

Auckland South Corrections Facility

Announced Inspection

April 2021



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Contents

Office of Inspectorate Te Tari Tirohia	2
Foreword	3
Our findings	5
Introduction	11
Auckland South Corrections Facility	13
Reception, induction and escorts	17
Duty of care	22
Health	32
Environment	40
Good Order	45
Purposeful activity	55
Reintegration	69
Prison Staff	72
Appendix A – Images	74
Appendix B – Serco response	76



Office of Inspectorate Te Tari Tirohia

Our whakataukī

Mā te titiro me te whakarongo ka puta mai te māramatanga

By looking and listening, we will gain insight

Our vision

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

Our values

Respect – We are considerate of the dignity of others

Integrity – We are ethical and do the right thing

Professionalism – We are competent and focused

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

Diversity – We are inclusive and value difference

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





Foreword

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

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

We conducted our first inspection of Auckland South Corrections Facility in September 2017. This inspection identified a number of areas of concern. During our current inspection we paid particular regard to these issues and were pleased to observe progress has been made.

Overall, the communal areas at Auckland South Corrections Facility were clean and tidy, although prisoners did not have access to toilets when out of their cells. Cells had good levels of natural light, but some were not clean and showers and toilets lacked privacy. We noted some general maintenance issues. Most prisoners we spoke with, however, were satisfied with their accommodation.

Most prisoners reported feeling safe, although some in the House Blocks said they had experienced standovers or bullying and felt the influence of gangs. There were few incentives to encourage pro-social behaviour.

Māori prisoners could access a range of opportunities to connect with and strengthen their culture. A cultural focus unit, *Te Whare o te Whaiaora*, has been established to help embed a Māori world view and cultural practice.

Prisoners spoke positively of the health team. A wide range of health services were available and waiting times were reasonable, although there were long waiting times for some non-urgent health services such as dental treatment.

The mental health needs of prisoners were generally well catered for and supported by nurses, mental health nurses, psychologists and the forensic team. We noted that some prisoners with physical disabilities felt their needs were not being met.

We were concerned about the length of time some prisoners spent on directed segregation, and the little time these prisoners spent out of their cells each day. However, in the mainstream units, prisoners generally had six hours out of their cells each day.

We noted the quality of rub down searches was poor, and the quality and frequency of cell searches varied across the site. There were poor documentation control practices and complaints were not managed consistently across the site. Prisoners continued to experience delays in receiving their property.

Prisoners were satisfied with the meals available at the site.



It was pleasing to note the prison generally offered a good range of exercise opportunities and equipment. There was a variety of work and industry training opportunities, although few prisoners were undertaking Release to Work.

We noted that prisoners faced long waiting lists for some rehabilitative programmes, or needed to move to other prisons to access programmes for high risk sex offenders or Drug Treatment Units.

We were pleased to see that generally the site has made good progress since our initial inspection.

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

A handwritten signature in blue ink, appearing to be "Janis Adair", written over a circular blue stamp.

Janis Adair
Chief Inspector

Our findings

1. This report sets out observations from our inspection of Auckland South Corrections Facility (ASCF), which is located in Wiri, about 30 kilometres south of Auckland's Central Business District. At the time of our inspection, ASCF housed 850 minimum to high security sentenced male prisoners.
2. We inspected ASCF between 10 and 16 April 2021.

Reception and induction

- Finding 1. Many prisoners were given little notice by Corrections of being transferred.
- Finding 2. Many prisoners were not briefed about the trip.
- Finding 3. Some prisoners reported issues with vehicle cleanliness and comfort on longer vehicle journeys. We note the progress Corrections is making to improve inter-prison transfers.
- Finding 4. Receiving Office staff treated prisoners with respect and generally prisoners' immediate needs were met.
- Finding 5. Induction information was generally available to prisoners in the Receiving Office via a video. However, Receiving Office staff did not check to see if prisoners had questions or if they understood the induction information.
- Finding 6. The Receiving Office was clean and well organised.
- Finding 7. Unit inductions were not routinely completed when prisoners arrived in a unit.
- Finding 8. Prisoners generally received an initial telephone call shortly after their arrival.
- Finding 9. Health staff conducted a Reception Health Triage for all prisoners at the Receiving Office. Referrals for further assessments were completed within the appropriate timeframes.
- Finding 10. Health staff had good communication with, and were respectful towards, prisoners.
- Finding 11. It was positive to note that the prison accommodated many prisoners who were from the Auckland region.
- Finding 12. Transgender prisoners we spoke with were consulted about their preferred prison placement and accommodated in single cells. However, their support plans were not reviewed regularly and some were not up to date.

Duty of care

- Finding 13. The prison makes good use of its audio-visual link facilities, which are well supported by custodial staff.
- Finding 14. Prisoners reported good access to their lawyers using the audio-visual link facilities or in-cell or unit telephones.

- Finding 15. Prisoners noted their privacy for legal calls can be reduced when sharing a cell.
- Finding 16. Prisoners reported mixed feelings of safety from bullying and violence. Some prisoners said they chose to go on voluntary segregation to keep safe. The number of voluntary segregated prisoners has increased since our 2017 inspection.
- Finding 17. Prisoners on voluntary segregation in House Block Two felt intimidated by the mainstream prisoners in other wings. We acknowledge the improvements staff made during our visit to enhance prisoners' sense of safety.
- Finding 18. Some custodial staff were unfamiliar with the prison's Gang Management Strategy.
- Finding 19. Documentation stored in prisoner files was inconsistent and key information was often missing. There were poor document control practices.
- Finding 20. Many prisoners we spoke with said they were generally satisfied about their cell placement. Some prisoners wanted staff to give more consideration to who they shared cells with.
- Finding 21. The complaints process was well understood by the prisoners we spoke with. Some prisoners who had used the complaints process thought it was not well managed.
- Finding 22. Complaints were inconsistently managed across the prison, with different processes in the House Blocks and Residences.
- Finding 23. Some prisoners expressed concerns about repercussions from staff if they made a formal complaint.
- Finding 24. Māori prisoners can access a range of opportunities to strengthen their culture. The establishment of Te Whare o te Whaiora, a cultural focus unit, together with support from the Cultural Advisor Māori is helping the prison to embed a Māori world view and cultural practice across many parts of the prison.
- Finding 25. The prison's recent partnership with Tikanga Aroro Charitable Trust and Pūwhakamua, is intended to support eligible men to reintegrate from prison to the community.
- Finding 26. Foreign national prisoners and others with limited English have some access to Ezispeak and are also supported informally by staff and prisoners who communicate information about prison life.
- Finding 27. The Property Office was well organised. However, prisoners continue to experience delays accessing their personal property.

Health

- Finding 28. ASCF health staff generally interacted positively and professionally with prisoners, and provided health education.
- Finding 29. ASCF had a wide range of health services available to prisoners on site and waiting times were reasonable, although some prisoners told us there were long waits to have their health needs addressed.

- Finding 30. Dental services are contracted by the prison for 12 hours per week which contributed to long waiting times for non-urgent dental care.
- Finding 31. Health requests from prisoners were responded to promptly.
- Finding 32. There were good processes on site to ensure safe medication administration.
- Finding 33. There was variation in the quality of assessments by some nurses.
- Finding 34. Some health appointments were rescheduled due to the unavailability of custodial staff for movements.
- Finding 35. The prison has contracted providers and support services available to educate prisoners and reduce their alcohol harm and other drug issues. Prisoners with significant alcohol and other drug treatment needs must relocate to other prisons to access higher intensity treatment.
- Finding 36. People who are withdrawing from drugs or are being withdrawn from addictive medications are offered support by the health team.
- Finding 37. The mental health needs of prisoners are mostly well catered for and supported by nurses, mental health nurses, psychologists, and the forensic team.
- Finding 38. The site provides a range of mental health support groups which are well attended.
- Finding 39. The site had challenges in providing appropriate therapeutic spaces for mental health assessments and interventions
- Finding 40. The group sessions run by mental health nurses and psychologists are well attended with good prisoner engagement.
- Finding 41. The site does not always accurately record which prisoners have disabilities or the nature of their disability.
- Finding 42. Some prisoners with high and complex needs had support plans in place to support them.
- Finding 43. Some prisoners with disabilities felt their needs had not been met.
- Finding 44. There was good use of peer support workers assisting prisoners with disabilities.

Environment

- Finding 45. The common areas were generally clean and free from graffiti.
- Finding 46. Staff were not completing necessary cleanliness checks in the House Blocks or Residences, or their checks were of poor quality.
- Finding 47. Facility maintenance issues throughout the prison were not closely monitored and responded to by staff.
- Finding 48. Basic personal hygiene and cell cleaning products are available to prisoners.
- Finding 49. Prisoners in some wings of the House Blocks could not access a toilet in the common area when they were out of their cells and had to ask a member of staff to open them.

- Finding 50. Cells in the House Blocks lacked privacy for prisoners using their shower and toilet. People outside the cell could view prisoners through the door flap.
- Finding 51. Some showers in House Block One and the Residences required maintenance.
- Finding 52. Prisoners generally had good access to quality clothing and bedding, although a few raised concerns about thin mattresses.
- Finding 53. Some clothing and bedding comes back from the laundry damp, and they dry it on railings in the House Blocks.
- Finding 54. Broken appliances in the Residences were not always fixed in a timely manner.
- Finding 55. Prisoners in the House Blocks were satisfied with the choice, quantity and quality of the prison food.
- Finding 56. Some prisoners in the Residences said their weekly allowance to purchase their food and cleaning products was insufficient.
- Finding 57. Prisoners in the Residences were disappointed they were unable to leave the prison to carry out their weekly grocery shop as part of their reintegration.

Good order

- Finding 58. The prison uses appropriate technology and has processes in place to maintain prison security.
- Finding 59. Generally, the quality of rub down searches was poor.
- Finding 60. The quality and frequency of cell searches varied across the prison.
- Finding 61. Prisoners generally receive six or more hours out of their cells or houses each day.
- Finding 62. Staff and prisoners said it was difficult for prisoners on voluntary segregation to progress to a self-care environment.
- Finding 63. Time out of cells was sometimes impacted by the availability of staff and incidents at the prison.
- Finding 64. With some exceptions, we observed few incentives to encourage pro-social behaviour at the prison.
- Finding 65. The misconduct process is improving and oversight mechanisms have been introduced.
- Finding 66. The prison has processes in place to ensure segregation directions and reviews occur with proper authority. Most management plans for prisoners on directed segregation were tailored to individual needs and were up to date.
- Finding 67. Some prisoners were placed on directed segregation for long periods of time.
- Finding 68. Prisoners on directed segregation had few opportunities to interact with other people.
- Finding 69. The use of force register was not up to date at the time of our inspection.

Purposeful activity

- Finding 70. The prison generally offered a good range of exercise opportunities and equipment to prisoners.
- Finding 71. Prisoners on voluntary segregation received less access to exercise opportunities and facilities. The prison had recently fenced the artificial turf area to increase privacy and access to prisoners on voluntary segregation.
- Finding 72. Prisoners in the SRU received the minimum entitlement of one hour for exercise a day. However, this time could be restricted if prisoners wanted to access the kiosk in the unit.
- Finding 73. Prisoners had good access to their family and whānau via telephone. However, some prisoners found the cost of telephone calls expensive.
- Finding 74. Prisoners we spoke with had no awareness or access to AVL calls with family and whānau. The prison has a Hōkai Rangi action to improve this.
- Finding 75. Prisoners have access to regular visits with their family and whānau.
- Finding 76. Visiting areas were appropriately equipped and suitable for families and children to visit.
- Finding 77. Visitors' personal information was not well managed from a privacy perspective.
- Finding 78. Prisoners subject to the Child Protection Policy provisions were in the Visits Centre at the same time as child visitors.
- Finding 79. Prisoners have good access to reading materials (including a selection of books in other languages) and other learning opportunities that take place in the prison library.
- Finding 80. Prisoners receive good access to chaplains and other faith-based support.
- Finding 81. Volunteers provide prisoners with support and constructive activities.
- Finding 82. Prisoners we spoke with said they did not have good access to case managers.
- Finding 83. Case managers were struggling to meet their performance objectives, due in part to the high number of prisoners appearing before the Parole Board and staff attrition.
- Finding 84. The prison offered some access to educational and vocational programmes, including literacy and numeracy support.
- Finding 85. Prisoners on voluntary segregation could access a limited range of learning opportunities compared to mainstream prisoners.
- Finding 86. Education programme rooms received minimum support from Reintegration Officers.
- Finding 87. The prison offers some motivational and rehabilitation group programmes, as well as psychological treatment and interventions for individual prisoners, but demand outweighs capacity.
- Finding 88. The prison offers parenting and whānau focussed interventions.

Finding 89. ASCF offers a good range of work and industry training opportunities for prisoners, including those on voluntary segregation.

Reintegration

Finding 90. The prison offers a range of opportunities to assist prisoner reintegration. While motivated to access these activities, many prisoners were deemed unsuitable.

Finding 91. Some prisoners were concerned they would be unable to complete their rehabilitation programmes and/or access their case manager before their Parole Board hearings.

Finding 92. The prison has many unfilled Release to Work opportunities. We acknowledge the prison's effort to access and fill these with eligible and suitable prisoners from nearby prisons.

Prison staff

Finding 93. Staff and prisoners told us there were insufficient numbers of staff to adequately respond to the needs of prisoners.

Finding 94. Some staff were role modelling and communicating effectively with prisoners, resulting in mutual respect. However, some prisoners felt staff in some parts of the prison were selectively unresponsive to poor prisoner behaviour.

Finding 95. The prison offered staff regular training opportunities.

Introduction

3. The Office of the Inspectorate *Te Tari Tirohia* is authorised under section 29(1)(b) of the Corrections Act 2004 to undertake inspections and visits to prisons. Section 157 of the Act provides that when undertaking an inspection, inspectors have the power to access any prisoners, personnel, records, information, Corrections' vehicles or property.
4. The purpose of a prison inspection is to assess whether a prison has a safe, secure and humane environment by gaining insight into all relevant parts of prison life, including any emerging risks, issues or problems. Inspectors assess prison conditions, management procedures and operational practices against relevant legislation and our *Inspection Standards*.
5. The *Inspection Standards* were developed by the Inspectorate and reflect the prison environment and procedures applicable in New Zealand prisons. The *Inspection Standards* are informed by:
 - » the United Nations Standard Minimum Rules for the Treatment of Prisoners ('the Nelson Mandela Rules')
 - » HM Inspectorate of Prisons *Expectations* (England's equivalent criteria for assessing the treatment and conditions of prisoners)
 - » the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders ('the Bangkok Rules')
 - » the Yogyakarta Principles, which guide the application of human rights law in relation to sexual orientation and gender identity.
6. The Inspectorate visited Auckland South Corrections Facility between 10 -16 April 2021 to carry out this inspection. This was soon after the Auckland region moved down to Covid-19 Alert Level 1 (12 March) after a period of intermittent lockdowns which began with New Zealand's response to the pandemic in March 2020.
7. The fieldwork for the inspection was completed by six Inspectors, including a Clinical Inspector for health-related matters. The inspection was overseen by a Principal Inspector.
8. Inspectors assessed the treatment and conditions of prisoners at Auckland South Corrections Facility against the *Inspection Standards* which consider 10 areas of prison life: reception and admission, first days in custody, escorts and transfers, duty of care, health, environment, good order, purposeful activity, reintegration and prison staff. Inspectors accessed all parts of the prison to complete their assessment.
9. Inspectors may also evaluate how the site is applying the Corrections Act 2004 and the Corrections Regulations 2005, together with relevant Corrections' policies and procedures.
10. Inspectors make their assessments with four key principles in mind to ensure that prisoners are treated in a fair, safe, secure and humane way. The principles are:
 - » **Safety:** Prisoners are held safely.
 - » **Respect:** Prisoners are treated with respect for human dignity.
 - » **Purposeful activity:** Prisoners are able, and expect, to engage in activity that is likely to benefit them.
 - » **Reintegration:** Prisoners are prepared for release into the community and helped to reduce their likelihood of reoffending.

11. Inspectors carried out:
 - » formal and informal interviews with prisoners and staff on a one-to-one basis¹
 - » direct observation of unit procedures, staff duties and relevant staff meetings throughout the working week and weekend
 - » a physical inspection of the prison environment, including the Health Centre
 - » a review and analysis of relevant information and data received from the prison, Corrections databases and performance reports.
12. We were informed by Correction's Hōkai Rangi Strategy 2019-2024, which sets out a strategic direction aimed at achieving transformative and intergenerational change for prisoners and their whānau.
13. In November 2021, we provided the National Commissioner, the Deputy Chief Executive Health, and Deputy Chief Executive, Infrastructure and Digital Assets, with a draft of this report. Serco responded to the draft on 22 March 2022 and the response is attached as Appendix B.

¹ Including contracted service providers and volunteers where appropriate.

Auckland South Corrections Facility

15. Auckland South Corrections Facility (ASCF, and known by Serco as Kohuora)² is one of 15 prisons in New Zealand for men. The prison is located in Wiri, about 30 kilometres south of Auckland's Central Business District.
16. Opened in 2015, the prison is operated by Serco New Zealand Limited (Serco) under a Public Private Partnership (contract) between the Department of Corrections (Corrections) and SecureFuture Wiri Limited. It is the only privately owned and managed prison in the country.

Prisoners

17. SecureFuture and Serco³ are contracted to provide 960 beds for sentenced prisoners with minimum to high security classifications. However, the prison has a larger capacity, with 52 extra beds in the House Blocks.
18. Three House Blocks can accommodate up to 240 men each, plus the 52 additional beds (see Image 1). In addition, ten Residences operate as Self Care units with up to six men accommodated in 'houses' with their own bedrooms. Residences can hold a maximum of 240 men (see Image 2).

Unit name	Category of prisoner	Contracted beds	Number of prisoners (on day one of our inspection)
House Block One	Men on voluntary segregation All security classifications Te Whare o te Whaiora (Māori culture focused wing)	240	233
House Block Two	Mainstream high security Men on voluntary segregation	240	238
House Block Three	Mainstream low medium, low security classification Whare Ora/health focused wing	240	243 ⁴
Residences – Self Care Units	Low-medium to minimum security classification	240	126
Intervention and Support Unit (House Block 3)*	Men at risk of self-harm or requiring more intensive support for mental health	8	1
Separation and Reintegration Unit (forms part of House Block One)*	Men on Directed Segregation Includes two dry cells	12	8
Total		960	850 ⁵

² Kohuora is the name gifted to the prison by Te Ākitai, one of two locally recognised Mana Whenua iwi. Kohuora means "coming out of the mist into wellbeing".

³ SecureFuture Limited sub-contracts Serco New Zealand Limited to operate the prison.

⁴ This discrepancy is explained by the additional capacity outside the contracted capacity.

⁵ This number includes one prisoner who was off-site on transfer on the day of the inspection.

* Beds in these units are for temporary use and therefore are not counted as part of the prison's overall capacity. Some cells were not in use at the time of our inspection.

19. On the first day of our inspection, 850 prisoners were accommodated at ASCF.
20. The largest ethnic group was Māori (42%), followed by Pacific peoples (27%) and New Zealand European/Pākehā (19%).
21. Two prisoners were aged 19 years and under, and 77 prisoners were aged 60 years and over. At the time of our inspection, this was the largest cohort of older prisoners in the country.
22. Eight prisoners identified as transgender.
23. Just over a third of prisoners (34%) were placed in voluntary segregation wings. These were individuals who requested they be separated from other prisoners due to concerns for their personal safety.
24. Documents showing Serco's response to Hōkai Rangi (Corrections' humanising and healing strategy) say the term Paiāki was gifted to the prison by mana whenua to replace the term prisoner. Paiāki means 'positive support'. We found this term was not widely used.

Staff

25. Custodial staff at ASCF are called Reintegration Officers.
26. The organisational chart provided by ASCF showed 347 staff positions at March 2021 including:
 - » 111 custodial positions serving the residential units
 - » 78 custodial positions servicing security roles such as the Gatehouse, the Receiving Office, and site intelligence.
 - » 67 rehabilitation and reintegration positions⁶
 - » 27 positions in the Health team⁷
 - » four positions supporting cultural services.
27. The balance of positions are managers and administrators.
28. During February 2021 ASCF was recruiting for 43 custodial and non-custodial staff.⁸

Complaints received and deaths in custody investigated by the Inspectorate

29. For the six-month period ending 31 March 2021, the Inspectorate received 831 complaints from prisoners at ASCF. The six most common complaints were about prisoners' property, the complaints process, prisoner welfare, health services, transfers and movements, and prisoner telephones.
30. In the same period there was one death in custody.⁹

⁶ Rehabilitation and reintegration positions include psychologists, educators, case managers, programme facilitators and coordinators.

⁷ The health team includes nurses, mental health nurses, health care assistants and psychologists. The team is supported by two administration officers and the Head of Health.

⁸ Information from Serco Monthly Contract Report for February 2021.

⁹ There is no further comment in this report about the death. The Inspectorate has investigated this separately.

31. The Inspectorate was involved in 67 information requests and undertook 66 statutory reviews of the misconduct process.¹⁰

Previous Inspection reports

32. The Inspectorate conducted its first inspection of ASCF in September 2017 and published its report in April 2019. The Office of the Ombudsman conducted an inspection of ASCF in August 2018 and published its report in February 2019. We reflect on these reports where relevant in this report.

How ASCF operates

33. ASCF complies with the same legal and regulatory requirements for managing prisons as Corrections' prisons. The prison has its own operations manual to guide custodial staff. It is designated by the Chief Executive of Corrections for a prisoner placement system under Part 5A of the Corrections Regulations 2005. The designation permits sentenced prisoners to be managed according to the attributes of the unit in which they are placed, rather than on the basis of their security classification. This means that, regardless of a prisoner's security classification, sentenced prisoners can be managed according to the Responsible Prisoner Model.
34. The Responsible Prisoner Model encourages prisoners to take responsibility for their own rehabilitative journey. Prisoners have telephones and basic computers in their cells. The computers connect prisoners to Serco's Custodial Management System (CMS). Using CMS, prisoners can select their own meals and order canteen items, check what programmes and services they are eligible for, arrange visits with family and friends, and manage their daily routine. Prisoners can also work on assignments or study using the online learning system.
35. As part of the Responsible Prisoner Model, most prisoners at ASCF are able to move around the prison with minimal supervision from staff to participate in various activities such as exercise and education programmes.
36. We note that the accommodation in the prison was designed with the intention of incentivising prisoners to move toward reintegration. Prisoners were expected to move through the House Blocks to the Residences.
37. We note also that the prison was initially designed with a particular profile of prisoners in mind. SecureFuture had noted the high turnover of prisoners on short sentences and the young age of many prisoners, indicating interventions would be tailored to these two cohorts. While on site, many staff told us that the cohort of prisoners currently accommodated at ASCF is different to what was expected when the site was designed.

Prison Monitors

38. Currently, three Prison Monitors appointed by Corrections' Chief Executive monitor whether Serco meets its contractual obligations and complies with the Corrections Act 2004, the

¹⁰ The misconduct process deals with allegations of poor prisoner behaviour. The Inspectorate can only review the timeliness of the misconduct process. If a prisoner is not satisfied with the outcome of a misconduct process it is referred to a Visiting Justice (external judge). The Inspectorate is notified of all allegations made by prisoners about poor staff behaviour, recorded in through the IR.07 process. The Inspectorate can choose to monitor the prison process dealing with prisoner allegations against staff.

Corrections Regulations 2005 and any guidance or instruction issued by the Chief Executive that is applicable to the prison.

Inspection

Reception, induction and escorts

Escorts and transfers

Inspection Standards

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

39. Prisoners are transported to and from ASCF for a range of reasons, including inter-prison transfers or health or reintegration appointments.
40. Men are typically transported in an eight-seat Prisoner Escort Vehicle (PEV).
41. Corrections is responsible for coordinating all inter-prison transfers. Due to the geographical locations of prisons across New Zealand, these journeys can take up to several hours.¹¹
42. Corrections has specific policies and practices in place for how transfers should be conducted, including that prisoners should be given advance warning of their transfer. Over half of the men we spoke with in ASCF said they were informed by Corrections staff of their transfer the day it took place and they did not receive a briefing about the trip. Some men who completed longer journeys said the PEV was uncomfortable, citing long wait times in the vehicle at some planned stops, poor vehicle cleanliness and a lack of toilet breaks.¹²
43. Corrections is engaged in a significant programme of work to improve the conditions for prisoners during inter-prison transfers. This includes, among other things, replacing the existing PEV fleet and reducing the length of journeys to enable more comfort breaks.

Findings

- Finding 1. Many prisoners were given little notice by Corrections of being transferred.
- Finding 2. Many prisoners were not briefed about the trip.
- Finding 3. Some prisoners reported issues with vehicle cleanliness and comfort on longer vehicle journeys. We note the progress Corrections is making to improve inter-prison transfers.

¹¹ Male prisoners are typically transferred by road or, very occasionally, when there are several prisoners to be moved, by private charter flight. None of the prisoners we spoke with were transferred to or from other prisons by plane.

¹² Men we spoke with told us about their most recent inter-prison transfer journey. For some, their transfer was completed weeks, months or even years earlier. Therefore, in some cases, it is difficult to gauge whether their experience occurred before or after changes were made to Corrections' inter-prison transfer policies.

Reception and induction

Inspection Standards

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

44. When prisoners arrive or leave ASCF they are processed through the prison's Receiving Office (see Image 3).
45. In the six months to January 2021, the prison managed 410 prisoner receptions and 421 exits. At the time of our inspection, three staff were working in the Receiving Office: one supervisor and two custodial staff. The Receiving Office was clean and tidy.
46. When prisoners arrive, Receiving Office staff check their warrants,¹³ and prisoners are unloaded from the PEV and placed in a holding cell until they can be searched. Staff use a BOSS chair¹⁴ as well as strip searching to identify any unauthorised items carried by prisoners. After being searched, prisoners are given prison clothing and their details are loaded in the prison's CMS system.
47. Prisoners receive a starter pack which includes an induction booklet, eating utensils and toiletries and their meals for the following 24 hours. Prisoner property is processed and is either issued or stored according to prison property rules. At this time, prisoners can access an eight-minute induction video that plays on a loop in the holding cells until health staff are available to complete a Reception Health Triage. The induction video provides prisoners with information about their expected behaviour, how the prison runs, and how to access information, support and services.
48. We observed one prisoner being received. Staff conducted all the necessary induction tasks, however they did not give the prisoner an opportunity to ask questions nor did staff check the prisoner's understanding of the induction information.
49. Most of the prisoners we spoke with confirmed that staff behaved respectfully when they arrived in the Receiving Office. Four transgender prisoners we spoke with said ASCF offered the best reception to prison, including having a female officer present in the Receiving Office.
50. The induction video in the Receiving Office is a good initiative, as it helps people with lower levels of literacy. However, some prisoners we spoke with said they were not able to watch

¹³ A warrant is a Court order specifying that a person be detained in prison.

¹⁴ A non-intrusive scanning system designed to detect small weapons or contraband metal objects that are internally concealed.

the entire induction video before they were removed from the holding cell by health staff for their Reception Health Triage. A couple of prisoners told us they did not view the induction video.

51. Most prisoners reported receiving an initial telephone call in the Receiving Office or soon after they entered their units.
52. Prisoners provided mixed accounts about receiving an induction into their units.¹⁵ A few said they received this induction between one to three weeks after their arrival. Around half of the prisoners we spoke with told us they did not receive an induction into their units. Our review of prisoner files confirms these mixed experiences, with some files indicating some form of induction had taken place while we could find no evidence of an induction in others. Many prisoners said they learned about prison life from other prisoners.
53. Access to information and services at ASCF is facilitated through the CMS (for example, programme schedules and canteen order forms) from computers located in prisoners' cells or kiosks in the wings. The CMS system is unique to ASCF. Therefore, if prisoners are not inducted to life at ASCF they may be unable to access these services or information. We note that in 2019 the Office of the Ombudsman also had concerns about prisoners being provided with sufficient information to transition well to prison.

Findings

- Finding 4. Receiving Office staff treated prisoners with respect and generally prisoners' immediate needs were met.
- Finding 5. Induction information was generally available to prisoners in the Receiving Office via a video. However, Receiving Office staff did not check to see if prisoners had questions or if they understood the induction information.
- Finding 6. The Receiving Office was clean and well organised.
- Finding 7. Unit inductions were not routinely completed when prisoners arrived in a unit.
- Finding 8. Prisoners generally received an initial telephone call shortly after their arrival.

Health screening on entry

Inspection Standards

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

54. Prisoners arriving at the Receiving Office meet with health staff for their Reception Health Triage. We observed that health staff were well prepared in the Receiving Office. They

¹⁵ Serco policy 08.03 First Night and Induction says prisoners should view the induction video and receive the Information Handbook. Once at their unit, induction staff or prisoner peers should provide information including how to use the light, toilets, showers, CMS kiosks, in-cell telephones, notices, use of emergency intercom and access to health services.

reviewed the health files of prisoners before they arrived at the prison to ensure they were informed of any health needs and made referrals as appropriate.

55. We observed an excellent standard of communication during the reception process. Health staff were respectful and took the time to build rapport with prisoners while completing the necessary health assessments.
56. Consent processes were good, with health staff checking prisoners' ability to read and understand consent information and answering questions. Health staff enquired about prisoners' mental health and at risk status in a professional way and referred prisoners for an appointment with a Mental Health Nurse when required.
57. Our review of a sample of Reception Triage documents showed assessments were generally well documented. Health staff were triaging prisoners appropriately on arrival and prisoners who required further assessment were seen by a Medical Officer within the required timeframes.

Findings

- Finding 9. Health staff conducted a Reception Health Triage for all prisoners at the Receiving Office. Referrals for further assessments were completed within the appropriate timeframes.
- Finding 10. Health staff had good communication with, and were respectful towards, prisoners.

Placement

Inspection Standards

- Where possible, prisoners are housed in prisons close to their families or in prisons which meet their rehabilitative needs.
- Trans prisoners are consulted and their preference is considered when deciding whether to place them in a men's or women's prison.
- Trans prisoners are informed of their right to apply to be transferred to a prison that houses prisoners of their preferred gender identity, and are supported by staff to apply if they choose.
- Trans prisoners have individualised support plans that address their specific needs and requirements and are regularly reviewed.

58. Prison data for 1 April 2021 showed 78% of prisoners accommodated at ASCF were in their home region.¹⁶ This rate is higher than the national average of 73% for that month.
59. Approximately half of the prisoners we interviewed confirmed they were from the Auckland region.
60. At the time of our inspection, eight transgender prisoners were accommodated at ASCF.

¹⁶ Home region is defined as the area where a prisoner's most serious offence occurred. It does not necessarily reflect where a prisoner lived before their imprisonment.

61. Of the four transgender prisoners we spoke with, all were accommodated in single cells. We reviewed their files and confirmed they were all consulted about their preferred prison placement. However, their support plans were not reviewed regularly and some were not up to date.

Findings

Finding 11. It was positive to note that the prison accommodated many prisoners who were from the Auckland region.

Finding 12. Transgender prisoners we spoke with were consulted about their preferred prison placement and accommodated in single cells. However, their support plans were not reviewed regularly and some were not up to date.

Duty of care

Access to legal advisers and attendance at court hearings

Inspection Standards

- Prisoners have reasonable access to consult with a legal advisor.
- An audio-visual link can be used for eligible court cases and for other legal consultations.¹⁷

62. The prison's Visits Centre has two audio-visual link (AVL) booths. AVL sessions are monitored via CCTV by a Reintegration Officer located in an office next to the booths. At the time of our visit, four custodial staff were supporting the AVL facilities.
63. Between 1 August 2020 and 31 January 2021, prison data showed 753 AVL sessions took place. These comprised court hearings, NZ Parole Board hearings, community probation reintegration meetings and lawyer calls.
64. At the time of our inspection, the AVL facilities were clean, with no signs of graffiti.
65. Prisoners we interviewed reported no issues with accessing the AVL facilities for judicial purposes.
66. The Visits Centre also has eight non-contact booths for visits/meetings and six other meeting rooms that are used for legal visits, prisoner/case manager meetings or other visits with professionals.
67. Most prisoners we spoke with reported few problems with making private legal telephone calls in their units or cells. Some prisoners recognised their privacy was reduced for legal calls when sharing their cell with another person. However, these prisoners said they still preferred using their in-cell telephones compared with those in the units where more people could overhear their conversation.

Findings

- Finding 13. The prison makes good use of its audio-visual link facilities, which are well supported by custodial staff.
- Finding 14. Prisoners reported good access to their lawyers using the audio-visual link facilities or in-cell or unit telephones.
- Finding 15. Prisoners noted their privacy for legal calls can be reduced when sharing a cell.

¹⁷ Note this is an indicator – not a standard.

Bullying and violence reduction

Inspection Standards

- Prisoners feel safe from bullying, abuse and violence.

Feelings of safety

68. Prisoners we spoke with shared mixed accounts of their personal feelings of safety. Most reported feeling safe in their unit. However, some prisoners said when they first arrived they did not feel safe. These prisoners said they experienced standovers or bullying, particularly if they were accommodated in House Block Two, and they felt the influence of gangs in the prison.¹⁸
69. Any prisoner can request to be separated from other prisoners for their own safety.¹⁹ This is known as voluntary segregation. Mainstream prisoners are those who remain among the general prison population.
70. On the first day of our inspection, 293 prisoners (34%) were on voluntary segregation, accommodated across five wings in the House Blocks. In 2017, only three wings were required for voluntary segregated prisoners.
71. Staff told us that ASCF was directly impacted by the Waikeria Prison riot that occurred between 29 December 2020 and 3 January 2021. As a result of damage to the Upper Jail at Waikeria Prison, 307 high security prisoners were transferred from Waikeria Prison to other prisons.
72. We confirmed that ASCF received 16 sentenced prisoners directly from Waikeria Prison and the remaining prisoners were transferred to Spring Hill Corrections Facility (SHCF). Later, an additional 64 sentenced prisoners were received into ASCF from SHCF.
73. ASCF staff attributed the increase in its voluntary segregation population and increases in incidents of prison violence to the disruption caused by the transfer of prisoners from Waikeria Prison.
74. During our inspection, several prisoners accommodated in House Block Two's voluntary segregation wing said they felt intimidated by the behaviour of mainstream prisoners in the wider House Block. When we informed the Prison Director of these concerns, he promptly arranged for the large tinted window at the entrance to the voluntary segregated wing to be tinted further. Health staff also started administering prisoner medication at the entrance to the voluntary segregation wing rather than from the Health Screen station, which is visible from each wing in the House Block.

Incidents and gangs

75. In the three months to 31 March 2021, the prison recorded 358 incidents. Our analysis of the data shows nearly half the incidents related to negative 'prisoner behaviour' (168 incidents

¹⁸ House Block Two comprises three wings of high security prisoners and more recently, one wing of prisoners on voluntary segregation.

¹⁹ Corrections Act, 2004, Section 59, Segregation for purpose of protective custody allows prisoners to ask for restricted association, or where the Prison Director is concerned about the safety of the prisoner. The exception in ASCF is for prisoners in the Residences (i.e. Self-Care units) where there is no provision for voluntary segregation.

- or 47%).²⁰ Of these incidents, around a third involved prisoners behaving in a threatening or violent manner towards another prisoner, a staff member or another person (58 incidents or 34%). Half of these threatening or violent incidents occurred in House Block Two (27 incidents), followed by House Block Three (15 incidents) with three in House Block One.
76. As mentioned above, ASCF staff attribute increasing incidents to the inflow of prisoners from Waikeria Prison. ASCF monthly reports from November 2020 to January 2021 show month on month increases in serious incident reports, from 13 in November 2020, to 19 in December 2020 and 37 in January 2021.
 77. Many prisoners we spoke with said they had witnessed violence and were aware of the influence of gang members across the prison. For example, some prisoners reported to us that gang members oversaw the distribution of meals in their units and at times desserts were withheld and given to other gang members. We identified that at least some staff were aware of this practice, because one prisoner told us that staff gave him his dinner separately. Staff recognised the prisoner had stood up to the gang members and was subsequently bullied because of this.
 78. On 31 March 2021, Corrections data showed 392 (45%) of prisoners in ASCF had gang connections. The distribution of gangs varied across the House Blocks and Residences. House Block Two housed the highest number of gang-affiliated prisoners (76%), followed by House Block Three (46%) and House Block One (24%). Sixteen percent of prisoners in the Residences had recorded gang affiliations.
 79. ASCF policy states that the prison will: *"establish, maintain and comply with an anti-gang strategy, utilising a gang neutral approach to prison management. Prisoners will be supplied with the ability to exit gang involvement... and gang activities will be prevented throughout the prison"*.²¹ During our inspection, we confirmed the prison has a Gang Management Strategy 2020-2024 and there was a Gang Neutral Strategic Plan for the year to May 2021.
 80. We observed varying levels of awareness of the prison's Gang Management Strategy among staff we spoke with. A few staff told us about different tactics they were using to manage gang members. For example, staff in House Block Two said they tried to keep gang numbers even across the wings to ensure their influence was balanced. They also tried to prevent gang prospecting by moving younger, more impressionable prisoners away from older gang members. Staff were aware these tactics had limited impact because there remained only three wings available for high security prisoners in House Block Two.
 81. Staff and prisoners we spoke with in the Residences confirmed gang members were present but they did not tend to create any tension or concern.

Findings

Finding 16. Prisoners reported mixed feelings of safety from bullying and violence. Some prisoners said they chose to go on voluntary segregation to keep safe. The number of voluntary segregated prisoners has increased since our 2017 inspection, in part, due to recent transfers from Waikeria Prison.

²⁰ Not all incidents are categorised. Other incident categories include contraband, facilities, prisoner security, prisoner management, prisoner safety and visitor incidents.

²¹ Serco13.01 Gang Neutral Prison, 26 June 2019.

Finding 17. Prisoners on voluntary segregation in House Block Two felt intimidated by the mainstream prisoners in other wings. We acknowledge the improvements staff made during our visit to enhance prisoners' sense of safety.

Finding 18. Some custodial staff were unfamiliar with the prison's Gang Management Strategy.

Prisoner files

Inspection Standards

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

82. Prisoners' files contain information on the care individual prisoners receive throughout their time in prison. At ASCF, prisoners' paper files are stored in the Main Administration Block. The filing area was well organised.
83. During our inspection, we reviewed a sample of prisoners' paper and electronic files. The information contained in the files was inconsistent, with key information missing, including unit induction documentation. We found documentation for individual prisoners, such as Shared Accommodation Cell Risk Assessments (SACRA)²² and transgender plans, stored in the staff only areas of residential units or awaiting collection by administrative staff, who are responsible for filing documents in prisoner files.

Finding

Finding 19. Documentation stored in prisoner files was inconsistent and key information was often missing. There were poor document control practices.

Accommodation

Inspection Standards

- The placement of prisoners in shared cells is done after careful consideration of their suitability for associating with one another.
- Trans prisoners are placed in single cells, unless a suitable trans prisoner of the same gender is identified.
- Trans prisoners' safety is assessed before placement in any cell or unit.

84. Half of the House Blocks cells at ASCF were specifically designed for cell-sharing. At the time of our inspection, 69% of prisoners were double-bunked in the House Blocks.

²² An assessment of whether or not a prisoner is suitable for cell sharing (being double bunked), and then, who they may be compatible to share a cell with.

85. Custodial staff are required to complete the SACRA to determine whether there are any safety risks, before placing prisoners together in a shared cell.²³
86. In the six months to 31 March 2021, data showed staff completed 1,300 SACRAs, meeting the requirements 100% of the time. This suggests staff conducted the SACRA process for every shared cell placement. However, as noted above, some of the prisoner files we reviewed did not include completed SACRAs, so we are unable to verify the SACRA data.
87. Prisoners we interviewed gave mixed responses on whether staff consulted them about who they might share a cell with.
88. Prisoners in the Residences share a flatting-type environment with up to five others, and have their own bedrooms. At the time our inspection, 126 prisoners were placed in the Residences.
89. As is the case for Corrections-managed Self Care units, SACRA is not used before prisoners are placed together in the Residences. However, staff and prisoners in the Residences said staff did consider prisoner compatibility. Staff told us they informally used some elements of the SACRA assessment to help them determine likely prisoner compatibility. We learned of one example where a prisoner was moved to a different shared flat after some safety concerns were identified.
90. As noted previously, trans prisoners we spoke with were placed in single cells and were satisfied with their placement.
91. Many prisoners we spoke with told us they felt generally satisfied with their current placement in ASCF. A few prisoners did not feel safe in shared cells or reported being bullied by prisoners they shared their cell with in the past. One prisoner, who was new to prison, told us he was repeatedly bullied by those he shared a cell with. As a result, he was moved several times.

Finding

Finding 20. Many prisoners we spoke with said they were generally satisfied about their cell placement. Some prisoners wanted staff to give more consideration to who they shared cells with.

²³ Corrections Regulations, 2005, Regulation 66 specifies that prisoners may be accommodated in a shared cell unless the Prison Director is satisfied that the prisoner is unsuited for the shared cell accommodation that is available. The SACRA risk assessment considers a prisoner's age, security classification, offending history, history of imprisonment, any gang affiliation, notable physical characteristics, mental health concerns and any other factors relevant to safety and good order.

Complaints

Inspection Standards

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

92. Prisoners can use the prison's complaints process to make a complaint. Prison policy requires that any prisoner issues be resolved at the lowest level, if possible.
93. In the House Blocks, staff told us that prisoners can fill in a complaint form which they then give to a staff member. Forms are passed to night staff who complete the relevant parts, then load it onto the system and photocopy it. A copy is given back to the prisoner.
94. In the Residences, prisoners can fill in a complaint form and place it in the complaints box which cleared by an administrator twice a week. While this process offers prisoners some privacy in making their complaints, we do not think that complaints boxes are cleared often enough to allow for early resolution.
95. In the six month period ending 31 March 2021, ASCF recorded 1,102 complaints from 353 prisoners.²⁴ The top six complaint categories, which attracted 50 or more complaints each, were prisoner property (22%), 'other' (20%), prisoner requests (14%), prisoner welfare (7%), communications (7%) and health services (5%).²⁵
96. Our analysis of prisoner complaints showed that the majority of complaints came from the House Blocks. Nearly half of all the complaints were from House Block One (45%) followed by House Block Three (26%) and House Block Two (19%). Only 10% of the complaints came from prisoners in the Residences.
97. If a prisoner is not satisfied with the outcome of the prison complaints process they can make a complaint to the Office of the Inspectorate or the Office of the Ombudsman.
98. In the six month period ending 31 March 2021, the Office of the Inspectorate received 831 complaints from prisoners at ASCF.²⁶ The six most common complaint categories were prisoners' property, the complaints process, prisoner welfare, prison health services, prisoner transfer and movement, and prisoner telephones. The Inspectorate categories are different to those used by Corrections. Corrections does not have an explicit category for the complaints process. Complaints common to the prison and to the Inspectorate were about

²⁴ Complaints are categorised into 17 groups.

²⁵ The category of 'prisoner requests' refers to requests for information, interviews and access to, or changing of, personal information. 'Prisoner welfare' refers to complaints about personal safety, canteen purchases or access to support representatives. 'Communications' captures complaints about access to, or monitoring of, communication with people outside prison – including via telephone and mail. 'Other' refers to complaints falling outside the regular categories.

²⁶ We note ASCF prisoners can more easily contact the Inspectorate than prisoners elsewhere because they have telephones in their cells.

prisoner property, prisoner welfare, communications (including telephones) and health services.

99. Most prisoners we spoke with were aware of the complaints process, although some said they had not used it. Around half the prisoners who had used the process said they did not believe it was well managed. These prisoners spoke of not receiving an acknowledgement of their complaint, their complaints going missing, or their complaints not being actioned to their satisfaction. These experiences are consistent with the complaints received about the 'complaints process' by the Office of the Inspectorate and the findings of the Ombudsman's Inspection in 2019. Some prisoners also spoke to us about their concerns of negative repercussions from staff if they made formal complaints. For example, prisoners spoke of being regressed to the House Blocks from the Residences.

Findings

- Finding 21. The complaints process was well understood by the prisoners we spoke with. Some prisoners who had used the complaints process thought it was not well managed.
- Finding 22. Complaints were inconsistently managed across the prison, with different processes in the House Blocks and Residences.
- Finding 23. Some prisoners expressed concerns about repercussions from staff if they made a formal complaint.

Māori Prisoners

Inspection Standards

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

100. At the time of our inspection, 42% of prisoners on site identified as Māori. The prison was supported by a Cultural Services Group, including a Cultural Advisor Māori. The Whare Manaaki building hosts celebrations, learning opportunities and other events. Pasifika prisoners have access to the Fale Pasifika on site for similar purposes.
101. ASCF is monitoring its response to the Corrections' Hōkai Rangi Strategy via an action plan. Our review of the monthly monitoring reports highlighted that specific actions had been taken in areas such as staff Te Reo Māori training, staff cultural safety and cultural capability training, the development of manaaki standards for prisoners and establishing a whakairo (carving) workshop for prisoners within prison industries. The Cultural Advisor Māori told us that prisoners were now permitted to have one taonga with them, a change that had come about through Hōkai Rangi.²⁷

²⁷ For example, prisoners can wear a pounamu.

102. Ongoing and future actions included strengthening whānau connection through offering AVL family hui and continuing to work with organisations which support whānau connection such as Pillars and Te Whakaora Tangata.²⁸
103. Despite these promising activities, during our inspection we observed that opportunities for prisoners to practise Māori culture were stronger in some parts of the prison than others. The Cultural Advisor Māori told us Wing 3 of House Block One became a cultural focus unit, called Te Whare o te Whaiora, in November 2020. The unit was created after men who were practising for the Whakataetae kapa haka competition²⁹ requested a unit where cultural practices would be supported.
104. Prisoners in Te Whare o te Whaiora start the day with karakia and waiata and participate in an active kapa haka group. This wing has an additional two hours of unlock time to allow for these practices. We saw the wing decorated with murals using Māori motifs, as well as words for karakia and waiata, which we were told were painted by prisoners. We observed that prisoners in this wing appeared to operate as a collective. Prisoners we spoke with in the unit appreciated having these additional opportunities to connect with their culture.
105. Māori prisoners we interviewed in other wings reported variable interest in establishing a cultural connection. Those who were interested accessed other opportunities such as a kapa haka group in House Block 2. Other site activities were organised around events, education opportunities and celebrations including Waitangi Day celebrations, Māori games, Matariki, Māori Language week, whānau hui and graduations.
106. In addition, the Cultural Advisor Māori told us there are 20-30 men learning Te Reo Māori across the prison.
107. During our visit, we learned the Cultural Advisor Māori was active in supporting prisoners, staff and prisoners' whānau through periods of loss and grief. For example, when an elderly and unwell Māori prisoner passed away, prisoners performed a haka to farewell him. The prison also arranged for the man's family to visit and meet with some of the other prisoners who knew their loved one in prison to share experiences.
108. We note that ASCF has partnered with Tikanga Aroro Charitable Trust and Pūwhakamua to provide reintegration support for prisoners who whakapapa to Te Arawa.³⁰

Findings

Finding 24. Māori prisoners can access a range of opportunities to strengthen their culture. The establishment of Te Whare o te Whaiora, a cultural focus unit, together with support from the Cultural Advisor Māori is helping the prison to embed a Māori world view and cultural practice across many parts of the prison.

Finding 25. The prison's recent partnership with Tikanga Aroro Charitable Trust and Pūwhakamua, is intended to support eligible men to reintegrate from prison to the community.

²⁸ Pillars provides support to prisoners' families. Te Whakaora Tangata offers family restoration support for vulnerable families.

²⁹ Corrections' annual inter-prison kapa haka competition.

³⁰ The trust and the Pūwhakamua residential cultural immersion programme were initiated by an ex-prisoner, Billy McFarlane, with the support of Te Arawa.

Foreign national prisoners

Inspection Standards

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

109. Foreign national prisoners can expect to be supported in prison to access their consular representative,³¹ if required, and to use a translation service if they need support to understand key information such as during inductions. Foreign national prisoners should also have their health, culture, religion, and dietary requirements met, so far as is possible
110. ASCF records from October 2020 show there were 52 foreign national prisoners on site, which is the highest number of foreign national prisoners recorded across all prisons. Fourteen of these prisoners were identified as requiring the support of interpreter services.
111. One of the prisoners we spoke with was a foreign national who was subject to deportation on release. He told us he was well supported by a friend in the community and had completed many programmes at other prisons, including English as a Second Language. He contacted his family once a week by telephone.
112. Prisoners told us that people who had limited English were supported by staff or by prisoners who spoke their home language. This was confirmed by staff. For example, a staff member had translated the management plan for a prisoner on directed segregation. The prisoner also spoke at lunchtimes with a staff member who shared his language. Another prisoner told us he was double-bunked specifically so the prisoner he shared with could help him understand the routines and procedures of the prison. Case managers told us they used the Ezispeak interpreting service to help them communicate with prisoners who did not speak English.

Finding

Finding 26. Foreign national prisoners and others with limited English have some access to Ezispeak and are also supported informally by staff and prisoners who communicate information about prison life.

³¹ Regulation 87 of the Corrections Regulations 2005 states a prisoner detained in a prison who is not a New Zealand citizen must be given reasonable access to a telephone, free of charge, for the purpose of communicating with a consular representative of the country of which that prisoner is a citizen.

Property

Inspection Standards

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

113. When people enter prison, their personal clothing and other property is checked, recorded and either issued to them, stored or disposed of.³² Prisoners may ask family or whānau to send them authorised personal items (such as additional underwear, other clothing and telephone cards), which are also checked and registered on individual prisoner property lists by Property Office staff. Prisoners can request access to a limited number of personal items at a time, once their property is registered.
114. As at 29 June 2021, more than 31,000 items of property were registered at ASCF.³³ At the time of our inspection, one staff member was employed to manage prisoner property for the site. Our discussion with the Property Officer revealed long hours were required to keep up with the demands around prisoner property. The Property Officer told us that on occasion other support was available in the form of either an administrative staff member or a custodial staff allocated to light duties. While the Property Officer said this help was welcomed, it was not ideal if staff could not lift the prisoners' property boxes, or did not correctly process property items.
115. During our visit to the Property Office, we observed that the property storage area was well organised. However, we noted several piles of property waiting to be processed and stored.
116. Around half of the prisoners we spoke with said they waited a long time to receive their property. As mentioned earlier in this report, property was the focus of many prisoner complaints.
117. Concerns about property appear to be an ongoing challenge for this prison. During the Office of the Ombudsman's inspection it was noted many prisoners (71%) were frustrated with the delays experienced to access their personal property.

Finding

Finding 27. The Property Office was well organised. However, prisoners continue to experience delays accessing their personal property.

³² The Chief Executive's Authorised Property Rules (2020) guide what prisoners may be issued on arrival, placed in storage, or what needs to be disposed of. Property rules are authorised by the Corrections Act, 2004, section 45A.

³³ While we were preparing for our inspection, data for 23 January 2021 showed 33,232 items of property were registered at ASCF.

Health

Inspection Standards

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

118. Prisoners are entitled to receive medical treatment that is reasonably necessary. The standard of health care available to prisoners must be reasonably equivalent to standard of health care available to the public.³⁴
119. The prison has a central Health Centre and each House Block has its own triage room. At the time of our inspection, all the Health Service spaces appeared clean, tidy and well equipped. As highlighted in our 2017 Inspection report, the triage rooms do not have a hand basin for health staff to wash their hands.
120. The prison health service is nurse-led and supported by contracted providers, such as a Medical Officer, Dentist and Physiotherapist. Nurses are available between 7.15am and 8.30pm, with a rostered on-call nurse available outside of these hours. The site's nurses each hold portfolios for key health areas such as diabetes, cardiovascular risk assessment and hepatitis, and the nurses maintain oversight of the patients within their portfolios. The team includes a Nurse Practitioner who provides services 24 hours per week. Other health care service providers who regularly support the site include an optometrist, a diabetic retinal

³⁴ Corrections Act, 2004, Section 75.

screening clinician, a tattoo removal clinician, a radiologist (when required) and the Waitemata District Health Board forensic psychiatric services.

121. Prisoners can make a request to see health staff via CMS. If this is unavailable, prisoners can submit a paper chit, speak to nurses when they are at the units, ask a staff member to help them or can be referred by another health professional (for example, for a follow-up appointment). All requests are triaged by a Registered Nurse, then prioritised with prisoners seen according to the urgency of their condition.³⁵
122. Most prisoners we talked with spoke positively of the health team, saying they were friendly, professional and doing a good job. Prisoners appreciated being able to lodge a health request on CMS. A few prisoners found that CMS was not suitable to adequately cover their health issue.
123. Some prisoners told us they waited a long time to have non-urgent health needs addressed and also for appointments to external services. It appears prisoners may not be routinely informed about usual waiting times for external services. Some prisoners observed the health staff were too busy and appeared short staffed.
124. During the month of March 2021, 716 requests for health care were submitted through CMS and all but three of these were acknowledged and a plan of care (such as scheduling an appointment) actioned within 24 hours.³⁶ Clinics with the Nurse Practitioner and/or the Medical Officer run every week day. We observed that the health team has good processes for managing clinics.
125. At the time of our inspection, there was an approximate wait time of two weeks to see the Medical Officer for non-urgent health concerns.
126. Dental services are contracted by the prison for 12 hours per week. The dentist works three days per week.³⁷ The waiting list at the time of our inspection was approximately five months for non urgent (priority 3) dental issues and there were 248 prisoners awaiting treatment. Only one prisoner was listed as urgent priority one. Six appointments per week are allocated for men with urgent dental needs. In 2019, the Ombudsman recommended investigating better access to dental services, which were then also only available for 12 hours a week.
127. At the time of our inspection, wait times for services such as the nurse practitioner, nurse clinics and physio were reasonable.
128. The health team supports many prisoners with complex and high needs³⁸ and prisoners with long term conditions, such as diabetes and cardiovascular disease risk. Processes for managing prisoners' health were well described, but assessments varied in quality with some documentation we reviewed not always describing the full requirements of a health check or assessment. For example, documents showed that diabetic patients had received a 'foot check' but, on closer review, this had not been done to the expected standard with checking sensation using a microfilament pen.
129. We noted that medication management procedures were very good across the site, with sound processes for prescribing, ordering and administering medication.

³⁵ Serco 19.18 Managing Health Requests.

³⁶ All health staff record patient health information in the same patient management system as Corrections (MedTech).

³⁷ The dentist covered both general dental services as well as private services (such as ACC funded treatment).

³⁸ At the time of our inspection, ASCF had 64 prisoners with high and complex needs, such as prostate cancer, dementia, renal cancer and heart disease. This is the highest number of prisoners with high and complex need of any prison.

130. We observed that all prescription drugs of high value were crushed before being giving to prisoners. This is a security practice, used to ensure prisoners do not trade or sell their prescription medication to other prisoners. Ideally, this practice would be individualised and only used on a case-by-case basis after appropriate risk assessments.³⁹
131. Records showed there was a comprehensive range of professional development and training available to the health team on site, including two nurses who are undertaking post graduate study. Some health staff (mental health and psychologist) had access to clinical supervision.
132. Staff had completed training in Māori world views in February 2020, with ongoing planned cultural supervision supported by the Assistant Director of Cultural Services. Every quarter the health staff have a hui on clinical governance with Māori representation. The health team have continued to foster a relationship with Manurewa Marae to support rongoa (traditional Māori medicine).
133. We observed that the health team worked effectively and collaboratively when planning and providing care for prisoners and valued the different roles within the team. Health staff reported they had developed good relationships with the Reintegration Officers who supported their service. However, shortages amongst Reintegration Officers sometimes affected the frequency of health movements. Our review of files found that some internal and external health appointments had to be rescheduled due to lack of custodial support. This was similar to our 2017 Inspection, and was also observed by the Ombudsman in his 2019 Inspection.
134. Our observations of nurse interactions with prisoners and of prisoners' file notes found many examples of nurses providing health education. However, we did not see printed health promotion material available in the health areas for prisoners. Health staff told us that the display unit had been removed for security reasons.
135. We found the health care of transgender prisoners aligned with the prison's transgender policy. We observed clear identification and use of pronouns and preferred names in health notes and interactions. The prison made appropriate referrals to the Auckland Sexual Health Centre for medical management of prisoners' transgender status.

Findings

Finding 28. ASCF health staff generally interacted positively and professionally with prisoners, and provided health education.

Finding 29. ASCF had a wide range of health services available to prisoners on site and waiting times were reasonable, although some prisoners told us there were long waits to have their health needs addressed.

Finding 30. Dental services are contracted by the prison for 12 hours per week which contributed to long waiting times for non-urgent dental care.

Finding 31. Health requests from prisoners were responded to promptly.

Finding 32. There were good processes on site to ensure safe medication administration.

Finding 33. There was variation in the quality of assessments by some nurses.

³⁹ In June 2021, ASCF reviewed its policy for crushing high value medications and now does not crush these medications unless there is a clear clinical reason to do so.

Finding 34. Some health appointments were rescheduled due to the unavailability of custodial staff for movements.

Substance abuse

Inspection Standards

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

136. ASCF has developed a pathway for people with alcohol and other drug (AOD) issues. Prisoners speak with their case manager to access AOD courses, with health staff involved as required.
137. ASCF liaises with the Community Alcohol and Drug Service (CADS) and manages prisoners according to the site's opioid substitution protocol. We confirmed referrals were being made to CADS where appropriate. There were no prisoners on opioid substitution treatment at the time of our inspection.
138. Any withdrawal of medication that requires slow reduction and clinical management is completed under the guidance of the Medical Officer, Mason Clinic psychiatrist advice or upon consultation with CADS.
139. ASCF offers a range of brief group and individual treatment programmes to help prisoners with AOD issues. In the six months to March 2021, 30 prisoners completed an AOD programme.⁴⁰
140. The site runs the education focused AOD Brief Intervention programme (four sessions) and the AOD Intermediate programme (eight weeks). The prison does not offer an intensive treatment programme such as a Drug Treatment Programme (DTP).⁴¹ However, a contracted programme provider offers After Care Support Services for any prisoners arriving after completing a DTP.
141. Two AOD programmes run in conjunction with CADS to support prisoners coming up for release. One programme supports Asian prisoners with their AOD treatment needs.

Findings

Finding 35. The prison has contracted providers and support services available to educate prisoners and reduce their alcohol harm and other drug issues. Prisoners with significant alcohol and other drug treatment needs must relocate to other prisons to access higher intensity treatment.

Finding 36. People who are withdrawing from drugs or are being withdrawn from addictive medications are offered support by the health team.

⁴⁰ At the time of his inspection, the Ombudsman noted lengthy waiting lists for programmes, including the Alcohol and other Drug Intermediate Programme. He recommended the frequency of programmes should be increased to address the numbers of prisoners waiting on programmes.

⁴¹ Drug Treatment Programmes such as the DTP-6 and DTP-12 are delivered in units run as therapeutic communities.

Mental health care

Inspection Standards

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

142. The mental health needs of prisoners are generally well catered for and supported by registered nurses, mental health clinicians, psychologists and the local DHB forensic team.
143. Two mental health clinicians are responsible for completing risk assessments, triaging referrals, completing brief interventions, undertaking metabolic monitoring, and giving advice and supporting treatment planning with custodial and other health staff.
144. A permanent psychologist and intern psychologist work with long term prisoners and those with more complex mental health needs. Prisoners are generally referred to the psychologist by the mental health nurses.
145. The Mason Clinic offers specialist intervention, cultural and occupational therapy support for prisoners.⁴² A psychiatrist from the Mason Clinic visits the site twice a week.
146. Mental health nurses and psychologists offer mental health support groups for prisoners, including an anxiety group, a dealing with distress group and a traumatic brain injury group. Men can self-refer to these groups and are then triaged according to their level of distress/acuity by the mental health team.
147. Our observation of the dealing with distress group showed prisoners were engaged and enjoyed the session.
148. At the time of our visit, prisoners suffering with trauma were also supported by ACC funded counselling. Seven prisoners were on the wait list for this service and a mental health clinician advised us that waiting times varied between one and three months. The site had developed a Post Traumatic Stress Disorder (PTSD) support group for men on the waiting list.
149. Mental health nurses and the psychologist provide training to custodial staff working in the Whare Ora (Health Service wing) so staff have a better understanding of conditions such as depression, anxiety or deteriorating mental health. Since custodial staff are moved from Whare Ora, mental health staff said stable custodial staffing in this unit would provide better continuity of care as well as a more collaborative and meaningful contribution to the multi-disciplinary team approach for prisoners' care.
150. Whare Ora has 52 cells, of which eight have CCTV cameras which are used for men with high and complex needs, including those at risk of self-harm. If custodial staff have concerns for

⁴² At the time of our inspection, one person was on the wait list for the Mason Clinic. He remained on the wait list for five weeks before being removed as his mental health improved.

the welfare of a prisoner, they can complete the Review Risk Assessment tool in IOMS, which informs the Health Service.

151. Staff told us they use various strategies to support the prisoners' mental health. The strategies are tailored according to the at-risk assessment completed by a registered nurse and following consultation with custodial staff. Strategies include welfare checks, recorded observations, camera observations, and possible cell or location changes to support safety.
152. The Health Service's psychologist and mental health clinicians noted the lack of an appropriate, therapeutic space to meet with prisoners. These staff said they often saw men in a generic interview room in the House Blocks, which they found problematic for privacy reasons because other passing prisoners could see in.
153. Custodial staff working in the Separation and Reintegration Unit (SRU) and prisoners said the daily welfare checks from health staff were brief, with staff passing by prisoners' cells and asking if they were OK, sometimes twice a day. One prisoner in the SRU told us he felt very isolated and requested to speak with someone. Custodial staff asked a nurse to speak with this prisoner and this meeting subsequently happened.
154. Brief welfare checks are common practice across many prisons. One of the challenges for conducting the checks is that custodial staff accompany nurses for their safety. This means prisoners do not have privacy to talk about their health concerns.
155. Review of health documentation of daily wellbeing checks showed that a welfare check recorded whether the prisoner and custodial staff had any concerns about the prisoner's health.
156. Health staff told us one of their biggest challenges is a shortage of custodial staff, which could result in some prisoners' mental health appointments being rescheduled.

Findings

- Finding 37. The mental health needs of prisoners are mostly well catered for and supported by nurses, mental health nurses, psychologists, and the forensic team.
- Finding 38. The site provides a range of mental health support groups which are well attended.
- Finding 39. The site had challenges in providing appropriate therapeutic spaces for mental health assessments and interventions
- Finding 40. The group sessions run by mental health nurses and psychologists are well attended with good prisoner engagement.

Prisoners with disabilities

Inspection Standards

- Prisoners with physical, mental or other disabilities have full and effective access to prison life on an equitable basis.⁴³
- Prisoners with a disability or age-related needs are placed in a cell that is suitable and appropriate for their health-related needs.⁴⁴

157. At the time of our inspection, the prison was unable to provide information about the total number of prisoners with a disability, as disabilities were not always accurately recorded within the patient management system.
158. Health staff advised that types of disabilities on site included physical (such as hearing or sight impairment), mobility (with some prisoners requiring a wheelchair or other mobility aids). Others had cognitive disabilities (such as traumatic brain injury) and intellectual disabilities. The site High Risk Register recorded 21 prisoners with high and complex needs. These prisoners had serious and complex diagnoses, including some with functional disabilities.
159. While there are no specific pathways on site for managing prisoners with disabilities, the health team tailors a care plan to support individual needs. Referrals to Needs Assessment Co-ordination Services (NASC) are generated when required.⁴⁵ We found evidence that some prisoners with disabilities had a specific plan in place to support their individual needs.
160. We observed prisoners with disabilities (such as mobility and health challenges) being supported by other prisoners. In some cases, this was a deliberate management strategy where a prisoner shared a cell with another prisoner who assisted him as a peer support worker.⁴⁶
161. We observed a mental health group session taking place in the Health Centre where a peer support worker also attended to support a person with disabilities.
162. We also spoke with two prisoners with disabilities who did not receive the assistance they required. One prisoner with a congenital disorder (and other health conditions) and limited mobility did not receive a wheelchair to use in his unit for his first week in prison. Being unable to move contributed to a deterioration in his condition.⁴⁷ ASCF staff attributed this to the prisoner's health files not being transferred with him from another prison.
163. Another prisoner with limited mobility also spoke of difficulties accessing a wheelchair. Health staff advised that they were encouraging this prisoner's mobility and a wheelchair was available for him to use in the unit if required. This prisoner had been bullied by other prisoners he shared a cell with and made to sleep on the top bunk. This was difficult and

⁴³ Note, this is a basic principle – not a standard.

⁴⁴ Note this is an indicator – not a standard.

⁴⁵ NASC is an external provider which assesses the needs of a prisoner and creates a plan to support them.

⁴⁶ Prisons should refer prisoners with personal care needs for a NASC assessment. The resulting plan can include help from a trained assistant, similar to the level of care offered in the community.

⁴⁷ This prisoner had been transferred from another prison. He told us that his health and mobility needs had been accommodated at the previous prison.

painful for him. This prisoner had been moved several times because of bullying, including after an assault while sharing a cell.

Findings

- Finding 41. The site does not always accurately record which prisoners have disabilities or the nature of their disability.
- Finding 42. Some prisoners with high and complex needs had support plans in place to support them.
- Finding 43. Some prisoners with disabilities felt their needs had not been met.
- Finding 44. There was good use of peer support workers assisting prisoners with disabilities.

Environment

Inspection Standards

- Prisoners live in a clean and suitable environment which is in a good state of repair and fit for purpose.

Residential units

House Blocks

164. The accommodation areas at ASCF are divided into House Blocks and Residences.
165. House Blocks comprise four wings (in a 'X' shape), with each wing having its own common area in the centre of the ground floor and its own yard. Each wing has a kitchenette and laundry facilities.
166. Twenty cells in each wing are designed for double bunking and the remaining twenty are single cells. Each cell has a telephone, computer, hand basin, toilet and shower and shelves. House Blocks also have a number of rooms upstairs that prisoners use for exercise, education and recreational activities.
167. A staff base is situated at the centre of each House Block, affording good visibility into each wing. A health triage room is located in the centre of each House Block, where prisoners can collect their prescribed medication.
168. We found overall that the cleanliness and maintenance of the House Blocks had improved since our 2017 inspection.⁴⁸ The communal areas in each House Block were generally clean and tidy, with minimal tagging and graffiti. In addition, House Block One had several attractive murals on the walls that were painted by prisoners. The exercise yards in all the House Blocks were generally clean. We observed good levels of natural light within cells and within the wings. Most prisoners we spoke with were satisfied with their accommodation.
169. Inspections of individual cells revealed varying levels of cleanliness and tidiness. Prisoners have the opportunity to clean their cells on a regular basis. One cell, randomly selected in House Block Two, had a large gang mural on the wall with other gang insignia on the door. Our enquiries revealed that staff had logged three requests over a number of weeks with the contracted maintenance provider to remove the mural but that had not occurred. During our inspection, the mural was painted over. Our review of cell standards documentation and observations of cells indicated that that cell checks were not always conducted regularly or thoroughly.
170. We noted some other concerns. In each of the House Blocks we observed some prisoners had placed towels or other items in front of their cell doors. Prisoners told us they were blocking drafts and preventing mice from entering their cells. We saw that the prison was using heavy duty mousetraps during our inspection.

⁴⁸ General prison maintenance is contracted to an external provider.

171. We observed that some cells in House Block One required maintenance. A vent was blocked and the paint was chipped in some shower areas.
172. We noted that each wing in the House Blocks has two kiosks in the exercise yard.⁴⁹ House Block One and House Block Two both had a broken kiosk. We noted several other areas of outstanding maintenance in House Blocks One and Two, including leaking taps, and a broken drinking fountain, water cylinder and electrical socket.

Residences

173. ASCF has ten Self Care Residences for lower security prisoners, nearing release, to help them develop independent living skills in a house share arrangement. Each Residence has four units (called houses) with each house accommodating up to six prisoners. In each house, prisoners have their own bedroom with a single bed, computer, shelving, wardrobe and telephone. Prisoners in each house share a kitchen, laundry and bathroom facilities, which they are responsible for cleaning.
174. Prisoners we spoke with were satisfied with their accommodation in the Residences.
175. We observed variable levels of cleanliness in the houses and some items, such as refrigerators, also needing repairs. This was confirmed by prisoners, by our reviews of the information in the Residences' Cell Fabric and Cleanliness Inspection Register and the maintenance contractor log sheets. Our review of the maintenance log showed items outstanding from 2019 and 2020.
176. We observed some computers in three of the houses were not working, which makes it difficult for prisoners to manage prison life and their needs independently. The computers are used, for example, to make bookings for education and reintegrative activities, check trust account balances and purchase canteen items, or request appointments with case managers.

Findings

Finding 45. The common areas were generally clean and free from graffiti.

Finding 46. Staff were not completing necessary cleanliness checks in the House Blocks or Residences, or their checks were of poor quality.

Finding 47. Facility maintenance issues throughout the prison were not closely monitored and responded to by staff.

Hygiene

Inspection Standards

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

⁴⁹ Kiosks are computer terminals where, among other things, prisoners can access information about the prison, make purchases from the canteen, check their account balances and request prison services. Prisoners can also access the information available in the kiosks electronically in their cells.

177. Each week men in the House Blocks receive an Essential Pack which contains toilet paper, soap, envelopes and paper. Once a month, prisoners receive a new scrubbing brush for cleaning their cell.
178. Each cell has a shower and toilet. While screens in double-bunked cells protect the privacy of prisoners from those they shared with while they are using the shower and toilet, the privacy screens do not obstruct the view of people looking through the cell door flap. Some prisoners had constructed make-shift privacy screens using sheets or towels.
179. We observed some showers in House Block One needed painting.
180. In 2019 the Ombudsman found wing toilets in the House Blocks were closed because they were identified as potential sites of bullying and violence. This meant prisoners had no toilet facilities when they were out of their cells. At the time of our inspection, we found this practice was continuing in House Blocks One and Two. Toilets in the common areas were locked to reduce the risk of prisoners fighting and prisoners had to ask a staff member to unlock a toilet.
181. Houses in the Residences each have two showers and two toilets which the prisoners are responsible for cleaning. We observed some shower heads were broken and many metal shower racks were rusty. Staff were unaware of these problems and said they would request replacements. We spoke with the maintenance contractor who said they had recently completed an assets condition assessment and items in poor condition were scheduled for replacement.

Findings

- Finding 48. Basic personal hygiene and cell cleaning products are available to prisoners.
- Finding 49. Prisoners in some wings of the House Blocks could not access a toilet in the common area when they were out of their cells and had to ask a member of staff to open them.
- Finding 50. Cells in the House Blocks lacked privacy for prisoners using their shower and toilet. People outside the cell could view prisoners through the door flap.
- Finding 51. Some showers in House Block One and the Residences required maintenance.

Clothing and bedding

Inspection Standards

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

182. Most prisoners we spoke with reported good access to clothing and bedding, with many prisoners telling us they were surprised at the quality of items provided. This is an improvement on the Ombudsman's inspection in 2019 which found access to clothing varied across the prison.

183. A few prisoners said they found the mattresses were too thin, and one prisoner reported having to repeatedly explain to new staff working in his unit that he had prior approval to have a mattress topper due to medical reasons.⁵⁰
184. Prisoners in House Blocks One and Three use the unit laundry to wash their personal clothing. Other clothing, bedding and towels go to the central prison laundry. Prisoners in House Block Two, wings 1, 3 and 4 send all their laundry to the central prison laundry because the wing laundry is closed to prevent bullying. Some prisoners told us their laundry sometimes comes back from the central laundry damp. We observed prisoners using the railings in the wings to dry their clothing and bedding. This issue was also noted by the Ombudsman in 2019.
185. Prisoners in the Residences do their own laundry. Prisoners told us appliances such as the washing machines and dryers regularly broke down and they often waited a long time for these to be fixed. Delays in having appliances fixed appeared to stem from poorly performed maintenance checks by prison staff and the maintenance contractor failing to fix problems in a timely manner. We noted prisoners in the Residences had no access to drying alternatives such as outdoor washing lines or drying racks.

Findings

- Finding 52. Prisoners generally had good access to quality clothing and bedding, although a few raised concerns about thin mattresses.
- Finding 53. Some clothing and bedding comes back from the laundry damp, and they dry it on railings in the House Blocks.
- Finding 54. Broken appliances in the Residences were not always fixed in a timely manner.

Food

Inspection Standards

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

186. Each week, prisoners choose their meals through the CMS. The meals for the House Blocks are prepared in the prison kitchen and delivered to the wings. Prisoners receive an evening

⁵⁰ This prisoner had a letter from his doctor referring to his condition. However, there was no medical alert on his file to communicate the prisoner's need with staff.

meal and breakfast (for the following morning) just before lock-up between 4.30pm and 5.00pm.

187. Prisoners in the House Blocks told us they were very satisfied with the food and enjoyed the choice, quantity and quality of the food.
188. One prisoner told us that on arrival at the prison he received meals containing pork, which he did not eat for religious reasons. Because prisoners select meals a week in advance, new prisoners do not have the opportunity to choose their meals initially. Instead they receive available meals from the kitchen. Our review of complaints records confirmed that, after making a complaint about his meals, this prisoner received an apology from the prison.
189. Each kitchenette in the House Blocks has a small fridge and microwave oven for 60 prisoners. Prisoners in two of the 12 wings had a toaster or sandwich press to make snacks (House Blocks One and Three). Prisoners from other wings were unhappy with this inconsistency.
190. Prisoners in the Residences each receive \$52.12 per week to buy their food and cleaning products. Some prisoners we spoke with said the allowance was insufficient to purchase the items they needed. We note that the weekly per person budget at this prison is lower than in Self Care units in Corrections prisons.⁵¹ Further, prisoners in the Residences did not receive the opportunity to visit the supermarket as part of their preparations for reintegration and release, which is typical for people living in Self Care prison environments. Instead, prisoners shopped from a catalogue and groceries were delivered to the prison.

Findings

Finding 55. Prisoners in the House Blocks were satisfied with the choice, quantity and quality of the prison food.

Finding 56. Some prisoners in the Residences said their weekly allowance to purchase their food and cleaning products was insufficient.

Finding 57. Prisoners in the Residences were disappointed they were unable to leave the prison to carry out their weekly grocery shop as part of their reintegration.

⁵¹ For example, women in Self Care at Christchurch Women's Prison receive \$63 per week each for household spending. Note Cost of Food Survey 2019 from Otago Medical School says it costs \$71 a week to have a basic healthy diet for an adult man in Auckland.

Good Order

Security

Inspection Standards

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

191. ASCF has a single entry point for pedestrians through the gatehouse and a separate vehicle only sally port. Six staff are available at all times to process visitors and check vehicles.
192. We observed visitors and staff entering the gatehouse. Searching procedures for people and vehicles were robust. Because of Covid-19, visitors and staff were required to provide health information and have their temperature taken by an infrared detector. Anyone with a temperature of 38 degrees Celsius or higher can be turned away. Reintegration officers were courteous and professional when processing visitors and staff. Visitors we spoke with said they were treated respectfully by staff.
193. Staff told us the detector dog is generally on site each week and also checks mail and parcels for contraband. Staff told us there is a shortage of dog handlers in the region and they shared access to the detector dog team with other prisons in the region.
194. The site also has its own intelligence team⁵² and established a Site Emergency Response Team (SERT) in 2018. The SERT contributes to prison safety and security by targeting the introduction of contraband and responding to incidents and emergency events. The SERT is also responsible for managing checkpoints⁵³ during visits, as well as overseeing prisoner telephone monitoring procedures. The team consists of two supervisors and six tactically trained staff. We observed that the SERT had established good working relationships with the intelligence team and the detector dog handler as well as the prison's security manager and other managers across the site.
195. Like all prisons, ASCF staff reduce the risk of contraband being introduced to the prison by closely monitoring for potential 'throw overs' by members of the public from outside the prison. The external security fence, the cameras monitoring prison boundaries and regular perimeter fence patrols provide appropriate mitigations against this risk.

Finding

Finding 58. The prison uses appropriate technology and has processes in place to maintain prison security.

⁵² Intel teams scan the environment inside and outside of the prison to identify potential threats to security. For example, if gang tensions rise in the community, this may impact behaviour inside the prison.

⁵³ Checkpoints are checks on visitors and vehicles, usually in the car park, before they come on site.

Searches

Inspection Standards

- Searches of cells and prisoners are carried out only when necessary and are proportionate, with due respect for privacy and dignity.
- Trans prisoners can nominate staff of their preferred gender identity to perform searches, and their dignity and privacy is protected at all times.

196. Contraband, such as alcohol and other drugs and weapons, can create risks to safety and good order in a prison. For this reason, prison staff must complete thorough cell searches and individual prisoner searches regularly. As noted above, the SERT may also undertake searches when real or potential risks to security arise.
197. For the six months to 31 March 2021, the site recorded 202 incidents where contraband was found as a result of searches. The most common types of contraband were 'other' (100 items), drugs (65 items) and tattoo equipment (56 items). Tobacco and smoking equipment were the most commonly referred to items in the 'other' category.
198. The Corrections Act 2004, Section 98, outlines the situations where a strip search may be conducted. In the six months to 31 March 2021, records showed that staff completed 10,443 strip searches. Our review of the ASCF data showed the most common situation in which a strip search was undertaken was when a prisoner was received into prison (40%). Strip searches were also conducted when staff suspected a prisoner might be carrying unauthorised items (13%), or the prisoner had been transferred from another prison (13%). The remaining strip searches were completed either because the prisoner was returning from a temporary release or escorted outing, before or after attending a visit, or before starting a limited period of cell confinement.
199. Prisoners we spoke with raised no issues about strip searches. Trans prisoners told us they were treated respectfully and were pleased to see a female officer in the Receiving Office.
200. We observed staff undertaking several rub down searches in the House Blocks and the Residences. The quality of these rub down searches was poor overall. For example, staff did not consistently require prisoners to remove their hats, shoes and socks, or search below the knees. When we raised our concern with the supervisors, they reminded their staff about the importance of thorough rub down searches. The poor quality of rub down searches was also noted by the Ombudsman in 2019.
201. The quality and frequency of cell searches was inconsistent across the prison. Staff in the House Blocks were required to complete cell searches according to a schedule which meant all cells were searched once a month. Staff told us that did not always happen because of the unavailability of staff. Prisoners provided mixed accounts of the frequency of cell searches. Some prisoners we interviewed confirmed that staff conducted regular cell searches while others said regular searches did not occur. A few prisoners in the House Blocks told us they had access to contraband and that prisoners could trade for medication, food, TV aerials, sugar and drugs.
202. Staff in the Residences told us that each house should be searched once a week. Our review of search records shows this did not always happen. Staff told us this was because of staff unavailability.

203. Two staff are responsible for the prison's drug testing regime.⁵⁴ In addition to the dozen random drug tests conducted every week, the team tests prisoners on reasonable grounds, usually based on information received from the intelligence team. In the three months to 31 March 2021, prisoners returned 13 positive test results for illicit drug use from 243 tests (5%). Our observation of the Drug Test Register showed it was up to date.

Findings

Finding 59. Generally, the quality of rub down searches was poor.

Finding 60. The quality and frequency of cell searches varied across the prison.

Classification and accommodation

Inspection Standards

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

204. Appropriate staff decisions about prisoner classification and unit placement enhance the security of a prison and prisoners' sense of safety.
205. Prisoners with similar security classifications were generally housed together.
206. We observed little variation in the time prisoners spent out of their cells across the House Blocks, including between prisoners with different security classifications.
207. Generally prisoners in the House Blocks received at least six hours out of their cells each day, separated into two periods: approximately three hours between breakfast and lunch and another three hours between lunch and dinner. This pattern was the same every day except Tuesday, when prisoners were confined to their cells during the afternoon to allow staff time to attend meetings and training.
208. Some prisoners received slightly longer hours of unlock because they were working, for example, as cleaners. Some wings also had longer periods of unlock so prisoners could practice kapa haka together.
209. The amount of time prisoners received out of their cells was sometimes impacted by staff shortages or incidents where staff in the House Blocks were required to assist in other areas. In both cases, prisoners spent more time in their cells.
210. The Residences had similar patterns of unlock to the House Blocks, although prisoners there were generally unlocked earlier in the morning and could spend seven and a half hours out

⁵⁴ The site has 12 other staff who are certified drug testers and the SERT team can undertake testing over the weekend in response to targeted searching

of their houses if they chose to. Some prisoners were unlocked before others because of their jobs in the prison.

211. As discussed earlier, around a third of prisoners at ASCF are on voluntary segregation. Staff and a few prisoners we spoke with said it was difficult for prisoners on voluntary segregation, particularly those serving long sentences, to progress through the prison. This is because prisoners have to sign out of voluntary segregation to be able to access the Residences. Yet, the risk posed by other prisoners in the Residences should be relatively low because these prisoners have been assessed and classified as low-medium to minimum security.⁵⁵ In the first three months of 2021, only two incidents of intimidating behaviour were recorded in the Residences. Voluntary segregated prisoners could leave ASCF to be accommodated in lower security settings in a voluntary segregation prison elsewhere (Tongariro Prison). However, this may mean leaving their support network including family and whanau.
212. Staff across the site, as well as the managers we spoke with, said the prisoner population received by the prison did not align well with the prison design. The prison was designed for younger prisoners who could quickly progress through the House Blocks to the Residences.⁵⁶ However, the current population is older with a large number of prisoners serving preventive detention or life sentences. In addition, ASCF sends prisoners off-site to access treatment and improve their behaviour, but these prisoners are often not transferred back to the prison. This means the Residences catering from low-medium to minimum security prisoners are underused.

Findings

- Finding 61. Prisoners generally receive six or more hours out of their cells or houses each day.
- Finding 62. Staff and prisoners said it was difficult for prisoners on voluntary segregation to progress to a self-care environment.
- Finding 63. Time out of cells was sometimes impacted by the availability of staff and incidents at the prison.

Incentives

Inspection Standards

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

⁵⁵ Some staff also said that if prisoners who are serving long sentences give up voluntary segregation to progress to the Residences, the Residences may become full. This in turn blocks access to the Residences for those serving shorter sentences (and the ability of short-term prisoners to progress and reintegrate, especially if the Parole Board requires a self-care experience). At the time of our inspection, this was not an issue as the Residences were not full.

⁵⁶ Contract between Corrections and SecureFuture and Serco, (2012) Schedule 5, Section 5.1.3.

213. At the time of our inspection, with some exceptions we observed few incentives to encourage pro-social behaviour in most areas of the prison.
214. Prisoners in the Residences and Te Whare o te Whaiora wing in House Block Three said their placement in these areas were incentives for them. Prisoners in the Residences enjoyed more time out of their houses than those in the House Blocks. Prisoners in Te Whare o te Whaiora appreciated the additional opportunity to practise Māori culture.
215. Some prisoners said the ASCF 'Olympics', a sports competition held most years, was an incentive. Participation in the Olympics depended on prisoners having no open misconducts in the three months leading up to the event. For prisoners who were sports oriented, the Olympics encouraged them to monitor their own behaviour.

Finding

Finding 64. With some exceptions, we observed few incentives to encourage pro-social behaviour at the prison.

Discipline

Inspection Standards

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

216. Prisons are required to maintain good discipline and order through effective supervision, communication, and fair and effective disciplinary procedures. Offences against discipline committed by a prisoner can result in a misconduct charge. Misconduct charges must be well documented by staff, and disciplinary hearings must comply with statutory and regulatory requirements. Offences against discipline are outlined in the legislation with guidance on the misconduct process described in the Prison Operations Manual.⁵⁷
217. For the period 1 October 2020 to 31 March 2021, 886 misconducts were generated across the site. Of these 258 (29%) were withdrawn and 82 (9%) cancelled. The majority of

⁵⁷ Corrections Act, 2004, sections 128-140. POM MC.01.

misconducts originated from House Block Two (high security), followed by House Block Three. In 2019, the Ombudsman found a similar proportion of withdrawn misconduct charges (27%) at ASCF. The Ombudsman recommended that governance arrangements for managing misconducts should be improved.

218. The site prosecutor told us he provides monthly reports to Serco and Correction's Prisoner Monitors, including the number of misconducts laid and reasons why misconducts did not proceed. He also attends weekly 'wash up' meeting with the Management Team where he highlights any issues that need their attention.
219. The prosecutor told us there are two staff members who can cover for him if he is on leave. The site also has four Operations Managers trained to adjudicate hearings. Each adjudicator has a designated day of the week to hear misconducts.⁵⁸
220. ASCF uses Corrections' misconduct policy and process. The prosecutor told us he reviews all misconduct charges to assess whether they could be appropriately responded to by talking to the prisoner about their behaviour and issuing a warning. If not, the misconduct charge proceeds. Our analysis of the reasons for withdrawing or dismissing charges for the six months to the end of February 2021 shows that 21% of the charges were withdrawn because the offences were deemed minor, thereby supporting the prosecutor's explanation of dealing less formally with antisocial or undesirable behaviour.⁵⁹
221. The same proportion of charges were withdrawn or dismissed because either the prisoner's cellmate took ownership of the charge, or because there was a lack of evidence presented by custodial staff. The prosecutor said that more training was needed for custodial staff to help them draft misconduct reports; the three hour session at Corrections' National Learning Centre was too brief.
222. A smaller proportion (17%) of misconduct charges were dismissed because the timeframes for prosecuting the charge had been exceeded. The prosecutor told us he had developed his own system for ensuring misconduct timelines were not exceeded and he had worked hard over the last year to embed these changes into the formal misconduct process. We note that the percentage of complaints to the Inspectorate from ASCF about the misconduct process has reduced from 8% of all complaints (in the six months to 30 September 2020) to 5% in the six months to 31 March 2021.
223. Prisoners raised few issues about the misconduct process. A couple of prisoners we spoke with said disciplinary processes could be inconsistent and we found evidence of a disciplinary process being poorly documented. For example, one prisoner told us he was removed from the Residences back to the House Blocks for allegedly walking around at night to gather 'throw overs'.⁶⁰ However, we found no incident reports, or misconduct charges relating to these events. The only documentation was the prisoner's unit movements in IOMS. The prisoner was returned to the Residences two day later.

⁵⁸ Prosecutors are staff trained to charge prisoners with an offence and who have responsibility for proving that charge. Hearing adjudicators are trained staff that have the power to hear offences against discipline allegedly committed by a prisoner.

⁵⁹ Section 132 (1) of the Corrections Act, 2004, allows minor or unintentional breaches of discipline to be dealt with by stopping the activity, instructing the prisoner to behave well and by allowing the prisoner to make amends to any person aggrieved by the breach.

⁶⁰ 'Throw overs' refers to contraband being tossed over the perimeter fences into the prison.

Finding

Finding 65. The misconduct process is improving and oversight mechanisms have been introduced.

Segregation and cell confinement**Inspection Standards**

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

224. Prison management can separate a prisoner from other prisoners for several reasons by law. This is known as 'directed segregation.'⁶¹ At the time of our inspection, 12 prisoners were subject to directed segregation orders. Of these, eight were segregated for their own protection,⁶² two for the safety and good order of the prison,⁶³ one because of concerns about the safety of another person⁶⁴ and one for medical oversight.⁶⁵
225. Prisoners on directed segregation may be housed in the prison's Separation and Reintegration Unit (SRU) located at one end of House Block One.⁶⁶ Alternatively, these prisoners may also be managed in their respective House Blocks. All prisoners on directed segregation should have a management plan that outlines what they need to do to return to the general prison population.
226. At the time of our inspection, of those on directed segregation:
- » eight prisoners were held in the SRU
 - » two were held in House Block Two
 - » two were held in House Block Three.
227. Our review of prisoner management plans showed most but not all plans were specific to the individual's identified areas of concern. This appears to be an improvement compared

⁶¹ Note, the initial direction expires after 14 days unless the Senior Advisor to the Regional Commissioner directs that it continues. This situation is reviewed monthly, and if continued after 3 months is directed and monitored by a Visiting Justice. (POM, M.07.04.01 Segregation Direction Spans.

⁶² Section 59(1) of the Corrections Act.

⁶³ Section 58 (1)a of the Corrections Act.

⁶⁴ Section 58 (1)b of the Corrections Act.

⁶⁵ Section 60(1)b of the Corrections Act.

⁶⁶ This unit has 12 cells, including two dry cells. Dry cells have no running water, toilet or privacy screens and are designed for use when a prisoner is suspected of concealing unauthorised items. We note that the number of prisoners on directed segregation orders has reduced significantly since earlier in the year. There were 27 prisoners on directed segregation on 31 January 2021 and 18 on 28 February 2021.

with the findings of our 2017 inspection.⁶⁷ In our current inspection we were pleased to see that the management plan for a prisoner who did not speak English had been translated for him in writing. This prisoner had remained in his House Block so staff could continue to encourage his trust of them and other prisoners.

228. We noted staff working in the House Blocks appeared proactive in supporting segregated prisoners, discussing how best to work with these prisoners, among other key priorities, at their daily operations meeting.
229. Staff also attend weekly Multi-Disciplinary Team (MDT) meetings to discuss prisoners who require more intensive monitoring, including those on segregation directions. At the MDT meeting we observed, several members of staff and the prisoners were present. Staff included the Deputy Director Residential (chair), the Supervisor of the SRU, Case Managers, Psychologists, Intel, the Unit Supervisor and a Prison Monitor.
230. Staff attending the MDT reviewed prisoners' management, placement and treatment, based on their individual risks and needs. Prisoners are invited to attend their relevant part of these meetings, particularly if they are coming up for release or moving to another unit. Prisoners appeared comfortable at the meetings and seemed prepared to represent themselves well.
231. Between January and April 2021, 89 MDT meetings were held to discuss prisoners on directed segregation. Summaries of meeting minutes provided to Inspectors show the rationale for placing a prisoner on directed segregation, the actions taken and the outcome. However, we could not assess who attended these meetings from the documentation provided and therefore who contributed to the planning and care for the prisoner. Our review of IOMS showed that three prisoners discussed at the MDT we observed had been moved out of the SRU: two were in House Blocks and one had moved to the Residences.
232. During our inspection we became concerned about the length of time some prisoners had spent on directed segregation. For example, our review of prisoner records found that one prisoner had been managed on directed segregation for more than 300 days. Another prisoner had spent 28 days on directed segregation. In both these cases, it appeared that prisoners were moved between different directed segregation orders when their previous period of segregation was nearing an end. We learned that new segregation orders did not always include the details of previous orders which meant the length of time a prisoner spent on segregation was not immediately evident.
233. We were concerned to learn that prisoners in the SRU spent only one hour out of their cells a day, which was taken in the yard. In this hour, prisoners were expected to exercise in the fresh air and use the kiosk provided in the unit.⁶⁸
234. Further, prisoners in the SRU had little interaction with other people, aside from telephone calls they could make to family or whānau from their cells. Unit staff told us it was difficult to find time to engage with SRU prisoners meaningfully because they were busy unlocking and moving prisoners to the yard throughout the day. Our review of the unit diary also showed visits by the Duty Manager were not occurring every day.

⁶⁷ We note in 2019, the Ombudsman recommended that the Prison Director should ensure robust systems are in place to record, review and monitor all directed segregation paperwork. Further, that there be greater transparency and consistency around the management of prisoners subject to restricted regimes and that the reasons for restricted regimes are addressed.

⁶⁸ We note that staff had provided prisoners with information on suggested physical exercise they could do in their cells and prisoners could access Brain Bites, an education booklet which included activities such as crossword puzzles and guidance on how to sketch.

235. We observed notices at the entrance of the SRU prohibiting entry without permission from the Deputy Director Residential or the Duty Operations Manager. This applied to the Residential Manager of House Block One (who is in charge of the SRU), case managers, contracted maintenance staff and any other people with business in the unit or with prisoners. Some staff told us this rule caused delays at times when the authorising managers were not available to give permission, resulting in subsequent delays to contact with prisoners.
236. SRU staff told us they felt that more could be provided for prisoners in the unit, either more interpersonal interaction or a different type of intervention, such as having activity officers visiting regularly to support prisoners to exercise.

Cell confinement

237. If a prisoner is charged with an offence against discipline and the charge is proved, a hearing adjudicator may impose one or more penalties which include forfeiture or postponement of privileges for up to 28 days, forfeiture of earnings of up to seven days or confinement in a cell for up to seven days.⁶⁹
238. Staff informed us that penalties of cell confinement were served in prisoner's cells. We were not aware of any prisoners serving a penalty of cell confinement at the time of our inspection.

Findings

Finding 66. The prison has processes in place to ensure segregation directions and reviews occur with proper authority. Most management plans for prisoners on directed segregation were tailored to individual needs and were up to date.

Finding 67. Some prisoners were placed on directed segregation for long periods of time.

Finding 68. Prisoners on directed segregation had few opportunities to interact with other people.

Use of Force

Inspection Standards

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

239. Use of force may be initiated in response to an incident in prison. Section 83 of the Corrections Act states that physical force can only be used in prescribed circumstances and if reasonably necessary.

⁶⁹ Corrections Regulation 2005, Regulation 158.

240. In the first three months of this year, ASCF recorded 24 instances of use of force. Records show that pepper spray was drawn but not used on six occasions.
241. Force was most frequently used in House Blocks Two and Three (seven incidents each) and House Block One (four incidents). There were two incidents in the SRU.
242. As at 31 March 2021, 85% of custodial staff were certified in the use of pepper spray and control and restraint methods.
243. At the time of our inspection, the Use of Force Register and documentation relating to use of force incidents was not up to date for 24 incidents. In 2019, the Ombudsman also found problems with use of force paperwork.
244. We spoke with the staff member who had recently taken on responsibility for the administration of the site's Use of Force Register. He told us he was in the process of collating supporting information to allow all incidents of use of force to be signed off.⁷⁰ However, this was challenging because the five reviewers of use of force incidents on site were busy with other duties.
245. Prisoners we spoke with had limited experience of use of force. However, a few prisoners thought that use of force was used selectively, with gang members less likely to experience use of force.

Finding

Finding 69. The use of force register was not up to date at the time of our inspection.

⁷⁰ Several sources of information are collated for use of force documentation. These may include, among other items, incident reports from all staff involved, CCTV and onboard camera footage, misconduct paperwork, and use of force debrief reports.

Purposeful activity

Exercise

Inspection Standards

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

246. Every prisoner (other than prisoners engaged in outdoor work) is entitled to a minimum of least one hour of physical exercise every day. This exercise may be taken in the open air if the weather permits.⁷¹ Time out of cell for other activities should be in addition to any hour allocated for exercise.
247. ASCF has one main sports hall with an indoor basketball court, a separate weights room, a nearby sports field and a separate artificial turf. All exercise areas were in good condition. Exercise equipment in the weights room was generally well maintained with a variety of items available to prisoners.
248. House Blocks One and Three each had a dedicated room that held exercise equipment (such as stationary bicycles) and there was further equipment available in the exercise yards. In House Block Two, prisoners had access to exercise equipment in the yards, but there was no separate room available for workouts. Basketball hoops and volleyball nets as well as dip bars and pull up bars were available in variable quantities in the exercise yards we visited.
249. The Residences had their own small gym which contained a mix of exercise and weightlifting equipment. This gym was open during the Residences unlock hours about seven and a half hours a day⁷²
250. The prison had several exercise programmes that were scheduled to allow as many prisoners to attend as possible. Programmes included Kick for the Seagulls,⁷³ Young at Heart for prisoners aged 55 and over, Positive Steps for people at risk of diabetes, Bootcamp for high security prisoners under 25, yoga, and Fitness Champs for prisoners training to be fitness instructors.
251. Prisoner access to the exercise facilities and programmes varied. All prisoners could book exercise facilities through CMS.
- » Mainstream prisoners could access the main sports hall, the weights room and the sports field and almost all the programmes on offer.
 - » Prisoners on voluntary segregation in House Block One could access the artificial turf three times a week and the sports hall one day a week. These prisoners could also access

⁷¹ Section 69 of the Corrections Act sets out minimum entitlements for prisoners, with exercise defined further in Section 70.

⁷² Some prisoners in the Residences spent more time out of their cells because of the jobs they had in the prison.

⁷³ Kick for the Seagulls is a Level 2 Foundation course developed by the Sir Graham Lowe Foundation. The programme uses sporting language to teach prisoners reading, writing and maths.

basketball training provided by the coach of the New Zealand Breakers and the Kick for the Seagulls programme.

- » Prisoners on voluntary segregation in House Block Two could only access the artificial turf three times a week.
252. We note the prison had recently constructed a fence around the artificial turf so voluntary segregated prisoners could exercise without being overlooked by other prisoners. This is a good initiative. We observed staff bringing out equipment for prisoners to use, such as sandbags and balls, and instructors facilitating activities with prisoners.
253. When the sports field was not in use for programmes, mainstream prisoners from the House Blocks and Residences were able to access it on a roster basis. Segregated prisoners were excluded from the roster.
254. As noted above, prisoners in the SRU had one hour out of their cell a day. This was taken in one of the two yards attached to their unit. The yard was small and had a pull up bar. In this hour prisoners also had to access the kiosk in the unit, which meant time for exercise could be limited.
255. At the time of our visit, only three of the five gym instructor positions were filled. Some prisoners said access to programmes, the cardio rooms and the sports facilities were sometimes limited by the unavailability of staff.
256. Apart from exercise, the House Blocks and Residences generally provided other activities to occupy prisoners. Most prisoners had access to books, playing cards or other board games in their wings. The Residences also had table tennis equipment available.

Findings

Finding 70. The prison generally offered a good range of exercise opportunities and equipment to prisoners.

Finding 71. Prisoners on voluntary segregation received less access to exercise opportunities and facilities. The prison had recently fenced the artificial turf area to increase privacy and access to prisoners on voluntary segregation.

Finding 72. Prisoners in the SRU received the minimum entitlement of one hour for exercise a day. However, this time could be restricted if prisoners wanted to access the kiosk in the unit.

Communication and relationships with family and whānau

Inspection Standards

- Prisoners are encouraged and receive practical help to maintain contact with family/whānau members.
- Prisoners have regular access to telephones and other communications, subject to a risk assessment.
- Staff support prisoners to maintain close relationships with stable family or whānau.
- Prisoners can promptly inform their family or whānau or designated contact person about their imprisonment, transfers, illness or injury.
- Prison staff notify prisoners of the serious illness or death of a family/whānau member or significant other, and a risk/wellbeing assessment is subsequently conducted.

257. Prisoners we spoke with were happy with their ability to speak with their families via telephone from their cells. In-cell telephones are not available in any other New Zealand prison. We observed that telephones in the wings were fitted with privacy hoods, which is good practice for telephones in prison common areas.
258. Some prisoners told us they found making telephone calls expensive.⁷⁴ Inspectors in House Block One were pleased to see staff facilitating calls for prisoners in special circumstances who could not make them for reasons of hardship.
259. We asked a selection of prisoners about their access to AVL facilities to communicate with their families and whānau. They appeared to be unaware of this option and we found no records of AVL facilities being used for this purpose. We noted the prison's induction booklet states AVL is available for contacting whānau. The prison has a Hōkai Rangi action point to improve the promotion of AVL to prisoners for whānau visits.
260. We found a foreign national prisoner accommodated in the SRU was able to make fortnightly video calls to his family overseas.

Findings

Finding 73. Prisoners had good access to their family and whānau via telephone. However, some prisoners found the cost of telephone calls expensive.

Finding 74. Prisoners we spoke with had no awareness or access to AVL calls with family and whānau. The prison has a Hōkai Rangi action to improve this.

⁷⁴ The *ASCF Information Handbook: Welcome to Kohuora* says the cost of making call is \$1 for up to 15 minutes for a local call, 30 cents per minute for a national call, 40 cents for mobiles and \$1 per minute for international calls. Calls are free for approved 0800 numbers such as to the Office of the Inspectorate, the Office of the Ombudsman and other agencies, legal aid and counselling services. Telephone calls at Corrections prisons (apart from Auckland Prison) are 5c cheaper for each call type.

Visits

Inspection Standards

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

261. Prisoners use the CMS system to book a visit in time slots allocated to their wings or Residences. Prisoners usually have one visit per week. Visiting is conducted daily from Wednesday to Sunday, with two sessions in the morning and two in the afternoon. Individual visits are 45 minutes long.
262. Some prisoners, particularly those with family and whānau who travelled some distance to see them, said this time was too short. Other prisoners felt that visit rules were too strict. For example, the prison's Whānau Handbook advises that prisoners have to stay in their allocated seats throughout the visit. This prevented them from playing with their children. On one occasion, we observed a prisoner being allowed to play with his child in the children's play area with staff supervision.
263. In the Visits Centre there is a space for family visits called the Family Centre. There are five private meeting rooms for whānau hui and an open space with chairs and tables. The Family Centre appeared to have adequate seating available for visiting whānau. Drinking water was available as well as toilets with baby changing facilities.⁷⁵ The Family Centre includes a children's play area, which was inviting and equipped with books, soft blocks and tables and chairs. At the time of our inspection, we found the Family Centre clean, relaxed and welcoming. Visitors we spoke with said staff treated them with respect and dignity. They were positive about the Family Centre, especially the play area for children.
264. ASCF also offers Pātaka Kai, an 'Open Street Pantry' placed outside the Visitors' Centre where people can help themselves to food, produce or clothing donated by visitors to the site. A local bakery delivers fresh bread to the stall and bread is also supplied by the prison's bakery.

⁷⁵ We observed that the baby changing room in the visitors' reception area was full of equipment and therefore not usable.

265. Prospective visitors must apply and be approved in advance to visit a prison.⁷⁶ At the time of our inspection, visitor approvals were taking up to ten business days. We noted some privacy concerns with the way visitors' personal information was being managed.
266. We were pleased to learn that when prisoners are transferred to ASCF, their visitors do not have to begin the visitor application process again. If visitors have already been approved at another prison, they can visit the prisoner at ASCF. This means prisoners typically do not experience delays in receiving visits after they transfer to ASCF.
267. Over half the prisoners we spoke with received visits from family and whānau. Some prisoners said their families lived far away and it was too expensive for whānau to visit, while others chose not to receive visits because they did not want their families to see them in prison.
268. Managing visits is challenging for ASCF as the prison accommodates a high number of prisoners subject to Child Protection Policy (CPP) orders. At the time of our inspection, more than 250 prisoners were subject to CPP orders. In many prisons, separate visiting times are available for visits to prisoners subject to CPP orders.
269. During our observation of a visit, we noted that four prisoners subject to the provisions of the CPP were present in the same room as child visitors. A review of visits documentation between 10-15 April indicate that prisoners who had CPP or Child Sex Offences alerts had been present when children were visiting other prisoners. This occurred in ten of the 16 visit sessions over that period.
270. When we raised concerns about this issue, we were informed that the Security Manager is undertaking a risk assessment for the Prison Director about CPP prisoners receiving visits at the same time children are visiting. He told us mitigation strategies and effective options will be produced for decision making.

Findings

- Finding 75. Prisoners have access to regular visits with their family and whānau.
- Finding 76. Visiting areas were appropriately equipped and suitable for families and children to visit.
- Finding 77. Visitors' personal information was not well managed from a privacy perspective.
- Finding 78. Prisoners subject to the Child Protection Policy provisions were in the Visits Centre at the same time as child visitors.

Library

Inspection Standards

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

⁷⁶ Corrections Regulation 2005, 99 sets out who may approve personal visitors to the prison.

271. The prison has a well-stocked library, staffed by one full time librarian who is assisted by prisoners from the Residences who work at the library. The library is open Monday to Friday from 8:00 am to 4.00pm.
272. Prisoners can order reading material from the library via CMS or use manual request forms. In the six months to 31 January 2021, 4,166 reading items were issued. While there is no formal schedule for prisoners to visit the library, prisoner library assistants regularly deliver library materials to the House Blocks and Residences. Library assistants also process CMS requests, shelve books, process donations, complete filing and print Sudoku and carry out other activity requests. Prisoners also assist staff by laminating certificates and binding educational resources.
273. We observed that books and other reading materials are available in many languages including Chinese, Korean, Russian, Hindi, Italian, Persian, Tongan, Samoan, Māori, Japanese, Tokelau and Cook Island Māori. The prison receives books from a range of sources including community libraries, Auckland University, prisoner and staff donations, community organisations, and through ASCF procurement.
274. The librarian also regularly runs special activities for prisoners. The librarian supports three reading groups, one-to-one literacy support and one-to-one English for Speakers of Other Languages (ESOL) sessions. She supervises prisoners who visit the library and is supported by one custodial staff member who also monitors activities taking place in the three classrooms upstairs from the library.
275. The librarian told us that her other duties impact the library service. She oversees the Howard League volunteering programme. This involves vetting and processing volunteers, scheduling and overseeing the volunteer sessions with prisoners, following up on prisoners' progress and making sure all activities are logged in the relevant systems. Library duties such as planning, managing book stocks and updating the library catalogue can be affected as a result.
276. Most prisoners we spoke with had used the library services and were happy with them.

Finding

Finding 79. Prisoners have good access to reading materials (including a selection of books in other languages) and other learning opportunities that take place in the prison library.

Religious or spiritual support

Inspection Standards

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

277. On Sunday during our inspection, we observed prisoners attending several different religious and spiritual support services in their House Blocks.⁷⁷ We observed Pasifika prisoners were able to wear their own Pasifika shirts to church services and trans prisoners could wear dresses.
278. Muslim prisoners told us they were able to observe Ramadan. However, some said staff did not release them from their cells early enough to attend their weekly scheduled prayer meetings with the visiting Imam. When we raised this with the relevant House Block Supervisor, they reminded their staff to complete unlocks promptly to enable prisoners to have time with the Imam.
279. Most prisoners we spoke with were pleased with their access to religious and spiritual support.

Finding

Finding 80. Prisoners receive good access to chaplains and other faith-based support.

Supporting prisoner wellbeing

Inspection Standards

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

280. Prisoners have opportunities to take part in activities in their House Blocks and Residences. These include access to board games, puzzles and paper-based activities such as Sudoku, as well as exercise activities in the yards.
281. Prisoners are also supported by volunteers. The prison does not have a volunteer coordinator.⁷⁸ Rather, specific volunteers are organised by different prison teams, for example, education tutors or prison industry staff.
282. From January to April 2021, 65 volunteers visited the prison offering literacy and numeracy support, community support, religious support and cultural support.
283. Cultural support was offered by a range of groups including the Pasifika Education Centre, Te Whare Wānanga o Awanuiārangi, Te Whakaora Tangata, Pūwhakamua, and Ngāti Whātua Ōrākei. Community support targeted prisoners who were coming up to their release dates. As noted in the library section, the Howard League offered literacy and numeracy support. The largest number of volunteers offered faith-based services, organised by the prison Chaplains.

Finding

Finding 81. Volunteers provide prisoners with support and constructive activities.

⁷⁷ The prison does not have a chapel.

⁷⁸ A volunteer coordinator is a role which identifies prisoners' interests, recruits volunteers and organises and supervises prisoner activities.

Offender Plans

Inspection Standards

- All prisoners have an offender plan.
- All prisoners receive support to achieve the targets in their offender plans and progress through their sentence.

284. Case managers motivate and work with prisoners to develop an offender plan (including a release plan), which identifies any immediate needs and rehabilitation and reintegration needs.
285. When prisoners arrive at ASCF, a case manager meets with them and completes an initial assessment within 15 days. The subsequent offender plan is shared with the prisoner within 60 days. If prisoners have an existing offender plan from another prison, the plan is reviewed to establish whether it is up to date and responds to the prisoner's needs. We were informed that case managers at ASCF review plans every six months for high risk prisoners and every 12 months for low risk prisoners.
286. Most of the prisoners we spoke with said that they seldom saw their case managers. For those coming up to parole hearings, lack of time with case managers, or little time to review what was written about them in reports to the Parole Board, created stress. Few prisoners we spoke with knew who their Nominated Individual Officer was.⁷⁹ In 2019, the Ombudsman recommended a review of the Case Management System to ensure prisoners receive appropriate and timely supervision.
287. Staff told us they struggled to meet their objectives because of staff attrition and because of the high number of prisoners attending the Parole Board. Another barrier was finding space to meet with prisoners at the House Blocks. This has been resolved by using rooms at the Visits Centre.
288. At the time of our inspection, the case management team had 20 staff (18 case managers and two team leaders) or just over two case managers for every 100 prisoners.⁸⁰ Team leaders worked with half the number of prisoners as each case manager. Five case managers were in training and therefore not assigned full caseloads. ASCF is planning a restructure of the case management team, in part due to reporting requirements from the Parole Board. The restructure proposed to employ five people specifically focused on writing Parole Board reports. Thirteen case managers were to be based at the House Blocks and Residences. The intent of this move is for prisoners to have improved access to their case managers.
289. Case management staff we spoke with advised that the site did not offer the rehabilitation programmes that were frequently required by the prison's existing population. For example, the high proportion of prisoners (about one third) who were serving sentences for sex offences typically needed to be transferred to another prison to access the required treatment programmes. Because of this, it was difficult to support prisoners to achieve the goals in their offender plans.

⁷⁹ A Nominated Individual Officer is a custodial officer who is assigned to a prisoner to support their rehabilitation and act as a conduit between the case manager and the prisoner.

⁸⁰ By comparison, Arohata Prison and Auckland Region Women's Corrections Facility have a ratio of almost six case managers for every 100 prisoners.

Findings

Finding 82. Prisoners we spoke with said they did not have good access to case managers.

Finding 83. Case managers were struggling to meet their performance objectives, due in part to the high number of prisoners appearing before the Parole Board and staff attrition.

Education

Inspection Standards

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

290. Soon after prisoners arrive on site, education staff assess their education and training needs and develop an education plan.
291. Prisoners take part in a wide range of education programmes to cater for different learning needs. However, the Education Manager told us the Covid-19 pandemic had negatively impacted the ASCF education plan because lockdowns meant external facilitators could not enter the prison.
292. At the time of our inspection, 224 (26%) of prisoners were participating in education and training courses.
293. Prisoners assessed as having low literacy and numeracy received support from the Howard League, as well as programmes that develop literacy and numeracy through activities such as sports, trades and industries.
294. Prisoners were engaged in self-directed learning to earn NCEA credits through Te Kura Correspondence School. Subjects for self-directed learning included maths, English, business studies, science, art, legal studies and physical education.
295. Prisoners were also participating in New Zealand Certificate Foundation Skills courses in Applied Sport and Exercise, Trade Start, Business and Leadership, and Personal Financial Capability. These courses are run in conjunction with education providers, such as UCoL,⁸¹ and the Manukau Institute of Technology.
296. In addition, ASCF has developed its own education programmes. The 12 week Employability Passport prepares prisoners to enter the labour force. This includes a Level 3 Occupational Health and Safety qualification. Prisoners can also take part in the ASCF art programme, which has produced commissioned works for the Southern Motorway and Corrections' National Office.
297. Prisoners we spoke with who were on voluntary segregation said they could not access all of the education programmes available on site, unless they agreed to return to the mainstream prison population. The Education Manager said prisoners on voluntary segregation could

⁸¹ Universal College of Learning. An institute of technology and polytechnic.

access the Train the Trainer Programme, Te Reo Māori, yoga and Fitness Champions.⁸² They could also learn barbering skills.

298. The Education Manager said her team needed more classrooms on site, and the expectation that her staff would have custodial support nearby was inconsistent. Education staff are supposed to be supported by three custodial staff. However, we were informed that for most days only two staff members are available who were expected to monitor prisoners in eight programme rooms. The programme rooms are located across two levels and above the library.

Findings

- Finding 84. The prison offered some access to educational and vocational programmes, including literacy and numeracy support.
- Finding 85. Prisoners on voluntary segregation could access a limited range of learning opportunities compared to mainstream prisoners.
- Finding 86. Education programme rooms received minimum support from Reintegration Officers.

Rehabilitation

Inspection Standards

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

299. Rehabilitation programmes help prisoners address the attitudes and behaviour that led to their offending and enable prisoners develop necessary skills to avoid future offending. The prison offers programmes developed by Serco and is authorised to offer some Corrections' programmes (including the Short Rehabilitation Programme [SRP] and the Medium Intensity Rehabilitation Programme [MIRP]).
300. At the time of our inspection, ASCF was running the Corrections' SRP and a number of individual treatment and intervention programmes for prisoners.⁸³ Individual treatment and

⁸² Train the Trainer teaches prisoners to support others with literacy and numeracy challenges. Fitness Champions are prisoners learning to be gym instructors. They work alongside ASCF staff twice a day. In self-directed learning, prisoners can enrol in certificate, diploma or degree level courses that are completed via distance learning.

⁸³ ASCF did not run the MIRP programme between October 2020 and March 2021. However, it began MIRP again in April 2021. Individual treatments for higher risk prisoners are facilitated by psychologists. Individual interventions for lower risk prisoners are run by programme facilitators.

intervention programmes address violence and sexual offending with variations for prisoners with different ethnic backgrounds and different levels of risk.

301. Rehabilitation programmes are delivered by the prison's Psychological Services and Interventions team, which works alongside the Children and Whānau team.⁸⁴ Collectively, this team comprises nine psychologists (including three interns), 7.2 FTE programme facilitators and two children and whānau liaison staff.
302. Whānau orientated interventions encourage prisoners to build healthy relationships with their children and whānau. The programme 'Building Awesome Matua' develops parenting skills for parents of children aged between four and 12 years. 'Whānau Awhi' is a group programme focused on maintaining and strengthening relationships with whānau.
303. In the six months to March 2021, 73 prisoners completed rehabilitation programmes, 28 prisoners completed the whānau oriented interventions and two prisoners completed a motivational programme.
304. Some prisoners we spoke with told us they would not have completed programmes in time for their Parole Boards hearings. They were aware of the waiting lists for programmes. As noted elsewhere, timely access to rehabilitation programmes has been a theme of previous inspection reports, including the Inspectorate's first inspection in 2017 and the Ombudsman's report of 2019.
305. Psychologists we spoke with said that managing the waiting lists for rehabilitation programmes is a significant challenge. Their expectation was that prisoners would arrive at ASCF after completing their substantive rehabilitation programme(s) elsewhere. However, this was often not the case, so psychologists often needed to work with these men on an individual basis, sometimes for long periods. Data on rehabilitation programme waiting lists was not available at the time of our inspection.
306. Like those we engaged in the case management team, the psychologists also said they were experiencing increased demand for Parole Board reports or assessments. In addition, the Parole Board wanted prisoners to have prompt access to individual treatment with psychologists. However, limited capacity often made this difficult. We understand Corrections is continuing to work closely with the Parole Board so it is informed of psychologist capacity and rehabilitation programme waiting lists.
307. Programme delivery staff told us they sometimes found it difficult to access suitable programme rooms. They said staff attrition was also a significant problem with a number of staff leaving because of Covid-19 for various reasons.⁸⁵ When new staff joined the team they could not immediately meet demand because they needed to be trained to run programmes. Psychologists said the number of staff available to deliver rehabilitation programmes was insufficient to meet demand.

⁸⁴ The Children and Whānau team helps prisoners with family court processes, restorative justice and maintaining links with their family and whānau.

⁸⁵ The ASCF Monthly Contract Report for February 2021 shows a peak in staff turnover of 6% at March 2020 which coincides with the first Covid-19 lockdown. The peak staff turnover rates compares with 1.1% turnover in January 2021.

Findings

Finding 87. The prison offers some motivational and rehabilitation group programmes, as well as psychological treatment and interventions for individual prisoners, but demand outweighs capacity.

Finding 88. The prison offers parenting and whānau focussed interventions.

Work

Inspection Standards

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

308. The prison has a good range of work and industry training opportunities spanning hospitality, horticulture, carving, fitness, waste recycling, construction and other trades training. We found the site proactively seeks out partnerships with businesses, training providers and local iwi to provide opportunities for prisoners.
309. Table 1 shows the capacity for work and industry training across the site and the number of prisoners working in each area at the time of our inspection (approximately 213 prisoners). Staff we spoke with said their goal was to have every industry area operating at full capacity at all times.

Table 1. ASCF work and training opportunities

Area	Full Capacity	Numbers Employed - April 2021
Industry A – Framing for Akarana	26	20
Industry B - Cabins	20	11
Industry C – Welding/Metal Fabrication	36	22
Industry D – MIT/Carving	47	47
Bistro	10-12	8
Central laundry	15	15
Recycling plant	22	9
Kitchen	50-55	50-55

Canteen/distribution	20	20
Horticulture	6	6

310. Employed prisoners appreciated the opportunity to learn, to work and to earn. Some prisoners in voluntary segregation told us there were not enough work opportunities for them outside the House Blocks. Within House Block One, prisoners worked as mess men (delivering meals) and wing cleaners, with one prisoner working as a barber. Those who had gained jobs in the kitchen, canteen or recycling outside of the House Blocks enjoyed the opportunity.
311. The prison's approach to training prisoners in the construction industry was well organised. Staff had established a building pathway, closely supported by local private sector companies and educational institutions, with prisoners gaining NCEA qualifications at each step. Prisoners start on the pathway by developing carving skills. Then they progressed into the construction of timber framing for a local building supplier. From there they moved into assembling of prefabricated cabins.
312. The prison also offers the opportunity to learn welding and metal fabrication skills, with prisoners building skip bins and restoring cars. Staff told us they were currently working towards introducing a welding qualification.
313. Mainstream prisoners work in the kitchen in two shifts, allowing for the separation of men with different security classifications. Prisoners working in the kitchen produce all the meals for the prison, including bakery items. The kitchen was large, clean and well equipped. Prisoners could gain baking qualifications. Prisoners on voluntary segregation cleaned the kitchen after the meal preparation was completed and mainstream prisoners had returned to their wings.
314. The prison has an onsite café inside the wire where staff and prison visitors can buy a range of lunch options. This service provides cooking and hospitality opportunities for the eight prisoners who worked there.⁸⁶
315. Staff reported that the prison has reduced the volume of waste from the site by 50% in the last two years due to its waste recycling programmes. Recycling involves two shifts of prisoners on voluntary segregation (nine prisoners employed at the time of our inspection). Prisoners sort the recyclables, with all green waste directed to the 120 worm farms at the prison to make compost.
316. Compost supports horticulture at ASCF. Six prisoners work in horticulture and the site sends 800-1000 plants per week to Te Whangai Trust. There are plans to expand horticulture beyond the wire which could in time provide a staged approach to release for prisoners with an interest in horticulture.
317. ASCF has a large central laundry to service the House Blocks. We were informed that the fifteen prisoners who work in the laundry do not currently have access to a qualification pathway.

⁸⁶ Two prisoners were also working in the Link Centre, a café and roasting shop located in the carpark outside of the secure perimeter.

318. Twenty prisoners working in two shifts manage the distribution of items ordered by prisoners through the canteen. Shifts are split between mainstream and voluntary segregated prisoners.

Finding

Finding 89. ASCF offers a good range of work and industry training opportunities for prisoners, including those on voluntary segregation.

Reintegration

Inspection Standards

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

319. Reintegration activities are a critical part of a prisoner's journey. Prisons are expected to provide prisoners with appropriate support to identify and overcome any barriers to successfully transition back into the community.
320. The prison's Community Reintegration team assists prisoners to access resources and support from the community. This team builds relationships with external providers such as marae, churches, and community health and wellbeing providers who can support prisoners when they are released. The team also helps prisoners obtain a birth certificate and/or a driver's licence so they have identification documents needed to apply for jobs, benefits and accommodation in the community.
321. As mentioned earlier, prisoners are also supported by the Children and Whānau team which helps prisoners develop and maintain connections with their family and whānau.
322. For many prisoners, the journey out of prison involves appearing before the Parole Board, which decides whether a prisoner is ready for release and can impose release conditions.⁸⁷
323. As noted above, prisoners at ASCF face long waiting lists for some rehabilitative programmes, or need to move to another prison to access programmes such as Drug Treatment Units or programmes for high risk sex offenders. Some prisoners we spoke with were pessimistic about their chances of being released on parole because they would not have the opportunity to complete the programmes on their offender plans. Others said they were not happy with the amount of contact they had with case managers to plan for Parole Board hearings or their release.

⁸⁷ Among other things, prisoners need to demonstrate to the Parole Board their understanding of their offending and how they will avoid offending in the future, have completed their programmes and have somewhere to live when they leave the prison. The Parole Board can require prisoners to participate in further rehabilitative or reintegrative activities before they are released.

324. The prison offers three opportunities that are intended to support and help move prisoners towards their release. These are placement in the Residences (Self Care units), Release to Work and Guided Release.
325. As previously mentioned, at the time of our inspection the Residences were only half full. We understand ASCF did not have enough prisoners suited to the Self Care environment at the time.
326. Release to Work (RTW) allows prisoners to leave the prison to participate in paid employment in the community. Prisoners must apply to a panel to access RTW opportunities. At the time our inspection, three men were approved for RTW, while the prison had opportunities that remained unfilled.⁸⁸ We understand 150 prisoners were eligible for RTW, but very few prisoners were deemed suitable by the panel. Eligibility depends on security status and how close prisoners are to their parole or release date. Suitability is impacted by age, the skill required to complete the work, behaviour in prison or an outstanding need to complete other programmes. The Prison Director told us he had recently approached the Prison Director of Spring Hill Corrections Facility to offer RTW opportunities at ASCF to prisoners who might be willing to transfer.
327. Staff said they were trying to create stepping stones to RTW. For example, employing men in the Link Centre and internal secure grounds. The Link Centre is a café and coffee roasting shop outside the secure part of the prison by the visitor car park. Two prisoners were working in the Link Centre at the time of our inspection. Further, prisoners working on prison grounds could graduate from secure areas to less secure areas. As noted in the work section, the Horticulture Instructor planned to extend horticultural activities outside the wire. When this occurs, prisoners will have another stepping stone to RTW.
328. The Guided Release programme enables prisoners to gain temporary release from prison to prepare for their re-entry to the community. Guided Release may entail a visit to a bank to open a bank account, viewing accommodation or participating in a job interview. In March 2021, just prior to our inspection, four people had been recommended for Guided Release.
329. ASCF can refer prisoners to accommodation providers contracted by Corrections. Only one prisoner we spoke with said they were concerned about gaining access to accommodation in the community.
330. Some of the prisoners we spoke with were due for release in a year or less. While a couple were happy about their release planning, others were concerned about their lack of contact with their case manager, or their inability to complete programmes at the site before parole.
331. Concerns about reintegration planning have been a consistent feature of previous inspection reports, including our first report of ASCF in 2017 and the Ombudsman's report in 2019.

Findings

Finding 90. The prison offers a range of opportunities to assist prisoner reintegration. While motivated to access these activities, many prisoners were deemed unsuitable.

⁸⁸ For example, one company had six places for prisoners on RTW but no prisoners were approved for these vacancies.

Finding 91. Some prisoners were concerned they would be unable to complete their rehabilitation programmes and/or access their case manager before their Parole Board hearings.

Finding 92. The prison has many unfilled Release to Work opportunities. We acknowledge the prison's effort to access and fill these with eligible and suitable prisoners from nearby prisons.

Prison Staff

Inspection Standards

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

332. At the time of our inspection, ASCF had recently employed a new Prison Director. Some staff found this unsettling, which had led to some attrition. The Prison Director was driving a programme of change within the senior leadership team and was focussed on upskilling several new managers to effectively oversee the site's day to day operations. Staff representing the prison officers' union told us they observed a new willingness among the senior leadership team to work with the union.
333. Many staff spoke of work pressures due to staff turnover. Senior managers we spoke with acknowledged that at times the prison found it difficult to attract appropriately skilled staff. They said some of the difficulty was because they were competing with other prisons for staff.
334. Some staff and prisoners told us there were too few staff available across the prison to adequately meet the needs of prisoners. Prisoners we spoke with shared examples where requests were made several times because unit staff said they did not have time to help them during their shifts, and their requests were not shared with incoming staff. Throughout our inspection, many prisoners told us that staff unavailability impacted their time out of cells or their ability to access activities (such as the Prison Olympics).
335. We observed some custodial staff role modelling and communicating effectively and actively managing prisoners. These staff seemed to have established positive relationships with prisoners. For example, we accompanied prisoners and staff from House Block Three to the playing field. While there, staff and prisoners displayed a sense of mutual respect and engagement. Prisoners responded well when staff made requests of them including when it was time to return to the unit. Similarly, many prisoners spoke positively of their interactions with health staff.
336. Some prisoners, several who were accommodated in House Block Two, said they observed staff selectively ignoring poor prisoner behaviour, which they viewed as favouritism. We also

directly observed some poor prisoner behaviours that went unchallenged by unit staff. Similar concerns were noted by the Ombudsman in 2019.⁸⁹

337. We saw some senior managers and Prison Monitors offering visible leadership, regularly visiting the units and speaking with staff and prisoners. We also observed that a new Residential Manager for House Block Two was having a positive impact on staff culture.
338. Data provided by ASCF for the month of January 2021 showed a high proportion of staff were up to date with training in first aid (96%), fire safety (97%) and hostage and incident training (87%). Around three-quarters of staff were up to date with training in using pepper spray (75%) and control and restraint methods (76%). Training for these areas is typically scheduled monthly, with other training, such as health and safety, leadership and gang influence, scheduled periodically.

Findings

- Finding 93. Staff and prisoners told us there were insufficient numbers of staff to adequately respond to the needs of prisoners.
- Finding 94. Some staff were role modelling and communicating effectively with prisoners, resulting in mutual respect. However, some prisoners felt staff in some parts of the prison were selectively unresponsive to poor prisoner behaviour.
- Finding 95. The prison offered staff regular training opportunities.

⁸⁹ The Ombudsman noted some respectful relationships between prisoners and staff, but noted staff professionalism, cohesion and attention to prisoners needed improvement. He recommended enhancing relational security by further developing staff training in the area.

Appendix A – Images



Image 1. House Block 3, Wing 3



Image 2. Residences



Image 3. Receiving Office



Image 4. Starter pack



Image 5. House Block 1 yard



Image 6. Residence kitchen



Image 7. Central laundry



Image 8. Artificial turf



Image 9. Visits Centre



Image 10. Library



Image 11. Industries - Horticulture



Image 12. Barber

Appendix B – Serco response

Serco Business



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22 March 2022

Janis Adair
Chief Inspector
Office of the Inspectorate

Dear Chief Inspector,

Draft Report on an Announced Inspection of Kohuora Auckland South Corrections Facility

Thank-you for the opportunity to review the draft report and provide comments on the findings. Our managers and staff enjoyed assisting the inspection team both during the inspection and working with them on follow-up inquiries. Please pass on our appreciation for the professionalism of all involved.

We appreciate the value of an independent inspection not only to review the status of our operations since the last inspection, but also to identify new opportunities for continuous improvement. We noted actions from the informal de-brief / feedback session in April and we have made comment in our response where immediate improvements have been made. Most pleasing is the reduction in complaints and the increase in performance in complaint management, which is an example of collaboration in identifying and resolving issues. I would like to acknowledge the assistance of the Inspectorate with training and on-site support to address shortcomings in this important area of our service delivery.

We note the challenges in collating the observations and finding of many subject matter experts and bringing these together into a single document. Although we understand the inspection is not limited in scope or otherwise constrained by *Inspection Standards*, Kohuora managers would find it useful to understand whether the prison met each of the referenced standards or not.

The value of the report to Serco is to identify areas for improvement. Our practice is to develop a Continuous Improvement Plan (CIP) in relation to all investigations, reviews, and inspections. These are managed and tracked by our Performance Team. The Performance Manager would be keen to engage further with the author of the report to clarify the basis of some findings so that we may clearly identify and articulate CIP actions. While we have pushed ahead with improvements in our operations, there are still challenges to be addressed.

We look forward to working with your office to finalise the actions from this report and thank you for your contribution to ensure we maintain high standards in the management and care of prisoners in Kohuora.

Yours sincerely,

Gerry Smith
Deputy Director
Kohuora-ASCF

Gerry Smith
Acting Prison Director
Kohuora Auckland South Corrections Facility

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Reception and Induction

Although the transportation of prisoners is not undertaken by Serco, it is pleasing that our Receiving Office staff are recognised for treating prisoners with respect. There have been a number of changes in the operation of this space since our last inspection, including the implementation of an Induction video. Staff have been reminded to check that all prisoners understand the induction information. Prisoners are also issued an information handbook, that they can refer to at any time. The handbook and Kohuora policies and procedures (PPMS) are also available on CMS (prisoner intranet).

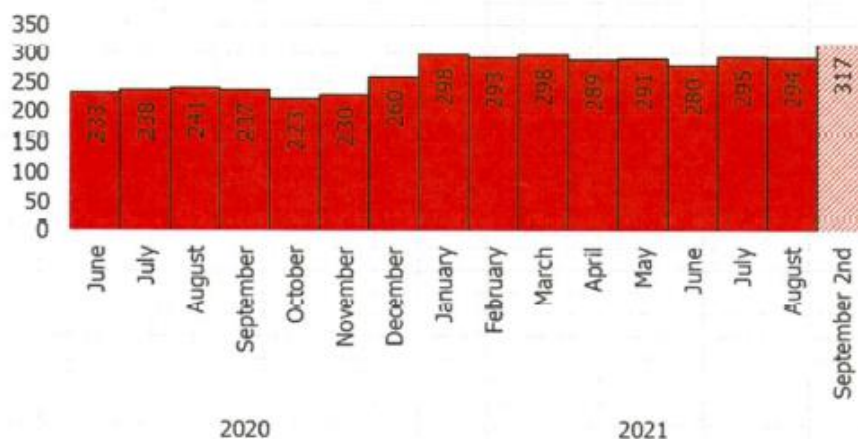
Duty of Care

Demand for AVL facilities continues to increase, particularly with the restrictions that Covid-19 has placed on the ability to visit prison 'in person'. At all times, we strive to ensure fair access to limited resources. The Courts and New Zealand Parole Board are prioritised above other requests for AVL access.

Additionally, there is a telephone in all cells and bedrooms in Kohuora (with the exception of at-risk and directed segregation cells). Calls to lawyers are free and staff encourage men to call them as required. On request, staff will arrange private legal calls for men who share a cell.

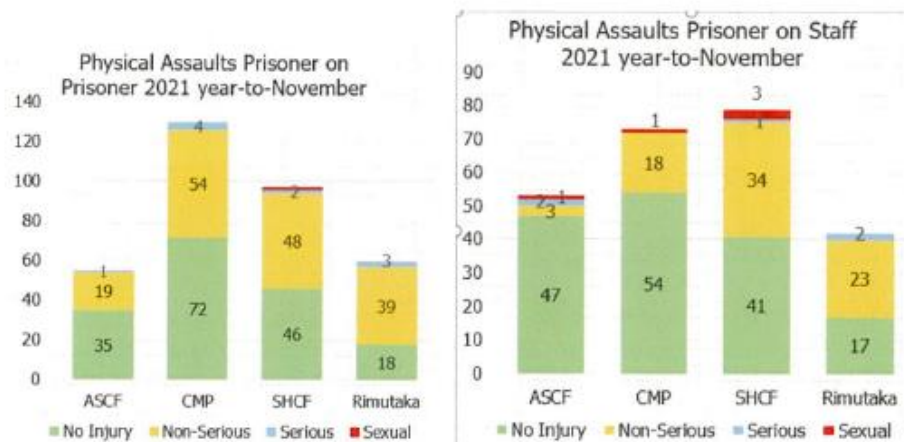
The number of voluntary segregated prisoners has increased across the prison estate. Correspondingly, the number of available voluntary segregated beds in Kohuora has increased from 120 in 2017 to 317 in 2021. Many of the voluntary segregated prisoners in Kohuora transferred from other prisons with this status.

Vol Seg Volumes at end-of-month



There are many reasons why prisoners choose voluntary segregation. While intimidation from mainstream prisoners may be one reason, others include: the nature of the voluntary segregated prisoner's offences; a desire to leave a gang; or a request to be removed from the influence of "gang recruiters". The number of violence incidents in Kohuora in 2021 were lower than in comparable prisons (refer figure below).

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We have focussed on improving our management of prisoner complaints, in particular to address and resolve these in a timely manner. As a result, the number of complaints received by prisoners have reduced by over 50% from 2020 to 2021. We continue to closely monitor these.



We acknowledge that prisoners have complained about their property. We continue to focus on this aspect of prisoner life to ensure prisoners receive transferred or new property sent in, in a timely manner.

Our relationship with the Tikanga Aroro Charitable Trust in the Central Region continues to strengthen, with four more cabins and two ablution blocks soon to be donated and delivered to the Pūwhakamua cultural programme facility in Rotorua. The Trust has continued to support prisoners under lockdown via phone calls, virtual interviews, cultural assessments, case conferences, te reo classes and support at parole hearings. The programme has also been acknowledged with a Global Pulse Award, Serco's highest staff recognition award.

Health

We are pleased that the Inspectorate has acknowledged our Health Team provides a good level of service. Serco is currently in discussions with the Department of Corrections regarding contractual upgrades in prisoner health management. This anticipated increase in

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funding will assist the health team further improve service delivery to prisoners and address treatment waiting times.

Environment

Serco operates the Responsible Prisoner Model in Kohuora. The men are responsible for keeping their cells clean and are given cell cleaning products on request for this. Staff are not tasked with carrying out cell cleanliness checks but will take action where hygiene standards have dropped to create an obvious risk to health and safety, and/or security.

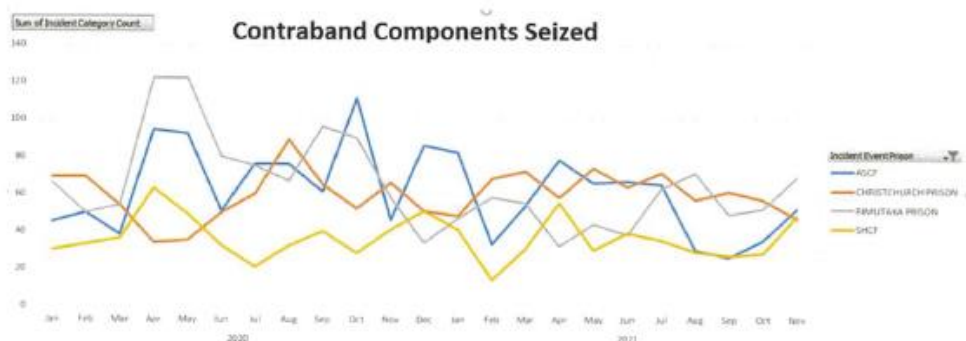
As noted in the previous Inspectorate report response, prisoners in some wings do not have unfettered access to toilets in communal areas. This is a security measure, to avoid fighting and/or serious assaults. Prisoners who need to use a toilet have access to this on request.

We acknowledge that the Inspectorate has raised this issue previously. The placement of bathroom facilities in cells was approved by the Department of Corrections in the design phase. Staff take care to respect prisoners' privacy when appropriate but may be required to confirm prisoner wellbeing by lifting the door flap.

Good Order

Allowing extended time out of cells is an approach that Kohuora staff have worked hard to maintain. There has been a commensurate reduction in the number of incidents of violence and prisoner complaints. This has led to a more harmonious environment in many wings.

Our contraband seizures indicate that searching continues to be an effective tool:



While incentives to encourage pro-social behaviour may not have been directly observed, they are a vital component of the prisoner management strategy and recognised as such by prisoners. Kohuora uses incentives to encourage pro-social behaviour in line with regulations and procedures. These include providing opportunities for employment and accommodation progression, which allow greater freedoms including access to exercise and longer unlock periods relative to other accommodation placements. Additionally, cultural wings allow cell doors to be open and opportunities are given for self-directed activities such as learning Te Reo, morning and evening karakia, and kapa haka practices.

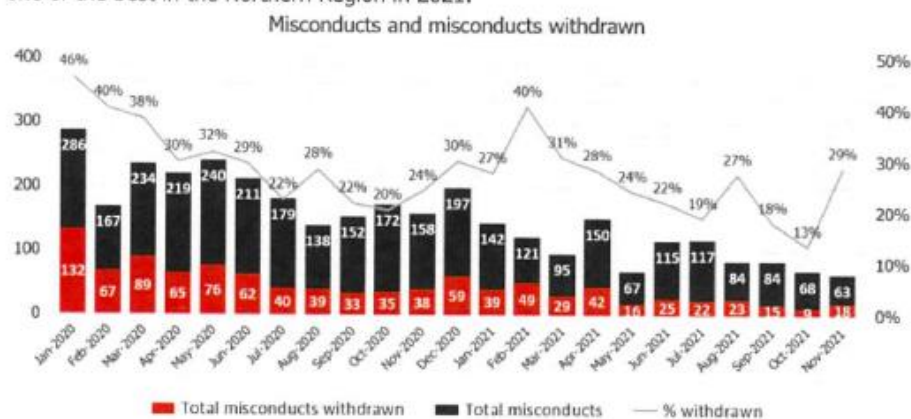
Prisoners on extended Directed Segregation continue to be a challenge in Kohuora, given the open-campus style of the site. Where there is a risk to or from an individual, it is the responsibility of staff and management to mitigate that risk. Staff work hard to change the attitudes and behaviours of prisoners placed on Directed Segregation, but the safety and

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wellbeing of everyone on site is the priority. When prisoners are unresponsive to all efforts to change their attitudes, a transfer to another prison may break the cycle of anti-social behaviour and return prisoners to mainstream accommodation. This option is considered in consultation with the Department of Corrections.

The Use of Force register for 2021 and 2022 is up to date, and all incidents are now reviewed and completed within a timely manner. It is acknowledged that the transition to an electronic Use of Force register at a time of increased violence and higher levels of staff attrition impeded our ability to embed this process with custodial staff. We are confident that this has been resolved.

The misconduct process has improved, with the number of withdrawn applications reduced and the overall number of misconducts acknowledged by the Department of Corrections as one of the best in the Northern Region in 2021.



Purposeful Activity

The open campus style configuration of Kohuora has hampered our ability to provide equal access to education and employment activities for both mainstream and voluntary segregation prisoners. We have increased voluntary segregation access to work opportunities within Industries workshops, provided recreational activities on the astro-turf with enclosed fencing, and established both a Maori Focus Wing and a Pasifika Focus Wing, where opportunities to learn, experience and develop cultural knowledge and practices are available.

The management of visitors' personal information has improved as a result of the Inspection feedback.

Case Management continues to be a challenge in Kohuora. It holds more Parole Board hearings than any other prison in New Zealand. In 2021, Case Managers produced 248 more reports than Rimutaka Prison, which produced the second highest number of Case Management reports.

Kohuora Psychological Services provide 50% of the total psychological assessment reports for the Northern Region, with over 250 assessment reports provided to the Parole Board each year. This places undue pressure on staff and adversely impacts attrition and the availability of Psychologists to treat the high number of eligible men. Discussions regarding

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contract amendments for both Case Management and Psychological Services continue with the Department of Corrections.

Reintegration

We are working to overcome challenges to ensuring prisoners are parole-ready, including prisoners who are transferred to Kohuora close to their parole date or prisoners who need to attend programmes addressing criminogenic behaviour which are not delivered in Kohuora and require transfer to another prison. Serco is planning to deliver a specialist Pasifika focused programme in a Pasifika focus wing later in 2022. This will meet the needs of Tāne who are waitlisted for the Saili Matagi programme elsewhere in the corrections estate.

Having been designed with reintegration in mind, the large Industries area is well utilised, and the work and training opportunities are maximised where possible. Unfortunately, the current cohort of prisoners at the site does not include 240 men appropriate for self-care placements and participation in associated activities such as Release to Work and Guided Release. Appropriate prisoner placement is a challenge for Corrections across New Zealand.

Kohuora's Guided Release programme received a significant revamp with the appointment of a new Team Leader in the Community Reintegration Team in 2021. Prior to August 2021, the number of Tāne on Guided Release had steadily increased. We anticipate additional opportunities for Tāne as the effects of COVID-19 in Auckland diminish.

Prison staff

Kohuora has been adversely impacted by the same recruitment challenges that the Department of Corrections has faced. Additionally, the arrival of Covid-19 within New Zealand restricted the ability to recruit overseas, and/or be supported by the wider Serco Asia-Pacific group. Recruitment and training is ongoing, with varying approaches taken, including the employment of casual staff to fill vacancies. This has resulted in a more stable staffing cohort, an average of six hours unlock and a reduction in the number of incidents of violence.