted men in the prison were unable to access Release to Work (RTW) despite being eligible. While we acknowledge RTW activity is limited at

Invercargill Prison, a Guided Release/Release to Work Case Manager was appointed in late 2021 and has been tasked to manage this process.

Eligible men are brought to monthly Advisory Panels for assessment of security risk, engagement in rehabilitative and employment pathways and to gauge their suitability for a RTW pathway. The Case Management teamwork pro-actively and creatively around identifying appropriate Guided Release activity opportunities.

Your report highlighted concerns regarding low staff morale. I am advised that since your inspection a feedback session between staff and their union representatives has been facilitated. Detail of concerns were raised and discussed with the Prison Director and a response agreed and communicated back to staff. While it was recognised that not all concerns raised were able to be answered, it was accepted that the response and messages going forward were the best achievable, reasonable, and appropriate.

Conclusion

Prison inspections play an important role in building a culture of continuous improvement for Corrections and many of the opportunities to improve take time to implement successfully.

Overall, the report contains much that is positive. It recognises there is still areas for further improvement in meeting the needs of men and providing a healthy environment for staff.

We trust you are satisfied with our response to the draft report. Please advise if you have any concerns or questions about the information provided.

Ngā mihi nui



Rachel Leota
National Commissioner



Juanita Ryan
Deputy Chief Executive Health