

Young people and young adults in Corrections' custody

Thematic report

2024



INSPECTION TEAM

Russell Underwood	Assistant Chief inspector
Ashley Shearar	Principal Inspector
Sophie Wechselblatt	Assistant Inspector
Ang Curtis	Principal Inspector
Fiona Irving	Principal Clinical Inspector
Kellie Fruean	Inspector
Melissa Graham	Inspector
Manoj Gounder	Inspector
Katrina Wolfgramm	Inspector
Tracey Mitchell	Clinical Inspector
Sarah Penno	Clinical Inspector
Annie Vékony	Clinical Inspector

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Office of the Inspectorate | *Te Tari Tirohia*

Department of Corrections | *Ara Poutama Aotearoa*

Private Box 1206

Wellington 6140

New Zealand

Telephone: 0800 225 697

Email: inspectorate@corrections.govt.nz

Web: <https://inspectorate.corrections.govt.nz/>

Contents

Contents	2
Office of the Inspectorate <i>Te Tari Tirohia</i>	3
Foreword	4
Executive Summary	6
Recommendations and areas for consideration	10
Prison network	16
Introduction	17
Young people and young adults in Corrections' custody – an overview	26
International guidance	34
Cultural responsiveness	38
Health	52
New Zealand frameworks, strategies and legislation	79
Corrections' National Office support for young people and young adults	87
Placement options and decision-making	91
Maintaining good order	122
Prison staff	128
Prison life for young people and young adults	135
Returning to the community	174
Conclusion	186
Acknowledgements	189
References	190
Appendix A – Terms of Reference	192
Appendix B – Corrections' response	196
Appendix C – Letter from Chief Ombudsman	199
Appendix D – Images	207
Appendix E – Inspectorate information for young people	209
Appendix F - Washington Group Short Set of Disability Questions	211
Appendix G – Letter from Principal Youth Court Judge	212
Appendix H – Young Adult Framework	213
Appendix I – Assessment for the Placement of Young Adults (APYA) documents	214
Appendix J – Spring Hill Corrections Facility induction booklet	227

Office of the 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

We acknowledge the values of Ara Poutama Aotearoa (the Department of Corrections): **rangatira** (leadership), **manaaki** (respect), **wairua** (spirituality), **kaitiaki** (guardianship) and **whānau** (relationships).

Office of the Inspectorate 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



Foreword

I undertook this work as a broader examination of Corrections' management of young people and young adults in New Zealand's 18 prisons to complement our already well-established programme of prison and thematic inspections.

I had identified concerns about the management of young people and young adults in prisons including their placement, limited time out of cell, separation and isolation, access to meaningful and constructive activities, limited rehabilitation and reintegration opportunities, and access to health care.

Furthermore, I was increasingly concerned that over the last five years the impact of legislative and policy changes as well as significant events, including the Covid-19 pandemic and the increasing remand population, were adversely impacting on Corrections' ability to effectively manage those aged under 25 years in prison.

It was clear to me that a thematic inspection was both timely and necessary.

It is important to note that New Zealand is not alone in facing these challenges. I was greatly assisted in this work by the insights shared by oversight agencies from comparable jurisdictions, which have reported similar challenges managing the changing characteristics and complex needs of young people and young adults in prison.

I also acknowledge that this report is released in the context of a programme of wider social change and a reform of the criminal justice system in New Zealand, which aims to address rates of reoffending, to minimise harm to the public and to place victims at its centre.

The recommendations I have made, together with the areas of consideration, are a call to action for Corrections to refresh its approach and improve its management of those under 25 years in prison; in particular, strengthening its focus on meaningful and effective rehabilitation and reintegration to address reoffending.

Corrections is just one part of the criminal justice system and addressing the challenges presented in managing this population group, both inside and outside of prison, can only be realised by a strong collaborative approach across all sectors. Change will likely only be realised by incremental steps rather than transformative overnight change. But it is possible.

I believe the recommendations in this report, if accepted, will go a long way to improving Corrections' responsiveness to the management of under 25-year-olds, ultimately leading to safer communities and just outcomes. Real and lasting change is needed, and it is imperative that this work is prioritised.

I acknowledge that Corrections has competing priorities, both operationally and fiscally, but a commitment to addressing the recommendations through optimising its services will, I am confident, lead to long term benefits.

The report makes 26 recommendations and has 29 areas for consideration. Corrections has responded, accepting all the recommendations in principle, including that it must report back on progress on the recommendations in six months and thereafter at six monthly intervals. I intend to report on progress publicly at periodic intervals.

I also acknowledge Jeremy Lightfoot, Chief Executive of the Department of Corrections | Ara Poutama Aotearoa, for his ongoing support and endorsement of this thematic inspection and the importance of gaining these insights about our young adult population.

It is my strong view there is a window of opportunity now for Corrections to refresh and redirect its efforts. I trust that with strong and collaborative support from its sector partners this opportunity will not be lost.



Janis Adair
Chief Inspector of Corrections



Corrections' Chief Executive Jeremy Lightfoot and Chief Inspector Janis Adair with a taonga – pounamu from Te Tau Ihu (the top of the South Island) – which was gifted to the inspection team to symbolically hold the mauri (life force) of the kaupapa (young people and young adult thematic inspection). It represents opportunities and hope for the future. The taonga will be passed to the Chief Executive together with the final report.

Executive Summary

Over the past two decades, research has established that adolescents typically do not fully transition to adulthood until at least their mid-20s. The evidence demonstrates that not only does the brain's pre-frontal cortex, which is responsible for complex functioning, such as impulse control and understanding consequences, continue to develop into late adolescence, but also this is a time when people form their identity and start to take on adult responsibilities. This means that what people are exposed to, and learn from, during this period is critical.

New Zealand has introduced policies and legislation informed by the growing appreciation of adolescent development and the needs of young people transitioning to adulthood. These policies and legislation, such as the Child and Youth Wellbeing Strategy, the Youth Plan, the Oranga Tamariki Action Plan and legislation to support young people who have a history in the care or custody of the State transition to independence, have implications for young people and young adults in the criminal justice system, including those in Corrections' custody.

It was therefore timely to investigate how Corrections considers the needs of young people and young adults in its custody, and ensures they have access to rehabilitation and reintegration opportunities that are responsive to their circumstances, including but not limited to their culture, health, age, sexual orientation and gender, to successfully complete their sentence and safely return to the community.

The purpose of this thematic inspection was to investigate how Corrections considers and responds to the unique developmental needs of young people and young adults in its custody. This included exploring the experiences, conditions and decision-making processes for young people and young adults across the prison network and identifying concerns, areas for improvement and examples of good practice. We also considered how Corrections ensures that young people and young adults in its custody are managed in accordance with their rights and entitlements set out in New Zealand legislation and relevant international instruments.

For this thematic inspection, the term 'young people' refers to people under 18 years, and 'young adults' refers to people aged 18 to 24 years in Corrections' custody.

This thematic inspection started in September 2023 and was completed in July 2024. There were between zero and two young people and between around 800 to 880 young adults in Corrections' custody during this period.

We focused on the timeframe from a year prior to the changes to legislation on 1 July 2019, when 17-year-olds were included in the Youth Justice jurisdiction (although we looked at events prior to this as well for context), to July 2024. This was to observe the impact of these legislation changes for both young people and young adults in Corrections' custody.

Prior to these changes, 17-year-olds were managed in the adult criminal justice system. Exceptions which allow for young people to be placed in Corrections' custody since July 2019 include legislation provisions for 17-year-olds to be remanded in a Corrections' facility if they present an unmanageable risk to another young person in a Youth Justice residence and a Corrections' youth unit is available. While the option to place young people aged 14 to 17 years old in a Corrections' facility had previously existed in the Corrections Act 2004, this provision was also amended in July 2019 to include 17-year-olds escalated to the adult court for sentencing.

During our thematic inspection we established two panels to provide insight across a range of disciplines. One panel was comprised of people with lived-experience who had overcome significant childhood challenges as well as direct or indirect exposure to the criminal justice system from a young age. Each of the lived-experience panel members draw on their past experiences to help others

discover their sustained pathway out of the criminal justice system. The other panel comprised academic and professionals with expertise in Te Ao Māori, youth justice, women in custody, youth voice and advocacy, neurodiversity, youth forensic psychiatry and gang culture.

Hearing directly from young people and young adults in Corrections' custody was an essential part of this thematic inspection. Between 15 January and 20 March 2024, we interviewed 206 young people and young adults, as well as 160 frontline staff at all 18 prisons to gain insights into their experiences across the prison network.

During our thematic inspection we had contact with a number of New Zealand stakeholders, including the Chief Ombudsman; the Chair of the New Zealand Parole Board; the Chief Executive and Deputy Chief Executive of Oranga Tamariki; the Chief Children's Commissioner; the Chief Executive of Tira Tūhāhā Prison Chaplaincy Aotearoa; Aroturuki Tamariki – the Independent Children's Monitor; Young Adult List Court pilot cross-agency steering group members, chaired by the former Principal Youth Court Judge; lawyers who represent young people and young adults in the justice system; Talking Trouble Aotearoa New Zealand, speech and language therapists helping to improve communication for young people and young adults in the justice system; and staff from the Ministry for Youth Development, who told us about New Zealand's youth development principles, Mana Taiohi, and the updated Youth Plan focused on voice, leadership and action.

We also contacted international oversight agencies which provided us with information about their investigations into young people and young adults in adult corrections facilities, including their concerns, as well as examples of promising practice they have found to improve pathways and outcomes for young people and young adults in custody in their jurisdictions.

We found there was an immediate and sustained drop in the number of young people in Corrections' custody after 17-year-olds were included in the Youth Justice jurisdiction in July 2019. We also noted the significant reduction in the number of 18 to 24-year-olds in Corrections' custody over that same period. This was largely unrelated to the inclusion of 17-year-olds in the Youth Justice jurisdiction, and more the result of the downward trend in youth offending and imprisonment over that period. We found that the overall prison population was increasing at the time of our thematic inspection, which included the young adult prison population.

More than half of people under 25 in both the men's and women's prisons are on remand, and their most common index offence is violent offending, acknowledging that the number of young men in prison is significantly higher than young women.

We found that young people and young adults in Corrections' custody have high and complex needs, which include experiences of childhood trauma, poverty, cultural dislocation, neurodevelopmental disorders, limited education or work experience, gang affiliation and addiction. Many had experienced the loss of a parent or caregiver or became parents themselves at a young age. We heard that there was limited continuity of care from agencies responsible for addressing their high and complex needs when they came into Corrections' custody. Where there was continuity of care from these previous supports or agencies, young people and young adults told us this was appreciated.

We found that, in principle, Corrections recognises the unique developmental needs of young people and young adults in its custody. This is evident from its network of youth champions across the country from all disciplines; its online training module for working with young adults; its National Office Young Adult Team as well as its Young Adult Framework and Young Adult Hub to provide support and guidance for working effectively with young adults in Corrections' custody; and several youth-focused rehabilitation programmes and interventions.

However, these efforts have lacked sustained senior leadership, investment and oversight. They have not been well-coordinated, resourced or fully realised, and very few young people and young adults in Corrections' custody have benefitted from them.

Despite the introduction of Corrections' departmental strategy, Hōkai Rangi in 2019, which aims to reduce the over-representation of Māori in the Corrections' system following the Waitangi Tribunal report in 2017, *Tū Mai te Rangi! Report on the Crown and Disproportionate Offending Rates*, the significant over-representation of rangatahi Māori has persisted, especially in higher security prison environments and in the women's prisons. We found that rangatahi Māori had limited access to opportunities to develop or maintain their cultural knowledge and connections.

We also heard there is limited support for Pasifika young adults in Corrections' custody that adequately responds to their cultural needs and challenges. Access to religious support was limited and inconsistent across the sites.

We heard that, in general, there are no specific health considerations for people under 25 years in prison, including for mental health and neurodevelopmental disorders, and young adults typically access these services in the same way as the rest of the adult population. Some young men who have been in a youth unit have accessed additional support, for example from a youth forensic service or a dedicated counsellor.

Some young adults told us they felt healthier since being in prison, mostly because of having a healthier diet, not using drugs and exercising more regularly than when they were in the community.

While there have been some efforts to provide dedicated placement options for young people and young adults over the past five years, these options have been affected by several factors including the Covid-19 pandemic, a serious disorder event resulting in the indefinite closure of the Hawkes Bay Regional Prison Youth Unit in 2022, renovations to the Youth Unit at Christchurch Men's Prison, and the closure of the two young adult unit pilot projects at Rimutaka Prison and Manawātū Prison. While a temporary youth unit was established in a 12-bed high security wing at Manawātū Prison in August 2023, this unit does not meet the same criteria as the original youth units.

At the time of our thematic inspection, the two youth units had 32 beds in total, and both had vacancies, despite there being approximately 120 young adults under 20 years in Corrections' custody during this time.

We found that Corrections was not equipped to manage the risk of harm young people under 18 years, who are escalated into Corrections' custody, present to the vulnerable young adults placed with them in the youth units since the legislation changes. We found there were no suitable placement options for young people under 18 years old in Corrections' custody, if they needed to be removed from a Corrections' youth unit due to their risk of harm to others, that could keep them separated from adults as well as adequately meet their rights under the United Nations Convention on the Rights of the Child.

There were no dedicated placement options for young women in Corrections' custody at the time of our thematic inspection, and we heard that the placement assessment to determine the most suitable placement for any young adult in custody did not extend to young women.

We found that most sites had no suitable initial placement options for young adults coming into prison for the first time who were waiting for their placement assessments to be completed, except for the two sites with youth units.

Many young adults told us they either did not receive an induction when they arrived in prison or did not understand the induction. Most young adults told us they learned what to do in prison from other prisoners.

Young people and young adults told us how they had been transferred to several different prisons during their time in custody, often far from their home areas, which made it difficult for whānau and family to visit them in person. The Corrections' research team shared insights from their interviews with whānau and families of young people and young adults in Corrections' custody. These included

some of the challenges whānau and families face to maintain contact with young people and young adults in custody, or being able to support them when they return to the community.

Most young adults under the age of 25 years in both men's and women's prisons are placed in mainstream facilities. Given the high percentage of young adults in Corrections' custody on remand, most are placed in high security mainstream units with adult prisoners. We heard that many young adults are subject to pressure and intimidation from harmful influences, including from gangs, especially in the high security units. Young adults in high security units often spend up to 22 hours a day locked in their cells with very limited access to constructive activities, fresh air and exercise. They told us that it could be hard to make meaningful progress in these environments.

Young people and young adults told us they had very limited support to address their impulsive or disruptive behaviours, which could result in incidents and misconducts, preventing them from lowering their security classification. Many young adults in mainstream units told us they had limited interaction with staff and said many staff did not understand their needs or how to interact with them.

Most young people and young adults told us they struggled to access learning, rehabilitation and reintegration opportunities, especially in the high security units. We found that most young people and young adults in Corrections' custody have goals, interests and talents across a variety of areas, such as sports, arts, farming and construction, but have had limited opportunities to pursue their goals, due to their challenging circumstances prior to coming to prison, as well as limitations in prison. Young people and young adults who were or had been in Corrections' youth units or lower security units told us they had more access to these opportunities than in the high security units.

Most young people and young adults told us they want help with basic life-skills to cope when they leave prison, as well as to form safe, healthy relationships with whānau, family and partners, and to be good parents to their children. We heard that having a positive sense of identity and belonging, grounded in cultural connections was important, and young people and young adults appreciated opportunities to foster their cultural identity when this was available to them. Some young people and young adults told us they aspired to help others in the community to prevent them from taking the same path into the criminal justice system and prison. Many young adults told us they did not have suitable accommodation options, finances or support when they return to the community. Some stopped taking their prescribed medication. In general, many young adults told us they did not feel equipped to return to the community without reoffending.

We made 26 recommendations and there are 29 areas for consideration. The primary recommendation is that Corrections must develop a dedicated Young Adult Plan, to be reviewed after five years, that reflects its responsibility to respond to the unique needs, challenges and opportunities for all young adults in prison. This Plan must have executive-level ownership and site-based sponsorship to drive and sustain its implementation. Corrections' Young Adult Plan must address young adults' offending behaviour and equip them to safely return to the community from the earliest opportunity. It must include milestones to regularly track progress against measures of success.

Corrections responded to this report before it was finalised, accepting all the recommendations in principle. Corrections' actions to respond to the recommendations will align with its Te Ara Whakamua: The Pathway Forward organisational change structure and key initiatives and work programmes, including its Performance Framework, Organisational Roadmap, Long Term Network Configuration Plan, and Optimising Our Services and Integrated Pathways work programmes.

Recommendations and areas for consideration

Recommendations

Overarching

1. Corrections must develop a Plan for under 25-year-olds, that responds to and appropriately resources the unique needs, challenges and opportunities for young people and young adults in prison. This Plan must have executive level ownership. The Plan must address offending behaviour and equip them to safely return to the community at the earliest opportunity. It must build on existing knowledge, tools and resources and include milestones to regularly track progress against measures of success.

International guidance

2. Corrections must review the management of young people under 18-years-old in its custody against the United Nations Convention on the Rights of the Child and Corrections' Child Protection Policy.

Inter-agency connectedness

3. Corrections must strengthen its collaboration with government agencies across a broad range of sectors including, but not limited to, education, health, justice and social services, and also community providers, to ensure continuity of care and ongoing support for young people and young adults in prison to successfully transition to adulthood and back to the community, and reduce the risk of reoffending.

Cultural responsiveness

4. Corrections must ensure that rangatahi Māori in prison are supported and managed in accordance with the Crown's Treaty obligations. Corrections must ensure that, in its work to address the over-representation of Māori in the prison population, there is a specific and targeted focus on rangatahi Māori.
5. Corrections must provide appropriate cultural and spiritual support to young people and young adults, which allows them to meaningfully connect to their identity.

Arrival in prison

6. Corrections must ensure that a wide range of age-appropriate, accessible communication mediums are available for imparting important information to young people and young adults, in areas such as induction, rules and expectations, and complaint processes. Covering both written and oral communication, approaches might include printed material using simple language and graphics, better utilisation of prisoner television, and ensuring that matters are thoroughly explained, allowing for questions, and receiving confirmation that information has been properly understood.
7. Corrections must develop a process to establish whether a young person or young adult received into Corrections' custody has spent time on remand in a Youth Justice residence, to ensure this is included as part of sentence calculations.

Placement

8. Corrections must provide tailored placement options across the prison network, in dedicated units or wings with access to open green spaces. These must be well resourced, with staff trained in working with young people and young adults supported by multidisciplinary teams at each site with the skills to respond to the needs of those under 25 years. The focus of these units or wings must be on building positive, trusting relationships to improve behaviour management supporting transition safely to the community and adulthood, minimising the risk of reoffending.
9. Corrections must ensure that a holistic assessment is completed to determine the most suitable placement for young people and young adults, including young women, taking into account their individual needs and circumstances. Placement assessments should be uploaded to IOMS in a timely way. Assessments must be regularly reviewed and updated whenever there is a change in circumstances. Staff should refer to the assessments during their interactions with young people and young adults.

Health

10. Corrections must provide a comprehensive health assessment and proactive interventions for young people and young adults that are tailored to their age, including linking them with community providers before release, where possible. This must include dental, mental health, trauma, and drug or alcohol needs. Health interventions must include health promotion and education.
11. Corrections must recognise and respond to the neurodevelopmental needs and neurodisabilities of young people and young adults in prison, such as attention deficit hyperactivity disorder, fetal alcohol spectrum disorder, traumatic brain injury and learning disorders. This includes early cognitive screening, upskilling staff and providing environments that consider their sensory needs.
12. Corrections must consider how it can support access to health and disability services to address the high prevalence of disabilities among young people and young adults in prison and ensure continuity of care during and after imprisonment.
13. Corrections must prioritise and implement comprehensive alcohol and drug use assessments, interventions and programmes tailored to the unique needs of young people and young adults, which address both the physical and psychological aspects of addiction. This must include interventions aimed at reducing vaping and tobacco use among young people and young adults.
14. Corrections must implement monitoring and evaluation systems to track health outcomes among young people and young adults. Data collected from these systems should inform policy decisions and help identify areas for improvement to ensure that health services are responsive to the health needs of young people and achieving desired outcomes.

Rehabilitation and Reintegration

15. Corrections must increase support to enable young people and young adults to make meaningful progress while on sentence. This includes increasing the frequency of security classification reviews from six to three months to increase motivation and access to a broader range of programmes.
16. Corrections must ensure that young people and young adults have purposeful and constructive activities (including education, rehabilitation, work opportunities, and recreational and physical activities) as part of structured daily routines, which will require increased time out of cell, throughout their time in custody, including if they are on remand or serving short sentences.

17. Corrections must provide healthy relationships programmes to young people and young adults. These programmes should encompass respectful communication, forming safe intimate relationships, and developing parenting skills.
18. Corrections must develop age-appropriate programmes for young people and young adults that include basic living skills to support their transition to adulthood and into the community.
19. Corrections must consider how to improve the continuity of support and connection between prison and Community Corrections to assist young people and young adults in their transition from prison to the community. Corrections must consider how to improve access to reintegration supports for young people and young adults and ensure that these services are adapted to their unique developmental needs.
20. Corrections must increase awareness among Corrections' staff of the Oranga Tamariki Transition Service, to enable better access for eligible young people and young adults.

Whānau, family and community

21. Corrections must consider adopting technology solutions (such as those used in comparable overseas jurisdictions) which offer greater opportunities for young people and young adults and their families and whānau to maintain contact by telephone, and also provide a voice-mail message answer service.

Safety in prison

22. Corrections must consider how to encourage the wider use of restorative approaches in response to young people and young adults' behaviour which results in incidents and misconducts, to promote their understanding of the consequences of poor behaviour (including their prior offending behaviour) and to address harm to others.
23. Corrections must develop a gang management plan, with a particular focus on young people and young adults, to take into account their vulnerability and susceptibility to harmful influences in prison.

Staff capability

24. Corrections must undertake a comprehensive gap analysis of staff capability to work effectively with young people and young adults, and develop and implement a programme of training to achieve an uplift. This should include, but not be limited to, understanding typical adolescent and young adult brain development, the impact of trauma and neurodisability and skills in promoting positive youth development. Training should not be exclusive to custodial staff.

Data

25. Corrections must, in COBRA (Corrections Business Reporting and Analysis), extend the ability of users to filter all categories by age, which may be used to collate and analyse data about young people and young adults (including but not limited to complaints and requests, misconducts and incidents).

Progress reporting

26. Corrections must report back on progress on the recommendations in six months and thereafter at six monthly intervals. The Office of the Inspectorate will report on progress publicly at periodic intervals.

Areas for consideration

Arrival in prison

1. Corrections should consider how its initial reception process takes into account the additional support required for young people and young adults, particularly as this is often their first time in prison. Staff working in this area should have an awareness of the neurodevelopmental needs (and associated behaviour) of young people and young adults, and how to manage this.

Placement

2. Corrections should consider identifying a single point of contact to coordinate joint processes with Oranga Tamariki for any young person under 18 years being considered for placement in Corrections' custody and to coordinate movements for all young people and young adults across the prison network.

Cultural responsiveness

3. Corrections should consider how to recognise and respond to the diverse cultural needs of Pasifika young people and young adults in prison, in collaboration with their communities and families.

Whānau, family and community

4. Corrections should consider how to improve young people and young adults' access to whānau, family and supports using various available methods of communication from the earliest opportunity. This includes helping young people and young adults to access important contact telephone numbers when they first arrive.
5. Corrections should consider how to improve young people and young adults' contact with whānau and family members who are in prison, where this is safe and supports their rehabilitation and reintegration.
6. Corrections should consider how to mitigate the geographic and financial barriers for whānau and family who want to have face-to-face visits with young people and young adults in prison.
7. Corrections should consider how young mothers and fathers in prison can maintain safe, regular, in-person contact with their babies and young children to be able to form and maintain their bond. This may include extended children's visits and children's days.
8. Corrections should consider how rangatahi Māori in prison can access whānau ora wrap-around support such as Paiheretia Te Muka Tangata.

Health

9. Corrections should consider the unique health assessment needs of young people and young adults, particularly during early days in prison. Throughout their imprisonment, the types of assessments needed and the timing and prioritisation of completing these assessments should be considered.
10. Corrections should prioritise the completion of the Nicotine Replacement Therapy policy review. This should include considering how it can record the vaping status of young people and young adults, and take into account the impact of vaping on this group.
11. Corrections should consider how it can improve communication and support young people and young adults arriving in prison when making changes to medication prescribing.
12. Corrections should consider how it can ensure that young people and young adults know how to, and can, raise health concerns confidentially and without barriers when they are in prison, and ensure they are kept informed about the management of their health concerns.

13. Corrections should consider how it can better facilitate and support young people and young adults attending health-related appointments.
14. Corrections should consider strengthening its approach and responsiveness to dental care for young people and young adults who are more likely to experience pain and require treatment for wisdom teeth or who have not been able to access dental care in the community.
15. Corrections should consider how immunisation rates for young people in prison can be improved.
16. Corrections should consider how young people and young adults can have appropriate mental health assessments early in their imprisonment, that they know what mental health and counselling services are available, and that these are easily accessible. It should consider implementing programmes aimed at improving the mental wellbeing of young people and young adults, and reducing the stigma associated with mental health issues.
17. Corrections should consider how to improve the availability of therapeutic and private spaces for mental health and counselling services when working with young people and young adults.
18. Corrections should consider how young people and young adults can better access cognitive screening and neuropsychological assessments. Such assessments could lead to the early identification of underlying health issues, such as traumatic brain injury or neurodevelopmental disorders, which could then be appropriately supported and managed within prison, and ensure appropriate support when preparing for reintegration back into the community.
19. Corrections should specifically consider the health needs of young people and young adults when developing new, or reviewing existing, health services policies.
20. Corrections should consider providing basic health and wellbeing education and enhance health promotion efforts for young people and young adults in prison, ensuring that young people have access to accurate health information and resources.

Rehabilitation and Reintegration

21. Corrections should consider increasing the range of education and learning opportunities available to young people and young adults, that aligns with their interests and aspirations, and reflects the skills required for a variety of work opportunities in the community. This includes expanding the use of technology solutions, which reflect those available in the community.
22. Corrections should consider how to support young adults to access Bail Support Services at the earliest opportunity.
23. Corrections should consider how to improve young people and young adults' access to temporary removals and releases that supports their reintegration, (including Release to Work and guided release).
24. Corrections should consider how to improve the access of young mothers to Mothers with Babies units, and to utilise these spaces to teach them the skills needed when they return to the community.
25. Corrections should consider how to increase access to supported accommodation options for young people and young adults in the community that are safe from harmful influences and enable their successful reintegration.

26. Corrections should consider how to provide better access to peer support,¹ including those with lived experience, who can provide guidance to young people and young adults while they are in prison and as they transition to adulthood and the community.
27. Corrections should consider how to prioritise the case management of young adults when they arrive in custody, taking a multidisciplinary approach to enable their progress in prison and preparation for release into the community.

Staff capability

28. Corrections should consider updating the online learning module 'Working with Young Adults', and making it available to all staff.

Volunteers

29. Corrections should consider how to increase the access of young people and young adults in prison to community volunteers, to provide a range of activities and support reintegration.

¹ Peer support refers to a process through which people who share common experiences or face similar challenges come together as equals to give and receive help based on the knowledge that comes through shared experience (Riessman, 1989).

Prison network



Introduction

Poipoia te kākano, kia puāwai – Nurture the seed and it will flourish

In nature, each kākano (seed) has the potential to thrive in the right conditions. In its early stages, a kākano is buried deep underground in darkness. Its hard shell, the 'whe', protects it from harm until the conditions are right to find space, the 'nua', to turn and break through its protective layer towards the light.

This thematic inspection is about creating the space and nurturing conditions for the youngest people in Corrections' custody to feel safe, to develop, and to successfully return to the community without reoffending.²

1. Over the past two decades, research into brain and psycho-social development has established that people do not fully transition from adolescence to adulthood until at least their mid-20s.^{3,4,5} The evidence is clear that not only does the brain's pre-frontal cortex, which is responsible for complex functioning like impulse control, self-regulation and understanding consequences, continue to develop into young adulthood, but also this is a time when people form their identity and start to take on adult responsibilities.⁶
2. The healthy development of young people and young adults can be affected by factors that stem from childhood adversity, such as experiences of violence, grief and poverty, as well as disconnection from their culture, communities, families, schools and friends.⁷
3. Detention in custody during this critical life-stage can also affect young people and young adults' development. Prison typically limits young people and young adults' exposure to environments and experiences that can help them acquire the skills needed to adapt to social norms and expectations. Because of these limitations, prison fails to meaningfully address offending behaviour and equip them to successfully transition to adulthood.⁸
4. The New Zealand criminal justice system has acknowledged evidence around adolescent brain development, and the effect this has on criminal offending behaviour. Youth as a mitigating factor has been reflected in sentencing legislation for decades, and in 2011 the Court of Appeal explicitly acknowledged and applied evidence regarding adolescent brain development.⁹ As a

² We drew inspiration from this whakataukī (Māori proverb), and its interpretation in the context of this thematic inspection. It resonated with members from the Lived-Experience Panel who were able to reflect on the nurturing conditions that allowed them to succeed and remain out of the criminal justice system, which in turn gives hope to young people and young adults currently in prison.

³ Steinberg, L., Icenogle, G., Shulman, E., Breiner, K., Chein, J., & Bacchini, D.H. (2018). *Around the world, adolescence is a time of heightened sensation seeking and immature self-regulation*. Developmental Science.

⁴ Steinberg, L. (2015) *Lessons from the new science of adolescence*. Harper Paperbacks.

⁵ Sowell, E.R., Thompson, P.M., Holmes, C.J., Jernigan, T.L., & Toga A.W. (1999). *In Vivo evidence for post-adolescent brain maturation in frontal and striatal regions*. Nature Neuroscience 2.

⁶ Steinberg, L. (2015) *Lessons from the new science of adolescence*. Harper Paperbacks.

⁷ Fanslow, J.L., Hashemi, L., Gulliver, P., McIntosh, T. (2021). *Adverse childhood experiences in New Zealand and subsequent victimization in adulthood: findings from a population-based study*. Child Abuse & Neglect, 2021, 117:105067.

⁸ Lambie, I. and Randell, I. (2013) *The impact of incarceration on juvenile offenders*. Clinical Psychology Review 33 (2013) 448–459. Psychology Department, University of Auckland.

⁹ *Churchward v R* [2011] NZCA 531.

result, it is well settled law that sentencing judges take into account age and stage of development when dealing with people under 25.

5. In 2018, the then New Zealand Prime Minister's Chief Science Advisor, Professor Sir Peter Gluckman, published a report titled *Never too early, never too late: A discussion paper on preventing youth offending in New Zealand*. This report acknowledged that while early intervention with young children offered the best chance at preventing offending behaviour, there was still an opportunity to address harmful behaviour in late adolescence and early adulthood while the brain was still developing and malleable. This means young people and young adults can rehabilitate more easily at this age with the right supports and interventions, than when they are older.^{10,11}
6. Oversight agencies for correctional systems internationally have been investigating whether detention facilities in their countries consider and respond to the unique needs of young people and young adults in their custody.
7. It is therefore timely for the Office of the Inspectorate, *Te Tari Tirohia* to inspect how the New Zealand Department of Corrections, *Ara Poutama Aotearoa* (Corrections) considers and responds to the needs and challenges of young people and young adults in its custody to ensure they have access to suitable environments as well as rehabilitation and reintegration support to "...improve public safety and contribute to the maintenance of a just society".¹²

Defining Young People and Young Adults for this thematic inspection

8. For this thematic inspection, 'young people' are defined as people under the age of 18 years old, and 'young adults' as people aged 18 to 24 years.¹³

Young people

9. The definition of young people aligns with the interpretation of 'young person' in the amendment to the Oranga Tamariki¹⁴ Act which states that a young person is a person "*of or over the age of 14 years but under 18 years*".¹⁵
10. This amendment was introduced in July 2019 when 17-year-olds were included in the youth justice jurisdiction, with some exceptions.
11. Prior to this change, if a 17-year-old was charged with an offence, they would automatically be managed in the adult criminal justice system and would therefore be considered an adult, not a young person.
12. Although 17-year-olds are now included in the youth justice jurisdiction, there are exceptions. These exceptions allow for some young people between the ages of 14 to 18 years to be escalated to the adult court for sentencing, and provisions for these young people to be placed in a Corrections' facility if sentenced to imprisonment. They also allow for 17-year-olds on remand, both in the youth court and the adult court, to be placed in a Corrections' facility under certain circumstances. These exceptions and their implications for Corrections will be explained in more detail in this report.

¹⁰ Office of the Prime Minister's Chief Science Advisor (2018). *It's never too early, never too late: A discussion paper on preventing youth offending in New Zealand*.

¹¹ Steinberg, L. (2015) *Lessons from the new science of adolescence*. Harper Paperbacks.

¹² Section 5, Corrections Act 2004.

¹³ The Terms of Reference refers to 18 – 25 years. This is not inclusive of 25-year-olds. For clarity and to align with other related age brackets, this thematic report refers to young adults as 18- to 24-year-olds.

¹⁴ Oranga Tamariki is New Zealand's Ministry for Children.

¹⁵ Section 2, Oranga Tamariki Act 1989.

13. Young people under 18 years also have specific rights and entitlements under the United Nations Convention on the Rights of the Child. Corrections' Child Protection Policy, which outlines its *"commitment to supporting the wellbeing and safety of children and young people,"* applies to 14- to 17-year-olds in the Corrections' system including in Corrections' custody.¹⁶

Young adults

14. In 2020, Corrections decided to use the term 'young adults' for people aged 18 to 24 years old to recognise their unique developmental needs.¹⁷ Corrections has taken steps to acknowledge the unique needs of young adults, which are explained in this report. The unique needs of young adults aged under 25 years were also referenced in Corrections' recent restructure, Te Ara Whakamua – The Pathway Forward, which was implemented in April 2024.

Thematic inspection purpose

15. The purpose of this thematic inspection was to investigate how Corrections considers and responds to the unique developmental needs of young people and young adults in its custody. This included exploring the experiences, conditions and decision-making processes for young people and young adults across the prison network and identifying concerns, areas for improvement and examples of good practice.
16. It also includes how Corrections ensures that young people and young adults in its custody have access to their rights and entitlements outlined in relevant international instruments and New Zealand legislation.

Methodology

17. This thematic inspection took place between September 2023 and June 2024. It was operationally led by the Assistant Chief Inspector, and inspection activities were coordinated by two Principal Inspectors, supported by the Principal Clinical Inspector.
18. During the period of this thematic inspection, there were between zero and two young people under 18 years and between 805 and 880 young adults aged 18 to 24 years in Corrections' custody (noting a steady increase in the young adult population in prison since the start of this thematic inspection.)
19. The thematic inspection comprised three broad phases:
- Phase 1 (September 2023 – December 2023) focused on establishing two advisory panels and collecting background information to prepare for the site visits.
 - Phase 2 (January 2024 – March 2024) focused on the site visits, including interviews with young people, young adults and frontline staff.
 - Phase 3 (April – June 2024) focused on collating insights and formulating recommendations and areas for consideration.
20. A key part of this thematic inspection was hearing about the lived experience of young people and young adults in Corrections' custody.
21. The Corrections' research team shared relevant insights from their research into the experiences of families and whānau of prisoners in Corrections' custody. This research was yet to be published at the time of our thematic inspection.
22. The five year period covered in the thematic inspection was from 30 June 2018 to 30 June 2023. This timeframe allowed us to capture the period leading up to changes to legislation on 1 July 2019 when 17-year-olds were included in the youth justice jurisdiction, and to observe the

¹⁶ Corrections Child Protection Policy, 2022.

¹⁷ Minutes from the Corrections' Services Leadership Team, 2020.

impact of this change on young people and young adults in Corrections' custody. We explored additional background information for context where necessary.

23. For some specific areas of prison life, such as incidents, segregation and use of force, we considered a six month review period (1 June – 30 November 2023). The snapshot date for population breakdowns was 31 March 2024.

The advisory panels

24. To ensure we had a rich understanding of the needs of and considerations for young people and young adults in New Zealand's criminal justice system, we established two advisory panels: one panel comprised members with relevant lived experience, and the other panel included members with a range of academic or professional expertise.
25. Members of the Lived-Experience Panel provided insights into challenging childhood experiences and direct or indirect exposure to the criminal justice system from a young age. Most (not all) of the panel members had spent time in custody. All lived-experience panel members discovered successful pathways away from the criminal justice system which they draw on to support others in their rehabilitation and reintegration. The lived-experience members were selected because they represent a beacon of hope and possibility for young people and young adults in the Corrections' system.
26. Members from the Professional and Academic Panel provided specialist advice in areas of Te Ao Māori, youth justice, women in custody, youth voice and advocacy, neurodiversity, youth forensic psychiatry and gang culture.
27. The Professional and Academic Panel members are:
 - Dr James Gardiner, Forensic Psychiatrist at the Regional Youth Forensic Health Service in Auckland.
 - Dr Jarrod Gilbert, Director of Independent Research Solutions and Sociologist at the University of Canterbury.
 - Professor Ian Lambie, Chief Science Advisor for the Justice Sector.
 - Dr Valerie McGinn, Neuropsychologist, the Fetal Alcohol Spectrum Disorder Centre, Aotearoa; Honorary Senior Research Fellow Department of Population Health, University of Auckland.
 - Professor Tracey McIntosh (Ngāi Tūhoe), Professor of Indigenous Studies and Co-Head of Te Wānanga o Waipapa | University of Auckland, Chief Science Advisor at Ministry of Social Development, Commissioner at Te Kāhui Tātari Ture | Criminal Cases Review Commission.
 - Tupua Urlich (Ngāti Kahungunu), National Care Experienced Lead – VOYCE Whakarongo Mai.
28. We met with the panels three times. Members of the Inspections team also held individual meetings with panel members to gather additional specialist insights.

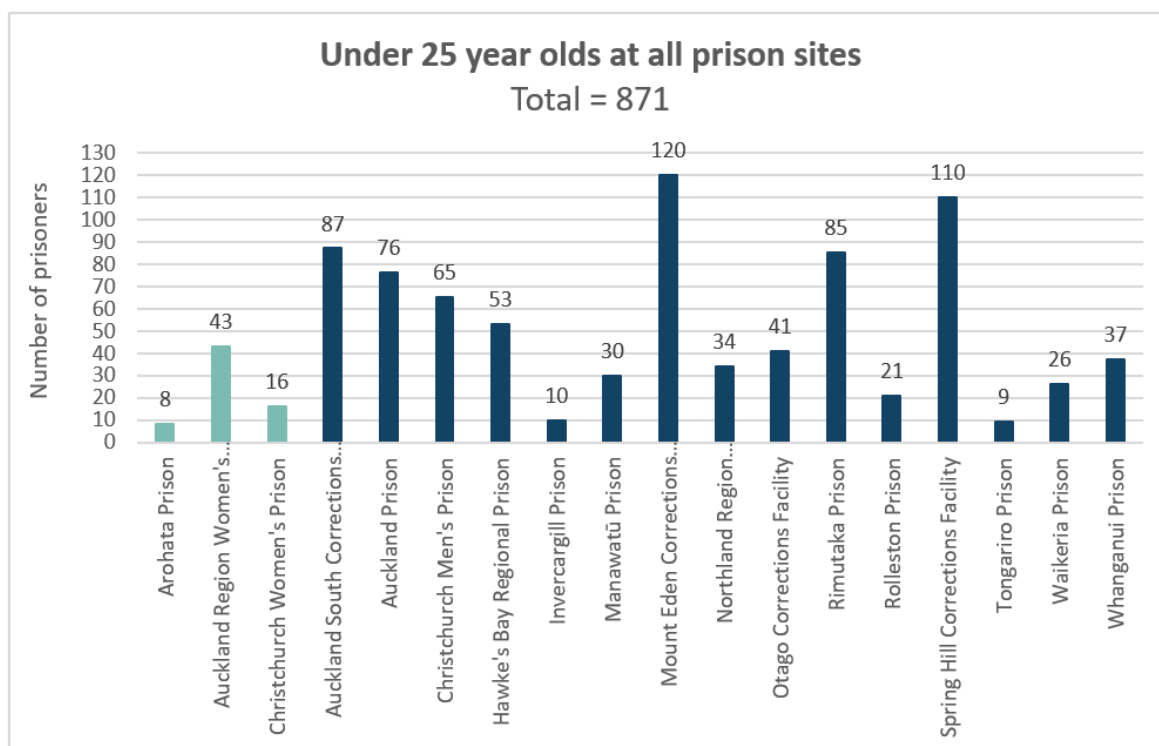
Key documents

29. The thematic inspection considered whether the management of young people and young adults is consistent with the Corrections Act, Corrections Regulations, frameworks, policies and procedures, as well as international instruments.
30. We also reviewed Corrections' records in its Integrated Offender Management System (IOMS) and other databases.

Site visits

31. The Inspections team informed prison directors¹⁸ of the thematic inspection at their governance meeting on 2 November 2023. Prior to the site visits, we sent a request for information to each of the prisons seeking initial information about any initiatives or activities relevant to young people or young adults at their site (past, current or planned), which all sites responded to.
32. Between 15 January 2024 and 20 March 2024, the Inspections team visited all 18 prisons and interviewed 206 people¹⁹ under 25 years (including 28 young women), and 160 frontline staff.
33. Graph 1, below, provides a snapshot of where young people and young adults are located across the prison network.²⁰

Graph 1



34. We interviewed young people²¹ and young adults from all security classifications, who had a wide range of experiences in Corrections' custody, such as different types of units and regimes, including custodial remand.
35. Young people and young adults were given written information explaining the purpose of the inspection and contact details for the Inspections team if they wanted to provide additional information following the visit (see Appendix E).
36. Staff participated in individual or group interviews, depending on their roles and responsibilities, such as whether they were youth champions, or responsible for assessing the

¹⁸ Prison directors changed their title to general managers on 1 April 2024 under a new Corrections' structure. For the purposes of this report, they are referred to as 'prison director' as this was their title for most of the period being inspected, unless we refer to their responsibilities after 1 April 2024.

¹⁹ While most young people and young adults were interviewed individually, we conducted two small group interviews with young men at low security sites.

²⁰ All snapshot data in this report is taken from 31 March 2024.

²¹ Noting there were fewer than two young people under 18 years in Corrections' custody at the time of our site visits.

placement of young adults in custody, or provided general rehabilitation, learning and reintegration supports or had custodial responsibilities. Examples of prison staff interviewed included prison directors, principal case managers, principal custodial officers and education tutors. National Office staff interviewed included the Chief Mental Health and Addictions Officer, Director Mental Health and Addiction Services, National Manager Pasifika, Principal Advisor Young Adult and Chief Māori Health Officer. Two Regional Operations Directors Health were interviewed.

37. Following each site visit, Inspectors briefed prison directors on their initial findings. This was an opportunity to raise any immediate concerns, as well as to share common ideas for improvements suggested by staff, young people and young adults.

Sector collaboration

38. During our thematic inspection, we communicated with several key stakeholders to hear their insights in relation to young people and young adults in Corrections' custody, as outlined below.
39. We spoke with the Chair of the New Zealand Parole Board, Sir Ron Young, to hear his experiences of young people and young adults seeking parole, including barriers to progress, and whether the Parole Board had observed ways to overcome these barriers, especially for young people or young adults in Corrections' custody.
40. We spoke with Oranga Tamariki Chief Executive, Chappie Te Kani, and Deputy Chief Executive, Tusha Penny, to share insights from young people and young adults in Corrections' custody, many of whom had a history in the care or custody of Oranga Tamariki. During this meeting, we acknowledged that joint commitment, responsibility and collaboration between Corrections and Oranga Tamariki is essential to improve the experiences, interventions and outcomes for young people and young adults in the justice system, and their families and whānau.
41. We met with the Ministry of Justice-led cross-agency Young Adult List Court steering group, which is chaired by former Principal Youth Court Judge John Walker, on two occasions. The Young Adult List Court steering group is comprised of representatives from Corrections, the Ministry of Justice, the Police Prosecution Service, Oranga Tamariki, Te Whatu Ora – Health New Zealand, and the Ministry of Health. This steering group has supported the implementation of the Young Adult List Court pilot at three district courts²² across New Zealand since 2020. The Young Adult List Court aims to help young adults better understand and participate in the court process, and for courts to better respond to their developing needs. During our meetings with the steering group, we informed members of this thematic inspection, shared initial findings and identified potential areas of common interest related to young adults in the criminal justice system.
42. We also spoke with lawyers who have significant experience working with young people and young adults in the criminal justice system, including Tiana Epati and Moana Cole. We heard about their experiences supporting young people and young adults, especially those who transition from the youth to the adult jurisdiction and are placed in Corrections' custody.
43. We spoke with Sally Kedge and Alayne McKee from Talking Trouble Aotearoa New Zealand, who have significant experience supporting young people and young adults overcome communication barriers in the justice system.
44. We also met with John Axcell, Chief Executive of Tira Tūhāhā Prison Chaplaincy Aotearoa, to hear about the work of the prison chaplaincy in Corrections' prisons, and some of its challenges in delivering services.

²² At Porirua, Hamilton and Gisborne.

Contact with relevant national oversight agencies

45. The Office of the Inspectorate informed agencies responsible for the oversight of children and young people in State care or custody of the thematic inspection, sought their input and kept them updated on progress. These oversight agencies were:
- *Mana Mokopuna* – Children and Young People’s Commission
 - *Aroturuki Tamariki* – Independent Children’s Monitor
 - Ombudsman New Zealand – *Tari o te Kaitiaki Mana Tangata*
46. The roles and responsibilities of these three oversight agencies are explained later in this report.
47. The Chief Inspector also wrote to Chief Ombudsman Peter Boshier to invite him to share his observations on the management of young people and young adults in Corrections’ custody over the past five years. He responded in a letter to the Chief Inspector dated 9 May 2024. This letter detailed his observations and included concerns his Office had previously raised with Corrections in relation to the management of young people and young adults in Corrections’ custody, which are referenced in this report (see Appendix C).

Contact with international oversight agencies

48. During this Inspection, the Chief Inspector contacted overseas agencies which have oversight of corrections facilities that accommodate young people and young adults. We wanted to know of any similar reviews or inspections, and if so, whether they could share insights, including any concerns or evidence of good policy and practice related to the unique needs and challenges for young people and young adults in custody. The agencies we had contact with were:
- HM Inspectorate of Prisons for England and Wales
 - HM Inspectorate of Prisons for Scotland
 - The Correctional Investigator of Canada
 - New South Wales Inspector of Custodial Services
 - Western Australia Inspector of Custodial Services
 - The Victorian Inspectorate
 - Victoria’s Commission for Children and Young People
 - Office of the Custodial Inspector, Tasmania
 - Australian Capital Territory Inspector of Correctional Services
49. These agencies shared insights from relevant investigations.
50. Overall, we heard there was evidence of a growing awareness in most jurisdictions about the need to consider and respond to the needs of the young people and young adults in custody. However, attempts to trial different approaches have been sporadic, discrete and short lived, with a lack of enduring investment and support.
51. We noted some of the overseas agencies’ frustration at the lack of action in their jurisdictions following their investigations and recommendations. This is especially evident in the introduction to a brief thematic inspection into young adults in prison where HM Chief Inspector of Prisons in England and Wales references the following statement made by his predecessor from its thematic inspection report in 2006.²³

“The clear message of this report, however, is that what will not work is simply to decant young adults into the mainstream adult prison population. That will not

²³ HM Inspectorate of Prisons (2021). *Outcomes for young adults in custody – A thematic Review by HM Inspectorate of Prisons*. London, England.

provide environments that meet standards of safety and decency – or, crucially, that are able to make a real difference to reducing reoffending among this age group.”

He goes on to state:

“It is disappointing that this warning was ignored, and we now have a system where nearly all young adults have simply been placed into mainstream establishments, which have neither the resources nor the interventions to meet their needs.”

52. Nevertheless, we did learn of some examples that included special considerations for young people and young adults. These included strengthening the oversight of young people under 18 years in adult prisons by Victoria’s Commission for Children and Young People; developing monitoring expectations and indicators for young people and young adults in prison with special age-related considerations in Tasmania; creating conditions that respond to neurodiversity in England; and providing campus-style learning environments to support learning and development in Northern Ireland.²⁴
53. We also heard examples of dual-track systems for young adults over 18, which included placement options in youth justice facilities (e.g., in Victoria), or in dedicated facilities (e.g., in Scotland), depending on factors such as vulnerability or motivation to engage in rehabilitation.
54. Some of these examples are referenced further in this report.

Limitations

55. This thematic inspection is limited to the role and functions of Corrections with respect to young people and young adults in custody. Other agencies may have obligations towards the same people, and while we think it is important for these agencies’ functions to be reviewed, they are out of scope for the purposes of this thematic inspection.
56. There are limitations to the accuracy of Corrections’ data, which largely relies on the quality of information collected and recordkeeping.
57. Information in the electronic patient management system did not accurately record all the topics we reviewed (such as types of neurodiversity) as it is reliant on manually entered READ codes, which is an underutilised function of the system.²⁵
58. This thematic inspection was assisted by Corrections’ strategic analysis team for the provision of data about young people and young adults in Corrections’ custody. We found that in a number of areas (for example misconducts, requests and complaints, and incidents), data could not be readily accessed through Corrections’ reporting systems without the assistance of this team. While this did not have an adverse effect on the ability to collect and analyse data for the purposes of this report, this barrier to data collection could impact on-going, regular data collation to inform a future work programme in the young people and young adult area.

Recommendations

Overarching

1. Corrections must develop a Plan for under 25-year-olds, that responds to and appropriately resources the unique needs, challenges and opportunities for young people and young adults in prison. This Plan must have executive level ownership. The Plan must address offending behaviour and equip them to safely return to the community at the earliest opportunity. It must build on existing knowledge, tools and resources and include milestones to regularly track progress against measures of success.

²⁴ HM Chief Inspector of Prisons is invited to inspect prisons in Northern Ireland.

²⁵ READ codes are a standardised set of codes that represent all different types of diagnoses, injuries and clinical terms.

Progress reporting

26. Corrections must report back on progress on the recommendations in six months and thereafter at six monthly intervals. The Office of the Inspectorate will report on progress publicly at periodic intervals.

Young people and young adults in Corrections' custody – an overview

"I learn a lot from the boys. Their stories are sad. So young and they have had rough lives – not knowing where they were going to sleep at night, where the next meal would come from, they have no parents or anyone to take care of them, beaten, abused, and leading a life of crime to survive." [Corrections officer working in a youth unit]

Current demographics

59. The Justice Sector Long Term Insights Briefing refers to the drop in imprisonment in young people and young adults under 25 years as *"the most significant changes observed in the prison population during the last 60 years"*:

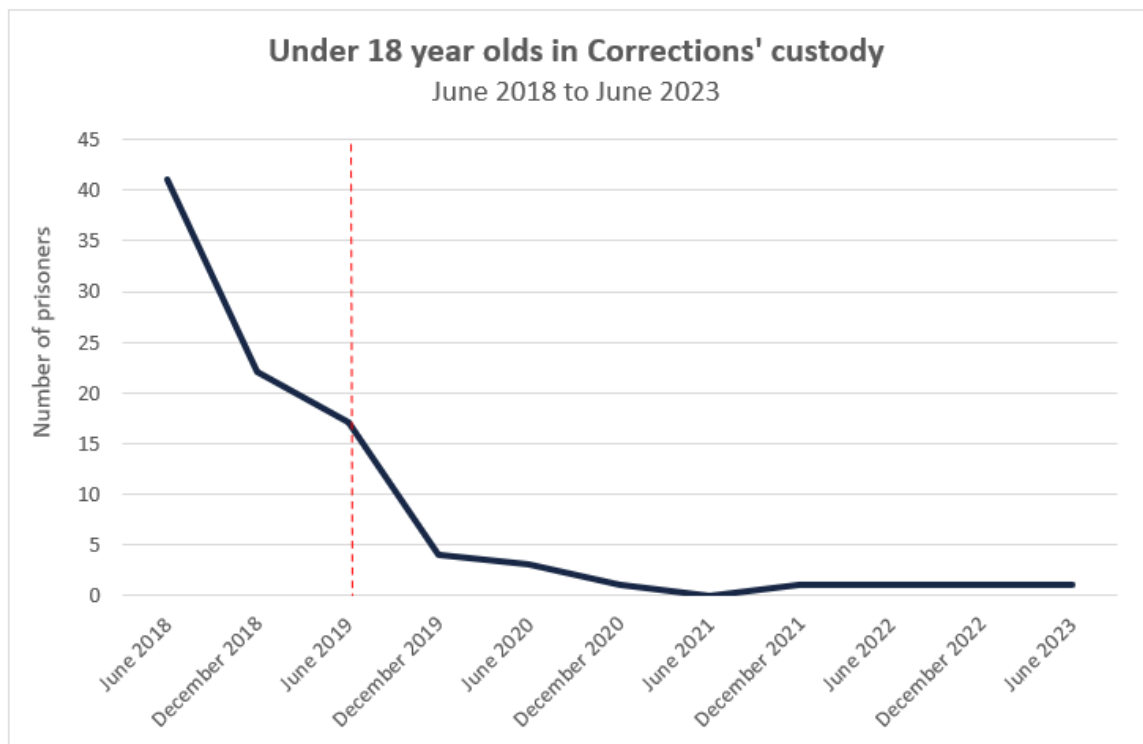
"Overall, in 1980 64 percent of the prison population was under the age 25; by 2022 ten percent was."

60. Even since 2018, there has been a notable decrease in the number of young people and young adults in Corrections' custody.
61. For young people under 18, this reduction can be attributed to the legislation changes in 2019. While the number of people under 18 had steadily decreased prior to the legislation changes, following these changes most 17-year-olds in custody have been placed in a youth justice residence rather than in an adult prison. This resulted in a rapid and sustained reduction of young people under 18 in Corrections' custody.
62. Graph 2, below, shows the reduction in the number of young people under 18 in Corrections' custody following the legislation changes in 2019 (dotted red line). The graph starts at July 2018, a year prior to the legislation changes coming into force, to demonstrate the impact of this change for people under 18 since July 2019.
63. While the overall prison population also reduced over that same timeframe, the proportion of people under 25 years reduced more than any other population in Corrections' custody.²⁶ In June 2018, there were 1,673 young adults under 25 years in Corrections' custody. By July 2022, the total number of young adults in Corrections' custody had more than halved, to 726.
64. This drop in overall numbers since 2018 is shown in Graph 3, below. The reasons for this reduction are not certain. Likely factors are lifestyle changes in this age cohort, such as less alcohol consumption and spending more time at home than previous generations. Courts have also been more likely to impose community-based sentences rather than imprisonment for this age group.²⁷ The response to Covid-19 is likely to have had an impact, although this has not been well researched yet.

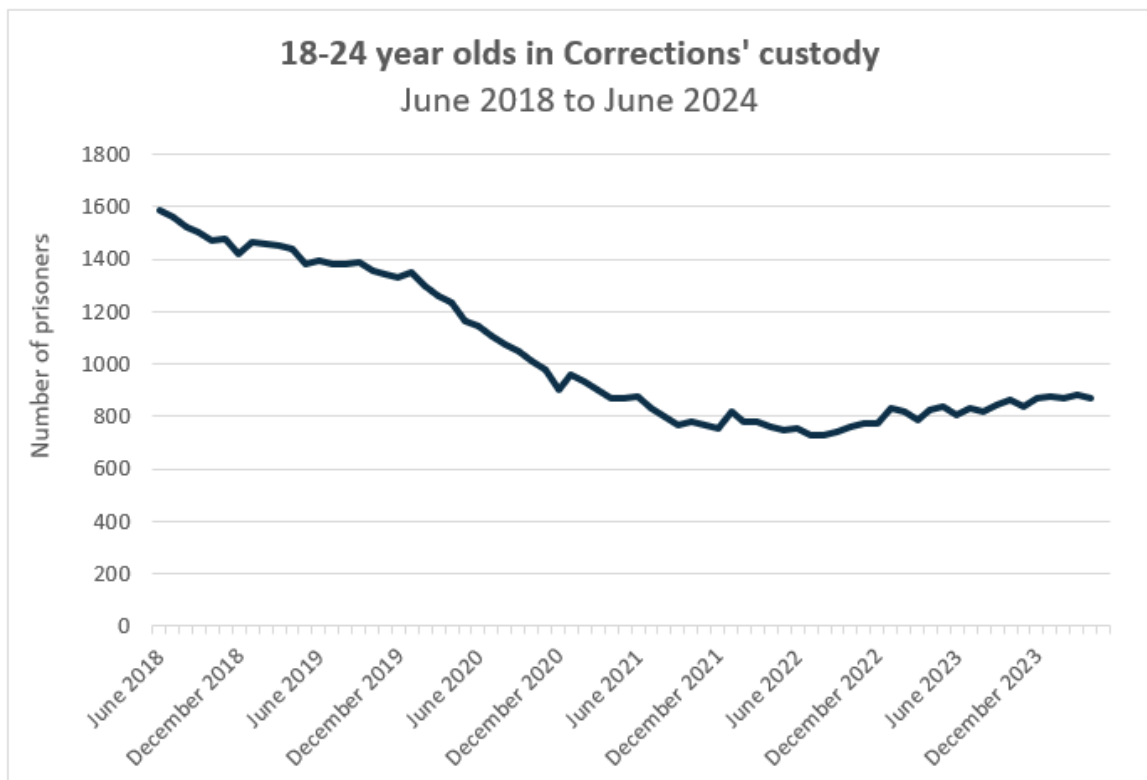
²⁶ Justice Sector Long Term Insights Briefing, December 2022.

²⁷ Justice Sector Long Term Insights Briefing, December 2022.

Graph 2

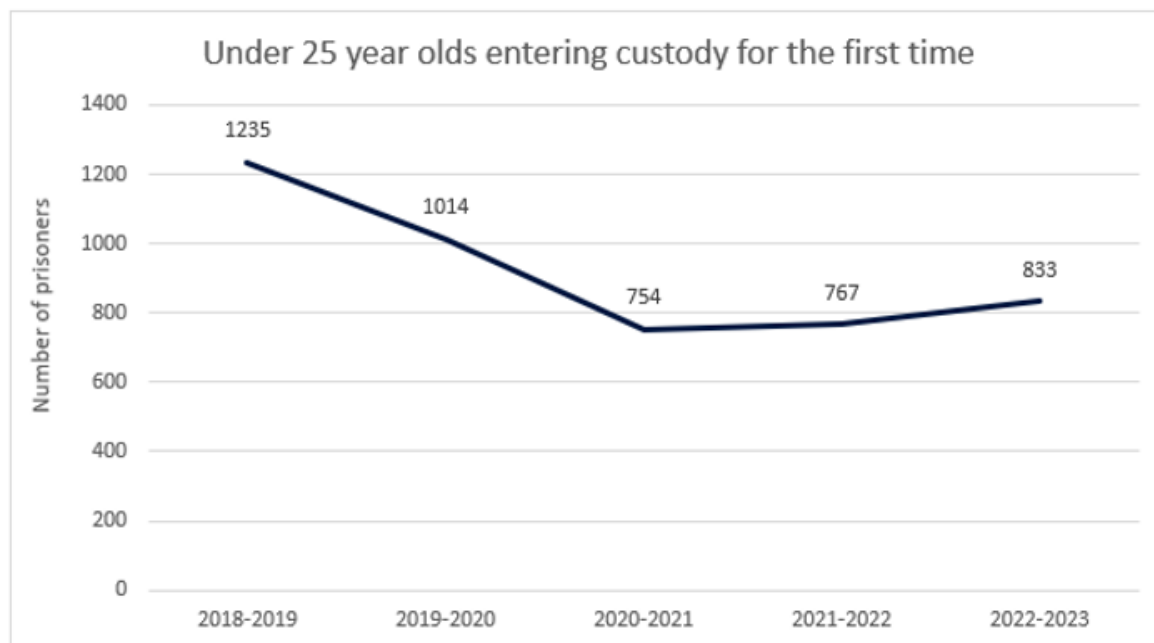


Graph 3



65. Nevertheless, we noted that the number of young adults entering Corrections' custody had started to increase during the time of our thematic inspection, although it was too soon to speculate on why this was the case, and whether this trend would continue. Additionally, Graph 4 shows that whilst the number of individuals entering custody for the first time under the age of 25 years dropped in 2020 (following the legislation changes), this has begun to increase since 2021.

Graph 4



66. Psychology professor Terry. E Moffitt is known internationally for her human development research from birth to death, with a particular interest in criminal behaviour. In her 1993 research, she acknowledged that testing boundaries and taking risks are part of natural maturation for young people and young adults that most will grow out of. She referred to this as 'adolescent limited anti-social behaviour'.²⁸
67. Moffitt also identified a cohort of adolescents whose offending behaviour persists throughout their adulthood. She referred to this cohort as having 'life-course persistent antisocial behaviour'. She concluded that this occurs when "*children's neuropsychological problems interact cumulatively with their criminogenic environments across development*".
68. Young people and young adults in Corrections' custody typically present with high and complex needs that affect their behaviour. In September 2023, the Social Wellbeing Agency²⁹ released a report³⁰ outlining common experiences of young people who offend in New Zealand. This report examined information about life events, such as: "*education, income, benefits, migration, justice, and health*" for New Zealanders who turned 18 years old in 2020.

²⁸ Moffitt, T.E. (1993). *Adolescence-limited and life-course-persistent antisocial behavior: A developmental taxonomy*. Psychological Review, 100(4), 674–701. <https://doi.org/10.1037/0033-295X.100.4.674>

²⁹ The Social Wellbeing Agency, from 1 July 2024 known as the Social Investment Agency, is a New Zealand government agency that provides advice to the social sector based on data analytics and insights.

³⁰ Social Wellbeing Agency (2023). *Wellbeing of Children and Young People who Offend*.

69. The Social Wellbeing Agency found that the 10% of young people with the highest needs committed more than 75% of all youth crime. (Social Wellbeing Agency, 2023).³¹
70. Table 1 below shows the extent of the exposure to experiences of hardship and disadvantage for this cohort.

Table 1

Exposure to hardship and disadvantage	1% of young people with the highest needs (5,394 individuals)	9% of young people with high needs (48,548 individuals)
Had an Oranga Tamariki contact record or report of concern	100%	93%
Supported by a main benefit	92%	83%
Lived with an adult who had been convicted and sentenced for a relatively serious criminal offence	83%	69%
Had been associated with at least one reported family violence event	82%	60%
Had received a truancy intervention	81%	53%
Lived with an adult who had received support for a mental health or an addiction issue	51%	39%
Had been reported to Police, once or more, as a victim of a crime	49%	26%
Lived with families where the income per family member was less than \$20,000 per year	38%	30%
Had received a mental health referral	30%	16%

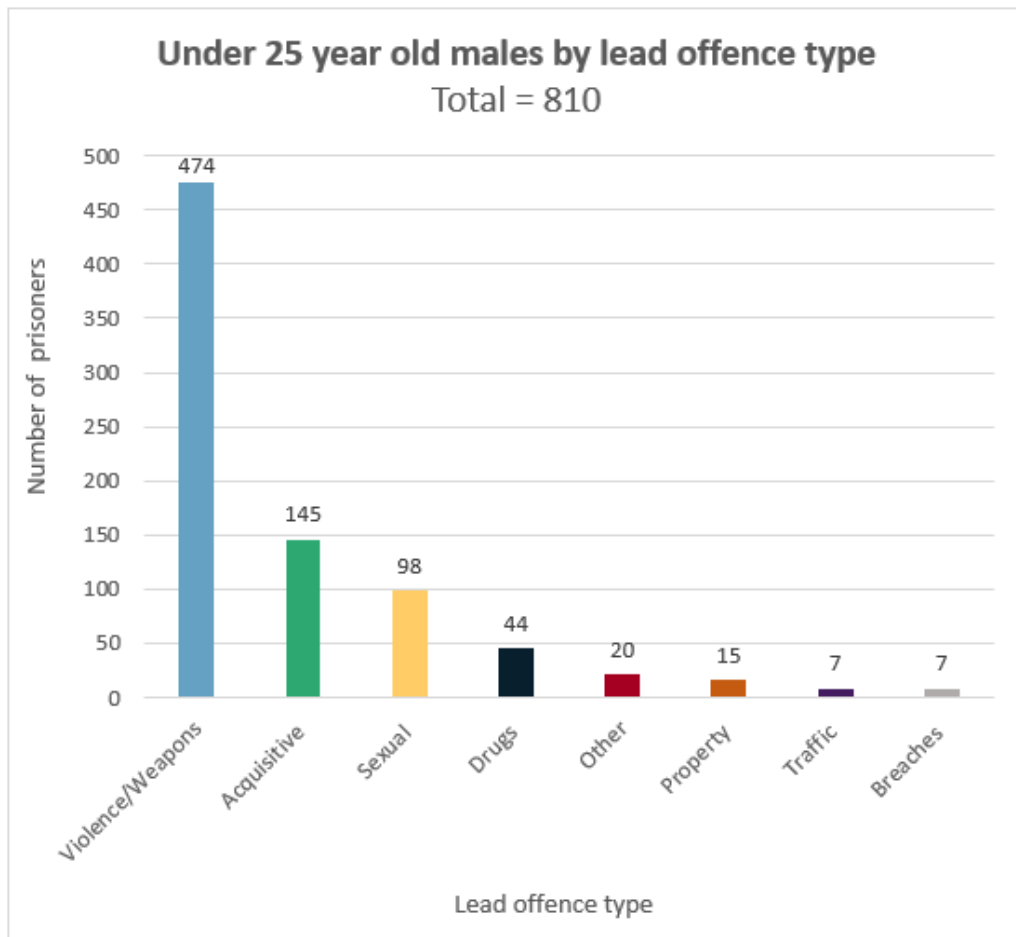
71. While not all young people who offend go on to become adult offenders, these insights highlight that young people and young adults in Corrections' custody can often present with challenging backgrounds from a young age, including experiences of poverty, violence in the home, disrupted schooling, and a parent or caregiver in the criminal justice system.
72. As is evident in Table 1 above, they are more likely to have had multiple interactions with state agencies during their childhood and adolescence, such as care and protection services, mental health services and truancy services, which the Social Wellbeing Agency found had limited impact on reducing their offending behaviour.
73. Our review of a sample of pre-sentence reports for young people and young adults for our thematic inspection found that these experiences were common for young people and young adults sentenced to imprisonment. We also found that many young people and young adults

³¹ The Social Wellbeing Agency created a measure of need based on wellbeing factors which were highly correlated to offending behaviour. Using this measure, it placed the cohort of young people in New Zealand who turned 18 in 2020 into four groups: The 'very high need' group was the 1% of young people with the highest need according to the measure, the 'high need' group was the next 9% of young people, the 'moderate needs' group was the next 10% of young people, and the 'low needs' group was the remaining 80%.

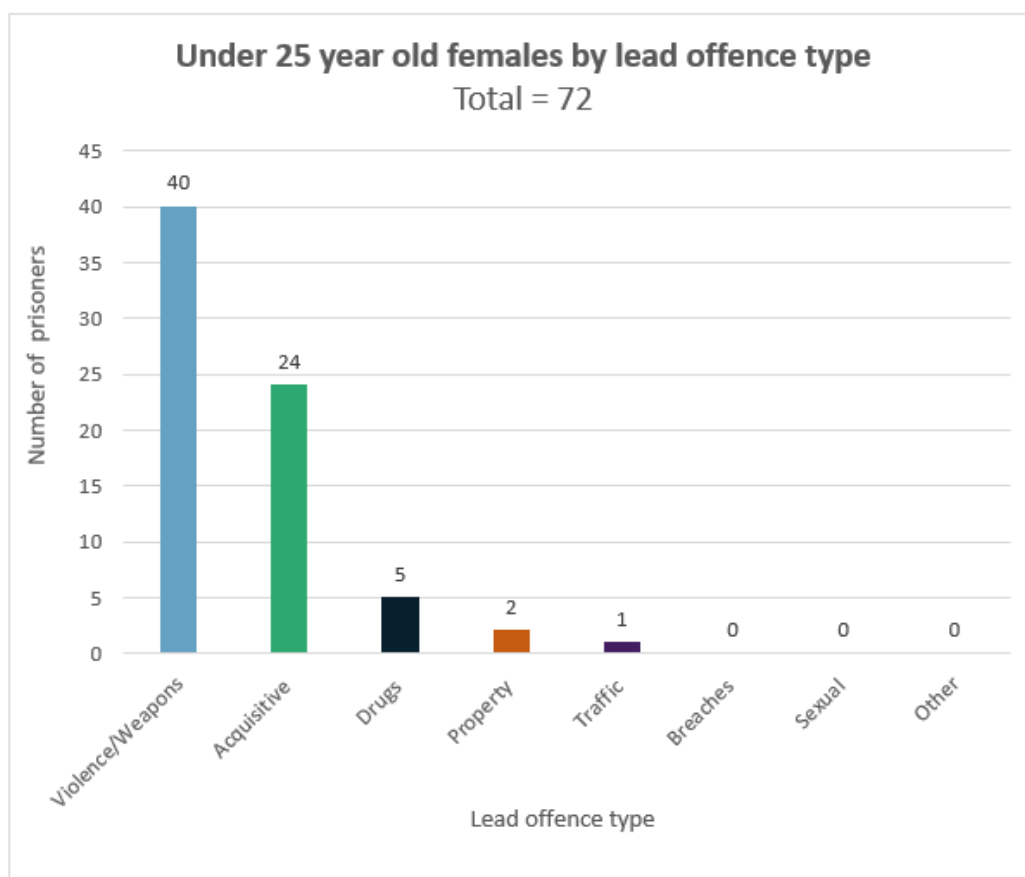
sentenced to imprisonment reported significant life events that had an impact on them, including the loss of a parent or caregiver or becoming a parent themselves at a young age.

74. Graphs 5 and 6 below show that most young people and young adults currently in Corrections' custody have been charged with violent offending, followed by acquisitive offences for material gain (e.g., burglary and robbery). This pattern is the same for young men and women, acknowledging the number of young men in Corrections' custody is significantly higher than young women.

Graph 5



Graph 6



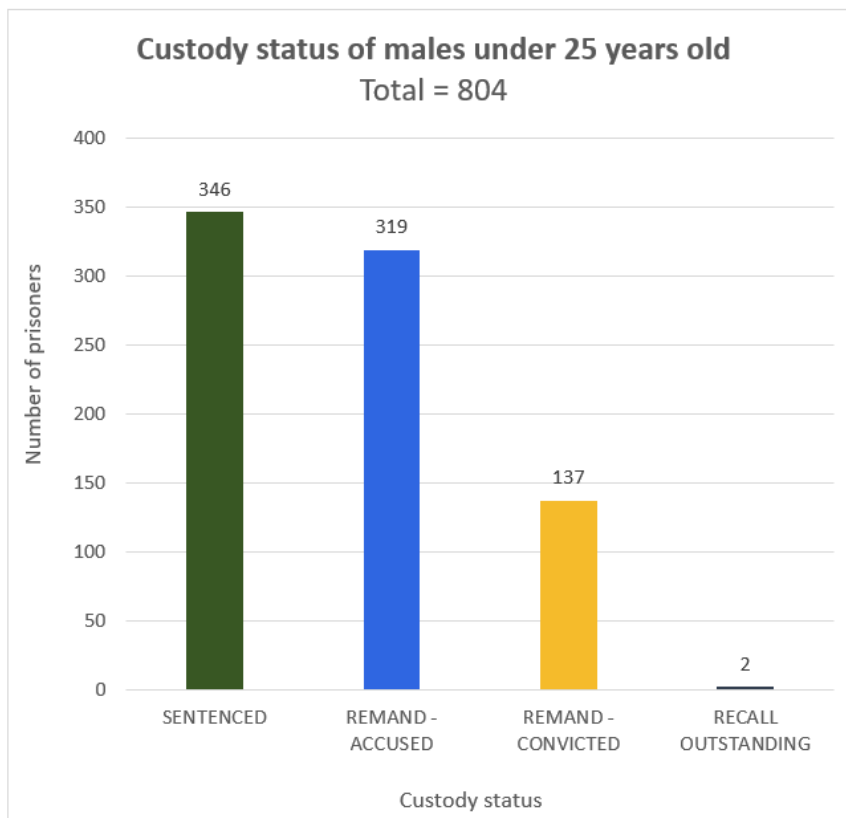
75. The proportion of the overall prison population on remand in Corrections' custody has increased by almost 146% the past decade, with almost 45% of the total prison population on remand. This proportion is approximately 15% higher for people under 25 years.³²
76. Approximately 60% of all young adults in Corrections' custody are on remand. As shown in Graph 7,³³ of the young men under 25 on remand in Corrections' custody, twice as many are 'remand accused', meaning they have not been convicted of an offence.
77. The Centre for Justice Innovation at Victoria University in Wellington has prioritised research into the drivers of custodial remand. According to the Centre's co-director, Professor Yvette Tinsley:

"We know that delays that increase time spent in custody, awaiting trial or sentence, can be detrimental for complainants, defendants, and the criminal justice system as a whole."

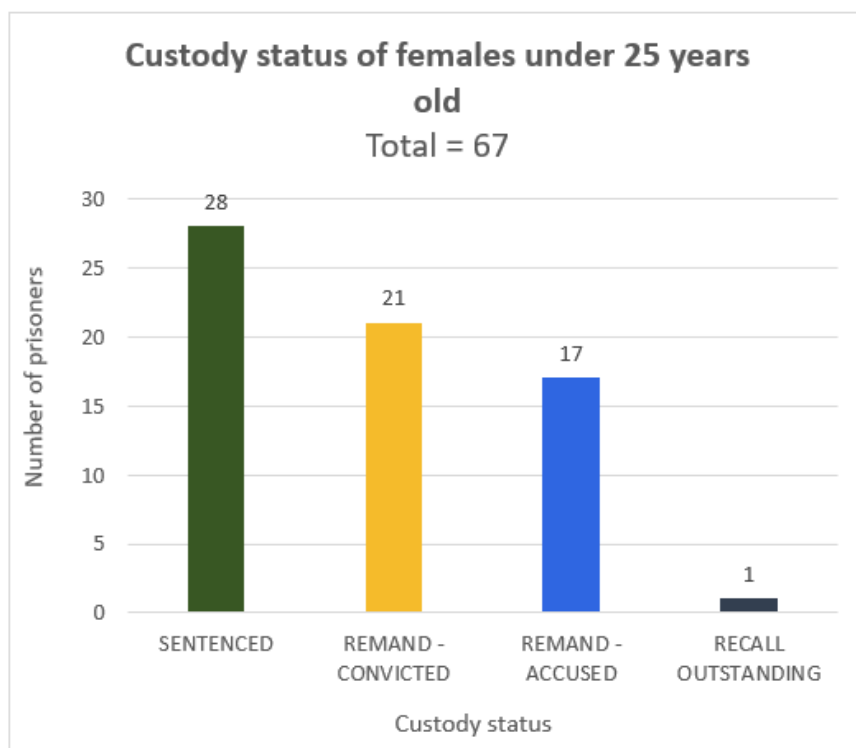
³² <https://www.beehive.govt.nz/release/remand-prisoners-receive-rehabilitation-support>

³³ When a person has been released on parole before their sentence end date and they become an undue risk to the community, the Parole Board may recall them to prison to continue serving their sentence. When a recall is outstanding, they may be held in custody awaiting the Parole Board's decision on the recall application.

Graph 7



Graph 8



78. Corrections' Integrated Offender Management System records, including pre-sentence reports, placement assessments, learning conversations and case notes, documented that most young people and young adults in Corrections' custody have goals, strengths, talents and aspirations. Young people and young adults also told us about their goals and aspirations during our interviews. These included, for example, interests in culture, sports, music, art, social work, construction, farming and business.
79. Our review of records in the Integrated Offender Management System found that while it is easy to view information about a prisoner's risks and vulnerabilities, it is more difficult to access information about their strengths and aspirations, unless staff know where to look and choose to access it.
80. Staff who access this strengths-based information can draw on it to motivate and encourage young people and young adults to stay focused on their ambitions.

Recommendation

Data

25. Corrections must, in COBRA (Corrections Business Reporting and Analysis), extend the ability of users to filter all categories by age, which may be used to collate and analyse data about young people and young adults (including but not limited to complaints and requests, misconducts and incidents).

International guidance

81. This section identifies international instruments that are relevant to young people and young adults in Corrections' custody. While they were designed for children and young people under the age of 18 years, given what we know about the developing needs of young adults until their mid-twenties, they also provide valuable guidance when developing approaches to young adults in custody.

UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)

82. The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (known as the Beijing Rules)³⁴ were adopted in 1985. This was the first time the international community had agreed on a set of principles and guidelines for children and young people who offend, acknowledging their age and stage of development, as well as their vulnerability.
83. The Beijing Rules included the following general principles:
- Further the well-being of the juvenile and her or his family.
 - Develop conditions that will ensure a meaningful life in the community, which... will foster a process of personal development and education that is as free from crime and delinquency as possible.
 - Take positive measures that involve the full mobilization of all possible resources, including the family, volunteers and other community groups, as well as schools and other community institutions, for the purpose of promoting the well-being of the juvenile, with a view to reducing the need for intervention under the law, and of effectively, fairly and humanely dealing with the juvenile in conflict with the law.
84. The Beijing Rules were intended to provide guidance to state parties for the management of people under 18 years who offend, although they encourage member states to consider extending their application to young adults.

The United Nations Convention on the Rights of the Child

85. In 1989, the United Nations adopted the Convention on the Rights of the Child (UNCROC), setting out a comprehensive set of basic rights for children under the age of 18 years.³⁵ New Zealand ratified this binding convention in 1993.
86. According to the New Zealand Human Rights Commission: *"Children's rights are commonly viewed as falling into"*:
- Provision rights which include the right to an adequate standard of living, free education, adequate health resources, and legal and social services.
 - Protection rights which include the right to be free of abuse, neglect, bullying and discrimination and the right to safety in the justice system.

³⁴ United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules). Adopted by General Assembly resolution 40/33 of 29 November 1985.

³⁵ United Nations Convention on the Rights of the Child. Adopted by General Assembly resolution 44/25 of 20 November 1989.

- Participation rights which include the right to freedom of expression and to participate in public life.³⁶

87. UNCROC is one of nine core international human rights instruments which means it has a "committee of experts who monitor the implementation of the treaty provisions by State parties."³⁷
88. Although the Beijing Rules are not binding, they formed the basis for the UNCROC provisions in Article 37 relating to the treatment of people under 18 years deprived of their liberty. This Article outlines the rights of children placed in detention, which includes keeping children apart from adults unless it is in their best interest not to do so, under Article 37(c):

"Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances."

89. Corrections Regulations 2005 takes Article 37 of UNCROC into account in Regulation 179 under 'Special Category of Offenders' which states that:

"All prisoners, including accused prisoners, under the age of 18 years, must,—

(a) when inside a prison, be kept apart from prisoners who are 18 years or older; and

(b) when outside a prison, be kept apart from prisoners who are 18 years or older, where practicable."

90. In 2011, this requirement was extended to transporting people under 18 years in the same vehicle compartment as someone 18 years or older under Regulation 179A. This regulation was added to the legislation after a 17-year-old was murdered by an older prisoner in an escort van in 2006, reiterating need for special protection of under 18-year-olds in adult custody.
91. New Zealand maintains its reservation not to apply Article 37(c) under certain circumstances:

"In circumstances where the shortage of suitable facilities makes the mixing of juveniles and adults unavoidable; and further reserves the right not to apply Article 37(c) where the interests of other juveniles in an establishment require the removal of a particular juvenile offender, or where mixing is considered to be of benefit to the persons concerned".³⁸

92. Regulation 180 of the Corrections Regulations 2005 allows the Chief Executive to approve mixing "with a prisoner or class of prisoners who are 18 years or older" if this is deemed in the best interest of the child under 18.
93. New Zealand updates the Committee on the Rights of the Child every five years through its periodic reports on the implementation of UNCROC, and the Committee provides its concluding observations following each periodic report. The Committee's most recent concluding observations following New Zealand's sixth periodic report were released on 3 February 2023. The Committee made the following observation:

³⁶ <https://tikatangata.org.nz/human-rights-in-aotearoa/rights-of-children-and-young-people-2>

³⁷ <https://www.ohchr.org/en/core-international-human-rights-instruments-and-their-monitoring-bodies>

³⁸ <https://www.justice.govt.nz/justice-sector-policy/constitutional-issues-and-human-rights/human-rights/international-human-rights/crc/>

*"For the few situations where deprivation of liberty is used as a measure of last resort, to continue to strive for full compliance with the international requirement to detain children separately from adults and ensure that detention conditions are compliant with international standards, including with regard to access to education and health services, and, for pretrial detention, that detention is reviewed on a regular basis with a view to its withdrawal."*³⁹

The United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules)

94. In addition to UNCROC, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (known as the Havana Rules) were adopted by the General Assembly in December 1990.⁴⁰ These rules outline basic expectations for managing young people in custody, including age-appropriate environments and staff capability when working with youth.

95. Article 12 under the 'Scope and application of the rules' states:

"The deprivation of liberty should be effected in conditions and circumstances which ensure respect for the human rights of juveniles. Juveniles detained in facilities should be guaranteed the benefit of meaningful activities and programmes which would serve to promote and sustain their health and self-respect, to foster their sense of responsibility and encourage those attitudes and skills that will assist them in developing their potential as members of society."

96. The Havana Rules are intended for people under 18 years, and therefore should inform the facilities, staff capability and activities available to anyone under 18 years in Corrections' custody.

97. In his letter to the Chief Inspector, the Chief Ombudsman noted that it is worth extending the Havana Rules to young adults in Corrections' custody.⁴¹

Summary

98. Prior to the legislation changes in July 2019, when 17-year-olds were still in the adult jurisdiction, there were several young people in Corrections' custody at any time that these international instruments applied to, especially the UNCROC.

99. While the Corrections Regulations include reference to some UNCROC provisions (ie, by requiring young people to be kept apart from adults in custody unless this is not in their best interest), other provisions were not so explicitly mentioned in Corrections' policies, guidance and frameworks. We are therefore not sure those dealing with youth at Corrections are aware of and consider all of the UNCROC rights young people are entitled to.

100. Equally, some prison environments (for example, youth units) may better facilitate access to UNCROC entitlements than adult units, however it appeared to us that this was the result of the nature of the environment, rather than a deliberate decision to adhere to UNCROC entitlements.

101. While the number of young people in Corrections' custody may be low since the legislation changes, it would be beneficial for Corrections to have a process in place to ensure that young people have access to their rights and entitlements under UNCROC.

³⁹ Committee on the Rights of the Child concluding observations on the sixth periodic report of New Zealand CRC/C/NZL/CO/6 ; 28 February 2023.

⁴⁰ The United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules). Adopted by General Assembly resolution 45/113 of 14 December 1990.

⁴¹ Letter from the Chief Ombudsman to the Chief Inspector, 9 May 2024.

102. As noted, there is also value in considering how the principles behind these rights and entitlements could extend to young adults in Corrections' custody.

Recommendation

International guidance

2. Corrections must review the management of young people under 18-years-old in its custody against the United Nations Convention on the Rights of the Child and Corrections' Child Protection Policy.

Cultural responsiveness

103. Culture is a critical part of identity formation and developing a sense of belonging for young people and young adults.
104. Young people and young adults in prison are disconnected from the people and supports in the community who would naturally provide them with the guidance they need to learn cultural norms and expectations, especially at a time when they would typically take on adult responsibilities.
105. While there are a number of ethnicities represented in Corrections' custody, the Crown has an obligation to address the over-representation of Māori as a priority, as outlined below.
106. In this section, we also specifically acknowledge the cultural needs of Pasifika young people and young adults in Corrections' custody, especially given their escalation to higher security units in prison.
107. We also discuss access to religious support for young people and young adults in prison.
108. According to the Corrections Act 2004: *"The chief executive must ensure that in every corrections prison, so far as is reasonable and practicable, appropriate provision is made for the various religious and spiritual needs of prisoners."* This also applies to prisoners of "particular cultures".

Responding to the over-representation of rangatahi Māori in Corrections' custody⁴²

109. According to respected academic Sir Mason Durie (2001):

*"In order to acquire a secure and meaningful identity, and to enjoy good health and a sense of well-being, Māori people must be able to live comfortably as Māori and as citizens of the world."*⁴³

110. In the 1980s, the Justice Sector recognised its limited understanding of how to address the needs of Māori in the Justice system. Barrister and advocate Moana Jackson was tasked by the Department of Justice to provide insight and guidance. Jackson consulted extensively with Māori communities to help shape his recommendations. At the time he noted *"from their perceptions of the justice system may come some insights into its impact on Māori people and the seeds for positive amelioration of these effects."*⁴⁴
111. Jackson's research focused on the needs of young Māori from 15 to 24 years in the criminal justice system due to *"concern over the disproportionately high number of young Māori men in prison"*.
112. The first of his two-part research report, *The Māori and the Criminal Justice System: A New Perspective – He Whaipaanga Hou*, was published in 1987, with Part 2 published in 1988. In his foreword, the then Minister of Justice, Hon. Geoffrey Palmer (now Sir) said:

⁴² In this thematic report, when referring to strategies and interventions specifically designed to improve outcomes for Māori in the justice system, Māori men are referred to as tāne, Māori women are referred to as wāhine and Māori young people or young adults are referred to as rangatahi or taiohi, unless this is different in a quotation.

⁴³ Durie, M. (2001). *Mauri Ora, the Dynamics of Maori Health*. Oxford University Press.

⁴⁴ Jackson, M. (1987). *The Māori and the Criminal Justice System: A New Perspective – He Whaipaanga Hou*. Part 1 Wellington: Department of Justice.

"This Paper is the first stage of an attempt to address the problem of criminal offending by Māori youths and the subsequent imprisonment of a disproportionately high number of those youths when they appear before the courts."

113. Almost 30 years later, in July 2016, a claim was lodged with the Waitangi Tribunal, alleging "the Crown had failed to make a long-term commitment to reducing the high rate of Māori reoffending relative to non-Māori."⁴⁵

114. According to the Waitangi Tribunal website:

*"The Waitangi Tribunal is a standing commission of inquiry. It makes recommendations on claims brought by Māori relating to legislation, policies, actions or omissions of the Crown that are alleged to breach the promises made in the Treaty of Waitangi."*⁴⁶

115. In 2017, the Waitangi Tribunal released its report, *Tū Mai te Rangi!, Report on the Crown and Disproportionate Offending Rates*, following its inquiry into the Treaty claim.

116. The Presiding Officer for the Inquiry, Judge Patrick Savage, said in a letter to the then Minister for Māori Development, Hon. Te Ururoa Flavell:

"Focusing in on the issue before us, the difference between Māori and non-Māori reoffending rates is substantial, undisputed and contributes to the disproportionate number of Māori in prison."

117. After hearing the evidence, the Waitangi Tribunal found that:

*"The Crown has breached the principle of active protection by not sufficiently prioritising the protection of Māori interests in the context of persistently disproportionate Māori reoffending rates. That is, the Crown, through the Department of Corrections, has not made an appropriately resourced, long-term strategic and targeted commitment to reducing the rate of Māori reoffending. We have also found that the Crown has breached the principle of equity by not sufficiently prioritising the reduction of Māori reoffending rates."*⁴⁷

118. In response to the Waitangi Tribunal report recommendations, Corrections developed its organisational strategy, *Hōkai Rangi, Ara Poutama Aotearoa Strategy 2019 - 2024*.

119. According to the then Corrections' Chief Executive, Christine Stevenson:

*"This strategy will underpin transformative and intergenerational change for those in our care and their whānau."*⁴⁸

120. Hōkai Rangi identified six strategic areas for change. These are:

Partnership and leadership – Ara Poutama Aotearoa will lead through best-practice Crown–Māori relations and have authentic shared decision-making at key levels.

⁴⁵ Waitangi Tribunal (2017). *Tū Mai te Rangi!, Report on the Crown and Disproportionate Offending Rates*.

⁴⁶ Waitangi Tribunal (2017). *Tū Mai te Rangi!, Report on the Crown and Disproportionate Offending Rates*.

⁴⁷ Waitangi Tribunal (2017). *Tū Mai te Rangi!, Report on the Crown and Disproportionate Offending Rates*.

⁴⁸ Department of Corrections (2019). *Hōkai Rangi – Ara Poutama Aotearoa Strategy 2019 – 2024*.

Humanising and healing – Staff will treat those in our care and management with respect, upholding their mana and dignity. No-one will be further harmed or traumatised by their experiences with us.

Whānau – Where they are willing, whānau will be supported to walk alongside Māori in our care and management on their rehabilitation and reintegration journey.

Incorporating a Te Ao Māori worldview – We must prioritise, embed, and protect mātauranga Māori to innovate and improve what we do. We will keep what currently works, but kaupapa Māori-based approaches will be the foundation of our practice, processes, and pathways.... Rangatahi, wāhine, and tāne will have access to tailored services delivered by the right people, with the right skills.

Whakapapa – We recognise that whakapapa can be the beginning of healing and wellbeing. Ara Poutama Aotearoa will create a safe environment for Māori to share and/or learn about their identity. We will proactively enable Māori in our care and management to strengthen and/or maintain their cultural identity, their connection to people and place, and their sense of belonging.

Foundations for participation – To lead a healthy and sustainable life, people in our care and management and their whānau need to have their basic needs met and the relevant tools for full participation in society. Prior to release, those in our care will receive the support they require.

121. Hōkai Rangi explicitly states that Corrections should recognise the “highly specialised needs of rangatahi Māori and wāhine Māori in our care and management”.
122. Several short and medium-term actions were identified to progress each of the six strategic areas. While all the actions are relevant to rangatahi Māori, Hōkai Rangi included two actions specifically related to them:
 - Action 2.3:
“Co-design kaupapa Māori services specifically for wāhine Māori and rangatahi Māori. A key focus will be on strengthening their sense of identity and belonging through better cultural awareness and connection to whānau, hapū, and iwi through rehabilitation and reintegration pathways and interventions.”
 - Action 2.6:
“Undertake a piece of research and analysis looking at how Ara Poutama Aotearoa can actively work towards keeping rangatahi and wāhine (especially wāhine with primary care of children) out of prison.”
123. At the time of our thematic inspection, we could not find any information about who was responsible for implementing or monitoring progress against Action 2.3 with regard to rangatahi Māori specifically.
124. We met with the Corrections’ Chief Māori Health Officer who spoke about Action 2.4 Co-design a Kaupapa Māori health service, including resourcing the services of Rongoā Māori practitioners. The initial phase of Te Matatiki o te Oranga, the new Kaupapa Māori health service, acknowledged the very high number of young people and young adults in prison and the need to be responsive to this cohort. The Chief Māori Health Officer told us about the challenge of ‘choice’ that many rangatahi Māori experienced. He explained there were a lot of

services and programmes focussed on mental health, alcohol and drugs, but these were not available across all sites, or they were not specific youth programmes, so there was little choice for young people and therefore low levels of engagement. He thought there could be other, more culturally responsive programmes available across the prison network for young people, with mātauranga Māori woven through them. He also told us that many young adults had expressed an interest in hearing about rongoā services being available at a few sites, and have asked to engage with these.

125. We were told by Corrections' research team that considerations for rangatahi under Action 2.6 were included in research to understand the drivers for the increasing remand population in general. We understand that this is in part due to the significant reduction in the overall number of young people and young adults in Corrections' custody, making them less of a priority in this research compared to other populations.
126. At the time Hōkai Rangi was being developed, the then Minister of Corrections Hon. Kelvin Davis announced that the Government was investing in two initial kaupapa Māori pathway pilot sites, at Hawkes Bay Regional Prison and Northland Region Corrections Facility, which would prioritise tāne Māori under 30 years. Minister Davis stated:

"Māori Pathways enable people to experience a kaupapa Māori and whānau-centred approach for all their time with Ara Poutama Aotearoa."⁴⁹

127. Māori pathways included a partnership with Te Puni Kōkiri (Ministry of Māori Development) and the Ministry of Social Development to provide *"Whānau Ora Navigator support to include individuals in the care of Corrections, but within the context of their whānau, hapū and iwi."* This service was named Paiheretia Te Muka Tangata, which means 'uniting the threads of whānau'. According to Corrections' successful Budget bid in 2019:

"The service will prioritise support for rangatahi Māori aged 24 years and under and their whānau, as rangatahi Māori are more likely to be reconvicted and re-imprisoned at a higher rate than other population groups."

128. The 2019 Budget included funding to support the kaupapa Māori pathways, including one established at Christchurch Women's Prison – the first women's site. According to Corrections' intranet, this pathway is:

"A coordinated and seamless end to end kaupapa Māori focused experience established for wāhine Māori in the care and management of Ara Poutama Aotearoa."

129. Unlike the Māori pathways at Hawkes Bay Regional Prison and Northland Region Corrections Facility, the Christchurch Women's Prison Māori pathway did not specifically prioritise younger wāhine.
130. Prior to Hōkai Rangi and the establishment of the kaupapa Māori pathway sites, Corrections had already established five Te Tirohanga units (previously known as Māori Focus Units) at prisons across the North Island.⁵⁰ These units were originally established in the late 1990s. The intention was for the Māori Focus Units to *"focus on residents' cultural identity as Māori men."*⁵¹
131. Te Tirohanga Units offer the medium intensity kaupapa Māori rehabilitation programme, Mauri Tū Pae. According to Corrections' intranet:

⁴⁹ Corrections' intranet on kaupapa Māori pathways.

⁵⁰ At the time of writing, four Te Tirohanga Units were operating: at Tongariro Prison, Waikeria Prison, Hawkes Bay Regional Prison and Whanganui.

⁵¹ Campbell, N. (2018). *A brief history of Te Tirohanga Units*. Corrections' Practice Journal, Vol.6, Issue 1: July 2018.

"This programme includes a specific Māori cultural perspective and builds on foundation provided by the kaupapa of the Te Tirohanga Units and Tikanga Māori Programmes. The programme is delivered by Māori providers knowledgeable in this kaupapa"^{52,53}

132. At Hawkes Bay Regional Prison, tāne can further progress to Te Whare Oranga Ake, an external self-care unit that is supported through a kaupapa Māori approach. According to Corrections' intranet:

*"Whare Oranga Ake uses a kaupapa Māori environment to help prisoners train for employment, find work, find accommodation on release and form supportive networks with iwi, hapū and community organisations while strengthening their cultural identity."*⁵⁴

133. Te Tirohanga Unit and Te Whare Oranga Ake were incorporated into the kaupapa Māori pathway at Hawkes Bay Regional Prison.
134. As part of their Māori pathways, Hawkes Bay Regional Prison and Northland Region Corrections Facility deliver kaupapa Māori programmes to tāne to strengthen their sense of belonging and wellbeing.
135. In Hawkes Bay, this programme is called Tēnei Au, Tēnei Au. According to Corrections' intranet, this programme:

"Encompasses Māori Pathways approaches Ngākau Ora (Māori Trauma Informed Care), Tikanga a Iwi (Tikanga Programme), and Wānanga (Kaupapa Māori programme for High Security), which centre around wellbeing."

136. Northland Region Corrections Facility delivers Te Waka Anga Mua as part of its kaupapa Māori pathway. According to Corrections' intranet:

"The eight-week programme focuses the men on learning their whakapapa and understanding their culture through Te Ao Māori view teaching".

137. Despite the original intention for kaupapa Māori pathways to prioritise tāne Māori under 30 years, and for Paiheratia te Muka Tangata, the whānau ora wrap-around reintegration support to prioritise tāne Māori aged 24 years and under,⁵⁵ only a small percentage of rangatahi Māori under 25 years have accessed these services and supports.
138. Staff at Hawkes Bay Regional Prison and Northland Region Corrections Facility told us that after implementing Māori pathways, there were insufficient young men at their sites who met the criteria. As a result, the sites shifted their focus to include older tāne.
139. We spoke to some wāhine Māori under 25 years in prison who were currently or formerly a part of Te Mana Wāhine, the Māori pathway at Christchurch Women's Prison. Since January 2022, the Huritini Unit at Christchurch Women's Prison has operated as the pathway's residential unit. During the site visit, there were two wāhine Māori under the age of 25 in this unit.

⁵² The kaupapa of Te Tirohanga Units is shaped by the five values that have since become Corrections' values. They are whānau, kaitiaki, rangatira, manaaki and wairua.

⁵³ Tāne must have attained a low-medium or lower security classification to be accepted into a Te Tirohanga unit and to participate in Mauri Tu Pae, if they meet the programme's eligibility criteria. (Te Tirohanga Unit at Tongariro Prison requires tāne to have attained a low or lower security classification and they must also have signed on to Voluntary Protective Custody). These concepts are described in more detail later in this report.

⁵⁴ A second Whare Oranga Ake unit is located at Spring Hill Corrections Facility, but we were told this is not currently operating due to the population pressures at the site, especially the increased number of prisoners on custodial remand.

⁵⁵ Budget 2019.

140. One wahine, located in Huritini Unit at the time, said the unit starts every day with karakia, runs regular programmes, and has more unlock time than other units. She said she enjoyed the sessions run by volunteers with lived experience of Corrections' custody, saying *"these women from the outside show them what change can look like"*.
141. Corrections updated its Kaiwhakamana Policy in 2021. According to this policy, *"Kaiwhakamana includes kaumātua, tohunga, spiritual leaders, and/or others (e.g., rangatahi) who are endorsed by their own people to fulfil the role of specified visitors to prisons for cultural purposes."* Kaiwhakamana should be able to access prisoners across the prison network. Very few young men and women we interviewed were aware that this support was available to them or were receiving this support.
142. Most sites we visited deliver short tikanga Māori motivational programmes, such as Dynamics of Whanaungatanga. This is one of the few programmes that has been delivered to young men in Auckland Prison maximum security units, as it can be delivered one-to-one in these environments. According to the Learning and Intervention Delivery Manager at Auckland Prison, this five-day programme:

"Brings people back to their culture, reminds them of what their culture is, how it affects other people. It discusses mana, for prisoners to recognise their offending and to give their victims their mana back and for them to restore mana."

143. Māori young adults we met during our site visits told us that connecting to their culture was important to them. Those who had been able to lower their security classification to be accepted into Māori pathways, Te Tirohanga or cultural programmes told us they appreciated these opportunities.

"I graduated from Dynamics of Whanaungatanga today. This has started to change the way I think." [Young man]

"Mum was transferred to the unit to be close by. I'm interested in Māori and Samoan cultural activities but would want to discuss with mum as want her to come as well." [Young woman]

"I miss doing the kapa haka. The cultural connection is important once you learn and immerse in it." [Young man]

"I wish we could have kapa haka and I could learn my culture in the unit. I watch kapa haka on TV and have learned to speak te reo Māori from programmes on TV." [Young man]

"Young people should miss high security and go to a Māori Focus Unit. If they got a taste of it, they'd want to stay. You don't know until you get there. We need more information of where we can progress and information about the Māori pathway. I am telling everyone up here about it. It is good for all young people." [Young man]

144. One young man told us that a turning point for him was when he moved to self-care and met someone who mentored him in *"Te Ara Māori and Māori ways and wanted the best"* for him. He said he taught him how to cook and be consistent. He said it was *"good being housed with a positive role model and be guided down the right path"*.
145. This resonates with reflections from members of the Lived-Experience Panel who told us that finding connection to Te Ao Māori in prison was a catalyst for change. One Lived-Experience Panel member recalled attending a pōwhiri (formal Māori welcome) for the first time when entering Te Tirohanga Unit as a young man. He told us this experience *"removed a layer of*

darkness" for him and started him on his transformational journey to discover his sense of connection to Te Ao Māori.

146. Another Lived-Experience Panel member told us he looked up to Māori custodial officers who applied tikanga Māori approaches in their work, including when responding to harmful behaviours. He told us they were his *"mentors and role models who inspired him to explore his Māori connections and heritage"*, and in turn to support others in finding their cultural connections to enable meaningful positive change.
147. Professional and Academic Panel member Tupua Ulrich, the National Care Experienced Lead for VOYCE-Whakarongo Mai,⁵⁶ spent 12 years in State care. Now in his late 20s, he is the *"oldest surviving member of his male line"*. He explains that as a child he was *"angry and got into fights"* while he was in the State care system. Finding a mentor who could begin to connect him with his whakapapa and Te Ao Māori, *"totally changed [his] outlook"*. He told us this provided an *"unwavering connection and sense of identity and belonging despite all the system disruptions"*.⁵⁷
148. One young man shared his aspirations for connecting to Te Ao Māori:

"I have a vision for my whānau to connect to the marae and urupa (cemetery). I had a lot of hurt, and they didn't know how to deal with it. I want all my family to be educated in tikanga and sovereignty. I don't want my family tree to just be mum and dad. I want to understand the wider whānau. I'm learning stuff, but I can't just go back and pick up where I left off. I want to learn with my family so we can grow as a family." [Young man]

149. Some young adults told us they did not feel that prison was the right place to learn about their culture. Lawyers we spoke with during the thematic inspection also expressed their reservations, with one lawyer saying they feel *"conflicted in applying tikanga in prisons. Prisons are such an anathema to Te Ao Māori"*.⁵⁸
150. Some young adults told us that the tikanga in Corrections' Te Tirohanga units might not align with the tikanga of their whānau, hapū or iwi, and they would prefer to learn about their culture from whānau in the community.
151. However, one young man told us that while his preference was to learn about his culture from his father and grandfather in the community, he would still like to go to Te Tirohanga unit *"to keep him connected."*
152. Graph 9, below, shows the low number of under 25-year-olds who have completed kaupapa Māori programmes since 2018.⁵⁹
153. Despite Corrections' strategic intentions and efforts following the Waitangi Tribunal decision in 2017, the over-representation of Māori in Corrections' custody has remained high, especially for rangatahi Māori. Graph 10 and Graph 11, below, show that based on the information available in Corrections' database, wāhine Māori represent 67% of women under 25 years in Corrections' custody. Tāne Māori represent 57% of men under 25 years in Corrections' custody.⁶⁰

⁵⁶ VOYCE-Whakarongo Mai stands for Voice of Young and Care-Experienced, Listen to Me. This is an independent advocacy agency designed to amplify the voices of children and young people with experience in the State care system in New Zealand to improve pathways and outcomes for those with experiences of State care or custody.

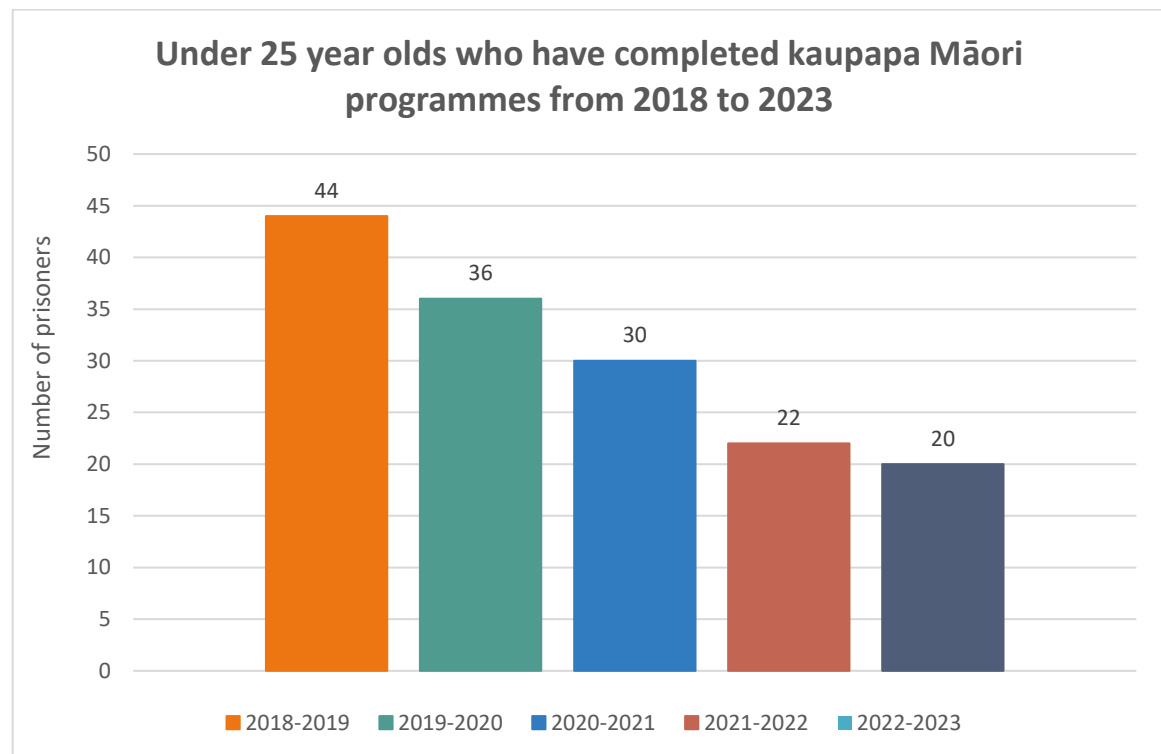
⁵⁷ Statement from Tupua Ulrich during the first panel meeting, 11 December 2023.

⁵⁸ Interview with barrister Julia Spelman, 22 March 2024.

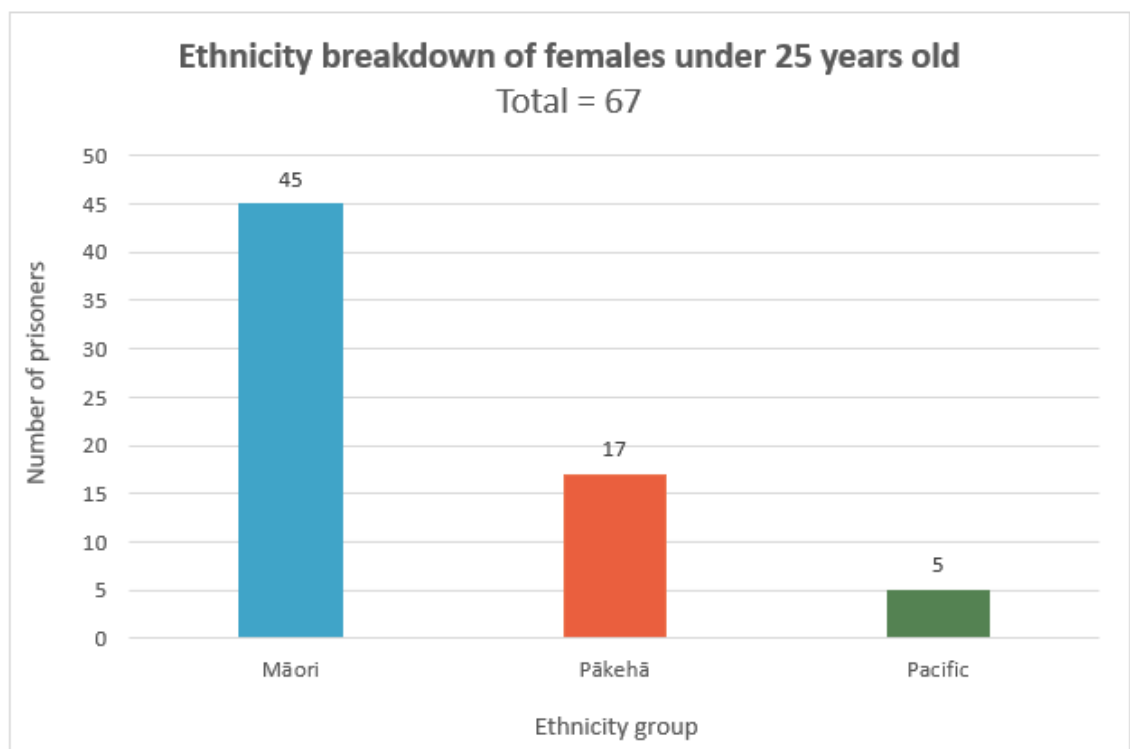
⁵⁹ Each person is counted once each time they complete a programme type whilst in an age group. Because of this, individuals may be double-counted when they have completed programmes at different ages.

⁶⁰ Several young men under 25 have no recorded ethnicity in Corrections' Integrated Offender Management System.

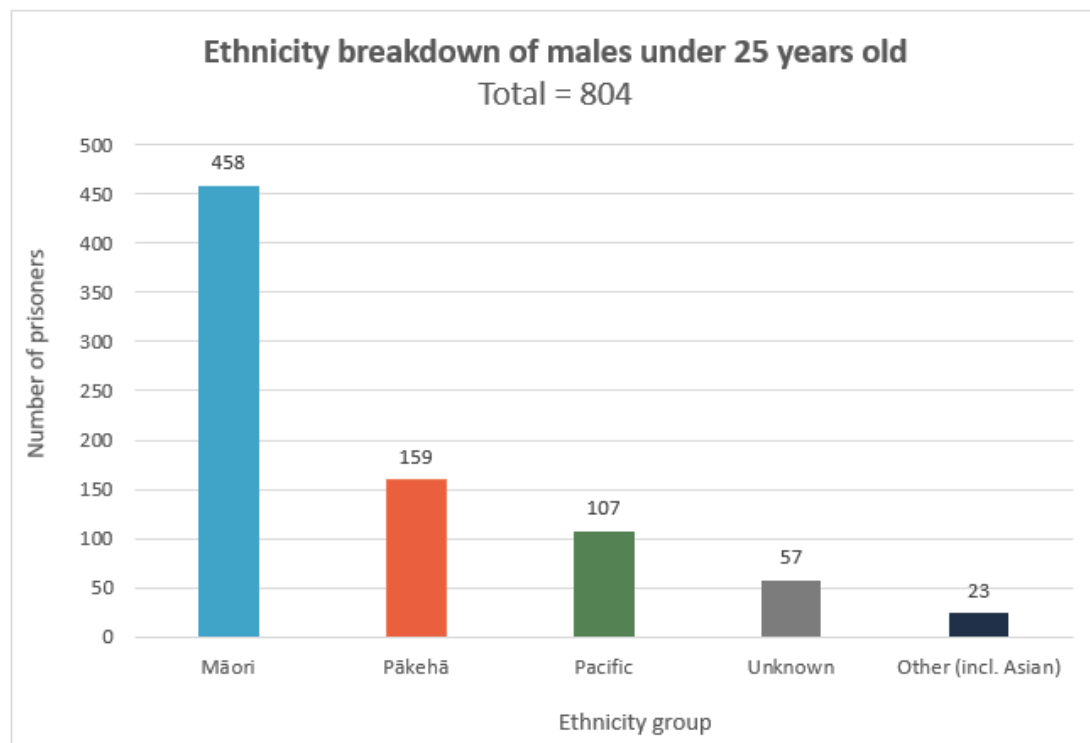
Graph 9



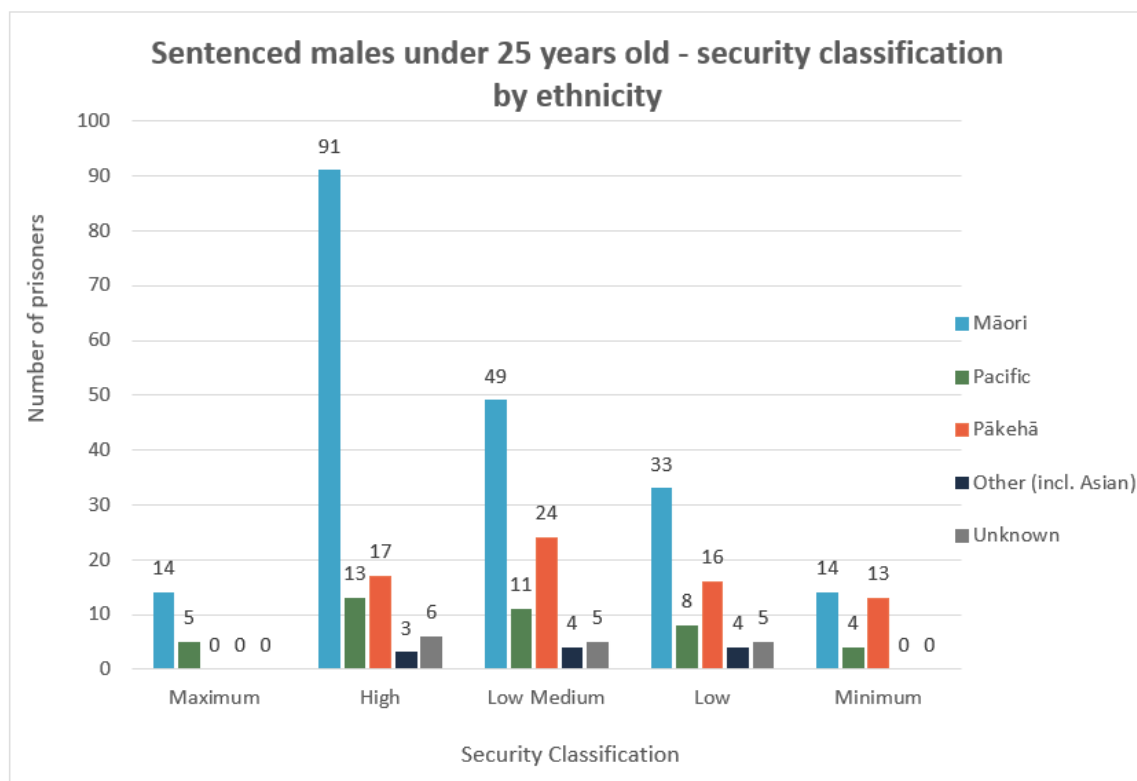
Graph 10



Graph 11



Graph 12



154. Graph 12, above, shows that the proportion of rangatahi Māori in Corrections' custody with higher security classifications, including maximum security, is significantly higher than other ethnicities. It also shows the proportion of rangatahi Māori decreases the lower the security classification.

Pasifika cultural identity

155. Pasifika⁶¹ young people and young adults are the third largest ethnic group under 25 years in Corrections' custody, after Māori and Pākehā. As of 31 March 2024, 13.3% of under 25-year-old males and 7.5% of under 25-year-old females in custody identified as being of Pasifika ethnicity.
156. According to Corrections' Prison Operations Manual, *"the reduction of re-offending by Pacific offenders is a key goal of the Department."*⁶²
157. Young adults with Pasifika heritage navigate multiple complex identities and pressures at a formative life stage. Ravulo, Scanlan and Koster explain that Pasifika people in New Zealand face a core challenge in adapting their identity to traditional Pasifika culture, often expected by their families, or towards more Western ideals and values, as expected by their wider environment. For some young adults, this tension can contribute to offending behaviour and imprisonment.⁶³
158. Research into Pasifika young people who offend in New Zealand is limited. In one study that explores violent offending amongst Pasifika, Māori and Pākehā young people and young adults, Ioane and Lambie identify that the needs of young Pasifika in custody are unique for several key reasons. For example, the onset of offending by Pasifika young people is often later than for young people from other ethnic backgrounds who offend, on average starting around 17-years-old.⁶⁴
159. Early offending by Pasifika young people also tends to be violent. This means they are less likely to have access to alternative actions in the Youth Justice system, delivered by Police Youth Aid, which diverts young people who offend from the formal Youth Justice court processes.

*"The over-representation of Pacific youth offenders in violent apprehension statistics necessitates an exploration of this population in our society."*⁶⁵

160. Due to the nature of their offending, Pasifika young people tend to be escalated at all points in the criminal justice system. In Corrections' custody, Pasifika young adults are over-represented in higher security classifications, including maximum security.
161. Despite the escalation of Pasifika young adults in Corrections' custody, at the time of our thematic inspection, Corrections did not have approaches designed to address their cultural needs and challenges.

⁶¹ Whilst 'Pacific peoples' is the appropriate terminology for referring to the diverse population groups in Corrections' custody, Corrections uses the Samoan language term 'Pasifika' to refer to these groups as a whole. This report will also use this term to reflect department practice.

⁶² Prison Operations Manual V.02.Res.06 Fautua Pasefika visits.

⁶³ Ravulo, Scanlan and Koster. *Delivering Youth Justice for Pacific Young People and Their Families*. Pacific Social Work (Oxon: Routledge, 2019), 79-89.

⁶⁴ Ioane, J. and Lambie, I. (2016). *Pacific youth and violent offending in Aotearoa New Zealand*. New Zealand Journal of Psychology, Vol. 45, No. 3, November 2016, 23-29.

⁶⁵ Ioane, J. and Lambie, I. (2016). *Pacific youth and violent offending in Aotearoa New Zealand*. New Zealand Journal of Psychology Vol. 45, No. 3, November 2016.

162. In 2019, Corrections held two 'talanoa'⁶⁶ (workshops) on youth offending. These talanoa were initiated by the then National Commissioner, Rachel Leota, who wanted to gather insights from Pasifika staff at Corrections, as well as relevant sector and community agencies, on the drivers of offending by Pasifika young adults (especially violent offending) and how Corrections could better respond to their needs.
163. Corrections' Budget bid in 2019 sought funding to support dedicated rehabilitation programmes and interventions for Pasifika young adults. According to this Budget bid:

"Pacific people in Corrections' care tend to be younger and are over-represented in the rate of violent offences, which have increased over the past decade.

Research affirms the importance of Pacific families, extended families, villages, churches, communities and cultural identity as the solution to prevent and reduce crime.

Research also affirms the importance of interventions for Pacific people being based on Pacific values, identity, language and culture. This aspect of the bid seeks funding to enhance the two existing services listed below and expand them to other sites where there are a high proportion of Pacific people in prison. These sites will be determined through the co-design process:"

- Saili Matagi – a therapeutic approach for Pacific youth.
 - Pacific-focussed motivational programmes which aim to motivate people to change their behaviour; helping them to understand their Pacific cultural identity, norms and practices.
164. The Budget bid noted that Saili Matagi is the "only Pacific-focused programme with a framework based on Pacific values, identity, language and culture". Saili Matagi is only delivered at Spring Hill Corrections Facility.
165. Corrections was not successful in securing funding for rehabilitation programmes and interventions for Pasifika young adults in Budget 2019, and there has been no further dedicated investment for them from Corrections since then.
166. During the thematic inspection, we found that Corrections has limited responsiveness to the challenges faced by Pasifika young adults in custody. There are a small number of Pacific-focused opportunities for all ages, however, Corrections' Pacific team is restricted by the lack of research into Pacific youth offending and Corrections' resourcing. We heard that even if Pasifika young adults do engage in these programmes, without these foundations their rehabilitation and reintegrative needs may not be adequately addressed.⁶⁷
167. At the time of our site visits, there was one Pacific Focus Unit in operation across the network – Le Fale O'Le Anamua Unit, located at Auckland South Corrections Facility, which is run by private company Serco (see Image 1).
168. Le Fale O'Le Anamua Unit holds a mix of minimum to high security prisoners. During our site visit, it was at maximum capacity with 60 prisoners including a mix of Pasifika, Pākehā, and Māori men. Only three out of the 60 men in Le Fale O'Le Anamua Unit were under the age of 25. All three identified as Pasifika. At the time of our site visit, there were 15 Pasifika young men at the site in total. This inspection was not given any reasons why more of the young Pasifika men were not placed in this unit.
169. A young man residing in Le Fale O'Le Anamua Unit told us that men in the unit celebrate Pasifika language weeks, participate in cultural performances for visitors, and learn about the different Pasifika cultures. Whilst there is a cultural advisor on site, the young man said the

⁶⁶ Samoan language term for open conversation.

⁶⁷ Interview with Corrections Manager Pasifika, 30 April 2024.

classes are led by other prisoners in the wing. He said he wants to learn more about his culture and thinks it would be good for Pasifika supports from outside the prison to visit them in the unit.

170. Despite the limitations, we heard that placement in this unit is preferable to other more restrictive environments:

"Ensure all youth come to Le Fale O'Le Anamua Unit first, they will feel comfortable." [Young man]

171. Whilst in previous years, the Vaka Fa'aola unit at Spring Hill Corrections Facility also operated as a Pacific Focus Unit, in early 2023 it was repurposed to respond to remand population pressures. During its time as a Pacific Focus Unit, Vaka Fa'aola housed prisoners engaging in Saili Matagi, which Pasifika men over 20 years may be eligible for. The Saili Matagi programme participants are now housed in the Special Treatment Unit at the site.

172. Saili Matagi is a group-based programme for male prisoners of Pasifika descent who have committed violent offending. The programme is based on Pasifika cultural principles, and aims to reduce intergenerational violence and the likelihood of reoffending.

173. We spoke to one young man who was attending this programme:

"I am doing Saili Matagi, I pushed myself to get on this. I'm learning how to change my life." [Young man]

174. The other Pasifika programme in operation is the Pasifika Identity Programme. According to Corrections' intranet, the Pasifika Identity Programme is a cultural motivational programme developed and delivered by a multidisciplinary team of Corrections staff since 2014. It is a 6-hour programme delivered in three 2-hour sessions.

175. Like Dynamics of Whanaungatanga, the Pasifika Identity Programme is also offered to prisoners in maximum security units. We met one young man in maximum security who told us he was participating in the programme at the time of our visit.

176. We did not observe any specific programmes or supports for Pasifika young women during our site visits. This may be due to the relatively low number of Pasifika women under 25 years in prison at any time.

177. Fautua Pasefika are volunteers of Pasifika descent with status in their communities who have been granted "easier access" into prison to provide cultural support to Pasifika – similar to kaiwhakamana for Māori mentioned above. During our site visits, none of the young people or young adults we spoke to had engaged with a Fautua Pasefika.

178. Across the prison network, we found Pasifika prison staff draw on their cultural knowledge to encourage and communicate with young Pasifika, although most are not resourced to take on this additional responsibility. This included helping Pasifika young adults overcome language barriers and providing support to colleagues working with Pasifika young adults. For example, one young man told us that while he did not have an interpreter to help him with his induction, Tongan staff in the unit communicated with him.

Religious support

179. Corrections is responsible for enabling prisoners to practise their religion. This can include chapels for church services, and access to chaplains, imams or other religious teachers.
180. During our thematic inspection, we met with John Axcell, Chief Executive of Tira Tūhāhā Prison Chaplaincy Aotearoa. According to its website:

*"Tira Tūhāhā Prison Chaplaincy Aotearoa provides religious and spiritual support services to all New Zealand prisons under contract to the Department of Corrections. TTPCA is also contracted by Serco New Zealand to provide chaplaincy services to Auckland South Corrections Facility."*⁶⁸

181. Axcell told us that the Prison Chaplaincy helps prisoners to *"form communities in a way that meets their needs"*. He said: *"People in prison, as elsewhere, need to form communities... Once people orient themselves around faith – whatever faith that is – they have more of a sense of purpose."*⁶⁹
182. We heard that the Prison Chaplaincy resource is insufficient to meet the demands of prisoners across the prison network in general. There is no specific consideration for young people or young adults to access religious support.
183. Axcell told us if Prison Chaplaincy had more resources they could have *"a 'youth-oriented' chaplaincy, with chaplains that were specially trained and recruited with expertise in that area"*.
184. Some young adults told us that religion was important to them. We found that access to religious support varied across prisons. Some prisons held church services for prisoners. We also heard of prisoners leading their own services:

"It would be good to talk to the Chaplain as he is a good role model. We need more of them." [Young man]

"The Chaplain comes in today at 3pm. They also have a choir. Anyone can go." [Young man]

"Prisoners use the band room to have their church services on Sunday. They do their own thing." [Young man]

"There is a music room in the unit, they have a piano, and they bring it out for church." [Young man]

185. One young man told us he wants to go to church. He said he *"has been asking the whole time but nothing"*. He said *"I want to go to a church service. I used to go on the outside"*. He told us if there was something he could change, he *"would see the Chaplain and go to church service on Sunday where mum and dad could come too"*.
186. Access to church is particularly important to Pasifika cultural connection. Young Pasifika men told us they are more comfortable with culturally appropriate religious support and would like access to this:

"The Chaplain comes in here, but prisoners arrange their own church service. Service includes music, drums – paki, guitar and ukelele." [Young man]

"I would like to have a Pacific Island priest come in and take church." [Young man]

⁶⁸ <https://www.prisonchaplaincy.org.nz/>

⁶⁹ Interview with John Axcell, Chief Executive of Tira Tūhāhā Prison Chaplaincy Aotearoa, 20 June 2024.

187. Some young adults told us they are Muslim. One young man told us he had been waiting to see the Imam, as he follows the Muslim religion, but no one has come. Another young man told us he had *"not asked to see the Imam or for a hat or mat yet"*.

Summary

188. While there has been some effort by Corrections to acknowledge the cultural needs of young people and young adults in its custody, we heard that access to cultural services and supports that can help them connect with their culture were significantly limited in prison. This was primarily because most young people and young adults in prison were placed in mainstream, high security environments across the prison. Where cultural supports were being provided, including in high security units, we were told that the young adults did not meet the criteria to participate.
189. Many young people and young adults told us that having access to cultural support, including religious support for some, was important to them. Those who could access this support found it was beneficial. They appreciated the connection and learning, and for many, we heard it inspired them to learn more about their cultural connections alongside their families and communities, and even to share what they learned about their culture while in prison.
190. We heard that connection to culture can help to create the foundation for change that can strengthen successful and enduring rehabilitation and reintegration pathways.

Recommendations

Cultural responsiveness

4. Corrections must ensure that rangatahi Māori in prison are supported and managed in accordance with the Crown's Treaty obligations. Corrections must ensure that, in its work to address the over-representation of Māori in the prison population, there is a specific and targeted focus on rangatahi Māori.
5. Corrections must provide appropriate cultural and spiritual support to young people and young adults, which allows them to meaningfully connect to their identity.

Area for consideration

Cultural responsiveness

3. Corrections should consider how to recognise and respond to the diverse cultural needs of Pasifika young people and young adults in prison, in collaboration with their communities and families.

Health

191. The New Zealand Health Strategy 2023 states that “*young people are generally resilient and experience good mental wellbeing. There are, however, a number of health inequities that affect young people in New Zealand and these can lead to a range of mental health and substance-related harm issues throughout their lives*”. The Youth19 survey found that almost 23% of young people reported significant depressive symptoms, which continues to trend upwards, with mental wellbeing outcomes being worse for Māori, Pasifika peoples, rainbow people, and young people who have interactions with Oranga Tamariki.⁷⁰
192. Other themes which the Youth Health and Wellbeing Survey – What About Me? (2021) highlighted was that mental wellbeing overall for young people appeared to be deteriorating, that disabled and rainbow young people felt less able to express their identity than other groups of young people, that young women gave lower ratings for measures of overall wellbeing and hope for their future and were more likely to have thought about or attempted suicide.⁷¹
193. Health New Zealand recognises that youth health has improved significantly in recent decades, with declining rates of substance abuse, early unprotected sex and risky driving. It acknowledges, however, that major challenges remain including rates of mental distress appearing to be rapidly increasing, inequities remain with poorer health care access and unmet health needs among Māori, Pasifika and lower income groups, and access to care remains a barrier for some.⁷²
194. Corrections’ Health Services deliver primary health care to prisoners, and each prison has a health centre. Health care includes initial and ongoing health assessments, treatment of illness or injuries, health education and promotion, screening, immunisations, risk assessment, emergency responses and some disability support services. Section 75 of the Corrections Act 2004 states that a prisoner is entitled to receive medical treatment that is reasonably necessary and a standard of health care that is reasonably equivalent to the standard of health care available to the public. In Corrections, the health service is nurse-led and supported by other Health New Zealand, community-based or externally contracted services, such as doctors, dentists, forensic mental health, counselling, optometry, physiotherapy and podiatry. Referrals are made to tertiary and secondary health services when required.
195. According to a frontline Corrections’ health staff member, the needs of young people and young adults in Corrections’ custody are “*the same as the rest of the population but amplified*”. However, Corrections’ Health Services do not include any specific operational health policies (except for some assessments indicating ‘age-specific’ screening and vaccinations, and the gender-affirming healthcare policy) or tailored resources for young people or young adults in prison. Corrections’ Health Services informed consent policy has a section specifically for informed consent for young people in prison (aged between 16 and 18 years) and provides guidance to staff on informed consent if there is a young person in prison aged under 16 years.
196. The World Health Organisation Prisons and Health 2014 document⁷³ has a section on vulnerable groups such as ethnic minorities, people with disabilities, and older people. While the special needs and complexities of youth and young adults were not specifically highlighted

⁷⁰ New Zealand Health Strategy, 2023. Wellington: Ministry of Health.

⁷¹ National Youth Health and Wellbeing Survey 2021. Overview report: October 2022. Ministry of Social Development.

⁷² Health New Zealand. Youth Health. <https://www.tewhātuora.govt.nz/for-health-professionals/clinical-guidance/specific-life-stage-health-information/youth-health/>

⁷³ Prisons and Health. World Health Organization 2014. <https://www.who.int/europe/publications/i/item/9789289050593>

in this document, the World Health Organisation 2003 consensus statement *Promoting the Health of Young People in Custody* includes recommended ways of providing the best chance to maintain the health and wellbeing of young adults in custody, and help them to achieve a more positive, productive, satisfying and healthier lifestyle whilst they are in custody and on release.⁷⁴

197. This section includes information about some of the health needs for young people and young adults in New Zealand prisons, and Corrections' response to their health needs.

Health assessments on arrival to prison

198. All people who are newly received into custody are seen by a registered nurse and have a Reception Health Screen on the day of their arrival. This screen is to identify and prioritise immediate health needs and to determine the timing of a more comprehensive Initial Health Assessment which occurs within 1-30 days depending on the triage score of the Reception Health Screen. This is the same process for all prisoners, regardless of their age.
199. The Initial Health Assessment is completed by a registered nurse. It is designed to explore a patient's health history and presenting conditions, elicit the patient's ongoing health needs, establish the need for assessment by a medical officer or nurse practitioner, and identify health needs which require a referral to a specialist service. This Initial Health Assessment also helps health staff to develop a plan for the care and treatment the patient needs while in prison. It is a standardised assessment which is recorded in the patient electronic health record.
200. Frontline health staff told us that young people and young adults who come into prison for the first time are often "*anxious and scared*".
201. We reviewed the health records of 127 young adults under the age of 20 years in prison (both men and women). We selected the younger population as they will most recently have transitioned from adolescent health services and entitlements.
202. Corrections' records showed that all the young adults we reviewed received a Reception Health Screen by a nurse on the day they arrived into custody. Of these, 112 young people went on to have an Initial Health Assessment completed (three young people were released before the Initial Health Assessment could be completed).
203. Twelve young people did not have any Initial Health Assessment completed.

Smoking and vaping

204. While "*young people are leading the way to a Smokefree Aotearoa*," with around three quarters reporting they have never smoked tobacco,⁷⁵ youth daily vaping rates have increased and the Government announced in March 2024 the need to take action to tackle youth vaping.⁷⁶
205. Vaping has become a significant issue for youth and young people with results of the New Zealand Health Survey showing that daily vaping was highest among those aged 18 to 24 years (25.2%).
206. On arrival into prison, all prisoners are asked as part of the Reception Health Screen "*are you a current tobacco smoker*". Of the 127 young people we reviewed (many of whom were being received into prison for the first time), 100 (79%) of them advised that they were a current tobacco smoker, with all stating they smoked ten or more cigarettes on average per day. This is a significantly higher number of recorded tobacco use for this age group compared to the current smoking rate of 8% recorded for the 18 to 24 year olds in the 2022/23 NZ Health

⁷⁴ <https://iris.who.int/bitstream/handle/10665/107532/WHO-EURO-2003-8528-48300-71717-eng.pdf?sequence=3&isAllowed=y>

⁷⁵ <https://www.cph.co.nz/your-health/stopping-youth-smoking/>

⁷⁶ <https://www.beehive.govt.nz/release/government-crack-down-youth-vaping>

Survey.⁷⁷ These young people were issued a one month's supply of nicotine replacement lozenges.

- 207. There are currently no questions in the Reception Health Screen or Initial Health Assessment about vaping status. In the 127 young people's notes reviewed, there was only one comment found about a person's vaping status.
- 208. Corrections' policy on Nicotine Replacement Therapy (NRT) has not been updated since April 2018 and it is currently under review. The Corrections' National Manager Nursing has acknowledged that vaping is an area that has been considered but to date there has not been the resource capacity to complete any work. She advised that questions about vaping status are intended to be included in future reception screening processes of the new electronic patient management system, when this has been developed.
- 209. The Young Adult Hub has a resource link for staff to a website Protect Your Breath⁷⁸ which provides education about youth vaping. While this is a useful resource, it is unknown how many staff have awareness of this.

Continuity of care on arrival into custody

- 210. Ensuring that young adults have continuity of medication when arriving into prison is crucial for mental and physical health stability, as well as overall wellbeing, improving their ability to participate in educational and rehabilitation programmes. Many young people entering prison have ongoing health issues that require consistent medication management and disrupting their medication can lead to deterioration of their health, including in some cases causing withdrawal symptoms.
- 211. Continuity of medication can also be important for maintaining behavioural stability. For those with mental health conditions, a disruption to medication may contribute to erratic or impulsive behaviours or change in mood.
- 212. Prescribing of medications which a young person has been taking before coming into prison requires review, including the clinical indication or diagnosis for prescribing the medication. There can be variation in prescribing practice of community and prison doctors or nurse prescribers, which results in some young people not being prescribed the medication they have been used to taking. This can cause tension and distress for the young person.

"My medication outside stopped on the inside. I asked the doctor about it, especially to help me sleep. Sleeping is bad from nightmares. I was meant to see forensics but that hasn't happened yet." [Young man]

- 213. Corrections' prescribers are supported by the Safer Prescribing Guidelines which were developed to assist and support safe and best practice prescribing in the prison environment.
- 214. In our review of 127 young adults arriving into prison, 53 people advised during the Reception Health Screen that they were taking a prescribed medication in the community. Of these, 38 young people went on to have their medication prescribed by a prison medical officer or forensic mental health team.
- 215. Thirty of these 38 young people had their medications prescribed within seven days, with 26 being prescribed within the first three days of arrival (12 prescribed on the day of arrival). For some young people it took longer for their medication to be prescribed. This included cases where it either took some time to confirm what medication the young person was prescribed or when a medical officer initially decided not to prescribe a medication, but then prescribed it at a

⁷⁷ <https://www.smokefree.org.nz/smoking-its-effects/facts-figures>

⁷⁸ <https://www.protectyourbreath.co.nz/>

later date. The longest it took someone to have their community medications prescribed was 90 days.

216. During our review we often noted comments by nurses during the Reception Health Screen that young people told them they did not continue to take their prescribed medication in the community when it had previously been prescribed in prison and they had been released. No comments were made as to the reasons for this, but the New Zealand Health Survey 2022/23⁷⁹ notes that many young people find it difficult to afford medications or do not have easy access to pharmacies.
217. Our review showed that the three main types of medication not prescribed were melatonin (used to assist sleep), quetiapine (an antipsychotic) and medication to treat symptoms of attention deficit hyperactivity disorder (ADHD).

Medication for attention deficit hyperactivity disorder

218. Fourteen out of 127 young people advised on reception that they were taking medication in the community for ADHD. Of these, 10 people had this medication prescribed on arrival to prison. Others had been referred to the forensic mental health service for advice, either because there was no information available to confirm the prescription, the young person had not taken this medication for a number of months, or their special authority for the medication had expired.
219. On one occasion, the forensic mental health service did not endorse the prescribing of Ritalin which had been requested but recommended that an alternative medication could be prescribed. The prison medical officer wrote a note to the young person providing information about the alternative medication and advised them to put in a health request form if they wanted to try it. The young person put in a health request form requesting to see the medical officer, but their appointment needed to be rescheduled on two occasions and they were released before it could take place.

Melatonin

220. Melatonin is a supplement medication used to treat sleep problems. It is available by prescription and is funded for people who have been diagnosed with persistent and distressing insomnia because of a neurodevelopmental disorder, and who are under the age of 18 years.
221. Sixteen out of 127 young people were taking melatonin on arrival into prison. Six of these were not prescribed by the prison medical officer with the rationale recorded that this medication should not be used long term, or the person was no longer of an age to receive subsidised funding. One person asked to self-fund melatonin when it was not prescribed, but this request was declined.

Quetiapine

222. Quetiapine is an antipsychotic medication used to treat disorders such as bipolar disorder and schizophrenia. Sometimes it is prescribed 'off label'⁸⁰ to help treat insomnia. Twenty-one out of 127 young people advised on reception that they were taking quetiapine in the community. Of these, when reviewed, 11 young people did not have this medication prescribed by the prison medical officers. The reasons recorded included that the young person had not taken the medication for some time, it had only been prescribed as a short course in the community, or it had been prescribed off-label in the community to help with symptoms of insomnia.
223. When reviewing health records, many young people described having difficulties with sleep – particularly getting to sleep. Corrections' Safer Prescribing Guidelines has a section on acute insomnia providing guidelines for best practice prescribing of medications. There was evidence

⁷⁹ <https://www.health.govt.nz/publication/annual-update-key-results-2022-23-new-zealand-health-survey>

⁸⁰ Off label is when a medication is approved to treat a specific condition, but is prescribed to treat a different condition.

in young people's health records that when some young people complained of difficulty with sleeping, health staff provided them with sleep hygiene education and information, mindfulness interventions, and if the young person was reviewed by a medical officer, short courses of medication were sometimes prescribed to assist them with sleep.

Accessing Health Services

224. When a prisoner has a health concern, they complete a paper-based health request form (known as a health chit) and post it in a secure health mailbox in their unit. Health request forms are collected daily by nurses and triaged so prisoners with the most urgent or acute health needs are seen first. Health Services policy on 'triage of health request forms' mentions that informal verbal requests may also be received.
225. In general, health chit mailboxes should be located in each unit. We heard from some young adults that there was no health chit mailboxes in their units. They told us they handed their chits to custodial officers to pass on. We have concerns about the lack of privacy if they had to follow this process. One young person we spoke to said he holds onto his chit until he sees a nurse in the unit and will give it directly to the nurse, so he had assurance that the health team had received it.
226. Some young adults told us they were not aware of the chit system. We also heard that some young people who struggled to read or write were unable to fill in the health chits. Members of the Inspections team helped young adults fill in health chits during the thematic inspection, if needed.

"I called staff over the intercom asking how to see a nurse, but I can't read and write well. Staff can't help fill it out. Haven't talked to health and don't know how to contact health." [Young man]

"I can't read and write so sometimes I don't bother to put in a chit. I don't want to look dumb." [Young man]

227. Young people told us that timeframes for accessing Health Services varied. Inconsistencies in timeframes can be due to a number of factors, including health and custodial staff resourcing, demand for service and health staff triaging health request forms so more urgent health concerns are prioritised. Several young adults told us they exaggerate their health needs to see a nurse more quickly.

"It takes ages to see medical, I have to hound the staff and fill out multiple forms." [Young woman]

"Since being in prison I have been getting health care. This jail is good for medical." [Young man]

"It usually only takes a day. My experience is things happen quite quickly." [Young man]

"You have to fill out like five forms before someone comes to see you. I have seen other prisoners getting upset about the wait." [Young man]

"It can be slow here. They don't follow up on stuff. They forget about us. Staff don't want to hand out the forms. I don't know where to put the forms and I just give it back to officers. [Young man]

"There are no issues seeing medical when I need to and they're generally good." [Young woman]

228. Some young adults told us they were not sure if the health centres received their chits:

"I've put in multiple chits and youse never get back to me." [written on a health request form from young man] (Nurse noted in health file that this was his first health request form submitted).

"On the nurses' rounds prisoners often try and talk through the hatch at the nurse because they haven't heard anything back about their chits." [Custodial officer]

229. Some young adults told us they were affected by delays in health care while in prison.

"I thought I was going to die when I got Covid. I wanted lozenges. I had a sore throat but didn't get any." [Young man]

"It took a whole week for my inhaler to be replaced. I spent a whole week without it." [Young man]

"It takes a good couple of months to see a nurse – however bad your injury is. Sometimes the injuries get very bad before medical comes. If you want to see a doctor – it's impossible and likewise for physio." [Young woman]

230. Some young adults did not think their needs were taken seriously:

"I'm not getting the care I need. I was hit on the head and get pulsating pain at times and was told to take Panadol. I have been waiting to see a doctor for sleep problems for four weeks." [Young man]

"One doctor doesn't listen to us. He says I was drug seeking when I wasn't." [Young man]

231. Other young adults told us about positive experiences they had with the health teams:

"The midwife at the prison has been good and helpful and giving me useful information about pregnancy and what to expect." [Young woman]

"They listen here. They have a sit down. [XXX] is my nurse - she is trying to get assessment and report done. Why can't I have a say for my own self." [Young man]

"I've been able to get my meds and check-ups when I need to." [Young woman]

232. We heard that transfer of health information from the community or when a young adult is transferred between prisons also varies. Our review found that at many prison sites, health staff have access to electronic community health information sharing platforms so they can check a young person's health history or prescribed medications when they arrive into prison. There were also records showing that health staff had requested medical information to be transferred from the young person's community health provider if they had one.

233. One young man told us how he had an injury following a serious assault in prison. He told us that when he transferred sites, there was no record of the assault and subsequent surgery in his case notes to alert the receiving site, other than a note to say he *"can only eat soft foods"*. He acknowledged that this history would be in his medical records, but it would be helpful if custodial staff interacting with him had this information as well.

234. A review of health files looking at the responsiveness to health request forms from young adults and waiting times for the initial nurse review found many raised their health concerns by approaching nurses on medication rounds, when nurses were in units, or when there was contact at the health centre for reasons other than submitting a health request form. Records

showed that verbal requests also came from custodial officers asking for a nurse to see a young adult. Of the 46 health files we reviewed where a young adult raised a health concern, 19 did this verbally and two were requests from custodial staff. On one occasion, when approached by a young adult, the nurse instructed them to put in a health request form. Twenty-five of the 46 young people whose files we reviewed, submitted a written health request form.

235. When reviewing waiting times for the 46 young adults to have an initial nurse review, we found that 23 had their health concern addressed on the same day they raised it. A further eight young people had their concerns reviewed within three days, and six young people within seven days. The longest a young person waited to be seen by a nurse was 25 days. There was no record of one young adult being seen at all in response to their health request form. The average waiting time for a young adult to be seen in our review was three and a half days.

Access to medical officer/nurse practitioner services⁸¹

236. Medical officers in prisons are contracted registered general practitioners and are essential to providing healthcare to young people in prison. The number of medical officer hours at each site varies depending on the size and type of the prison.
237. During our interviews on site with young adults, many talked about having a long wait to see a medical officer.

"I have been waiting to see a doctor for four weeks". [Young man]

"I have been on the waitlist to see the GP for about one and a half months already". [Young man]

"I was enrolled with a GP (in the community). Access in here is very hard. It is a long time to see a GP. It takes about a month to see a GP." [Young man]

"I would go to a GP if in the community, I don't bother now as there is no action." [Young man]

238. A further review of the 127 young adults under 20 years showed that many of them had been seen by a medical officer while in custody and new prescriptions, sometimes for multiple different health issues, were initiated in response to new or previously undiagnosed health concerns, including:

Table 2

No of young people*	Health condition/ type of medications prescribed
31	Skin problems (dermatitis, eczema, acne)
19	Anxiety or depression
13	Antipsychotic medication
10	Asthma inhalers
8	Seasonal hay fever

⁸¹ Corrections has integrated the role of nurse practitioners into its health team. Nurse practitioners have advanced clinical training and an extended scope of practice sanctioned by the Nursing Council of New Zealand and are able to provide care for people with complex conditions and prescribe medications. However, none were employed at the time of writing due to difficulties recruiting to this role. Serco has employed one nurse practitioner to support its service at Auckland South Corrections Facility.

8	Short course to aid sleep
5	Constipation
4	ADHD
2	Chronic pain

*Note that one person may have more than one health condition/medication

239. Medical officers told us about challenges with prescribing some medications within the prison environment, with considerations about the patient's safety as well as the safety of others. The following provides an example of this.
240. A young man was requesting medication for ADHD. When asked, he denied issues with attention and concentration saying he was "pretty good". He then said, "oh shit, nah, yeah I do" and asked for Ritalin and ketamine to be prescribed as he "needed them". The young man then admitted he did not have any difficulties and that he was drug seeking, stating: "I just want drugs".
241. A review of health files for 20 young adults requesting to see the medical officer found that waiting times varied. Generally, more urgent health concerns were seen quickly. Waiting times ranged from two young adults being seen on the same day they requested (or had been identified as needing to see a medical officer), to the longest waiting time of 21 days. The long waiting time was due to the young adult having his appointments rescheduled and being transferred between prisons. Other young adults also had their appointments rescheduled multiple times. Two of the 20 young adults were not seen by the medical officer at all, as their appointments had been rescheduled multiple times and then not rebooked. The average waiting time from the review of 20 health files to see a medical officer was eight days.
242. During our review, a Medical Officer shared their insights of providing medical services to youth and young adults in prison. They reflected in an email to us:

"Most of Corrections youth-oriented policies come from the Custodial and Case Management space rather than Health Services. As a generalisation, our Youth tend not to have the long-term medical conditions that Health policies focus on (cardiovascular disease, Type 2 diabetes, chronic obstructive pulmonary disease, etc) but are well-represented in the mental health and addictions space.

The biggest barrier to providing care to youth seemed to be the fact that they are often on remand and the remand units are less able to bring people down to the Health Centres.

Once Youth are brought down to our clinics, their health literacy is often very low and they often have a large number of requests that we can not accommodate, for example inappropriate medications, medical tests that are not indicated, extra mattresses and pillows, special diets, referrals for ADHD diagnoses, requests for ACC lump sum claims. It takes a long time to go through it all which limits the number of people from remand units that we can see in the clinic on the day. In theory, we are staffed for 20 minutes per person including admin time. Remand prisoners often take much longer. Then if I start a medication, the follow-up is tricky due to multiple transfers and releases from Court with no warning to the Health team.

In the community, primary care of Youth often relies on the whānau unit and we are restricted from contacting people's whānau members by the need to clear it with the PCO for security reasons first. Youth are also less likely to attend a GP and

have prior medical records than people who are older, so that contributes to the challenge.

I do not have any clever ideas for how we can overcome these barriers, but I would love for a basic health course to be available to all people in prison, particularly people in Remand. I think that would go a long way to helping our Youth become advocates for their well-being."

Dental services

243. The Corrections' Health Services Dental Care policy states: *"The Department of Corrections acknowledges the importance of good oral health to general health and wellbeing. People in prison are provided with dental care under the access and eligibility criteria applicable in the community."*
244. The Dental Care policy further states: *"Patients receive emergency dental care when they need it" and "Patients receive preventative and restorative dental care needed to maintain oral health."*
245. Our review of 127 health records for young adults under 20 years found that 29 young adults had put in health requests or asked the health team for support relating to dental concerns. Of these 29 young people:
246. Nineteen have been seen by a dentist. The waiting times ranged from three days for urgent appointments to 46 days, with a median waiting time of 18 days.
- One declined the dental appointment when it came up.
 - One requested a dental check-up but was sent a letter advising that there was only a 'relief of pain service' for people on remand.
 - One requested a dental check-up and was put on the dental waiting list for 'an annual check up'. He was seen by the dentist within three months.
 - Three young people have requested to see a dentist and are currently on a waiting list. One has waited one month, two have waited three months.
 - Four young people were released from custody while waiting to see a dentist.
247. When reviewing health records there was evidence that young people who had urgent dental needs were seen quickly with less urgent dental concerns having to wait longer, with pain relief generally being provided when required.
248. Young adults we interviewed during our site visits had varied experiences waiting for dental services:

"I had a health chit in to see a dentist. I had a little hole. It took about eight months and by that time it was rotten and had to be removed" [Young man]

"I just had a tooth pulled out. It was fine." [Young man]

"I've seen the dentist three times and have had work done which I'm happy with." [Young woman]

"Healthcare is good in here. I've seen a dentist and nurse. When I need something checked out they look at it. Wait times for dentist and doctor is long but to be expected." [Young man]

249. Typically, wisdom teeth erupt between the ages of 17 and 25 years and occasionally wisdom teeth need to be removed. During our review of health records, several young people raised concerns relating to their wisdom teeth. Some have been able to have these removed while in custody, including needing to be referred to hospital to have these surgically removed.

"It's been a month or more to see a dentist. I need a wisdom tooth out as it's sore as." [Young man]

Immunisations

250. Immunisations are a key component of public health strategies aimed at protecting individual health and promoting community wellbeing. Vaccines protect against serious and potentially life-threatening diseases.
251. There are many important reasons why young adults in prison should be immunised, including prisons being environments where infectious diseases can spread rapidly, many people in prison have poor health making them more susceptible to infectious diseases, immunisations can help address disparities in health outcomes for imprisoned people, and to help in preventing outbreaks of diseases.
252. The New Zealand immunisation schedule for 17 to 24 years covers key vaccines including meningococcal ACWY vaccine, meningococcal B, HPV vaccine, hepatitis A and B vaccines, tetanus diphtheria and pertussis booster (dTApP), annual influenza vaccine and the Covid-19 vaccine.⁸²
253. We reviewed the immunisation status of 127 young adults under 20 years old and have detailed our results below. It is important to note that while this data gives us some sense of immunisation of young people in prison, there are considerations to take into account, such as some of these young people may have only been in custody for a short duration, therefore health staff may not have had time to provide any immunisation care.
254. Our review of records showed that health staff were accessing the national immunisation register to ascertain a young person's immunisation status, however this was not always done.
255. Our review showed that 20 young people had been provided with vaccines, including Covid-19, influenza, hepatitis B, HPV, tetanus and pneumococcal vaccines. A further 12 young people were offered vaccines which they declined.
256. We noted that young people are being screened for hepatitis B as part of the Initial Health Assessment process.⁸³ Records showed that medical officers identified results of hepatitis B screening in two young men where they did not have immunity and requested nursing staff to offer them hepatitis B vaccines. One young man remained in custody for six months but was not offered this vaccine, and the other young man remains in custody and also not been offered the vaccine.
257. The data also showed that when a course of vaccine has started with the first dose given (some vaccines need three doses given at set intervals), the remaining course of the vaccine had not been given. Recalls (reminders) are in place on some of these, but many did not have any recalls in place for the follow-up vaccine doses.
258. A nurse who holds a youth portfolio at a site told us in an email that common challenges in immunising young people in prison include:

"Time – we have just finished a big flu vaccination drive and we are starting a Covid vaccine drive which means other vaccines are not being prioritised."

Vaccine hesitancy of young people and fear-mongering amongst peers."

⁸² Corrections advised that subsequently MMR (measles, mumps and rubella) catch-up campaigns had been undertaken.

⁸³ Blood test screening also includes hepatitis C, HIV, sexually transmitted infections and syphilis.

Decreased access to young people across site – a lot of our under 25-year-olds are heavily involved in gangs and will decline nurses clinics because they are too busy training in the yards.

Lack of qualified vaccinators on site.”

Obesity

259. The New Zealand Health Survey 2020/21 found that around one in three adults (aged 15 years and older) were classified as obese, with New Zealand having the third highest adult obesity rate in the OECD.
260. Body Mass Index (BMI) is the most commonly used measure of body size, and is the measure routinely reported in the New Zealand Health Survey annual indicator reports. It is an index of weight adjusted for height.⁸⁴ It is important to note here that there are a number of factors which can affect the accuracy and interpretation of BMI measurements. These include body composition such as muscle mass and fat distribution, age and gender, ethnicity, genetics, health conditions and medications.
261. Our review found that 106 out of 127 young adults, who had a recorded BMI, had the following results:

Table 3

	Number of young adults reviewed
Underweight <18.5	2 (1.8%)
Healthy weight 18.5 – 24.9	42 (39.7%)
Overweight 25 – 29.9	32 (30.2%)
Obese 30 +	30 (28.3%)

262. Our review included seven women, of whom six had their BMI recorded. Two women had BMI measurements which classified them as obese.
263. The lowest BMI measurement recorded was 18 and the highest was 45 (classified as extreme obesity). During our review we noted a number of young adults who had put on a significant amount of weight since arriving into custody, one of whom had a weight increase of more than 20kg in less than six months.
264. This data suggests that obesity is a concern for some young adults in prison and can be compounded by factors such as having a more sedentary lifestyle if physical activity is restricted or limited due to management regimes, dietary concerns if young people are accessing less healthy food while in custody, and mental health factors such as stress, depression or medications which might cause young people to overeat.

Mental health

265. In February 2024, the New Zealand Controller and Auditor-General published a report on the mental health needs of young New Zealanders aged 12 to 24 years. He found that agencies, including Corrections, had limited understanding of the mental health needs of young people, and agencies need to collaborate to better understand and respond to their needs:

⁸⁴ <https://www.health.govt.nz/system/files/documents/publications/understanding-excess-body-weight-nzhs-apr15-v2.pdf>

“Young people are often expected to fit into services and models of care designed for older age groups. Many of the barriers young people face when accessing mental health support can be overcome if this support is tailored to the specific needs of young people.”⁸⁵

266. In addition to the primary health care team of generalist nurses and medical officers, there is a range of primary and secondary mental health services available to people in prison. These include employed mental health clinical nurse specialists, Intervention and Support Practice Teams (including trauma counsellors), contracted Mental Health and Reintegration Service Improving Mental Health Clinicians and Packages of Care providers,⁸⁶ and Health New Zealand specialist forensic mental health services. Some ACC⁸⁷ sensitive claim counsellors are also available on prison sites.
267. On 12 December 2023, we collected data from Corrections’ electronic health files for 903 young adults under 25 years who were in custody. Twelve percent of the codes reflected that those young adults suffered from anxiety and/or depression, with 7% having a condition relating to trauma (post traumatic stress disorder or sexual trauma). Six percent of young adults had a diagnosis of schizophrenia or psychosis and 7% had a history of self-harm or suicide attempts.⁸⁸
268. When reviewing the health records of 127 young people under 20 years, there was evidence that many had a significant amount of mental health support provided to them by the site clinical nurse specialists, mental health clinicians, Intervention and Support Practice Teams, or specialist forensic mental health service.
269. In addition to the primary health service provided by prisons, 87 of the 127 young adults had been supported with their mental health. Of these 87 young adults, 15 were supported by two mental health services. Details of mental health service contact provided to the 87 young people while they were in prison is as follows:

Table 4

Type of Service Provided	Number of Young Adults
Intervention and Support Practice Team	47
Forensic Mental Health Service	36
Improving Mental Health Clinician	13
Clinical Nurse Specialist Mental Health	4
Health team psychologist (Serco)	1

⁸⁵ Controller and Auditor-General (2024) *Meeting the mental health needs of Young New Zealanders*.

⁸⁶ Corrections subsequently advised that Packages of Care contracts expired in June 2024 and were no longer available. Improving Mental Health services would continue to provide support for people with mild to moderate mental health needs. The resulting available Packages of Care funding had been repurposed to supplement Improving Mental Health service provision, and to support changes in mental health service delivery as recommendations from the Improving Mental Health Review are implemented in 2024/2025.

⁸⁷ Accident Compensation Corporation.

⁸⁸ READ codes are a standardised set of codes that represent all different types of diagnoses, injuries and clinical terms. They provide a standard vocabulary for clinicians to record patient findings and procedures in health and social care across primary and secondary care. The READ codes are a manually entered function that can be entered by health professionals using several codes that may be very similar. For this reason, some of the codes have been grouped. It is widely understood that READ codes are underutilised and are dependent on health professionals manually entering the code. For this reason, this information should be interpreted with caution.

270. When we spoke to young adults about mental health services in prison, they had varied experiences.

"I was receiving counselling every two weeks in the community. I've had no follow up with any counsellors since being in prison." [Young man]

"I would like mental health support although I see it as a set back." [Young man]

"I've had good access to mental health services and access to the cultural side of health." [Young woman]

"I am seeing Emerge. I find that helpful".⁸⁹ [Young man]

"I have received help with mental health in prison. I am a lot more well now. I had engagement with mental health when I was in the community." [Young man]

271. We heard from Corrections' Director Mental Health and Addiction Services that they are trying to include and be more mindful for young people, including in the design of mental health policies, as the current policies are not youth specific. She advised that the Corrections' Improving Mental Health Services review, completed in December 2023, has a specific section on young people.
272. She further acknowledged that young people are 'digital natives' and when they come into custody, they lose their technology and access to their friends. She said: *"young people are used to being super connected so we need to consider the impact of that for them."* Her view was that Corrections needed to create spaces for young people where they can be youthful, with more activities coordinators and hoped for the future to have *"digitally enabled prisons so that youth could be connected with other youth, clinicians and whānau"*.

Self-harm and suicide in prison

273. Youth and young adult suicide rates in New Zealand are a significant public health concern, with the rate for youth aged between 15 and 24 being notably high and rates for Māori youth being higher than other demographic groups.⁹⁰ In addition, self-harm rates among young adults is also a significant concern, with more than 3,000 hospitalisations of individuals under the age of 20 years due to self-inflicted injuries, the majority of these being young women and Māori youth (30% of hospitalisations).⁹¹
274. A review of Corrections' records found that for the five-year period from June 2018 to June 2023, tragically, two young adults in custody died by suspected suicide, both of whom were male and who identified as New Zealand European.
275. Corrections' data for the same period showed that 875 young adults under the age of 25 years had incidents recorded for self-harm (173 at woman's prisons). Of those, 89 were recorded as self-harm threat to life incidents.
276. Regarding 'what works' to prevent suicide and self-harm of young adults in prisons, Forster and Shaw 2018⁹² found the literature provides mixed evidence, but noted that a small pilot to

⁸⁹ Emerge is a contracted provider of Mental Health and Reintegration Services which has Improving Mental Health Clinicians providing support to prisoners with mild to moderate mental health concerns.

⁹⁰ Ministry of Health data.

⁹¹ <https://www.health.govt.nz/new-zealand-health-system/accountability-and-funding/planning-and-performance-data/youth-slm-data-youth-self-harm-hospitalisations>

⁹² Forster, O., & Shaw, J. (2018). *Self-injury group psychotherapy intervention for young offenders: A pilot study*. Journal of Forensic Psychiatry & Psychology, 29(5), 733–743.

reduce harm and psychological distress among young offenders found that a 'psychotherapy intervention' reduced the incidence of self-harm.

Counselling

277. The 2022/23 New Zealand Health Survey found that psychological distress was highest in young people aged 15-24, with one in five experiencing high or very high levels of psychological distress. The survey further found that young adults reported the highest rates of unmet need for professional mental health support.⁹³
278. Counselling is often used for non-acute mental health issues, which are not immediately life-threatening but still affect a person's wellbeing and daily functioning. These can include issues such as anxiety, depression, stress, relationship problems, grief or adjustment disorders. There are a range of reasons why young people and young adults might access counselling. For some it may be to help them manage their emotions and their behaviours. Others may seek counselling support to deal with past trauma or grief, or they may benefit from counselling to overcome drug or alcohol use.
279. Counselling in prison is usually provided through self or staff referrals to Improving Mental Health or Packages of Care clinicians who can provide therapeutic interventions with a person for a number of sessions.
280. All women's prisons and some men's prisons have dedicated trauma counsellors. Some men's prisons enable prisoners to access community counselling, for example the Christchurch Men's Prison Youth Unit has a counsellor from the community who visits the young men regularly.
281. ACC counselling is available to people who have experienced mental injury due to sexual assault or abuse or resulting from physical injury or witnessing traumatic events. While this service can be provided to young adults, there are limited ACC counsellors who provide this service in prisons, resulting in very long waiting lists, sometimes up to one year. During our review, we were not able to determine the number of young adults accessing this service.
282. Some of the young adults we spoke to told us they would welcome having access to counselling. For example, one young man told us he had not had any help for his grief after a significant event. He told us he struggled to sleep initially and, while this was getting better, he would be happy to receive counselling if it was offered to him.
283. Young adults we spoke with who were receiving counselling appreciated this support:

"I have counselling one on one which is helpful. I've got lots to work on. It has changed me personally." [Young man]

"I am seeing a counsellor weekly. It's good. I wouldn't be having it on the outside." [Young man]

"I didn't have any counselling when I was in the community but I'm doing that here and it's helping me." [Young man]

"I've had 13 sessions with a psych and have enjoyed this." [Young woman]

Intervention and Support Practice Teams

284. Intervention and Support Practice Teams (ISPT) are multidisciplinary mental health teams, which may include one or more psychologists, social workers, trauma counsellors, occupational therapists, mental health nurses and cultural support workers (Kairuruku Hinengaro). This service supports people who are considered to be at risk of suicide or self-harm and/or have

⁹³ <https://www.health.govt.nz/publication/annual-update-key-results-2022-23-new-zealand-health-survey>

moderate to high mental health needs. These teams are currently operating in seven prisons. An eighth ISPT was also recently established with recruitment underway.

285. Clinical nurse specialists (mental health) are established at seven prison sites where Corrections does not have an ISPT. They provide clinical expertise and help to coordinate the care that people engage in by triaging referrals for people experiencing mental distress. Additionally, they provide clinical services to those with moderate to high mental health needs.
286. According to Corrections' intranet, eligibility for the Intervention and Support Practice Team service includes:
- behaviour of concern
 - previous mental health history, including addiction
 - a sentinel event, e.g., court decision, personal loss, entering prison for the first time.
287. When we spoke with young adults who had used this service they spoke positively and appreciated the support from this team.

"I've used the ISPT and they were a big help." [Young woman]

288. We heard from Intervention and Support Practice Teams staff that at some sites, there can be issues trying to access units or rooms to meet with prisoners. Staff at one site told us it can take as long as six weeks to access a room.
289. At one site with higher numbers of young adults, we were told that all young adults see the Intervention and Support Practice Team mental health nurse who screens for suicide. We were told during an interview from another Intervention and Support Practice Team member:

"There are a variety of people seen from hardcore to very distressed. If the prisoner is under Forensic Mental Health then they are discussed at the multidisciplinary team meeting. The trauma is significant in this group."

290. One Intervention and Support Practice Team Clinical Manager told us there is no specific resource for young people and the ISPT was involved in 'young persons' monthly site meetings, but was mostly reactionary, rather than proactive.
291. Another Intervention and Support Practice Team clinician told us that some young adults, "are reluctant to be vulnerable and have pressure from the gangs so it is difficult to get them to engage". They said, "there is a lot of bravado and if the young person becomes tearful inevitably, they will cancel the next appointment because the rooms are not private and being vulnerable is not acceptable in those units".

Intervention and Support Units

292. Intervention and Support Units (ISU) are specialist units where prisoners who are assessed as being at risk of suicide or self-harm can stay for a limited time. Intervention and Support Unit cells minimise any risk of self-harm, including having cameras to allow for constant monitoring⁹⁴ and removing possible ligature points.
293. Some prisoners may be placed in Intervention and Support Units while they await transfer to an in-patient mental health facility.
294. Intervention and Support Units may also house people who are not assessed as being at risk of self-harm but who have been identified as particularly vulnerable due to their age or who have a physical health condition that requires closer monitoring by health staff. These people may be

⁹⁴ After concerns were raised by the Chief Ombudsman, we were told by inspectors that images from cameras have been pixelated around toilet facilities.

neurodiverse or have cognitive or intellectual disabilities which may be more complex to manage in a mainstream unit.

295. All Intervention and Support Unit cells are single occupancy and prisoners are assessed to determine risk of self-harm while they are in the unit. This includes any risk related to items such as clothing, writing materials and cutlery.
296. All prisoners are strip searched when they are placed in an Intervention and Support Unit. Most will have their underwear removed and they may be given anti-ligature gowns while their risk of self-harm or suicide is being monitored:

"I spent my first night in prison in the ISU. I didn't know why I was in the unit and staff didn't explain anything to me." [Young woman]

"I had a few times in the ISU. Good place to go to help for mental health apart from the gowns. We're not allowed underwear here." [Young man]

297. Prisoners in Intervention and Support Units receive specialised and sometimes intensive care to support them to return to their mainstream unit. For example, a review of one young woman who was being managed in an Intervention and Support Unit showed that nursing staff reviewed her daily, she had seen the prison medical officer for physical health concerns, and she was receiving assessments and support from both the Intervention and Support Practice Team and youth forensic mental health service. When we spoke with her, she mentioned spending most of the day in her cell and felt bored. She thought it was good when she could mix with other women, and when she got some time in the day room she would read books and do puzzles. Some of the young adults we interviewed spoke positively about their interactions with staff in the Intervention and Support Units:

"Intervention and Support Unit staff are patient, understanding and not intimidating." [Young woman]

"Intervention and Support Unit staff are cool. It's a good respite. I don't have many ups and downs with staff. They want us to reach out if we need help. They try and work with us so we don't fall backwards." [Young man]

298. When reviewing health files for young adults who had spent time in an Intervention and Support Unit, we saw records at some sites which showed a multidisciplinary approach to managing young adults and that discussions and planning took place to safely support them transitioning out of the Intervention and Support Unit to another unit. This included, for example, having the young adult socialise with other suitable young adults on a unit, spending time in the new unit with their case manager, or attending education sessions in the units.
299. Also pleasing to see was that young adults were being included in the design of these transition plans with custodial and Intervention and Support Practice Team staff discussing options with the young adult and not putting these into practice until consideration of the plans had been discussed at multidisciplinary meetings.

Prison forensic mental health teams

300. Regional specialist forensic mental health services provide assessment and treatment to people whose *"mental health needs intersect with offending behaviours"*. The people served by forensic services have *"high and complex social needs; often have multiple mental health and addiction diagnoses; come from backgrounds often characterised by high levels of deprivation and the*

*experience of trauma; and have committed, or are at risk of committing offences resulting in high levels of harm to others”.*⁹⁵

- 301. Our review of health files showed that some youth and young adults were being triaged by forensic staff, with many remaining on the forensic and youth forensic service caseloads. Youth forensic services cover children and youth from the age of 10 years through to their 18th birthday, or beyond until their 20th birthday if developmentally appropriate.
- 302. Our review showed at some sites there was an automatic referral to the forensic service due to the young person’s age and that an alert was placed on the young person’s electronic health file indicating that they were under the youth forensic service and should not be transferred.
- 303. In our review we saw many cases where there was collaboration and shared care between the forensic service and Corrections’ Intervention and Support Practice Teams.
- 304. Some young people we spoke with told us about positive experiences with the forensic service.

“I see the forensics crisis team to talk regularly. Consistent support is beneficial.”
[Young man]

“I see forensics in the prison. I see them every week. I want more contact with forensics.” [Young man]

- 305. It was evident in our review, however, that there are challenges in managing very unwell young people, particularly those who may not be taking their prescribed medications and have presentations of psychosis.
- 306. Our review found one young man who arrived into custody mentally unwell. He was located in an Intervention and Support Unit and had regular assessments by nursing staff and the mental health clinical nurse specialist. Following referral to the forensic service, the young man was assessed and identified as needing admission to a mental health in-patient facility under Section 45 of the Mental Health (Compulsory Assessment and Treatment) Act 1992.
- 307. Due to the demand on Health New Zealand psychiatric hospital in-patient beds, this young adult was put on a waiting list for admission, and remained in the prison Intervention and Support Unit. During this time he was reviewed regularly by the forensic service and regular multidisciplinary team meetings occurred. Corrections’ health staff highlighted to the forensic service on a number of occasions their concerns about managing this significantly unwell young person in prison. The young man was admitted to hospital for treatment approximately two months after being placed on the waiting list.
- 308. The Ministry of Health Youth Forensic Services Development guidance document (2011) identified one key issue to providing youth forensic services was *“the lack of secure youth forensic in-patient beds for vulnerable young people with intellectual disabilities and/or who are most severely affected by mental illness and addiction and who are involved with the justice system”*.

Alcohol and other drugs

- 309. A significant proportion of New Zealand youth and young adults engage in alcohol consumption. According to the New Zealand Health Survey 2022/23, around 63% of young people aged 15 to 24 reported drinking alcohol in the past year, with binge drinking particularly common and many young people consuming large quantities of alcohol in a single session.
- 310. Cannabis is reported to be the most common illicit drug used by New Zealand youth (22%), with use of other substances, such as synthetic cannabinoids and methamphetamine less

⁹⁵ <https://www.health.govt.nz/publication/models-care-forensic-mental-health-services-review-international-and-national-literature>

common but still concerning. The New Zealand Alcohol and Drug Use Survey (2022/23)⁹⁶ found that 1% of young adults aged 16 to 24 years had used amphetamines in the past year.

311. The recent New Zealand Drug Harm Ranking study stated: *"New Zealand has a comparatively high prevalence of methamphetamine use by international standards, with use being overrepresented in areas of socio-economic deprivation, among males, and among Māori"*. The report stated that young people are particularly vulnerable to drug-related harm and emphasised the need for age-appropriate interventions and support.^{97,98}
312. As part of the Initial Health Assessment completed within the first 30 days in custody, people are asked questions about their use of alcohol or recreational drugs. The questions are 'is alcohol a problem for you?' – with follow-up questions of 'how much do you drink in an average week?' and 'have you used recreational drugs recently?'.
313. Of the 112 young people we reviewed and who had been asked these questions, 44 told the nurse that they had recently used alcohol and/or other drugs. The most disclosed drug used was cannabis (27) and amphetamines (22). Eight young people disclosed having regular alcohol use and four disclosed using opioids or hallucinogenic substances. Our review found that 26 young adults were using more than one substance, with one young adult telling the nurse that he used five different substances (methadone, cannabis, methamphetamines, benzodiazepines and cocaine).
314. Further review found there was evidence of alcohol and/or other drug use history in a further 27 young people who had not disclosed this information during the Initial Health Assessment process.
315. Interesting to note, during the Reception Health Screen completed on the day people arrive into prison, the question 'are you using/withdrawing from drugs/alcohol?' is asked and at that time, no young adults told the nurse they were using or withdrawing from drugs or alcohol. Nursing notes sometimes included comment about a young adult's presentation, such as *"does not appear to be withdrawing or coming off from any substances"*. From our interviews, some young adults told us that they had experienced symptoms of drug withdrawal.

"I had no support detoxing in prison and was sweating hard." [Young woman]

316. Alcohol and drug use was not always easily found in the health record, other than by opening the Initial Health Assessment form. The electronic patient health management system has a place where clinicians can record people's medical and social history and diagnoses with READ codes (classifications). During our review of young people's health files, information about alcohol and drug use was not always recorded in the classifications. It is important that this is recorded here so clinicians have pertinent information readily available when determining treatment (such as prescribing).
317. Our review of Corrections' records, especially pre-sentence reports, also found that most young people and young adults in Corrections' custody reported they had previously used drugs or alcohol. Many young men and women referred to the influence of methamphetamine in relation to their offending.

⁹⁶ <https://www.health.govt.nz/publication/annual-update-key-results-2022-23-new-zealand-health-survey>

⁹⁷ Rose Crossin, R. et. al. (2023). *The New Zealand drug harms ranking study: A multi-criteria decision analysis*. Lana Cleland, Chris Wilkins, Marta Rychert, Simon Adamson, Tuari Potiki, Adam C Pomerleau, Blair MacDonald, Dwaine Faletanoai, Fiona Hutton, Geoff Noller, Ian Lambie, Jane L Sheridan, Jason George, Kali Mercier, Kristen Maynard, Louise Leonard, Patricia Walsh, Rhys Ponton, Sue Bagshaw, Suresh Muthukumaraswamy, Tracey McIntosh, Edward Poot, Paul Gordon, Patrick Sharry, David Nutt and Joseph Boden. *Journal of Psychopharmacology* 2023, Vol. 37(9) 891–903 2023

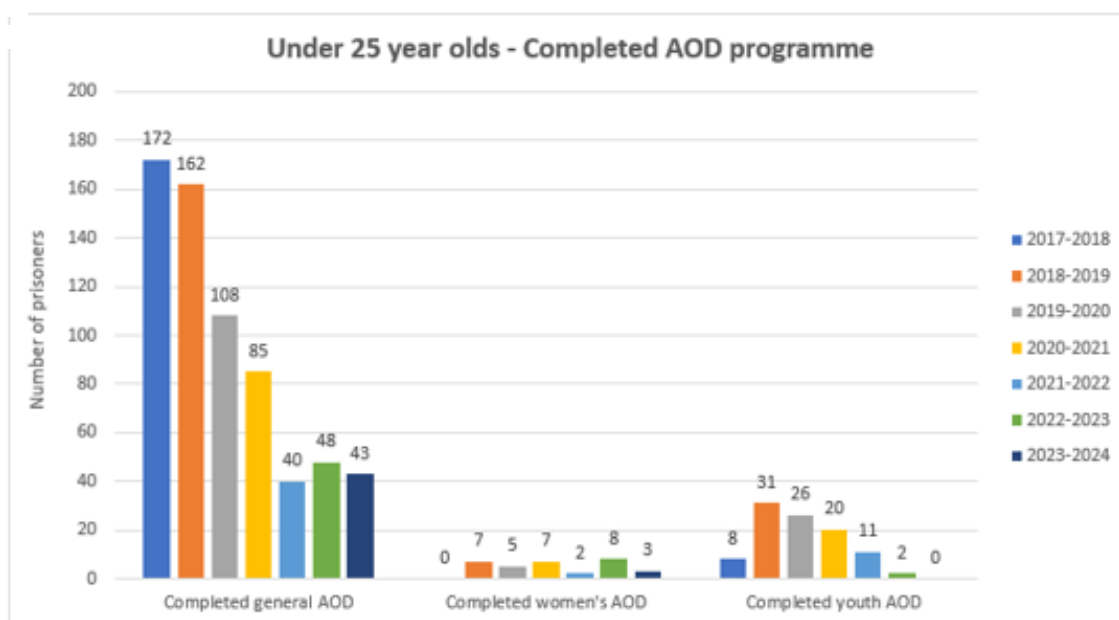
⁹⁸ <https://drugfoundation.org.nz/articles/drug-harm-ranking-study-reveals-alcohol-methamphetamine-are-most-harmful-in-nz>

318. Corrections also contracted a community provider to deliver a youth drug and alcohol rehabilitation programme at Hawkes Bay Regional Prison, which alternated between the youth unit and mainstream units. This programme was recently discontinued as it was no longer deemed viable since the closure of the Hawkes Bay Regional Prison Youth Unit and the low number of young men at the site available to participate in the programme.
319. One young woman told us she was enjoying her drug and alcohol course as she was learning skills to address her drug use. She said she also found it helpful to share experiences with others who could relate. A young man told us he went to the Drug Treatment Unit because he "just wanted to tick a box", but he completed the programme and told us he got a good plan out of it.

"Drug and alcohol courses should start sooner in prison and not have to wait until we are sentenced." [Young man]

320. One young man told us about being able to meet with Odyssey House⁹⁹ staff once a week as part of aftercare for the Drug Treatment Unit programme. They check to see how he is going and told us that would be for as long as he needs support. He told us there were others in the unit that Odyssey staff meet with, so they can talk individually or as part of a group.
321. During the thematic inspection, we conducted a document review of 50 under 25-years-olds, looking specifically at evidence of alcohol and other drug abuse recorded in pre-sentence reports. Of these 50, 43 had evidence of prior substance abuse. The most commonly referenced substances were alcohol, cannabis and methamphetamine.
322. Whilst 86% of the individuals in the document review had a recorded history of alcohol and other drug abuse, Graph 13, below, shows that the number of under 25-year-olds who completed an alcohol and other drugs programme in custody has generally trended downwards since 2018.

Graph 13



⁹⁹ Odyssey House supports people whose lives are affected by alcohol, drugs or other addiction challenges in the community and provides intensive alcohol and other drug treatment programmes and aftercare in prison.

323. As mentioned earlier, Corrections' Young Adult Hub has information and guidance about alcohol, drugs and young adults. This includes information on the types of drugs young people may use, why young people may use substances, how to talk with young people about alcohol and drugs, risk and protective factors in relation to problematic substance use, and harm reduction strategies, along with useful links to further resources.

Disability including neurodisability

324. Young people in prison are more likely to have disabilities than their peers in the general population. These can include physical, intellectual, learning, sensory, psychosocial and mental health disabilities. A 2017 report by the Human Rights Commission highlighted that approximately 10% of youth in custody have an intellectual disability, while many others have learning disabilities or mental health issues.¹⁰⁰
325. People with neurodisabilities are vulnerable when they come into contact with the justice system, evidenced by the significant over-representation of individuals with neurodisabilities in both the adult and youth jurisdictions. Neurodisabilities range from learning differences, such as dyslexia and communication disorders, through to attention deficit hyperactivity disorder, autism spectrum disorder, traumatic brain injury, epilepsy and fetal alcohol syndrome disorder.¹⁰¹
326. In 2023, Corrections implemented its Disability Action Plan:

"In an Ara Poutama Aotearoa context, people generally come into prison, bearing pre-existing disabilities, but some people may also develop a disability while in prison. In prison high-quality health and disability support services are critical in addressing inequitable health and wellbeing outcomes and in ensuring continuity of care when reintegrating back into the community."

327. As part of this Action Plan, Corrections began offering the Washington Group Short Set of Disability Questions. The 6-item tool is a set of questions designed to identify people with a disability. The questions assess whether people have difficulty performing basic universal activities such as walking, seeing, hearing, cognition, self-care and communication.
328. This screening tool is asked as part of the initial or update health assessment, completed following reception into prison. It is also part of the two-yearly health assessment offered to all prisoners who do not regularly access health services.
329. As part of this thematic inspection, we requested Corrections' data for the Washington Group Short Set of Disability Questions from 1 January to 31 December 2023. During that period 2,995 young people were screened.
330. Of those 2,995 young people, 440 self-reported a functional disability while 2,555 self-reported no functional disability. A total of 139 respondents identified having more than one functional disability. This is a self-reported screening tool and there can be limitations to this data and how it is interpreted (Appendix F).
331. Although there is no comprehensive prevalence study of neurodevelopmental disorders in New Zealand, specialists working with young people and young adults in the criminal justice system identify conditions such as fetal alcohol syndrome disorder, traumatic brain injury, ADHD, and

¹⁰⁰ Shalev, Sharon. *Thinking Outside the Box: A review of seclusion and restraint practices in New Zealand*. Human Rights Commission. 2017.

¹⁰¹ Lynch, Nessa. *Neurodisability in the Youth Justice System in New Zealand: How Vulnerability Intersects with Justice*. Neurodisabilities Forum, 2016, Wellington.

learning or communication difficulties, are more common in this population than the general population.¹⁰²

332. This resonates with the work of Professor Nathan Hughes and his research team which published a report for the Office of the Children's Commissioner for England in 2012 titled *Nobody made the connection: Neurodisability in the youth justice system*.¹⁰³ This research compared "the rates of specific neurodevelopmental disorders amongst young people in custodial institutions to those within the general youth population". It found "a disproportionate prevalence amongst young people in custody of a range of disorders".
333. Professor Hughes' research influenced former Principal Youth Court Judge John Walker's decision to establish the Young Adult List Court pilot, which aims to be more responsive to the neurodiverse needs of young adults in court.
334. In the *Proposal for a trial of Young Adult List in Porirua District Court*, Judge Jan-Marie Doogue and Judge John Walker stated:

"Our courts have come to recognise the mitigatory effect of youth in a sentencing context, often referring to the underdeveloped brain and the inability to assess consequences when justifying this factor as one which reduces culpability. However, the conglomerate of disabilities that affect so many of those who appear before the court are not only matters of mitigation, they call for greater accommodation to be given within the processes of the court.

The presence of disability, intellectual disability, mental health conditions, neuro-disability, acquired brain injury, in addition to the underdeveloped brain, requires special consideration when it comes to court process."

335. Professional and Academic Panel member Dr James Gardiner is a forensic psychiatrist who works with young people at a Youth Justice residence in Auckland. Dr Gardiner told us that young people and young adults will often present with symptoms and behaviours that make it difficult for them to cope in Corrections' custodial environments. These symptoms can include poor sleep, low frustration tolerance, hyperactivity, post-traumatic stress reactions, and sensitivity to certain noise and sensations.¹⁰⁴
336. Dr Gardiner acknowledged the gap between youth forensic interventions for young people who transition from Youth Justice residences to prison. He told us he alerts young people remanded in custody in the adult court that his intervention may not be available to them if they go to prison.
337. He told us that to limit young people's dependence on medication and prepare them for the possible transition, he tries to support them through non-stimulant options using sensory tools and techniques. He acknowledged this can be challenging when custodial environments are often "so sensory deprived."¹⁰⁵
338. A number of regional forensic mental health services have developed guidelines to assist prison staff in the management of ADHD. The Midland Regional Forensic Service guideline for sentenced prisoners outlines challenges of this stating:

¹⁰² Corrections subsequently advised it has partnered with Auckland University of Technology, the University of Auckland, the University of Waikato, and SERCO in commissioning a large-scale study to better understand the neurocognitive functioning of sentenced people in men's prisons. Preliminary results are due by the end of August 2024. The study, while not specifically youth focussed, is the first step toward understanding the range of neuropsychological strengths and challenges existing in the prison population, and ensuring that the provision of rehabilitation, mental health, and occupational interventions are effective and equitable.

¹⁰³ <https://www.childrenscommissioner.gov.uk/resource/nobody-made-the-connection/>

¹⁰⁴ Interview with Dr James Gardiner, 3 May 2024.

¹⁰⁵ Interview with Dr James Gardiner, 3 May 2024.

"Few issues are more controversial in prison psychiatry than the assessment and treatment of prisoners with a possible diagnosis of ADHD. Epidemiological studies provide strong evidence that a significant number of both remanded and sentenced prisoners suffer from this condition. Failure to diagnose and properly treat these patients carries a theoretical risk of harm. However, we also know that the prescription of stimulant medication to prison populations can cause harm as a consequence of medication diversion from the intended recipient. This process of diversion can result from patients who have been prescribed stimulant medication using that medication as currency within the prison or being 'stood over' or threatened and doctors being abused, lied to and deceived. While there are some patients whose condition genuinely merits treatment with stimulant medication, some patients will exaggerate or malingering symptoms in an attempt to obtain stimulants and some prisoners will trade stimulants with others. We have also seen vulnerable prisoners with serious mental illness who abuse stimulants clinically deteriorate and require hospital admission".

339. During our thematic inspection, we collected data from Corrections' electronic health files for 903¹⁰⁶ young adults under 25 years, who were in custody on 12 December 2023, which found 11.5% young adults had a READ code for ADHD.

"It's hard for officers to understand ADHD. You go from zero – 100 really quickly. Some officers think that I'm cheeky or obnoxious, but that's not me at all. I'm not a violent person." [Young man]

"My meds help a lot. If I don't have these, I feel like a 12-year-old kid to be honest. I struggle to focus and communicate with older people." [Young man]

"A reason I am assaulting staff is because I do not have my meds." [Young man]

"I have ADHD and I'm on meds, but they don't work when you're doing nothing all day." [Young woman]

"I take other people's meds to calm my ADHD. I have my own meds, but they are not helpful enough." [Young woman]

340. Professional and Academic Panel member Dr Valerie McGinn, a neuropsychologist who specialises in fetal alcohol spectrum disorder, has worked extensively with young people and young adults in the criminal justice system.
341. Fetal alcohol spectrum disorder is a brain injury acquired as a result of exposure to alcohol in utero. Dr McGinn told us that people with fetal alcohol spectrum disorder often present with behavioural challenges as a result of their disorder, which can be exacerbated in prison environments if staff are not aware of the disorder or how to respond appropriately.
342. One Intervention and Support Practice Team Clinical Manager supported this by commenting *"staff can have the perceptions that the young adult is presenting with challenging behaviours, but these can sometimes just be coping strategies for them"*.
343. Dr McGinn told us she has worked with prisoners with fetal alcohol spectrum disorder who are required to have multiple staff accompanying them during movements due to their risk, but she is able to sit alone in the same room with them without any concerns. This is because of her ability to understand their behaviour and how to respond to it.

¹⁰⁶ This figure differs from the number of under 25-year-olds reported on COBRA (Corrections Business Reporting and Analysis) for this day. We note the difference may be due to some young people remaining active on the patient management system when, in fact, they have been released and health staff being unaware of this.

344. She explained that approximately 70% of people with fetal alcohol spectrum disorder present with ADHD, which influences their behaviour in custodial environments. She spoke of one young man she has worked with since he was a child, who has been consistently placed in high security environments since coming into prison as a teenager. She said he questioned why he could not get his medication as an adult.¹⁰⁷
345. Professor Anita Gibbs has conducted substantial research on the impact of fetal alcohol spectrum disorder, highlighting how this hidden disability affects individuals' behaviour and their interactions with the criminal justice system. According to Professor Gibbs:
- "We need radical alternatives to punishment for people born with neuro-disabilities and those acquiring brain injuries. By acknowledging and accommodating their impairments at early stages, in the same way as we accommodate those with obvious physical disabilities, and by supporting them fully and appropriately if/when they encounter the criminal justice system, we can start to prevent exclusion, stigma, and societal disapproval, while providing tangible supports aimed at inclusion, tolerance, and positive outcomes for all."*¹⁰⁸
346. Prior to our interview with Dr James Gardiner he emailed us his thoughts about how Corrections could be more responsive to the needs of young people and young adults with neurodiversity. He believes that *"a drastic re-think of how the prison approaches treatment of neurodiversity could be hugely beneficial"* for young people and young adults. He told us *"this should start with more resources for proper assessment and treatment planning and liaising with support networks on the outside."*
347. Dr Gardiner provided further reflections, stating:
- "Providing education around management of each symptom cluster would be the safest and most mana-enhancing approach... A specific focus on mood lability and poor frustration tolerance would be needed, as this would be closely related to the risk of reoffending... Young Adults could also have access to interventions that help keep them calm that align with their sensory profile. Once mood is under control, and the Young Adult has a little bit more of a strategic approach to developing skills, that would be when vocational and practical training kicks in. It would also be the best time for offending specific rehabilitation courses."*
348. A senior leader in Corrections' Health Services told us there are significant challenges in getting cognitive testing completed and no-one helps with supporting people with intellectual disabilities. They told us that external providers are resource stretched and do not provide support for presentations that are considered as behavioural, yet behaviours are a reflection of the young person's mental health. She told us that there are not enough psychologists to do cognitive testing on young people. Another clinician from an Intervention and Support Practice Team also highlighted the challenges with getting cognitive testing completed and said that that there is a lack of support for autistic and ADHD clients.

Improved health in prison

349. Improving health outcomes for youth and young adults in prison is critical given the high prevalence of physical and mental health issues in this population particularly, as reports have shown that some young adults do not engage with community health providers due to costs and other barriers.

¹⁰⁷ Interview with Dr Valerie McGinn, 3 May 2024.

¹⁰⁸ Gibbs, A. (2022). *Neuro-disabilities and criminal justice: Time for a radical rethink*. Aotearoa New Zealand Social Work, 34(2), 90-93. <https://doi.org/10.11157/anzswj-vol34iss2id956>

350. Corrections has an opportunity to do this, and while our thematic inspection has highlighted challenges to providing health care and identified areas for considered improvements, we have seen health records and heard from young people and staff where health and wellbeing has been significantly stabilised and improved when in prison.
351. Several young adults we spoke to told us their health had improved since being in prison. They attributed this to not having access to items that contributed to their unhealthy lifestyle choices in the community, such as drugs.
352. Some attributed their improved health to having better diet and hygiene practices than when they were in the community:

"My health is probably better in here because I am doing a lot more inside than what I was doing on the outside like eating better food and cleaning my teeth every night." [Young man]

"I am healthier in prison because I was addicted to P. Health is important. I want to be off the drugs so I can see my kids." [Young man]

"In my time in prison I have learnt that I don't need to have drugs and alcohol, the lag has broken the habit." [Young man]

"I just want to look good and be fit. My health is better inside prison. It makes you think about your health when inside." [Young man]

"My health is good now, I'm on meds and getting better. The nurse comes to the unit every morning." [Young man]

353. One young man told us that being healthy to him meant to eat properly with a good diet, and stay fit. He said he felt that his mental health was managed well because he had *"three meals a day, was drug free and had control of his mind"*. He said he saw these as positives.
354. When reviewing health files to ascertain responsiveness to health requests from young people, we found that a young person might not put in a health request or verbally raise a health concern. However, health staff were completing proactive screening of some health conditions, and assessing and following up on health issues that they had identified, often supported by custodial staff. An example of this seen in a health record of one young man:

"Advised by custodial staff that patient has new tattoos – booked to next available nurses clinic for RN (youth portfolio holder) to see."

355. Many of the health record interactions we reviewed were reactive in nature, providing care when a health issue had been identified. Some health documentation stood out as more responsive or proactive such as:

"I saw the patient on the med round this morning and they presented as upbeat and engaged easily. They stated they had done quite a bit of reading about mind over matter and how to improve themselves. I was impressed by this introspection and asked them if they wanted to read some handouts about mindfulness. They stated they would like that. I printed some pages out and issued to patient"

356. Despite there being no specific Health Services policy about providing health services to young people, it was evident from our review of health records that there are some Corrections' nurses who appear to be able to engage exceptionally well and are able to communicate in a way that acknowledges the culture of young people and is responsive to this.
357. We were told that in December 2023 at a Southern Corrections' Health Centre Managers meeting, a presentation was given about the current state in the 'youth' space and what

Corrections was trying to do as a team to address the needs of youth and young adults. This had been well received by Health Centre Managers and we were told about two prison Health Services which, in response to the presentation, are in the process of developing a new local operating manual procedure specific for supporting the health of young people at their sites, and they have identified nurses within their existing teams who hold a 'youth' portfolio.

358. We spoke with one of the portfolio nurses who told us the portfolio started in 2024. The site had identified that there were a number of young people in the high security units who did not have high health needs, but who the health team felt should be reviewed more regularly due to their young age and vulnerability. The youth portfolio nurses also attend the quarterly site 'under 25's' multidisciplinary meetings.
359. We heard about training that had been provided to multidisciplinary staff at one site and health staff at another on brain development which was completed in 2022/23.
360. A Principal Advisor Primary Health told us that while there was no additional resource in Health Services to respond specifically to the needs of young people, there was a strong desire by health staff to do more in this space.

Summary

361. The New Zealand Health Strategy 2023 highlights that young people generally exhibit resilience and good mental wellbeing, however we know that health inequities still exist for young people and young adults in prison. Improving health outcomes for young people in prison is an opportunity to enhance their wellbeing, support rehabilitation and can help break the cycle of imprisonment.
362. Corrections' Health Services in prisons deliver primary health care comparable to community-based providers, however, the needs of young people in custody are often more pronounced, and there are currently no specific health policies tailored to their unique needs.
363. The process of health assessments upon arrival is standard for all prisoners, identifying immediate and ongoing health needs. Smoking remains a significant issue, with a high prevalence of tobacco use recorded among young people compared to the general population, and Corrections' health has no assessment data on vaping. Access to consistent medication is crucial for maintaining the health and behavioural stability of young people and young adults, although there are many challenges with prescribing within the prison context.
364. We found that young people and young adults in prison experienced varying time barriers and challenges in accessing health services, with many expressing concerns about delays and the need for improved communication and responsiveness from health staff. Despite identifying areas where health care might not be resourced or specifically responsive to young people in prison, we did note that there are some individual nurses across the network with a specific interest and understanding of youth, and some health teams which are beginning to consider the unique health needs of young people.

Recommendations

Health

10. Corrections must provide a comprehensive health assessment and proactive interventions for young people and young adults that are tailored to their age, including linking them with community providers before release, where possible. This must include dental, mental health, trauma, and drug or alcohol needs. Health interventions must include health promotion and education.

11. Corrections must recognise and respond to the neurodevelopmental needs and neurodisabilities of young people and young adults in prison, such as attention deficit hyperactivity disorder, fetal alcohol spectrum disorder, traumatic brain injury and learning disorders. This includes early cognitive screening, upskilling staff and providing environments that consider their sensory needs.
12. Corrections must consider how it can support access to health and disability services to address the high prevalence of disabilities among young people and young adults in prison and ensure continuity of care during and after imprisonment.
13. Corrections must prioritise and implement comprehensive alcohol and drug use assessments, interventions and programmes tailored to the unique needs of young people and young adults, which address both the physical and psychological aspects of addiction. This must include interventions aimed at reducing vaping and tobacco use among young people and young adults.
14. Corrections must implement monitoring and evaluation systems to track health outcomes among young people and young adults. Data collected from these systems should inform policy decisions and help identify areas for improvement to ensure that health services are responsive to the health needs of young people and achieving desired outcomes.

Areas for consideration

Health

9. Corrections should consider the unique health assessment needs of young people and young adults, particularly during early days in prison. Throughout their imprisonment, the types of assessments needed and the timing and prioritisation of completing these assessments should be considered.
10. Corrections should prioritise the completion of the Nicotine Replacement Therapy policy review. This should include considering how it can record the vaping status of young people and young adults, and take into account the impact of vaping on this group.
11. Corrections should consider how it can improve communication and support young people and young adults arriving in prison when making changes to medication prescribing.
12. Corrections should consider how it can ensure that young people and young adults know how to, and can, raise health concerns confidentially and without barriers when they are in prison, and ensure they are kept informed about the management of their health concerns.
13. Corrections should consider how it can better facilitate and support young people and young adults attending health-related appointments.
14. Corrections should consider strengthening its approach and responsiveness to dental care for young people and young adults who are more likely to experience pain and require treatment for wisdom teeth or who have not been able to access dental care in the community.
15. Corrections should consider how immunisation rates for young people in prison can be improved.
16. Corrections should consider how young people and young adults can have appropriate mental health assessments early in their imprisonment, that they know what mental health and counselling services are available, and that these are easily accessible. It should consider implementing programmes aimed at improving the mental wellbeing of young people and young adults, and reducing the stigma associated with mental health issues.
17. Corrections should consider how to improve the availability of therapeutic and private spaces for mental health and counselling services when working with young people and young adults.

18. Corrections should consider how young people and young adults can better access cognitive screening and neuropsychological assessments. Such assessments could lead to the early identification of underlying health issues, such as traumatic brain injury or neurodevelopmental disorders, which could then be appropriately supported and managed within prison, and ensure appropriate support when preparing for reintegration back into the community.
19. Corrections should specifically consider the health needs of young people and young adults when developing new, or reviewing existing, health services policies.
20. Corrections should consider providing basic health and wellbeing education and enhance health promotion efforts for young people and young adults in prison, ensuring that young people have access to accurate health information and resources.

New Zealand frameworks, strategies and legislation

365. Since 2019, New Zealand has introduced new frameworks, policies and legislation for young people and young adults under 25 years. This has included the updated youth development principles, the Child and Youth Wellbeing Strategy, which is comprised of the Youth Plan for 12- to 24-year-olds, and the Oranga Tamariki Action Plan, which applies to people who have been in the care or custody of the State.
366. Legislation changes include amendments to the Oranga Tamariki Act to provide ongoing support to young people who have been in the care and custody of Oranga Tamariki to transition to independence, and the introduction of legislation outlining the oversight of the Oranga Tamariki system, with provisions that apply to young people who have been in the care of custody of Oranga Tamariki.
367. These frameworks, policies and legislation and their relevance to young people and young adults in Corrections' custody are discussed below.

Mana Taiohi – New Zealand's youth development principles

368. In October 2019, New Zealand's peak body for youth development, Ara Taiohi, released the updated youth development principles framework, Mana Taiohi. These principles *"inform the wider ecosystem that supports young people in Aotearoa to thrive"*.
369. The principles are the result of a review of the former Youth Development Strategy (2002). It involved consultation with young people from 12 to 24 years and youth workers, and a youth development literature review titled *Ngā Tikanga Whānaketanga – He Arotake Tuhiinga* (document review on the principles of youth development).¹⁰⁹
370. The literature review identified three key theories pertaining to youth development. The first is primarily grounded in identifying and addressing adolescent health needs. The second considers factors which increase resilience to cope with adverse life experiences. The third focuses on positive youth development.
371. According to the literature review, positive youth development *"stands out as promoting the most optimistic view of young people... Although there is recognition that young people face challenges and that risks need to be mitigated, the emphasis in positive youth development is on young people's strengths and capacities, with a focus on thriving."*
372. Positive youth development literature states that *"high quality adult-youth relationships are seen as a primary mechanism of change"*, noting that these relationships are both with professionals and with other meaningful adults in the community.
373. Mana Taiohi principles, which resulted from the extensive consultation and document review, considers mana the overarching principle for youth development in New Zealand:

"Mana determines the right of a young person to have agency in their lives and the decisions that affect them. Enhancing the mana of young people means recognising

¹⁰⁹ Deane, K., Dutton, H. and Kerekere, E. (2019) *Ngā Tikanga Whānaketanga – He Arotake Tuhiinga* (document review on the principles of youth development). Ara Taiohi.

what is right with them, as well as the reality of their world. Young people are supported to have a voice, work to their strengths and step into leadership.”

374. Mana Taiohi is made up of eight additional principles. The first four of these principles relate to the “mana young people have” and four principles relate to “how youth development can enhance mana”.¹¹⁰

375. Below are the eight Mana Taiohi principles, as explained by Ara Taiohi:

Mauri (o te Taiohi) - Mauri is the life spark inherent in all young people. It includes their values beliefs, skills, and talents. Fuelling that life spark means young people are seen, recognised and valued for who they are.

Whakapapa Taiohi - Whakapapa is the genealogies and stories of descendants and their connection to whenua (land) for all cultures. Young people are supported to embrace the journey to find their turangawaewae, their place to stand.

Hononga Taiohi - Hononga is about joining and connection. When we understand hononga we recognise all the connected relationships in a young person’s world (whānau, peers, school, the community), and the places and spaces that support these. Young people are supported to identify and strengthen these connections.

Te Ao Taiohi - Te Ao Taiohi is impacted by big picture influences such as social and economic contexts and dominant cultural values. Young people are supported to engage with the dynamics in their changing world.

Whanaungatanga - Whanaungatanga is about relationship, kinship and a sense of family connection. It relates to all relationships in a young person’s life, including those in the digital space. Young people are supported, with a strong foundation of belonging.

Manaakitanga - Manaakitanga is expressing kindness and respect for others, emphasising responsibility and reciprocity. It creates accountability for those who care for young people, relationally or systemically.

Whai Wāhitanga - Whai wāhitanga recognises young people as valued contributors to society, giving them space to participate, assume agency and take responsibility.

Mātauranga - Mātauranga refers to knowledge, wisdom, understanding and skill. It includes research, individual experience, customary and cultural knowledge, and the beliefs and ideals held by young people and their whānau.

376. Following the release of Mana Taiohi, Ara Taiohi updated the youth workers’ Code of Ethics to align with these principles. According to Ara Taiohi:¹¹¹

“The Code of Ethics for Youth Work in Aotearoa New Zealand is designed for youth workers but is relevant to all individuals working with young people and provides guidance to keep workers and the young people they work with safe.”

¹¹⁰ <https://arataiohi.org.nz/mana-taiohi/#principles>

¹¹¹ <https://arataiohi.org.nz/career/code-of-ethics/>

The Child and Youth Wellbeing Strategy (including the Youth Plan and the Oranga Tamariki Action Plan)

377. The Child and Youth Wellbeing Strategy¹¹² is a national strategy launched in August 2019 by then Prime Minister Jacinda Ardern (now Dame) with the goal to "...improve the wellbeing of all children and young people under the age of 25."
378. The Strategy's priorities were to:
- *Reduce child poverty and mitigate the impacts of poverty and socio-economic disadvantage*
 - *Better support those children and young people of interest to Oranga Tamariki and address family and sexual violence*
 - *Better support children and young people with greater needs, with an initial focus on learning support and mental wellbeing*
379. This cross-agency initiative identified six key areas to work on collectively to reach the Strategy's goal and respond to the priorities. These key areas were that children and young people:
- *Feel loved, safe and nurtured*
 - *Have what they need*
 - *Are happy and healthy*
 - *Are learning and developing*
 - *Are accepted, respected and connected*
 - *Are involved and empowered*
380. Government agencies contributed a range of initiatives across the key areas intended to collectively make a difference for children and young people. Corrections' contribution to the programme of action alongside partner agencies was Paiheretia Te Muka Tangata which, as noted above, provides whānau ora, wrap around support to young Māori under 30, in the Corrections' system, and their whānau.¹¹³
381. Two further action plans emerged under the umbrella of the Child and Youth Wellbeing Strategy that are both relevant to this inspection: the Youth Plan and the Oranga Tamariki Action Plan.

The Youth Plan

382. The Youth Plan, developed by New Zealand's Ministry for Youth Development, focuses on young people from 12 to 24 years.
383. Initially launched in 2020 under the Child and Youth Wellbeing Strategy, it had an urgent focus on the impacts of the Covid-19 pandemic and recovery.
384. The Youth Plan was refreshed and relaunched in August 2023 by the then Minister for Youth, Hon. Willow-Jean Prime, to prioritise youth voice, leadership and action. New Zealand's youth development principles, Mana Taiohi (described above), sit at the core of the Youth Plan.

¹¹² Ministry of Social Development, *Child and Youth Wellbeing*. <https://www.msd.govt.nz/about-msd-and-our-work/child-youth-wellbeing/index.html>

¹¹³ As noted previously, Paiheretia Te Muka Tangata is a collaboration between Corrections, Te Puni Kokiri and the Ministry for Social Development which very few young people or young adults in Corrections' custody have accessed since it was implemented.

385. The purpose of the latest version of the Youth Plan at the time of this thematic inspection states that:

*"The Youth Plan aims to amplify youth voice in government policy and decision-making and ensure processes are in place for young people to have meaningful input into decisions. It also aims to increase opportunities for young people to lead their own lives, have their identities seen, valued, and respected, and have increasing influence in their communities and across government policy."*¹¹⁴

386. People under 25 years in Corrections' custody are not specifically identified as a priority group for the Youth Plan. However, the Youth Plan has a priority focus on cohorts who are known to be over-represented in Corrections' youth population, such as rangatahi Māori, Pasifika young people and disabled young people.
387. Other priority groups identified in the Youth Plan include rainbow young people, young women, young people from ethnic communities (in particular former refugees and recent migrants), and young people living in the regions. While these groups are not over-represented in Corrections' custody, they do require special recognition and consideration.
388. Staff members from the Ministry for Youth Development who led the development of the Youth Plan met with the Inspections team on 9 January 2024, prior to our site visits. They provided us with an overview of the Youth Plan and the Mana Taiohi principles, so we could consider their application in our thematic inspection, especially the importance of capturing youth voices.
389. On 15 February 2024, Corrections hosted an event focused on young adults in the justice system for Justice Sector colleagues, including from the Ministry of Justice, Oranga Tamariki and New Zealand Police. The Ministry for Youth Development was invited to present on the Youth Plan, including the Mana Taiohi principles, together with the peak body for youth development, Ara Taiohi.
390. This presentation was an opportunity for Corrections and its Justice Sector colleagues to learn about the Youth Plan and to consider how Justice Sector agencies could incorporate the Mana Taiohi principles in their work with 12- to 24-year-olds, as well as encourage youth voice, leadership and action. We did not hear of specific Justice Sector actions following this presentation in February 2024.

The Oranga Tamariki Action Plan

391. The Oranga Tamariki Action Plan was formally announced in July 2022 by the then Minister for Children, Hon. Kelvin Davis. It is described as "... the Government's commitment to ensure that the children and young people with the greatest needs receive the right support and services." These children and young people include those:

"At risk of becoming involved with Oranga Tamariki, are currently involved with Oranga Tamariki or have been involved with Oranga Tamariki, whether in care and protection or youth justice."

392. The Oranga Tamariki Action Plan takes a collaborative approach across the six children's agencies defined in the Children's Act of 2014 and community partners, and is overseen by Oranga Tamariki. The six children's agencies are: Oranga Tamariki, the Ministry of Health, the Ministry of Education, the Ministry of Social Development, New Zealand Police and the Ministry of Justice. While Corrections is not a named children's agency in the legislation, it is a contributing agency to the Oranga Tamariki Action Plan.
393. The Oranga Tamariki Action Plan identified four initial priority areas:

➤ *Good health, including mental wellbeing*

¹¹⁴ Ministry for Youth Development (2023) *Youth Plan – Voice, Leadership, Action Strategic Framework*.

- Positive housing conditions
- Access to good education
- Support to grow, connect and be independent¹¹⁵

394. The implementation section of the Oranga Tamariki Action Plan states:

“The initial focus will be on supporting the children and young people who are in the care or custody of Oranga Tamariki, in the youth justice system, or receiving transitions support from Oranga Tamariki.”

Support and oversight for young people and young adults in Corrections’ custody who have a history in the care or custody of Oranga Tamariki

395. During our thematic inspection, we identified areas of joint interest and responsibility between Corrections and Oranga Tamariki to support the successful transition to adulthood of young people and young adults in Corrections’ custody who have a history in the care or custody of Oranga Tamariki. These responsibilities are in addition to the joint responsibilities to young people in the adult justice system, including in Corrections’ custody, which are described in detail later in this report.
396. Corrections does not systematically record whether someone has a history in the care or custody of Oranga Tamariki. Unless a young person or young adult transitions directly from an Oranga Tamariki residence into Corrections’ custody, the main way Corrections will know if a young person has a history with Oranga Tamariki is to ask Oranga Tamariki, which generally requires consent from the young adult.¹¹⁶
397. Over half of young adults in Corrections’ custody we interviewed told us they had some history in the care or custody of Oranga Tamariki.

Young people and young adults with a history in the care or custody of Oranga Tamariki ‘moving to independence’

398. In July 2019, the Oranga Tamariki Act 1989 was amended to include support for people with a history in Oranga Tamariki care or custody to move to independence. This is a new section of the legislation titled ‘moving to independence’. Prior to this, there was no dedicated legal provision for Oranga Tamariki to assist young people who had ‘aged out’ of their care or custody with their transition to independence.
399. According to the legislation, the purposes of Section 386AAB are:
- (a) to prepare young persons to be ready to thrive as independent young adults and for the preparation for moving to independence to begin early
 - (b) to ensure that young persons have opportunities to have relationships with caregivers and other trusted adults that endure into adulthood
 - (c) to enable young persons to access the government and community support that they need to manage challenges and to grow and develop as adults.

¹¹⁵ Child and Youth Wellbeing Strategy (2023) *Implementing the Oranga Tamariki Action Plan*.

¹¹⁶ Following the legislation changes in 2019, any young person in Corrections’ custody will initially have been placed in an Oranga Tamariki Youth Justice residence.

400. The legislation specifies that this support is for people under the age of 25 years who spent at least three continuous months either in the care and protection system or a Youth Justice residence from the age of 14 years and nine months.
401. Young people who meet these criteria with any care and protection history are entitled to return or remain in care at any time up to the age of 21 years, if the caregiver is available, agrees to the young person remaining in or returning to their care, and the young person wants to. This option is not available to young people who have only been in a Youth Justice residence with no care and protection history.
402. Section 386A relates to 'Advice and assistance for young persons up to age 25 years'. This service extends to young people under 25 years who have spent at least three continuous months from the age of 14 years and nine months in prison on remand in either the youth or adult jurisdiction or sentenced to imprisonment in the adult jurisdiction.
403. To give effect to this provision, Oranga Tamariki has established the Transition Support Service. According to Oranga Tamariki, the Transition Support Service for those who meet its eligibility criteria can help them to:
- *find a place to live or stay with a caregiver*
 - *get financial support*
 - *access a transition worker*
 - *get a driver's licence*
 - *find a job or enrol in training*
 - *get legal advice*
 - *access counselling and other health services*¹¹⁷
404. Oranga Tamariki has contracted community agencies across the country to provide the service. This can include engaging with a transition worker from the age of 15 years.
405. Following the implementation of the Transition Support Service, Corrections signed a schedule to its Relationship Agreement with Oranga Tamariki to ensure that people under the age of 25 who meet the eligibility criteria can access the supports they are entitled to.
406. This new section of the Oranga Tamariki Act also requires the Chief Executive of Oranga Tamariki to take steps to maintain contact with all young people who have been in its care or custody up to the age of 21, should the young person wish to maintain contact, and depending on their needs and circumstances.
407. Most young adults we spoke with who have transitioned from Oranga Tamariki care or custody told us that they lost contact and support from Oranga Tamariki when they turned 18 years old and transitioned to the adult jurisdiction. Many of the young adults we spoke with told us they valued the support and connection to their key workers at Oranga Tamariki, such as social workers and youth workers, and felt that having ongoing contact could be helpful:

"I had a mentor when I was with Oranga Tamariki. It would be cool as to have a mentor here. Once you go to prison Oranga Tamariki don't want you anymore and you get passed onto Corrections. My mentor was cool as." [Young man]

"I had a mentor, a youth worker and transition worker, but once I came to jail, I never heard from them again. It would have been helpful. I felt pushed under the carpet." [Young man]

"You build a relationship with them, just like anyone. It's like I am on my own now." [Young man]

¹¹⁷ <https://www.orangatamariki.govt.nz/children-in-our-care/transition-support-service/>

408. A young woman who had recently transitioned from Oranga Tamariki said that *"things became a lot worse"* when she lost its support when she turned 18. She said what she found most useful from Oranga Tamariki was getting help for her emotions that led to her offending.
409. Some young adults told us they did not require this ongoing support from Oranga Tamariki. One young man told us he did not think it would be useful for him to maintain contact, saying:
- "You can't rely on people forever." [Young man]*

Oversight of young people up to 25 years with a history in the care or custody of Oranga Tamariki

410. On 1 May 2023, the Oversight of Oranga Tamariki System Act 2022 came into force. This Act outlines the functions of the Ombudsman (Tari o te Kaitiaki Mana Tangata), Aroturuki Tamariki (the Independent Children's Monitor) and Mana Mokopuna (the Children and Young People's Commission)¹¹⁸ to collectively strengthen the complaints, monitoring and advocacy for children, young people *"...who are receiving, or have previously received, services or support through the Oranga Tamariki system."*¹¹⁹
411. Each of these three agencies have implemented processes to fulfil these functions and to work collaboratively to fulfil their purpose.
412. The Children and Young People's Commission Act 2022 came into force alongside the Oversight of Oranga Tamariki System Act 2022 to update the mandate, roles and functions of Mana Mokopuna (the Children and Young People's Commission). One of the key changes for the former Office of the Children's Commissioner was extending its rights and advocacy mandate to include *"care-experienced mokopuna up to 25."*¹²⁰
413. Both these pieces of legislation reference obligations under Te Tiriti o Waitangi/the Treaty of Waitangi, including improving:
- "The well-being of children and young people within (without limitation) the context of their whānau, hapū, iwi, and communities".¹²¹*
414. While these two pieces of legislation do not specifically reference young people or young adults in Corrections' custody, they imply that the oversight functions from these designated agencies should extend to people up to 25 years in custody who have ongoing involvement with Oranga Tamariki, or who have been in its care or custody to ensure they have access to support and entitlements.
415. Mana Mokopuna (the Children and Young People's Commission) has maintained its Optional Protocol to the Convention Against Torture (OPCAT) National Prevention Mechanism mandate to monitor places of detention for children and young people, including Youth Justice residences since the new legislation was introduced. This mandate comes from the New Zealand Ministry of Justice.
416. During our thematic inspection, we heard how the Commission for Children and Young People in Victoria, Australia, has a legal mandate to request information from Corrections Victoria about the management of any young person in an adult prison. This allows it to maintain a level

¹¹⁸ The Children and Young People's Commission Act 2023 replaced the former Children's Commissioner Act 2022.

¹¹⁹ The Oversight of Oranga Tamariki Act 2022.

¹²⁰ <https://www.manamokopuna.org.nz/about/>

¹²¹ Section 6 of the Oversight of Oranga Tamariki System Act 2022; Section 6 of the Children and Young People's Commission Act 2022.

of oversight and assurance that their management meets child safe standards and requirements.¹²²

Summary

- 417. Although the various New Zealand frameworks, policies and legislation outlined above do not specifically reference young people and young adults in Corrections' custody, as explained, they may apply to most of them either due to their age or backgrounds.
- 418. Corrections should be aware of these frameworks, policies and legislation and how they relate to young people and young adults in its custody. They may help to inform practice, improve wellbeing, increase access to services and supports, and strengthen the oversight of young people and young adults in prison who have been in the care or custody of Oranga Tamariki.
- 419. Corrections can help to ensure that young people and young adults in its custody remain visible to the agencies which are responsible for providing support as described in these policies and legislation, and to find ways to ensure these supports can be accessed, which can support rehabilitation and reintegration pathways. This can help young people and young adults to remain connected to the community and know where to find support when they leave prison.

Recommendation

Inter-agency connectedness

- 3. Corrections must strengthen its collaboration with government agencies across a broad range of sectors including, but not limited to, education, health, justice and social services, and also community providers, to ensure continuity of care and ongoing support for young people and young adults in prison to successfully transition to adulthood and back to the community, and reduce the risk of reoffending.

¹²² Online meeting with Commission for Children and Young People in Victoria, Australia, February 2023.

Corrections' National Office support for young people and young adults

420. Corrections has introduced National Office initiatives over several years that, in principle, recognise the unique needs of young people and young adults in its custody, and acknowledge that they need a different approach to rehabilitation and reintegration.
421. These National Office initiatives are described below. This includes some of the challenges these initiatives have experienced, such as limited resourcing, and numerous structural and leadership changes, which have prevented them from realising their potential.

Young Adult Team (formerly the Youth Team)

422. In 2013, Corrections then Deputy Chief Executive Service Development Jo Field established the Principal Advisor – Youth role based at Corrections' National Office. The purpose of this role was to help Corrections better recognise and respond to the unique needs of the youngest people in its system, and to support them in their rehabilitation and reintegration pathways.
423. Since the Principal Advisor – Youth role was introduced, it has been responsible for activities including:
- Providing advice to Corrections to enhance processes and practice for young people and young adults
 - Contributing to relevant policy and legislation changes (such as including 17-year-olds in the Youth Justice system)
 - Updating operational and practice guidelines
 - Training staff and supporting Corrections' staff with complex decision-making
 - Providing advice and support for the management of young people under 18 years sentenced to imprisonment
424. In early 2019, the first Corrections' National Office Youth Team was established, following a restructure, and was placed under Corrections Services. This team was initially called the Women and Youth Team to recognise that these were two populations with unique needs in the Corrections system that required attention. The team was led by a newly created position, the Manager – Women and Youth.
425. In 2021, Corrections strengthened its focus on women in custody and separated the Women's Team from the Youth Team. The Manager Women and Youth moved to the Women's Team and Corrections recruited an acting manager for the remaining Youth Team, who continued in this role until the restructure in April 2024.
426. The Youth Team members included the Principal Advisor – Youth and a Senior Advisor – Youth. A Senior Advisor - Women and Youth position was moved to the Women's Team following its establishment in 2021, although we were told they did not have a specific focus on young women following this shift.
427. As part of Corrections' most recent restructure in April 2024, Te Ara Whakamua (the Pathway Forward), the manager's position for the Youth Team was disestablished, leaving only the

Principal Advisor and Senior Advisor. The team has been renamed the Young Adult Team to reflect its focus on people under 25 years old in the Corrections' system, and the team is now positioned under the new Director of Custodial Operations within Custodial Services.

428. According to Te Ara Whakamua restructure document:

"Although these roles (the Principal Advisor and Senior Advisor Young Adults) will broadly serve the wider organisation, they are aligned to Custodial Services as we recognise that the priority area of need for Young Adults is currently within the custodial space."¹²³

429. Given this is a recent change, the responsibilities of the team under this new structure were still being confirmed at the time of our thematic inspection. It is not clear what impact this may have on the team's ability to provide both strategic and operational support to Corrections to continue to improve conditions, pathways and outcomes for young people and young adults in the Corrections' system.

430. During our site inspections, staff told us they had varied success in contacting the Youth Team. This seemed to depend on whether they had established relationships through training or targeted support. This is understandable given the limited resource in the team (which has recently decreased from three to two staff) to support staff working with young adults in all 18 prisons across New Zealand, to, as noted above, "...broadly serve the wider organisation".

431. Young Adult Team members told us they would welcome more contact with frontline staff across the sites and were aware that not all frontline staff knew of the team or how to contact them. They acknowledged that they would require more resources to adequately respond to frontline needs.

Corrections' Youth Strategy, Young Adult Framework and Young Adult Hub

432. In 2013, the then Deputy Chief Executive Service Development Jo Field implemented the Corrections' Youth Strategy. The vision for this Youth Strategy was to: *"unlock young people's potential, and for youth to leave educated, employed and with a sense of belonging"*. At the time, the priority focus was on people under 20 years, when 17-year-olds were still in the adult jurisdiction.

433. An Acceleration Project was launched in 2015 with a focus on three project areas to bolster the Youth Strategy's momentum. These areas were:

- To develop youth units as centres of excellence
- To provide exceptional staff engagement with a focus on youth champions
- To develop world leading rehabilitation and reintegration services

434. The Acceleration Project initiatives were overseen by the Youth Strategy Governance Group chaired by Jo Field and comprising senior leaders from across Corrections.

435. The Acceleration Project initiatives were intended to help the Youth Strategy to deliver on its vision. These initiatives included supporting youth units to establish structured day activities, providing training and dedicated regional leadership to frontline staff who were identified as youth champions (discussed in more detail later in this report), and developing and delivering rehabilitation programmes adapted to the unique needs of people under 20 years.

436. While the Acceleration Project ended in 2016, the Youth Strategy Governance Group maintained oversight and supported activities that continued to contribute to the Strategy's

¹²³ Department of Corrections (2023) *The Pathway Forward - Te Ara Whakamua, Final Decisions* (Corrections intranet).

vision. The Governance Group was disestablished in 2019 soon after the legislation changes to include 17-year-olds in the Youth Justice jurisdiction.

437. Following the legislation changes for 17-year-olds, the Youth Team put more emphasis on the needs of young adults from 18 to 24 years in Corrections' custody. This aligned with the growing evidence and literature around the needs of young adults in the justice system.
438. In 2020, the Youth Team developed the Young Adult Framework as a tool to recognise the unique developmental needs of people aged from 18 to 24 years in Corrections' custody and to provide guidance around practice and decision-making for young adults.
439. The vision for the Young Adult Framework is that:

"Young Adults are supported to have a sense of belonging, unlock their potential, and are equipped to successfully transition to adulthood and reduce intergenerational harm."

440. This Young Adult Framework was created within the context of the six priority areas of Corrections' Hōkai Rangi strategy. It also took into consideration the Mana Taiohi youth development principles.
441. The Young Adult Framework was developed in consultation with staff from across Corrections' National Office and frontline staff who shared their insights into challenges and successes when working alongside young adults in Corrections' custody. Based on this consultation, five priority areas were identified for the Young Adult Framework (see Appendix H). These priority areas are:
- Identity and belonging
 - Continuity of care
 - Access
 - Reducing harmful experiences and escalation
 - Imprisonment as a last resort
442. Corrections established the Young Adult Steering Group, to support the implementation of the Young Adult Framework. The Steering Group was chaired by the General Manager, Integrated Practice and Innovation, and included membership from across Corrections and an external expert.
443. According to the Steering Group's Terms of Reference:

"The Steering Group is primarily accountable for providing decisions for the Young Adult Framework to proceed, and to help overcome problems such as prioritisation, resource availability, stakeholder support, etc."

444. According to Corrections' records, the last Young Adult Steering Group meeting was in June 2021. We could not find any evidence explaining why the Steering Group was discontinued or how this was communicated to its members. The minutes from the last meeting had a number of outstanding actions, including actions related to the placement and support for young people and young adults in Corrections' custody.
445. Since then, there has been no formal oversight, support, or accountability mechanisms for the implementation of the Young Adult Framework and related activity or actions. Nevertheless, the Young Adult Framework was officially launched by the National Commissioner in May 2022, several months after the last Steering Group meeting. and two years after its initial development.
446. Along with the official launch of the Young Adult Framework in May 2022, Corrections implemented the Young Adult Practice Hub on its intranet. According to Corrections' intranet, the Young Adult Hub provides "guidance, information and resources for working with young adults." The Young Adult Practice Hub is:

"Intended to be a dynamic space and will grow and adapt to the needs of staff working with young adults and in response to the feedback and contributions of its users."

- 447. The Young Adult Hub includes information related to each of the Young Adult Framework priority areas, as well as a range of resources to support staff working with young adults. These include topics such as brain development, positive youth development including the Mana Taiohi principles, communicating with youth, and information related to neurodiversity and young people who are part of the rainbow community. The Young Adult Team updates resources in the Hub and includes information about upcoming events that may be relevant to working with young adults in Corrections, such as online webinars.
- 448. While some frontline staff we met during our site visits were familiar with the Young Adult Framework, and accessed it to inform their work, most had not heard of either the Framework or the Young Adult Hub, and therefore did not use these tools or resources in their practice.

Summary

- 449. The period since 2013, and most notably the last five years, have been characterised by the 'stop-start' nature of the strategic approach and oversight of young people and young adults in Corrections' custody. We note, and have been told, of some excellent initiatives, driven at a national level, such as the launch of the Youth Strategy in 2013, underpinned by a clear vision and executive-level ownership and leadership. This strategy was given further priority and momentum in 2015 with the assistance of an Acceleration Project, overseen and kept to task by robust governance structures.
- 450. Since 2019, despite some promising developments including the launch of the Young Adult Framework and the creation of the Young Adult Hub, strategic intent has drifted, resources have been diluted or redirected, dedicated governance structures discontinued and there has been a notable absence of executive-level ownership and direction-setting in this space. We found that this 'drift' had impacted those frontline staff who deal with young people and young adults. At best, it meant those staff are missing clarity of direction and expectations. At worst, those frontline staff are disheartened or working under the assumption that this is not a priority area for Corrections.
- 451. Although Corrections' lack of a coherent plan for young people and young adults, at the time of our thematic inspection, is disappointing, there is a real opportunity to galvanise the existing experience, knowledge, tools and resources, supported by leadership and oversight at executive level, to meaningfully support and enhance frontline practice and drive positive change.

Placement options and decision-making

452. There are many processes and considerations for the placement of young people and young adults in Corrections' custody. Some relate to the changes to the legislation for people under 18 years old, which include specific provisions related to the placement of young people in an adult prison. Some relate to the processes and decision making for placing people over 18 years old with young people in a Corrections' youth unit, acknowledging the restrictions related to young people mixing with adults.
453. Corrections has developed an assessment process for identifying suitable placement options for young adults, depending on their needs and circumstances. The placement options, requirements and decision-making processes for young people and young adults are outlined below.

Children and young people under 18 years old in the adult justice system

454. Prior to the legislation changes in 2019 when 17-year-olds were included in the Youth Justice jurisdiction, there were certain circumstances when a child or young person under 17 years could be escalated into the adult jurisdiction. These circumstances were:
- If a child between the ages of 10–14 years and a young person between the ages of 14 to 17 years was charged with murder or manslaughter, their matters would be transferred to the High Court (Section 272 of the Oranga Tamariki Act).
 - If a Youth Court judge transferred a matter for a young person aged 14 to 17 years to the adult court for sentencing.
455. Both these provisions remained in the Oranga Tamariki Act following the legislation changes in July 2019, with two amendments. The first amendment was to extend the upper age to 18 years to align with the new interpretation for a young person in the Act. The second amendment was to include specific factors for a judge to consider when deciding whether to transfer a young person aged between 14 and 18 years to the adult court. These factors are the serious nature of the offending, the criminal history of the young person, the interests of the victim and the risk posed by the young person to other young people.¹²⁴
456. When the Oranga Tamariki Act was amended to include 17-year-olds in the youth jurisdiction in July 2019, it included an additional exception that only applies to 17-year-olds. This exception is that if a 17-year-old commits a serious offence under a new schedule of offences referred to as Schedule 1A of the Oranga Tamariki Act, their matters will automatically be escalated to the District or High Court.
457. Schedule 1A offences under the Oranga Tamariki Act are offences that are particularly serious, such as aggravated robbery for example. This automatic transfer of 17-year-olds who commit a Schedule 1A offence is separate to the provision for judicial discretion to escalate a young person's matter to the adult court for sentencing described above.
458. In its Concluding Observations to New Zealand's Sixth Periodic Report, the United Nations Committee on the Rights of the Child noted:

¹²⁴ Section 284(1A) of the Oranga Tamariki Act 1989.

"To end the automatic transfer of 17-year-olds who are accused of serious offences to be tried by the adult courts and ensure that they are dealt with in the youth justice system."¹²⁵

459. Provisions for the placement of 17-year-olds on remand in Corrections' custody were included in both the Oranga Tamariki Act and the Criminal Procedure Act in July 2019 as outlined below:
- If a 17-year-old remanded in a Youth Justice facility by the Youth Court presents an unmanageable risk¹²⁶ to another young person in Oranga Tamariki custody the Youth Court can remand them in an adult Corrections' facility where a youth unit is available (Section 238(1)(f) of the Oranga Tamariki Act)
 - If a 17-year-old remanded in a Youth Justice facility by the adult court presents an unmanageable risk to another young person in Oranga Tamariki custody the adult court can remand them in an adult Corrections' facility where a youth unit is available (Section 175(1A) of the Criminal Procedure Act 2011)
460. These sections require an application to the court confirming that both agencies agree that the 17-year-old is an unmanageable risk to another young person in a Youth Justice residence and that there is a youth unit available in a Corrections' facility (reiterating that these provisions only apply to 17-year-olds on remand either in the Youth Court or the adult court).
461. To trigger this application, Oranga Tamariki will first notify Corrections when a 17-year-old is considered an unmanageable risk to another young person in a Youth Justice residence. Corrections and Oranga Tamariki psychologists will undertake a joint assessment, known as the Young Person's Placement Assessment,¹²⁷ to determine the risk the young person presents and whether this risk can be safely managed in the residence.
462. If both agencies agree that the 17-year-old can no longer be safely managed in a Youth Justice residence while on remand, they submit a joint application to either the Youth Court or the adult court, depending on which court has remanded them in custody (as noted above). This application includes affidavits from Oranga Tamariki, outlining the risk the 17-year-old presents in the Youth Justice residence, and from Corrections, outlining that a youth unit is available for the 17-year-old remanded in custody.
463. Corrections' affidavit includes information about the youth unit environment and regime. They were initially completed by the manager for Corrections' Youth Team. However, they are now completed by the prison general manager (formerly known as prison director) at the site where the youth unit is available.
464. If the court is satisfied that the 17-year-old is an unmanageable risk to another young person in a Youth Justice residence and that a Corrections' youth unit is available, then the 17-year-old will be remanded in a Corrections' youth unit. If there is no Corrections' youth unit available, they will remain in the Youth Justice residence.

¹²⁵ Committee on the Rights of the Child, *Concluding Observations on the Sixth Periodic Report of New Zealand* CRC/C/NZL/CO/6. 28 February 2023.

¹²⁶ According to Corrections' Prison Operations Manual (M.03.07), "Following 1 July 2019 changes to the [Oranga Tamariki Act 1989], young people under the age of 18 who offend are primarily managed in the Youth Justice jurisdiction. However, provisions remain which allow for a young person to be escalated to a Corrections facility should they be deemed an unmanageable risk to other young people within a Youth Justice Residence. Such young people are jointly managed by Oranga Tamariki and Corrections, and often require additional support and engagement to ensure they are managed in a manner appropriate to their age and stage of development."

¹²⁷ Prior to the legislation changes this assessment was known as the Corrections Act Placement Assessment (CAPA). It was updated following the changes to be applicable to 17-year-olds on remand under the Oranga Tamariki Act or the Criminal Procedure Act if they present an unmanageable risk to another young person in a Youth Justice residence.

465. We found that, at the time of our thematic inspection, there is no central record keeping for Young Person's Placement Assessments, applications, affidavits and court outcomes.¹²⁸
466. Section 242(2B) of the Oranga Tamariki Act requires Oranga Tamariki to review the placement of a 17-year-old remanded in a Corrections' youth unit by the Youth Court "*at least every 14 days, unless there are special circumstances*". The Criminal Procedure Act does not require the review of the placement of a 17-year-old remanded in custody in a Corrections' youth unit by the adult court.
467. There is no provision for a 17-year-old in the Youth Court to be placed in a Corrections' facility if they receive a supervision with residence order¹²⁹ in the Youth Court after being remanded in custody in a Corrections' youth unit by the Youth Court.
468. During the review period, since the legislation changes there has only been one 17-year-old remanded in a Corrections' youth unit by the Youth Court. That young person had turned 18 years old by the time their Youth Court matters were dealt with. They also had adult court matters when they turned 18.
469. Barrister Moana Cole supports young people transitioning between the Youth Justice and adult justice systems. She told us it can be difficult to get a bed in a Youth Justice residence for a 17-year-old on remand, as the residences will always prioritise the youngest people. She said this can result in some 17-year-olds spending more time in Police cells while they wait for a placement in a Youth Justice residence.¹³⁰ There is no legal provision to hold a young person on remand in a Corrections' facility due to a lack of beds in a Youth Justice residence.

Custodial placement of young people under 18 years sentenced to imprisonment

470. According to Section 34A of the Corrections Act, a young person sentenced to imprisonment may be detained in a Youth Justice residence managed by Oranga Tamariki, rather than a Corrections' custodial facility. This legislation requires the Chief Executives (or their delegates) of both agencies to agree on the most suitable placement. Until July 2019, this provision applied to young people aged between 14 and 17 years.
471. As with young people on remand, psychologists from Corrections and Oranga Tamariki complete a joint Young Persons Placement Assessment to help the Chief Executives' delegates from both agencies decide whether a young person under 18 years sentenced to imprisonment can be safely managed in a Youth Justice residence.

Placement options for young people sentenced to imprisonment in a Youth Justice residence

472. Prior to the legislation changes, Korowai Manaaki Youth Justice residence in Auckland was the only residence that could accommodate a young person sentenced to imprisonment. At the time, six beds were reserved at Korowai Manaaki under Section 34A of the Corrections Act.
473. Since the legislation changes, four of the five Oranga Tamariki Youth Justice residences have been granted resource consent to accommodate young people sentenced to imprisonment. These Youth Justice residences are: Korowai Manaaki in Auckland (46 beds in total),

¹²⁸ We note that documents relating to Court proceedings are held by the Legal Services Unit. There is no readily accessible centralised location for other staff to access these documents.

¹²⁹ A supervision with residence order is the most restrictive order imposed by the Youth Court requiring a child or young person to remain in the custody of Oranga Tamariki (typically a Youth Justice residence) for up to six months.

¹³⁰ Interview with barrister Moana Cole, 1 March 2024.

Whakatakapokai in Auckland (15 beds in total), Te Au rere a te Tonga in Palmerston North (40 beds in total), and Te Puna Wai o Tuhinapo in Christchurch (40 beds in total).

474. While there is no limit to the number of under 18-year-olds sentenced to imprisonment who can be placed in a Youth Justice residence across the four residences, priority for placement in a Youth Justice residence will always be given to a child or young person with matters in the youth jurisdiction.
475. Since the legislation changes, the maximum number of under 18-year-olds sentenced to imprisonment residing in a Youth Justice residence at any one time has been five.

Joint management of young people sentenced to imprisonment residing in an Oranga Tamariki Youth Justice residence

476. Oranga Tamariki is responsible for the day-to-day management of a young person sentenced to imprisonment residing in a Youth Justice residence, and Corrections is responsible for managing their sentence.
477. When a young person is sentenced to imprisonment and placed in a Youth Justice residence, Youth Justice residence staff send the young person's information by email to the Corrections' receiving office at the prison assigned to oversee the management of the young person. This information includes their sentence details and profile picture. This information is uploaded into the Corrections' Integrated Offender Management System.
478. Corrections' sites responsible for managing sentences for young people in Youth Justice residences are Auckland Region Women's Corrections Facility for the two Auckland residences, Manawātū Prison for the Palmerston North residence, and Christchurch Men's Prison for the Christchurch residence, irrespective of the gender of the young people.
479. Corrections is responsible for all transfers outside of the Youth Justice residence, except in a medical emergency. This includes transfers between the court and the Youth Justice residence. Youth Justice residence staff will inform Corrections when a transfer is required, and Corrections will arrange for the transfer to occur, keeping the young person separate from adults.
480. Youth Justice residences assign 'Corrections Act Beds' to young people sentenced to imprisonment. Corrections Act Bed doors are distinctive in the Youth Justice residence as they can be locked from the outside by Youth Justice residence staff.
481. A Corrections' case manager is assigned to the young person sentenced to imprisonment. They are responsible for meeting with them in the Youth Justice residence, developing an offender plan and ensuring the young person can meet the conditions of their plan. This may be in collaboration with Oranga Tamariki staff at the Youth Justice residence if this is in the best interest of the young person.
482. A Corrections' psychologist may also be assigned to work with a young person sentenced to imprisonment in a Youth Justice residence to help them meet their rehabilitation requirements, especially in preparation for Parole Board hearings.
483. During our interview with John Axcell, Chief Executive of Tira Tūhāhā Prison Chaplaincy Aotearoa, we were told there have been examples of prison chaplains supporting young people residing in a Youth Justice residence who are sentenced to imprisonment.
484. It is possible for a young person in a Youth Justice residence sentenced to imprisonment to be released prior to turning 18, if they have completed their sentence or the Parole Board is satisfied that they do not pose an undue risk to the community.

Joint protocols and operational guidance for managing young people sentenced to imprisonment

485. At the time of our thematic inspection, the joint protocols outlining both agencies' processes and responsibilities had not been updated since the legislation changes in 2019. This includes dispute resolution processes. There were also no official operational guidelines to support staff across each location with the day-to-day management and decision making for young people sentenced to imprisonment residing in a Youth Justice residence.
486. The Corrections Act offers limited operational guidance, sets out under Section 34A(2):

"The provisions of this Act and of the Parole Act 2002, and regulations made under those Acts, continue to apply, with any necessary modifications, to a child or young person who is detained for the time being in a residence."

487. Without consistent guidance, it can be difficult for frontline staff from both agencies to know which agency's policies apply and for what purpose. This includes decisions related to minimum entitlements, approved visitors, mail and activities outside the wire, (which may be more common for young people in Youth Justice residences in the youth jurisdiction and not sentenced to imprisonment). This may also be confusing to a young person and their whānau or family if they transfer to a different Youth Justice residence during their sentence, which can happen at times.
488. If there is any risk of escape or harm to others in the Youth Justice residence, Oranga Tamariki should notify Corrections immediately. Both agencies will assess whether the young person can still be safely managed in the Youth Justice residence, or whether they should be transferred into Corrections' custody.

18- and 19-year-olds on remand in an Oranga Tamariki Youth Justice residence

489. Under Section 175(3) of the Criminal Procedure Act, 18- and 19-year-olds remanded in custody may remain in a Youth Justice residence until sentencing, at which point they are transferred to a Corrections' facility if sentenced to imprisonment.
490. There is no requirement for a joint assessment or agreement between Corrections and Oranga Tamariki if Oranga Tamariki is not willing or able to accommodate 18- and 19-year-olds remanded in custody by the adult court. It is therefore possible for an 18- or 19-year-old in the adult court who has been accommodated in a Youth Justice residence on remand to be transferred to a Corrections' facility without prior notice, either on remand or at sentencing.

Supporting under 20-year-olds who transfer from Oranga Tamariki Youth Justice residences to Corrections' custody

491. We heard from the Corrections' Young Adult Team that they had recently established weekly meetings between agencies to help give Corrections prior notice if anyone under 20 in a Youth Justice residence is likely to be transferred into custody. These meetings help to give Corrections time to prepare to receive a young person under 18 years old with escalated risk to other young people in a Youth Justice residence at short notice.
492. The intention is for the Young Adult Team to attend these meetings alongside key staff from Corrections' youth units and Oranga Tamariki Youth Justice residences. At the time of our inspection, these meetings were still in their early stages. We heard that attendance was sporadic, but the meetings were proving to be valuable when Corrections was able to get initial information early about young people transferring from Oranga Tamariki.
493. Barrister Moana Cole acknowledged that Youth Justice residences can sometimes struggle to manage the widening age gap between the youngest people in residences (sometimes children

under 14 years) and the oldest young people sentenced to imprisonment (up to 18 years, or 18- and 19-year-olds on remand).

494. She said that residences are not adequately resourced for the different ages and stages of development.¹³¹ She also acknowledged that the residences are not equipped to respond to some young people's complex needs and challenges.
495. She said it can be a "shock to the system" for some young people to transition from a Youth Justice residence into an adult prison, and it can take time for them to "acclimatise" given the differences in environment and approach between a Youth Justice residence run by Oranga Tamariki and a Corrections' custodial facility.
496. This is consistent with some of our interviews with young adults who had made this transition:

"Youth Justice was so much better. The staff there support young people and their job is to care. In the youth unit, it is not the staff's job to care and it is even worse in the mainstream units. What happens in prison is on you. The staff's job is to keep you safe and do the paperwork. There is a difference between caring and keeping prisoners safe. In Youth Justice the communications are different. The staff will chat with the young people, but this is not the same in the youth unit or prison." [Young man]

"I went to the youth unit – straight from Youth Justice to court to jail. No discussion about prison. I would like to have met people back then to orientate to the new environment. I was scared when I came to prison back then." [Young man]

497. We heard that where possible, Corrections' staff try to meet with young people in Youth Justice residences who they know will be transferring to Corrections' custody to start to build rapport and to explain what to expect when they arrive in prison. In addition to case managers who meet with young people sentenced to imprisonment residing in a Youth Justice residence regularly, we heard that the Principal Corrections Officer for Christchurch Men's Prison Youth Unit will visit young people in the residence prior to their transfer to the youth unit.
498. We heard from the former Principal Corrections Officer for the Hawkes Bay Regional Prison Youth Unit that he would meet with young men residing at a Youth Justice residence via audio-visual link to answer questions they may have prior to their transition to Corrections' custody.
499. We heard that information sharing and continuity of care between Oranga Tamariki and Corrections was often based on existing relationships rather than clear and current agency-level protocols, procedures and oversight.

Youth movement coordinator

500. In preparation for the 2019 legislation changes, Corrections introduced the youth movement coordinator role in the prison population team. The former Youth Movement Coordinator told us the purpose of this role was to coordinate assessment processes, movements, reception, and information sharing between Corrections and Oranga Tamariki for any young person being considered for placement in a Corrections' facility, either sentenced to imprisonment or on remand.¹³²
501. The former Youth Movement Coordinator told us she built relationships across both agencies, to be able to source information from Oranga Tamariki in a timely way that could help prepare Corrections' staff to receive a young person. This could be information about needs, interests or

¹³¹ Interview with barrister Moana Cole, 1 March 2024.

¹³² Interview with the former Youth Movement Coordinator, 16 April 2024.

vulnerabilities, and whānau engagement, as well as risk and mitigation strategies when there is escalating risk in custodial environments.

- 502. The former Youth Movement Coordinator would also make sure that all relevant staff, including Youth Justice residences, transport staff, Corrections' receiving offices, relevant prison managers and unit staff, would have up to date information about placement and transfer plans, while coordinating arrangements between agencies.
- 503. This role has been vacant since January 2023. We heard that the Young Adult Team is now responsible for coordinating these processes with Oranga Tamariki.

Time served in an Oranga Tamariki residence

- 504. If a young person is transferred to the adult court, any time spent in custody on remand in a Youth Justice facility will count towards their sentence, if sentenced to imprisonment. It is essential that Corrections receives the correct information from Oranga Tamariki on the day of sentencing.
- 505. If Corrections does not have the correct information about time spent remanded in a Youth Justice facility on the day of sentencing, there is a risk that a young person could be unlawfully detained. At the time of this inspection, we learned of one young person who had been detained for almost three weeks past their sentence end date due to a miscalculation at sentencing.
- 506. Oranga Tamariki calculates time served manually in a central spreadsheet maintained at its National Office.
- 507. There is no automatic transfer of information about time served on remand in a Youth Justice residence between the two agencies, meaning that Corrections must directly source this information from Oranga Tamariki at sentencing. Following the legislation changes, this was done by the youth movement coordinator, who would liaise with a contact from the Oranga Tamariki National Office Youth Justice team. This function has since been taken over by the Corrections sentence calculation Senior Advisors in the prison population configuration team.
- 508. The sentence calculation Senior Advisors told us there is no formal practice guidance to inform Corrections' custodial staff to check this calculation with the sentence calculation team. We were told that sites learn about this process through 'word of mouth' or when the Senior Advisors deliver sentence calculation training. They acknowledged there is no automatic way for sites to know if someone under 20-years-old has spent time remanded in a Youth Justice facility. Receiving office staff who are aware of the process, will contact the sentence calculation Senior Advisors to ask Oranga Tamariki for this information.
- 509. The sentence calculation Senior Advisors told us that neither they, nor their contact at Oranga Tamariki, have the time and resources to check remand time in a Youth Justice residence for every under 20-year-old who comes into Corrections' custody. Therefore, they will only make the request to Oranga Tamariki once they are sentenced to imprisonment.
- 510. If Corrections identifies early that someone in Corrections' custody under 20-years-old on remand has spent time on remand in Oranga Tamariki custody, the Corrections sentence calculation team tracks their court appearances, and contacts the receiving office to inform them of the pre-sentence detention time in Oranga Tamariki custody once sentenced. It is possible for someone under 20-years-old to be released on the day of sentencing without proper planning or support in the community if staff have not considered the possibility of time served beforehand.
- 511. We understand that previously the sentence calculation team had a process to monitor anyone 20 years or over who may have relevant time served in a Youth Justice residence, but at the time of our inspection this was not the case. While this would be uncommon for older young

adults, it is possible, and it would be beneficial for an older young adult to also be considered in a similar way when sentenced.

Youth units

512. The first purpose-built Corrections' youth units were introduced in 1999 by the then Minister of Corrections, Hon. Matt Robson. The Minister's intention at the time was to create self-contained spaces that could keep men under 20-years-old separate from older prisoners, and to give them targeted and tailored rehabilitation, education, and vocational opportunities to address offending behaviour and successfully reintegrate into the community.¹³³ From the beginning, youth units prioritised under 18-year-olds and vulnerable 18- and 19- year-olds in prison.

513. According to Minister Robson (2000):

*"Our goals are simple, but if effective they will renew hope and confidence in our communities. They are to reduce re-offending, to turn our young people away from a life of crime, and therefore to reduce the numbers of victims. Youth units will play a vital role in that mission."*¹³⁴

514. By 2001, four bespoke youth units had been established, located at Hawkes Bay Regional Prison (30 beds), Christchurch Men's Prison (40 beds), Waikeria Prison (35 beds) and Rimutaka Prison (40 beds).

515. The original four purpose-built, self-contained youth units included both a high security wing as well as low security 'huts', which allowed the young men to progress through their sentence in the units. Youth units were spacious and included classrooms, programme rooms, a gym, a workshop and meeting rooms (see Image 2). Common spaces indoors typically had pool tables and table tennis tables, and the outside areas were equipped with basketball courts, open green spaces, and vegetable gardens.

516. Youth units have always had higher staff ratios than mainstream units (1:9 rather than the typical 1:15 ratio in mainstream units) to enable more meaningful interaction between staff and the young men. The units were granted an exemption to mix remand accused, remand convicted and sentenced young men, to allow them to be placed in the youth unit separated from the mainstream adult population, and to participate more easily in daily activities.

517. The Prison Operations Manual (M.03.01Res.02) states: *"Youth prisoners are regarded as a homogenous group during unlock hours, and are not separated on the basis of security classification, or by group (i.e. remand / convicted or sentenced). Where practicable youth from different pods may mix during unlock hours."*

518. The Chief Ombudsman, however, has questioned the legitimacy of Corrections' blanket mixing exemption in youth units given that mixing exemptions are typically granted on a case-by-case basis.¹³⁵

519. To prevent mixing with adults, young men can be segregated within the youth units, except if there is a risk of self-harm or suicide, when they are transferred to the closest Intervention and Support Unit.

520. In 2007, the Rimutaka Prison Youth Unit closed indefinitely after a serious disorder event. Due to the decreasing population of men under 20 years in prison and the increasing population of men over 65, the former Rimutaka Prison Youth Unit became a High Dependency Unit for prisoners with age-related health needs or complex health and disability needs. In 2015, the

¹³³ <https://www.beehive.govt.nz/node/10774>

¹³⁴ <https://www.beehive.govt.nz/speech/our-chance-reduce-youth-re-offending>

¹³⁵ Letter from Chief Ombudsman to Chief Inspector, 9 May 2024.

Waikeria Youth Unit was converted into a mainstream unit due to the declining number of youth prisoners nationally.

521. After these closures, 70 youth unit beds for young men under 20 years old remained, with 30 beds at Hawkes Bay Regional Prison in the North Island and 40 beds at Christchurch Men's Prison in the South Island.
522. In 2016, Christchurch Men's Prison Youth Unit and Hawkes Bay Regional Prison Youth Unit became the focus for Corrections' Youth Strategy Acceleration Project initiatives to "*develop youth units as centres of excellence*".
523. As part of the Acceleration Project initiatives, the two youth units were equipped with audio-visual link technology to facilitate contact with whānau and family, especially as many of the young men placed in the youth units were far from their home areas. Each unit established multidisciplinary teams including custodial, case management, health and other staff as needed, to discuss the needs of the young men to support them in the youth units, and to help prepare those transitioning to the community. The youth units included dedicated case managers and education tutors based in the unit.
524. Both youth units developed schedules to enhance structured day activities which involved education, rehabilitation, physical activities and recreation, to help instil good daily habits for when the young men return to the community.
525. In 2018, the youth units introduced a dedicated non-custodial youth activities coordinator to arrange weekly activities with the young men with community providers and volunteers, to increase the range of options available to young men, especially for those who were not participating in rehabilitation programmes. The youth units have included cooking facilities and barista machines to teach the young men these useful skills.
526. With the multidisciplinary team efforts, dedicated staff to support meaningful daily activities, and the involvement of community providers and volunteers, young men in the youth units had some notable achievements.
527. For example, both youth units implemented the Duke of Edinburgh's Hillary Award. According to its website:

*"The Duke of Edinburgh's Hillary Award equips rangatahi for promising futures by challenging young people to develop skills and tools to improve themselves and their communities."*¹³⁶

528. Participants work through four sections to receive their Bronze and Silver Award: voluntary service, physical recreation, skills, and adventurous journey. Those working towards their Gold Award are also required to complete a residential project to apply the skills they have learned through the other award sections.
529. Three young men from Christchurch Men's Prison Youth Unit achieved their Gold Awards in prison, with several others completing the Bronze and Silver Awards.
530. Young men from Hawkes Bay Regional Prison Youth Unit participated in the Lion Foundation Young Enterprise Scheme on four occasions. This is an annual, nationwide competition for high school students in Years 12 and 13. According to its website:

"The Lion Foundation Young Enterprise Scheme (YES) is an opportunity for students to unleash their inner entrepreneur and experience the start-up world first-hand. It is

¹³⁶ <https://dofehillary.org.nz/>

an experiential programme where students set up and run a real business. Each YES company creates their own product or service and brings this to market.”¹³⁷

- 531. In 2018, the young men from Hawkes Bay Regional Prison Youth Unit received the Lion Foundation Young Enterprise Scheme National Resilience Award for their anti-bullying campaign. They made a booklet and recorded a rap on preventing and coping with bullying and wore yellow bracelets as a symbol for the campaign.
- 532. Young men from Hawkes Bay Regional Prison Youth Unit were again awarded the Young Enterprise Scheme National Resilience Award in 2020 for their homelessness kits using upcycled and recycled materials.
- 533. Staff from the former Hawkes Bay Regional Prison Youth Unit recalled this time when the youth unit was functioning well:

“The youth unit worked best when there was a structured routine – Cactus gym programme in the morning, and a range of life skills activities during the day including learning to cook meals. Group incentives to participate was a shared breakfast over the weekend. The youth unit went through a period when it was humming with positive activity and lots to do. It was innovative and we tried lots of ‘outside-the-box’ thinking. These things were slowly reduced and had an effect on behaviours and dynamics in the unit.” [Hawkes Bay Regional Prison staff]

- 534. In August 2022, part of the high security wing of the Hawkes Bay Regional Prison Youth Unit was damaged during a serious disorder event involving the young men. During our inspection, we were told that there was no plan to re-open this youth unit, in part due to the high cost to repair the damage, but also because most of the young men in Corrections’ custody are from other regions.
- 535. Following the closure of the Hawkes Bay Regional Prison Youth Unit, the Christchurch Men’s Prison Youth Unit was the last of the original youth units still operating.
- 536. At the time of our thematic inspection, the Christchurch Men’s Prison Youth Unit had been operating at half-capacity (20 beds) since 2019, with maintenance, renovations and other disruptions to the unit, (including the Covid-19 pandemic, when half the youth unit was converted into an isolation unit for newly-arrived prisoners before they were placed in the main prison). During our thematic inspection, we were told that once the current renovations to the high security wing are complete, the Christchurch Men’s Prison Youth Unit will be back to its full 40-bed capacity.
- 537. In August 2023, Corrections temporarily designated a 12-bed high security wing at Manawātū Prison as a youth unit to provide this option in the North Island following the closure of the Hawkes Bay Regional Prison Youth Unit the previous year. This temporary youth unit is located inside the main prison. It has an indoor basketball court and two outdoor areas behind the unit. Cells have been refurbished, and unlocks are longer compared to some other sites (see Images 3 and 4).
- 538. This temporary youth unit is not spacious and does not meet the same criteria as the four original youth units. Since opening, the young men have had limited opportunity to access outdoor green spaces given the prison’s concerns around access to the roof, especially following the serious disorder incident at Hawkes Bay Regional Prison.

¹³⁷ <https://youngenterprise.org.nz/resources/the-lion-foundation-young-enterprise-scheme>

539. Manawātū Prison does not have an Intervention and Support Unit on site. This means young men at heightened risk of self-harm or suicide must transfer to another site with an Intervention and Support Unit.
540. At the time of our site visits, four young men had been transferred to an Intervention and Support Unit at another site since the temporary youth unit opened in August 2023.
541. Inspectors from the Office of the Inspectorate started visiting the Manawātū Prison Youth Unit fortnightly after it opened to monitor progress and to raise any concerns with the site. The Chief Inspector regularly updates the Chief Executive, including information from the Manawātū Prison General Manager. These monitoring visits reduced to monthly in March 2024.
542. When Corrections designated the temporary youth unit at Manawātū Prison in August 2023, it also agreed that a dedicated project was needed to progress a more permanent youth unit option, with Spring Hill Corrections Facility identified as the preferred location.¹³⁸
543. During our inspection, none of the North Island sites we visited, including Spring Hill Corrections Facility, had formal plans or projects to progress a permanent youth unit option. At the time of this thematic inspection, it was not clear how long Manawātū Prison was expected to provide a temporary youth unit.

Placement of young adults over 18 years old in a youth unit

544. In accordance with the United Nations Convention on the Rights of the Child (UNCROC) and Corrections Regulations, young people under 18 years placed in Corrections' custody must be kept apart from adults over 18 years, unless it is in their best interest to mix with these prisoners.
545. As noted previously, according to the 2019 legislation changes in the Oranga Tamariki Act and the Criminal Procedure Act, a judge must be satisfied that a youth unit is available when remanding a 17-year-old to a Corrections' facility. Young people under 18 years old will also typically be placed in a youth unit.
546. Corrections assesses young adults over the age of 18 years to determine whether they are suitable to be placed in a youth unit with young people under 18 years old. The approach to the assessment for the placement of 18- and 19-year-olds in a Corrections' youth unit changed after 17-year-olds were included in the Youth Justice jurisdiction (with some exceptions), as described below.

The Test of Best Interest assessment

547. Prior to 17-year-olds old being included in the Youth Justice jurisdiction, Corrections custodial officers administered the Test of Best Interest assessment to all male 18- and 19-year-olds to determine whether they were suitable for a youth unit placement. The Test of Best Interest assessed whether 18- and 19-year-olds were vulnerable in a mainstream environment with adults and not a risk to people under 18 years. The best interest of people under 18 years in the unit was the priority, in line with obligations under UNCROC.
548. This assessment was only administered to young men, as youth unit placement was only available in selected men's prisons.
549. The Test of Best Interest asked a series of questions to determine the risk and vulnerability of 18- and 19-year-olds, which produced a score that determined their suitability for a youth unit. At the time, if a young man was deemed not suitable to be placed in a youth unit, a 'non-youth' alert was uploaded in the Integrated Offender Management System with a note stating that the Test of Best Interest was not to be readministered. This meant that once the decision was made,

¹³⁸ Memo from the Youth Team to the Corrections' Services Leadership Team endorsed by the Deputy National Commissioner, dated 9 August 2023.

it could not be reviewed, and the young man would not be considered vulnerable in the mainstream environment.

- 550. For young men placed in the youth unit, the Test of Best Interest assessment was repeated either if a young person was turning 18 years to determine whether they could remain in the unit, or if someone over 18 years was no longer deemed suitable for a youth unit placement. Young men would typically be removed from the youth unit if they were assessed as presenting a risk to others in the unit, especially anyone under 18 years.
- 551. We heard from staff who previously worked in a youth unit that some young men over 18 years old left the youth unit to pursue reintegration and rehabilitation opportunities that were not available in the youth unit, such as in cultural focus units or self-care units.
- 552. Following the legislation changes in July 2019, the low number of young people under 18 years coming into Corrections' custody increased capacity in the youth units to accommodate more 18- and 19-year-olds who were otherwise placed in mainstream facilities.
- 553. Since the changes there have been periods with no one under 18 years in prison, and therefore their best interest is not a priority consideration for placing 18- and 19-year-olds in the youth unit during these times. If there is a young person under 18 years in a youth unit, then their best interest remains a key consideration in placement decisions, (as it did previously with the Test of Best Interest assessment).

The Assessment for the Placement of Young Adults

- 554. In response to the 2019 changes to the Oranga Tamariki Act 1989, the Assessment for the Placement of Young Adults (APYA) was developed to replace the Test of Best Interest assessment. This assessment was designed to align with Corrections' values of rangatira (leadership), manaaki (respect), wairua (spirituality), kaitiaki (guardianship) and whānau (relationships). Use of the APYA began in 2020.
- 555. The APYA, designed to be a more holistic assessment than the Test of Best Interest, included considerations related to ongoing contact with whānau and family; whether someone was likely to get bail imminently (to avoid additional travel between sites where preferable); goals and aspirations; as well as risk to others and how this risk could be managed or mitigated:

"The Test of Best Interest wasn't as holistic. It was points-based. Now it is based on judgement and how you interact. I like this one better. It's the second or third revision and it's at a good place now." [An APYA assessor who was familiar with the Test of Best Interest assessment].

- 556. APYA assessors are required to engage young adults in the assessment, as well as access information from all relevant sources, including Oranga Tamariki, probation staff, whānau, family and other supports.
- 557. While the APYA helps to determine suitability for placement in a youth unit, prioritising 18- and 19-year-olds, the assessment is intended to determine the most suitable placement for all young adults up to the age of 25 in Corrections' custody. According to Corrections' intranet, APYAs are a requirement for 18- and 19-year-olds and recommended for young adults aged 20 to 24 years old.
- 558. During the thematic inspection we found that it was not common practice to complete APYAs for 20- to 24-year-olds, although we did hear of examples where it was completed as part of site-based, multidisciplinary team placement decision-making (e.g., Hawkes Bay Regional Prison).
- 559. Similarly to the Test of Best Interest assessment, we found that the APYA was only being administered to young men. This was due to the ongoing perception that it is only used to determine youth unit placement. Whilst the assessment is necessary for youth unit placement,

the holistic design was intended to assist with ongoing progression and placement of young people and young adults.

560. We did not observe any young women, in interviews or in documentation, who had been administered an APYA.
561. The APYA was intended to be a 'living' document that can be updated throughout a young adult's time in custody.
562. One APYA assessor told us he found the APYA *"challenging but rewarding"*. He said he looks for the *"true version of information, like body language, which can be hard as young people are always full of energy"*. He said, *"culture also needs to be considered"*. He has found this has worked for him by *"showing respect and treating the young people as individuals"*. He said he is *"always patient with them and gives them the time and a chance to share information"*.
563. Like the Test of Best Interest assessment, the APYA should be reviewed when someone is being exited from a youth unit placement, even if there has been an assessment in the past six months prior to a transfer. This updated assessment should include the reason why the youth unit is no longer the most suitable placement for the young adult and identify the most suitable placement at another unit or site. Reasons may include disruptive behaviour in the unit, as well as, for example, someone wanting to be closer to family or whānau, or to attend a programme or intervention that is not available in the youth unit.
564. Unlike the Test of Best Interest, the APYA allows young adults to be considered for placement in a youth unit more than once if there is a change in circumstances that would support their placement in a youth unit.

Training for APYA assessors

565. APYA assessors are typically custodial staff based at most sites across the men's prison network. The National Office Young Adult Team, as well as subject matter experts from the former Hawkes Bay Regional Prison Youth Unit, deliver a one-day APYA training to the assessors. This training includes the purpose of the assessment, the type of information that needs to be gathered and where to access this information, and the decision-making process.
566. APYA assessors work through scenarios to familiarise themselves with the process and talk through real case studies. A supported decision-making framework has also been developed to assist APYA assessors during the process.
567. While we heard that the APYA training was appreciated by the APYA assessors, they told us that more training and support would be helpful:

"More training would be good on the whole in the APYA process and more support after doing the training especially when we don't do them all the time – someone to go to whose sole role is to support ongoing training and answer questions." [APYA assessor]

568. During our thematic inspection, we heard from both the Young Adult Team and staff we interviewed at the men's prisons that it has been hard to deliver training and provide support to APYA assessors since the implementation of the assessment, especially given Covid-19 restrictions were introduced around the same time as the APYA. Training was delivered to some custodial staff online at that time, which impacted the quality of the training and interactions. There has also been a high staff turn-over since training was delivered, with some staff leaving or moving to other positions where they are not available to undertake the APYA.
569. We found that some staff who had previously been trained in the Test of Best Interest struggled to make the transition to the more holistic APYA. They continued to apply the Test of Best Interest assessment approach, which focused on risk and vulnerability in a youth unit, rather than the more holistic approach to consider the most suitable placement for the young adult.

570. As of June 2024, there were 74 trained APYA assessors across the prison network. During our thematic inspection, we heard there was an increase in APYA training across the sites, which will lead to an increase in the number of trained assessors.

Timeframes and process for completing the APYA

571. According to Corrections' Prisons Operations Manual, APYAs for 18- and 19-year-olds must be started within 72 hours of arriving in prison and be completed within seven days. The Manual also states that an APYA must be completed on transfer unless one has already been completed within the past six months (see Appendix I).
572. The APYA has a seven day timeframe for completion to accommodate the multidisciplinary approach encouraged. The APYA is designed to incorporate consultation with a number of parties, both internal and external. This can include custodial, health, case management, the young person or young adult's whānau, and Oranga Tamariki.
573. Some staff told us it can be difficult to complete the APYAs within the timeframes, especially if there are staff shortages at the site and a limited number of trained APYA assessors.
574. We also heard that shift patterns can be a challenge, as an APYA assessor may start the assessment within 72 hours, but then be off work for a couple of days. They told us their preference is to continue the assessment when they return, for consistency, rather than hand over the responsibility to someone else.
575. Youth unit residential managers and principal corrections officers are involved in decision-making, as they can help to determine whether someone is suitable to be placed in the youth unit alongside the other young men in the unit.
576. Prison general managers make the final decision on placement in a youth unit, based on the APYA information and recommendation. This also allows the general manager to maintain oversight of the young men in the youth unit at their prison.
577. If the APYA recommends placing a young man under 20 years old outside a youth unit, the assessment must identify the most suitable placement for the young man and outline the reasons for this recommendation. General managers at the receiving prisons make the final decision on these placements, based on information and the recommendation provided in the APYA.
578. Once completed, the APYA should be uploaded into the Integrated Offender Management System and be accessible to any staff working with the young men following their placements.
579. During our thematic inspection, we found that many APYAs had not been uploaded and, unless they had been trained, staff at the sites we visited did not know where to access the completed assessments. We found 18- and 19-year-olds who were assessed as suitable for a youth unit placement, but who were not moved to a youth unit following the assessment.
580. We heard that, after commencing the new role, the youth movement coordinator responsibilities were extended to include helping to coordinate APYA processes, as well as the transfer of young adults across the prison network. The youth movement coordinator would ensure that young adults were moved to the youth units from the earliest opportunity when they were assessed as suitable.
581. Staff across the sites who had been supported by the youth movements coordinator told us how this role helped them to receive the information they needed early. This helped them respond in a timely way, and placement decisions could be actioned without delay. This made a significant difference to the young adults waiting for a placement in a youth unit.
582. The youth movement coordinator also kept a central record of all APYAs completed. At the time of our thematic inspection, we found that there was no central recordkeeping of APYAs. Therefore, there is no ability to easily determine how many APYAs have been completed, for whom and the outcomes of the assessments.

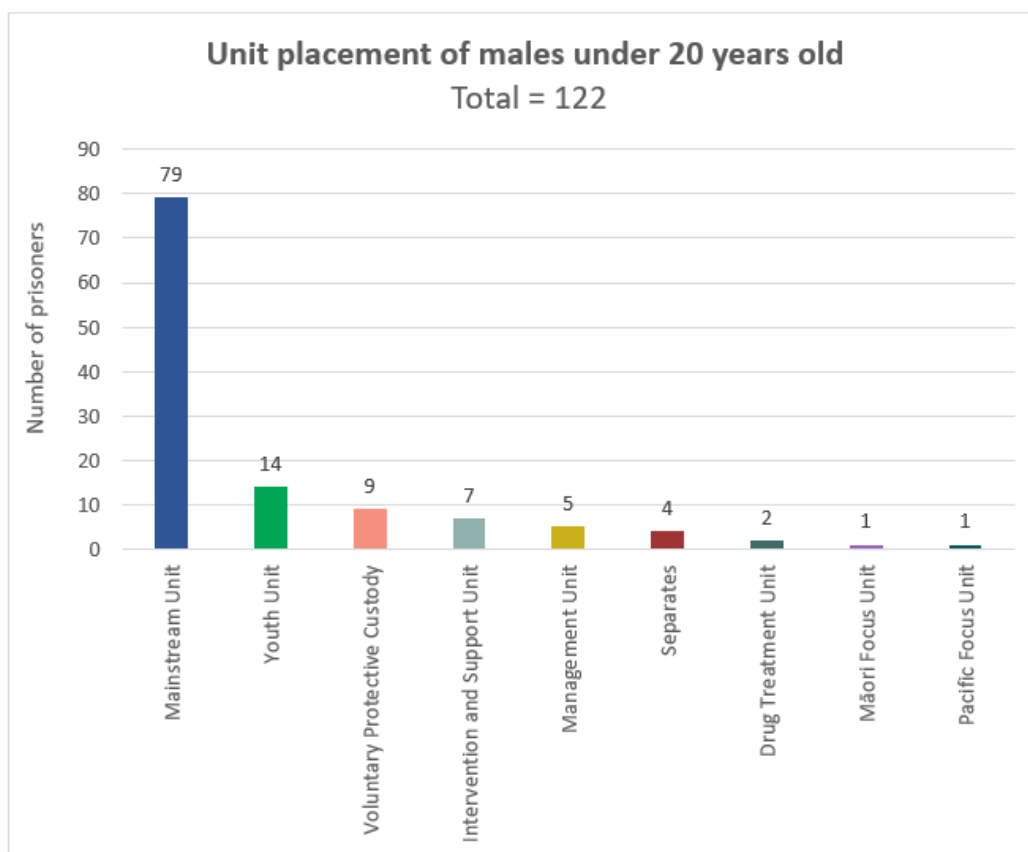
583. As noted, at the time of writing, the youth movement coordinator role had been vacant for more than 18 months, and we heard that there are no current plans to appoint to that role.

Delays in youth unit placements

584. During this thematic inspection, we found that the overall quality of the APYAs was variable, especially after the youth movement coordinator role was left vacant. In many cases, APYAs had not been completed within the required timeframes or were incomplete. In some cases, we found that it was difficult to determine what the placement decision was following an APYA.
585. While youth unit managers find it helpful to be involved in youth unit placement decisions, they told us they sometimes find the process challenging, given the varying quality of information they receive to make a well-informed, timely recommendation.
586. Custodial officers who had completed APYAs at their sites told us it can take a long time for youth unit managers to confirm whether someone is suitable for a youth unit placement.
587. One APYA assessor told us he thought the reason young men were not being accepted into the youth units was because there was a waitlist for youth unit placements, even though both youth units had vacancies for the duration of our thematic inspection.
588. Youth unit managers told us they are cautious when considering placement in a youth unit, especially following the serious disorder event at Hawkes Bay Regional Prison Youth Unit in August 2022, and experiences of assaults by some young men on vulnerable young men in the units.

"We have to consider the young men in the context of the whole unit. We have to explain why they are not removing young persons under 18 when they are a risk to others. One person can upset the apple cart." [Youth Unit Residential Manager]

Graph 14



589. Former and current Principal Corrections Officers from Hawkes Bay Regional Prison and Christchurch Men's Prison youth units told us that having information from Oranga Tamariki about a young person's behaviour in its custody and any positive or negative peer associations they should be aware of when they transfer is beneficial as it can help them prepare for the young person's transition.
590. Graph 14, above, shows that only a small number and percentage of young men under 20 were placed in the youth units during the time of our thematic inspection, despite the youth units regularly having vacancies. As shown in the graph, only 14 out of 122 young men under 20 were placed in a youth unit which, at the time of our thematic inspection, had capacity for 32 prisoners. Most young men under 20 years were placed in mainstream units.

Placing the highest risk young people under 18 with the most vulnerable 18- to 20-year-olds

591. The legislation changes in July 2019 created a challenge for Corrections. Given the low number of young people in Corrections' custody since the changes (between zero and two during our thematic inspection), it may not be possible to keep them apart from adults over 18 years without isolating them from other prisoners.
592. Therefore, since the changes, under 18-year-olds have continued to be placed in the youth units with the majority of 18- to 20-year-olds assessed as suitable for a youth unit due to their vulnerability in mainstream unit.
593. Youth unit staff must manage young people under 18-years-old assessed as an unmanageable risk to others in a Youth Justice residence alongside some of the most vulnerable 18- to 20-year-olds in prison that Corrections is trying to protect from the mainstream adult population.
594. At times, young people under 18-years-old in the youth unit have caused disruptions, including seriously assaulting other young men. This has resulted in some of them being exited from the youth unit and some placed on segregation.
595. Unlike in the youth units, it is not considered to be in a young person's best interest to mix with older prisoners in a segregation unit. If there are no other young people to mix with while segregated, there is a risk that a young person is kept isolated for several days.
596. As part of its investigation into practices related to solitary confinement of children and young people in 2019, the Victorian Ombudsman identified a similar challenge in its jurisdiction:¹³⁹

"Given these structural challenges in running a small youth detention facility as the only facility within a jurisdiction, and the known harms that isolation can have on children and young people who are detained, it is important that every effort is made to ensure that practices avoid isolation in its various forms to the maximum extent possible. Where isolation is unavoidable, consideration must be given to ways to minimise the impacts of isolation on children and young people (for example, ability to contact family and friends via phone/video calls, means for entertainment and self-expression in cells, food etc)."

597. During our thematic inspection, Corrections' youth unit staff could identify at least four examples since the legislation changes when high-risk young people in Corrections' youth units caused significant disruption, which included serious assaults on vulnerable 18- to 20-year-olds.
598. Since 2018, two young men have been placed on directed segregation in Corrections' custody not in a youth unit.

¹³⁹ The Victorian Ombudsman (2019). *OPCAT in Victoria: A thematic investigation of practices related to solitary confinement of children and young people*.

599. While automatic youth alerts appear in the Integrated Offender Management System for young people under 18 years, and for 18- and 19-year-olds, there are no alerts in the Integrated Offender Management System for young men and women between the ages of 20 to 25 years for frontline staff to easily identify them in prison.
600. During our thematic inspection, there did not appear to be a suitable alternative to placing the highest risk young people under 18-years-old alongside the most vulnerable 18- to 20-year-olds in Corrections' youth units.

Corrections' young adult units

601. Unlike Corrections' youth units for young people and vulnerable 18- and 19-year-old men, Corrections has not implemented purpose-built, bespoke 'young adult units' for people aged under 25 years. However, some sites have trialled young adult units or wings. These initiatives have typically been driven by staff at individual sites who have recognised the need to separate some young men under 25 years from the pressures and influences of the mainstream adult population, and to provide them with easier access to more tailored education, rehabilitation and reintegration support appropriate for their age.
602. We heard that Corrections' first young adult unit was trialled at Northland Region Corrections Facility in 2005. This was a site-driven initiative in collaboration with the local hapū, Ngāti Rangi of the Ngāpuhi confederation. We heard from the prison General Manager that Ngāti Rangi worked alongside the young men to develop the approach to the unit, grounded in kaupapa Māori values and principles. Corrections' staff assumed sole responsibility for managing the unit but maintained the values and approach that had already been instilled.
603. We heard that, over time, there were not enough young men at the site for the unit. It was discontinued in 2018 and has since been repurposed.
604. In 2012, Spring Hill Corrections Facility dedicated a wing to young men to minimise their exposure to older prisoners, and to improve their pathways and opportunities. We heard from one of the then unit managers that the site developed a range of tools and interventions to help motivate the young men in the unit, and to keep them meaningfully occupied during the day.
605. We heard that following the Spring Hill Corrections Facility riot in 2013, the overall focus at the site shifted to be more prepared for high-risk situations, and the young adult initiative was discontinued. We were told that the young men in the young adult wing were not involved in the riot.
606. The support and resources for both the Northland Region Corrections Facility and the Spring Hill Corrections Facility site-based initiatives was funded out of site or regional baseline funding.
607. In 2020, the High Impact Innovation Programme supported site-initiated projects to trial young adult units at Rimutaka Prison (named Te Ara Tauwhaiti) and Manawatū Prison (named Tū Mai) for young adults with high security classifications.
608. According to Corrections' intranet:

"The High Impact Innovation Programme (HIIP) is a cross-sector group that supports, designs, and delivers operational improvements across the justice system ranging from a person's first contact with police to their release from prison and beyond."

609. The goal for these young adult unit projects was to contribute to the reduction in the prison population by supporting parole readiness or access to bail. According to the evaluation report:

*"High Security Parole Ready sought to develop a prison environment that placed rehabilitation, self-management and whānau connection as the primary drivers for operational design, while maintaining a safe and secure environment."*¹⁴⁰

610. Both pilot sites added dedicated reintegration support roles and built connections with whānau and communities. Te Ara Tauwhaiti introduced two reintegration workers who supported and mentored the young men through their reintegration pathways into the community.
611. Tū Mai worked alongside Te Tihi o Ruahine Whānau Ora Alliance to provide whānau ora support and deliver a 12-week tikanga Māori programme called Whakatutuki Moemoeā, meaning 'to realise one's aspirations and fulfil one's dreams'. A whānau ora navigator was employed to support the young men and their whānau with their reintegration.¹⁴¹
612. The then Principal Youth Court Judge John Walker, who established the Young Adult List Court pilot in Porirua, visited Te Ara Tauwhaiti at Rimutaka Prison in late April 2021. Following this visit, he wrote to the Corrections' Chief Executive, commending this initiative (see Appendix G). He said the young adult unit aligned with his reasons for establishing the Young Adult List Court, which was to be more responsive to the unique needs and challenges of young adults. He was particularly impressed with the involvement of whānau and the work of the reintegration officers. He also noted that the young men he spoke with appreciated being in a unit away from harmful influences. In conclusion, he wrote:

*"In my view, this is a very appropriate way to deal with this vulnerable cohort and must be more effective than putting them together with mainstream and I congratulate Corrections on its establishment. I do hope this model is to be replicated elsewhere."*¹⁴²

613. The Chief Ombudsman, Peter Boshier, also acknowledged these young adult unit initiatives in his letter to the Chief Inspector dated 9 May 2024. He wrote:

"In my OPCAT examinations, I have seen various examples of where this is done well and have encouraged Corrections to apply these learnings and initiatives to other sites.

For example, during my 2021 visit to Manawatū Prison, I observed the Tū Mai Unit and its positive impact on this group. I noted the reported success of the Whakatutuki Moemoeā programme in particular, and encouraged Corrections to consider how this could be implemented more widely.

Corrections said it was considering expanding similar initiatives in other locations as part of its wider Hōkai Rangi initiatives. It provided a number of examples, including work where the Youth Team was beginning 'to explore operating models for the management of young adults under 25 years outside of youth/young adult spaces', drawing on learnings from Tū Mai, the existing youth units, and Te Ara Tauwhaiti at Rimutaka."

614. The High Impact Innovation Programme conducted an early evaluation of these two pilot projects. It acknowledged that neither project had time to be fully implemented at the time of the evaluation. However, the quantitative evaluation found that the young men in the young adult units were able to achieve parole earlier in their sentence, and *"increased and faster access*

¹⁴⁰ High Impact Innovation Programme (2021) *High Security Parole Ready Pilot Evaluation*.

¹⁴¹ High Impact Innovation Programme (2021) *High Security Parole Ready Pilot Evaluation*.

¹⁴² Letter from former Principal Youth Court Judge, John Walker, to the Chief Executive of Corrections, dated 3 May 2021.

to treatment programmes; and complied well with their Parole conditions and did not re-offend on Parole.”¹⁴³

615. The qualitative evaluation for these projects identified the following key benefits:
- having the right people involved
 - establishing the right environment (Tū Mai and Te Ara Tauwhaiti Units)
 - opportunities for growth
 - whānau involvement¹⁴⁴
616. Funding from the High Impact Innovation Programme ended before the young adult unit pilot initiatives could be fully implemented.
617. During our thematic inspection, we heard from some staff at Rimutaka Prison that the region decided not to continue funding the initiative due to concerns about the high number of incidents. However, a review of the project evaluation did not support these concerns and showed there had been attempts to continue the project, but funding was not extended beyond the pilot stage.
618. Despite endorsement from the then Principal Youth Court Judge and the Chief Ombudsman, as well as the positive feedback from staff who worked in these units, the young men and their family and whānau, Corrections discontinued these young adult unit pilot initiatives. Some staff expressed their disappointment at the closure of these units:

“Staff were passionate about the unit. It was disappointing how we closed the unit. We did not get to close it properly. Staff worked with the psychologist and the rest of the team, trying to integrate the boys into mainstream, but that is not what happened, and the incident rate went up.” [Staff member at Rimutaka Prison who worked in Te Ara Tauwhaiti young adult unit]

“We used to have Tū Mai Unit. Back then we saw a need for young men coming into the site and being placed in units with gangs. They came out with tattoos and patches. We had to work out a way to stop this. We tried to keep Tū Mai going but could no longer get funding. Iwi were angry that it stopped.” [Manager at Manawatū Prison]

619. The young adult unit pilots helped provide additional placement options for young men, who were not in youth units, that were better suited to their needs separated from the main adult units.
620. Graph 15, below, shows the unit placements of young men aged 20- to 24-year-olds across the prison network during our thematic inspection.¹⁴⁵

Placement options for young women under 25 years

621. As noted previously, there are no dedicated youth units for females under 18 years sentenced to imprisonment, or for 17-year-old females on remand considered an unmanageable risk to another young person in a Youth Justice residence.
622. Since the legislation changes in 2019, there have been no females under 18 who have required a transfer to a Corrections’ facility. That said, it is not clear where they would be placed if they were to be escalated into Corrections’ custody.

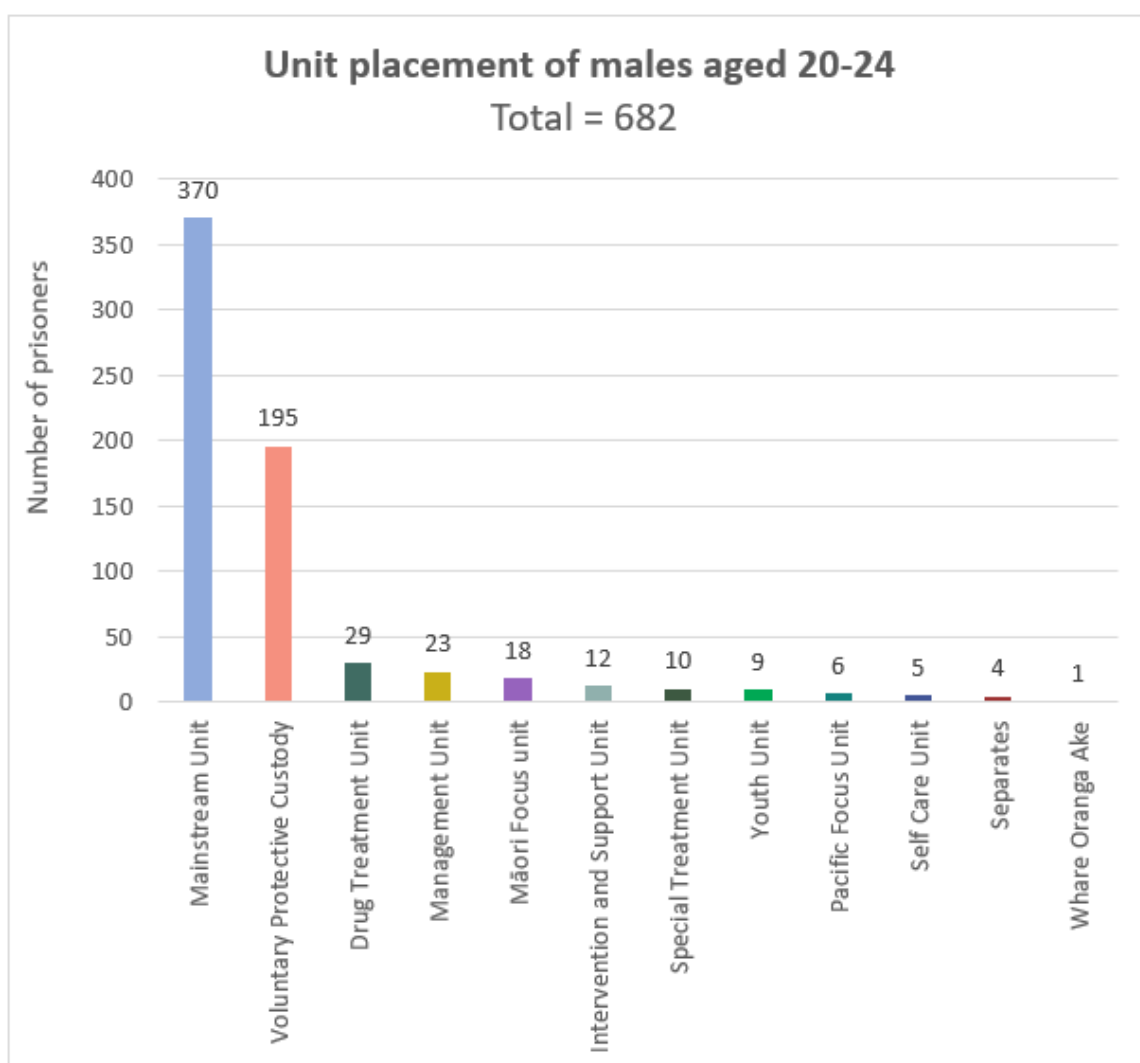
¹⁴³ High Impact Innovation Programme (2021) *High Security Parole Ready Pilot Evaluation*.

¹⁴⁴ High Impact Innovation Programme (2021) *High Security Parole Ready Pilot Evaluation*.

¹⁴⁵ Youth units include some young men after they turn 20 if they are considered particularly vulnerable to be placed with older prisoners.

623. Corrections has the discretion to designate any unit or cell as a youth unit. However, this does not seem to meet the intent of the legislation.
624. Unlike the youth units in the men's prisons, there were no dedicated spaces for vulnerable young women under 20 years at any of the women's prisons during our site visits. The reason for this is because the number of women under 20 in prison is generally low. On average during the time of our inspection, there were fewer than five young women under 20 years at any time, with the maximum number reaching nine.
625. We found that the most vulnerable young women under 20 years were placed in the Intervention and Support Unit.

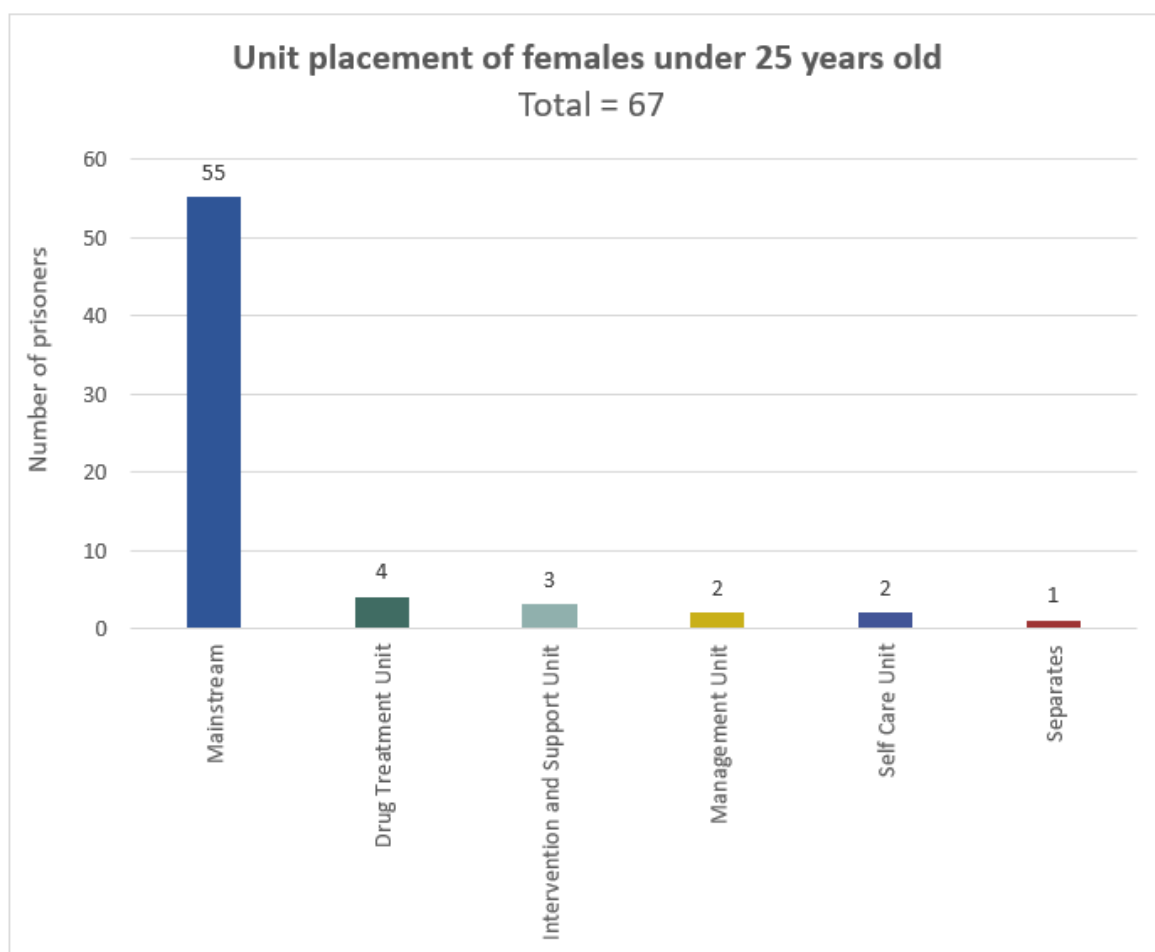
Graph 15



626. There are also no dedicated placement options for young women under 25 years. As shown in the graph below, young women under 25 years are placed in units across the three women's prisons, with 55 out of 67 women under 25 years old placed in mainstream units.
627. Some young women told us that having dedicated units for young women could be beneficial. However, most of the young women we spoke with were more concerned with finding ways to protect more vulnerable women than having dedicated spaces for younger women. One young woman told us that staff need to better understand who is mixing in units as *"some are vulnerable, and some are high ranked"*.

628. During our thematic inspection, we found that the APYA was not completed for young women under 25 years. We heard the reason for this was because most staff thought the APYA was focused on consideration for placement in a youth unit, and therefore it did not apply to young women.
629. However, the APYA is a holistic assessment designed to gather information to determine the most suitable placement for any young adult throughout their time in Corrections' custody. Given that it is a living document that contains important information about young adults, arguably it would be useful if APYAs were also completed for all young women in prison.

Graph 16



Advice to Corrections on custodial placement options for young people and young adults

630. Between May 2020 and March 2023, the Youth Team provided advice to Corrections Services Leadership Team (led by the National Commissioner) on four occasions outlining placement needs, options and recommendations for young people and young adults in Corrections' custody following the 2019 legislation changes.
631. This advice from the Youth Team included information about locations with the highest demand for young adult placements, and two literature reviews on environments and approaches for young adults in custody that could help to improve their experiences, pathways and outcomes.

632. In July 2020, the Youth Team facilitated a workshop with key stakeholders from across Corrections' National Office and prisons, as requested by the Corrections Services Leadership Team, to contribute to the advice on placement options for under 25-year-olds based on their areas of expertise.
633. The two literature reviews completed by the Youth Team for the Corrections Services Leadership Team over the past five years identified some promising practices emerging in other jurisdictions. These included:
- small facilities and group sizes with less institutional and more 'home-like' environments
 - higher staff ratios, with regular staff interaction, oversight and engagement that create a sense of safety
 - limiting isolation and segregation
 - sufficient space, especially outdoor green spaces for exercise
 - access to rehabilitation, reintegration and meaningful activities that support health and wellbeing
 - access to mentors and social supports, including family and people with lived experience of the prison system, and how to overcome similar challenges
 - multidisciplinary teams and access to specialist support, especially for mental health and trauma needs
 - staff with the right skills, training and interest to work with young adults¹⁴⁶
634. These insights from the literature are consistent with some of the benefits identified through the evaluation undertaken by the High Impact Innovation Programme of both Tū Mai and Te Ara Tauwhaiti following the pilot.¹⁴⁷
635. Despite this advice on placement options and approaches for young adults in Corrections' custody since 2020, at the time of our thematic inspection, we did not hear of any formal plans to progress dedicated placement options for young adults under 25 years in Corrections' custody.

Overview of the range of prison environments across Corrections' prison network

636. As noted, young adults under 25 years can be placed at any site in any unit across the prison network. Placement decisions usually depend on APYAs, sentence status (meaning whether someone has been remanded in custody or is serving a sentence of imprisonment), security classification and prison discipline as well as rehabilitation and reintegration pathways.
637. The section below includes an overview of Corrections' security classification system, as well as a description of the range of prison environments where young adults can be placed in Corrections' custody.
638. The Office of the Inspectorate has conducted prison inspections since 2017. The reports of these inspections (available on the Office of the Inspectorate website) give detailed descriptions of types of prison units. The descriptions in the following section provide an overview. All cells typically are furnished with a bed, desk and chair, toilet and basin, and a television. Many have a shower in the cell, and many are shared occupancy. Intervention and Support Units are

¹⁴⁶ Literature review in report to CSLT titled *Management of youth in custody*, 16 March 2023, from the Corrections Youth Team (now Young Adult Team).

¹⁴⁷ High Impact Innovation Programme (2021). *High Security Parole Ready Pilot Evaluation*.

specialist units where prisoners who are assessed as being at risk of suicide or self-harm can stay for a limited time.

639. In July 2024, the Office of the Inspectorate released updated *Inspection Standards* which guide inspectors to deliver independent and objective assessments of the treatment and conditions of prisoners in New Zealand. The *Inspection Standards* were originally developed in 2019, and were reviewed to ensure they remained responsive to the needs of New Zealand prisoners and reflected the latest United Nations and other guidance on the standards of care for prisons and prison conditions. These updated *Inspection Standards* now contain specific standards for young people under 18 and prisoners under 25.

Security Classification

640. According to Section 47 of the Corrections Act:

"The chief executive must ensure that every prisoner who is subject to a sentence of imprisonment for a term exceeding 3 months is assigned a security classification that reflects the level of risk posed by that prisoner while inside or outside prison, including the risk of escape and the risk that escape would pose to the public.

(3) The security classification of each prisoner must—

(a) be undertaken and reviewed in the prescribed manner; and

(b) be reviewed—

(i) at least once in every 6 months, unless an exemption from this requirement is prescribed; or

(ii) whenever there is a significant change in the prisoner's circumstances."¹⁴⁸

641. Corrections has established categories for security classifications. These categories are, from highest to lowest: maximum security, high security, low-medium security, low security and minimum security.
642. Corrections operates a points system to recommend a security classification for a prisoner. This is then either approved by a prison manager or the prison manager is able to assign a different security classification if this is appropriate. The higher the security classification, the greater the level of supervision compared with low or minimum security classifications.
643. Corrections' security classification system includes additional points for anyone under the age of 25 years old because they are deemed to be a greater risk of escape at this age in general, rather than considering the evidence of this risk on a case-by-case basis. These automatic additional points can make it hard for some young adults to reduce their classification and access more meaningful rehabilitation and reintegration pathways and supports, especially if they already have a high number of points.
644. The security classification system does not apply to prisoners on custodial remand. In general, remand prisoners are placed in high security units. We were told that this is because their risk in prison is unknown, and therefore they are placed in a high security environment until their risk has been determined.
645. Given the increasing percentage of remand prisoners, Corrections introduced a Remand Management Tool which allows staff to assess whether a remand prisoner requires a high (RMT1) or low (RMT2) level of supervision. Remand prisoners assessed as RMT2 may be placed

¹⁴⁸ Corrections Act 2004.

in lower security remand units. There is no requirement for sites to complete the Remand Management Tool.

646. Many young adults we met did not fully understand the security classification system, how it worked or what was expected of them to lower their security classification and progress in their sentence:

"I've been asking about security classification and who the custodial officer is so that I can get my class down, but no follow through, no engagement. I don't know what to do to get my class reduced, apart from stay out of trouble, but I want answers." [Young man]

"Staff have talked about what it means – stay under the radar to keep low. Not to get bad case notes." [Young man]

"I could have been a lower class by now if helped. If good for three months you get an event based reclass, but they won't do it. I've been good for months and not reclassified – they're not explaining why it still comes back high. How are you supposed to change if you don't know?" [Young man]

647. The Chair of the New Zealand Parole Board, Sir Ron Young, shared with us that while the number of young men and women under 25 years old appearing before the Parole Board had dropped in recent years, he has found several obstacles in the system that affect their progress.
648. One of the main obstacles he referenced was security classification. Sir Ron told us that security classification often gets in the way of programme eligibility, with limited discretion to conduct reviews before the standard six month review period.
649. While the legislation requires security classifications to be reviewed at least every six months, given the age and stage of development of young adults, six months can be a long time for them to remain motivated in a higher security environment.
650. It would be arguably preferable to reduce the intervals between security classification reviews for young adults under 25 years to a maximum of three-monthly reviews, along with clear goals to motivate them as well as support and opportunities to demonstrate improved behaviour to help lower their security classification.

Maximum security units

651. Maximum security units house prisoners who have been classified as maximum and high security. Other prisoners, including remand prisoners, may also be accommodated in these units.
652. Male prisoners assessed as maximum security must be transferred to Auckland Prison, although there may be occasions when they will be held at other sites for a period of time, usually for court proceedings where they are required to appear in person. Female prisoners classified as maximum security are placed in the management unit at Auckland Region Women's Corrections Facility.
653. Maximum security units normally have a communal recreation area and exercise yard which contains exercise equipment, namely pull-up bars, and some have basketball hoops.
654. All cells are single occupancy.
655. In 2018, with the support of the then Deputy Chief Executive Service Development Jo Field, the Principal Advisor – Youth provided advice to Corrections' Executive Leadership Team on approaches to young adults in custody classified as maximum security that could help them reduce their classification and progress with their sentence. This advice focused on under 20-year-olds, but included recommendations for young adults under 25 years.

656. Table 5 below outlines the recommendations based on this advice and the Executive Leadership Team's response to the recommendations.¹⁴⁹

Table 5

a)	Approved the policy that no-one under 18 years old would be placed in a maximum security facility.
b)	Approved a multidisciplinary approach to the assessment and decision making for youth under 20 years identified as maximum security, with final sign-off from the Chief Custodial Officer.
c)	Approved the policy that any placement of people aged 18 or 19 years old in a maximum security facility would be a matter of last resource after all other feasible options had been explored or exhausted.
d)	Approved an increase in the frequency of classification reviews from 6-monthly for youth under 20 years in a maximum security facility, triggered by positive sustained progress where relevant, based on progression against key sentence management goals and an absence of negative incidents.
e)	Approved continued oversight by the National High and Complex Needs Panel of transfers for youth under 20 years following a classification review from maximum security.
f)	Agreed that maximum security facilities for youth should provide a therapeutic environment with structured day activities and access to a range of interventions, implemented by Principal Case Managers and supported by the Prison Director.
g)	Agreed that the Regional Director Practice Development would provide oversight over progress against plans for youth assessed as maximum security.
h)	Agreed to explore options for a maximum security youth unit based at Auckland Prison, prioritising 18 and 19-year-olds. This unit would include youth aged under 25 (using the Test of Best Interests if there are not sufficient numbers of younger men) and also a small number of older people in prison who are able to provide a balance in the unit as well as support to the youth. These placements would be reviewed on a regular basis by the National High and Complex Needs Panel.
i)	Noted that a maximum security youth unit would need to be appropriately resourced, based on the funding proposal provided, to provide a structured day and a therapeutic environment consisting of rehabilitation, education, cultural activities, and reintegration support. This would also include training for staff to work effectively with this cohort of high-risk youth.
j)	Noted that a proposal would be presented to ELT for consideration, setting out the options and resourcing requirements for a maximum security youth unit.

¹⁴⁹ Executive Leadership Team record of meeting decisions, 11 September 2018.

657. We were told that after this advice, the then Prison Director of Auckland Prison allocated a unit in the newly built maximum security facility for young adults classified as maximum security to keep some of them apart from Corrections' highest risk adult prisoners. However, at the time, there was no additional funding or resourcing from National Office to respond to the additional recommendations.
658. Staff at Auckland Prison told us that this option could not be sustained given increased prison population pressures and changing demands:

"Unit 13 was supposed to be a youth wing. It did start as a youth wing where youth were housed together and mixing. But population dictates the makeup of the unit and Unit 13 had a large remand population." [Youth Champion – Auckland Prison]

659. During our thematic inspection, we heard that Auckland Prison holds regular multidisciplinary team meetings to discuss the risks, needs, supports and pathways for young men in maximum security. This includes case managers, psychologists, custodial staff and staff from the Intervention and Support Team at the site. Staff from the Young Adult Team attend these meetings to provide support and advice. We were told by staff from the Intervention and Support Team that *"the process varies widely in terms of success"*.
660. Given the restrictions at the site, and the staff shortages in the maximum security units at Auckland Prison to enable regular access to programmes and interventions, especially since the Covid-19 pandemic, it has proven difficult for young men to reduce their security classification or be successfully released into the community.
661. During the time of our thematic inspection, some maximum security young adults in their mid-twenties had been first classified as maximum security when they were 18 or 19 years old. Some who had reduced their security classification struggled in high security environments having spent a prolonged period in maximum security. As a consequence, for some, as a result of incidents, they were reclassified as maximum security, and returned to a maximum security unit.
662. Some who had been released to the community, directly from a maximum security unit, at the end of their sentence returned to prison following charges and convictions for very serious offending in the community, and were placed back in maximum security units on their return.
663. On average there were approximately 40 young adults in maximum security units during our thematic inspection. According to the Prison Operations Manual, staff are advised to contact Corrections' Youth Team when considering assigning a maximum security classification for a young person or young adult aged from 18 to 24 years.¹⁵⁰
664. One young man told us:

"I avoided maxi at 19. I was overridden and sent to Rimutaka instead. My whole direction could have been a lot worse." [Young man]

Prisoners of Extreme Risk Unit

665. The Prisoners of Extreme Risk Unit (PERU) is located in Auckland Prison across two wings of Unit 10. Established in 2019, the PERU houses prisoners who have been assessed by the Persons of Extreme Risk Directorate (PERD) as *"the national population of prisoners identified as presenting extreme risks who require specialised and bespoke custodial management"*.¹⁵¹ Both sentenced and remand prisoners can be accommodated in this unit.

¹⁵⁰ Prison Operations Manual. M.02.06 Maximum Security Classification.

¹⁵¹ Operating Model: Prisoners of Extreme Risk Unit, Version 3.1, dated 27 February 2023.

- 666. The Office of the Inspectorate conducted an announced inspection of the PERU from 24 July to 27 July 2023. At the time of writing this thematic inspection report, the PERU inspection report had not yet been published.
- 667. The regime in the PERU at the time of our July 2023 inspection was highly restrictive, with little opportunity for most of the men to spend time anywhere other than alone in their cells or in the small concrete exercise yards attached to their cells.
- 668. Each cell has an attached individual yard for exercise and the unit is self-contained with a communal recreation area, larger exercise yard, dedicated learning and activity spaces, a health consultation and treatment room, and shared staff areas.
- 669. All cells in the PERU are designated as single occupancy.
- 670. During the time of our thematic inspection, there were up to three young men in the PERU. One was released to the community at his sentence release date, and two turned 25 years old and are still residing in the unit. The young man released into the community at his sentence release date had spent two years and two months in the PERU prior to release.
- 671. As with young adults in maximum security units, regular multidisciplinary team meetings are held in the PERU to identify risks, mitigations and interventions, although it is very difficult for prisoners to progress with their sentences given the level of restriction in this unit.

High security

- 672. High security units house sentenced prisoners who have been classified as high security using the security classification guidelines, and remand prisoners who have been assessed as RMT1 using the Remand Management Tool (or if the Remand Management Tool has not been completed).
- 673. These are usually the first units that prisoners are placed in when arriving at prison, before being placed in other units or, in some cases, other prisons.
- 674. Staffing levels in high security units are generally higher due to the security classification and mix of prisoners. Many prisoners will be limited to activities within the unit, although there may be opportunities for access to education and programmes outside the unit depending on risk assessment and scheduling.
- 675. All cells have a toilet, and some cells have a shower. For cells without a shower, prisoners use communal showers inside the unit or in the yard. Cells can be single occupancy or double bunked (see Image 5).
- 676. Units normally have a communal recreation area and exercise yard which contains some exercise equipment, namely pull-up bars, and some have basketball hoops (see Image 6).
- 677. Time out of cell in high security units varies and may be limited due to restrictions around the number of prisoners who are able to mix within the unit.

Low security

- 678. Low security units house sentenced prisoners who have been classified as minimum, low or low-medium risk using the security classification guidelines, and remand prisoners who have been assessed as RMT2 using the Remand Management Tool. Styles of units vary and range from modular units designed to high security standards, or 'hut' style accommodation.
- 679. Modular units consist of 60 or 61-bed wings and include internal and external courtyards; dedicated learning and activity spaces; a health, treatment and medication room; and shared staff areas (see Image 7).
- 680. Generally, prisoners will be placed in a low security unit from another unit within the prison or following transfer from another prison if they meet the criteria for the unit. These units also include the cultural focus units, and certain special treatment units where prisoners are required to meet and maintain specific expected behaviours.

- 681. Staffing levels in low security units are lower than in high security units due to the security classification and mix of prisoners. Many prisoners will be engaged in activities, programmes and work both within and outside of the unit depending on risk assessment and scheduling.
- 682. All cells have a toilet, and some cells have a shower. For cells without a shower, prisoners use communal showers inside the unit or in the yard. Cells can be single occupancy or double bunked.
- 683. Units will normally have a communal recreation area and exercise yard with some exercise equipment, namely pull-up bars, and some have basketball hoops. Some have extensive outdoor areas with grass, which are used for a variety of activities.
- 684. Time out of cell in low security units varies and is generally more than for high security units.

Management units

- 685. Management units are designated units where prisoners are temporarily placed whilst on directed segregation. Most cells in management units are similar to those in mainstream units,¹⁵² and most have a television.
- 686. In some units, each cell has an individual yard for exercise attached to it, although other units have an exercise yard where prisoners may exercise together depending on the nature of their segregation direction and management plan.
- 687. These exercise yards may have limited exercise equipment, namely pull-up bars. At one site, showers for segregated prisoners were in small yards attached to the rear of the cells and the prisoners showered outside.
- 688. Cells are all single occupancy and segregated prisoners typically spend up to 23 hours a day in their cells. They are therefore more likely to be negatively affected by the limited sensory stimulation and lack of human contact while they are segregated in their cells.

Self-care units

- 689. Self-care units are residential, flatting style accommodation designed primarily for prisoners who are nearing release and have reintegrative needs that will be met by placement in a self-care unit.
- 690. Internal self-care units are located within the secure perimeter of the prison, usually close to the gatehouse or the single point of entry and visits area. External self-care units are located outside the secure perimeter of the prison. External self-care units are normally located apart from the main prison complex, while being sufficiently close to ensure they can be supported from the prison.
- 691. Most self-care units accommodate between four and six people per house, each with their own bedroom.
- 692. All prisoners who are placed in a self-care unit will have been assessed for both eligibility and suitability before being placed in the unit. Generally, prisoners will be placed in self-care following progression through their sentence from another unit within the prison or following transfer from another prison.
- 693. Staffing levels in self-care units are lower than low security units due to the mix of prisoners. Many prisoners will be engaged in activities, programmes and work outside of the unit for much of the day, depending on risk assessment and scheduling.
- 694. Units will normally have communal recreation areas, an exercise area which contain some exercise equipment, and green spaces.

¹⁵² Information about management units is taken from the Inspectorate thematic report: *Separation and Isolation: Prisoners who have been kept apart from the prison population* (June 2023).

- 695. Time out of cell within self-care units is generally more than for low security units as many prisoners are engaged in activities through the day.
- 696. The open, shared accommodation assists prisoners to develop the necessary living skills (budgeting, cooking and cleaning) required for a successful reintegration into the community.

Intervention and Support Units

- 697. Intervention and Support Units are specialist units where prisoners who are assessed as being at risk of suicide or self-harm can stay for a limited time. Intervention and Support Unit cells minimise any risk of self-harm, including having cameras to allow for constant monitoring¹⁵³ and removing possible ligature points.
- 698. Some prisoners may be placed in Intervention and Support Units while they await transfer to an in-patient mental health facility.
- 699. Intervention and Support Units may also house people who are not assessed as being at risk of self-harm, but who have been identified as particularly vulnerable due to their age or who have a physical health condition that requires closer monitoring by health staff. These people may be neurodiverse or have cognitive or intellectual disabilities which may be more complex to manage in a mainstream unit.
- 700. Staffing levels in Intervention and Support Units are higher than mainstream units due to the complex and challenging nature and mix of prisoners located in these units. Custodial staff are generally supported by clinical staff and, at some sites, members of the Intervention and Support Practice Team.
- 701. All Intervention and Support Unit cells are single occupancy and prisoners are assessed to determine risk of self-harm while they are in the unit. This includes any risk related to items such as clothing, writing materials and cutlery.
- 702. Units will normally have a communal recreation area and exercise yards, which contain risk assessed equipment.
- 703. Time out of cell in an Intervention and Support Unit varies and is generally managed on an individual basis in line with a prisoner's management plan, as prisoners will receive specialised and sometimes intensive care to support them to return to their mainstream unit.

Mothers with Babies Units

- 704. Mothers with Babies Units are self-care, residential flatting style accommodation designed to provide a safe and supportive environment for mothers and their babies up to the age of 24 months (see Image 8).
- 705. Each women's prison has a Mothers with Babies Unit, and a Kaupapa Māori parenting support service provides additional support for mothers.
- 706. During our thematic inspection we reviewed the records of a random sample of 30 young women under 20 years in prison. Of the 30 young women, 12 were mothers.
- 707. From June 2018 until June 2023, eight women under 25 years have been accommodated in Mothers with Babies Units. During this time, the maximum number of young women at any one time has been two. The minimum length of stay for a young woman in a Mothers with Babies Unit was one month and the maximum was 14 months.
- 708. While young mothers we met in the Mothers with Babies Unit appreciated the opportunity to live in these units with their children, they did not always feel well supported in their efforts to

¹⁵³ After concerns were raised by the Chief Ombudsman, we were told by inspectors that images from cameras have been pixelated around toilet facilities.

be good mothers. One mother told us she felt, “*they are making baby suffer because mum is a prisoner*”.

- 709. Young women in the Mothers with Babies Units told us they do not feel like they are adequately prepared for transition out of the unit when their baby turns two and leaves the prison.
- 710. Support is available for pregnant women in prison, including from social workers and midwives who help young women prepare for motherhood, irrespective of whether they are placed in a Mothers with Babies Unit:

“The midwife has been good and helpful and given me useful information about pregnancy and what to expect. I only saw the social worker to fill out the forms for the Mothers with Babies Unit but didn’t hear back.” [Young woman at Auckland Region Women’s Corrections Facility]

- 711. The Office of the Inspectorate examined the issue of mothers in prison more fully in its thematic report, *Mothers and Babies: Prison management of pregnant women and mothers of infants*, published September 2023.¹⁵⁴

Summary

- 712. Including 17-year-olds in the Youth Justice jurisdiction in July 2019 presented an opportunity for Corrections to extend youth unit placements to more young adults otherwise placed in mainstream placements.
- 713. The Corrections’ Young Adult Framework also provided guidance for Corrections to re-imagine placement options for all young adults outside of youth units that are more responsive to their unique developing needs. This included guidance on placement considerations for young women.
- 714. Corrections created the more holistic Assessment for the Placement of Young Adults in part to enable this. However, it has taken time for this assessment approach to be implemented, and it was still not well understood or applied at the time of our thematic inspection.
- 715. Despite having a dedicated placement assessment for young adults intended to take into consideration their needs and circumstances, this assessment was not being completed as required and young adults were not moved to suitable placements in a timely way.
- 716. It was not clear how youth unit placement decisions were being made for anyone over 18 years old, with the majority remaining in mainstream environments with adults, despite vacancies in the youth units.
- 717. We were told about the challenge of prioritising placements for very high-risk young people with complex needs in youth units alongside the most vulnerable young adults. We found there were limited suitable placement options available to young people when they present a significant risk of harm to others in the youth unit, that still meet Corrections’ obligations under the United Nations Convention on the Rights of the Child and its Child Protection Policy.
- 718. The closure of the Hawkes Bay Regional Prison Youth Unit following the serious disorder event in 2022, as well as the young adult pilot units at Rimutaka Prison and Manawatū Prison, significantly limited suitable placement options for young people and young adults in Corrections’ custody, even with the addition of the temporary youth unit wing at Manawatū Prison. Despite the insufficient youth unit or young adult placement options in Corrections’ youth units, the placement options were still under-utilised.

¹⁵⁴ https://inspectorate.corrections.govt.nz/__data/assets/pdf_file/0006/50487/FINAL_Inspectorate_thematic_report_-_Mothers_and_Babies.pdf

719. We found that efforts to create more responsive environments for young adults were typically site driven based on staff concerns for the safety and wellbeing of young adults in mainstream units. These initiatives had limited resources, and lacked support, leadership and dedicated investment to enable them to reach their potential, even when they showed promising initial results.
720. We found that most young adults were placed in environments that did not consider their needs or circumstances and, for many, the environments they were placed in can be harmful to their development and limit their chances of successful rehabilitation and reintegration.
721. We acknowledge that some of these initiatives were affected by the impact of Corrections' Covid-19 pandemic response, which corresponded with their implementation.
722. Nevertheless, we found that Corrections has the tools, knowledge and expertise to progress and continue to improve these initiatives with the right support, resources and investment.

Recommendations

Placement

8. Corrections must provide tailored placement options across the prison network, in dedicated units or wings with access to open green spaces. These must be well resourced, with staff trained in working with young people and young adults supported by multidisciplinary teams at each site with the skills to respond to the needs of those under 25 years. The focus of these units or wings must be on building positive, trusting relationships to improve behaviour management supporting transition safely to the community and adulthood, minimising the risk of reoffending.
9. Corrections must ensure that a holistic assessment is completed to determine the most suitable placement for young people and young adults, including young women, taking into account their individual needs and circumstances. Placement assessments should be uploaded to IOMS in a timely way. Assessments must be regularly reviewed and updated whenever there is a change in circumstances. Staff should refer to the assessments during their interactions with young people and young adults.

Areas for consideration

Placement

1. Corrections should consider identifying a single point of contact to coordinate joint processes with Oranga Tamariki for any young person under 18 years being considered for placement in Corrections' custody and to coordinate movements for all young people and young adults across the prison network.

Rehabilitation and reintegration

24. Corrections should consider how to improve the access of young mothers to Mothers with Babies units, and to utilise these spaces to teach them the skills needed when they return to the community.

Maintaining good order

723. In general, young people and young adults in Correction's custody are subject to the same disciplinary policies and procedures as adults. There are some considerations for young people in youth units, mostly related to the requirement to keep them separate from adults.
724. These policies and procedures and how they are applied to young people and young adults are discussed below.

Discipline

725. Prisons are required to maintain good discipline and order through effective supervision, communication and disciplinary procedures. Offences against discipline are outlined in the legislation, with guidance on the conduct process described in the Prison Operations Manual.¹⁵⁵
726. Offences against discipline committed by a prisoner can result in a misconduct charge. Disciplinary action must be well documented by staff, and disciplinary hearings must comply with statutory and regulatory requirements.¹⁵⁶
727. If a prisoner is charged with an offence against discipline and the charge is proved, a hearing adjudicator or Visiting Justice may impose one or more penalties. Penalties include forfeiture or postponement of privileges for up to 28 days, forfeiture of earnings for up to seven days, or confinement in a cell for up to seven days.¹⁵⁷
728. As part of this thematic inspection, we considered misconducts for young adults under 25 years for a six-month review period, 1 June to 30 November 2023. We noted that across the 18 sites, 581 young adults generated 1,325 misconducts. For the same period there were 9,426 misconducts for all other prisoners, meaning that young adults under 25 accounted for 12% of all misconducts. During this period, young adults averaged 9.3% of the prisoner population.
729. Many of the young adults we spoke with told us they felt that often they were placed on misconducts for behaviours such as wearing a hat or beanie indoors, wearing sunglasses or no shirt outside their cell.
730. Many young adults told us misconducts for what they considered to be minor matters can prevent their sentence progression. They told us they felt there was no flexibility or tolerance around these rules, and staff did not take into account what they viewed as normal behaviour for their age.

Use of force

731. Staff may use force in response to an incident at a prison. Section 83 of the Corrections Act states that physical force can only be used in prescribed circumstances and if reasonably necessary. Corrections' policy outlines the circumstances in which force may be needed and what intervention should be deployed.
732. Staff may use force only if they believe it is reasonably necessary in self-defence or the defence of another person, to protect the prisoner from injury, if a prisoner is escaping or attempting to

¹⁵⁵ Corrections Act 2004, Section 128-140. POM MC.01.

¹⁵⁶ Prosecutors are staff trained to charge prisoners with an offence and who have responsibility for proving that charge. Hearing adjudicators have the power to hear complaints relating to offences against discipline alleged to have been committed by a prisoner.

¹⁵⁷ Corrections Act 2004, Section 133. Corrections Regulations 2005, Regulation 158.

escape, to prevent damage to any property or resisting a lawful order.¹⁵⁸ Uses of force are categorised as 'planned' or 'spontaneous'.

- 733. There are no separate processes for use of force involving young people and young adults.
- 734. All uses of force must be logged in a use of force register. Details of the incidents must be recorded in the register, including specific elements as outlined in the policy. A use of force review must be conducted. A member of the health team (usually a nurse) must assess the prisoner after every use of force.
- 735. As part of this thematic inspection, we reviewed Corrections' data in relation to use of force incidents for a six-month review period, between 1 June and 30 November 2023.¹⁵⁹
- 736. For this period, Corrections' data identified use of force was recorded 282 times for young adults. Of these, 256 incidents were spontaneous and 26 were planned. Use of force was recorded 46 times for 18–19 years olds (22 spontaneous and four planned).
- 737. One hundred uses of pepper spray were recorded as part of use of force incidents for under 25-year-olds. This included use of pepper spray as part of four planned uses of force. In 59 incidents, pepper spray was drawn but not used.
- 738. The remaining incidents where use of force had been recorded for under 25-year-olds included 59 of 'guiding holds', such as a hand placed on a person's elbow to guide them, and seven of de-escalation.
- 739. During the review period, force was used with under 25-year-olds at all but one of the 18 sites.
- 740. We conducted a review of documentation and CCTV and body-worn camera footage for 31 incidents across the 17 sites where force was used.
- 741. From our review of these 31 incidents, we identified specific concerns with 10 incidents of use of force, which we referred to the sites for further review and confirmation regarding follow-up actions.
- 742. We identified inconsistencies in the standard of the use of force documentation across sites. This included the quality of the post incident review, including what led to the incident, whether the incident was handled appropriately, and if there were any lessons or strategies that could be learnt to avoid future situations that lead to use of force.
- 743. We reviewed post incident health checks for the 31 incidents, which involved 37 prisoners. Twenty-six of the 37 prisoners were assessed by a nurse following the use of force. Eleven young prisoners were not reviewed by health staff following the use of force. Health assessments mostly took place through the cell door due to safety concerns. One of the 37 prisoners was awaiting admission to a forensic mental health in-patient facility at the time of the use of force.
- 744. We identified that at some sites, where incidents involved multiple prisoners, not all young adults were included in post incident reviews, particularly where young adults had been involved in an incident, but staff had applied guiding holds or mechanical restraints. This meant the young adult was not considered for follow-up checks or care as part of the standard practice and review.
- 745. Overall, in our review of this sample of use of force incidents, we identified several systemic issues regarding use of force generally across a number of sites. The Office of the Inspectorate is undertaking a special investigation into the use of force, on behalf of the Chief Executive, under Section 29(1)e of the Corrections Act.

¹⁵⁸ Prison Operations Manual IR.02 Incident response.

¹⁵⁹ Note, it is possible for an incident to be categorised under multiple tertiary categories and therefore be counted under each.

746. As part of this thematic inspection, we reviewed Corrections' data in relation to use of force incidents following the change in legislation for under 18-year-olds, for the period 30 June 2018 to 30 June 2023.
747. For this period, Corrections' data identified use of force was recorded 31 times for young people under 18 years. Of these, 29 use of force incidents were spontaneous and two were planned. We noted that since 2020 there had been only five spontaneous use of force incidents and one planned incident involving young people.
748. There were no recorded incidents of pepper spray being used in use of force incidents for under 18-year-olds.

Directed segregation

749. In June 2023, the Office of the Inspectorate published the thematic report *Separation and Isolation: Prisoners who have been kept apart from the prison population*. The report examined the management of prisoners who had been separated from the prison population. It found that between 1 October 2020 to 30 September 2021, 29% of the total number of individuals held in prison experienced a period when they were unable to associate with other prisoners. Many of these prisoners would likely have experienced solitary confinement, as that term is defined in the Mandela Rules.¹⁶⁰
750. Prison management can temporarily separate a prisoner from others because they pose a threat to the good order of the prison or the safety of others¹⁶¹ or for their own safety.¹⁶² Prisoners may also be separated for the purposes of medical oversight.¹⁶³ In prisons, these measures are known as 'directed segregation'.
751. Prisoners who are placed on directed segregation may be denied association with all other prisoners, or placed on restricted association where they are only permitted to associate with other prisoners with the same segregation status.
752. Corrections Regulations set out that the prison general manager or delegate must conduct daily visits to prisoners who are denied association. There is also a requirement for the health centre manager to be notified when a prisoner is denied association.
753. As part of this thematic inspection, we considered a six-month review period, between 1 June and 30 November 2023, and examined the number of young adults under 25 years of age who were on directed segregation.
754. We identified that a total of 729 young adults were subject to a total of 953 instances of directed segregation, as shown in Table 6 below.

Table 6

Type of directed segregation	Numbers of prisoners	Instances of segregation
Section 58 (1A) for security or good order	147	177

¹⁶⁰ The Mandela Rules are the United National standard minimum rules for the treatment of prisoners.

¹⁶¹ Corrections Act 2004, Section 58 (1)(a) and (1)(b), allows for segregation for the purposes of security, good order, or the safety of others. 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.

¹⁶² Corrections Act 2004, Section 59 (1)(b), allows for segregation for the purpose of protective custody. This allows Prison Directors to put a prisoner on segregation for the prisoner's own safety.

¹⁶³ Corrections Act 2004, Section 60 (1)(a) and (1)(b), allows for the segregation of prisoners for medical oversight, either for their physical or mental health.

Section 58 (1B) for the safety of others	408	587
Section 59 (1B) directed segregation for prisoner safety	73	82
Section 60 (1A) medical oversight, physical health	87	90
Section 60 (1B) medical oversight, mental health	14	17
TOTALS	729	953

755. We reviewed a sample of directed segregation documentation for 54 young adults from this review period across all sites. This included 21 young adults who had been segregated for more than 90 days.
756. From this sample, we found that for many of the young adults there was no evidence that the health centre manager had been notified when association was denied.
757. We found that some of the documentation was incomplete, contained errors and, in some cases, there was no evidence of the revocation of the segregation direction. In addition, not all segregation documentation had been appropriately approved.
758. We reviewed prisoner management plans, which provide information regarding how staff will manage a prisoner's risk and assist the prisoner's return to a mainstream unit.
759. We found that many management plans were not individualised regarding behaviours or actions that had led to the segregation, and not all management plans had been updated if the young adult remained on segregation after the initial period.
760. During our site visits, many young adults told us that staff had not explained what they needed to do while in the management unit and what they needed to do to return to a mainstream unit. We found that in many of these cases, there was no evidence that this information had been provided to the young adult.
761. For prisoners on directed segregation under Section 58(1)(A) and (B), this must be reviewed by a Visiting Justice at intervals of no more than three months. From those we sampled who would have required review by a Visiting Justice, we found there were some cases where the details of these reviews were not included in the documentation.
762. When a prisoner is placed on directed segregation, staff are required to activate an alert in the Integrated Offender Management System which indicates to other staff the segregation direction and duration. We found that for a number of the prisoners sampled, these alerts had not been de-activated when the young adults had been revoked from segregation. This could lead to them being restricted for longer periods than were approved.
763. During the site visits which took place between 15 January and 20 March 2024, there were 48 young adults under the age of 25 years on directed segregation in 11 prisons.
764. We interviewed 10 of the 48 young adults on directed segregation. Most of them told us they had received an induction into the management unit.
765. During interviews with staff and young adults on direct segregation, we were told that they were managed in the same way as adult prisoners. We found that some were handcuffed for any movements out of their cell.
766. At some sites, we heard from staff that young adults were placed on directed segregation or managed on separate regimes whilst the Assessment for the Placement of Young Adults (APYA) was completed. The time period and location for this varied across sites.
767. During our site visits, we found examples of some young adults being managed on management or behavioural plans which resembled directed segregation regimes, but without the additional oversight mechanisms. We spoke with one young adult who was managed in this

way for more than a month due to fears for his safety. He told us initially he had not been associating with other prisoners.

Restorative approaches

768. Staff have the option for a restorative approach, under the Corrections Act, to deal with minor or unintentional breaches of discipline. This is done by communicating with the prisoner about the breach and facilitating the opportunity to make amends for their action or behaviour.
769. Staff at some sites told us they try to take restorative approaches in response to incidents and misconducts. Restorative approaches aim to understand what led to the incident, to help the young adult to understand the impact of their behaviour, and work to remedy the harm.
770. We heard from young adults that there should be greater emphasis on resolving issues through discussions and other options rather than receiving a negative file note or incident report, and going through the formal misconduct process which can hinder rehabilitation progression.
771. Staff who worked with the young men in Te Ara Tauwhaiti, the temporary high security young adult unit at Rimutaka Prison, tried to integrate restorative approaches into their practice. They said in some cases it helped to de-escalate and resolve incidents.
772. Inspectors who regularly visit the temporary youth unit at Manawātū Prison have heard that staff there have also started taking restorative approaches to incidents and misconducts, rather than escalating it by laying a misconduct.
773. One of the Lived-Experience Panel members, who advocates for the justice system to take more restorative justice approaches, agrees that restorative practices in prison could be helpful for young people and young adults in custody while their brain is still developing. She said it can teach them consequential thinking and empathy, which could help to lead to a better outcome for them. She acknowledged that these approaches need time and preparation in advance to be effective for everyone.¹⁶⁴

Complaints

774. In 2021, independent reviewer Erin Judge completed a review of Corrections' complaints system with oversight from the Chief Inspector. The report, *Redesigning the Ara Poutama Complaints System: Working towards a manaakitanga approach*, proposed a redesign of the complaints resolution system to move Corrections towards a model that places the person at the centre of the issue. It highlighted key changes to improve outcomes and wellbeing, such as strengthened policy, the use of dedicated staff, and improving access to the complaints resolution system.
775. Despite the concerns and frustrations shared by young adults we spoke with, it is not common for them to make a formal complaint while in prison. If prisoners wish to make a formal complaint, they should be able to make one either electronically via a prisoner kiosk, or by completing a paper form (usually a PC.01, health, psychology and rehabilitation programmes complaints/feedback form). Prisoners should also be able to access telephones or writing materials to make complaints to other external oversight agencies, such as the Office of the Inspectorate, the Office of the Ombudsman, the Health and Disability Commissioner, and the Human Rights Commission.
776. For the period 1 June to 30 November 2023, Corrections' data recorded that young people and young adults made 998 general prisoner complaints (PC.01). Of these, 96 were made by 18- and 19-year-olds. The top three categories were prisoner requests (196 complaints), 'other' (195 complaints) and prisoner property (188 complaints). These were also the top three recorded categories of complaints for 18- and 19-year-olds, with prisoner requests (20 complaints), prisoner property (19 complaints) and 'other' (17 complaints). We have previously noted that

¹⁶⁴ Interview with Lived-Experience Panel member, 24 April 2024.

most of the complaints categorised as 'other' could have been categorised more accurately as there are sufficient categories and sub-categories in the system. For Health Services complaints for that period, 54 complaints were made by people under 24 years (including two made by 19-year-olds). The main type of health complaint was 'access to care' (59% of complaints).

777. In the same period, young adults made 50 complaints to the Office of the Inspectorate. Of these, six complaints were made by 19-year-olds. The top three categories were prisoner welfare (15 complaints), prisoner property (12 complaints) and personal and official visitors (seven complaints). Prisoner welfare and prisoner property were also the top recorded categories of complaints for 19-year-olds, with two complaints in each area.
778. Ten allegations against staff were made by young adults, which were recorded in the Allegations Against Staff database (IR.07 process).
779. Many young adults told us they either did not know how to make a complaint, they did not want to make a complaint in prison, or they were encouraged not to complain by others, including staff:

"Even if you put in a complaint, you get a black mark against your name." [Young man at Tongariro Prison]

"Complaints get thrown in the rubbish bin because of the authority. We're told not to make a complaint." [Group interview at Tongariro Prison]

Summary

780. With 581 young adults generating 1,325 misconducts during our review period, many of the young adults we spoke to felt they were placed on misconducts for what they considered to be minor matters. Further, they viewed many of the behaviours involved as normal for their age. There was concern that misconducts could prevent sentence progression.
781. Young adults also featured prominently during our review period in use of force and directed segregation statistics, with 100 under 25-year-olds pepper-sprayed as part of use of force incidents, and 729 young adults subject to directed segregation.
782. Despite these concerning statistics, we found only limited use being made of options for restorative approaches for minor or unintentional breaches of discipline. This meant that some young people and young adults in custody were potentially missing out on approaches that could be more appropriate given the age and stage of brain development.
783. In the face of concerns and frustrations shared with us by young adults across the whole area of maintaining good order, we found that it is not common for this cohort to make a complaint while in prison. Many young adults told us they either did not know how to make a complaint, they did not want to make a complaint in prison, or they were encouraged not to make a complaint by others, including staff.

Recommendation

Safety in prison

22. Corrections must consider how to encourage the wider use of restorative approaches in response to young people and young adults' behaviour which results in incidents and misconducts, to promote their understanding of the consequences of poor behaviour (including their prior offending behaviour) and to address harm to others.

Prison staff

784. Having sufficient numbers of corrections officers is essential for meeting minimum entitlements in prison, maintaining good order and ensuring that prisoners can access rehabilitation and reintegration programmes and activities, including contact with whānau and family.
785. Since the Covid-19 pandemic, there has been a high turn-over of frontline staff, especially of corrections officers. At some sites, staff shortages have resulted in extended lock-up times and reduced opportunities for meaningful staff engagement with prisoners.
786. The Office of the Inspectorate conducted a special investigation into the provision of minimum entitlements and the operating regime in units 11, 12 and 13 at Auckland Prison.¹⁶⁵ It found that, due to staff shortages, for up to nine months (until mid-July 2023), prisoners in the three units were denied their minimum entitlement to an hour of physical exercise each day, instead being largely managed on a regime where they were unlocked every second day. For 107 of these men, this regime lasted longer than 100 days, and for 24 men more than 200 days. The report was published in April 2024. Some of these men would have been aged under 25.
787. At the time of writing this report, Corrections had made significant progress with the recruitment of corrections officers and frontline staff.
788. This can be particularly challenging for young people and young adults in Corrections' custody, who generally rely on Corrections' staff to help them settle and navigate their way in prison.

Staff engagement

"Working with youth is not for everyone. You need to know how to manage them. Some staff have pulled out as they found it hard to work with youth." [Youth Unit staff member]

789. Oostermeijer, Tongun and Johns (2024) acknowledged that staff working with young people or young adults in detention facilities require a balance between 'care' and 'control'.¹⁶⁶ In their recent research into 'relational security' in youth detention facilities, they found:

"Staff are generally required to contribute to behavioural change and positive youth development, by actively engaging with young people and providing support and learning opportunities, rather than simply monitoring risk and compliance. This highlights the importance of interpersonal relationships between staff and young people and the social environment that is established within these facilities, as part of the aim of rehabilitation and treatment."

790. Young people and young adults told us about staff interactions with them. They shared some of their varied experiences when interacting with Corrections' staff across the prison network:

"There are two different staff. Some don't care, and others try hard, especially with the younger ones. It helps when some want to help. You can't respect someone who doesn't treat you with respect." [Young man]

¹⁶⁵ Report into the provision of minimum entitlements and the operating regime in units 11, 12 and 13 at Auckland Prison 1 October 2022 to 30 April 2023. Office of the Inspectorate, April 2024.

¹⁶⁶ Oostermeijer S., Tongun, P. and Johns, D. (2024) *Relational security: Balancing care and control in a youth justice detention setting in Australia*, in Children and Youth Services Review Volume 156, January 2024.

"There's a good team that's here today. They follow the routines and let you do stuff. The other team lock you up all the time. They don't engage, they just supervise." [Young man]

"There has been a change in the units that staff are rostered to. This makes it hard to create a bond and trust them. Each staff member treats the girls differently." [Young woman]

"I would go to staff, but it takes three days to reply. They brush stuff under the table." [Young man]

"They can't even answer calls to reset the showers - can't push a couple of buttons. It's a daily issue. You can't get forms for hours when you ask. They get upset with you and make it your fault." [Young man]

"Some officers here swear at us. It's quite belittling." [Young man in a group interview]

791. Young adults we spoke to felt that some staff either had 'favourites' or 'targets' in the units, which can create tension:

"In every unit there is going to be a 'teacher's pet'. There is lots of favouritism. Some people get away with a lot." [Young man]

"Some officers target people. There are double standards. They pick and choose." [Young man in a group interview]

"There are head girls in the unit and those that get picked on. Staff look the other way when this happens." [Young woman]

"Some staff will only do certain things, some staff will not do anything, and some staff have favourites. Yes, this is the case, and I know how to play this as bad behaviour is rewarded." [Young woman]

792. Several young adults told us that those who 'act up' are more likely to get attention, even if this includes harmful behaviour and escalation:

"You're more likely to get things done if you act up. You have to play up and be aggressive to get things done." [Young man in a group interview]

"Playing up gets you to where you want to be." [Young man]

793. Young adults acknowledged that some staff may not have the skills and experience to respond to their behaviour and needs:

"New officers want to do everything like they're managing high or maxi. They can be demanding, trying to be big, heroic officers. I know they are just trying to do their jobs. Here you can banter or ask questions rather than just charging or escalating." [Young man]

"They've got three staff to come and unlock for an interview but not enough staff to print off (telephone) numbers. They don't know how to work with young people. They need people to specifically work with young people." [Young man]

794. Young adults told us what type of staff presence, engagement and interactions makes a difference to them. In many cases, they named specific staff whose actions they appreciated across all frontline roles:

"A good staff member asks how your day is." [Young man]

"It would be good if staff were out and about on the unit. This would make them more personable." [Young woman]

"It would be good for staff to sit and chat once a week, to see how things are going." [Young man]

"Stop allowing other prisoners from making fun of new people. We want people to be able to make friends easier and feel comfortable when they come in." [Young man]

"Staff are friendly and helpful. We get extra food from them. They got Christmas baskets filled with canteen. Adults look after the youth." [Young man]

"Some people have not had a father role model. It's good to learn from the staff and have boundaries put in place. Staff are proactive in this unit to sort out issues." [Young man]

795. Some sites and units have regular meetings to update prisoners on what is going on in the unit or at the site, or for them to raise any questions or concerns that need consideration or to be resolved. Some units involve everyone, while other sites may have designated prisoners as spokespeople for their unit. Young adults we spoke to told us they appreciated having these opportunities:

"In the Drug Treatment Programme there was a daily meeting in the therapeutic community. It was easier to bring things up." [Young man]

"Morning hui are good – concerns are raised and you can't take it any further once it's been talked about, where as in high you take it to the cell but it becomes 'tit for tat' and it escalates." [Young man]

"There is a community board with selected spokespeople with complaints. This helped to get more training equipment, but the response depends on the interest of senior staff." [Young man in group interview]

Youth champions

796. Youth champions were introduced in 2013. They were initially selected from probation officers to better respond to the needs of young people and young adults serving community-based sentences or orders. Corrections developed a two-day, in-person training called 'Working with Youth', to provide youth champions with additional knowledge and tools to strengthen their practice and offer support to their probation colleagues.
797. The training focused on understanding adolescent and young adult brain development and how this affects attitudes and behaviours during this life-stage. It also explained the impact of adverse life experiences for young people and young adults and effective ways to respond to these challenges.
798. Interest in the youth champion role grew across Corrections, and in 2015 the two-day training was extended to staff from all frontline roles. This included case managers, practice leaders, custodial officers, programme facilitators and psychologists.

799. Extending the training to a wide range of frontline roles was part of Corrections' Youth Strategy Acceleration Project to promote exceptional engagement with a focus on youth champions. At the time, the Regional Directors for Practice Delivery¹⁶⁷ were tasked with supporting and strengthening the regional youth champion networks as part of the project.
800. Youth champions formed district and regional groups and held forums where they could come together to share experiences and good ideas, as well as learn new skills.
801. While these networks and forums slowed down due to the Covid-19 pandemic, in 2022, Corrections put effort into reinvigorating youth champion connections and activities by establishing a formal Youth Champion Network. According to Corrections' intranet:

The purpose of the Youth Champion Network is to:

- *provide a sense of togetherness, connecting staff with a shared passion*
- *raise visibility of young adults' needs, celebrating their strengths*
- *contribute to policy and practice development*
- *encourage the voice of young adults*
- *support youth champions and young adult staff in their development*
- *support participation of young adults in their pathway through the justice system*
- *provide advice and support for staff working with young adults*
- *enhance relationships with youth organisations and partner agencies*
- *informing members of what is happening in the youth space.*

Who are our members:

- *passionate and enthusiastic staff who are committed to working with young adults in a responsive way, bringing the five priorities of the young adult framework to life.*
- *staff who bring a young adult lens to all areas for their work.*
- *staff who uphold the values and pou of Hōkai Rangi in everything they do.*
- *understand the challenges young adults face in the justice and Corrections' system.*

802. We were told there are currently 53 youth champions nationally.
803. The Young Adult Team told us it remains connected to youth champions to learn about what they are experiencing on the frontline, to share examples of successful interventions and approaches and to provide relevant updates, both directly and through the Young Adult Hub.
804. Youth champions we met at one site during this thematic inspection told us that youth champion meetings and forums were regaining momentum, with some regions, such as East Coast and Otago/Southland, starting to hold regular meetings again.
805. Youth champions at one site told us they feel they have an impact when others reach out for help when working with a young person. They said:

"The team is getting more proactive now after a year of being up and running and turn up regularly. We've brought some level of awareness of additional needs and requirements. We're starting to bring their (young people and young adults) voice again."

806. We heard that not all sites were supportive of youth champion initiatives:

¹⁶⁷ These roles have since been disestablished.

"For a very brief time this youth champion group was [just] trying to do anything. There was no time allocated. We could only do stuff when we had some spare time. We were never recognised by the site as a youth champ group. Never recognised. We could have had youth in pods with the right staff and kept them away from adults. But the site didn't want that." [Group discussion with youth champions]

807. While Corrections has introduced the youth champion role and established a network of youth champions, there is no formal mandate or clear requirements for this role. This means there is no dedicated support or resourcing for youth champions that acknowledges the specialised knowledge and skills practitioners require to respond effectively to young people and young adults in the Corrections' system.

Staff training

808. In 2018, the two-day 'Working with Youth' in-person training for youth champions was discontinued and replaced with an online module called 'Making a difference with Young Adults'. Unlike the previous in-person training specifically targeting youth champions, this introductory online module was designed to give all staff basic insights into the unique needs of young people and young adults.
809. The online module uses short videos and statements from staff and young adults in the Corrections' system as well as people who had previously been in custody at a young age. It includes a similar range of topics to the 'Working with Youth' youth champion training, with reflective practice questions designed to help staff apply their learning in their day-to-day context. This online module was accessible to all staff through Corrections' Learning Hub.
810. In March 2024, custodial staff were offered a pay increase as an incentive to complete the module, which was slightly updated and renamed 'Working with Young Adults'.
811. According to Corrections' intranet, staff who were eligible for this increase were corrections officers (level 3 and above), senior corrections officers (level 4), principal corrections officers (level 4 & 5), instructors (level 3), principal instructors (level 3) and dog handlers.
812. To receive the pay increase, custodial staff must complete the 'Working with Young Adults' online skills module and a one-hour informal personal development session where they can discuss the modules and share examples from their practice.
813. Non-custodial staff, such as case managers or probation officers, can no longer access the online module since it became part of the collective agreement for custodial staff. This limits their opportunity to develop foundational skills for working with young adults. It was not clear during our thematic inspection if or when the module will be accessible to non-custodial staff again.
814. More experienced staff, such as Corrections' youth champions felt that the introductory online module does not adequately support them to advance their knowledge and skills:

"Online training was not really valuable. It's better to do face-to-face training. It should be prioritised, and time set aside for it." [Youth Champion talking about the online module]

815. In the absence of more in-depth training options from National Office for working with young adults, some sites have reached out to external agencies to deliver training to youth champions locally.

816. For example, over the past eight years, speech and language therapists from Talking Trouble Aotearoa New Zealand¹⁶⁸ have delivered training to Corrections' staff on techniques to help overcome communication barriers with young people and young adults. This has included staff at Auckland Prison working with young adults in maximum security units.
817. In 2020, Careerforce¹⁶⁹ adapted its Level 4 Apprenticeship in Youth Work to align with Corrections' organisational strategy, Hōkai Rangi, and to suit the needs of Corrections' staff working with young people and young adults, especially youth champions. According to its website, Careerforce *"supports work-based training, enabling employers to upskill their staff to achieve nationally recognised qualifications, and deliver superior outcomes across the health, wellbeing, social and community sectors."*¹⁷⁰
818. Careerforce's 21-month Apprenticeship in Youth Work can be delivered on-the-job and is designed to:
- "enable youth workers to have the skills and attitudes needed to support autonomy, identify goals, reduce vulnerability, and build resilience while enabling a young person to achieve their aspirations."*¹⁷¹
819. Careerforce states that the apprenticeship *"is well-supported and resourced with a team of Apprenticeship Advisors providing pastoral care and support."* This is a transferable qualification.
820. We heard that staff working in the young adult unit at Rimutaka, Te Ara Tauwhaiti, started this apprenticeship as a team to develop more advanced skills for working with the young men, but did not complete the programme after the unit was closed.
821. Between October and December 2023, Otago Corrections Facility organised four sessions with a senior lecturer at Otago Polytechnic about adolescent and young adult brain development, including recognising and responding to complex needs for its local youth champion network. Topics covered during these sessions were:
- youth brain development and the impact of trauma
 - mental health and addictions
 - neurodiverse youth/young people with disabilities/ fetal alcohol spectrum disorders
 - current issues/case studies/motivating young people
822. Local youth champions who attended these sessions found them valuable and provided positive feedback to the lecturer.

Summary

823. Staff capability to work effectively with young people and young adults in Corrections' custody is essential to supporting their safety, development and sentence progress. For many staff, the impulsive, and often high-risk, behaviours of young people and young adults can be confronting, especially if they do not have the knowledge and skills to understand these behaviours.

¹⁶⁸ Talking Trouble Aotearoa New Zealand are speech and language therapists who work to overcome communication barriers for children, adolescents and adults who are involved with care and protection, justice, mental health or behaviour services.

¹⁶⁹ Careerforce is a business division of Te Pūkenga, and supports workplace-based training, enabling employees to achieve nationally recognised qualifications.

¹⁷⁰ <https://www.careerforce.org.nz/qualifications/apprenticeship-in-youth-work/>

¹⁷¹ <https://www.careerforce.org.nz/qualifications/apprenticeship-in-youth-work/>

824. Corrections has taken steps to improve staff understanding of working with young people and young adults, such as providing online introductory training (recently restricted to custodial staff with the additional pay incentive).
825. Given the high and complex needs of most young people and young adults in Corrections' custody, Corrections' frontline staff require more specialised skills to respond to their needs. This includes understanding typical adolescent and young adult brain development, the impact of trauma and neurodisability, as well as skills in promoting positive youth development.
826. We found that many Corrections' staff have skills, qualifications and prior experience of working with young people and young adults, and care about improving their pathways and outcomes. Many of them are Corrections' youth champions. We heard that youth champions often try to go above and beyond their core duties to support young people and young adults in custody based on their unique developmental needs and circumstances. We heard from young people and young adults that they recognise and appreciate staff efforts, which make a difference to them in prison.
827. However, we heard that youth champions are not well-supported or resourced, and most of them wanted more in-depth training to improve their practice and effectiveness. At the time of this thematic inspection, we found that efforts to bolster youth champion training were site-based and dependent on support from prison management. There are no national expectations around the knowledge, skills or expertise to work effectively with complex young people and young adults beyond the basic introductory module for custodial staff.

Recommendation

Staff capability

24. Corrections must undertake a comprehensive gap analysis of staff capability to work effectively with young people and young adults, and develop and implement a programme of training to achieve an uplift. This should include, but not be limited to, understanding typical adolescent and young adult brain development, the impact of trauma and neurodisability and skills in promoting positive youth development. Training should not be exclusive to custodial staff.

Area for consideration

Staff capability

28. Corrections should consider updating the online learning module 'Working with Young Adults', and making it available to all staff.

Prison life for young people and young adults

"Let young people feel heard and give them a voice. Every day I need to survive to be me. It is about my mindset – it is about my emotions." [Young woman]

828. The section below captures what we heard during our site visits from young people and young adults in Corrections' custody and staff working with them about their experiences in prison. We used the Corrections' Young Adult Framework as a guide for our interviews.
829. We asked everyone we interviewed what they would do to improve experiences and outcomes for young people and young adults in prison.
830. We identified the common themes that emerged from our interviews. These are captured below and are supported by additional information from the literature and the experts we engaged with during our thematic inspection. The quotes from the interviews have been selected as examples of common themes we heard during our thematic inspection.
831. One lawyer we spoke with during the thematic inspection described prisons as *"institutionally violent"*. She said that violence is a *"well-understood mode of communication, and the easiest language"*.¹⁷²

Arriving in prison

832. Arriving in prison for the first time as a young person or young adult can be overwhelming. They are separated from family, whānau and support people in the community and are surrounded by staff and other prisoners who they have not met before, in an unfamiliar environment. They also have limited information or agency over their situation.
833. One young man told us that when he got on the vehicle to come to the prison, he *"did not know what was happening"*. He said this continued when he got to the prison, which made him *"scared and angry"*, and he *"didn't know what to expect"*. When he arrived, he said no one explained to him *"why he was being stripped searched by three staff"*.
834. Other young adults shared how they found coming into Corrections' custody confronting:

"Shock set in when I was in the receiving office - realisation that I was here in prison. I didn't get told what was going to happen, I just winged it. I had family who had been inside, and I just went off what they told me about their experience, but it's different now to back then." [Young man]

"First time in prison - it was scary for the first few weeks." [Young man]

"First time in jail. It was scary. I cried for the first two weeks. It was hard to make calls and line up with the gang members." [Young man]

"It was complicated and scary coming into prison." [Young man]

835. As explained earlier, under 18-year-olds are transferred to a Corrections' facility from an Oranga Tamariki Youth Justice residence and first placed in a Corrections' youth unit.

¹⁷² Interview with barrister Moana Cole, 1 March 2024.

836. Young adults under 20 years are initially kept apart from older prisoners to complete their APYAs to determine their most suitable placement, including whether they can be placed in a youth unit. While this is not a requirement under the United Nations Convention on the Rights of the Child, for anyone over the age of 18 years this is a precaution Corrections takes on the assumption that the young adult is vulnerable to mix with older prisoners in a mainstream environment until the APYA has been completed.
837. During our site visits, we found there is no consistent approach to keeping 18- and 19-year-olds apart from older prisoners when they arrive in prison. As noted above, some sites place young men on directed segregation with separate unlock regimes to other prisoners while undertaking their initial placement assessments, without the correct oversight required for prisoners on directed segregation.
838. Larger sites with higher numbers of young adults under 20 years old, such as Whanganui Prison (see Image 9),¹⁷³ Spring Hill Corrections Facility and Mount Eden Corrections Facility, have allocated wings within the mainstream units for under 20-year-olds while they complete the APYA process (including if the assessment deems them suitable for a youth unit, but they are awaiting court dates before transferring, for example). These units are not always exclusive to under 20-year-olds and may have separate unlock regimes for older prisoners in the unit. However, they allow for more mixing with other young men when they are unlocked.
839. One young man we spoke to told us about his experience in a unit that managed separation from adults using split unlock regimes. He said the young men were *"under pressure from adults [prisoners] to sign off from the youth placement and go over to mainstream"*.
840. Some young adults under 20 are placed in an Intervention and Support Unit when they arrive in prison. This is often because of a risk of self-harm and suicide identified during their initial screening following reception. However, at some sites we visited, we found that this was common practice while staff undertake the APYA, even if there is no evidence that the young adult is at risk of self-harm or suicide. In the absence of other initial placement options, staff at these sites consider the Intervention and Support Units to be the safest option while determining their most suitable placement in prison, even though some older prisoners in these units may be acutely unwell.
841. Some staff from the Intervention and Support Practice Teams told us they had concerns with this practice, especially if young adults are placed in stitch gowns (anti-ligature clothing) and have cameras in their cells to minimise risk of self harm. During our thematic inspection, we spoke with young adults who had recently arrived in prison and were placed in Intervention and Support Units at the time of our visit:

"It's too noisy - a lot of yelling, banging, and kicking doors. It can be frightening."
[Young man]

"I was placed in a gown with no underwear. It was very demeaning. Someone was sitting outside the cell all night for the first night." [Young man]

842. One young man told us he had not been unlocked since he arrived in the previous 24 hours. He said he had not had a shower and he wanted to make a telephone call. He told us he was *"put in a green gown, but the straps were broken"*. He said he told staff and they then put him in another gown. He said staff took his underwear off him and gave them back the next day.
843. We spoke with young women at two different sites who had been placed in the Intervention and Support Unit after arriving in prison, with their underwear taken off them. They told us they did not know how long they would remain there. While we found that staff had legitimate concerns for their wellbeing, we found that communication with them about their placement in

¹⁷³ The Inspections team raised concerns about the conditions of the wing at Whanganui Prison during their site visit.

the Intervention and Support Unit was limited. This included how long they would need to remain there, and how these decisions were made.

844. A Health Centre Manager told us he agreed that the practice of placing young adults in an Intervention and Support Unit can be challenging for them, especially being placed in gowns and having cameras in the cells. He said: *"It can be traumatising, and it is invasive"*.
845. One young man told us when he was first received, he was in the Intervention and Support Unit and then in one remand unit and eventually in the mainstream remand unit. He said that while he was in these units, he was *"assaulted twice by different prisoners"* and sent to hospital for treatment following one of these incidents. A review of Corrections' data confirmed that staff had followed up these reports, and one incident had been referred to the Police and one had been dealt with internally.
846. Young adults' understanding of the APYA process was varied. For example, one young man remembered having an assessment, but could not remember the details:

"I'm going to Linton to the Manawatū Youth Unit. I'm not sure why. No one talked about why. I did some assessment – think it was APYA. I know nothing about the Christchurch Men's Prison Youth Unit. No one has sat down to talk about how it works. I just assume that's how it is. It would be good to have someone say something. You've got to have common sense." [Young man]

847. One young man who had come into prison a few years prior recalled having a Test of Best Interest assessment, which determined he was not vulnerable and therefore he was not placed in a youth unit:

"At 18 they did the Test of Best Interest and they said I was suitable for mainstream. It was pretty full on. I didn't know the alternatives." [Young man]

Understanding rules and expectations

Inductions

848. Inductions are the first opportunity for Corrections' staff to fully explain the prison rules, including what to expect and how things work. If an induction is not completed or not understood, it is difficult for prisoners to know what they are required to do.
849. A good induction requires staff to engage with prisoners, which includes talking through information in the induction booklet, offering opportunities to ask questions, and checking understanding before asking someone to sign that they have received and understood the induction information:

"A proper introduction is needed. Introduce the group you're about to be with before you go into the yard. Show young people what they are about to walk into. Rights in prison - what is or isn't allowed and how to operate things like the intercom. Have staff who want to help and teach you things." [Young man]

850. Young adults across the prison network at both the men's and women's prisons told us they had either not received or not properly understood the induction. We heard from many young adults that they learned prison rules from other prisoners:

"No inductions – I just learn from others. I was given papers but learn by mistakes. There's no consistency around enforcement of unit rules." [Young man]

"No verbal induction by staff – I got a piece of paper. I had to observe others to find out how to get things done." [Young man]

"I got an induction. It was bad. They just flipped through pages. No more information about prison. I'm a visual learner not a written learner." [Young woman]

"I was given an induction booklet – but was only in school for two years, I can't read or write."

"Induction was just signing papers, completed a tick list. What happens in the unit and how to get stuff done is a big thing for a lot of people. It reduces anxiety if you know what to do and when." [Young man]

851. A young woman told us she had not been given an induction or paperwork. She said she knew this because the person who shared her cell had paperwork and she wondered why she had not received it as well. She said that if she had been inducted properly, she would *"not have got into trouble in the low security area"* as she would have *"better understood the rules"*. She told us she raised it at the time, *"but the officers did not agree"*.
852. One young man told us he found things out from other prisoners and from a library resource developed by Community Law called *Lag Law – Your rights in prison and on release*¹⁷⁴ to know how prison works and what he was entitled to.
853. One young man told us that when he arrived in prison, he had *"no idea what to expect"*. He said he *"didn't know how anything worked"*. He did not know how to get his washing done and had to ask about everything. He told us he also had to know what to ask, otherwise he *"didn't get the right information"*.
854. A member of the Lived-Experience Panel recalled having very little understanding of his induction and asked other prisoners to explain rules and expectations for him. He explained that this was also because he was more comfortable receiving this information from other prisoners than asking custodial officers at the time.
855. Another member of the Lived-Experience Panel explained that it can take a few days before a young person or young adult is in the right head space to hear what they are being told. They have to wait until they overcome the shock of arriving in prison, especially if it is their first time.
856. In 2019, speech and language therapists Talking Trouble Aotearoa New Zealand ran a workshop with staff working with the young men at Mount Eden Corrections Facility. While the training focused on improving communication with young people and young adults in prison, Talking Trouble therapists noticed that the language and presentation of the Corrections' induction booklet would be difficult for most young people and young adults to understand. They helped Corrections adapt the booklet into a more accessible version using simple language and images.
857. During our site visits, we heard that some sites had started to distribute this resource to staff. We heard that Spring Hill Corrections Facility adapted this booklet to the needs of the site and started to distribute it across all units following our site visit in March 2024 (see Appendix J).
858. While this adapted version may help young people and young adults better understand the content of the Corrections' induction booklet, it does not replace the importance of staff explaining the induction, allowing for questions, and confirming understanding before signing off that the induction has been received and understood.
859. Talking Trouble also provided a six hour workshop for staff at each of the then youth units (Hawkes Bay Regional Prison and Christchurch Men's Prison) in 2017. The workshops were attended by staff including custodial, health, education and others working closely with youth. The workshop covered common speech, language and communication needs experienced by

¹⁷⁴ <https://communitylaw.org.nz/wp-content/uploads/2020/09/Lag-Law-text-2021-1.pdf>

young people involved with justice processes, and explored strategies and tools staff can utilise when working with youth.

Expectations

860. Many young adults told us that not only was their induction inadequate but, in general, they often did not know what was happening in prison or why. This could be because methods of communication did not meet their needs or because they did not understand the reasons for certain decisions:

"Jail is like unsteady water – it is always changing." [Young man]

"I need to know if something isn't being done. I need to know if things are not happening." [Young woman]

"I was using [the] kiosk¹⁷⁵ but don't really understand it or how to use it. I wasn't good at school either." [Young man]

"I didn't know why I came to this site. No one could explain it to me. I was put on a bus but didn't stop till we got here. I was blindsided and only told when I got on the bus." [Young man]

861. One young woman we spoke to told us her application for a temporary release following the death of whānau members in the community was denied three times. She was told this was because she did not meet the criteria. She said she did not know what the criteria was.
862. Some young adults told us they wanted to understand how to access basic amenities and things that could support their hygiene:

"Can staff let me know when I will have a shower, so I know when to train. I don't want to be sweaty." [Young man]

"My pants are too big. I have no idea about laundry. I've been in the same clothes since I came to this unit. I haven't washed my underwear." [Young man]

863. Those who struggled to understand the information and expectations in prison, told us this could influence their behaviour:

"I got into fights every day because [I] thought that's what you do in jail." [Young man]

"There were days when I didn't know what was going to happen and not being told made it worse, so in the end I would just stay in (my cell)." [Young man]

864. Some young adults felt there were inconsistencies and double standards around expectations, which some found confusing, especially if they had put effort in to progress to lower security units:

"Constant nagging and the changing of goal posts with a lack of help progressing is frustrating." [Young woman]

¹⁷⁵ According to Corrections' intranet: "Kiosks enable prisoners to source personal information by providing access to their information and an efficient way to independently engage and receive services such as requests to see a PCO or a Case Manager, view trust account balances, view custodial dates and make a canteen order." Prisoners should have their fingerprints taken at reception to enable them to access the kiosk. Prisoner complaints can also be made through the kiosks.

"The site is advertised as low-medium but run as high security." [Young man in a group interview]

"We get hammered for cell standards,¹⁷⁶ but you look in some cells and the paint is peeling, sinks with mould in the silicon, stinks, flickering light. 'You want us to be these awesome people, but you don't maintain your site'." [Young man]

865. In his letter to the Chief Inspector, the Chief Ombudsman outlined his expectations around maintenance in prisons:

"My expectation is that people in custody experience a safe and healthy physical environment, which is fit-for-purpose and appropriate for the varied needs of the population. Material conditions, including the space, ventilation (including fresh air), temperature, lighting (including natural light), utilities and fixtures are all conducive to this, and should be well maintained."¹⁷⁷

Contact with family and community supports

866. Most young people and young adults in the community explore and navigate their sense of identity and belonging with support from others, such as their whānau and family, colleagues and friends. These supports help young people and young adults develop their sense of identity and belonging.^{178,179}
867. For young people and young adults in prison, maintaining contacts with family, whānau and support people can help them stay connected to the community while they are in custody. For some, knowing who their true supports are can become clear to them when they are in prison:

"The people who care for me are the ones who answer the phone in the morning when I call. They are my siblings who are asking how I am doing and am I okay. I have been gone for a long time and I know, it's not my friends who care about me, it's my family." [Young man]

868. Many in Corrections' custody have experiences of loss and disconnection from family supports from a young age. This can mean they do not have meaningful, ongoing relationships with people in the community who could strengthen their positive ties and sense of belonging outside of prison:

"My siblings were babies when I came in and now they are getting older and I don't really know them, which is heart breaking." [Young man]

"I spent time disconnected from who I am, who I was and who I could be." [Lived-Experience member]

869. Prisoners should be able to stay in contact with their whānau and family by mail, telephone, video calls and in-person visits. Prisoners can also receive, via staff, print-outs of emails sent to them by whānau and family, but they cannot send email responses. All these modes of communication are reliant on custodial staff facilitating access.

¹⁷⁶ Cells standards are outlined in Corrections' Prison Operations Manual and apply to all prisoners, irrespective of security classification. They are in place to ensure the safety and security of staff and prisoners.

¹⁷⁷ Letter from the Chief Ombudsman to the Chief Inspector, 9 May 2024.

¹⁷⁸ Bronfenbrenner, U. (1979a). *The ecology of human development: Experiments by nature and design*. Cambridge, MA: Harvard University Press.

¹⁷⁹ Stuart, J. and Paul, J. (2014) *Whanau and ethnic identity support positive wellbeing among Māori youth*. Centre for Applied Cross-Cultural Research, Victoria University, Wellington.

Telephone contact

870. Most young people and young adults told us that whānau and family members, including partners, are their main positive supports in the community. Most young adults told us they maintained contact with their support people in the community by telephone.
871. According to the Prison Operations Manual, each prisoner is issued with a PIN number when they arrive in prison which allows them to access the Corrections Prisoner Telephone System. Principal corrections officers or their delegates can approve up to ten telephone numbers for each prisoner (in addition to a prisoner's lawyer).
872. Prisoners can access designated telephones to contact people on their approved telephone list during unlock hours.
873. Telephone calls are free in Corrections' prisons. Prisoners can make telephone calls for up to 15 minutes per call.
874. Auckland South Corrections Facility, a privately-run prison, does not provide free telephone calls. Instead, each cell has a telephone and prisoners must have sufficient funds available to pay for calls to their approved numbers.
875. While telephones were the most common and preferred means of communication, many young men and women told us that access to shared telephones could be challenging in some units, even though the calls are free and there is a 15-minute time limit:

"If something is going on in one of the other men's lives, they could be on the phone longer and someone can miss out. If someone gets bad news the phone can get smashed and no one can use it." [Young man]

"I've only had two or three phone calls since being in the unit because there are always other people on the phone. There are five phones but only four to use. The other one has been cut. Prisoners manage the line themselves." [Young man]

876. One young man told us he does not have this problem as he is the one who "controls the calls". He told us that in his wing there are two telephones in the yard and two in the unit. He said he "scares the other prisoners" so that he gets a chance to use the telephone.
877. Contact between whānau members can be challenging if they do not have each other's contact information. One young man told us he did not have contact with his family for about six months when he first came into prison. He said he felt like he had been "dumped into mainstream", and that "no-one cared about him". He told us he was "only 18 at the time and this was hard".
878. The Corrections' research team heard from whānau members that when a family or whānau member is sent to prison, such as a partner or child, they often do not know where they are or how to get hold of them. They try to contact Corrections, but are told that Corrections cannot share this information.¹⁸⁰ While whānau and family may understand the reasons for this, not knowing where their family or whānau member is in prison can be distressing.¹⁸¹ Many whānau members said that having someone who could help them contact their loved-one would be appreciated.¹⁸²

¹⁸⁰ Note, Corrections has a process for locating people in prison. The prisoner must consent for their details to be passed on.

https://www.corrections.govt.nz/our_work/in_prison/staying_connected_with_people_in_prison/locating_a_person_in_prison

¹⁸¹ Corrections' research team interviews with whānau.

¹⁸² Corrections' research team interviews with whānau.

879. Some young adults told us they did not have contact telephone numbers for their key support people, as often the numbers are on their cellphone which is taken off them when they come into prison:

"I sent letters to my sister and partner to tell them I am here and to get their phone numbers and I've not got a letter back. I don't have their phone numbers as the cops have my mobile phone and I've forgotten my PIN number." [Young man]

"No initial call was offered by unit staff, and I didn't ask for one as didn't have any numbers." [Young man]

880. One young man told us he could not remember any telephone numbers for his key contacts. He said that when he eventually got a contact number and requested his initial call, he was told that he was out of time as it was outside the time period.¹⁸³
881. Young adults in prison, as well as whānau and family in the community, both shared that unlock times (when telephone calls can take place) are often not at times when family or whānau members are available, which can limit contact:

"There is only one phone in each wing with 20 people and there are only two phones in the compound. We can only access the phones when unlocked and everyone in the unit goes to work, so they basically only have a one-hour period in which anyone can call." [Young woman at Auckland Region Women's Corrections Facility]

882. This was generally less of a concern at sites or units where there are longer unlock times, or where there are fewer prisoners in a unit.
883. Some young adults said they experienced inconsistency with applications for telephone calls with whānau and family who are also in Corrections' custody, through inter-prison telephone calls. One woman was granted a one-off telephone call with a family member in a different prison, but was repeatedly declined regular telephone calls with the same family member due to no "evidence of relationship".

Prisoner video calls

884. Corrections provides access to video calls to help facilitate contact with whānau, family and friends. According to Corrections' intranet, video calls are considered a "privilege" and are offered to help prisoners who meet the criteria to have virtual contact with approved visitors.
885. We heard from young people and young adults that access to video calls varied across sites. We found that video calls were more common for young people and young adults in the youth units than it was in most other units.
886. At some sites, young adults told us they did not know how to access video calls. One young man told us his family was overseas and he had not seen them in four years. He told us he did not know that video calls were an option.
887. At some sites, young adults told us that people they wanted to have contact with using video calls were not approved visitors.¹⁸⁴ Reasons for this could include because they did not have the required identification, the required forms had not been filled out, or they had a criminal record that prevented approval. Outstanding or declined approval for visitors was a common reason

¹⁸³ The initial telephone call is to advise of location, and it takes place before a prisoner's telephone numbers have been approved.

¹⁸⁴ According to Corrections' Prison Operations Manual, for family and whānau to be eligible for video calls they must already be approved for in-person visits.

why some young adults had not received in-person visits, which impacted their access to video calls.

In-person visits

888. The Covid-19 pandemic had a profound and enduring impact on in-person visits in prison. Initially this was due to the nation-wide lockdowns in 2020, imposed to prevent the spread of the virus. While lockdown conditions eased across the country, restrictions remained at most prisons given the challenges of social distancing if the virus was introduced to a prison site, although some sites re-introduced visits if appropriate as restrictions were lifted.
889. Since the pandemic response many custodial officers left Corrections, resulting in significant staff shortages across most sites, especially the larger sites with high numbers of prisoners on remand. Staff from smaller prisons have been sent to larger sites to help them with their day-to-day operations. These larger sites have focused on maintaining minimum unlock entitlements.
890. The significant staff shortages have resulted in ongoing visit restrictions across most sites. Some sites, or units at sites, did not have in-person visits for more than two years.
891. We heard that in-person visits had resumed across all sites and units since April 2024. However, visit schedules had not returned to pre-Covid-19 levels at the time of our thematic inspection. Most sites arrange visit schedules around security classification or segregation regimes. Times allocated for visits for each category per week are limited. We heard of some sites alternating visits for high and low security prisoners each week.
892. Given the limited times for visits across most sites, visiting times may not suit family, whānau and other supports in the community, which could mean that many prisoners miss out on in-person visits.
893. Corrections is currently recruiting high numbers of custodial officers, which should help to increase access to visitors.
894. Despite the limited options for in-person visits, we heard of other reasons why young people and young adults did not receive in-person visits. For example, some young people and young adults told us they do not want their family or whānau members to see them in prison.
895. Many young adults we spoke to told us the main reason they did not receive visitors was because it was too expensive for their family or whānau to travel, especially when young adults had been transferred to sites far away from their home areas.
896. Prison transfers are common across the prison network. For example, prisoners may transfer to a different site for population management reasons, if there is a change in their security classification, to attend a rehabilitation programme, or to participate in a cultural focus unit.
897. The increasing number of remand prisoners in recent years has put additional pressure on the prison network, especially as most prisoners on remand are initially placed in high security units.
898. In the North Island, we heard that remand pressures were resulting in frequent transfers between Mount Eden Corrections Facility, Spring Hill Corrections Facility and Rimutaka Prison, to ensure men can appear in court when needed.
899. In October 2022, Christchurch Men's Prison decommissioned its high security facility for sentenced prisoners due to it no longer being fit for purpose because of its age. Since then, sentenced high security men are moved to Otago Corrections Facility until they lower their security classification and can move back to Christchurch.
900. Some young adults told us they had little notice or time to tell their families they were being moved:

"I found all the moving around weird. In Christchurch I was told I was moving to Otago Corrections Facility the next day. I couldn't let family know as there were lots

of men moved at the same time and [I] couldn't get the phone. I only told them two days later." [Young man]

901. Transfers to different sites can have an impact on visits for young people and young adults, and can be frustrating for them and their whānau:

"My whānau didn't understand why I was moving all over the place. I couldn't have visits. Your family can't travel for a one-hour visit." [Young man]

"Mum comes over once a month. Now she has to book her accommodation to come and visit. She can't book in advance to get a cheaper price and now has to rely on taking time off work." [Young man]

"I didn't have a visit for two years. I wasn't used to having visits or knowing where to sit. I got told off for sitting on the wrong side." [Young man]

902. Whānau members shared with the Corrections' research team that they do not always feel respected by Corrections' staff when they visit the prison, and said they sometimes feel like they are being treated like prisoners too.¹⁸⁵ We heard from young adults in prison that this can be upsetting for them, and they do not want their support people to go through this experience.
903. While some prisons have enhanced the visits areas to make them more welcoming for children, there is limited recognition of the importance of fatherhood and the need for fathers in prison to bond with their children. For example, separating fathers from young children is not a consideration for transfers across sites based on population pressures. Telephones and video calls are available at most sites to maintain contact with children, but they are not a substitute for face-to-face visits with babies and toddlers.
904. In addition to contact with whānau and family, having contact with mentors in the community was appreciated by some of the young adults we spoke to. For example, one young man who was able to maintain contact with his mentor while in prison told us that he considered his mentor "family". He said his mentor provided him with "mental, physical, and emotional support".

Whānau or family members in prison

905. Some young adults we spoke to had whānau or family members in prison at the same time as them. They told us they might gravitate towards their whānau or family members for safety, especially if they had some status in the unit. For example, one young woman told us she feels safe because the other women know her sister and therefore would not touch her. She said she would "feel more vulnerable" if she did not have her sister in prison.
906. A young man told us he was located on a unit with his uncle who was a senior gang member, so he therefore had no issues with other prisoners in the unit. Another young man told us his uncle in prison is like a "dad" and that together they "would not cause any trouble", but that they "would cause trouble" if they were apart.
907. Corrections' staff told us they may take family connections into consideration when making a placement decision for young adult. They told us in some cases they may place a young adult with a gang affiliated family member as "this may be the best way to keep them safe given the lack of alternative options".
908. We heard that some staff might facilitate contact with family or whānau members at other units or sites if they were not in the same unit. This could be via telephone, video calls or in-person visits. Not all young adults were granted this access to whānau or family who were in prison.

¹⁸⁵ Corrections' research team interviews with whānau.

Access to lawyers

909. Access to lawyers is important for all prisoners. Lawyers keep their clients in prison updated on matters related to bail, preparing for hearings, sentencing and parole.
910. Some young people told us they did not have good knowledge of the justice system and heavily relied on their lawyers for support.
911. Many young people told us they had good access to their lawyers, and they were supported by prison staff to contact them if needed. At one site we visited, we were told staff would allow the young men to access the telephone in their office to contact their lawyer.
912. Some young adults we spoke with had difficulty accessing their lawyers for different logistical reasons:
- "I don't have my lawyer's number on my phone numbers because it was on a card which was in my clothes, and they took my clothes when I arrived to wash them. Now I don't know where they are."*
[Young woman]
913. One young man told us he was not sure who his lawyer was, but he also wanted to change to a lawyer who spoke his language.
914. During our inspection, the lawyers we spoke with who had experience working with young people and young adults in the criminal justice system told us about the challenges they experienced accessing their young clients in Corrections' custody. They all told us that one of the main challenges was when their client was transferred to a new site without warning. It can take time for them to find out where they have been transferred to.
915. Moving young people or young adults on remand to youth units far from the court location can also limit face-to-face contact with lawyers, although one lawyer we spoke with said the youth unit environment may be preferable for some of their clients to mainstream remand units.¹⁸⁶
916. Another lawyer told us she was grateful that she could contact her young clients via audio-visual links as she struggled to face the prison conditions when visiting them in person, including the lack of privacy at some facilities. However, she said that audio-visual links can be *"incredibly difficult"* at times if Corrections' staff bring their clients to the session late or not at all. She also told us it could be a challenge to get her young clients to sign their papers on time.¹⁸⁷

Social connections in prison

Peer influence

917. Lambie and Randell (2013) explain that young people seek rewards from their peers more than any other age group. Their extensive research review found that, *"immediate and concrete rewards, particularly those involving peer approval, greatly influence their behaviour, and they are particularly susceptible to peer influence and impulsivity, provocation, and stressful situations"*.¹⁸⁸
918. During this thematic inspection we heard that, in the absence of having positive connections and support from the community, young people and young adults with shared experiences gravitate towards each other. Many have previously met outside of prison, often in facilities such as Youth Justice residences.

¹⁸⁶ Interviews with lawyers between 1 March and 15 May 2024.

¹⁸⁷ Interview with barrister Tiana Epati, 15 May 2024.

¹⁸⁸ Lambie, I. and Randell, I. (2013) *The impact of incarceration on juvenile offenders*. Clinical Psychology Review 33 (2013) 448–459. Psychology Department, University of Auckland, New Zealand.

919. As an example, one young man told us he “ended up with the wrong group of friends he met in high school”. He told us he “dropped out of school with them, and then started spending time with them and taking drugs”. He said it was “peer pressure”, and he just “spiralled out of control”.
920. Others spoke of their experiences of peer influence and connection during their time in the criminal justice system:

“Youth Justice builds you up for jail. I did things there I wouldn’t have thought about – prolific offenders there. I would get out and just catch up with them.”
[Young man]

“When I went in, I was surrounded by people I knew on the outside. I had no connection or resonance with pro-social messengers.” [Lived-experience member]

921. Some peers seek comfort from each other and develop friendships through their shared experiences:

“Rather struggle together than have a bro’ by themselves. That’s when having suicidal thoughts come in. Not having someone.” [Young man in group interview]

922. It is also common for peer pressure to escalate into conflict and violence in custodial environments, especially among young people and young adults.
923. In 2023, the Office of the Children’s Commissioner’s monitoring reports into the two Youth Justice residences identified an increase in serious violence between young people. One report identified concerns around what the report described as ‘pack’ assaults on targeted individuals.¹⁸⁹ During this thematic inspection, we heard of two similar types of assaults involving young men under 20 years at one prison.
924. Staff who have worked in Corrections’ youth units told us they have found how rivalries between peers or peer groups that start in Youth Justice facilities can continue when young people and young adults transition into a Corrections’ facility. They told us it is helpful to have as much information about any conflicts that might exist between young adults in the youth unit, prior to coming into prison, so that they can minimise any tension while they are in the unit.
925. Many young men who had spent time in a youth unit told us about negative peer influences and harmful behaviour during their time there:

“I first landed in the youth unit. It wasn’t a really a good environment. Heaps of fighting going on. Assuming and gossip about others caused fights.” [Young man]

“The youth unit was hard out. There were fights every day. Everyone was trying to prove themselves. Trying to establish a name.” [Young man]

“I was in the youth unit for a couple of months. The youth unit was unorganised. I didn’t mix much. They need more encouragement to be good.” [Young man]

“Youth will kick the doors, fight prisoners, get into mischief and play up.” [Young man]

926. Some young men acknowledged that they instigated incidents which resulted in them being removed from the youth units. A few of them told us they regretted their behaviour:

¹⁸⁹ Office of the Children’s Commissioner (2023). *Korowai Manaaki OPCAT monitoring report*.

"I have been in the youth unit. I got kicked out. I beat someone up. Too many young people trying to prove themselves. I didn't think about consequences. No opportunities since being in mainstream." [Young man]

"You talk the good game when you are there but when you get to mainstream, you wish you were back in the youth unit. You don't know until you do something stupid how good it is in a youth unit." [Young man]

Gang influences

927. Academic and Professional Panel member, gang expert Jarrod Gilbert, told us:

"An important theme... about gang recruitment was the significance of the early period surrounding... arrival in prison. This was a time when a young person's status within the prison had not yet been fully established, and when their vulnerability to extortion and bullying was high. For this reason, it was a time that new arrivals felt most under threat, and were therefore most amenable to the promise of protection and status offered by gang membership..."

While those who held fast and stood up for themselves could generally avoid ongoing harassment, many lacked the strength or resolve to take a stand. This was not the only time that prisoners might feel drawn toward gang membership, but perhaps represented the juncture at which it was most preventable...

One finding of my previous research... was the functional nature of gangs; that is, gangs provide a number of functions for their members including a sense of status, belonging, and fictive kinship. This finding is confirmed by the current research, although an emphasis on providing a sense of protection is prominent within the prison environment. Any efforts at reducing the allure that gang membership has for young prisoners have to offer viable alternatives to these attractions."¹⁹⁰

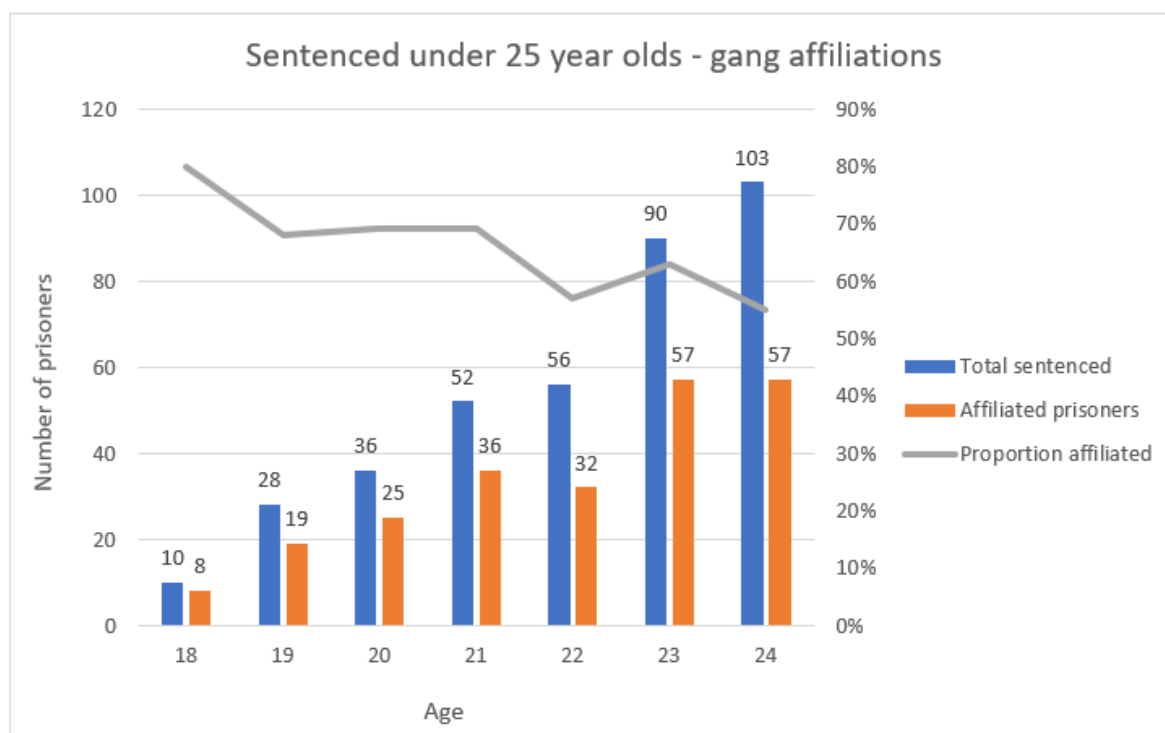
928. With the reduction in youth units and young adult placements across the prison network over the past five years, there are very few options to limit exposure to harmful influences from older prisoners, especially in high security mainstream environments. As one former youth unit staff member at Hawkes Bay Regional Prison told us:

"We are robbing them (young adults) of the opportunity to change."

929. Approximately half of those aged under 25 years in Corrections' custody have a recorded gang affiliation. Graph 17, below, shows the number of gang-affiliated sentenced under 25-year-olds in proportion to the total number of sentenced under 25-year-olds. At its peak, 80% of sentenced 18 years were affiliated with a gang. To note, Corrections' data on gang affiliation must be treated with caution as it is not comprehensive and relies on self-identification and collection of verifiable intelligence.

¹⁹⁰ Gilbert, J. *The Gang Influence on New Zealand Prisons*, (unpublished).

Graph 17



930. Young adults placed in mainstream high security units at several prisons told us that it is difficult for them to avoid gang influences and intimidation in these environments:

“Young fellas in jail – if they’re not patched yet they have to do hard stuff – do chores for others. They are the punching bags.” [Young man]

“They initially become really friendly and tell you that they will look after you. If you decline, they do not talk to you and say things like, ‘you are not our friend’, and may give you a hiding.” [Young man]

“In mainstream – if you’re not a gang member you’re a peasant. You’re forced to train and fight. You can’t even rest. You have to be on guard.” [Young man]

“You don’t do stuff to progress – you’re under pressure. You’re built to look after yourself – if that means hurting someone else, you’ve got to hurt.” [Young man]

“Trouble comes to you. You can’t get away from it in prison. Nothing gets done about the gang influence. You can’t remove yourself from it.” [Young man]

“You got to choose a team when you get into prison. Either red or blue. You have to choose a team to survive.” [Young man]

“It is unsafe if you are not with a gang. You don’t have a choice, they put us in with the big boys. It is dangerous if you are a nothing. It is their house if they are doing life. They will tell you that if you do what they say, they will tattoo you, patch you up and give you things. Gangs look after the young ones, give them shoes and food. If not, you get a hiding and you go to segs.” [Young man]

931. Many explained that connecting with gangs in prison helped give them a sense of identity and belonging. This was either because they were already affiliated to a gang through family or community connection, or because they needed to develop connections in prison:

"When you're a nobody, you need somebody." [Young man]

*"Rejection is normal to me, that's why I joined the gang, to belong somewhere."
[Young man]*

*"I got the facial tattoo in prison... I did it to show the love. They take care of me.
They make sure they top up my card each week." [Young man]*

932. One young man told us all his tattoos were done in prison. He said his *"mates do it"* and he does it. He told us that his tattoos *"are all gang related"*. He said he *"wanted them"* and *"was not forced to have them"*.
933. Another young man told us he also got all his tattoos in prison. He told us, *"you do it out of love for your bros"*. He told us he *"regrets getting them now"*. He did not know about the option for tattoo removal.
934. Some young adults told us that while their families were deeply gang entrenched, and expected them to follow in the same direction, they were seeking alternative pathways and different options in their lives.
935. One young man told us that even though he was born into the gang, he wants to change his life, *"move away from the gang, and live somewhere new"*. He told us he has cut ties with his family because his parents tried to tell him who to mix with in prison. He explained:

"I don't want to do that anymore. No more shooting or fighting, I have been through years and years of grief. I don't want to regress. If we go back to the environment we came from, what do we know? We only know these people, we don't know any different, nothing changes." [Young man]

936. At the women's prisons we saw less conflict and tension arising from gang associations than at the men's prisons, but there was still a noticeable gang presence at all three sites. One woman told us that there were heightened tensions between gang affiliated women at times because *"there are no men around to control it"*.
937. At Auckland Region Women's Corrections Facility, one woman explained that the maroon prison issue clothing worn in the unit she was in *"got her into trouble"* because she associated it with a gang colour she was not affiliated to, and so did not want to wear it.
938. Some members of the Lived-Experience Panel had been raised in gang affiliated families and communities, where violence, drugs and alcohol were the norm. All members with Māori whakapapa told us how for their whānau, assimilation in New Zealand resulted in loss of matauranga Māori (cultural knowledge, wisdom and understanding of cultural practices and protocols), and contributed to family harm:

"Growing up without this ancestral knowledge, I thought alcohol, drugs, violence and gangs was what it meant to be a tāne." [Lived-Experience member]

939. The Lived-Experience members explained that although this upbringing caused trauma and disappointment, and they have chosen a different path for themselves and for their whānau, they are still able to maintain positive relationships with gang affiliated family members. They told us they do not carry grudges and resentment. Through their own healing, they recognise the trauma and challenges their families and whānau went through that contributed to their attitudes and behaviours:

"I realised I wanted things to be different for me. I didn't want to be like them, but I didn't want to look down on them either." [Lived-Experience member]

"I can walk in different worlds because I know who I am and where I am from. I know what I want for myself and future generations." [Lived-Experience member]

Voluntary segregation

940. Voluntary protective custody (otherwise referred to as voluntary segregation) is an option in prison to offer protection from negative or harmful influences in a mainstream environment. Prisoners can request to be separated from others.¹⁹¹
941. During the review period between 1 June and 30 November 2023, 981 young adults requested voluntary segregation, including seven women (one aged 19 years old). Of the 974 young men who requested voluntary segregation, 67 of them were aged 18 or 19 years old. This compared with a total of 8,605 prisoners over 25 years who requested voluntary segregation, 40 of whom were women, for the same period.¹⁹²
942. Many staff told us they try to recommend this option to vulnerable young adults who are not suitable for a youth unit placement, to keep them safe from the mainstream environment:

"I feel a lot safer in this unit. I have signed on segs, because of fighting with the gangs. I wanted an easier lag. I am walking away from the gangs." [Young man]

"I signed on voluntary segregation in other units because I was scared and didn't want to be in a unit like a jungle unit." [Young man]

943. Some young adults told us that while voluntary segregation is a safer option, it can be difficult to request due to pressure from other prisoners or from their families:

"It's safer to punch others than to tap out and say you want to go to segs. Segs is seen as weak. Mates look down on you. Punch out – survival of the fittest." [Young man]

"It's hard to sign onto vol segs when on mainstream. I got attacked in mainstream, but I got charged. I went to the pound and then signed out from there. Even when you come on segs it's hard to maintain your segs." [Young man in a group interview]

"Being in voluntary segregation is the best place but it ruins your name." [Young man]

944. One young man described how he waited until he was hospitalised following a serious assault, when he refused to join the gang in prison, before he requested being placed in voluntary segregation. He told us:

¹⁹¹ Corrections Act 2004, Section 59(1)(a) allows prisoners to request that their opportunity to associate with other prisoners be restricted or denied. The prison director may direct that this occurs if they consider that this is in the best interests of the prisoner. Prisoners generally request to be put on voluntary segregation because they are concerned for their safety.

¹⁹² While the total prison population on any one day in November 2023 was around 9,000, the total number of receptions from 1 June to 30 November 2023 was much higher, which explains the large number of prisoners who requested voluntary segregation.

"Vol segs is better than mainstream. It takes courage to ask to go on vol segs, but when I got a hiding, I had enough. I resisted segs for ages." [Young man]

945. We heard from one young man that he is always angry in mainstream. He said he knows he is immature, which gets him into situations and incidents, and this is why he signed onto voluntary segregation. He told us he *"jokes around a lot"*, and is *"quite cheeky"*, but he knows that this can cause issues as others do not see his behaviour the way he does.
946. While we heard that some family members do not agree with young adults' decision to sign onto voluntary segregation, some families accepted this was for their safety in prison. One young man told us that while his gang affiliated family members would not usually support this choice, they told him *"they understand"*, and *"they want him to come home at the end of his sentence"*.
947. At Arohata Prison, when 18- and 19-year-olds are received into custody they are given the option to go onto voluntary segregation or mainstream. One young woman went on voluntary segregation because the receiving office staff recommended this as it was her first time in prison.
948. Some young adults said they did not know that voluntary segregation was an option and they would have signed on to it had they known.

Older prisoners as mentors

949. While we heard about harmful influences in high security mainstream units, several young adults told us that some older prisoners could be positive influences and supports for them in prison, especially in lower security units. They said they appreciated learning from them and being encouraged to progress:

"I only heard that it is different here. I gave it a go. We get heaps of support from the brothers. You don't get that in mainstream high security units. There you take a spoonful of cement and harden up." [Young man in group interview]

"Learning from older ones is a good thing as they've been through it all and they can relate." [Young man]

950. One young man said that *"some older men act as mentors"* and *"this works well"*. He told us that the unit he is in typically accommodates older people, but he thinks *"it would be good for some young men to be with the older men who can offer advice on the pitfalls both inside and outside of prison"*.
951. While some older prisoners can be good mentors for young people and young adults in prison, especially if they have progressed in their sentences and learned from previous experiences, staff at some sites cautioned about the risk of grooming, especially at sites where there may be higher numbers of older prisoners with histories of sexual offending.
952. Youth champions at one site told us they speak to the young men about the risk of grooming from some older prisoners, and behaviours to look out for, in order to keep them safe from this risk.

Shared accommodation cells

953. The use of shared cells, referred to as double-bunking, is increasing across the prison network, especially with the growing population pressures. Sharing a cell can provide company for young adults, but may also be either a positive or negative influence, depending on how well they have been assessed to mix.

954. The Shared Accommodation Cell Risk Assessment (SACRA) aims to determine suitability and compatibility for cell sharing, acknowledging that at some sites prisoners can spend 22 hours a day in a confined space sharing a cell.
955. Some prisoners are deemed not suitable to share a cell. If this is the case, an alert is entered into the Integrated Offender Management System stating they are 'not to double bunk (NTDB)'. This may be because they are likely to present a risk to the person they are sharing with, or are vulnerable, as well as for health reasons.
956. Most youth unit accommodation has single cells, although the Christchurch Men's Prison Youth Unit has one double-bunked cell in the high security wing.
957. According to the SACRA guidelines, young people aged 18 or under can only be double bunked with vulnerable 18- and 19-year-olds. We found Corrections' operational guidance in relation to double bunking for young people and young adults under 20-years-old confusing. We also note that this guidance needs updating as it still references the previous Test of Best Interest assessment, which no longer applies.
958. While there are guidelines to support SACRA decision-making, the application of these guidelines was not clear to the young adults we spoke with. Many young adults told us they preferred to share a cell with someone closer to their own age, although there had been occasions when they shared with older prisoners and there had been no concerns. During our interviews we observed that the ages of those sharing cells varied, and in one instance a young adult was sharing with a 70-year-old.
959. Many of the young adults we spoke to either appreciated, or did not mind sharing a cell:

"It's good to have someone to chat to. I knew he was older – someone that's seen the world longer than me. I can learn how things work from him." [Young man]

"I know my cell mate. He is my uncle. I asked to be celled up. Some staff are OK with that, some won't follow through. Better being celled up otherwise it gets boring." [Young man]

"I'm double-bunked with one of my friends. I sort of got a choice. I was celled up with someone else, but asked for someone else which staff allowed." [Young man]

960. Some young adults told us they did not know how cell sharing decisions were made and thought that there could be better consideration given:

"Don't just shove someone into a cell with an older person. I have moved cells three times. The first one that I was put in was 41 years old. It should be someone around the same age." [Young man]

"There is no method on double bunking. They just put anyone in the cell. My cellmate is 46 years. Nothing I can do about it. We just put up with each other." [Young man]

"I was double bunked and couldn't face it. No medical staff could assist when trying to explain. I shouldn't have been double bunked because I was on meds." [Young man]

961. Some young adults told us that sharing a cell while attending rehabilitation programmes can interfere with their therapeutic process. One young woman explained that she requested not to double bunk because she needed her space to unwind after the "deep stuff that occurs in Kimihia (women's high intensity rehabilitation programme)".
962. A young man told us:

"If you're going through therapy, you need a single cell. There aren't enough beds or staff." [Young man in group interview]

963. Corrections' shared accommodation policy is not to double-bunk transgender prisoners unless they are in a cell with another trans person of the same gender.¹⁹³ Given the small number of transgender prisoners across sites, this can be difficult. One transgender young adult told us they initially had an alert not to double bunk and was placed in a single cell. They requested the alert to be removed, which was granted. They told us it was good to be able to share a cell as they just wanted to be able to talk to someone when they were locked up. They said:

"It wasn't about being in a relationship or anything else." [Transgender young adult]

Intimate relationships in prison

964. While none of the young men spoke about having intimate partner relationships in prison, young women told us it was common for them to have an intimate relationship with another prisoner in the women's prisons.
965. Corrections' legislation and regulations do not provide guidance on managing intimate partner relationships in prison. We were told that each women's prison takes its own approach, which can create confusion for young women.
966. One young woman told us she found the rules for relationships in prison were inconsistent. She said staff threatened to move her to the *"high side"* because of her relationship and said this was *"unfair as some couples get to stay in same wing or same cell"*. One young woman said, *"there is nothing in the Act or Regs to keep them apart inside"*.
967. She also told us it was *"incredibly difficult"* to contact the prison director to approve to share a cell with her partner, whilst other couples are *"just celled up together because they want it"*. She says she wants *"consistency, not favouritism"*.
968. While some young adults may be questioning their sexual orientation in prison, especially if they have not previously experienced same-sex relationships, one young woman told us she does not want to put a label on her intimate relationship:

"I am not a lesbian, or bi-sexual, or gay - just myself, a wife to another person." [Young woman]

969. While we heard from some staff and young adults that same-sex relationships in women's prisons could be coercive, Professor Tracey McIntosh from the Professional and Academic Panel, who has worked alongside women in Corrections' custody for several years, explained that for some women *"this is the only way they have been able to manage"*.¹⁹⁴
970. Professor McIntosh shared how some women have not previously had *"the expressions of love they experience in prison, given that many women in prison have histories of harmful, abusive and violent relationships in the community. For some women, these experiences of violence can still manifest in prison relationships, as this is the only form of intimacy they may know"*.
971. Corrections trialled an adapted version of the Mates and Dates programme, delivered by Rape Prevention Education, for young women under 25 years at Auckland Region Women's Corrections Facility in 2017. Mates and Dates is a healthy relationships programme delivered to high school students. We did not hear of any healthy relationships programmes designed specifically for young women being delivered since then.

¹⁹³ Prison Operations Manual I.10.07.

¹⁹⁴ Interview with Professor Tracey McIntosh, 2 May 2024.

972. We heard from both staff and young adults that healthy relationship education was a critical need for young people of any gender or sexual orientation, especially at this age of exploring new relationships including new friendships and colleagues as well as intimate partner relationships.
973. Corrections' offence focused rehabilitation programmes typically include information and strategies for forming healthy relationships although, as explained later in this report, very few young adults have access to rehabilitation programmes in prison.
974. Christchurch Men's Prison Youth Unit staff told us they had started running communication courses, to teach the young men approaches to good communication. While this is about communication in general, these techniques are a valuable part of forming healthy relationships.

Activities

"Everybody is bored and it's causing trouble." [Young woman]

975. Boredom, monotony and a lack of meaningful activities were common experiences for young adults at all sites we visited.
976. The quotes below provide insight into what young adults shared with us about the lack of meaningful activity:

"There's nothing to do during the day. The remand girls have genuinely nothing to do but gain weight and fight." [Young woman]

"I was on my own for a bit. There was no staff engagement. I would just stare at the wall." [Young man]

"Nothing for high (security). Only 'yard - cell' for two years." [Young man]

"Having a full schedule here helps – unlike the mainstream experience with 23-hour lock up. That's solitary confinement – it's not punishment if it's all 23-hour lock ups a day." [Young man in a group interview]

"We got gym equipment recently - bags. It gets boring watching TV." [Young man]

"The days drag out in the yards training. It's boring. You're stuck in a box." [Young man]

"Unlock is always two hours in the morning. Not much to do. Ring your family and your people. I think in low security you can do programmes. I have never been there, just heard about it." [Young man]

"I don't really ring anyone because there is nothing really to talk about. A typical day is wake up. Pull ups, push ups, walking around." [Young man]

"We don't have time to be the kids that we are." [Young man in a group interview]

977. The prisoners in some high security environments have very limited exposure to the sky and green spaces. One young man told us that moving from Mount Eden Corrections Facility in central Auckland to a site where he could see outside made a difference to him, even though he had less time out of his cell:

"This is way better here as it's outside, and I see birds." [Young man]

978. Young adults acknowledge they do not have the tools they need to self-regulate when they feel bored or agitated. They said they can go from “zero to 100” but cannot help this and they told us there is nowhere to go when their frustration builds up.
979. Young adults told us that boredom often gets them into trouble:

“Some incidents are just mischief coming from boredom.” [Young man]

“Boredom makes me play up all the time. I played up for nine months – silly dumb charges.” [Young man]

980. Some young adults told us they had activities to keep them occupied in their units, especially in the lower security units and sites:

“There are lots of things to do in the unit - band room, library, painting room, gym, table tennis.” [Young man]

“The benefit is being in a space other than the main jail that lets us mature.” [Young man in a group interview]

981. We visited sites where staff tried what they could with limited resources, and spoke about their ideas to increase activities for the young adults:

“We give time out in the compound as it’s better than the yards, and we give a bit more time out if we can. We put in a volleyball net in youth side and started an art competition a few weeks ago.” [Staff member]

“We’ve got a lot of things in the pipeline. Field of dreams! Access to good guest speakers and mentoring programme. We know 30 possible speakers - former and current sports players.” [Staff member]

982. Mount Eden Corrections Facility assigns youth champions to work with the young men under 20 in a separate unit. This includes their education tutor and case managers. While the unlock regime at Mount Eden Corrections Facility was still restrictive at the time of our site visit (less than two hours a day), we were told that staff try to give the young men additional time out most days if possible. Mount Eden Corrections Facility has previously run successful programmes for young men in their unit, including a creative writing course delivered by community agencies and volunteers.¹⁹⁵
983. Despite these efforts, the site has struggled to keep the young men apart from adults without keeping them locked in their cells for long periods of time.
984. In his letter to the Chief Inspector, the Chief Ombudsman reflected on his observations of young people and young adults kept separately from adults at Mount Eden Corrections’ Facility (see Image 10):¹⁹⁶

“At the time of my 2020 visit to Mt Eden Corrections Facility, there were four people under 20 years of age in the prison. None of these individuals, during inspection, were permitted to associate with adults in custody. While this separation of these individuals from adults was appropriate, the consequences were that they had basic

¹⁹⁵ This creative writing course run by Te Kāhui resulted in a book of the young men’s work called *Taiohi Inside*, published in 2023. Te Kāhui is a creative writing project for Youth Art New Zealand, “a youth-led social enterprise empowering rangatahi through creativity”. Te Kāhui has run in-person and remote creative writing courses with prisoners at several sites since starting the project with the young men at Mount Eden Corrections Facility in 2020. <https://www.youtharts.co.nz/projects/te-kahui>

¹⁹⁶ Letter from the Chief Ombudsman to the Chief Inspector, dated 9 May 2024.

regimes, generally with one hour out of their cells each day, which was spent in either the Unit yard or the recreation room. Such limited time out of cell is likely to have a detrimental effect on wellbeing."

985. The Education Tutor told us she was working on a proposal to keep the young men in the unit meaningfully occupied while they are subject to this strict regime. Managers and colleagues at Mount Eden Corrections Facility spoke highly of the Education Tutor's skills and efforts despite the challenges, including the high turnover of some young men in the remand facility:

"She engages, encourages, runs little programmes etc... Not formal certificates that go towards higher qualifications, but she gives recognition through little certificate ceremonies." [Manager at Mount Eden Corrections Facility speaking about the Education Tutor working with youth.]

986. Youth champions at Tongariro Prison set up a space for young men under 25 from any unit called the 'Engine Room'. This is designed to be a place for young men to talk, listen to music, play board games, and spend time with other young men at a site which mostly accommodates older men. Young men we spoke to appreciated the opportunity to have some time out in this space (see Image 11).
987. The youth champions who facilitate access to the 'Engine Room' have previously arranged other activities at the site, including an electronically monitored hikoi (hike) up the surrounding hills so the young men can get a view of their surroundings with a sense of their bearings at the prison in relation to their home areas. Youth champions also taught the young fathers to make kites that they could later make with their children, while also giving them the opportunity to tap into their own childhood.
988. This resonates with the aspirations shared by a member of the Lived-Experience Panel who now supports young men in the justice system in their education pathway:

"I love to see young people being young people – rangatahi. When you have been through the system, it's good seeing moments for childhoods."

989. While there has been support for these initiatives from some staff at Tongariro Prison, we also heard from youth champions that some staff look down on these efforts.
990. The original youth units are the only dedicated spaces for young people and young adults which have been designed to respond to their needs. Young men who had spent time in a youth unit told us about access to activities and opportunities in the youth units compared with mainstream units:

"It's good being in the youth unit - best place in the whole country. Lots of opportunities here. It feels like we've got lots more freedom here and programmes. (The Youth Activities Coordinator) provides the lists and organises the classes that we can do." [Young man]

"The youth unit is a good way to give you a second chance at life. We learn a lot in here when doing courses. We can get jobs with the certificates. Lots of opportunities, an open environment, access to lots of stuff inside the day room and outside." [Young man]

"Being in a youth unit was cool. I liked it around young people – it was sheltered. We had different opportunities. I did lots of courses there. I did rehab and a drug programme that were specific for younger ones. I did Māori focus courses which taught me a lot." [Young man]

Activities for young women

991. Prior to the 2019 legislation changes, when a 17-year-old female was remanded in custody or sentenced to imprisonment at Auckland Region Women's Corrections Facility, she was placed in the Motivation Unit to keep her apart from adults. This was a small unit with women of any age who presented with different needs or vulnerabilities. For 17-year-old females who were remanded in custody or sentenced to imprisonment at either Christchurch Women's Prison or Arohata Prison, the prison director would determine their suitability to mix with other prisoners.
992. One young woman who had previously spent time in this unit as a young person told us it was *"boring as they only came out for an hour, while they still had to watch segregated adults in same wing do three alternative unlocks"*. She said there was *"nothing to do in the Motivation Unit,"* with no education and inconsistent gym times.
993. Overall, we noted very limited age-related considerations for young women at the women's sites during our site visits, and no specific focus or activities for young women. Young women we met were spread across many units at the three women's prisons, depending on their sentence status, security classification, vulnerability or if they were in a Mothers with Babies Unit.
994. Young women we spoke with would appreciate more age-appropriate activities, like physical fitness, healthy relationships and life-skills courses. Many of them also spoke about having more support to help them with their emotional wellbeing and healing.
995. Both Auckland Region Women's Corrections Facility and Christchurch Women's Prison have delivered the Duke of Edinburgh Hillary Award Programme to young women under 25 years, with a cohort of young women receiving their Bronze Award at Auckland Region Women's Corrections Facility in December 2017 and at Christchurch Women's Prison in June 2019.
996. We heard that in late 2023, Arohata Prison ran a one-off initiative called the Rangatahi Programme. Four women 25 and under started the initiative and three graduated. The Rangatahi Programme ran one morning a week for four weeks and was led by the education team, with support from case management and programmes. During the sessions, the women participated in classes covering topics such as self-identity, goal setting and journaling. The Learning and Interventions Delivery Manager reported that the programme was well received by the women and staff, and that whilst they were interested in running it again, this would be dependent on staffing levels.

Activities officers and volunteers

997. Prior to the Covid-19 pandemic, Corrections introduced activities officers to support prisoners with their physical fitness. Activities officers are custodial officers who work one-to-one or with groups of prisoners, usually in the prison gym (see Image 12).
998. At the time of our thematic inspection, we heard that most of the activities officers were required to return to their primary custodial duties, given staff shortages, and were no longer able to take physical fitness sessions with prisoners. We found sites where activities officers were still taking sessions with prisoners in both men's and women's prisons, although not necessarily young people or young adults.
999. We also heard that prior to the Covid-19 pandemic response, it was common to have volunteers visiting prisons to provide a variety of activities to support prisoners to develop skills and connections to assist with their reintegration.
1000. While most sites we visited had volunteer coordinators, we heard that very few volunteers were visiting prisons since the Covid-19 pandemic response. We were told that reasons for this included shortages of staff at some sites to enable these visits.

Access to case managers

1001. Corrections' case managers play a key role in a prisoner's progress in prison and preparation for release into the community. Case managers are responsible for developing offender plans, referring prisoners to education, rehabilitation, work and reintegration programmes, preparing their parole reports, and attending Parole Board hearings.
1002. The Covid-19 pandemic had a significant impact on access to case managers, as many worked remotely, communicating with prisoners via telephone or audio-visual link. Although case managers had returned to prisons at the time of our site visits, we heard that at some prisons it is taking time to familiarise new staff to the case manager role, especially custodial officers, who are responsible for enabling timely access.
1003. Staff shortages and the increasing population pressures are also putting a strain on case managers, although we heard that the number of case managers is steadily increasing.
1004. At several sites we visited, case managers told us they monitor the daily lists of new prisoners so they can prioritise young adults for allocation. They will also allocate young adults to youth champions if they are available at their site. We heard at some sites that if youth champion case managers do not have capacity, they will assist their colleagues where possible.
1005. Case management staff and managers we spoke to told us they feel constrained due to their stretched resource, or the difficulty in getting access to the units. They also noted there are limited options available to many young adults to help them make progress with their offender plans, especially if they are on remand or in the higher security units.
1006. Young adults we spoke with had a wide range of experiences with case managers. Some of this depended on the availability of case managers at their sites. Some young adults had not met their case manager or only saw their case manager once every three to six months. Others told us their case manager was helping them to make good progress:

"I've got a case manager – seen them once and been here two years. They wrote my Parole Board report when we only met once. I was upset about the report – it twisted what I said. I spoke for myself at the Board." [Young man]

"My case manager has seen me once. She sent me a letter to tick but I didn't understand it, so I threw it in the rubbish." [Young man]

"Case managers don't really come in to see us. They prefer for us to request to see them. I've seen prisoners arguing with them when they come to the unit to see someone else because they haven't seen them. I haven't seen mine for about six months." [Young man]

"My case manager hasn't been touching base lately. It's helpful when she does. We talk about stuff like how to move forward to get a lower security class and get out of this place." [Young man]

"My case manager gave me the full rundown. I am doing Saili Matagi. I pushed myself to get on this and worked with my case manager. I'm learning how to change my life. When I finish the course, I want to work towards a safety plan." [Young man]

1007. Staff who had worked in youth units told us there used to be dedicated case managers in the youth units who were available to respond to the needs of the young men daily. Staff at the Christchurch Men's Prison Youth Unit recalled that it was useful having the case managers based in the unit because they could work as a team and keep each other informed as to what was going on for the young men. The Youth Unit case manager could answer some of the

questions the young men had about their programmes or their release plans more easily than other staff in the unit.

1008. However, staff and managers at both the Christchurch Men's Prison and the former Hawkes Bay Regional Prison Youth Units acknowledged how time consuming it was for case managers based in the units, because of the young men's needs. As a result, both sites had reallocated case managers to a general caseload although they retained a dedicated focus on young adults
1009. They told us that young people and young adults need additional support and guidance from case managers, which requires more time and effort. They proposed having an additional case manager working with young adults to provide additional support to reflect their high and often complex needs.

Education

1010. A Lived-Experience Panel member told us that if he did not have an education pathway while in custody, he would most likely still be on the prison 'conveyor belt'. He said that education:

"Opened [his] eyes to options in life. It gives you the experience of wins and achievements and succeeding in ways you can be proud of."

1011. Corrections is responsible for delivering education in prison, which is adapted to adult learners. Corrections' range of education options in prison is limited, and prisoners generally experience a range of access barriers to education, especially in higher security environments. We heard consistently that education options in prison do not reflect what is available in the community. This applied both to providing continuity of learning when someone comes into prison, as well as when they leave.
1012. Education tutors have a learning pathway conversation with newly arrived prisoners to assess their literacy and numeracy skills using the Literacy and Numeracy Adult Assessment Tool.
1013. According to Corrections' intranet, the learning pathway conversation:

"Provides an opportunity to discuss the person's education strengths, achievements, aspirations and learning goals; to plan or review a learning pathway for their time in our management, and beyond. The information is recorded in the [Integrated Offender Management System] so other staff can support the person to achieve their aspirations and learning goals."

1014. If someone is assessed as Step 1 or Step 2, they are referred to Literacy and Numeracy Support Services (formerly known as Intensive Literacy and Numeracy). This programme supports learners to improve their literacy and numeracy skills. The programme is delivered by a contracted provider face-to-face at each site. We heard from some staff that access to this programme could be difficult due to contractual restraints, and that access to the group programme could depend on where you are located.
1015. Education tutors at one site told us that since Covid-19, they have only been able to provide the learning pathway conversation to assess the learning needs of young adults, but Literacy and Numeracy Support Services were not available at that site.
1016. Literacy and numeracy assessments are ideally conducted online using the Secure Online Learning suite. Units that do not have access to this facility require paper-based assessments to be completed manually.

"The men should work from the Secure Online Learning suite but we're not using this. We are doing one-to-one assessments in the unit with no dedicated spaces. It's hard when they are only out for one hour a day which is also for phone, exercise and cleaning. If a 19-year-old comes in for example, they are not encouraged to

(complete their assessments) earlier. There is no youth prioritisation. We don't offer courses here anyway. There is no tutor available at the moment." [Education tutor]

1017. Only Step 1 and Step 2 learners are eligible for face-to-face delivery. Learners at Step 3 have access to a self-directed learning activity booklet to work on in their cell. While self-directed learning may be supported by the education tutors or volunteers at some sites, several sites we visited during our thematic inspection did not have the capacity to provide this support.
1018. Staff at one site explained that access to prisoners to complete education assessments or to provide support for individual learning can be difficult due to staff shortages and that access is "controlled by custodial staff".
1019. At several sites we visited, we heard that young adults were prioritised for a sports-based literacy and numeracy programme called 'Kick for the Seagulls'. This programme was designed by former rugby league coach Sir Graham Lowe and is delivered by Universal College of Learning tutors. The 17-week programme supports learners to achieve National Certificate of Educational Achievement (NCEA) Level 2 qualifications. Staff we spoke to at the sites where this programme has been delivered told us the sports-based component of the programme is popular with young adults. Most young adults who had completed the programme told us they enjoyed it.
1020. Some young adults in Corrections' custody have completed secondary school, achieved NCEA Level 3 with University Entrance or commenced tertiary studies prior to coming into prison. We heard that there are limited higher education opportunities for young adults. Staff and young adults at several sites told us that most courses offered by the main correspondence course providers are generally offered 'online only' which reflects the service in the community.
1021. The Corrections' Reintegration and Community Services Team told us this is because of a change to the NCEA achievement standards which require providers to re-write both online and paper-based resources, with the online resources being a priority. This has reduced the range of learning options for young people and young adults in prison that might align with their interests and aspirations.
1022. Many young people and young adults told us that if they had the opportunity to progress their education in prison they would:

"I left when I was 15. I had Level 1, was halfway through Level 2. I got the rest of Level 2 in Christchurch Men's Prison. I can't do Level 3 here. I don't know why. I've seen a tutor in the past, but nothing is happening. I would like to re-engage with this to get out of cell." [Young man]

"I was going to be studying at the Southern Institute of Technology before I came to prison. I have applied for the music programme here but haven't heard back. In my spare time I draw and I play music." [Young man]

1023. Many young adults told us they would appreciate more hands-on learning opportunities and trade training. One young man told us he had been working at a chicken factory and had qualifications in dairy farming and was hoping to move to a unit so that he could continue to use these skills in prison.
1024. The Christchurch Men's Prison Youth Unit provides the most consistent access to education to young people and young adults across the network, thanks to its two dedicated education tutors and the dedicated youth activities coordinator.
1025. We were told the Youth Unit education tutors meet with all the young men to complete their education assessments and develop their learning pathways, to decide what education options are best for them. They are also supported to complete their NCEA qualifications. We were told the education tutors mainly conduct classes but also do some one-to-one sessions where necessary.

"We expect that every youth is doing something as part of their structured day. The tutors are adaptable. They run fun classes to keep them engaged." [Learning and Interventions Delivery Manager]

1026. The Learning and Interventions Delivery Manager at Christchurch Men's Prison also told us that in late-2023 they introduced basic engineering, a modular training programme covering health and safety and a basic introduction to engineering, and the young men can achieve unit standards with Competenz.¹⁹⁷ This training programme was run at a small workshop in the main prison outside of the Youth Unit.
1027. The Principal Case Manager and the Assistant Prison Director at Christchurch Men's Prison told us they used to run a carpentry workshop and had a volunteer gardening tutor in the Youth Unit, but these learning opportunities stopped during the Covid-19 pandemic and had not resumed. They also told us that Christchurch Polytechnic used to send out tutors daily to provide training in automotive, plumbing and drain laying, but these options had also stopped.
1028. Some staff said that young adults should have more access to technology, as this better reflects their preferred learning tools and interests in the community. Professional and Academic Panel member Professor Ian Lambie agrees and advises that access to technology increases the scope for learning and meaningful progression.¹⁹⁸
1029. We heard of some promising learning initiatives that young adults can access at some sites. For example, Auckland South Corrections Facility delivers an initiative called Take2, with a community provider, that teaches technology skills like coding, and life-skills, to give prisoners work opportunities in the community. While this programme does not specifically target young adults, we were told that some young men at the site have participated.
1030. One young man told us how he has started taking steps towards achieving his goal, with support from his education tutor:

"I'm starting a small business course through correspondence. It's a step to wealth. I was connected to the programme through my education tutor." [Young man]

1031. A lawyer we spoke to told us he thought that ideally instead of being in a Corrections' prison facility, facilities for young adults sentenced to imprisonment should be "wānanga-style" (campus style) learning environments that give them access to the educational opportunities and life-skills they require to succeed in the community.¹⁹⁹
1032. During our thematic inspection we heard of at least one jurisdiction which runs a 'campus style' custodial facility for young adults, Hydebank Wood in Northern Ireland. This facility prioritises young adults aged 18 to 20 with some provision to include young adults up to 25 years. According to HM Inspectorate, Hydebank Wood is a "secure college" where "the approach taken is to replicate life outside the prison as much as possible through the lack of uniforms and routine use of first names, encouraging participation in positive activities and building a supportive culture". Overall, it appeared that this environment helped reduce violent incidents and incidents of self-harm, and young adults in these units had more positive outlooks for their future compared to young adults in mainstream adult units at other prisons in the United Kingdom.²⁰⁰

¹⁹⁷ According to its website: "Competenz is a Business Division of Te Pūkenga – New Zealand Institute of Skills and Technology, and one of New Zealand's work-based learning organisations."

¹⁹⁸ Statement at first meeting with the Professional and Academic Panel, 11 December 2023.

¹⁹⁹ Interview with lawyer, 19 March 2024.

²⁰⁰ HM Inspectorate of Prisons (2021). *Outcomes for young adults in custody – A thematic Review by HM Inspectorate of Prisons*. London, England. Note, HM Chief Inspector of Prisons is invited to inspect prisons in Northern Ireland.

Rehabilitation

1033. According to Lambie and Randell (2013):

“Although it is possible that positive rehabilitative effects can be achieved in a confinement setting, the nature of confinement, as well as the negative impacts that it may have, can greatly limit the rehabilitative potential of such placements. Incarceration environments are often characterized by victimization, social isolation, and unaddressed or exacerbated mental health, educational, and health needs.”²⁰¹

1034. Corrections delivers offence-focused rehabilitation programmes to help prisoners learn skills to manage their offending behaviour and address the factors that contribute to their offending, such as drugs and alcohol.
1035. Corrections’ rehabilitation programme design and delivery is largely based on the Risk-Needs-Responsivity model, introduced in the 1990s.²⁰² The Risk-Needs-Responsivity model determines what is needed to ensure someone has the best chance of successful offence-focused rehabilitation. This means treatment is appropriate for the level of risk of reoffending, offending related needs (which includes for example substance use, attitudes and peer associations) are targeted in the intervention, and the intervention approach is responsive to the prisoner, meaning that its approach considers factors such as culture, age, gender and cognitive abilities.
1036. Most of Corrections’ rehabilitation programmes require prisoners to have at least Level 2 literacy and numeracy to participate.
1037. Corrections has developed and delivered a range of medium and high intensity rehabilitation programmes designed to respond to the needs of young people and young adults. These are set out below.

Medium Intensity Rehabilitation Programmes for young men

1038. In 2015, as part of the Corrections’ Youth Strategy focus on ‘world leading rehabilitation and reintegration services’, Corrections developed a medium intensity youth rehabilitation programme called Mauri Toa Rangatahi. This programme could be delivered in prison and the community. The programme focused on improving offence-related attitudes and lifestyle choices through repetition that could help internalise and strengthen positive behavioural and lifestyle changes. It also included an adventure therapy component, to provide kinaesthetic learning opportunities that suited the young men’s learning styles and enhanced engagement.
1039. In Budget 2017, Corrections was allocated funding to develop rehabilitation programmes that specifically targeted burglary offending, given an increase in burglary offences by young people and young adults at that time. This programme included funding for wrap-around reintegration support, as responding to reintegration needs was considered critical to successfully addressing some of the drivers of burglary offending.
1040. As a result of this funding, the medium intensity WHARE programme was developed, which included elements of Mauri Toa Rangatahi, including the adventure therapy component, but focused more strongly on the four sides of Sir Mason Durie’s holistic wellbeing model, Te Whare Tapa Wha, in its design: tinana (physical), hinengaro (mental), wairua (spiritual) whānau (social).

²⁰¹Lambie, I. and Randell, I. (2013). *The impact of incarceration on juvenile offenders*. Clinical Psychology Review 33 (2013) 448–459. Psychology Department, University of Auckland, New Zealand.

²⁰² Bonta, J. (2023) *The Risk-Need-Responsivity model: 1990 to the Present*. HM Inspectorate of Probation Academic Insights 2023/06.

1041. This programme involved whānau and families throughout to support young adults in their rehabilitation. People who did not have a history of burglary offending could still complete the Mauri Toa Rangatahi (except for those with a history of sexual offending).
1042. In 2021, Corrections consolidated and updated the two medium intensity programmes (Mauri Toa Rangatahi and WHARE) into one programme, Te Whare Hapai Tangata (The House that Lifts People), while continuing to contract the wrap-around reintegration support for the programme across the country.
1043. Youth champion programme facilitators at Waikeria Prison told us they had adapted a medium intensity youth rehabilitation programme, which they were able to successfully deliver to four eligible young men at their site. They told us that since then it has been difficult to guarantee beds or programme rooms at the site.
1044. Te Whare Hapai Tangata was most recently delivered at Christchurch Men's Prison, with five young men outside of the Youth Unit between the ages of 20–25 successfully completing the programme on 1 February 2024.

High intensity rehabilitation programmes for young men

1045. In 2015, Corrections also piloted the Mauri Tū, Mauri Ora high intensity programme for young people sentenced to imprisonment residing at Korowai Manaaki, the Youth Justice residence in Auckland. Mauri Tū, Mauri Ora was delivered jointly by Corrections and what was formerly Child Youth and Family (now Oranga Tamariki).
1046. Given the small number of young people sentenced to imprisonment residing in a Youth Justice residence, the programme was moved to the Christchurch Men's Prison Youth Unit. This programme was introduced at the time when 17-year-olds were still in the adult justice system, and they were prioritised for youth unit placements.
1047. Given that the programme targeted higher risk young men under 20 years, many who met the programme criteria were not suitable for a youth unit placement under the Test of Best Interest assessment. We heard from programme staff that some young men who were accepted into the youth unit to complete the programme created tension and were subsequently exited, and therefore did not complete the programme.
1048. Another challenge was that most young men who were eligible for the programme were from the North Island and did not want to move to the South Island away from their whānau or family and home areas.
1049. The decision to deliver the high intensity rehabilitation programme for young men with a high risk of reoffending in the South Island youth unit prevented many young men who were eligible for the programme from being able to access it. As a result of the low number of participants on the Mauri Tū, Mauri Ora programme, this programme was discontinued.
1050. The Short High Intensity Programme for Young Adults (SHIP-YA) was created, with funding from Budget 2017, as the burglary prevention programme for young men with a higher risk of committing burglary offences due to their prior history of offending.
1051. Given the SHIP-YA was intended to be delivered to young men nearing their release, to support their transition to the community, programme facilitators struggled to form programme groups with enough men who met the eligibility criteria at any one time to successfully deliver the programme. As a result, this programme was also discontinued.
1052. Budget 2019 included funding to pilot a youth Special Treatment Unit (Youth-STU) for young men assessed as being at a high risk of reoffending. A decision was made to trial this high intensity programme in an existing Special Treatment Unit where the therapeutic community for older prisoners was well established and understood.
1053. To be eligible for the Youth-STU, young men must have attained a low-medium security classification or below. This excludes young men with high or maximum security classifications, as they need to demonstrate their ability to safely reside in a therapeutic community.

1054. A key barrier to young men accessing the Youth-STU has been their high security classification. Most sentenced young men who met the risk of reoffending criteria for the high intensity Special Treatment Unit had high or maximum security classifications, which excluded them from attending the programme.
1055. When the programme was piloted, some young men who were close to meeting their low-medium security classification were re-classified to be able to attend. Corrections' Principal Advisor for the Special Treatment Units told us that some of the young men struggled to adjust to the therapeutic community directly from the higher security environments, and they were not adequately prepared to engage in the intensive group rehabilitation programme. The evaluation report for the first Youth-STU pilot programme found that:

*"The similar age and maturity peer association also acted on occasion as a barrier to change because it boosted their antisociality by glorification of their offending behaviour and negative behaviour in the unit."*²⁰³

1056. Most of these young men were exited from the programme and returned to the high security units.²⁰⁴
1057. Psychologists who have delivered high intensity rehabilitation programmes to young men also expressed their reservations about delivering group programmes with young men who struggle to settle when they are together. They told us that having older men in the group can help bring balance.²⁰⁵
1058. The Youth-STU pilot evaluation report noted that the young men attending the programme in the therapeutic unit appreciated the additional access to individual sessions with a psychologist. The report notes:

*"This was also endorsed by the therapists, who indicated the young men presented with high level responsivity barriers that required frequent unscheduled individual work alongside the group programme."*²⁰⁶

1059. While we were told that the Psychology Programmes Team would consider delivering another Youth-STU, they have not been able to identify enough young men who meet the programme criteria since the pilot programme. This includes reaching the low-medium security classification threshold.
1060. The Principal Advisor thought it would be beneficial for young men who have spent time in high security units to attend the High-Risk Personality Programme prior to attending the Special Treatment Unit programme. The High-Risk Personality Programme is designed to:

"Develop insight and skills to reduce their rate of violent misconduct and disruptive behaviours and opportunity for participants to develop a stable history of institutional behaviour to allow justifiable reductions in their classification."

1061. While the High-Risk Personality Programme is intended to be delivered in high security settings, we were told that delivery depends on staff and the availability of appropriate programme rooms in these units. This has proven difficult in the high and maximum security units since Covid-19.

²⁰³ Evaluation Report - Young Adults' Special Treatment Unit Pilot 2022.

²⁰⁴ Evaluation Report - Young Adults' Special Treatment Unit Pilot 2022.

²⁰⁵ Email correspondence with Psychologist, 18 and 19 April 2024.

²⁰⁶ Evaluation Report - Young Adults' Special Treatment Unit Pilot 2022.

1062. To overcome the access barriers to attending high intensity group programmes, in 2022, the Corrections Psychology Team developed a 'flexible Young Adult framework' for registered psychologists working with young adults individually.
1063. There are three parts to this framework – the theoretical framework which provides “*supporting literature, therapeutic models, and specific areas for consideration when working with young adults*”, the young adult intervention brief guide and the therapist’s practice guidelines. There is no requirement for psychologists working with young adults to use these guidelines, although they are recommended to enhance their interactions and therapeutic interventions with this population.²⁰⁷

“We need multiple options to access youth programmes. Otherwise, there’s one-to-one (with a Corrections’ psychologist) which is hard to access.” [Young man]

1064. Young men who cannot access youth-focused rehabilitation programmes may be considered for adult men’s rehabilitation programmes. Most of these programmes are designed for men over 20 years, but young men under 20 years may be considered on a case-by-case basis. These programmes include the Special Treatment Units and, as noted previously, the medium-intensity Māori or Pasifika offence focused programmes, Mauri Tu Pae and Saili Matagi.

Wrap-around reintegration support

1065. Wrap-around reintegration support for both medium intensity and high intensity youth-focused programmes was delivered through contracted community providers who work with the young men for up to six months following their release, based on their needs.
1066. During our thematic inspection, we heard that due to the low delivery of youth-focused rehabilitation programme groups, Corrections may not renew contracts with four out of the five community reintegration providers across the country at the end of the financial year.
1067. There is a sixth reintegration support provider for the programme whose contract expires in December 2024.
1068. We also heard that, in the absence of youth-focused high intensity programme groups, the Psychology Programmes Team allocated some of the reintegration support resource to Auckland Prison, to prioritise young men returning to the community, often with limited rehabilitation interventions. We were told that this resource has been discontinued as well.

Offence rehabilitation programmes available to young women

1069. To date there have been no offence-focused rehabilitation programmes developed specifically for young women. While young women under 20 years may be accepted onto the medium-intensity women’s rehabilitation programme, Kowhiritanga, the high intensity programme, Kimihia, does not include young women under 20 years.
1070. We heard from a Principal Case Manager at one women’s prison that programme facilitators try to consider group fit and dynamics, taking age and maturity into consideration when establishing programme groups.
1071. A young mother in the Mothers with Babies Unit told us it can be difficult to complete rehabilitation programmes while looking after her baby. She said she had to enrol her baby in daycare at three months old so she could complete her programme.

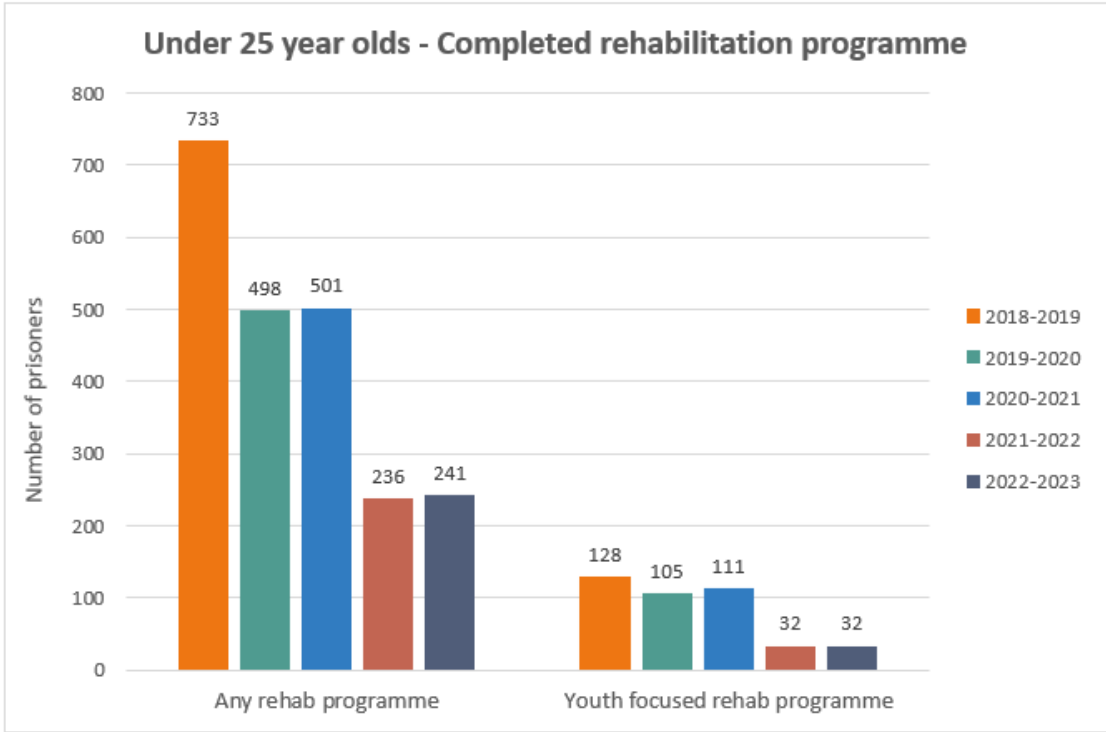
Barriers to accessing rehabilitation

1072. Corrections’ data shows that a decreasing number of young people and young adults have accessed the youth focused rehabilitation programmes since June 2018. This will be in part because of the significant drop in this population over the past five years. Nevertheless, Graph

²⁰⁷ Interview with Psychology Programmes Manager, 6 May 2024.

18 shows that a small percentage of young adults in prison are receiving rehabilitation interventions in prison.

Graph 18



1073. Access to offence-focused rehabilitation programmes has been particularly limited for people under 20 years in prison.

1074. While high security classification can be a key barrier to accessing rehabilitation programmes, another barrier is the high percentage of people under 25 years on remand and who receive short terms of imprisonment. This limits the time they have available to them in prison to complete an offence-focused rehabilitation programme given that typically offence focused rehabilitation programmes are only available to sentenced prisoners. As Graph 19, below, shows, for the period of 2022-2023, the average time spent in custody for all under 25-year-olds was 115.6 days.

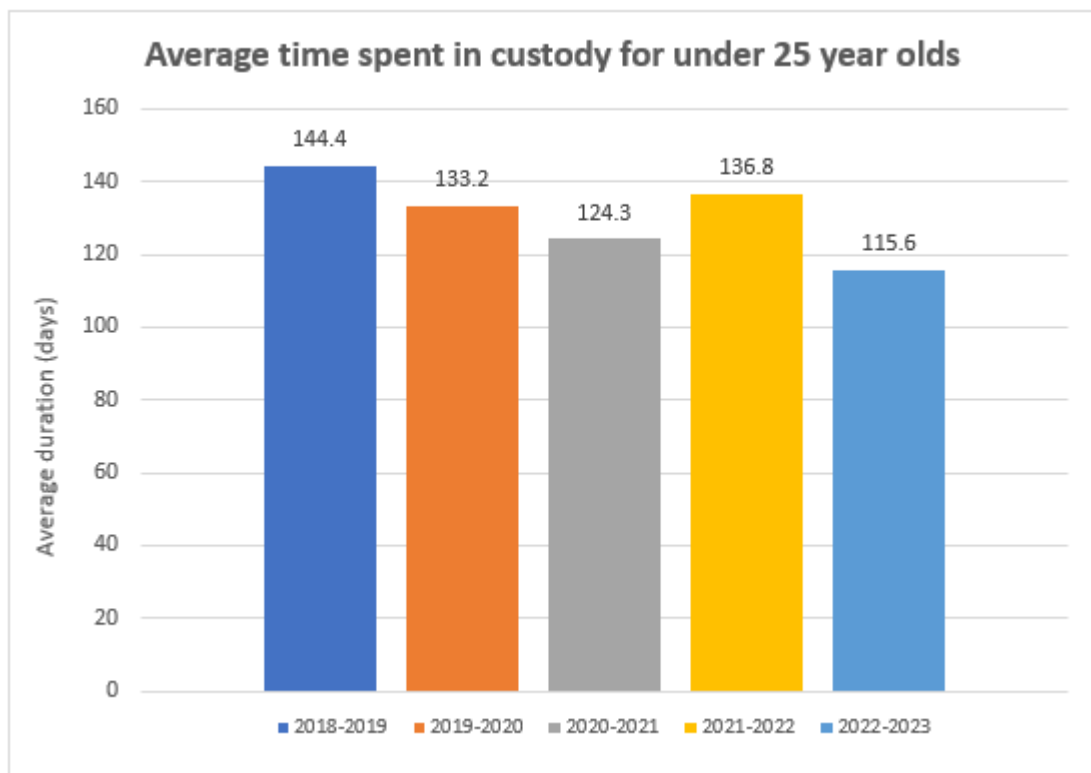
1075. At the time of writing, work is underway at Corrections to increase delivery of rehabilitation programmes to prisoners while they are serving custodial remand.

1076. Some young adults told us that despite being a sentenced prisoner for several months, they are not accessing the rehabilitation programmes they are waitlisted for:

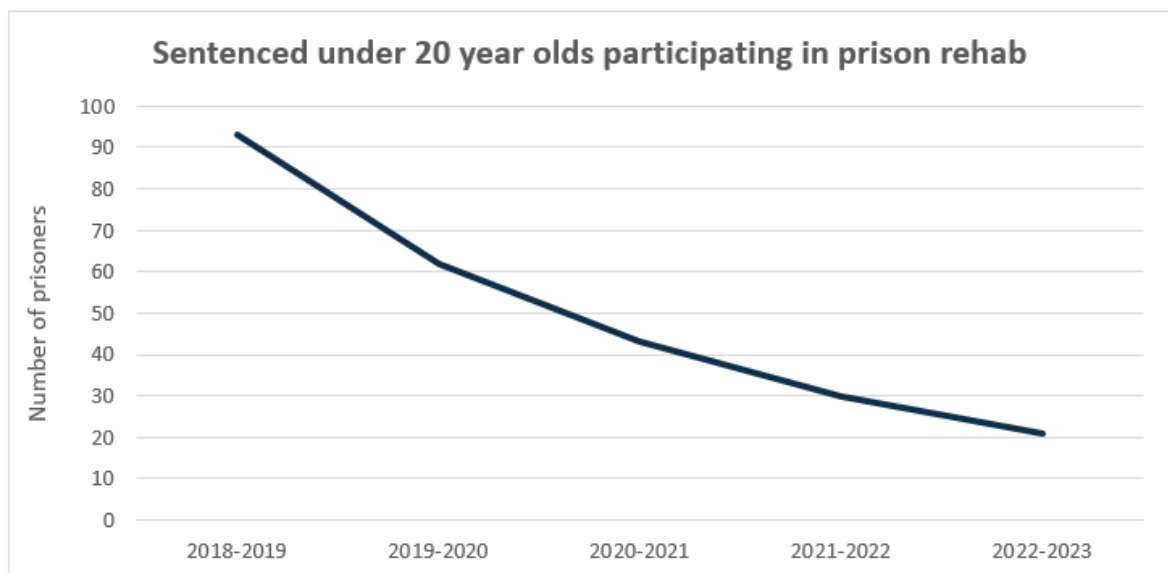
"I've been waitlisted for lots of things like Tikanga, Drug Treatment Programme. I have been in here for one year and I've done nothing." [Young man]

1077. One young man told us he had not completed any programme, but he was due to do a youth-focused rehabilitation programme at another site. He said he had been told three times that he was going 'on the bus', but then he was told that there were not enough beds.

Graph 19



Graph 20



1078. Some young adults told us that being required to move sites can be a barrier to accessing rehabilitation programmes. For some, this can mean moving away from whānau or family, including babies and small children. One young man told us he had to move to a different site to complete a programme for the Parole Board, but he did not want to be far from his ten-month old baby who regularly visited him in prison, as he could not hold his baby in a video call. He told us he was looking into what alternative options were available.

1079. One young man on voluntary segregation shared his concerns about going to complete a programme in a mainstream unit:

"There is nowhere on segs (voluntary segregation) to do that programme. It baffled me to be honest. Why do I have to go on a mainstream unit? I am more than happy to do the programme, but I have to force myself into a situation I don't want to be in. I signed on segs because I didn't want to be in mainstream, but now have to sign off to do a course for the Parole Board." [Young man]

1080. Some young adults told us they did not think the programmes they were attending adequately responded to their risk or needs. Members from the Lived-Experience Panel shared their concerns about the 'tick-box' approach to assessments, which are often administered before developing a trusting relationship, or ask questions that do not accurately capture needs:

"Prison needs to look at prisoners as individuals not just at what the paperwork says before determining what the rehabilitation needs are. Rehabilitation programmes are determined by paper-based assessments rather than the specific circumstances of the individual and this could be reviewed." [Young man]

"I feel like I should be doing MIRP (Medium Intensity Rehabilitation Programme) rather than the STURP (Special Treatment Unit Rehabilitation Programme). My charges make it seem that I'm violent all the time: I'm not a violent person – I don't like violence." [Young man]

"I trialled the Kimihia programme, but I don't think the group mix was good. I think there were too many high needs on the trial group." [Young woman at Christchurch Women's Prison]

1081. Young adults who were able to access rehabilitation programmes told us they appreciated the opportunity and felt they were benefitting from the intervention.

Meeting New Zealand Parole Board requirements

1082. Prisoners serving sentences of more than two years are required to successfully complete offence-focused rehabilitation programmes before the Parole Board will consider their release back into the community before their sentence release date.

1083. We spoke with the Chair of the New Zealand Parole Board, Sir Ron Young, to hear his experiences of young people and young adults seeking parole, including barriers to progress, and whether the Parole Board had observed ways to overcome these barriers, especially for young people or young adults in Corrections' custody.

1084. He noted that when young adults are in higher security environments, there seems to be limited effort to help them address their disruptive behaviour to support their progress. During our interview, Sir Ron reflected that:

*"Often they are just broken kids, and we are really letting them down."*²⁰⁸

1085. Professional and Academic Panel member Professor Tracey McIntosh told us that appearing in front of the Parole Board has been demoralising for some young women she has supported, especially if they have put effort into preparing for their Parole Board appearance and parole is declined.

1086. A Lived-Experience Panel member reflected that:

²⁰⁸ Interview with the Chair of the New Zealand Parole Board, 1 March 2024.

"There are a thousand obligations placed on youth, and they don't have the mana to say 'I can't achieve this'."

1087. Many young adults we spoke to told us they did not feel adequately prepared for their Parole Board appearances:

"I didn't feel prepared to attend the Board. Everything was unorganised. I had a bed date in rehab. The Board asked the case manager about the rehab and she didn't know. Parole was declined." [Young woman]

"I went to the New Zealand Parole Board last month. I wasn't prepared. The case manager didn't talk about what to expect. I have accommodation to go to. I thought I would get parole, but I didn't. The Board wants more treatment. [Young man]

1088. Some young adults told us they did not know what the Parole Board expected of them, so were unsure how best to prepare. We heard examples of the Parole Board requiring young adults to complete treatment programmes they did not feel were related to their offending needs, or they were participating in interventions that the Parole Board did not consider relevant to the decision to grant parole:

"I don't really know what the Board wants. I was seeing a psychologist, but the Parole Board said it didn't really count so I stopped. I don't really know what support I need cause then I have to do something. I don't want to come back. I must not do the dumb stuff I use to do." [Young man]

"I'm not sure what I need to do in terms of programmes, I put myself on this programme. I am getting prepared for my Parole (Board appearance) in November. I will need to plan out my safety plan." [Young man]

1089. We heard from some young people that they would rather waive parole than complete programmes or be required to comply with additional special conditions in the community.
1090. On the other hand, some young adults spoke confidently about programmes and about their preparations for release. Some attributed this to support from their case managers to help them with their release planning. One young woman told us she had spoken to her case manager about a safety plan and understands she has a lot to do to be ready for the outside. She feels she has a solid plan in place for when she gets out.
1091. Others said they had taken initiative to prepare for their release, or they had learned from their past experiences, and knew better what to expect when they next leave prison:

"I've done heaps of programmes. Take what you want and get the certificate – it gets a discount at sentencing. Sometimes it helps to plant the seeds – you need to be open to anything." [Young man]

Work

1092. Work opportunities in prison are valuable to prisoners. They keep people meaningfully occupied, give them a sense of responsibility, and provide some income.
1093. Given young people and young adults often have limited work experience prior to coming into prison, supporting them to access work in prison can teach them basic work skills that can help them to find a job when they return to the community.
1094. Most of the young adults we met during our visits told us that it is very hard for them to access Corrections' work opportunities in prison, including simple jobs, even at the lower security sites:

"No one is working. It would be good to have more jobs. We have the facilities here, but we have a monotonous lifestyle." [Young man in group interview]

1095. One young man told us that Release to Work opportunities for young people are limited as it requires them to have a minimum security classification, which he said is difficult due to the way the security classification process works:

"There are no work opportunities in prison apart from wing jobs. I've never been low security." [Young man]

1096. One young man told us he does some jobs because he likes to keep busy. He said he will do anything he is asked *"even if it is not a real job, like washing the rubbish bin"*. He told us staff do not like him doing this and will stop him, so he ends up getting into trouble.
1097. For some young adults, having access to work opportunities is important but can also be a risk when mixing with some of the other prisoners, when there may be less staff supervision:

"I used to be doing unit employment. I was attacked by two people and lost my job. I ended up in the Intervention and Support Unit for a night and then the pound and then came back to the unit." [Young man]

1098. Access to work opportunities in prison could help set young adults up with meaningful work options when they leave prison. However, given that most young adults are on custodial remands or receive short sentences, few of them can access more meaningful work opportunities:

"It takes a long time to be able to access industry or engineering. It's quite hard, and there is no room for error." (Young man in group interview)

1099. Some young adults have been able to access work opportunities, which are helping them progress and stay occupied:

"I am employed in the kitchen. I am working on hospitality NZQA standards in the kitchen." [Young man]

"This unit is the only working unit in the prison. It is easy to spend time working every day, where the others are locked up 23 hours a day, they are going to be crazy." [Young man]

1100. One young woman told us she is working in the internal grounds. She said she got this job by *"continually asking everyone"*. She told us she *"loves it"* as it *"keeps her out of issues and dramas in the unit"*.
1101. We heard of a dairy farming initiative for young men at one lower security site. The intention was to provide young men with more support and guidance with staff who are known to interact well with them.
1102. While working in prison is worthwhile for young adults, Release to Work provide young adults with the best opportunity to develop work skills and set them up with meaningful work opportunities when they return to the community.
1103. According to Corrections' intranet, Release to Work is a *"type of temporary release"*:

"The purpose of Release to Work is to assist prisoners in their reintegration by maintaining, developing or re-establishing work skills and habits, providing contact

with the wider community, and providing the opportunity to save money for re-establishment on release.”²⁰⁹

1104. There are specific requirements for prisoners to be considered eligible to apply for Release to Work. Prisoners must be:

- minimum security who:
 - i. are serving a sentence of 24 months or less; or
 - ii. are serving a sentence of 24 months or more and have reached their parole eligibility date; or
 - iii. were sentenced to a determinate sentence of imprisonment prior to 1 July 2002 for a ‘serious violence offence’, are not eligible for parole, and are within 12 months of their sentence end date.
- low and low-medium security prisoners who have a release date set by the New Zealand Parole Board.²¹⁰

1105. If a prisoner is successful in their application, a Corrections’ Release to Work broker will help them find suitable work in the community, as approved by the prison general manager. Overall, we heard that Release to Work is limited for all prisoners. Given the high percentage of young adults on remand or in high security units, it is difficult for them to meet the eligibility criteria for Release to Work.

“Release to Work would be good but it takes ages. You need to be vetted. They prioritise lifers.” [Young man in group interview]

1106. At the time of our thematic inspection, only one young adult had Release to Work.

Summary

1107. In summary, we were told that most young people and young adults in prison have limited understanding of the rules and expectations in prison, as well as how the justice system works in general. There are multiple barriers to young people and young adults accessing education, rehabilitation and work opportunities in custody, and limited support to develop the life-skills they need when they leave prison, including developing healthy relationships, learning how to cook, manage their finances or to be a good tenant.

1108. While many staff we spoke to are aware of these limitations and are concerned about the wellbeing of young people and young adults in custody, they told us they did not have the staff numbers, time or environments to respond to their needs. We found that this could be upsetting to some staff who wanted to do more but lacked the dedicated resources and management support at some sites. We found that having management support for youth champion activities at a site helped to progress some initiatives, even with limited resources.

1109. Most young people, young adults and staff we spoke to had ideas about what would make a difference to life in prison. Many of their ideas were simple, such as being able to have easy contact with their whānau and families, being able to connect to cultural support, having access to constructive activities and opportunities to progress their sentence, and to feel safe from violence and intimidation.

²⁰⁹ Prison Operations Manual M.04.07 Release to Work.

²¹⁰ Prison Operations Manual M.04.07 Release to Work.

1110. Implementing these changes for all young people and young adults in prison would not only help to equip them to transition to adulthood but would provide them with the skills they need when they return the community.

Recommendations

Arrival in prison

6. Corrections must ensure that a wide range of age-appropriate, accessible communication mediums are available for imparting important information to young people and young adults, in areas such as induction, rules and expectations, and complaint processes. Covering both written and oral communication, approaches might include printed material using simple language and graphics, better utilisation of prisoner television, and ensuring that matters are thoroughly explained, allowing for questions, and receiving confirmation that information has been properly understood.
7. Corrections must develop a process to establish whether a young person or young adult received into Corrections' custody has spent time on remand in a Youth Justice residence, to ensure this is included as part of sentence calculations.

Whānau, family and community

21. Corrections must consider adopting technology solutions (such as those used in comparable overseas jurisdictions) which offer greater opportunities for young people and young adults and their families and whānau to maintain contact by telephone, and also provide a voice-mail message answer service.

Safety in prison

23. Corrections must develop a gang management plan, with a particular focus on young people and young adults, to take into account their vulnerability and susceptibility to harmful influences in prison.

Areas for consideration

Arrival in prison

2. Corrections should consider how its initial reception process takes into account the additional support required for young people and young adults, particularly as this is often their first time in prison. Staff working in this area should have an awareness of the neurodevelopmental needs (and associated behaviour) of young people and young adults, and how to manage this.

Whānau, family and community

4. Corrections should consider how to improve young people and young adults' access to whānau, family and supports using various available methods of communication from the earliest opportunity. This includes helping young people and young adults to access important contact telephone numbers when they first arrive.
5. Corrections should consider how to improve young people and young adults' contact with whānau and family members who are in prison, where this is safe and supports their rehabilitation and reintegration.
6. Corrections should consider how to mitigate the geographic and financial barriers for whānau and family who want to have face-to-face visits with young people and young adults in prison.
7. Corrections should consider how young mothers and fathers in prison can maintain safe, regular, in-person contact with their babies and young children to be able to form and maintain their bond. This may include extended children's visits and children's days.
8. Corrections should consider how rangatahi Māori in prison can access whānau ora wrap-around support such as Paiheretia Te Muka Tangata.

Rehabilitation and Reintegration

21. Corrections should consider increasing the range of education and learning opportunities available to young people and young adults, that aligns with their interests and aspirations, and reflects the skills required for a variety of work opportunities in the community. This includes expanding the use of technology solutions, which reflect those available in the community.
22. Corrections should consider how to support young adults to access Bail Support Services at the earliest opportunity.
23. Corrections should consider how to improve young people and young adults' access to temporary removals and releases that supports their reintegration, (including Release to Work and guided release).

Returning to the community

"Hopefully I have a second chance in life." [Young man]

1111. A priority area in the Corrections' Young Adult Framework is that imprisonment is a last resort. According to the Corrections' Young Adult Hub:

"High levels of exposure to custodial environments can have a negative impact on the development of young adults in Corrections' care. Sustained exposure risks 'hardwiring' young adults for a life of containment and involvement in the criminal justice system, particularly due to the accompanying exposure to more hardened individuals within custodial settings.

"Minimising exposure to custodial environments, as much as is appropriate and practicable, thus becomes a key priority to improve pathways and outcomes for the young adults in our care."

1112. Following an extensive review of research and literature, Lambie and Randell (2013) concluded:

"Incarcerating youth in prison has little positive impact in reducing crime. The literature highlights this problem, particularly in adult facilities. There are many negative effects from incarcerating young people in prisons. Incarceration fails to address both the young person's developmental and criminogenic needs."²¹¹

1113. This means that Corrections, together with sector partners and community supports and agencies, should prepare and support young people and young adults in custody to return and remain in the community from the earliest opportunity, to prevent the potential long-term harmful effects of prison.

Release on bail

1114. Early release on bail, where applicable, provides young people and young adults the best opportunity to avoid spending time in prison. As noted previously, approximately 60% of young adults were subject to custodial remand at the time of this thematic inspection.

1115. Many of the young adults we met during our thematic inspection had previously been on bail, including electronically monitored bail, but struggled to comply with bail conditions.

"I had bail previously. My lawyer said I would not get bail this time around, so I've not tried to get bail." [Young man]

"I just didn't listen to my lawyer and got homesick and went home. I have learned my lesson about breaching bail." [Young man]

1116. A lawyer we spoke with told us this is common at their age, as young people and young adults are naturally more impulsive and have not developed the capacity for consequential thinking.

²¹¹ Lambie, I. and Randell, I. (2013).

This makes it hard to comply with strict conditions and resist temptations from friends without good support around them.²¹²

1117. Young people and young adults often need support while they are on bail in the community. Corrections offers Bail Support Services to people on remand. According to Corrections' intranet:

"Bail Support Services aims to:

- Help reduce the amount of time people spend remanded in custody.
- Connect people with programmes and services that will help them stay free of crime while on bail.
- Encourage people to take positive steps forward earlier in the criminal justice process...

If bail or EM bail is granted, Bail Support Officers then offer support in the community by connecting people with the programmes, services and support they need."

1118. One young woman told us she had met with a Bail Support provider while in prison on remand:

"I was previously bailed for a bit. I had contact with a support worker before being released, but then didn't hear from them when I needed them in the community on bail." [Young woman]

1119. While not many young adults we spoke to in prison had received Bail Support Services, this is not a reflection of the success of this programme for those receiving support on bail in the community, as we did not interview these young adults during this thematic inspection.
1120. Some young people and young adults who have previously been in the care or custody of Oranga Tamariki may be entitled to support from a transition worker with the Oranga Tamariki Transition Support Service. Their transition worker may be able to assist young people and young adults to comply with their bail conditions.
1121. Some case managers we spoke to tried to connect young people and young adults to this service, but they told us they were not always successful. Not many young adults we spoke to were receiving assistance from the Transition Support Service to improve access to bail options.
1122. Most of the young adults we spoke to told us they relied on their lawyers to seek bail and to help identify bail options.
1123. Many young adults have no suitable accommodation, which can be a barrier for them to be bailed to the community or to successfully comply with their bail conditions. While some addresses may be assessed as suitable, if there is a change in circumstances, young adults have few safe alternatives or supports.
1124. For example, one young man told us he had previously been on Electronically Monitored bail at his relative's address, but he breached his conditions as their behaviours presented a risk for him. He explained that they were involved in alcohol and drugs, and he found it hard to comply with his bail conditions in this environment. He said prison was safer for him.

²¹² Interview with barrister Tiana Epati, 15 May 2024.

Suitable accommodation

1125. Suitable, stable accommodation is essential if someone is seeking bail, a community-based sentence or release on parole. Without a suitable address, prison may be the only alternative option.
1126. Gilbert and Elley (2014) found that having approved accommodation with family or friends following release from prison was "...overwhelmingly seen as critical to maintaining desistance".²¹³
1127. Many young people and young adults in prison do not have suitable accommodation in the community. Many who come into prison at 18 years have spent long periods of time in the care or custody of Oranga Tamariki, especially in Youth Justice residences, and therefore may not have safe addresses to return to. While some may be entitled to return to or remain with a caregiver, given their offending behaviour, options for caregivers who are willing to accommodate them are limited.
1128. Members from the Lived-Experience Panel acknowledged that sometimes it may not be in someone's best interests to return to their whānau or family home while their family or whānau are experiencing challenges, especially if they are on a rehabilitation and healing pathway:

"It is incredibly difficult to come to terms with the fact that returning to whānau can be the worst decision for yourself."

1129. The Corrections' research team spoke with whānau and family members who acknowledged that sometimes they would not accommodate their children until they had undergone treatment to address their harmful behaviour, as their behaviour can be disruptive to others in the home. However, they still wanted to provide their children with love and emotional support, while also admitting that they often also needed to support themselves to heal.
1130. One young man told us about his difficulty in finding suitable accommodation for his release. He told us he could not stay with his father who was unwell as this would not be a good environment for him. He said if his friends know where he is going to be released, he would "get in trouble". He said he is thinking of staying by himself, but then he would "not have any support".
1131. We heard from young adults whose family addresses were either not suitable or not approved for their release, either due to concerns related to their home circumstances or because the address was close to their victim.
1132. If young people and young adults do not have accommodation with family, whānau or a caregiver, they have very little knowledge about how to find suitable accommodation and live independently in the community.
1133. Some young adults who do not have suitable accommodation in the community may be referred to emergency housing services. A case manager we spoke to told us she is reluctant to refer young adults to emergency accommodation as it is often in high-risk areas that can be unsafe for them. Some young adults we spoke to shared this concern. One young man told us:

"I've been given a list of emergency housing. I don't know how to live there. You may as well chuck me out on the streets – I'll come right back to jail. I don't know where to go. It's frustrating." [Young man]

1134. Young adults we spoke to who had accommodation arranged for their release expressed feeling fortunate and grateful:

²¹³ Gilbert, J. and Elley, B. (2014) *Youth desistance in Aotearoa New Zealand – What can we learn from higher risk former offenders.*

"I feel fortunate to have family, parents who lived off the land, and that's where I am going straight back to – hunting and fishing." [Young man]

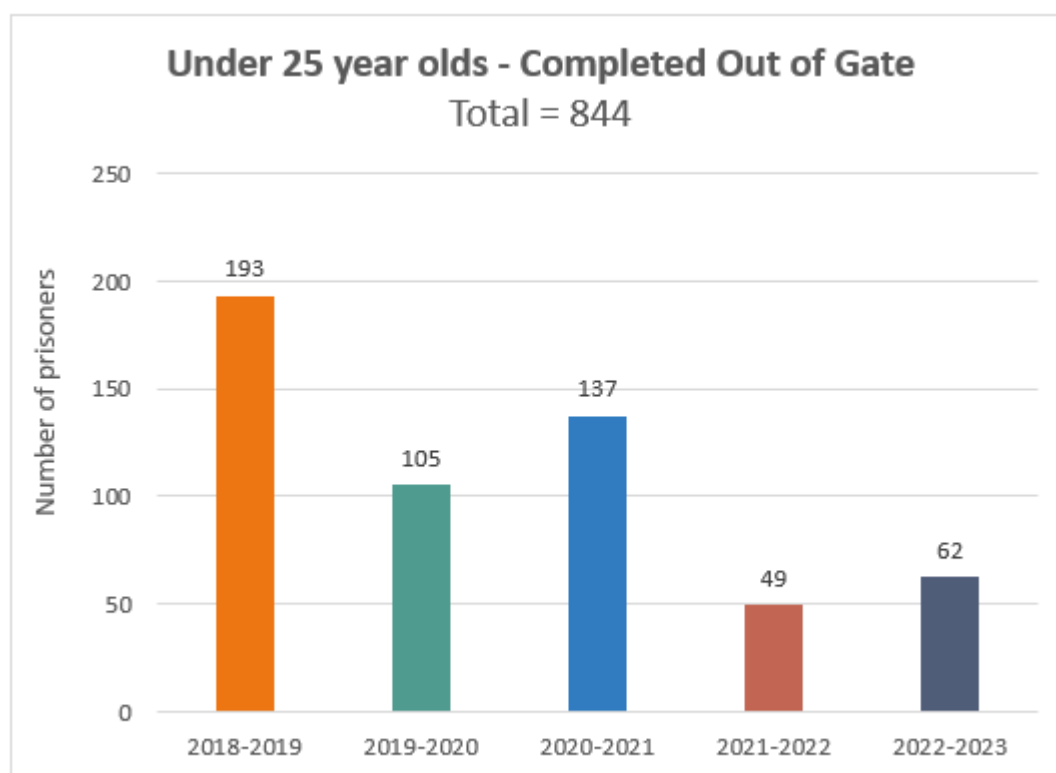
1135. One young woman told us she was excited about getting out of prison and going into housing. She said it was *"great to have somewhere to go and others should have this too"*. She said that having housing means she can leave prison.
1136. Corrections' housing support services have not typically offered targeted support for people under 25. Young adults seeking housing support are placed in the same housing support services as older prisoners returning to the community.
1137. Young adults with a criminal history who have spent time in prison are a low priority for accommodation providers. They are also unlikely to have the funds to pay a bond or make regular rent payments.
1138. In May 2024, Corrections launched a supported accommodation option in Auckland in partnership with Ngāti Whātua called Hāpai O. Four places have been reserved for young tāne aged from 18 to 24 years. Young men can remain at this property for up to 18 months. According to the programme description:

"Men will be supported in a kaupapa Māori environment to learn new skills, gain employment and positively contribute to the community."

Support following release

1139. Corrections offers the Out of Gate service for people remanded in custody or on short sentences to help with their reintegration in the community. Corrections contracts NGO providers around the country to deliver the service, in line with the 'six pillars of reintegration'. These pillars are:
- Employment
 - Education and training
 - Accommodation
 - Oranga/health and wellbeing
 - Skills for life
 - Family/ whānau and community support
1140. Prisoners can access this support through their case managers, probation officers or the Bail Support team. Out of Gate providers deliver remand reintegration programmes at sites with high numbers on remand. This presents an opportunity for prisoners on remand to learn about the Out of Gate service and advise the providers of their reintegration needs, which providers pass on to case managers. The programme can be adapted to meet the needs of certain groups, including youth.
1141. While the Out of Gate service is for anyone who meets the eligibility criteria, there is no requirement for providers to have specific skills or experience in working with young people or young adults.
1142. Graph 21, below, demonstrates the low number of young adults who have accessed the Out of Gate service since 2019:

Graph 21



1143. Many young adults planning for release from prison told us they were nervous about returning to the community. They didn't feel prepared for the change, and they needed support:

"A man needs support when he gets out. If he does not have a towel to wash his body, he will steal a towel and end up back in jail." [Young man]

"Support is needed to stay out. We need Out of Gate to help with accommodation and employment and help around offending." [Young man]

"I don't feel prepared for release in six months. I haven't had rehab. I don't have stability out there. When I walk out the gate, I don't know what or where I'm going. I need support when I leave. I need guidance. I am still going to do the rehab even if it is at the end of the lag. My family are part of the rehab discussions." [Young man]

"I am nervous about my release. Even being in for two years is a long time and I don't know what changes are out there." [Young man]

1144. One young woman explained that she does not feel prepared to get out and says she needs a mentor and wrap-around cultural and mental health support, and just generally someone to listen. She told us it is important to her to stay healthy on the outside.
1145. Most young people and young adults told us that having support with life skills and having the basic requirements to access services and supports in the community would be helpful.
1146. For example, young adults told us they needed support on how to write a CV and how to apply for a job, including learning interview skills for job interviews.
1147. They want to leave prison equipped with a driver's licence, birth certificate, identification documents and a bank account, or have someone in the community who is a good role model and can help to set them up with these basic requirements:

"We don't have basic skills like cooking and cleaning. We don't have what's needed to do bank slips. We don't have the skills. Corrections taught me how to fry noodles in a toastie maker." [Young man in group interview]

"You get a lot of knowledge about how to survive but not the actual basics of life." [Young woman]

"There should be more support to show prisoners what things will look and be like when they are released. Prisoners are worried about what has changed – increased noise, numbers of people, changes to processes. There should be more help for transgenders – mentors – both those with experience in prison and those without, to support prisoners when they are released in the community as life is going to be difficult to get used to" [Transgender young adult]

1148. We heard from some young people that receiving support from people who understand what it is like for them in prison, as well as what they need when they return to the community, can be helpful and offer them guidance:

"It would be good to have a support network to build relationships inside and have them on the outside. Having supports that come in. Not a restart – a continuity." [Young man in group interview]

1149. One young woman participating in the Māori Pathway at Christchurch Women's Prison told us that volunteers come into the units to work with the women. She referred to them as the *"lived experience group"*. She told us they show them what change can look like. She also liked that they bring kai (food) and said that everyone should get this service.
1150. In their research into factors that helped young adults desist from offending after spending time in prison, Gilbert and Elley (2014) found:²¹⁴

"Changing negative peer groups was a vital part of desistance for 61 percent of the cohort. This was particularly so for the overwhelming number of subjects who had criminal associations during their criminal phase. The changes in criminal associations between offending and point of interview were marked. Having post-release support and changing peer groups were among the study's clearest and most important findings."

1151. Some young adults who have previously returned to the community after being in custody told us it can be helpful to spend time with pro-social support people such as work colleagues or other students on a course but, one young woman told us, things can start to decline for her in between times if there is no good support around.
1152. One young man shared that he hoped to work on fishing boats when he was released from prison and he had contacts who were able to help him with this. He said he felt that this would help to break the cycle he was in and get him away from the circle of people he mixed with.
1153. Corrections offers guided release to some prisoners who meet the criteria. This is a temporary release or temporary removal from prison to assist prisoners to adjust to life outside prison.
1154. Until recently, this option was only available to prisoners serving a term of imprisonment for at least 24 months, and were either classified as minimum security, or were classified low-medium security or below with a Parole Board direction to be released on parole.

²¹⁴ Gilbert, J. and Elley, B. (2014) *Youth desistance in Aotearoa New Zealand – What can we learn from higher risk former offenders.*

1155. In May 2024, Corrections made changes to this policy which meant that guided release was temporarily suspended and prisoners were able to apply to leave the prison to address rehabilitative or reintegrative needs. This will now be considered as either temporary removal or temporary release and is determined by who is accompanying the prisoner outside of the prison. This means that those prisoners serving a sentence and those on remand may be eligible for consideration under this process.

Financial stability

1156. While many young adults returning to the community rely on services and supports, becoming financially independent and having financial stability is critical to successfully transitioning to adulthood. This becomes even more pronounced when young adults become parents.

1157. Prisoners returning to the community who have been in prison for 31 days or more may be entitled to the Steps for Freedom grant. This is a one-off payment from Work and Income for up to \$350, which has not increased since 1991. According to Work and Income, this grant:

"Can help pay for any initial costs you have when you're trying to set yourself up in the community, such as:

- housing, bond or rent in advance
- beds and bedding
- essential appliances, for example a kettle or toaster
- power, gas or connecting a phone in your home
- food
- clothing and toiletry items, for example a toothbrush or toothpaste"²¹⁵

1158. If prisoners have money in their account when they leave prison, this will be deducted from the Steps for Freedom grant.²¹⁶

1159. Young adults who have spent their formative years in custody have little to no work experience, and often have limited budgeting skills to sensibly manage their finances without support and guidance:

"I've only been out of prison for about two to three weeks since I was 17. I once lived with my support person on a farm but made too much money and just used my money to get drugs." [Young man]

1160. Some young adults told us it can be hard to resist the financial temptations from illegal activities when compared to the average income. This can be a challenge for them when they lack consequential thinking and understanding of how to weigh up the longer-term risks versus the immediate rewards:

"Outside, you work full days, nine-to-five doing that every day, putting the effort in. You weigh it up and ask if that's what you're worth?" [Young man]

1161. One young man told us he got a "legitimate job, started work and was getting \$600 a week." However, one day "the boys" called him and asked him to work with them. In one night, he made \$3,000. He told us he rang his boss and said he was not coming back.

²¹⁵ <https://www.workandincome.govt.nz/products/a-z-benefits/steps-to-freedom-grant.html>

²¹⁶ <https://www.workandincome.govt.nz/products/a-z-benefits/steps-to-freedom-grant.html>

1162. One young man explained that he was coping well following his release. He transferred to a new location, where he got a job but lost it because of the 'no vax - no job' policy. He said things went "downhill after that". He said he had no income and no benefit and, as a result, he could no longer meet his parole conditions and was recalled to prison.

Overcoming stigma and alienation after prison

1163. New Zealand's Youth19 survey released a report focused on the experiences of navigating identity as a young person or young adult.²¹⁷ This report explains:

"Each aspect of our identity can shape how the world treats us, how others see us, and how we see ourselves. Our lives are not determined by our identities, but many aspects of identity affect how we belong and connect, our life experiences, the opportunities afforded us and challenges we face."

1164. *Ngā Tikanga Whānaketanga – He Arotake Tuhinga* (a document review on the principles of youth development) conducted in 2019 as part of the review of New Zealand's Youth Development Strategy found that "young people with stigmatised ethnic identities are all too aware of the negative stereotypes that pervade their lives and this hampers their developmental outcomes".²¹⁸ Imprisonment can often exacerbate experiences of stigma and marginalisation when people return to the community.²¹⁹
1165. Professional and Academic Panel member Professor Tracey McIntosh has worked alongside some young women for several years. Some of them were teenagers when they first came into prison and are now in their thirties. Some served long sentences that took over their late-adolescence and young adult years, and others served shorter sentences but struggled in the community and returned to prison on breaches and new offending. She also supports young women who have remained in the community following their release.
1166. She told us about some of the challenges she has found for these young women. Things that are ordinary for their peers in the community can be very foreign for young adults who have spent several years in prison. She told us she has heard young women "questioning their existence when they return to the community" and dealing with daily struggles of trying to integrate when others around them do not understand what they are going through, which can leave them feeling lonely.
1167. McIntosh explained that while some young women may feel bolstered in their rehabilitation when undergoing programmes with others in prison, peers and family outside of prison cannot relate to this experience if they have not been involved. This resonates with insights shared from a member of the Lived-Experience Panel. She told us that while the women in her unit could reinforce each other's learning on the rehabilitation programme they attended together, when she came out, her whānau did not know how to respond to her changes.
1168. One young man told us he "will always come back to prison" because he said that is just his "mindset". He told us, if he is walking around in the community with a patch on, the Police will stop him and search him. He said if people see his tattoos, he will be "treated and looked at differently".

²¹⁷ The Youth19 survey is the latest in the Youth2000 survey series on adolescent health and wellbeing led by the Adolescent Health Research Group at the Faculty of Medical and Health Sciences at Auckland University.

²¹⁸ Deane, K., Dutton, H. and Kerekere, E. (2019).

²¹⁹ MacLennan, B. (2015). *Stigma: You do your time, you come out and do more. A phenomenological analysis of the experiences of stigma as lived by ex-prisoners*. (Thesis, Master of Social Sciences (MSocSc)). University of Waikato, Hamilton, New Zealand. Retrieved from <https://hdl.handle.net/10289/10057>

1169. For many young adults, just having spent time in prison can disrupt their chances of successful reintegration:

"We feel institutionalised. We're scared of failure on the outside. Some of us can't get out to a job. The benefit is not enough to support us. You build friendships with people around you, so it hurts to watch people leave. We don't like getting close and then watching people getting ripped away. We see them leave, see them dead. I've lost many people and the world's changing. We adapt to the situation we're in. We call places like this home. You don't know who you are on the outside. Here you have a place to eat, sleep, food. Outside is a big responsibility." [Young man in group interview]

Parenting as a motivator for change

1170. Corrections does not systematically record whether someone in prison is a parent, unless they are eligible to be placed in a Mothers with Babies Unit in a women's prison.
1171. According to Pillars, an NGO that supports children of prisoners in communities around New Zealand: *"Without intervention, children of people in prison are 9.5 times more likely to end up in prison themselves."*²²⁰
1172. Young parents we met in prison told us that being a good parent and role model for their children was important to them and motivated them to address their offending behaviour while in custody. Supporting young parents in prison with tools and guidance can be a critical part of breaking cycles of intergenerational harm.

"I want to focus on my two sons and be a father to them. Someone who supports them through right and wrong. Show them activities like hunting, fishing, horse riding." [Young man]

"Being a father is being a good role model – this motivates me a lot. I am doing better." [Young man]

1173. Some young adults acknowledged that given their exposure to harmful environments, family dislocation and other disruptions during their childhood, they need to learn the skills to be the parents they want to be. One young woman told us she was still in State care when she gave birth. She told us she did not want her daughter growing up in a gang life.

"I grew up in CYFS²²¹ care – there was a lot of violence growing up. I wanted it to stop so I ran away from home. I always knew I didn't want things to be like the family home. I hate violence. I want a safe, loving environment for my children." [Young man]

"I want my son to have the childhood I didn't have. I am prepared to learn for him and my grandchildren in the future." [Young woman]

1174. We heard that maintaining an active relationship with children can often depend on the status of the relationship with the parent in the community. In some cases, we heard that if that relationship has broken down, the parent in the community may restrict access to children. In some cases, there may be protection orders in place which can prevent access to children:

²²⁰ <https://www.pillars.org.nz/become-a-mentor>

²²¹ Child Youth and Family, former name for New Zealand's care and protection service.

"I have a two-year-old. I haven't talked to or seen her for five months since I have been here. Her mum doesn't want her to come in. I am no longer in a relationship with the mum." [Young man]

"I've got one child I have no contact with. Her mother restricts that. I would like to see her when I get out." [Young man]

Community contribution

1175. All the members from the Lived-Experience Panel are engaged in work to help others, drawing on their lives, and what made a difference for them. Contributing to their communities based on their lived-experiences has been a key part of their successful reintegration.

"Lived experience is a gift. We see the shift from the things we wouldn't wish on others." [Lived-experience member]

1176. Many young adults we spoke to said that helping others to have a better pathway is important to them developing a sense of identity and belonging when they return to the community. Young adults we met with across the network were enthusiastic to share their ideas about helping others:

"I want to help young ones to get on the right path. I want to mentor others." [Young man]

"I've grown up in Youth Justice and the child protection system. I grew up in gangs, crime and drugs. I believe my background will help others to get out of this. I think if I can help one person this would be great." [Young woman]

"I'm trying to be that person for my younger brothers – be that role model or mentor – help them project themselves in a positive manner. I just have phone calls with my brothers and try to share positive talk." [Young man]

1177. One young man shared his vision for change with us:

"I want to run a youth programme to stop them coming down this track. Have a youth house – a place to go eat, have clothes, shoes, life skills education – foraging, hunting, fishing – go back to Te Ao Māori. Sort myself and them at the same time." [Young man]

1178. The Lived-Experience Panel members shared how they draw on their experiences that others who are going through similar struggles can relate to, to give others a sense of connection and hope. They reflected on the power of lived experience when relating to others:

"Lived experience is 'Whakawhanaungatanga-101'. Personal narratives and the power of vulnerability. Being able to relate and show things that make us human: 'How did you do it?' Inject humour into teachable moments."

"What gives hope? To be a point of reference for others."

1179. The Lived-Experience Panel members told us that it is important to first identify the motivation for wanting to help others. They shared some of the reasons why they took this path and how they have used their experiences to take or develop the approaches they have, to support and help others in their healing:

"All our models come from what we would have needed. They are designed to provide guidance for engagement while giving power to individuals to share their stories in their own way, including influences, supports, successes, challenges and aspirations, and legacies. We need to ask what are the harmful mechanisms that young men and women turn to and what is our responsibility to nurture them to find more adaptive approaches."

"Sports was a vehicle to lead to pro-social outcomes. Promoting healthy lifestyles through an 'accessibility lens'. I look at the role sports can have in reducing negative stereotypes."

1180. Some advice they shared for young adults wanting to contribute to their communities by drawing on lived-experience is that it requires self-reflection and healing before embarking on this path:

"If you want to give back to others – if you want to lead, you must first serve. Offer help when and where required – this is tikanga Māori."

"Make sure your yard's tidy before you tidy others. Do therapy – get in a place of wellbeing. Realise that none of us are perfect."

1181. One young man shared what helps him stay positive about his release:

"Make short term goals – they are easier to chase – that's how I progressed. If they are short enough to achieve, imagine what else you can do? Wait till your brain is fully developed then you can think about the long-term goals. Be financially successful. Be realistic and put the effort in. Having support makes a difference. My parents – I love them. I'm lucky to have certificates – they do a bit of good too."
[Young man]

Summary

1182. During this thematic inspection, we heard that returning to the community after spending time in prison can be particularly challenging for young people and young adults. As many have spent time in Youth Justice or care and protection facilities prior to prison, they may have limited supports and role models in the community, and no prior experience of living independently or earning an income.
1183. Many young people and young adults leaving prison have no suitable accommodation options, or support with basic needs.
1184. Young people and young adults told us that spending time in prison can make them feel disconnected from their whānau and families. For some, this may be because they are trying to progress their rehabilitation pathway when their families have not received the same support and intervention to address their needs. For others, their offending behaviour in the community may have affected their relationships with whānau and family members, which may need time to heal. Those who have spent long periods of time in high security units with limited sensory experiences or meaningful social interaction can struggle to re-adjust to living at home with their whānau and families.

Recommendations

Rehabilitation and Reintegration

15. Corrections must increase support to enable young people and young adults to make meaningful progress while on sentence. This includes increasing the frequency of security classification reviews from six to three months to increase motivation and access to a broader range of programmes.
16. Corrections must ensure that young people and young adults have purposeful and constructive activities (including education, rehabilitation, work opportunities, and recreational and physical activities) as part of structured daily routines, which will require increased time out of cell, throughout their time in custody, including if they are on remand or serving short sentences.
17. Corrections must provide healthy relationships programmes to young people and young adults. These programmes should encompass respectful communication, forming safe intimate relationships, and developing parenting skills.
18. Corrections must develop age-appropriate programmes for young people and young adults that include basic living skills to support their transition to adulthood and into the community.
19. Corrections must consider how to improve the continuity of support and connection between prison and Community Corrections to assist young people and young adults in their transition from prison to the community. Corrections must consider how to improve access to reintegration supports for young people and young adults and ensure that these services are adapted to their unique developmental needs.
20. Corrections must increase awareness among Corrections' staff of the Oranga Tamariki Transition Service, to enable better access for eligible young people and young adults.

Areas for consideration

Rehabilitation and reintegration

25. Corrections should consider how to increase access to supported accommodation options for young people and young adults in the community that are safe from harmful influences and enable their successful reintegration.
26. Corrections should consider how to provide better access to peer support,¹ including those with lived experience, who can provide guidance to young people and young adults while they are in prison and as they transition to adulthood and the community.
27. Corrections should consider how to prioritise the case management of young adults when they arrive in custody, taking a multidisciplinary approach to enable their progress in prison and preparation for release into the community.

Volunteers

29. Corrections should consider how to increase the access of young people and young adults in prison to community volunteers, to provide a range of activities and support reintegration.

Conclusion

"Make short term goals – they are easier to chase. That's how I progressed. If they are short enough to achieve, imagine what else you can do? Wait till your brain is fully developed then you can think about the long-term goals. Be financially successful. Be realistic and put the effort in. Having support makes a difference."
[Young man]

1185. During this thematic inspection we found evidence that, in principle, Corrections recognises the unique developmental needs of young people and young adults in its custody. We found many initiatives and interventions designed to improve experiences and outcomes for young adults in Corrections' custody. These ranged from a dedicated Young Adult Team at National Office; a framework and online hub to support practice and decision-making for young people and young adults; youth unit placements; a network of youth champions from across all frontline roles; and several tailored rehabilitation programmes.
1186. There is a national Young Adult Team focused on providing operational support to frontline staff; online training to support Corrections' staff working with young adults; a Young Adult Framework to help inform policies and practice; and an online Young Adult Hub. Corrections has also invested in several offence-focused rehabilitation programmes for young people and young adults in recent years, with reintegration support adapted to the needs of participants. There is a network of frontline youth champions dedicated to improving pathways and outcomes for young adults they work with.
1187. This thematic inspection found that these efforts have lacked sustained leadership, investment and oversight over the past five years. They have not been well coordinated or fully realised. Very few young people and young adults in Corrections' custody were benefitting from them at the time of our thematic inspection.
1188. During our thematic inspection, there appeared to be a systematic reduction in resources and investment to support young people and young adults in prison. We were told the manager position for the Young Adult Team was disestablished in the recent restructure; reintegration funding attached to the youth-focused rehabilitation programmes was discontinued in most locations; young adult unit initiatives have stopped; and the steering group comprising senior leaders from across Corrections to support the implementation of the Young Adult Framework was discontinued, with several outstanding actions, soon after being set up.
1189. We were told that the reason for the reduction in services and supports for people under 25 years in Corrections' custody is because of their declining numbers, and because most are subject to custodial remand, which limits access to these opportunities.
1190. While the number of young people and young adults has declined significantly in recent years, there were still more than 800 young adults in Corrections' custody during the time of our inspection. They are the youngest people in New Zealand's prisons, each with unique vulnerabilities. Many of them have experienced poverty and violence in their childhoods, grief, exposure to drugs and alcohol from a young age, and limited schooling. They have been disconnected from their culture, homes, families and whānau. They are trying to find their place in the world at a time when they are highly susceptible to peer influences and pressures.
1191. With limited life-experience outside of prison, they rely on Corrections to support their positive development. Each one of them needs help from Corrections to overcome complex challenges that often contribute to their offending behaviour, and to acquire the skills to fulfil goals and aspirations that can support them to successfully exit from the criminal justice system and remain outside it.

1192. For people under 25 years in New Zealand's prisons, rather than scaling back its tailored initiatives, Corrections should focus on how to overcome the barriers that prevent people under 25 years in prison from accessing interventions designed for them. This includes barriers because of placement decisions and security classifications.
1193. The complex needs of young people and young adults can be exacerbated in prison if not acknowledged and responded to in a safe, caring manner and environment. We heard from many young people and young adults with neurodevelopmental and mental health challenges that these conditions make it difficult for them to communicate and manage their behaviour, especially in stressful or threatening situations. Staff require specialist skills to be able to recognise and respond to these challenges in a way that does not escalate risk to them or others, but rather teaches young people and young adults about the impact of their behaviour on others, restores relationships and repairs harm. These restorative approaches can help people under 25 years to develop the skills to manage their impulses and understand the consequences of their actions.
1194. Since 17-year-olds were included in the youth jurisdiction in July 2019, Corrections has been grappling with how to manage a very small number of very high-risk young people in a way that aligns with the United Nations Convention on the Rights of the Child, its child protection policies, and its regulations to keep them separated from adults. While accommodating high risk young people deemed an unmanageable risk in Youth Justice residences in a Corrections' youth unit is a solution, placing them alongside the most vulnerable under 20-year-olds in prison has resulted in significant harm to some of those vulnerable young adults. This mix of young people and young adults must be reconsidered to find a solution that better meets the needs of both these cohorts.
1195. Except for the small number of young people and young adults placed in Corrections' youth units, most people under 25 years in prison are invisible and voiceless, especially in high security environments. We found that the majority of young adults in Corrections' custody do not understand the rules or expectations in prison. They are placed at sites far from their home areas and support people, in environments that do not promote their development. They may be moved frequently or without warning, without the means to notify their family or whānau in a timely way. They are often surrounded by harmful influences with limited access to meaningful, constructive activities. Most of the people under 25 years we spoke to had minimal assistance to address impulsive or disruptive behaviours or to progress their learning, rehabilitation or reintegration, and they did not feel equipped to safely return to the community without reoffending.
1196. Young people and young adults told us they want help with basic life-skills to cope when they leave prison, as well as to form healthy relationships with family, whānau and partners. We heard that for many young adults, having a positive sense of identity and belonging grounded in cultural connections was important to them, and they appreciated opportunities to foster their cultural identity when this was available to them. For rangatahi Māori, as tangata whenua, this is about restoring their inherent connection to their whakapapa and learning the skills to fulfil their responsibilities to their whānau, hapū and iwi.
1197. Despite the introduction of Corrections' departmental strategy Hōkai Rangi, in 2019, which aims to reduce the over-representation of Māori in the Corrections' system following the Waitangi Tribunal report in 2017, it appears that actions that intended to prioritise rangatahi Māori have not been realised over the past five years.
1198. Many of the young adults we interviewed are parents. We heard that most of them have very little meaningful contact or communication with their children. Young parents in prison want their children to be safe and thriving. They want the opportunity to be good parents and role models in their children's lives.

1199. Prioritising young people and young adults is one of the greatest investments Corrections can make in reducing cycles of intergenerational harm. Corrections cannot be solely responsible for supporting young people and young adults to successfully transition to adulthood. This can only be achieved in collaboration with community and other government agencies, as well as with involvement from and support for families, whānau, hapū and iwi. However, Corrections is responsible for ensuring services, supports and interventions can reach young people and young adults in prison so they can remain connected to the community, address their offending behaviour and safely leave prison at the earliest opportunity.
1200. We acknowledge that most initiatives for young people and young adults since 17-year-olds were included in the Youth Justice jurisdiction were introduced around the same time as Corrections' Covid-19 pandemic response and its aftermath, which limited proper implementation and growth. There is an opportunity to revive and build on the success and potential of these initiatives.
1201. As the Correctional Investigator found when reviewing young adults in Canadian Corrections' facilities in 2017:

*"Age and maturity should be considered important factors in correctional planning and programming. It is clear to us that there is an important, though largely missed opportunity, to work closely with these individuals who, because of their young age and shorter sentences, represent a strong potential for success."*²²²

²²² Office of the Correctional Investigator and Ontario Office of the Provincial Advocate for Children and Youth. *Missed Opportunities: The Experience of Young Adults Incarcerated in Federal Penitentiaries*. (2017).

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- *Aroturuki Tamariki* – The Independent Children’s Monitor
- New Zealand Parole Board Chair Sir Ron Young
- Oranga Tamariki Chief Executive Chappie Te Kani and Deputy Chief Executive Tusha Penny
- Various overseas oversight agencies:
 - HM Inspectorate of Prisons for England and Wales
 - HM Inspectorate of Prisons for Scotland
 - The Correctional Investigator of Canada
 - New South Wales Inspector of Custodial Services
 - Western Australia Inspector of Custodial Services
 - The Victorian Inspectorate
 - Victoria’s Commission for Children and Young People
 - Office of the Custodial Inspector, Tasmania
 - Australian Capital Territory Inspector of Correctional Services
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Legislation

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 Criminal Procedure Act 2011
 Children and Young Peoples Commission Act 2022
 Oversight of Oranga Tamariki System Act 2022

Appendix A – Terms of Reference

OFFICE OF THE INSPECTORATE
Te Tari Tirohia

Terms of Reference for an inspection of the conditions and experiences for young people and young adults in Corrections' custody

Background

1. Over the past five years, a series of legislative and policy changes as well as significant events have had an impact on the management of people under the age of 25 in the custody of the Department of Corrections *Ara Poutama Aotearoa*. These are outlined below.

Legislation changes for 17-year-olds and implications for 18-and-19-year-olds in Corrections' custody

2. In 2019, the Oranga Tamariki Act 1989 was amended to include 17-year-olds in the youth jurisdiction rather than the adult jurisdiction. This legislation includes provisions allowing for some 17-year-olds to be escalated to the adult jurisdiction for sentencing, as well as provisions for their placement in a Corrections' custodial facility (including 17-year-olds remanded in custody by the Youth Court).
3. That same year, provisions to remand young people under 18 years in custody in a Corrections' custodial facility were also updated in the Criminal Procedure Act 2011.
4. Provisions for the placement of young people sentenced to imprisonment in the adult court in a Corrections' custodial facility from the age of 14 years have been included in the Corrections Act since it was introduced in 2004.

Youth unit availability and placement of people under the age of 20 years

5. Including 17-year-olds in the youth jurisdiction and prioritising their custodial placements in youth justice facilities (even if escalated to the adult court) created some capacity in the two Corrections' youth units to accommodate more 18- and 19-year-olds in Corrections' custody, who are otherwise placed across the network in mainstream units.
6. Since the changes to the Oranga Tamariki Act 1989, the Test of Best Interest assessment (TBI) which prioritised the best interest of people under 18 years was replaced with the Assessment of the Placement of Young Adults (APYA) for 18- and 19-year-olds.
7. The APYA assesses young men's suitability for placement in a youth unit, as well as any considerations for their management if placed outside of a youth unit. Every 18- and 19-year-old should receive this assessment by trained staff members when being received into Corrections' custody.
8. The closure of the Hawkes Bay Regional Prison Youth Unit because of the damage caused during an incident involving the young men in custody there in August 2022 significantly reduced the youth unit beds. This restricted youth unit placements to Christchurch Men's Prison in the South Island, despite most young men in Corrections' custody being from the North Island.
9. In August 2023, Corrections temporarily designated a 12-bed wing at Manawātū Prison as a youth unit. As of September 2023, there are 32 youth unit beds available across the prison network.

Private Box 1206
Wellington 6140
New Zealand

Phone 0800 225 697
Email inspectorate@corrections.govt.nz

10. Despite this recent increase in youth unit beds, on average, approximately 80% of young men in Corrections' custody remain accommodated in mainstream facilities rather than the youth units, mostly in Mount Eden Corrections Facility and Spring Hill Corrections Facility. At the time of writing, 96 out of 118 young men are in mainstream units despite vacancies in the youth units.
11. However, increasing the placement of 18-and-19-year-olds in youth units creates a challenge for Corrections when accommodating the small number of young people under 18 years escalated into its custody from time to time. This is due to the requirement to keep people under 18 years apart from adults under Corrections regulations (unless the Chief Executive has approved the mixing of young and adult prisoners), as well as obligations under the United Nations Convention on the Rights of the Child (UNCROC). The new provisions introduced in July 2019 in both the Oranga Tamariki Act 1989 and the Criminal Procedure Act 2011 also stipulate that 17-year-olds can only be placed in a Corrections youth unit.
12. Given the small number of females under the age of 18 years and under the age of 20 years, there has never been a dedicated youth unit in a women's facility, meaning they are placed in a mainstream facility. At the time of writing there are two young women aged under 20 years in Corrections' custody.
13. Females under 18 years placed in a Corrections' facility are managed separately from the adult population as far as practicable.
14. At the time of writing there are no young people under 18 years in Corrections' custody.

Recognising the unique needs of young adults aged 18 – 25 years in the criminal justice system

15. Over the past two decades, research into adolescent brain and psycho-social development has well established that young people typically do not fully transition to adulthood until their mid-20s. Late adolescence is also a time of active neurological 're-wiring' when people start to form the basis of their identity going into adulthood. This means that what young people are exposed to during this time has a significant influence on their identity formation, including their behaviours, attitudes, and beliefs.
16. The District Court recognised the distinct needs of young adults in the criminal justice system by introducing the first young adult list court in Porirua in 2020. This court initiative has since been extended to the Hamilton and Gisborne District Courts.
17. In 2021, Corrections introduced the Young Adult Framework, with the supporting Practice Hub officially launched by the National Commissioner in 2022. This Framework was created within the context of Corrections' strategy to reduce the over-representation of Māori, Hōkai Rangī, launched in 2019.
18. The Framework was designed to support decision-makers, from policy makers to frontline staff, to better understand and consider the unique developmental needs, complexities, opportunities, and challenges for young adults between the ages of 18 - 25 in the Corrections system.
19. On average, young adults comprise just over 10% of the total prison population.

Purpose

20. The purpose of this inspection is to investigate how Corrections considers and responds to the unique developmental needs, challenges and opportunities for young people under 18 years old and young adults aged 18–25 years in its custody. This includes exploring the experiences, conditions, and decision-making for young people and young adults across the prison network and identifying examples of good practice and areas for improvement.

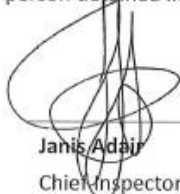
Key areas of focus

21. The inspection will examine whether the management of young people and young adults is consistent with the Corrections Act, Corrections Regulations, Office of the Inspectorate Inspection Standards, frameworks, policies, and procedures, as well as international instruments.
22. The inspection will also be informed by evidence of custodial environments and practices that cause immediate and long-term harm to young people and young adults in adult custodial facilities as well as effective practices for this population if in custody that improve behaviours, attitudes, and long-term outcomes.
23. This inspection will include, but not be limited to:
- a) A description of typical characteristics and experiences of young people and young adults in Corrections' custody such as educational achievement, socio-economic environments, State care interventions, gang affiliation, addiction, health, trauma and other mental health challenges, and neurodiversity.
 - b) A current overview of young people and young adults in Corrections' custody including age, gender, ethnicity, cultural affiliations, locations, court status, nature of offending, sentence type, security classification, unit placements, incidents and misconducts, and any segregation status.
 - c) Placement decisions, management, and experiences of young people escalated into Corrections' custody since the 2019 changes to the Oranga Tamariki Act 1989.
 - d) Placement decisions, management, and experiences of young men in Corrections youth units since the 2019 changes to the Oranga Tamariki Act 1989, with a focus on APYA assessments.
 - e) Placement decisions, management, and experiences of 18- and 19-year-olds not placed in Corrections youth units since the 2019 changes to the Oranga Tamariki Act 1989, with a focus on APYA assessments for young men (given the APYA assessment does not apply to young women).
 - f) The extent to which the Young Adult Framework guides the management of young adults in Corrections' custody. This includes access to supports, whānau and families; cultural and constructive activities, including education, rehabilitation, training, and exercise opportunities; as well as availability of primary health care, mental health care, trauma counselling and wellbeing support (including those who are at risk of self-harm or mentally unwell).
 - g) The environment in units and sites where young people and young adults are placed, including influences that either support or hinder their positive development.

- h) Staff training (including to undertake APYAs) and capability based on skills and prior experience to respond to the needs of young people and young adults in Corrections' custody
24. The inspection will be operationally led by the Assistant Chief Inspector, and activities coordinated by two Principal Inspectors, and a Principal Clinical Inspector. The inspection will be undertaken by a team of Inspectors and Clinical Inspectors.
25. Corrections' Research and Analysis team will support the inspection by providing relevant quantitative and qualitative data as well as a review of literature relevant to the management of young people and young adults in Corrections' custody.
26. A panel of experts with first-hand insight of experiences of or as young adults in Corrections' custody from a young age, will be established to provide support and guidance.
27. A network of key consultants with subject matter expertise will be established to provide support and specialist input.
28. A draft report will be provided to Corrections for natural justice provisions before being finalised.
29. The report will be publicly released following consultation with Corrections.

Authority

30. The Office of the Inspectorate *Te Tari Tirohia* is authorised under section 29(1) of the Corrections Act 2004 to undertake examinations and enquiries, and to visit and inspect any prisons. Section 157 of the Act provides that when undertaking an inspection, Inspectors have the power to access any person detained in prison, personnel, records, information, Corrections' vehicles, and property.



Janis Adair

Chief Inspector
Office of the Inspectorate

02 October 2023

Date



Appendix B – Corrections’ response



21 August 2024

Janis Adair
Chief Inspector
Department of Corrections

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

Tēnā koe Janis

Re: Thematic Report – Young people and young adults in Corrections’ custody

Thank you for providing a copy of your draft report and for the opportunity to respond.

Corrections acknowledges the unique developmental needs of young people and young adults, and the significant role that the Department often takes in ensuring they are provided with the support and relevant interventions to address their offending behaviour and make positive changes to their lives.

The comprehensive report has outlined a number of areas where Corrections can make a greater impact with earlier interventions, enhanced support through staff practice, tailored environments and continuity of care and connections that support successful outcomes. We acknowledge Corrections can do more to facilitate access to culturally responsive programs and resources for young people and young adults in prison. We recognise there is the opportunity for improvement. This work needs to be part of a collaborative approach with effective leadership and sufficient resources within Corrections, as well as through the engagement of our regional partners and partner agencies in the wider justice and social sectors including Oranga Tamariki.

We valued hearing the voices of young adults within your report. This will ensure those in custody are heard and they are kept at the forefront of any priorities and actions.

We were also encouraged by your acknowledgement of the efforts of our staff working with young people and young adults, and the enthusiasm and dedication displayed by some staff working within this space.

While they are important, it should be noted several issues identified within your report such as access to or delays in getting health or dental care are not specific to young adults, a specific cultural group, or even those in prison. Some of these issues are noted as being part of a wider societal issue within New Zealand currently. We note this does not lessen the impact on the individuals’ access to treatment or delays in prison but highlights the need for Corrections to work with our sector partners to

NATIONAL OFFICE, WELLINGTON
Mayfair House, 44 – 52 The Terrace, Wellington, 6011, Private Box 1206, Wellington 6140, Phone +64 4 460 3000
www.corrections.govt.nz

help address these issues at a wider systemic level. We are committed to undertaking the required discussions, both internally and externally, and progressing the work to improve and strengthen existing systems, processes, and guidance in the Corrections system.

As noted within your report, Corrections underwent a significant restructure in April 2024 which has enabled new ways of working across a number of teams and business units. This report provides Corrections with the opportunity to ensure the findings strengthen these structures and enable multiple groups across the organisation to have oversight of and involvement in ensuring the best outcomes for all young people and young adults in Corrections' custody.

We recognise the importance of monitoring and tracking the health outcomes of young people in prison and would like to draw attention to the important work our Pae Ora Data & Insights team do. Our capability in this space has grown significantly due to the health insights provided by this team. Corrections is now able to monitor a range of demographics and health outcomes. Age is a specific data anchor the team uses, so all health reporting functions can be tailored to focus on people under 25 in prison. For example, the team analysed how much young people benefited from Mental Health Services, compared to other people in prison.

You have made 26 recommendations, of which we accept all in principle. We also agree to consider all 29 areas for consideration outlined in your report in line with future work programmes.

Corrections' Organisational Roadmap provides a holistic view of initiatives across the organisation. This allows the Department to better prioritise and sequence our efforts so we can successfully deliver initiatives in pursuit of our organisational outcomes. Your report will contribute to this.

We will work collaboratively across teams to prioritise areas identified by this report through business-as-usual work programmes. In collaboration with relevant internal and external stakeholders, we will use your recommendations to seek continuous improvement in practices and policy around young people and young adults in Corrections custody. Consideration will be given to the priority of such work and alignment with current strategies and practice, to accomplish the changes that have been proposed within your report. This will include frontline staff and those specialist young people or young adult related roles and teams being involved in the development and implementation of any changes that are proposed and progressed.

We will ensure our response to findings in this report are aligned, where appropriate, with other relevant reports including the Inspectorate's segregation review, the systemic review by the Ombudsman, and other departmental strategies. We would also like to acknowledge the Abuse in State and Faith based Care inquiry.

Updates in line with your recommendations will be provided as work is progressed, in six months time.

Thank you again for your thematic report and the work undertaken by your team.

Ngā mihi nui



Leigh Marsh
Commissioner Custodial Services



Dr Juanita Ryan
Deputy Chief Executive Pae Ora

Appendix C – Letter from Chief Ombudsman



9 May 2024

Janis Adair
Chief Inspector
Te Tari Tirohia | Office of the Inspectorate

By email:
Janis.Adair@corrections.govt.nz

Tēnā koe Janis,

Thematic investigation into the care and management of young people and young adults in Corrections' care

Thank you for your letter of 22 April 2024 and the opportunity to provide reflections and insights into the conditions for young people and young adults in Corrections' custody.¹

The rights of young people and young adults are of acute concern to me, both in my role as National Preventive Mechanism (NPM) under the Crimes of Torture Act 1989, and as an Oversight entity under the Oversight of Oranga Tamariki System Act 2022.

Young people and young adults deprived of their liberty are at a heightened risk of torture and cruel, inhuman or degrading treatment or punishment – even when detained for short periods – with impacts on their psychological and physical wellbeing and cognitive development.²

As such, the detention of young people should only ever be used as a measure of last resort, for the shortest appropriate period, and in accordance with international standards, such as the United Nations Convention on the Rights of the Child (the Children's Convention). Youth justice should be focused on non-custodial measures, with detention only in exceptional circumstances. The conditions and treatment of young people deprived of their liberty must also adhere to Te Tiriti o Waitangi | The Treaty of Waitangi, domestic law, and international law and standards such as the United Nations' Committee on the Rights of the Child's [General Comment No 24](#) (2019)³ and the [Havana Rules](#) (1990).⁴

¹ In line with your Terms of Reference, I use young people to refer to those under the age of 18 and young adults to refer to those aged 18 to 25 years old.

² 2015. Human Rights Council. *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez*. Twenty-eighth session.

³ I draw your attention, in particular, to paras 92 - 95.

⁴ Other applicable instruments include the Beijing Rules, Riyadh Guidelines, Bangkok Rules, and Mandela Rules.

Office of the Ombudsman
Tari o te Kaitiaki Mana Tangata

L7, 70 The Terrace, Wellington 6011
PO Box 10 152, Wellington 6143
New Zealand

Tel: 64 4 473 9533 Fax: 64 4 471 2254
Free phone: 0800 802 602
www.ombudsman.parliament.nz

Both the Subcommittee on the Prevention of Torture (SPT) (2013)⁵ and the Committee against Torture (2023)⁶ have raised concerns regarding the conditions and treatment of young people in prisons in New Zealand, and have advised that New Zealand review the regime conditions of youth urgently, in order to ensure that it is appropriate to their legal status and age. I also draw your attention to the Committee against Torture's recent recommendations concerning the youth justice system in New Zealand, particularly at paras 37 and 38.

I echo these views, and am concerned that many of these issues remain unchanged. Some of my key observations from my OPCAT examinations are outlined below.

Mixing of young people and adults in custody

I note that New Zealand is yet to remove its reservation to Art 37(c) of the Children's Convention to ensure young people under 18 are separated from adults in detention, despite repeat recommendations from the Committee on the Rights of the Child⁷ and other international obligations and standards.

I recently shared my concerns with the Department of Corrections (Corrections) regarding proposed legislative changes to allow the mixing of young people and adults in my submission on the Corrections Amendment Bill. In particular, I am concerned that this is solely a matter of resourcing, rather than in the best interests of young people and only as an exception.

I noted with deep concern that the Explanatory note in the Bill, and the Bill's Regulatory Impact Statement, only appeared to consider the practical or international law implications of mixing of remand accused with convicted prisoners, and were completely silent on the specific implications of mixing young persons and adult prisoners. Consequently, I was not assured that all the relevant international instruments were identified or adequately considered before an exception to those international obligations was proposed. I highlighted the concluding observations of the United Nations Committee on the Rights of the Child and the recommendations the Committee made to New Zealand in February 2023⁸, including recommendations to:

- Fully incorporate the Convention on the Rights of the Child into domestic law.
- Make compulsory the application of the child impact assessment tool in the development of policy and legislation affecting children, ensuring that government officials, legislators and non-governmental service providers are trained on its use.
- To continue to strive for full compliance with the international requirement to detain children separately from adults and ensure that detention conditions are compliant with

⁵ 2017. Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. *Visit to New Zealand undertaken from 29 April to 8 May 2013: observations and recommendations addressed to the State party*. CAT/OP/NZL/1.

⁶ 2023. Committee against Torture. *Concluding observations on the seventh periodic report of New Zealand*. CAT/C/NZL/CO/7.

⁷ 2023. Committee on the Rights of the Child. *Concluding observations on the sixth periodic report of New Zealand*. CRC/C/NZL/CO/6. Paras 6 and 43(c).

⁸ United Nations Committee on the Rights of the Child, *Concluding observations on the sixth periodic report of New Zealand*, CRC/C/NZL/CO/6, 28 February 2023.

international standards, including with regard to access to education and health services, and, for pre-trial detention, that detention is reviewed on a regular basis with a view to its withdrawal.

Where I have seen young people, and indeed young adults who would otherwise be in a youth unit, housed in the same wings as adults, I have observed a detrimental impact, described below. I am aware that young adults can be, and are, held in high and maximum security units. At the time of my 2020 visit to Mt Eden Corrections Facility, there were four people under 20 years of age in the prison. None of these individuals, during inspection, were permitted to associate with adults in custody.

While this separation of these individuals from adults was appropriate, the consequences were that they had basic regimes, generally with one hour out of their cells each day, which was spent in either the Unit yard or the recreation room. Such limited time out of cell is likely to have a detrimental effect on wellbeing. My observations were despite similar concerns raised by the SPT following their 2013 visit to New Zealand, where they commented:

During its visit to Mount Eden prison, the Subcommittee discovered with great concern that youth pretrial detainees were de facto penalized by the system, despite their vulnerability, since they were subject to 19-hour lock-downs, whereas convicted and sentenced adult prisoners in other wings of the same prison were subject to a more favourable regime. The lock-downs were the result of youth and adult prisoners occupying the same wing. The Subcommittee believes that there is no justifiable reason why there should not be a dedicated youth unit at Mount Eden prison, which could offer a significantly more favourable and more appropriate regime.⁹

I support the SPT's view, young people and young adults in custody must have appropriate, including age appropriate, placements and it is not acceptable for them to be disadvantaged by placement in adult units. I encourage the Inspectorate to explore this issue further.

Solitary confinement

Limited time out of cell to ensure separation from adults also raises concerns around the possibility of solitary confinement. Additionally, as you will be well aware given your thematic report on separation and isolation, segregation directions (including non-association) or other regimes (such as when 'at-risk') can in practice amount to solitary confinement, including for young people and young adults.

Solitary confinement is commonly understood as the physical isolation of individuals who are confined to their cells for 22 to 24 hours a day.¹⁰ The United Nations Special Rapporteur on

⁹ 2017. Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. *Visit to New Zealand undertaken from 29 April to 8 May 2013: observations and recommendations addressed to the State party*. CAT/OP/NZL/1. Para 26.

¹⁰ See, for example, the Istanbul Statement on the Use and Effects of Solitary Confinement, available <https://drive.reindex.net/RCT/101/TORT2008.1.8.pdf>; and the United Nations Standard Minimum Rules for the Treatment of Prisoners, available: https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf

Torture has stated that the use of solitary confinement on young people is cruel, inhuman or degrading treatment, and would violate article 16 of the Convention against Torture and article 7 of the International Covenant on Civil and Political Rights.¹¹

Further, the Committee against Torture, at para 38(h) of its Concluding Observations, recommended New Zealand *'immediately end the practice of solitary confinement for children in detention, including informal solitary confinement'*. I consider that effective safeguards must be in place to ensure that prison regimes do not de facto equate to solitary confinement, particularly for young people but also young adults, given their unique needs. As outlined in [my submission on the Petition of Christine McCarthy](#) on a ban on prolonged solitary confinement, this may include explicit legal provisions which set out such prohibitions and ensure safeguards are in place, which might include improved data collection, reporting and oversight.

Mixing of remand and sentenced people in youth units

Despite the separation of categories being mandated in the Corrections Regulations (Regulation 186) and a requirement under the [Mandela Rules](#), I note that a number of prisons in New Zealand have been granted dispensation for mixing remand accused with sentenced people in custody, including in youth units.

During my inspections of [Hawke's Bay Prison](#) (2019) and [Christchurch Men's Prison](#) (2020), a common issue was the lack of clarity about whether the prisons had the necessary permissions to allow different categories of youth, generally remanded and sentenced, to mix. I recommended that both prisons ensure that they have the necessary permissions or dispensations to allow different categories of young people in custody to mix, where this is occurring.

In my submission on the Corrections Amendment Bill, I raised concerns regarding Corrections' proposed legislative changes (contrary to international law and current statutory obligations) to mix convicted and remand prisoners — again, due to resourcing constraints. As noted by the High Court, this is inappropriate, especially where it appears that New Zealand could meet those obligations if it simply committed the resources necessary to give effect to them.¹²

Where dispensation is granted for mixing remand accused with sentenced youth, this should only ever be where it is in the best interests of the individuals concerned. For example, the SPT, in its 2013 report (at para 57), recommended *'exceptions to the requirement for separation between remand and convicted juveniles could be made in prisons, in order to allow juveniles on remand, if they so wish, to participate in organised activities, including work programmes which would otherwise be unavailable to them'*.

Any such dispensation should follow a robust decision-making process and be clearly documented. I would encourage the Inspectorate to consider how dispensations are determined to ensure the rights and best interests of young people and young adults are upheld.

¹¹ United Nations General Assembly, 2011. *Interim report prepared by the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment*, Juan E. Méndez, in accordance with General Assembly resolution 65/205 (A/66/268).

¹² *Wallace v Chief Executive of the Department of Corrections* [2023] NZHC 2248 [18 August 2023], at para 106.

The disproportionate number of rangatahi Māori in prisons

It is well established that Māori remain disproportionately overrepresented within every stage of the justice system, including rangatahi Māori – who, as of March 2023, made up 65% of those in prison below the age of 20. I have observed this in my OPCAT examinations across the country and have commented on this matter previously.¹³

The Committee against Torture, at para 38(f) of its Concluding Observations, recommended New Zealand *'take all necessary measures to reduce the incarceration rate of Māori children and ensure that their detention undergoes regular judicial review'*.

I also acknowledge the various reviews and work programmes within the criminal justice system, which call for Māori-led solutions,¹⁴ as well as the Waitangi Tribunal's report *'Tū Mai Te Rangi! The Report on the Crown and Disproportionate Reoffending Rates'* (Wai 2540) and the principles it articulated, including kāwanatanga, rangatiratanga, active protection, equity, partnership and reciprocity.

I acknowledge that Hōkai Rangi intended to address these obligations and principles, including by prioritising the reduction of disproportionate Māori reoffending rates. I encourage the Inspectorate to consider the progress and success of this strategy, now in its fifth and final year, in addressing recidivism for rangatahi Māori.

I note the Royal Commission of Inquiry into Abuse in State Care (the Royal Commission) will publish their final report and recommendations in June 2024. I encourage the Inspectorate to consider any recommendations the report may make in relation to young people and young adults in custody – particularly, given the findings of the Royal Commission's *'Care to Custody'* report (2022), whereby the proportion of Māori who had been in State residential care and subsequently received a custodial sentence was much higher than for corresponding non-Māori.¹⁵

Cultural activities and educational opportunities

The Committee against Torture, at para 38(e) of its Concluding Observations, recommended New Zealand *'ensure that detention conditions are compliant with international standards, including with regard to access to education and health services...'*

The Committee on the Rights of the Child's [General Comment No 24](#), at paras 95(b) and (c), also highlights its expectation that young people in detention are in environments that are conducive to the re-integrative aims of residential placement, with access to education and vocational opportunities suited to their needs and abilities.

¹³ See, for example, my recent report *Kia Whaitake | Making a Difference: Investigation into Ara Poutama Aotearoa | Department of Corrections*. Office of the Ombudsman. 28 June 2023.

<https://www.ombudsman.parliament.nz/resources/kiawhaitake-making-difference-investigation-ara-poutama-aotearoa-department-corrections>

¹⁴ Such as the 2019 [Ināia Tonu Nei — Hui Māori Report](#).

¹⁵ Oranga Tamariki data (2018) also found that approximately 70% of young people in Corrections' care had a care and protection or youth justice history. See: <https://www.orangatamariki.govt.nz/assets/Uploads/About-us/Research/Research-seminars/March-2018/Youth-in-Corrections-and-the-Youth-Crime-Action-Plan.pdf>

My expectation is that there are sufficient and suitable education, cultural, skills, work, and programme places to meet the needs of the population, including the specific needs of particular groups such as young people and young adults.¹⁶

In my OPCAT examinations, I have seen various examples of where this is done well and have encouraged Corrections to apply these learnings and initiatives to other sites.

For example, during my 2021 visit to [Manawatū Prison](#), I observed the Tū Mai Unit (a new initiative for those aged between 18 and 30) and its positive impact on this group. I noted the reported success of the Whakatutuki Moemoeā programme in particular, and encouraged Corrections to consider how this could be implemented more widely.

Corrections said it was considering expanding similar initiatives in other locations as part of its wider Hōkai Rangi initiatives. It provided a number of examples, including work where the Youth Team was beginning ‘to explore operating models for the management of young adults under 25 years outside of youth/young adult spaces’, drawing on learnings from Tū Mai, the existing youth units, and Te Ara Tauwhaiti at Rimutaka. I would be interested in any insights your thematic investigation provides as to progress in this area.

Material conditions

The Committee against Torture, at para 28(a) of its Concluding Observations, recommended New Zealand ‘continue its efforts to improve the conditions of detention in all places of deprivation of liberty’. Rule 31 of the [Havana Rules](#) specifies that young people in detention have the right to facilities and services that meet all the requirements of health and human dignity.

I have observed variable conditions and facilities in youth units across prisons. During my 2020 inspection of [Christchurch Men’s Prison](#), I observed that furnishings and recreational equipment were generally of a poor standard with extensive graffiti evident across the Unit. Graffiti was also present at [Hawke’s Bay Prison](#) during my 2019 follow up inspection and the main cells in the youth unit were in poor condition and untidy. I have also commented on the material conditions for youth at [Manawatū Prison](#) following my 2021 visit.

I personally visited Manawatū Prison last year, when the new ‘temporary’ youth unit was opened in B Block, an area of the prison that Corrections concurs is not fit for purpose. Despite admirable efforts from staff at all levels to provide an appropriate and supportive environment for the youth on the unit, their job was made more difficult by the physical environment. I raised particular concern about the adequacy of the outdoor spaces available to those on the Unit and emphasised that access to the grassed area was urgently needed.

My expectation is that people in custody experience a safe and healthy physical environment, which is fit-for-purpose and appropriate for the varied needs of the population. Material

¹⁶ *Expectations for conditions and treatment of people in custody in prisons and otherwise in the custody of the Department of Corrections, and residents in residences established under section 114 of the Public Safety (Public Protection Orders) Act 2014*. June 2023. <https://www.ombudsman.parliament.nz/sites/default/files/2023-06/OPCAT%20Expectations%20%E2%80%93%20Corrections%20designed.pdf>

conditions, including the space, ventilation (including fresh air), temperature, lighting (including natural light), utilities and fixtures are all conducive to this, and should be well maintained.¹⁷

The adequacy of youth units is dependent on having dedicated, trained and well supported staff

Both the [Havana Rules](#) and [General Comment No 24](#) (at para 92), outline that any facilities where young people are detained must be staffed by appropriately trained personnel, operating according to child-friendly policies and practices. I consider that similar considerations extend to young adults. My expectation is that people in custody are supported by skilled, motivated, and engaged people, who are trained on, and are familiar with, the specific rights and needs of young people and young adults.¹⁸

As noted in my report to [Manawatū Prison](#) (2022), the key to the success of Whakatutuki Moemoeā was the involvement of a Kaiwhakaaraara (or Whānau Ora Navigator), supporting people and their whānau in the weeks leading up to and following a person's release. At the time of my follow up inspection in 2019, I was also pleased to observe improvements at [Hawke's Bay Prison](#) (2019), with the introduction of a dedicated Activities Coordinator for the youth unit.

Other observations

Overall, I have observed that youth units tend to experience similar issues as wider prison units more generally, with amplified effects for young people and young adults. As well as those matters identified above, some of the key issues this would include are a lack of programmes and meaningful daily activities, insufficient health and support services, distance from whānau and limitations on maintaining sufficient contact with whānau, cultural safety and wellbeing, and stretched resources including in the area of trained and experienced staff.

Age and related characteristics must also be a factor in assessing the necessity, proportionality, accountability and non-discrimination, and ultimate legality, of interventions or infringements of rights, and the use of coercive powers in particular. This may be something you wish to explore in your thematic investigation, noting for instance the Committee against Torture's Concluding Observations, at para 38, that New Zealand:

(g) Explicitly prohibit force, including physical restraints and the use of pepper spray and spit hoods against children under supervision, promptly investigate all cases of abuse and ill-treatment of children in detention and adequately sanction the perpetrators;

...

i) Provide children in conflict with the law with information about their rights, ensure that they have access to effective, independent, confidential and accessible complaint mechanisms and legal aid and protect complainants from any risk of reprisals.

¹⁷ Expectations for conditions and treatment of people in custody in prisons and otherwise in the custody of the Department of Corrections, and residents in residences established under section 114 of the Public Safety (Public Protection Orders) Act 2014. Office of the Ombudsman. June 2023.
<https://www.ombudsman.parliament.nz/sites/default/files/2023-06/OPCAT%20Expectations%20%E2%80%93%20Corrections%20designed.pdf>

¹⁸ Ibid.

In regards to the second recommendation, in my 2020 inspections of [Christchurch Men's Prison](#) and Mount Eden Corrections Facility, I commented on the issue of young people's awareness and understanding of the complaints process, with information not being readily accessible. Protective measures such as complaints processes, advocacy services, and natural justice procedures must incorporate and be responsive to the needs of young people and young adults.

I would be happy to discuss or expand on any of the matters outlined in this letter if this would assist. Any queries may be addressed to Lauren Rutter, Senior Advisor Strategic Advice (OPCAT) (Lauren.Rutter@ombudsman.parliament.nz) in the first instance.

Nāku noa, nā



Peter Boshier
Chief Ombudsman

Appendix D – Images



Image 1. Fale at Auckland South Corrections Facility.

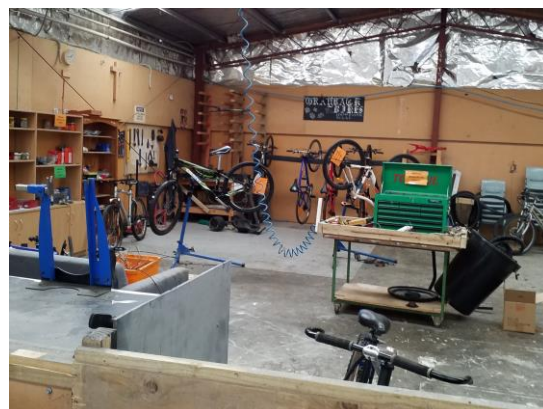


Image 2. Christchurch Men's Prison Youth Unit workshop.

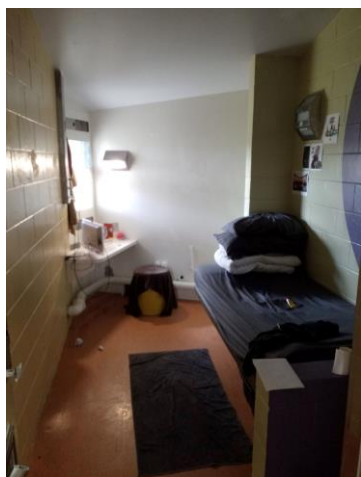


Image 3. Manawatū Prison temporary youth unit cell.



Image 4. Manawatū Prison temporary youth unit outdoor area.



Image 5. Rimutaka Prison high security yard.

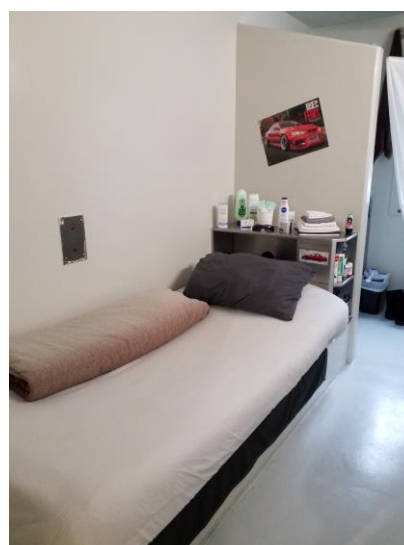


Image 5. Rimutaka Prison high security cell.



Image 7. Low security unit Christchurch Men's Prison.



Image 8. Mothers with Babies Unit, Auckland Region Women's Corrections Facility.

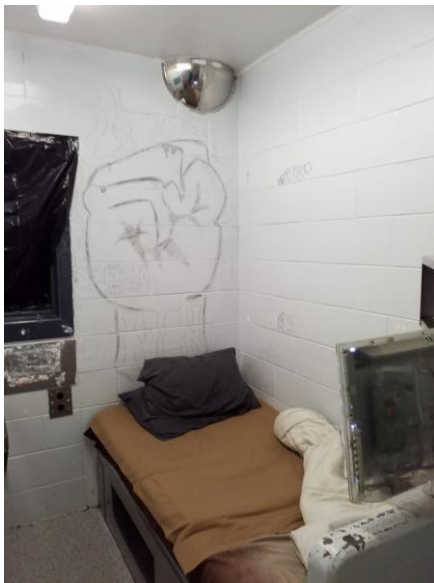


Image 9. Whanganui Prison, cell in Wharikitia Unit.

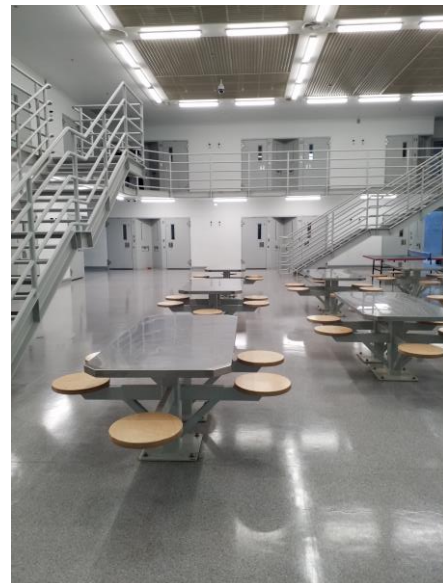


Image 10. Papa Unit, Mt Eden Corrections Facility.



Image 11. Tongariro Prison, 'Engine Room'.



Image 12. Otago Corrections Facility gym.

Appendix E – Inspectorate information for young people

OFFICE OF THE INSPECTORATE *Te Tari Tirohia*

Kia ora!

I am an inspector from the Office of the Inspectorate.

The Office of the Inspectorate operates under the **Corrections Act 2004**, the **Corrections Regulations 2005** and the mandate of the Chief Executive.

The Office of the Inspectorate is operationally independent from Corrections and from the matters that it investigates.

We want to find out about the experiences of people under 25 in prison.

We want to hear from you how you find life in prison. We want to know what you think is going well, what is not going well and what could be better in prison. We also want to know what support you need in prison to help you progress and return to the community.



Your voice really matters to us.

- We are speaking to people under 25 at all prisons across the country.
- We will then write a report for the Chief Executive of Corrections to help him understand what life is like for young adults in Corrections custody.
- We will also make recommendations from the things we hear that the Chief Executive has to respond to.

Your voice can help make a difference for you and others in prison.

This interview is voluntary and you can stop at any time.

- This interview will take up to an hour.
- You don't have to answer every question if you don't want to, we can just move on.
- We will not identify you in the report.

Do you agree to be interviewed today?
Tick: Yes ☐ Or No ☐

Do you approve of us using the things you tell us today in our report?
Tick: Yes ☐ Or No ☐

The final report will be found online, in prison libraries and a short, easy-read version will also be available.
Are you comfortable and ready to begin?

We will be at your prison
site from:

to

If there is anything you want to share
after this interview, please contact us at:

Email: YouthInspectorate@corrections.govt.nz

Mail: Young People and Young Adults Team,
Private Box 1206, Wellington 6140,
New Zealand

Thank you!

Appendix F - Washington Group Short Set of Disability Questions

This table shows the number of people aged under 25 who responded to the Washington Group Short Set of Disability Questions and reported having at least one function impairment, broken down by ethnicity and question.

QUESTION	ETHNICITY	Yes, a lot of difficulty	Yes, some difficulty	Cannot do it at all
Communicating	Māori	2	16	0
	Non-Māori/Non-Pacific	3	15	1
	Pacific Peoples	1	5	0
Hearing	Māori	1	65	0
	Non-Māori/Non-Pacific	3	21	0
	Pacific Peoples	0	5	0
Mobility	Māori	3	22	0
	Non-Māori/Non-Pacific	2	12	0
	Pacific Peoples	1	4	0
Remembering	Māori	12	111	0
	Non-Māori/Non-Pacific	14	91	0
	Pacific Peoples	2	15	0
Self-care	Māori	0	5	0
	Non-Māori/Non-Pacific	0	5	0
	Pacific Peoples	0	2	0
Vision	Māori	7	84	0
	Non-Māori/Non-Pacific	2	66	0
	Pacific Peoples	3	12	0

Appendix G – Letter from Principal Youth Court Judge



PRINCIPAL YOUTH COURT JUDGE FOR NEW ZEALAND

TE KAIWHAKAWĀ MATUA O TE KŌTI TAIOHI

Judge John Walker

3 May 2021

Jeremy Lightfoot
Chief Executive
Department of Corrections
Private Box 1206
Wellington 6140

Via email Robyn.Fisher@corrections.govt.nz

Tēnā koe Jeremy

Re Young Adult Unit at Rimutaka Prison

On Friday last I had the privilege of visiting the Young Adult Unit at Rimutaka Prison and I was able to meet and speak with a number of the young men in that unit, and to the dedicated staff who look after them. The unit recognises the same underlying barriers and challenges which have given rise to the Young Adult List at Porirua District Court, so it aligns with my thinking about this cohort. I was extremely impressed with the work of the staff, and the emphasis on reintegration with the two staff members engaged with whānau and the communities to which the young men will return. It is the supported transition from custody which is so important and often is not achieved. Two young men who have recently left the unit are part of the Limited Service Volunteer Programme at nearby Trentham Camp, placements arranged by the unit.

The whole feeling in the unit was one of calmness and engagement. As one young person told me they all feel safe with no gang influences and fear of violence, allowing them to get on and deal with the underlying issues.

In my view this is a very appropriate way to deal with this vulnerable cohort and must be more effective than putting them together with mainstream and I congratulate Corrections on its establishment. I do hope that this model is to be replicated elsewhere.

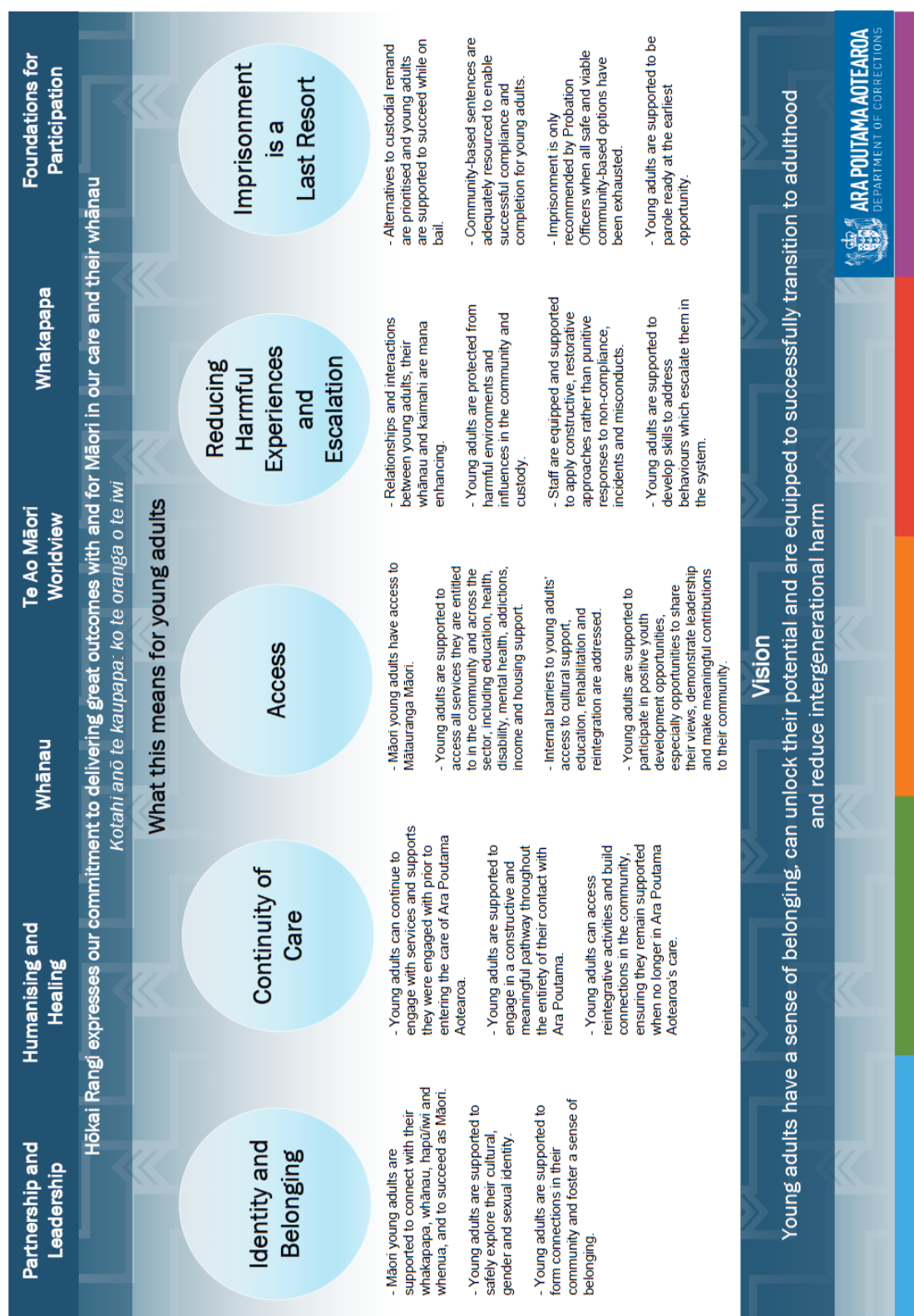
Ngā mihi

John Walker
Principal Youth Court Judge

Cc Rachel Leota, National Commissioner Corrections Services
Chief District Court Judge Heemi Taumaunu

DX SX11240 PO Box 10-167 Wellington 6143 New Zealand
Telephone: +64 (0) 4 914 3440 Direct: +64 (0) 4 914 3446

Appendix H – Young Adult Framework



Appendix I – Assessment for the Placement of Young Adults (APYA) documents

M.03.01.Form.02 Assessment of Placement for Young Adult (APYA) Must be completed for all 18-19 year olds	
[Copy and Paste Offender Header Here]	
Name of Assessor: [Name]	Date of Assessment: [Date]
Sources of Information List sources of <u>file review</u> information used to complete this assessment, including <u>but not limited to</u> : <ul style="list-style-type: none"> • IOMS notes, alerts, and misconduct info. • NARA/RARA reports. • Provision of advice to courts (PAC) reports. • Criminal and traffic conviction history and active charges. • Risk-relevant Information from Psychological assessment reports to Prison Services. 	
[Click Here to Enter Info]	
People Consulted List who you spoke with to help complete this assessment. <ul style="list-style-type: none"> • Note: You MUST consult the Residential Manager and/or PCO of the nearest youth unit to discuss the young person's suitability when completing this assessment. Other Sources of information may include <u>but not limited to</u> : <ul style="list-style-type: none"> • Whānau. • Probation Officer (if assigned). • Case Manager (if assigned). • Oranga Tamariki Youth Justice Team (if applicable). <ul style="list-style-type: none"> ◦ OT Youth Justice Team info requests go through: youth_justice_services@ot.govt.nz 	
[Click Here to Enter Info]	
File Review and Consultation The following questions are completed using file review and discussions with others, including whānau.	
Whānau – Family and Support Summarise any comments made by whānau. These may <u>include but not limited to</u> : <ul style="list-style-type: none"> • Who are identified as whānau and support people and where are they based? • What do whānau think the best unit placement for the young person looks like? • How can we support on-going contact with whānau if placed in a Youth Unit at CMP or HBRP? 	
[Click Here to Enter Info]	
Manaaki – Goals and Interests Have any goals or interests they would like to focus on been identified? For example: <ul style="list-style-type: none"> • Culture (e.g. connecting with Te Ao Māori, tikanga, kapa haka, and whakapapa). • Health, fitness, or wellbeing (i.e. building their Te Whare Tapa Wha). • Reintegration activities, education, programmes, or training they would like to engage in. 	
[Click Here to Enter Info]	

Rangatira – Needs and Motivation Have any needs and motivation to address these been identified? Including: <ul style="list-style-type: none"> • <i>Rehabilitation (offending-related) needs.</i> • <i>Employment and / or education history and needs (i.e. do they have an education pathway?).</i> • <i>Rehabilitative programmes (e.g. Youth/young adult focused programmes, psychological intervention, DTU, etc.)</i> 		
Click Here to Enter Info		
Kaitiaki – Identifying Risk Identify risk to others (including 17-year olds) in file information: <ul style="list-style-type: none"> • <i>Does their offending history show a history of violence?</i> • <i>Do they have gang associations?</i> 		
Does file review information indicate there may be a potential risk of violence to other young people?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Kaitiaki If you have identified they may pose a risk to others, please identify this risk in more detail below. <ul style="list-style-type: none"> • <i>Detail any history of violence.</i> • <i>Provide detail on any gang association (e.g. prospect, patched, promoting/recruiting, etc.)</i> 		
Click Here to Enter Info		
Kaitiaki Summarise any Incidents / Misconducts / Alerts recorded on IOMS (if any): <ul style="list-style-type: none"> • <i>Detail any misconducts or incidents they have been involved in.</i> • <i>Identify any relevant details about how misconducts or incidents were responded to.</i> • <i>Identify the nature and details of significant alerts recorded for the under 20-year-old.</i> 		
Click Here to Enter Info		
Kaitiaki – Risk of Climbing to Height, Concerted Indiscipline or Riot Youth units are less hardened environments, often with lower roofs. Does the individual have a history of assaults, concerted indiscipline, climbing to height, or involvement in significant disruption or riots in custody?		
<input type="checkbox"/> Yes*	<input type="checkbox"/> No	
<p style="text-align: center;">*If YES</p> You MUST discuss the individual with Youth Unit Residential Manager or PCO to determine if this risk is manageable in the youth unit.		
Kaitiaki – Managing Risk Identify what has previously worked to manage their behaviour and / or minimise the risk of violence: <ul style="list-style-type: none"> • <i>What worked for them in an Oranga Tamariki Youth Justice Facility (if applicable)?</i> • <i>How were previous incidents managed and what was the outcome?</i> • <i>What strategies have whānau used to manage their behaviour?</i> 		
Click Here to Enter Info		

Kaitiaki – Risk of Sexual Offending	
Does the individual have a history of sexual offending?	
<input type="checkbox"/> Yes*	<input type="checkbox"/> No
*IF YES	
You MUST discuss the individual with Psychological Services and Youth Unit Residential Manager if they have a history of sexual offending.	
Kaitiaki – Identifying Vulnerability	
Identify any relevant information which indicates the individual is vulnerable to others, including:	
<ul style="list-style-type: none"> • Is it their first time in prison? • Have they spent time in other secure facilities (i.e. Youth Justice or Care and Protection)? • Is there evidence of intellectual/cognitive impairment? • Do they have any physical disabilities or a small build? • Alerts related to physical or mental health (e.g. sight or hearing difficulties). • Do they have a history of being bullied? • Is there evidence they may have been a victim of sexual abuse? • Are there alerts for risk of suicide or self-harm? 	
Note: You MUST consider any relevant information from the young person's most recent at-risk assessment.	
[Click Here to Enter Info]	

Interview Questions

The following questions are completed in interview(s) with the under 20-year-old.

Whānau – Family and Support
Talk to the young person about their whānau, <u>asking</u> :
<ul style="list-style-type: none"> • Who are your whānau/family and support people? • Where are your whānau/family and supporters based? • What support do you need to stay connected with whānau/family and support?
[Click Here to Enter Info]
Wairua – Goals
<u>Ask</u> the young person what their goals are:
<ul style="list-style-type: none"> • What are you passionate about / do you enjoy doing? • What matters most to you? • What are your goals for the future?
[Click Here to Enter Info]
Rangatira
<u>Ask</u> the young person what they think a good placement looks like for them, for example:
<ul style="list-style-type: none"> • How would you feel about being in a Youth Unit in Hawke's Bay / Christchurch?
[Click Here to Enter Info]

Manaaki – Exploring Vulnerability <u>Ask:</u> What has been bothering you while you've been here? <i>(Or similar question)</i>		
Click Here to Enter Info		
Manaaki <u>Ask:</u> Do you feel at risk of being attacked or abuse from anyone else in prison? <i>(Or similar question)</i>		
Click Here to Enter Info		
Manaaki <u>Ask:</u> What support do you need while you are here? <i>(Or similar question)</i>		
Click Here to Enter Info		
Kaitiaki – Exploring Risk Explore the risk to others (including 17-year olds) if: <ul style="list-style-type: none"> • They have a history of violence (as detailed in current charges, conviction history, rehabilitative needs, misconducts / incidents, etc.) • They self-report having used violence (as per question below). 		
Have you ever been violent towards other people?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Rangatira <u>Ask:</u> If you have been violent, what was happening for you? <ul style="list-style-type: none"> • What was going on? • What were you feeling? • What might you have been saying to yourself at the time? 		
Click Here to Enter Info		
Rangatira <u>Ask:</u> What have you found has helped you control your own behaviour?		
Click Here to Enter Info		
<u>Ask:</u> What have other people done that you find unhelpful?		
Click Here to Enter Info		
Manaaki <u>Ask:</u> What support do you think can help you stay violence free?		
Click Here to Enter Info		

Summaries

Risk Summary Based on file and interview information, summarise any information about the individuals' risk: <ul style="list-style-type: none"> What makes them a risk to others? What may increase or decrease this risk? 	
<input type="text" value="Click Here to Enter Info"/>	
Vulnerability Summary Based on file and interview information, summarise the individual's vulnerability: <ul style="list-style-type: none"> What puts them at risk of harm from others? 	
<input type="text" value="Click Here to Enter Info"/>	
Outcome / Recommendation Provide a placement recommendation and summary of rationale for this recommendation. <ul style="list-style-type: none"> Note: You MUST include consideration of any ongoing EM Bail or court processes. 	
It is recommended <input type="text" value="Name"/>	
Be place in <input type="text" value="Enter Unit Here"/>	
Rationale for this placement includes:	
<input type="text" value="Present rationale for this recommendation"/>	

Refer for Youth Unit Placement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
---------------------------------	------------------------------	-----------------------------

If 'No' email this form to the Senior Adviser Custodial Operations for their oversight, and
cc to: youthplacement@corrections.govt.nz

If 'Yes' please email this form to the nearest Youth Unit Residential Manager and PCO, and
cc to: youthplacement@corrections.govt.nz

Youth Unit Residential Manager / PCO Comments and Approval (for Youth Unit Recommendations):

<input type="text" value="RM / PCO Comment"/>

Youth Unit placement approved?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
---------------------------------------	------------------------------	-----------------------------

If Yes:	The Assessor MUST enter the "Young Adult – Youth Unit Placement" IOMS alert and include a brief rationale for the placement in the comment box.
If No:	The Assessor MUST enter the "Young Adult – Non-Youth Unit Placement" IOMS alert and include a brief rationale for the placement in the comment box.

General Manager Custodial (or Delegate) Signoff on Recommended Placement

Signed: _____ Date: _____

General Manager Custodial Comments:

<input type="text" value="PD Comment"/>

Consent for Contact with Whānau / Significant Other(s)

I, [REDACTED] (person's name)

give my consent for whānau and health to be contacted as necessary for ensuring my safe management while in custody.

I understand they will be asked if they have any concerns about me at present, or any concerns about me if they are contacted in the future.

I understand they will also be asked questions about my background / history to provide a picture of the behaviours I am involved in and ways I tend to behave.

Signed: _____ Date: _____

**Consent for exchange of information
(Privacy Act 2020)**

I, [REDACTED] (name)

authorise the Department of Corrections and the identified agencies to exchange information¹ about me for the sole purpose of managing my sentence to reduce my risk of reoffending and enable my rehabilitation. The information may be used in reports needed as part of my sentence and reintegration.

This consent does not include information that is considered health or psychological information provided by a person to a psychologist or health professional. Should the disclosure/exchange of health or psychological information be required, a separate consent will be sought from me.

I am aware that:

- I have the right to receive a copy of any report or document prepared about me
- I have the right to dispute any information that I consider inaccurate and have my comments recorded on the report if the staff member is unwilling to change it
- If I have questions about this consent form, I can talk to my Case Manager, or contact the Corrections Privacy Officer.
- My information will be stored securely in accordance with the Privacy Act 2020

Client [REDACTED]

Name [REDACTED]

Signature _____ Date _____

Corrections Staff Member

Signature _____ Date _____

Identified Agencies

- | | |
|---|--|
| • Ministry of Social Development | • New Zealand Police |
| • District Health Board and other medical professionals | • Any other government agencies as required |
| • Education programme providers | • Rehabilitation, reintegration and employment providers |
| • Employers | • Accommodation providers |
| • Oranga Tamariki | |
| • Other (please specify) [REDACTED] | |

¹ Depending on my needs and goals, information that could be exchanged in reliance on this consent may include probation, case management and custody information, alcohol and other drug use, convictions, education, employment experience and other services to which I have been referred, but does not include information that is considered confidential health and/or psychological information provided by a person to a psychologist or health professional.

Consent to Release Health Information form

I, _____ born _____

PRN _____ authorise/**do not** authorise (delete as required)

the Department of Corrections, and its Custodial Services and Health Services groups to disclose information from my prison health services files both hard copy and electronic copy to

_____ for the purpose of _____

I authorise the use of this information or part(s) of this information as described in this form and as part of correspondence with the above.

I am aware that the Privacy Act 2020 and the Health Information Privacy Code 2020 protects my individually identifiable health information. The privacy law requires me to sign an authorisation (this document) to authorise use and disclosure of my health information to a third party.

I understand that I have the right to revoke this authorisation at any time except to the extent that action has been taken in relation on it. I understand I must do so in writing and present the written revocation to the Department of Corrections. I understand the revocation will not apply to information that has already been disclosed and used pursuant to this authorisation.

I confirm I have read / have had read to me (delete as required) the content of this authorisation form and I understand those contents. I also understand that this authorisation to release my health information is voluntary.

I confirm I have had the opportunity to ask questions about this consent and to seek advice about it.

Signature of Prisoner: _____ Date: _____

Print Name: _____

Signature of Witness: _____ Date: _____

Print Name: _____

Address: _____

Occupation: _____

M.03.01.Res.08 Supported Decision Framework to support Assessment of Placement for Young Adult (APYA)

Process for Assessments:

Staff must consider Corrections' practice principles when assessing and working with rangatahi (youth). The Assessment of Placement for Young Adult (APYA) must also comply with the requirements and processes under [M.03.01 Under 20-year-old male prisoners] of the Prison Operations Manual (POM).

Principles when working with rangatahi:

- Rangatahi are different from adults, they are still maturing, and their brain has yet to fully develop.
- Rangatahi in our care are experiencing all the normal adolescent difficulties whilst dealing with the 'adult' consequences of their offending behaviour.
- When working with rangatahi, it is important to be engaging, flexible, positive and encouraging.
- Treat each rangatahi as an individual. Do not use a "one size fits all" approach.
- Use manaakitanga, whānaungatanga and the values of tika, pono and aroha when assessing the rangatahi.
- The well-being of rangatahi is important. Assessors conducting a young adult placement assessment can have a significant impact on the rangatahi's life.
- The quality of the relationship between the rangatahi and the assessor is critical to succeeding in changing behaviour. It is important to show a genuine interest and demonstrate that you care.

Considerations for the assessment:

- Have a normal conversation, listen to the rangatahi and try understanding the information provided during this assessment from their point of view.
- Speak to others who know the rangatahi, review all available information and obtain third party information to support the assessment.
- Talk to the rangatahi about their whānau and where they come from.
- What are the goals to focus on for this rangatahi? Don't decide the goals for them, involve them in the discussion about goals.
- Are there any well-being concerns for the rangatahi? Consider Te Whare Tapa Wha (Hinengaro – Mental and emotional, Tinana – Physical, Whānau - social, and Wairua - spiritual).
- Consider how the rangatahi presents - Are they anxious, scared, sad, teary, angry, aggressive, hostile, not talking, withdrawn? Does their presentation or file information raise any concerns they may be vulnerable to others, harm themselves, or harm others?

Who completes the assessment:

Staff who have received training, and who have a strong understanding of the assessment tool, in addition to an understanding of the principles when working with rangatahi.

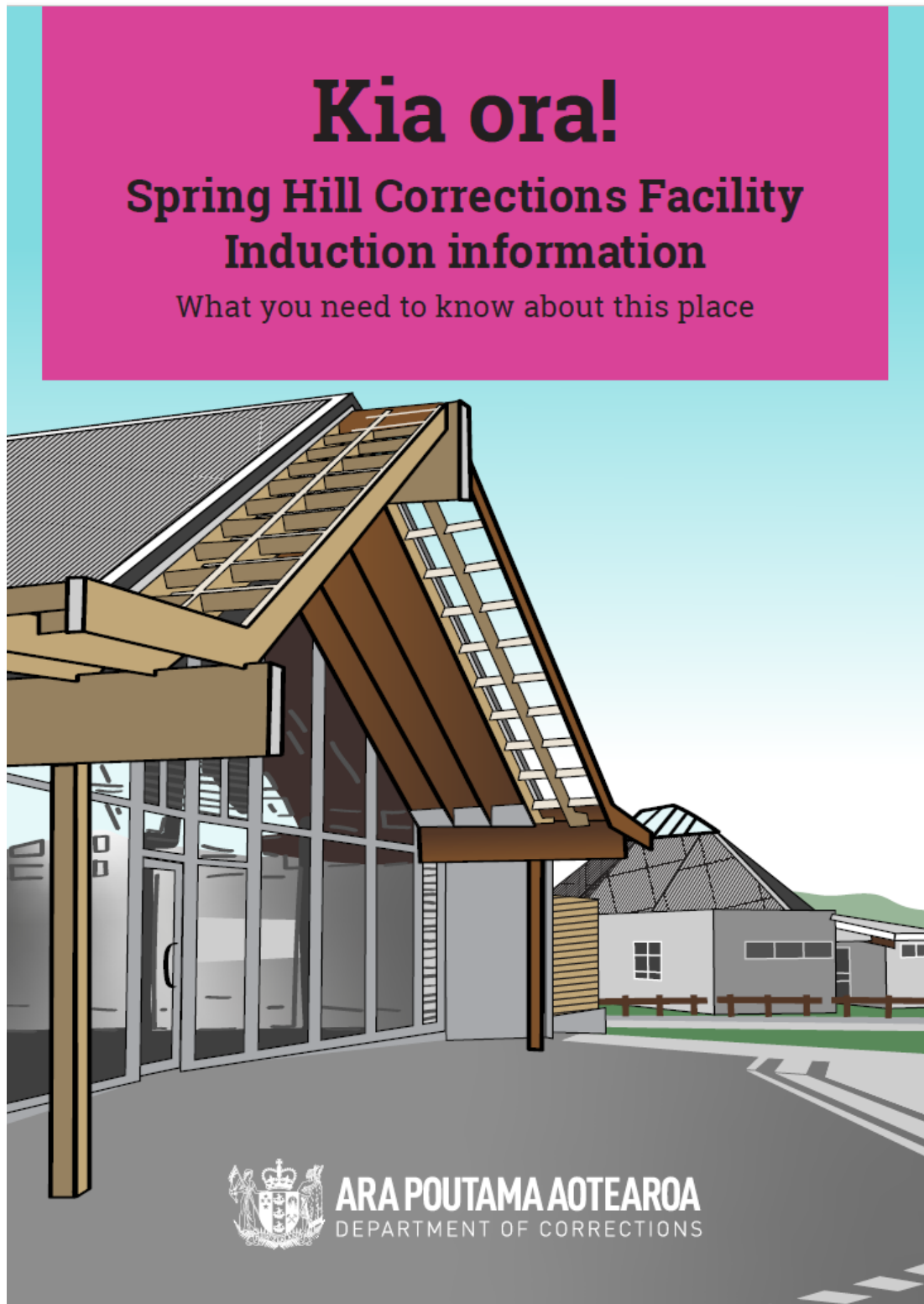
Values	Considerations	Actions
Whānau Where are key whānau based and how can the rangatahi's ongoing connection to whānau be supported?	<p><u>Using all available information, consider:</u></p> <ul style="list-style-type: none"> Where is the rangatahi from? What is their whakapapa? Where do the rangatahi's whānau and support people live? Which of the whānau and support people know where the rangatahi is? What is the nature of the relationship the rangatahi has with their whānau and support people? Who is the most important person in the whānau to the rangatahi and why? Is the rangatahi linked to other support in the community such as marae, church, sport, community groups? Was the rangatahi previously in the Youth Unit and what information does the Unit or key staff have about them? Does the rangatahi have a current EM bail application or outstanding court dates? <p><i>If the rangatahi does not want to have contact with whānau or has no support, this will be included on their plan so that they are supported to re-connect with whānau and other supports.</i></p> <p><i>Whānau should not just be limited to blood relatives, but to whomever is able to support in pro-social ways, including gang-associated whānau.</i></p>	<p><u>Required Actions:</u></p> <ul style="list-style-type: none"> Using whānaungatanga, relationship map, enquire with the rangatahi where their whānau is from and who their support people are. Review available IOMS records such as Provision of Advice (PAC) reports, EM Bail reports, the rangatahi's Details Report. If available, review the Social Worker report from Oranga Tamariki Youth Justice. Review IOMS notes whilst at the Youth Unit previously. Speak to others who know the rangatahi – Corrections Officers, Case Managers, Probation Officers, previous social workers, whānau and support people, other government departments and agencies such as Oranga Tamariki.

Values	Considerations	Actions
Manaaki What specific areas or goals to focus on in terms of programmes, culture, education, training, rehabilitation, reintegration, health, fitness or wellbeing?	<ul style="list-style-type: none"> • Enquire about their interests, hobbies, what they would like to do? • Focus on the rangatahi's aspirations and bringing them to life. • What are their strengths? • Find out what is important to the rangatahi right now? • Does the rangatahi have an education pathway or plan? • For a rangatahi who identifies as Māori, discuss the Tikanga programme, participation in kapa haka and the Tuakana programme. 	<ul style="list-style-type: none"> • Have a conversation with the rangatahi find out their interests and what is important? • Review available records (PAC, EM Bail reports, Psychological reports if available, Youth Justice reports/ Plan). • Review IOMS notes if the rangatahi was previously housed in the Youth Unit. • Speak to others who know the rangatahi – corrections officers, case managers, probation officers, previous social workers, whānau and other supports, and other government departments and agencies such as Oranga Tamariki.
Wairua Are there any concerns regarding the rangatahi's wellbeing, as related to their Whare Tapa Wha? Consider their Hinengaro (mental/emotional), Tinana (physical), Whānau (social) and Wairua (spiritual)? Who else can be consulted if there are concerns identified in relation to the rangatahi's wellbeing?	<ul style="list-style-type: none"> • Are there any health concerns you should know about? (e.g. head injuries, heart problems, diabetes, etc.) • Is the rangatahi known to the Youth Unit in terms of any physical or mental health issues? • What available background information about the rangatahi's history and circumstances is relevant to the needs of the rangatahi? (e.g. Foetal alcohol spectrum disorder, trauma, intellectual or physical disability, etc.) • Does the rangatahi have physical or mental wellbeing needs that make them vulnerable to intimidation or bullying? • Is the rangatahi vulnerable to self-harm or suicide (e.g. History of self-harm, previous suicide attempts or suicidal thinking)? • Who do you need to consult with if there are concerns identified in relation to the rangatahi's wellbeing? 	<ul style="list-style-type: none"> • Review available information on IOMS, Youth Justice reports, information from Forensics (if any). • If there are concerns about the rangatahi's wellbeing, contact the Forensic Team and/or Health Team. • Speak to others who know the rangatahi – corrections officers, case managers, probation officers, previous social workers, whānau and support people, and other government departments and agencies such as Oranga Tamariki. • Consult Residential Manager, PCO, General Manager Custodial, community providers, whānau if there are concerns or issues identified in relation to the rangatahi's wairua

Values	Considerations	Actions
<p>Rangatira</p> <p>What is the rangatahi's motivation to undergo rehabilitation and educational programmes?</p> <p>How can the rangatahi be supported to take responsibility for their own pathway forward and building their own self-determination, autonomy, responsibility and accountability?</p>	<ul style="list-style-type: none"> Was the rangatahi attending a course, education or programme while at the Youth Unit previously and what was their response to the activity? Was the rangatahi involved in a Youth Justice programme? Was the rangatahi employed prior to being taken into custody? What are the rangatahi's rehabilitative needs and what youth unit programmes are they eligible for? 	<ul style="list-style-type: none"> Link this to the manaaki sections of the assessment. Check ASSIST results. Review available IOMS records such as Provision of Advice (PAC) reports, EM Bail reports, etc. If available, review the Social Worker report from Oranga Tamariki Youth Justice. Review IOMS notes whilst at the Youth Unit previously (if applicable). Speak to others who know the rangatahi – corrections officers, case managers, probation officers, social workers, whānau and support people, and other government departments and agencies such as Oranga Tamariki.
<p>Kaitiaki</p> <p>How can the rangatahi and other be kept safe? Are there records of incidents/misconducts or alerts?</p>	<ul style="list-style-type: none"> Summarise misconducts / incident information available on IOMS. How were the misconducts/incidents managed and what was the outcome? What is the level of the risk and can this risk be mitigated or managed safely? How did the rangatahi respond to these approaches to manage their risk? Note any active alerts, including any health and safety concerns? Note any safety and protective factors. Speak with whānau about any successful approaches they use to manage the rangatahi's behaviour. 	<ul style="list-style-type: none"> Review IOMS notes, incident reports and misconduct reports. Review details of outcomes and response to incidents and misconducts. Review IOMS alerts. Review SDAC assessments or DRAOR assessments if available. Review any other reports available such as psychological reports, Section 38 reports or medical reports where available. Liaise with others such as Forensics, Psychologists, Health staff, and whānau.

Values	Considerations	Actions
<p>Manaaki</p> <p>Are there any risks or concerns about the rangatahi?</p> <p>Are these risks or concerns likely to cause harm to other rangatahi who may be in the Youth unit?</p>	<ul style="list-style-type: none"> • What are the risks? • What approaches help to reduce risk? • What are some of the concerns about the rangatahi? • What is the nature of the identified risk of harm to others? (e.g. Sexualised behaviour/s, violence, gang stand over tactics, gang affiliation with repeated endorsement of gang culture). • Does the rangatahi have convictions of active charges for sexual offending against one or more male victims whose characteristics match those housed in Youth Unit? • How will the unit manage these risks? <p><i>If there is a risk of harm to others identified, including risk to 17-year olds who may be in the Youth Unit, consult others through a Multi-Disciplinary approach to discuss and develop a Management Plan.</i></p> <p>Important: Where an individual has a history of sexual offending, the assessor MUST consult with a Department Psychologist and notify the Youth Unit Residential Manager.</p>	<ul style="list-style-type: none"> • Review available information on IOMS, Youth Justice reports, information from Forensics, PAC reports, etc. • Review active charges and offending history. • Review alert history. • Review SDAC-21 and DRAOR assessments. • Review available psychological/psychiatric reports. • Consult with others such as Psychologists, psychiatrists, Forensics, Health officials, mental health services, Youth Justice Social Workers, Residential Managers, General Manager Custodial, and the Principal Adviser Youth.

Appendix J – Spring Hill Corrections Facility induction booklet



Information page

You are in Unit _____

Your PRN is _____

Your Cell Number is _____

Your Case Officer is _____

Prison Details: Spring Hill Corrections Facility

Physical Address: 181 Harness Road
Hampton Downs, 3782

Postal Address: Private Bag 503, Huntly 3740
(Your family can send
property or letters to this
address)

Bank account details:
(for your family to send you money)

Westpac – 03-0251-0039313-00

Particulars: Your First Name

Code: Your Last Name

Reference: Your PRN number

Ngā Ture – The Rules

You stick to the rules

You get to keep your things

You can keep your privileges like TV, phones

The Court and the Judge might hear about your good behaviour



Ka pakaru i a koe ngā ture – You break the rules

Loss of privileges =

- getting stuff taken off you
- not being allowed stuff

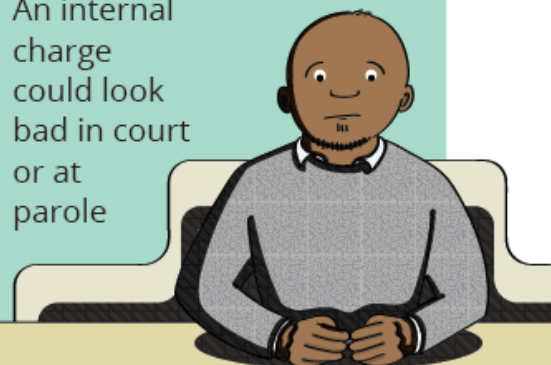
This might be things like:

- no TV for a week
- can only buy basic things from canteen
- non-contact visits (behind a screen)

Get an internal charge = prison charge

Court and the Judge might hear about this

An internal charge could look bad in court or at parole



Ngā Ture – The Rules

✓ Look after prison property

NO damage to prison property

This means:

- ✗ don't damage the TV
- ✗ don't mess with the smoke detectors or the steam vent in your cell
- ✗ don't damage prison property like bedding and clothes
- ✗ don't mark ANYTHING

NO gang clothes or things allowed

This means:

- ✗ you can't wear gang shoes or clothes
- ✗ no gang symbols or pictures
- ✗ no gang colours
- ✗ nothing to do with gangs

NO tagging allowed

This means:

- ✗ no writing your tag anywhere in the prison
- ✗ no using your tag name



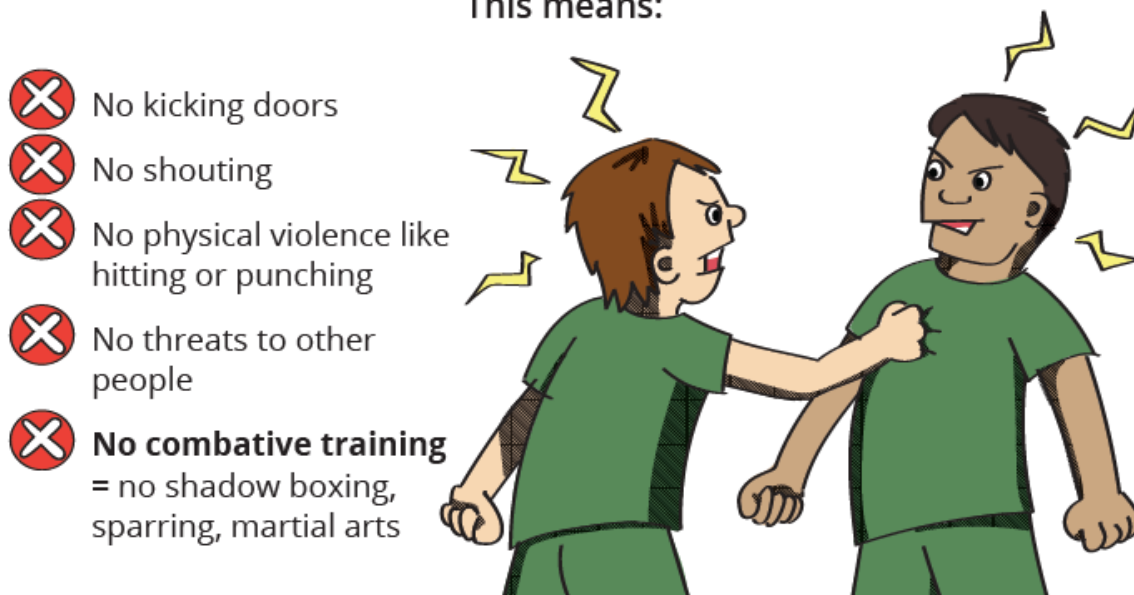
Ngā whanonga whai mana noa iho – Respectful behaviour only

This means:



Kāhore e āhei te taikaha – **NO** violence allowed

This means:



Keep your body and your words calm

Tōu nohoanga – Your Cell

Rules about your cell

You **CAN** go into YOUR cell. You **CAN'T** go in any other cell. You have to:

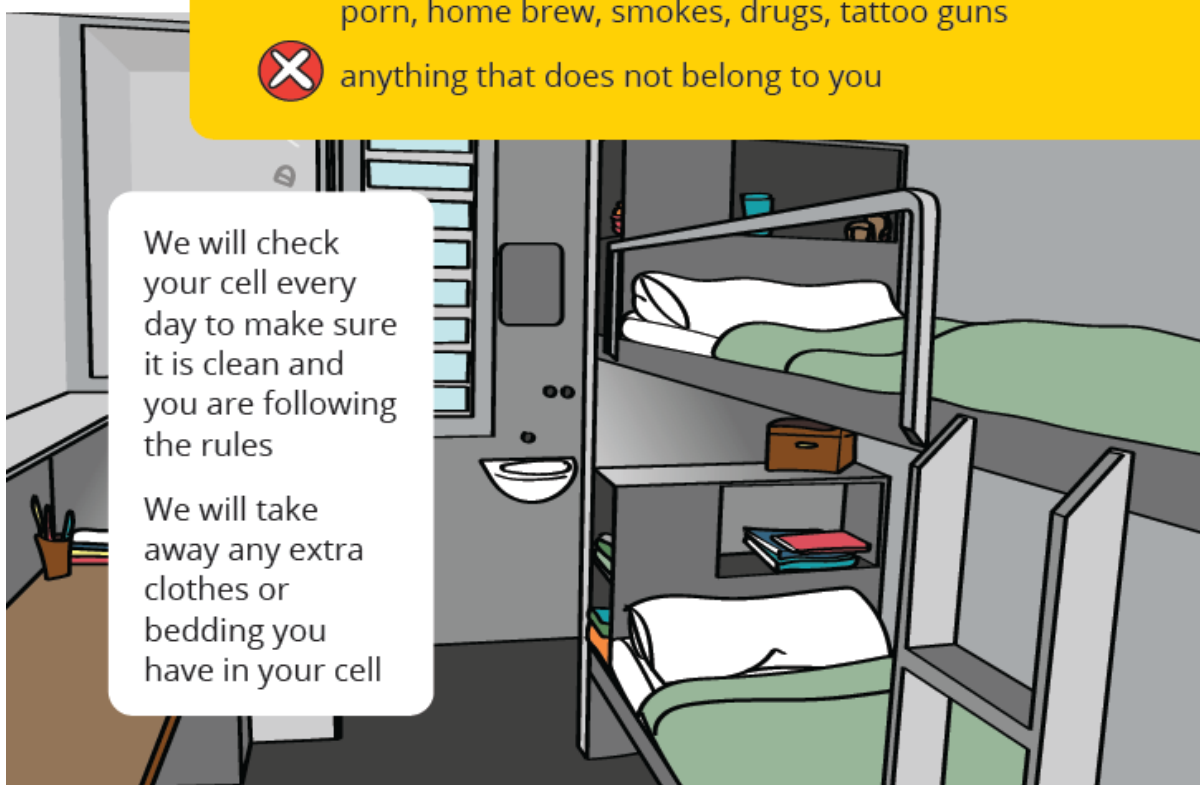
- ✓ keep your cell clean
- ✓ keep the front windows of your cell clear
- ✓ look after your own things

You can NOT have

- ✗ curtains, things to make curtains or clothes lines
- ✗ offensive or objectionable things = stuff like weapons, porn, home brew, smokes, drugs, tattoo guns
- ✗ anything that does not belong to you

We will check your cell every day to make sure it is clean and you are following the rules

We will take away any extra clothes or bedding you have in your cell



Te waea kōrero – whakamahi tuatahi Telephone calls – Initial call

When you get to prison you get an **initial call**

Initial call = 1 free phone call for 5 minutes



You get **10 days** to make this call. Sometimes it happens when you first arrive. Sometimes it happens when you get to your unit.

The officer puts this call on your file. They write down the phone number, who you spoke to and if there was a problem.

Te waea kōrero – Telephone calls

You are allowed **10 personal phone numbers** to call. Before you phone anyone, you must tell us the numbers you want to call. We'll tell you if you can phone them or not.

You are allowed **2 phone numbers for lawyers**.

We are allowed to listen in to your personal calls.

All phone calls you make are free

We are **NOT** allowed to listen to calls you have with:

- Lawyers
- Members of Parliament
- Ombudsman
- Inspector of Prison
- Police Complaints Authority
- Justice of the Peace
- Children's Commissioner
- Health and Disability Commissioner
- Criminal Court

Ask us if you have questions about this.



Tikanga Kākahu

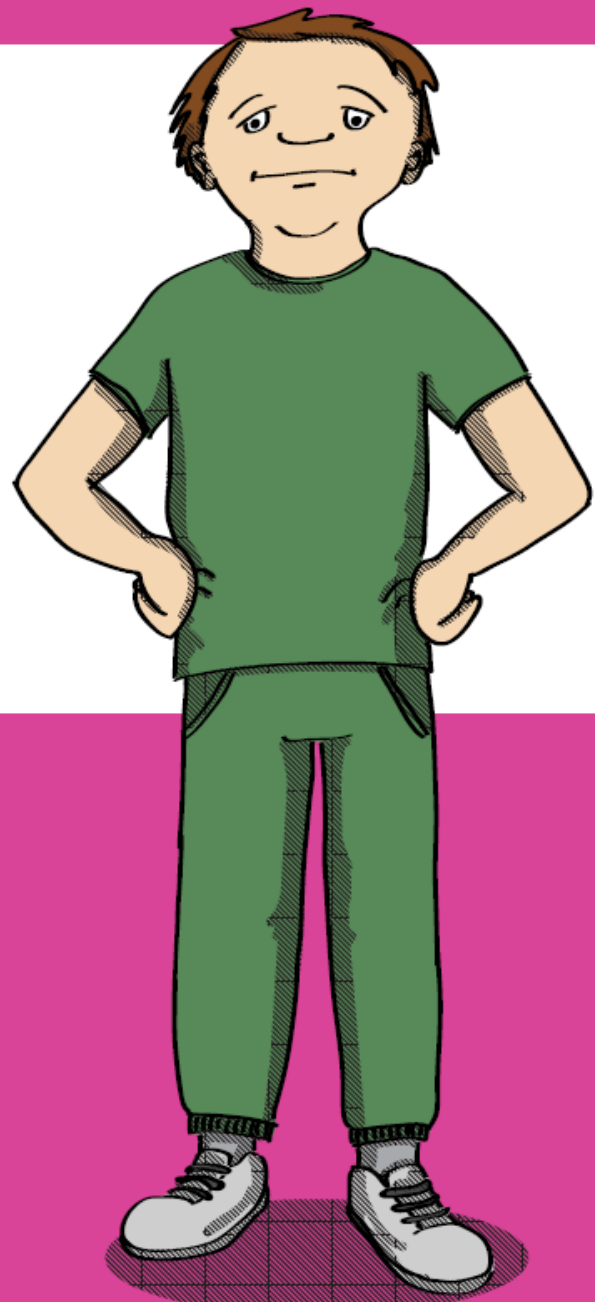
Dress code

What you have to wear

You have to wear the prison clothes in the unit:

- Singlet
- T-shirt
- Shorts
- Track pants
- Jersey

You can **ONLY** wear clothes how you're supposed to = nothing like head bands or wrist bands



Hauora – Medical

if you need to see a Doctor or a Nurse, fill out a form



Taputapu nāu ake Property: Things you own

You can ask to have some of your things with you in prison.

Ask an officer for a property request form and the list of things you are allowed.

You can ask for:

- things from home
- things you came into prison with (in your RO bin)

Asking for things from home

- 1 Fill out the form
- 2 You can ask for for your things to be posted
- 3 Give the form to an officer. They will sign it
- 4 Get an envelope and post the form home
- 5 When your property comes into SHCF we
 - search it
 - x-ray it
 - detector dogs sniff itthen we give it to you. We keep a list of all the property which comes in to SHCF for you

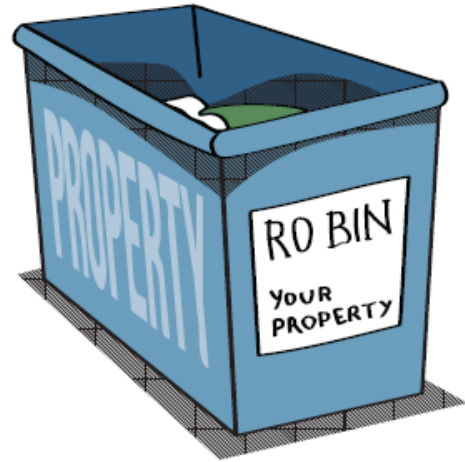
Or the property office can email your form to your family. Make sure you write their email address on the form!

The Principal Corrections Officer checks everything that is sent to you. You will only get property that is allowed to come into Spring Hill Corrections Facility.



Asking for things from your RO bin

- 1 Fill out the form
- 2 Give the form to an officer
- 3 Wait for it arrive
- 4 When you leave prison, you take all the things in your RO bin with you



Te uiui mea - Te Whakakī Tono Asking for things – filling out forms

There are lots of different forms to ask for things.
You can ask:

- for someone to visit you
- the prison to say **YES** to a phone number
- to see a nurse
- to ask for special food if you need it
- to make a complaint
- for your things in prison

Ask an officer:

- for the form you need
- if you need help filling out the form
- if you want to see a chaplin



Toa Hoko – Canteen

Canteen is where you can buy extra things like food and toiletries.

You have to register on the KIOSK SYSTEM to buy things from Canteen.

You can spend
\$70 a week on
Canteen.



Arrive in
prison

24 hours
to register
on the kiosk
system

Then
you can
buy from
Canteen

- You need money in your bank account to buy from Canteen.
- If someone is putting money in to your bank account, ask them to do this on a Monday, Tuesday or Wednesday
- Our bank account number is 03-0251-0039313-00. Please make sure your family use your PRN and your name in the reference, or your money might not make it to you!

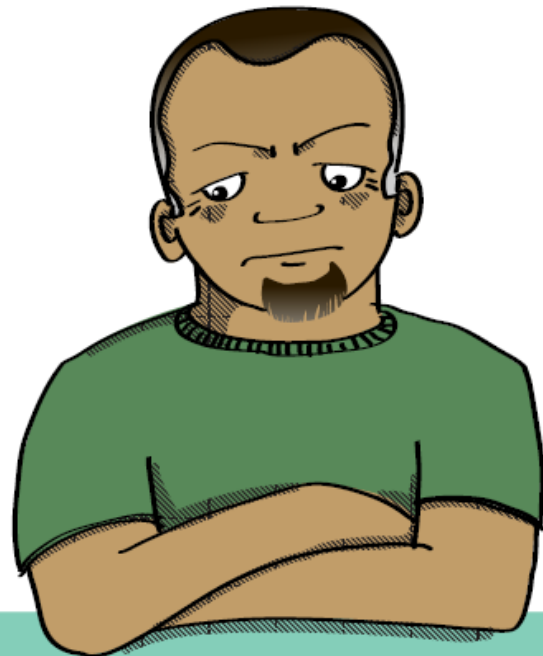
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Good days to put money in					Canteen order	Canteen order
		High Security Canteen arrives	Low Security Canteen arrives			

Patapātai me ngā amuamu Interviews and complaints

If you have a problem talk to an officer.

They will try to help you.

If they can't help you they will give you a form to fill out. An officer will type this up and give you a receipt. Or you can use the kiosk



You can also make a complaint to the:

- **Inspector of Prisons**
- **Ombudsman**

You can do this by:

- phone
- letter
- asking to meet them when they visit prison

I-Mēra – Email



- People can send you emails
- The email address is **ePrisonerSHCF@corrections.govt.nz**
- They need to put your name and your PRN number in the subject line of the email
- No attachments and no emojis or your emails won't be delivered
- We can open your emails and read them
- We can stop your emails if we need to

Mēra – Mail

- You **CAN** post mail Monday, Tuesday, Wednesday, Thursday, Friday
- **NO** mail posted on Saturdays, Sundays or public holidays
- Do **NOT** seal the envelopes on your mail
- We can open your mail and read it
- We can stop your mail if we need to
- You **CAN** seal your mail to the ombudsman and some other people. Ask us for this list of people



Tēnā Koe

