

Rimutaka Prison

Inspection

October 2017

IN-RP-01

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17 April 2019

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Contents

<u>Foreword</u>	2
<u>Overview</u>	4
<u>Introduction</u>	7
<u>Transport and reception</u>	9
<u>First days in custody</u>	11
<u>Residential units</u>	12
<u>Health and other services</u>	34
<u>Reintegration</u>	38
<u>Appendix – Images</u>	41

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Foreword

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

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

Inspections are carried out against a set of healthy prison standards derived from United Nations guidelines for the treatment of people in detention.¹ Prison performance is assessed under four principles:

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

The purpose of the prison system is to protect society from crime, both during imprisonment and after release.² The four principles reflect that purpose, and also highlight the potentially competing demands that are often placed on prison staff and management.

In an ideal world, prisons would be able to deliver on all four principles on all occasions. In practice, safety, humane treatment, and rehabilitation and reintegration needs are sometimes balanced against one another, and short-term requirements sometimes take precedence over longer-term considerations.

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

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

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

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

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

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

Our inspection took place in October 2017. At that time, the prison generally provided a good environment in which prisoners' needs were met.

The increased prisoner population, gang membership and access to contraband created conditions that provided some prisoners the opportunity to engage in violence.

A broad range of rehabilitation activities were available to low security prisoners. However, high security prisoners had limited access to work experience, rehabilitation, treatment or education programmes. Prisoners on short sentences and remand had limited access to programmes.

The lack of access to programmes for some prisoners meant they were not suitably prepared for their parole hearing and subsequent release from prison.

Most staff interacted positively with prisoners.

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

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

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



Janis Adair
Chief Inspector of Corrections

Overview

1. Rimutaka Prison is in Upper Hutt, north of Wellington. The prison, originally called Wi Tako, was opened in 1967 for prisoners serving sentences of two years or less. As a result of the increase in the prisoner population in the late 1980s and 1990s, the Department of Corrections expanded the prison. During this period, the prison was renamed Rimutaka Prison. In 2012, the prison opened the country's first High Dependency Unit.
2. At the time of our inspection, the prison housed 1,054 male prisoners with classifications ranging from minimum to high.
3. Inspectors visited the prison from 16 to 20 October 2017.³

Our findings

Transport and reception

- Finding 1. During reception and admission, the prison generally took steps to keep prisoners safe and staff treated prisoners in a humane and respectful manner.
- Finding 2. The prison is making good use of the audio visual facilities. This mitigates risks to safety and good order that can arise when prisoners are transported to and from court.
- Finding 3. Some prisoners were placed in shared cells without a Shared Accommodation Cell Risk Assessment (SACRA) being undertaken or completed. This created potential risks to safety and good order. We acknowledge the steps the prison has taken since our inspection to address these issues.

First days in custody

- Finding 4. The quality of prisoner inductions varied due to inconsistencies with the induction process and some inductions did not take place at all.
- Finding 5. Most prisoners we spoke with were able to contact their family promptly after their arrival in prison.

High Medium Units – Environment and basic needs

- Finding 6. The prison's high medium security units generally provided a good environment in which prisoners' needs were met. However, graffiti and gang posters covered some cell walls, some pillows and mattresses were stained and mouldy, and some prisoners experienced long delays receiving mail and property.
- Finding 7. The increase of prisoners in the units has led to difficulties finding suitable prisoners to share cells, inadequate hot water supply for showering and making hot drinks, and growing tension among some prisoners.

³ A scheduled inspection involves a 12-week programme of work, including a field work phase at the prison. The Rimutaka Prison inspection commenced its 12-week programme on 9 October 2017.

High Medium Units – Safety and humane treatment

- Finding 8. Despite generally low levels of prisoner-on-prisoner violence and intimidation, the larger prisoner population, gang membership, failure to challenge inappropriate behaviour, potential access to contraband, limited drug testing and poor security practices created conditions that allowed some prisoners to engage in violence and standovers.
- Finding 9. With the exception of some officers in the HM7 and HM8 Units, officers were observed interacting positively with prisoners, responding to their needs, role-modelling good behaviour, and acting promptly in tense situations.
- Finding 10. Staffing issues meant some low-level disciplinary charges were not proceeded with. We acknowledge the prison's work to train additional prosecutors and adjudicators.

High Medium Units – Rehabilitation

- Finding 11. Restricted time out of cell in the high medium units has meant prisoners had limited opportunities to engage in constructive out-of-cell activities.
- Finding 12. Prisoners in the high medium units had limited access to work experience or rehabilitation, treatment or education programmes. In particular, prisoners on short sentences had limited access to programmes.
- Finding 13. Access to case managers, the limited number of programme rooms and the increase in the prisoner population impacted some prisoners in the high medium units being scheduled onto programmes. It also meant some prisoners were not suitably prepared for their parole hearing and subsequent release from prison.
- Finding 14. Prisoners were generally positive about the access to telephones and believed that staff treated their visitors with respect.

Low Security Units – Environment and basic needs

- Finding 15. The low security units provided an environment in which prisoners' needs were generally met.

Low Security Units – Safety and humane treatment

- Finding 16. The low security units generally provided a safe environment in which prisoners were actively managed, and levels of violence and intimidation were low.

Low Security Units – Rehabilitation

- Finding 17. There was a broad range of activities available to support positive change, including rehabilitation programmes, work experience and education programmes. This kept prisoners engaged, offered clear pathways to positive change, and allowed prisoners to address the causes of offending and obtain valuable skills.
- Finding 18. Access to case managers, the limited number of programme rooms and the increase in the prisoner population impacts some prisoners being scheduled onto programmes. Waiting times for some rehabilitation programmes could be long, sometimes exceeding a year.

Health and other services

- Finding 19. Prisoners' health needs were generally well met.
- Finding 20. The demands on the Health Centre Manager were unrealistic, and the medication room was not fit for purpose. We acknowledge the steps the prison has taken since our inspection to address these issues.

Mental health and self-harm

- Finding 21. The prison was taking steps to monitor and address prisoners' mental health needs. However, some prisoners experienced delays in their admission to forensic mental health services.
- Finding 22. Staff in the At Risk Unit showed compassion and respect for prisoners held there. Custodial staff had not received specific training to support prisoners with mental health needs. We acknowledge the steps the prison has taken since our inspection to address this issue.

Spiritual support

- Finding 23. Chaplaincy services were, at times, limited due to regime restrictions and the availability of rooms.

Reintegration

- Finding 24. Some services were available to support reintegration. However, the increased prisoner population, and the limited number of both programme rooms and case managers, resulted in some prisoners not being adequately prepared for their parole hearing and subsequent release from prison.

Introduction

Rimutaka Prison

4. Rimutaka Prison is one of 17 public prisons in New Zealand. Together with one prison run as a public private partnership, these prisons operate under the direction of the National Commissioner Corrections Services. The prisons operate in four regions – Northern, Central, Lower North, and Southern – each led by a Regional Commissioner. Rimutaka Prison is one of five prisons in the Lower North Region.
5. The prison was established in 1967 and is now one of New Zealand's largest prisons, with capacity to accommodate more than 1,000 low to high security male prisoners. Following recent expansions, the prison's population increased from about 400 in 2002 to more than 1,000 in 2012. On 9 October 2017, the prison held 1,054 prisoners.
6. In July 2015, the Upper Prison at Rimutaka Prison was closed. In February 2017, it was reopened as part of Arohata Prison's capacity, due to the significant increase in the population of women prisoners. The Upper Prison is located on the grounds of Rimutaka Prison, but is entirely separate from the male prison, within a separate perimeter fence. The Upper Prison will be separately inspected as part of the inspection of Arohata Prison.
7. At the time of our inspection, the prison had 686.5 full-time equivalent (FTE) staff. Of these, 505.18 were corrections officers, senior corrections officers, principal corrections officers and the site security team. During our inspection, 22.45 FTE positions were vacant.
8. At the time of our inspection, Rimutaka Prison and Arohata Prison shared a Prison Director, Custodial Systems Manager, Operations Support Manager and Health Centre Manager. However, in May 2018, Arohata Prison appointed its own Health Centre Manager. Similarly, in March 2018, Arohata Prison appointed its own Custodial Systems Manager to support the management team.

Inspection criteria

9. We assessed Rimutaka Prison against a set of healthy prison standards, derived from United Nations principles for the treatment of people in detention:
 - » **Safety:** Prisoners are held safely.
 - » **Respect:** Prisoners are treated with respect for human dignity.
 - » **Rehabilitation:** Prisoners are able, and expect, to engage in activity that is likely to benefit them.
 - » **Reintegration:** Prisoners are prepared for release into the community, and helped to reduce their likelihood of re-offending.⁴
10. A prison's success at achieving these goals depends on a range of factors, including:
 - » an environment and routines that are safe and secure without being unduly restrictive

⁴ These four principles (or close variations) are used by prison inspectorates in the United Kingdom and Australian states, among others. They are also consistent with the basic principles (rules 1-5) in the United Nations Standard Minimum Rules for the Treatment of Prisoners (The Nelson Mandela Rules), though those principles also emphasise the importance of equitable treatment, and the importance of not taking steps that diminish prisoners' personal responsibility. These principles are also consistent with the purpose and principles of the Corrections Act 2004. The Office of the Inspectorate's inspection methodology is under review and changes may be made during 2018.

- » effective supervision, management and discipline to minimise risks of violence and disorder and encourage constructive use of time
- » positive and respectful staff-prisoner relationships to encourage voluntary compliance with prison rules and procedures
- » opportunities for prisoners to take part in constructive activities that support positive change, including physical activity, treatment and rehabilitation programmes, education and training opportunities, work experience, and time to associate with others
- » a clear and consistent pathway towards rehabilitation, release and successful reintegration

Inspection process

11. During our inspection:
 - » We interviewed 30 prisoners (18 in the high medium units, nine in the low security units and three in the Management Unit) about life in prison and readiness for release into the community.
 - » We interviewed prison managers, custodial staff and other staff such as health professionals, case managers and one prison chaplain.
 - » We visited the prison's residential units to assess their physical condition, and to observe prison operations, including staff-prisoner interactions and prisoner activities. During these visits, we spoke with prisoners and staff informally.
 - » We visited industry and rehabilitation programme facilities, the prison's health centre and other prison facilities.
 - » We inspected the prison's perimeter and entrances.
 - » We attended prison meetings where staff discussed prisoners' progress and considered applications for temporary release.
12. Following our inspection, in January 2018, we advised the Department's National Commissioner of our key findings. In May 2018, the National Commissioner responded to these findings. Where appropriate, the National Commissioner's comments have been incorporated into this report. Subsequently, we provided the National Commissioner with a draft of this report. The National Commissioner responded to the draft in September 2018.

Report structure

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

Transport and reception

Transport

15. Prisoners are escorted to and from Rimutaka Prison for a range of reasons, including arrival from court (either on remand or after sentencing), transfers to and from other prisons, temporary removal for medical treatment, to assist with reintegration, and for other purposes.
16. Between 1 March and 31 August 2017, the prison received 1,086 prisoners, and 1,083 prisoners left the prison.
17. We assessed the process for strip searching five prisoners in preparation for their transport. The prisoners were advised of the process; the strip searches were conducted to the required standard.
18. The prisoners we interviewed raised no concerns about safety during transport. However, six prisoners claimed the cubicle in the escort vehicles were too small to be comfortable.
19. The prison had four secure audio visual booths, which could be used for court hearings, or for prisoners to consult their legal representatives. Having these facilities reduces the need to transport prisoners to and from court, and reduces risks associated with transport and temporary escort. Prisoners told us that most of their court hearings were conducted this way and they had adequate access to the audio visual suite.

Reception

20. When prisoners arrive at the prison they are processed through the Receiving Office, where custodial and health staff conduct an immediate needs assessment (covering a prisoner's immediate physical or mental health, safety, or security needs) and a risk assessment (covering risks to safety, including risks of self-harm).
21. During our inspection, Receiving Office staff performed these tasks thoroughly and in a way that was sensitive to prisoners' needs. All 24 of the prisoner files we reviewed had completed and signed risk assessments and immediate needs assessments. Ten prisoner files contained information that was not specific to the individual needs of the prisoner and seemed to be generic in nature.
22. Following our inspection, the National Commissioner advised that the Reception and Movements Manager would communicate with the Receiving Office staff to ensure that all assessments were completed in a manner specific to the individual circumstances.
23. It was acknowledged there are occasions where a generic response is appropriate (when a prisoner is deemed not at risk). However, if the prisoner's circumstances change, the staff member will enter a unique response specific to that individual and their circumstances.
24. We interviewed 20 prisoners about their experiences in the Receiving Office. All advised they were treated respectfully and felt they could speak with custodial and health staff in confidence.
25. Before placing prisoners in shared cells, a Shared Accommodation Cell Risk Assessment (SACRA) must be carried out to determine whether there are any safety risks to the prisoners.⁵

⁵ The risk assessment takes account of a prisoners' age, offending history, gang affiliation, prison experience, size and strength, mental health, risks of violence and/or self harm, special needs, health needs, security classification, segregation status, sentence status, and other factors relevant to safety and good order.

26. Between 1 March and 31 August 2017, 1,975 SACRA reports were required to be completed. Of these, 1,220 were completed outside the required time frame and 356 were not undertaken. The remaining 399 were recorded as being completed on time.
27. We reviewed 25 prisoners placed in double-bunked cells to check if SACRA reports were completed. Of these prisoners, 17 had no SACRA report completed. Further, some of the prisoners were double bunked for over two months, with no record of any assessment being completed.
28. The National Commissioner advised that SACRA had been a performance focus area for the prison for some months. For March 2018, 82.75% of 400 SACRAs were completed on time (331 completed on time, 46 completed late, 23 not started).
29. The SACRA report for 1-20 April 2018 shows that 97% of 300 SACRAs were completed on time (291 completed on time, five completed late, four not started). Further, in the week 3-9 September 2018, 96% of SACRAs were completed on time.
30. This is regularly monitored by the Deputy Prison Director as part of the prison's standard operating procedures. The prison will continue to closely monitor SACRA compliance to ensure the practice is consistent and embedded.
31. Some circumstances contribute to SACRAs being completed late or not being started:
 - » While a SACRA may be recorded as being 'late' it is commonly been completed within an hour.
 - » Allocating prisoners to cells electronically before completing a SACRA.⁶
 - » Completing SACRA on paper and then completing the electronic cell allocation before completing the SACRA in IOMS.⁷
 - » Two prisoners relocating to a new cell together (as an unbroken pairing) for reasons such as the original cell needing maintenance.⁸
 - » Not electronically removing a departing prisoner from a cell before electronically assigning a new prisoner.⁹

Findings

- Finding 25. During reception and admission, the prison generally took steps to keep prisoners safe and staff treated prisoners in a humane and respectful manner.
- Finding 26. The prison is making good use of the audio visual facilities. This mitigates risks to safety and good order that can arise when prisoners are transported to and from court.
- Finding 27. Some prisoners were placed in shared cells without a Shared Accommodation Cell Risk Assessment (SACRA) being undertaken or completed. This created potential risks to safety and good order. We acknowledge the steps the prison has taken since our inspection to address these issues.

⁶ The electronic cell allocation assists to ensure the site's capacity will not be exceeded and is therefore considered a priority task. After the electronic cell allocation, the SACRA is completed to ensure the prisoners are compatible for cell sharing. The SACRA still occurs before the prisoners are physically located in the cell together and there is the ability for the cell allocation to change if the SACRA does not support the pairing.

⁷ This relates to the sequential processing errors identified in the report.

⁸ It is unlikely staff would deem it necessary to complete a new SACRA and this would result in a SACRA not being started.

⁹ This would present as a SACRA not being completed but the prisoners would not have been placed in the cell together.

First days in custody

32. When a prisoner arrives in a unit he should receive an induction to determine any immediate needs (such as health needs or safety risks) and have unit rules and routines explained to him. He should be given access to a self-service kiosk, allowing him to access information and request support.¹⁰
33. Induction interviews are important for establishing relationships of trust between staff and prisoners, and ensuring that prisoners have a robust understanding of what they can expect while in the unit.
34. We interviewed 25 prisoners about their induction to the prison. Of these, 15 said they received induction information. However, for those who received an induction, the standard varied. Some prisoners told us they received an acceptable understanding of the prison, while others said the induction was rushed and not thorough. The remaining 10 prisoners advised they did not receive an induction.
35. We reviewed records for 24 prisoners who arrived during the six months to 31 August 2017. For two of those prisoners, we found no record of an induction taking place.
36. Following our inspection, the National Commissioner advised that it was important that prisoners received a full and effective induction when they moved into a new unit. This was especially true of high medium units.
37. The prison will review the standard of unit induction in each high medium unit. Additional training will be provided to staff in units where inductions are not being conducted to a high standard to ensure that all new arrivals to a unit receive an effective induction and this is recorded in the Integrated Offender Management System (IOMS).
38. The National Commissioner further advised that, in February 2018, principal corrections officers were reminded to discuss with their staff the importance of a robust induction into the unit. Every fortnight, a manager or principal corrections officer will consult the Corrections Business Reporting and Analysis (COBRA) platform to check whether inductions have taken place and have been recorded correctly in IOMS.
39. New prisoners are permitted to make a telephone call to family or friends. We spoke with 16 prisoners about this and 14 advised they had made a telephone call. Of the two prisoners who did not make a telephone call, one said he was refused this call because he had been transferred from another prison facility.

Findings

- Finding 28. The quality of prisoner inductions varied due to inconsistencies with the induction process and some inductions did not take place at all.
- Finding 29. Most prisoners we spoke with were able to contact their family promptly after their arrival in prison.

¹⁰ Prisoners can use the kiosks to access a range of information including legislation and policies, prison rules, and key dates in their sentences. They can also order food and other items from prison canteens, ask for meetings with their case manager or their unit's principal corrections officer, and check the balance of their prison trust account.

Residential units

High Medium Units

Introduction

40. The prison's high medium facility consists of 14 high medium units (HM1-HM14), each containing 30 cells (16 of the 30 cells are double banded).¹¹ The prison's high medium facility also houses the Management Unit,¹² which contains 20 cells, all single occupancy, and the At Risk Unit¹³, which contains 24 cells.
41. At the time of our inspection, HM1, HM2, HM5, HM6 and HM9 accommodated both voluntary segregated¹⁴ and mainstream prisoners. HM12, HM13 and HM14 contained voluntary segregated prisoners. HM2-HM4 contained prisoners on remand, while HM11 and HM12 made up the prison's Drug Treatment Units.
42. In total, the high medium units (at the time of our inspection), housed 595 prisoners.

Environment and basic needs

Physical environment

43. Most high medium unit cells and communal areas were generally clean and in good condition. There was some graffiti in the units. However, this was mainly historic and had been ground into the doors and other surfaces, making it difficult to remove.
44. HM7 and HM8 had extensive areas of gang graffiti in the cells and the yards (see Image 1).¹⁵ Some cells had posters and pictures on the walls that had gang themes.
45. Following our inspection, the National Commissioner advised that the prison would act immediately to remove the graffiti in all units and would introduce a programme of work to ensure that the prison maintained active oversight and management of this ongoing problem. It would also take immediate steps to remove all gang-related material from cells.
46. All cells have showers and a standard moulded stainless steel toilet, without a toilet lid. Some prisoners advised they made their own toilet lid because of their concerns about eating and sleeping near an open toilet.
47. We spoke to one prisoner who required a wheelchair. Although his cell was larger to accommodate his wheelchair, he said other prisoners and staff could see him through the cell door when he was using the toilet (see Image 2).
48. The National Commissioner advised that privacy screens have now been installed in the disability cells of the high medium units to enable prisoners to maintain their dignity and privacy.

¹¹ HM1-HM10 and HM13-HM14 had between 41 to 44 high security prisoners. HM11-HM12 had 30 high security prisoners.

¹² Prison management can separate a prisoner from others either for his own safety or because he poses a risk to the safety of others or the good order of the prison. This is known as 'directed segregation'.

¹³ At Risk Units in all prisons are now known as Intervention and Support Units (ISU).

¹⁴ Prisoners can ask to be separated from others for their own safety. This is known as voluntary segregation.

¹⁵ All images are contained in the Appendix.

Double bunking

49. In March 2015, the prison introduced double bunking in the high medium units, increasing the bed capacity in each unit from 30 to 46 beds, to accommodate growth in the national prison population. Although the units can house 46 prisoners, the maximum number of prisoners in each unit is limited to 44, because of staffing numbers.
50. Prisoners in HM12, one of the Drug Treatment Units, said they were concerned about the proposal to increase the number of double-bunked cells in the unit. They said an increase in the number of prisoners would result in increased periods of lockup, which would disrupt the therapeutic community approach that forms part of the Drug Treatment Unit programme.
51. As a result of double bunking, HM5 and HM6 now house 88 prisoners. Previously, they housed 60 prisoners each. Although two additional staff had been allocated to the units as a result of the increase in prisoner numbers, staff advised there had been a noticeable increase in tension.
52. In addition, staff advised that double bunking put a strain on the prison infrastructure. In HM1, HM2, HM5 and HM6 prisoners did not always have sufficient hot water for showers. One prisoner told us the water heater in the units did not provide sufficient hot water for drinking and he was unable to always fill his hot water flask.
53. Staff advised that double bunking was affecting their ability to find suitable prisoners to share cells, and required additional administrative support to complete the SACRA reports. It could require up to 40 SACRA reports a day to get a new prisoner safely double bunked with another suitable prisoner. In the week before the inspection, staff in HM1 had to move prisoners 98 times within the unit due to prisoners not being able to double bunk with each other.
54. Staff advised that double bunking had made it difficult to manage prisoners sentenced to a period of 'off privileges' where, among other things, they may have their television privileges removed.¹⁶ If one prisoner was sentenced to this penalty, he had to be moved to another cell without a television so the other prisoner in the cell was not punished as well.
55. Similarly, double bunking made applying the penalty of cell confinement¹⁷ difficult, as a limited number of cells were designated for this purpose.
56. After our inspection, the National Commissioner advised that, while double bunking was not the most desirable arrangement, the Department had to house a prisoner population growing faster than new beds could be introduced and had no control over this fast growth. The prison had a corresponding increase in staff to manage the added workload but the recent reduction in prison population had allowed a pause in double bunking in the Drug Treatment Unit.

¹⁶ 'Off privileges' may be imposed on a prisoner under section 133(3)(a) or 137(3)(a) of the Corrections Act 2004. It involves the loss or postponement of privileges such as access to common areas, more telephone calls than the minimum entitlement of one outgoing call, recreational activity, a television, radio or musical instrument, physical exercise beyond the minimum entitlement of one hour a day, more private visits than the minimum entitlement of one visit, pursuing a hobby, buying more than essentials and films and video.

¹⁷ Every prisoner sentenced to cell confinement retains the minimum entitlements referred to in section 69 of the Corrections Act 2004, but may be denied access to private visitors as provided for in section 73, the right to make outgoing telephone calls under section 77(3), the right to communicate using any specified device or medium of communication, or of accessing information and education pursuant to section 78 for the period of his or her confinement.

57. The National Commissioner accepts that double-bunked prisoners should be as safe and comfortable as possible and high standards of hygiene are to be maintained. The prison will review and explore options for improving the situation, including strategies such as giving prisoners more time out of cells, meals out of cells and greater access to cleaning supplies.
58. The prison is also further investigating whether there continues to be any issues with the provision of hot water for showers and drinks.

Clothing and bedding

59. All prisoners interviewed advised that bedding and clothing were generally adequate, and all laundry was washed in the units. Prisoners were happy with the unit laundry service and said their clothing and bedding was returned more regularly than when the clothing and bedding were sent to the central laundry, where items went missing. However, some prisoners said that their pillows were no longer fit for purpose, because they offered minimal support and some had mould. Some prisoners used spare blankets or duvet inners to fill out their pillow case (see Image 3).
60. Similarly, we saw some mattresses that were stained and that had mould on the underside. Staff advised that prisoners were regularly informed that they needed to wipe down the underside of their mattresses and to air out their cell to prevent mould developing.
61. The National Commissioner understands the importance of providing prisoners with adequate bedding for prisoner health and wellbeing. Bedding is washed and maintained in the Unit 8 laundry. Managers are responsible for the ongoing ordering and rotation of bedding within the units. Managers are to maintain a monthly stock of 5–6 mattresses and bedding as appropriate. Worn stock could be sent to Unit 8 for repurposing or disposal. Managers are to implement a cell bedding audit and replacement regime for mattresses and bedding.

Food

62. We interviewed 16 prisoners about the quality of the food they received (see Image 4). Ten of these prisoners told us they did not like the food, saying it was unhealthy and repetitive. One prisoner advised he received as many as 11 slices of bread each day.¹⁸

Prisoner property and mail

63. Many prisoners told us there had been delays in receiving approved items of personal property from family and friends, and from storage. Of the 13 prisoners we interviewed, six advised it could take between a week and a month to receive their property.
64. Similarly, all prisoners we interviewed told us that the mail took a long time to be processed, and that, on many occasions, they had to wait up to three weeks to receive a letter.
65. Between 1 March and 31 August 2017, prisoners submitted 95 PC.01 complaints about property delays.¹⁹

¹⁸ The meals comply with the Department of Corrections' national menu.

¹⁹ Prisoners fill in a PC.01 complaint form if they wish to make a complaint.

66. Staff advised it could take up to seven days for prisoners' property being transferred to the prison to arrive. Furthermore, property sent by mail could take additional time because the detector dog team had to screen the mail before it could be released to the units.
67. In addition, staff advised that they spent a significant amount of time managing prisoners' television allocations. Many allocated television sets were being damaged by prisoners and the process to repair or replace the televisions was lengthy. It was not uncommon for the property office to receive up to 70 damaged televisions in one week. The National Commissioner advised that, on 20 April 2018, the prison had changed its practice to be in line with the national policy and this had reduced the number of television sets that needed to be repaired or replaced.²⁰
68. The National Commissioner accepts that there were delays in some prisoners receiving their personal property. The prison faces many challenges and competing demands for limited staffing resources and has made a business case for additional staff to help alleviate pressure across the prison. By 20 April 2018, funding for an additional property officer had been approved, and the prison was in the process of making an appointment.
69. The National Commissioner advised that, on 16 November 2017, the prison conducted a mail and property review of problems such as delays receiving property, visitors not being able to drop off property, high volumes of repairs and replacements, and excessive amounts of property. Two key matters were identified:
- » How prisoners' property being dropped off by visitors at visits reception was managed.²¹
 - » The availability of detector dogs to screen the property when placed in the sally port.
70. A further review will be conducted by the prison to ensure that best practices relating to mail and property processes are being followed.
71. The National Commissioner advised that the detector dog team had been informed of the time it could take to screen mail and property, which resulted in delays for prisoners. The Detector Dog Team Regional Supervisor has committed to increasing support in this area.

Findings

- Finding 30. The prison's high medium security units generally provided a good environment in which prisoners' needs were met. However, graffiti and gang posters covered some cell walls, some pillows and mattresses were stained and mouldy, and some prisoners experienced long delays receiving mail and property.
- Finding 31. The increase of prisoners in the units has led to difficulties finding suitable prisoners to share cells, inadequate hot water supply for showering and making hot drinks, and growing tension among some prisoners.

²⁰ Before the change on 20 April 2018, prisoners with damaged televisions automatically received a new television. The prison will no longer replace a television until the Prison Director is satisfied that the prisoner will not damage the replacement items.

²¹ Visitors are allowed to drop off prisoners' property from Monday to Wednesday. It can take up to two weeks for the Site Emergency Response Team to pick up property. This poses the risk of property going missing or the labels falling off the property items and adding to the delay.

Safety and humane treatment

Physical security

- 72. The prison has a single point of entry (gatehouse) for those entering the prison and two vehicle sally ports. Anyone entering the prison, including staff and visitors, is required to pass through a metal detector and their belongings are X-rayed.

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- 77. The Site Emergency Response Team (SERT) is mentoring staff with training and support. New mirrors and a SnakeEye²² have been purchased for use in vehicle searches. Master Control supports searches by using available cameras to view vehicles from above.

- 78. The National Commissioner also accepts there are some procedural issues within the gatehouse that are, in part, due to staff shortages and training issues. An additional staff member assists with scanning at peak times. The prison uses staff on alternative duties to alleviate some of the staffing shortages. In addition, there have been some roster changes to include an additional senior corrections officer to enhance security and maintain systems and procedures.

- 79. The National Commissioner acknowledged some vulnerability in perimeter security. The prison recognises the importance of detecting contraband entering the prison through throw overs, Release to Work, property and so on.

- 80. Through the SERT team, Intelligence and the detector dog team, the prison will continue to monitor and analyse intelligence information. All finds of contraband will inform future operations directed at perimeter security. This, coupled with improved gatehouse searching, will increase the chances of finding more contraband.

²² SnakeEye is a handheld remote video inspection system.

Gang influence

81. As at 9 October 2017, the prison had 1,054 prisoners, of whom 379 identified as gang members. The largest gangs were Mongrel Mob (36.4% of the prison's gang population) and Black Power (26.9%). Other significant gangs were Crips (9.5%), Nomads (9.2%), Killer Beez (8.2%), Head Hunters (6.3%) and Tribesmen (3.4%). Of the 379 prisoners who identified as gang members, 333 were housed in the prison's high medium units.
82. Staff advised that 80% of prisoners in HM7 and HM8 belonged to gangs. Although staff tried to separate members of gangs across the units, there was still tension in the units between gangs and also from internal gang divisions.
83. Staff advised that the large number of prisoners associated with the Mongrel Mob, especially in HM8, could be challenging to manage. In contrast, HM7 had a mix of prisoners from various gangs.
84. Between 1 June 2016 and 1 June 2017, prisoners associated with the Mongrel Mob were involved in 26% of reported violent incidents.
85. However, staff and prison Intelligence advised that gangs with smaller numbers, such as the Killer Beez, were responsible for more violent incidents than larger gangs like Mongrel Mob or Black Power.
86. During our inspection, we saw a number of prisoners in the HM8 recreation area taking part in a physical exercise circuit. Staff advised that the prisoners participating in the circuit were prospects for the Killer Beez gang and that gang leaders were likely to have directed them to participate in the activities.
87. We interviewed 10 prisoners in HM1, HM12 and the At Risk Unit. All advised that although gangs were present in their units, they did not cause issues for those who were not associated with gangs. However, one prisoner in HM8 advised that when he first arrived at the unit he felt intimidated by Mongrel Mob members.
88. Following our inspection, the National Commissioner acknowledged the high level of overt gang activity and material in some units and that staff and managers had no excuse for overlooking this. Staff in units where overt activity and material existed would be formally reminded of the Department's expectations and potential consequences.
89. Additionally, prison management will send out a communication to all staff reinforcing the Department's expectations about addressing standovers and other activities (such as trading) when observed, and reminding them of possible consequences for failing to proactively manage this known risk.
90. The National Commissioner also advised that, although the prison did not have a local gang strategy, the prison's Intelligence team followed the National Gang strategy. As part of the strategy, the prison is also working on:
 - » meeting cell standards (including painting cells and removing gang graffiti)
 - » unit searches
 - » intelligence reporting
 - » monitoring of prisoner telephone calls
 - » random targeted operations
 - » prison check points
 - » fortnightly Safer Custody Panel meetings
 - » liaising with Police and outside agencies where necessary

Violence

91. All prisoners we interviewed in the high medium units said they felt safe in the prison, including in their cells and communal areas, such as exercise yards. Prisoners we spoke with informally during our inspection also told us they felt safe.
92. As at 9 October 2017, 240 prisoners (out of the 595 prisoners housed in the high medium units, including the At Risk Unit and Management Unit) were on voluntary segregation.²³
93. Between 1 March and 31 August 2017, 76 assaults by prisoners were recorded in the high medium units. Of those, 57 were assaults on other prisoners and 19 were on staff. In addition, during that same period, there were 316 non-notifiable incidents and 14 notifiable incidents.²⁴
94. Between 1 June 2016 and 1 June 2017, HM7-HM14 accounted for 42% of the total number of violent incidents, a decrease of 5% from the previous year. However, HM9 and HM10 saw a 5% increase in the number of recorded violent incidents.
95. Staff told us they believed many assaults go unreported. Intelligence staff advised they asked health staff about prisoners presenting with injuries that could be due to incidents that had not been reported. In the week before our inspection, a prisoner in the Self Care Unit arrived at the Health Centre with a broken jaw. However, there was no record of the injury being reported.
96. One prisoner we spoke to advised that staff responded to issues promptly and he felt he could approach them if he had any concerns.

Standovers and intimidation

97. While most prisoners we interviewed advised they had not been stood over or bullied, all said they were aware of it happening. One prisoner told us he was on voluntary segregation because another prisoner had demanded his television, and his life became difficult when he refused to hand it over.
98. Prisoners in HM3 and HM9 told us of standovers for food, canteen items²⁵ and telephone cards.
99. Staff advised that standovers were more likely to take place when the evening meal was chicken. Staff said they ensured that each meal tray was delivered to each prisoner in their cell to manage potential standovers taking place.
100. Staff advised that standovers occurred when canteen purchases were delivered, as this was often when prisoners repaid debts to other prisoners. This was confirmed during our inspection. On several occasions, we observed the unit cleaners and laundry man, who were out of their cells while the rest of the unit was locked down, taking canteen food items from the cell door hatch of one prisoner and delivering them to the cell door hatch of another prisoner.
101. One staff member advised that double bunking meant some prisoners might not receive their evening meals as the other prisoner sharing their cell might take it. This was supported by HM8's

²³ This is 40.3% of the high medium prisoner population.

²⁴ Notifiable incidents are those considered more serious (such as fighting, use of force or mechanical restraints, hospitalisation of prisoners and assault on staff), and non-notifiable are those less serious (such as graffiti or tagging, a prisoner disobeying lawful order, self-harm with no threat to life, wilful damage, segregation and a prisoner abusing or threatening staff).

²⁵ Prisoners are able to buy additional grocery items, such as snacks, toiletries and phone cards, from an approved list through the prison canteen system. Each prisoner has a Trust Account, which can be used for purchases. Prisoners are paid an incentive allowance for participating in programmes, training and work opportunities.

mess man,²⁶ who advised that some prisoners asked him to give them extra cups of tea because other prisoners had taken their food. Similarly, one prisoner in HM8 advised he had not received an evening meal twice on two occasions this week as the other prisoner in the cell had taken it.

102. Following our inspection, the National Commissioner advised that prisoners should be free from standovers, and staff attempted to ensure that this was so. However, on occasion, some prisoners' personal property was taken from them. To address this, the prison had advised staff to ensure that all meals were served appropriately and in a controlled manner.
103. Staff in units where standovers were taking place would be reminded of the Department's expectations and potential consequences of standovers. Further, the prison would remind all staff of the Department's expectations to actively address standovers and other activities, such as trading, when observed, and of possible consequences for failing to proactively manage this known risk.
104. The National Commissioner also advised that staff were to be reminded that cell standards were monitored every day and to check property regularly when completing cell searches.

Active management and supervision

105. Active management of prisoners helps to build trust, maintain discipline and ensure that prisoners' needs are met and safety and security issues are identified.
106. Staff were visible in all of the units when prisoners were unlocked. We observed staff talking with prisoners, answering questions, responding to prisoners' needs, role-modelling good behaviour, and responding quickly and decisively to any tense situation. Prisoners were treated respectfully and there was little tension in the units.
107. However, in HM7 and HM8, we observed some staff appearing to be over-familiar with prisoners. Some did not challenge inappropriate behaviour, such as prisoners entering other prisoners' cells.
108. Most prisoners we spoke to told us staff were approachable, respectful and provided assistance when needed. However, some prisoners advised it was difficult to arrange telephone calls with lawyers because some staff could refuse to facilitate this.
109. Between 1 March and 31 August 2017, there were 79 reported incidents of threats and abusive behaviour towards staff by prisoners. Of those, 28 occurred in HM7 and HM8.
110. Some staff advised that HM7 and HM8 were the prison's most volatile units, half the staff employed there had less than a year of experience, and it was challenging to get people to work in the units.
111. The National Commissioner advised that prisoners should have fair and reasonable access to telephone calls to their lawyers and have messages passed on. The prison would ask all units about how they facilitated telephone calls to lawyers and remedy any deficiencies.
112. Following our inspection, the prison acknowledged that some staff were overly familiar with prisoners and did not challenge breaches of the rules, and confirmed that staffing changes had been made, including the appointment of a new manager and principal corrections officer. On 21 February 2018, staff attended a training day to bring the unit in line with the prison's operational guidelines. A mentoring programme was also established. With these measures, the prison hopes to achieve a culture change within HM7 and HM8.

²⁶ The mess man is a prisoner who helps to deliver food to other prisoners in the unit.

Access to contraband

113. Contraband such as drugs, alcohol or weapons can create risks to safety and good order. Of the prisoners interviewed in the high medium units, all advised there was either no contraband in the units, or that contraband levels were low.
114. However, between 1 March and 31 August 2017, a total of 352 items of contraband were discovered in the prison, including 74 drug items, 67 pieces of tattooing equipment and 35 weapons. Of the 352 items discovered, 147 were in the high medium units, and 86 were in the low security units. The remaining items were found in various locations across the prison.
115. During the same time period, the prison collected 936 urine samples for the purpose of a drug test. Of those, 438 were tested and 41 tested positive.
116. Staff advised that the prison had two trained drug testers rostered on Monday to Friday, 8am to 5pm. However, the drug testers could be redeployed to cover staff absences across the prison.
117. Security staff said the greatest risks of contraband entry came from Release to Work prisoners and throw overs. Staff believed they were unable to strip search Release to Work prisoners on their return to the prison.
118. Following our inspection, the National Commissioner accepted that not enough drug tests had been completed at the prison. As a result, additional staff were assigned to increase resources to complete drug tests, with five staff trained and rostered. They now complete a monthly progress report to the Prison Director. In August 2018, 94% of general random drug tests were completed.
119. Further, the National Commissioner advised that staff had misinterpreted the Corrections Act and Prison Operations Manual. On 26 October 2017, the Security Manager advised all security staff of their ability to strip search Release to Work prisoners.²⁷ Secondary assurance checks had now been completed, confirming staff understanding and these searches had been undertaken appropriately.
120. All prisoners entering and leaving the prison (including Release to Work prisoners) are subject to rubdown searches. These searches are designed to detect the presence of unauthorised items such as drugs, tobacco, cell phones and weapons. All the prisoners we interviewed about search practices said the rubdown searches were conducted in a manner that respected their dignity.

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122. The National Commissioner recognises the importance of robust rubdown techniques for the safety and security of the prison. The prison will introduce further support and training in rubdown techniques. By 20 April 2018, the SERT team had conducted short training sessions for staff.
123. At the time of our inspection, the prison's detector dog team was able to detect drugs but not cell phones and tobacco. In March 2018, the detector dog team's capability was increased to include the ability to detect cell phones, tobacco and new psychoactive substances.

²⁷ Strip-searches are required in prisons under some circumstances (such as when a new prisoner arrives) and permitted under others (such as when prisoners return from work or unsupervised areas of a prison): Corrections Act 2004, ss 90, 98 – especially s 98(6)(c).

The prison's response to incidents

124. The prison has a SERT team to respond to incidents of violence and disorder, and to provide support to units as required,
125. The SERT team participates in the prison's Safer Custody Panel, where prisoners who present risks to the prison are discussed. Those prisoners are identified in consultation with the SERT team, Intelligence staff and the detector dog team.
126. During our inspection, we observed a fight between two prisoners in the HM1 exercise yard. Staff responded promptly and appropriately, entering the yard 23 seconds after the fight started. Both prisoners involved in the fight were removed from the unit one minute 40 seconds later. The unit was not locked down, and those prisoners not involved in the fight were allowed to continue with their time out of cell.
127. Following any incident involving violence, intimidation or any discipline breach, the prison may bring disciplinary charges,²⁸ move prisoners to other units or prisons, place prisoners on directed segregation, review security classifications and/or notify the Police.
128. Between 1 March and 31 August 2017, 858 misconduct charges were laid against prisoners, 598 for prisoners in high medium units.
129. Staff advised that staffing pressures meant that, often, no adjudicators were available to hear disciplinary charges. As a result, some prisoners facing disciplinary charges reached their final hearing date without being heard and the charges were dropped.
130. During the week of our inspection, 20 charges were not heard in the correct timeframes. Three of the 20 charges were for significant incidents involving drugs and assaults and were referred to the Visiting Justice. The remaining 17 charges were dropped.
131. Following our inspection, the National Commissioner advised that the prison accepted it did not have enough hearing adjudicators. This was made worse by the increase in the prisoner population and number of internal misconducts to be heard. To combat this, in November 2017, four managers completed hearing adjudication and prosecutions training. In May 2018, two staff completed prosecutions training and another three adjudicator training. A further three staff were to complete training in October 2018. A roster had been implemented for hearing adjudication duties, which the prosecution team reported had contributed to minimal disciplinary charges being dropped due to missed timeframes.
132. As part of our inspection, we reviewed 10 incident reports. In all 10, at least one staff member had not submitted their incident report. We found no record of any follow-up enquiries to determine the cause of the 10 incidents and any preventive measures that could have been taken.
133. Following our inspection, the National Commissioner advised that all incidents that came to staff's attention had to be recorded properly and completely. All officers involved in an incident should complete a report, and follow-up enquiries should take place to determine the cause of the incident so that future incidents can be prevented.

²⁸ Corrections Act 2004, ss 128-140; Corrections Regulations 2005, regulations 150-153, schedule 7; Department of Corrections Prison Operations Manual MC.01.

Findings

- Finding 32. Despite generally low levels of prisoner-on-prisoner violence and intimidation, the larger prisoner population, gang membership, failure to challenge inappropriate behaviour, potential access to contraband, limited drug testing and poor security practices created conditions that allowed some prisoners to engage in violence and standovers.
- Finding 33. With the exception of some officers in HM7 and HM8 Units, officers were observed interacting positively with prisoners, responding to their needs, role-modelling good behaviour, and acting promptly in tense situations.
- Finding 34. Staffing issues meant some low-level disciplinary charges were not proceeded with. We acknowledge the prison's work to train additional prosecutors and adjudicators.

Rehabilitation

Time out of cell

134. Rimutaka Prison operates an 8am-5pm staff roster regime in high medium units. In practice, prisoners spend less time out of their cells due to time taken for unlock and lock-up, staff briefings and lunch breaks, security checks and so on. During our inspection, the high medium units operated a cell unlock regime from 8.45am to 11.30am and from 1pm to 4.30pm. Prisoners of various categories and security classifications were unlocked at different times for recreation.
135. We observed the unlock roster for HM8. Two groups of prisoners were unlocked from 9am to 10am. One group was placed in the exercise yard, while the other group was placed in the recreation area. From 10am to 11am, another two groups of prisoners were unlocked and placed into the exercise yard and recreation area. This pattern was repeated in the afternoon. In total, prisoners in HM8 received two hours unlock time on those days.
136. Unlock times can be further restricted due to staffing pressures or Code Red incidents where the unit is locked down.²⁹ During our inspection, prisoners in HM11 and HM12 remained locked in their cells for the duration of an afternoon while staff dealt with a Code Red incident.
137. These measures are intended to keep prisoners and staff safe. This must be the prison's overriding priority, but time out of cell is also important. Constructive activities help to alleviate prisoners' boredom and contribute to a prison's good order and to positive relationships among prisoners and staff. They also support prisoners to make positive changes that can help to rehabilitate them.
138. The Department aims to engage all prisoners in industry, training, learning and constructive activities for a significant part of each day.
139. Closing off communal areas limited prisoners' opportunities to make constructive use of their time out of cell and limited opportunities to associate with others.
140. Ten prisoners we interviewed were dissatisfied with the amount of unlock time in units. One said his unlock time was reduced when there were staffing shortages, which he said occurred on average once a week. Prisoners we spoke to informally said there was no structure in the high medium units and the time they were unlocked changed each day. All said they would like more time out of cell.

²⁹ For example if a sprinkler flooded the unit.

Right Track

141. During their sentence, prisoners are supported to make positive changes under the Right Track process. Custodial, health and education staff, case managers and others (such as psychologists and chaplains) work together to support the prisoner's journey towards rehabilitation.
142. Staff advised that Right Track meetings took place in each unit at 1pm on Fridays. However, we saw no evidence that a Right Track meeting took place on the Friday during our inspection. Staff were unable to provide an explanation as to why the meeting did not take place that day.
143. After our inspection, the National Commissioner advised that the prison accepted and understood that Right Track meetings were an important part of the offender plan. The prison would ensure that Right Track meetings were held weekly and, where appropriate, recorded in IOMS.
144. The National Commissioner also advised that senior corrections officers would lead Right Track meetings and the prison would appoint new Right Track champions within each unit and provide staff training. By 4 May 2018, managers and principal corrections officers were to complete fortnightly compliance checks, to ensure Right Track meetings took place.

Case management

145. As well as detaining prisoners in a safe and humane manner, prisons are expected to support prisoners to make positive changes in their lives. All prisons offer programmes aimed at supporting prisoners to address the causes of their offending, and acquire skills that will help them after release. Case managers work with prisoners to develop and implement offender plans, setting out ways in which they can make positive changes.
146. Among other things, offender plans set out rehabilitation programmes or other activities that would benefit the prisoner. In addition, some custodial staff are assigned as case officers and work with prisoners in their units to support rehabilitation and keep track of progress.
147. Successful rehabilitation depends on a prisoner's motivation and on access to support and opportunities to make positive changes.
148. At the time of our inspection, the prison had 27 case managers. Of those, four were seconded to other positions, two were on leave and two were working with Guided Release prisoners. Another two case managers were due to start work within a month.
149. Staff advised that prisoners should be allocated a case manager within 10 days of arriving at the prison. Once allocated, a case manager has 10 working days to meet with the prisoner. At the time of our inspection, 160 prisoners had not been assigned a case manager.
150. For most prisoners, case managers are required to put in place an offender plan with identified interventions or activities aimed at reducing the risk of re-offending. The offender plan establishes a pathway for the prisoner to work towards. All remand and eligible sentenced prisoners should have their offender plan completed within 60 days.
151. Staff advised that prisoners sentenced to less than 60 days did not require an offender plan. As a result, prisoners on very short sentences are not seen by case management and are not able to access programmes. However, the Principal Programme Facilitator advised she checked COBRA every week to identify short-sentence prisoners who did not have an offender plan, to check their eligibility for programmes, which is then to be discussed with the case manager.

152. Prisoners provided feedback about the case management process. Some said they were satisfied with their case manager and felt well supported. Some said they experienced delays, had difficulties in seeing their case manager, or did not know who their case manager was. Four prisoners said that although they had a completed offender plan they had not seen their case manager for some time.
153. The National Commissioner acknowledged that there was a shortage of case managers and a lack of short course programmes for remand prisoners. There was ongoing recruitment of case managers to ensure that all prisoners are allocated a case manager promptly. A number of new case managers have been appointed.

Rehabilitation, education and work experience

154. The prison offers treatment and rehabilitation programmes, such as a programme aimed at improving prisoners' motivation to understand and address offending, a tikanga Māori programme using Māori values and practices to motivate prisoners to address offending, alcohol and drug treatment programmes, a Family Violence programme, and short and medium intensity rehabilitation programmes to address causes of offending. The prison offers a parenting course, Howard League programmes, individual counselling and psychological services.³⁰
155. Eligibility for programmes depends on several factors, including a prisoner's age, security classification, risk of re-offending and re-imprisonment,³¹ and the nature of offending and sentence. If prisoners are eligible, opportunities depend on programmes being available. Priority is given to prisoners who are closest to their scheduled release date or parole eligibility date.
156. Remand accused prisoners cannot take part in rehabilitation programmes, but can enrol in Alcohol and Other Drug Brief and Intermediate programmes, as these are considered motivational. Remand convicted prisoners do not usually begin rehabilitation programmes until they are sentenced.
157. We spoke informally to some remand accused prisoners, who told us they were unable to complete programmes as they were not sentenced.
158. The National Commissioner acknowledged that few short programmes were available to remand prisoners. The Assistant Prison Director will ensure that all prisoners eligible for programmes are waitlisted. Case managers are encouraged to use practice tools to address the shortage and ensure that prisoners receive intervention. The Principal Case Manager is developing a scheduling process to address the competing demands of interventions and employment.
159. The Programmes Facilitator advised that the programme rooms in the high medium units did not provide a good learning environment and that space was insufficient for the number of prisoners who required the programme.
160. We spoke to one prisoner in HM6 who was due to be released in March 2018. He told us that while his offender plan listed some rehabilitation courses, he had completed none to date. He told us he asked to see his case manager three times, and, on each occasion, he had been unable to secure a place on a rehabilitation course. Although he was completing a numeracy and literacy pathways course, he did not consider he was able to address his offending.

³⁰ Psychological services provide prisoners with psychological assessments and treatment to address their offending and support their rehabilitation needs. Psychologists assess and treat prisoners and community-based offenders.

³¹ Risk of conviction and re-imprisonment is measured using an index known as Roc*RoI (Risk of conviction x risk of imprisonment).

161. Working prisons are designed to engage prisoners in a 40-hour week with activities in treatment, learning and industry, in preparation for release and reintegration. The 40 hours are made up of activities within the four pillars of a working prison: rehabilitation and reintegration, education and training, employment and other constructive activities.
162. Prisoners we spoke to in the high medium units advised only unit-based employment opportunities, such as laundry work, recycling rubbish or cleaning units, were available to them.
163. Some prisoners in HM12 could work in the canteen distribution centre, where they could earn credits towards a Level three and Level four New Zealand Certificate in Distribution. Prisoners could also attend an Occupational Safety and Health-approved forklift course and work towards a First Aid in the Workplace certificate.
164. In addition, the prison offered some prisoners the opportunity to gain qualifications in plastering, bricklaying and blocklaying, numeracy and literacy. Some prisoners could also work towards obtaining their driving licence. Two prisoners we spoke to in HM6 advised they were completing NCEA qualifications by correspondence.

Access to out-of-cell activities

165. Prisoners in the high medium units have access to the prison's main gym. The gym was clean and tidy, and the walls displayed several motivational posters with challenges for prisoners.
166. Three activities officers are assigned to work in the gym. A timetable allows high medium prisoners to engage in activities such as volleyball. However, if an activities officer is away, the gym is unable to operate and the remaining activities officers are assigned to assist the units. Similarly, instructors can be used to cover unplanned staff absences in the units and other absences, as required.
167. One activities officer advised that, due to staffing shortages, only seven gym sessions were held between 1 September and mid-October 2017.
168. Nine of 11 prisoners interviewed said they had limited opportunity to use the gym. One said he last used it 3–4 months before. Another said he had been to the gym four times in five months.
169. The National Commissioner accepts that the gym is an integral part of the high medium regime and is important for prisoners' health and wellbeing. The prison has partially implemented a new fitness programme with the current staffing of three activities officers. The length of sessions has been reduced from 60 minutes to 45 minutes to increase the number of prisoners who can attend.
170. The National Commissioner advised that the prison had applied for funding for two additional activities officers. The gym will operate seven days a week, rather than five, when all activities officer positions are filled. A new rostered timetable was distributed to the site in March 2018. When the two activities officer roles have been filled, there will be fortnightly attendance reports to ensure that prisoners are accessing the gym.
171. Prisoners in the high medium units cannot access the main library. Prisoners in HM6 and HM8 advised they had no access to library books.
172. The National Commissioner accepts that library services are an important resource and that prisoners' use of library services is limited. To support the delivery of library services, a high security library facility has been built and a second librarian has been employed. Units are provided a catalogue and a system is in place for prisoners to request books. In addition, units have a prisoner librarian employed to support the delivery of the library service. Books are delivered regularly to

high medium units, with units being visited once each week. Further, all prisoners on programmes are able to visit the library Monday to Friday, before or after class and in break time.

173. The National Commissioner advised that prisoners in the Management Unit could access the library at various times, depending on their security classifications. HM1-HM6 are fully stocked with book boxes. HM7-HM14 are serviced by book boxes, which are changed every four to six weeks. Requests from prisoners for particular books are addressed when the book boxes are changed.

Contact with families

174. Contact with family and friends is important for prisoners' wellbeing and eventual reintegration into the community. The high medium units, which have 30 cells (16 of which are double bunked), had two telephones in each unit.³²
175. We interviewed 11 prisoners about access to telephones. Of these, 10 thought there was adequate access. However, one prisoner told us that unlock time was not enough for all prisoners to have 15 minutes each on the telephone. Further, access to the telephones over the weekend was difficult.
176. Following our inspection, the National Commissioner acknowledged that all prisoners should have access to the unit telephones.
177. The National Commissioner accepts the increase in the prisoner population puts a strain on the telephone system. However, to ensure that all prisoners have reasonable telephone access, the maximum length of prisoners' telephone calls will be reduced to 10 minutes. This will allow a maximum of 24 calls each day. Staff will ensure unit routines are adhered to, to allow maximum opportunities for calls to take place.
178. Prisoners can also receive visits from family and friends. Prisoners submit applications for visits, which the prison then considers in accordance with the Department's policy.
179. The prison has two visits centres, which are bright and clean. Each visit area has two family rooms. However, there is no play area for children in the visits centre.
180. All prisoners we spoke to said that staff treated their visitors with respect.

Findings

- Finding 35. Restricted time out of cell in the high medium units has meant prisoners had limited opportunities to engage in constructive out-of-cell activities.
- Finding 36. Prisoners in the high medium units had limited access to work experience or rehabilitation, treatment or education programmes. In particular, prisoners on short sentences had limited access to programmes.
- Finding 37. Access to case managers, the limited number of programme rooms and the increase in the prisoner population impacted some prisoners in the high medium units being scheduled onto programmes. It also meant some prisoners were not suitably prepared for their parole hearing and subsequent release from prison.
- Finding 38. Prisoners were generally positive about the access to telephones and believed that staff treated their visitors with respect.

³² HM1-HM10 and HM13-HM14 had between 41 to 44 high security prisoners. HM11-HM12 had 30 high security prisoners.

Low Security Units

Introduction

181. The prison's low security facility is comprised of eight low medium units (numbered from Unit 4 to Unit 11). Units 4, 5, 6, 7 and 8 have 60 single cells, Unit 9 has 30 single cells and Unit 11 has 39 double-bunked cells. At the time we carried out our inspection, Units 6, 8 and 11 accommodated segregated prisoners.
182. Unit 10 is divided into two sub-units (Unit 10 Kauri and Unit 10 Rimu), which together form the only prison High Dependency Unit in New Zealand. This unit provides a therapeutic community environment and houses prisoners who have health conditions that affect their ability to function within the general population. Unit 10 Kauri has 20 single cells, while Unit 10 Rimu has 20 single cells and one double-bunked cell.
183. Unit 5 (Te Whare Whakaahura) houses prisoners participating in Te Tirohanga (the kaupapa Māori treatment and rehabilitation programme). Unit 9, the Te Whare Manaakitanga Special Treatment Unit, houses high-risk violent prisoners participating in an intensive rehabilitation programme.
184. The prison has a Self-Care Unit, with five houses, each of which can house up to four prisoners.
185. In total, (at the time of our inspection) the low security units housed 456 prisoners.

Environment and basic needs

Physical environment

186. At the time of inspection, the cells and communal areas in the low security units were clean and well maintained. We saw little evidence of graffiti and the cells seemed warm and well ventilated.
187. All prisoners we spoke to advised they had good-quality clothing and blankets. However, one prisoner in Unit 8 told us that his bedding, including mattress and pillow, needed to be replaced.
188. In addition, one prisoner informed Inspectors that, at the time of our inspection, the communal fridge and two toasted-sandwich makers in Unit 8 had been removed from the unit for testing.

Finding

- Finding 39. The low security units provided an environment in which prisoners' needs were generally met.

Safety and humane treatment

Active management and supervision

189. The relationship between staff and prisoners appeared to be positive in the low security units. At the time of our inspection, staff were visible and engaged with prisoners. They appeared to look after prisoners' needs and support their involvement in rehabilitation or work opportunities. Prisoners generally commented favourably about the support that they received from custodial staff and from other services, including from case management, libraries, health and the chaplaincy.
190. During our visit to Unit 7, we observed some staff interact with two prisoners who had been in the unit for a long time. This interaction between staff and prisoners appeared to be overly familiar.

Violence, standovers and intimidation

191. Prisoners in the low security units told us they generally felt safe from violence and intimidation, although standovers did sometimes occur, particularly over nicotine replacement lozenges.³³
192. During our inspection, we observed a prisoner pass a strip of nicotine replacement lozenges through a cell door hatch to another prisoner. A staff member advised that this was a gang prospect deferring to another gang member.
193. Prisons keep records of all prisoners' personal property. Inspectors carried out cell property checks in 30 cells and did not find any items belonging to other prisoners.
194. Staff told us they took a zero tolerance approach to violence. Prisoners were informed clearly of the consequences of violence or intimidation, which could include removal from the low security units. Of the 67 prisoner-on-prisoner assaults that occurred in the prison between 1 March and 31 August 2017, only 10 were in the low security units.
195. Prisoners and staff told us that contraband, such as drugs, was sometimes found in the units but not in large quantities. Between 1 March and 31 August 2017, 86 items of contraband were found in the low security units, 28% of the total contraband found on site.

Finding

Finding 40. The low security units generally provided a safe environment in which prisoners were actively managed, and levels of violence and intimidation were low.

Rehabilitation*Time out of cell*

196. At the time of our inspection, the prison operated an 8am–5pm staff roster regime across all of its low security units. On average, prisoners spent about six-and-a-half hours outside their cells every day.
197. Prisoners in Unit 5 advised that opportunities for rehabilitation and reintegration would be enhanced with longer unlock hours.

Physical exercise and constructive activities

198. There is a gym in each of the prison's low security units. Prisoners are also able to use the grass areas in the units to play sports such as touch rugby.
199. All the prisoners we spoke to said that the gyms were in good working order and provided them with an opportunity to get fit, to interact with other prisoners and to keep themselves occupied. Many prisoners said the gyms were an important part of prison life and helped reduce stress in the units.

³³ Nicotine replacement lozenges are given out to new prisoners who have a history of smoking, to help them adjust to the prison's smoke free rules.

200. In addition to having access to the gym, prisoners in Unit 8 also had access to a basketball court. Similarly, prisoners in Unit 5 had access to a recreation room equipped with a table tennis table and a pool table.
201. The librarian advised that the library does not have a cataloguing system with a list of books available for prisoners to select items to read from. Instead, books are issued depending on what programmes are being run in the library on any particular day. For example, during one day of our inspection, about 50 books were issued by the librarian to prisoners on programmes.
202. Prisoners in Unit 7 had their own library within the unit. However, staff advised that the librarian did not attend the unit to change the books.
203. Following our inspection, the National Commissioner advised that a weekly library trolley service delivered books to all low security units. In addition, the trolley service processed specific requests. Furthermore, book boxes had been issued to Unit 8 and Unit 10 and replaced every 4–6 weeks.

Contact with family and friends

204. Contact with family and friends is important for prisoners' wellbeing and eventual integration back into the community. Prisoners in low security units generally commented favourably about the management of visits and did not express any concerns about their access to telephones.

Treatment and rehabilitation programmes

205. Rimutaka Prison provides a variety of treatment and rehabilitation programmes for prisoners. Low security prisoners have access to a Special Treatment Unit rehabilitation programme (for violent offenders), and a maintenance programme for prisoners who have completed rehabilitation programmes.
206. As with the high medium facility, the programmes facilitator advised there were not enough programme rooms to deliver all the programmes to low security prisoners.
207. At the time of our inspection³⁴ the number of prisoners attending treatment and rehabilitation programmes were:
- » Drug Treatment Programme – 23 prisoners³⁵
 - » Family Violence Programme – 4 prisoners
 - » Short Rehabilitation Programme³⁶ – 4 prisoners
 - » Medium Intensity Rehabilitation Programme – 17 prisoners
 - » Short Motivational Programme – 3 prisoners
 - » Te Tirohanga – 35 prisoners
 - » Special Treatment Unit Rehabilitation Programme (STURP)³⁷ –16 prisoners

³⁴ Week ending 16 October 2017.

³⁵ In 2017, the Drug Treatment programme changed. A treatment maintenance phase was introduced to better meet participants' intensive treatment needs. This meant programme numbers decreased from 2016/17 due to the intensity of the programmes.

³⁶ The Short Rehabilitation Programme is only offered to prisoners if the Medium Intensity Rehabilitation Programme is not available or if there are barriers (such as limited time remaining in sentence) to the prisoner taking part in the Medium Intensity Rehabilitation Programme.

³⁷ Unit 9 is one of four across the country that provide the STURP. The unit has up to 30 men taking part in the programme at any time, made up of three groups of 10 men. The groups overlap across the year as one group starts and another completes. Men from the Lower North region are primarily placed at Rimutaka Prison, but all four STURPs work collaboratively to manage placements for eligible men across the network.

- » Alcohol and Other Drug Brief Support Programme – 6 prisoners
 - » Alcohol and Other Drug Treatment Support Programme – 10 prisoners
208. Some prisoners had been waiting for many months to take part in these programmes. In the week ending 29 September 2017, the number of prisoners on waitlists for programmes were:
- » Alcohol and Other Drug Programme Brief – 221 prisoners
 - » Alcohol and Other Drug Programme Intermediate – 274 prisoners
 - » Parenting – 145 prisoners
209. Two prisoners were on the waitlist to attend the parenting programme since 2013. An additional 12 prisoners were on the waitlist to attend the drug treatment programmes since 2015. There appears to be some discrepancies between the waitlist and the offender plans for these prisoners.
210. The National Commissioner advised that there were insufficient programme rooms available for the size of the prisoner population and interventions. A scheduling/intervention coordinator project has been established to address any issues. A centralised booking system is needed to better coordinate interventions at the prison.
211. The prison recognises that prisoners approved for programmes are on long waitlists. In part, this is due to the increased prisoner population and the limited number of programmes and rooms available. Prison managers will discuss the programme allocation for 2018/19 to ensure the prison has an appropriate number of programmes.

Industries

212. Working in industries gives prisoners the opportunity to gain useful skills and qualifications.
213. The prison offers low security prisoners work and training opportunities in areas such as horticulture, agriculture, plastering, bricklaying, plumbing, gas fitting, carving, decorating, recycling bicycles, construction, catering, printing and work in the prison's kitchen and grounds.
214. Prisoners can work painting inside the prison or in their units as cleaners or laundry men, or serving meals.
215. Of the 60 prisoners housed in Unit 7 at the time of our inspection, 52 were engaged in some form of work. Staff advised they were working to achieve 100% employment in the unit. Staff have established a team to grow vegetables at the front of the unit for the community.
216. The prison has partnered with Upper Hutt City Council to train prisoners in repairing used bicycles, which are donated to the community. The prison bicycle recycling workshop has recycled up to 260 bicycles, with 150 going to children in the community (see Image 5). In 2017, the workshop was runner-up in the Wellington Airport Community Awards. As at 23 October 2017, three prisoners were working in the workshop.³⁸
217. Similarly, the prison's wood carving room has provided carvings for the community, including a gate entrance for a local school.
218. Prisoners in Unit 7 were also able to work in the prison's commercial nursery. The nursery opened in 2007 and has a contract to supply plants and shrubs (see Image 6).

³⁸ At any one time, up to four prisoners can work in the prison's bicycle recycling workshop.

219. At the time of our inspection, eight prisoners (out of a possible 12) from Unit 7 were working in the nursery, with one qualified staff member providing training and overview. Prisoners working in the nursery can achieve NZQA Level 3 Horticultural Certificates.
220. During our inspection, a staff member advised that unlock times can mean that prisoners have only four-to-five hours a day to work in the nursery, which can affect the nursery meeting its contractual customer orders.
221. Following our inspection, the National Commissioner advised that the current unlock regime does not affect the nursery. The goal of the industries, including the nursery, is to support training and rehabilitation. Only essential services such as the central kitchen have extended unlock hours. The nursery is not considered an essential service.
222. Another example of industry training is the prison's building and construction programme. Eight prisoners recently built a three-bedroom house as part of the programme and obtained Level 3 New Zealand Certificates in Construction Trade Skills (Allied Trades and Carpentry).
223. Prisoners in Unit 4 have the opportunity to work in the main kitchen, where food is prepared for the prison and visitors attending functions.³⁹ Working in the kitchen gives prisoners the opportunity to earn Levels 2-4 NZQA qualifications and to work in the college restaurant to further potential careers. At the time of inspection, 38 prisoners were working in the main kitchen.
224. Similarly, prisoners working in the print shop can obtain NZQA qualifications with a Level 3 New Zealand Certificate.
225. On 23 October 2017, the number of prisoners taking part in industry training opportunities were 12 in construction and infrastructure, 15 in brick and block laying, eight in plasterboard, 14 in plumbing and gas fitting, 12 in applied decorating and 10 in agriculture.
226. The prison also offers opportunities for low security prisoners to work outside the perimeter fence on a land care work party, planting native plants around the outside of the prison. At the time of our inspection, four prisoners were engaged in the work party, two from Unit 7 and two from Unit 5. Prisoners generally work for three months as part of the work party before progressing to Release to Work.

Education

227. Every prisoner has an education assessment to determine their literacy and numeracy learning needs. This is followed by a learning pathway discussion, which identifies recommended programmes to help the prisoner meet his learning needs and goals.
228. The prison offers a range of education opportunities including:
- » literacy and numeracy programmes
 - » a foundation skills programme, which follows on from literacy and numeracy programmes and aims to prepare prisoners for further learning
 - » Secure Online Learning⁴⁰
 - » self-directed study towards high school or tertiary qualifications by distance learning

³⁹ For example, the prisoners cater for Rimutaka Prison Gate to Plate event held as part of Visa Wellington on a Plate.

⁴⁰ Every prison has a Secure Online Learning suite with computers which prisoners can use to gain digital literacy skills and complete learning assignments. Prisoners have access to a limited range of pre-approved websites and apps, and can email their education tutor.

- » driver licence testing provided by the Automobile Association, offered twice per year
 - » Te Waharoa National Certificate in Māori.
229. Most prisoners are eligible for education assessment, learning pathways, literacy and numeracy programmes, driver licence testing, and self-directed learning.
230. We spoke to two prisoners in Unit 8. One prisoner completing a Massey University Bachelor of Arts degree by distance learning said the education facilitator was coordinating his course work. The other prisoner was completing a Māori course through Secure Online Learning.
231. As at 23 October 2017, 41 prisoners were engaged in literacy and numeracy courses, 61 in Secure Online Learning, three in self-directed learning with Massey University, and 21 were completing Te Waharoa National Certificate in Māori.

Unit focus: Unit 5 - Te Whare Whakaahura Unit

232. Te Whare Whakaahura is a 60-bed unit. Since 2014, it has offered the prison's Te Tirohanga kaupapa Māori rehabilitation and therapy programme.
233. Te Tirohanga has three phases, each lasting three months:
- » Phase 1 (compulsory) – Te Waharoa: Prisoners complete an NZQA level 2 course in Māori Studies, which includes te reo Māori, tikanga Māori, and literacy and numeracy credits. Prisoners are also supported to strengthen relationships with whānau.
 - » Phase 2 (compulsory) – Mauri Tu Pae: This is a group-based therapy and rehabilitation programme aimed at addressing causes of offending among medium-risk prisoners.
 - » Phase 3 is a drug and alcohol treatment programme (if needed).
234. The programme is intended to provide a pathway for prisoners to make a series of positive changes in their lives, which reconnects them with their culture and whānau, addresses causes of offending, fosters pro-social attitudes and behaviour, and prepares them for reintegration to the community.
235. Phases 1 and 2 are delivered in Unit 5. Phase 3 is delivered at Whanganui Prison if required.
236. Unit 5 also houses prisoners who are not currently on a programme due to prisoner population pressures, pre-selection and having completed Te Tirohanga. As at 9 November 2017, 26 prisoners housed in Unit 5 were actively engaged in Te Tirohanga or tikanga.
237. All prisoners placed in Te Whare Whakaahuru are expected to manage their behaviour in keeping with the kaupapa of the unit. If a prisoner's conduct is affecting the therapeutic functioning of the unit or the engagement of those undertaking Te Tirohanga, he can be removed from the unit.

Unit focus: Self-Care Units

238. The Self-Care Units are located inside the prison's main perimeter fence. Self-Care units are a flatting-type environment designed primarily for prisoners who are nearing release.
239. Rimutaka Prison's Self Care Units are comprised of five houses, each with four single bedrooms, a communal kitchen, bathroom and sitting room area.
240. At the time of our inspection, 20 prisoners were housed in the Self-Care Units. Of these, 19 were taking part in Release to Work. Some prisoners worked the night shift.
241. Release to Work prisoners living in the Self-Care Units are required to pay up to \$273 board (30% of their income) per week. The remainder of their wages is deposited into their Trust Account, which they are able to access when they are released from prison. Out of their board, prisoners receive a weekly allowance of \$58 to buy all items, including food, toilet rolls and toothpaste.

242. Prisoners in the Self-Care Units told us they combine their money (within each house) as it is more economical. One prisoner believed having access to budgeting and finance courses would be useful to assist him to manage his money better. He advised that some prisoners did not know how to cook or budget for themselves.
243. All prisoners we spoke to expressed concerns about the Department's plan to double bunk the Self-Care Units.
244. Following our inspection, the National Commissioner advised that to meet the immediate demand for prisoner accommodation, double bunking would be introduced as emergency beds at a number of sites including Rimutaka Prison. Twenty beds in the Self-Care Units have had a second bed installed. The additional beds would only be used during periods of significant capacity pressure or in an unplanned loss of capacity at another site.
245. The National Commissioner also advised that while these beds would be designated emergency beds, to avoid unnecessary disruption those placed in the Self-Care Units would remain there and the number would be managed through prisoner releases or reclassification. More staff would be rostered on to ensure that the ratio of prisoners to staff was maintained, and prisoners continued to have access to their daily activities and employment. Additional furniture, storage and cooking utensils would also be provided.
246. In addition, the National Commissioner advised that suitability for placement assessment would inform decisions about double bunked placements, with appropriate consideration of each prisoner's needs.

Findings

- Finding 41. There was a broad range of activities available to support positive change, including rehabilitation programmes, work experience and education programmes. This kept prisoners engaged, offered clear pathways to positive change, and allowed prisoners to address the causes of offending and obtain valuable skills.
- Finding 42. Access to case managers, the limited number of programme rooms and the increase in the prisoner population impacts some prisoners being scheduled onto programmes. Waiting times for some rehabilitation programmes could be long, sometimes exceeding a year.

Health and other services

Health

247. Prisons have a primary health care service that is required by Section 75 of the Corrections Act 2004 to provide health care that is "reasonably necessary" and the standard of that care must be "reasonably equivalent to the standard of health care available to the public".
248. The prison's Health Centre is located between the Receiving Office and the At Risk Unit. The Health Centre consists of a main treatment room and four consultation rooms. Custodial staff who support the Health Centre are located in a staff hub, and there are some holding cells.
249. Staff complete some health assessments in a prisoner's unit. However, this is not always practicable, due to a lack of privacy or computer access or an environment that does not meet infection control standards. A new satellite health unit has been built but, at the time of our inspection, it had yet to be fitted out with equipment and was not being used.
250. Beside the clinical area is the health administration area, which includes the nurses' office. The Health Centre is clean and fitted out with appropriate equipment for managing a primary health care service, but the medication room is small and, due to the increased prisoner population and corresponding increase in the medication stored on site, is no longer fit for purpose.
251. The National Commissioner accepts that the doubling of the prisoner population at the prison since the Health Centre was built has put considerable pressure on the facilities. As the Health Centre space was no longer optimal, the prison reconfigured the existing space and expanded the centre slightly into the outdoor space next to the unit. This satellite health centre for high medium facilities is partly operational, with the centre being used to dispense restricted and other medication. Work continues in collaboration with other health practitioners who provide services to the prison to ensure that best use is made of the second health centre.
252. At the time of inspection, the prison had a fulltime Health Centre Manager, an Assistant Health Centre Manager and two team leaders supporting a nursing and administrative team of 53.8 full-time equivalent staff. The service is supported by contracted and allied health professionals including a medical officer, dentist and dental assistant, physiotherapist, pharmacist, podiatrist, hepatitis nurse specialist, forensic and mental health clinicians. The Health Centre Manager said that, despite recruitment attempts, it was difficult to fill several vacant nursing positions.
253. There are two nursing shifts each day, seven days a week (6.30am-2.30pm and 1.30pm-10pm). A nurse was on call outside these hours.
254. We were accompanied and supported during our inspection by the Department's Southern Regional Clinical Director Health. In her view, the health team functioned well and, although the Health Centre was extremely busy and the demands on the health service were high, it was clear that staff were motivated to provide a service that met prisoners' needs.
255. The Health Centre Manager and supporting Assistant Health Centre Manager were visible and had clear performance expectations of staff, who responded well to this and respected their leaders.
256. The Health Centre Manager has introduced initiatives that exceed Health Services standards. An example of this is the bowel screening programme, where the Health Centre is working with Capital and Coast District Health Board to start screening for men aged between 60 and 74.

257. All prisoners who submitted a health request form had their health needs addressed on the day or had an appointment booked. At the time of inspection, the average wait time for non-urgent medical officer appointments was 16 days. Prisoners with urgent or acute health issues were prioritised.
258. The Southern Regional Clinical Director Health advised that expectations of the Health Centre Manager were unrealistic. The Health Centre Manager managed Rimutaka Prison (including the High Dependency Unit) and Arohata Prison (including the Upper Prison).⁴¹ The Manager has capable staff in leadership roles but legislative obligations, such as the Segregation of Medical Oversight Section 60, and operational and administrative requirements cannot be delegated.
259. The National Commissioner accepts that the Rimutaka Prison and Arohata Prison Health Centre Manager directly manages a large team. The rapid growth in the prison population worsened the situation so a second Health Centre Manager has been appointed to focus on Arohata Prison. The prison is looking to fill other vacancies, such as Team Leader and Assistant Health Centre Manager.

Dental care

260. At the time of our inspection, the waiting time for dental care was three to four weeks.⁴² Previously, the waiting times were three to four months. The time was reduced after a new provider was engaged. Any prisoners with acute or urgent dental needs were prioritised and seen within appropriate timeframes. Those who required emergency dental treatment, when the contracted dentist was not on site, were referred to the local hospital emergency department.
261. The dentist had recently held education sessions for health staff to allow them to provide comprehensive dental assessments and appropriate nursing intervention and education to prisoners.

Unit focus: High Dependency Unit (Unit 10 Kauri and Unit 10 Rimu)

262. Rimutaka Prison has the only High Dependency Unit in the country, which accommodates prisoners who have ongoing and complex health or disability needs as a result of ageing or other medical conditions, and who require additional assistance with day-to-day life.
263. A prisoner's placement in the High Dependency Unit is regularly reviewed to assess their suitability and need to be accommodated in the unit. If it is determined that a prisoner's health need has decreased and they no longer meet the criteria for the unit, a transitional plan will be developed.
264. During our inspection, we observed staff and prisoners interacting positively in the High Dependency Unit. Staff provided prisoners with constructive activities, including jigsaws, art and craft work. Staff also arranged visits by external organisations such as church singing groups and the SPCA, which brought in therapy animals.
265. Elderly prisoners in the High Dependency Unit also visit the main prison gym every Friday morning, depending on the availability of staff.
266. Staff are trained in managing older prisoners' health needs, such as how to prevent falls, work with prisoners suffering from dementia, care for wounds and palliative care.

⁴¹ Use of the Upper Prison for male offenders ended in 2015. It was reopened in February 2017, due to the significant increase in the female prisoner population. It is on the grounds of Rimutaka Prison, but entirely separate from the male site, with its own perimeter fence.

⁴² Ministry of Health targets for the equivalent service in the community is 100 days.

Findings

Finding 43. Prisoners' health needs were generally well met.

Finding 44. The demands on the Health Centre Manager were unrealistic, and the medication room was not fit for purpose. We acknowledge the steps the prison has taken since our inspection to address these issues.

Mental health and self-harm

Mental health services

267. All new prisoners are screened for mental health, physical health, alcohol and drug use and social needs. Prisoners with mental health needs are referred to mental health specialists for assessment.
268. The prison's mental health services team includes registered nurses with training in primary mental health care, mental health clinicians who specialise in mild to moderate mental health conditions and regional psychiatric forensic service clinicians. All nursing staff attend primary mental health core training, which includes education on depression, anxiety and assessing harm risk status.
269. The DHB accepts prisoners, on referral, with serious and enduring mental health problems for compulsory assessment and treatment as clinically indicated. However, the DHB has a limited number of in-patient beds and the Health Centre Manager advised that there are often prisoners at Rimutaka Prison who are on the waiting list for admission.
270. At the time of inspection, there was one person on the waiting list who had been identified as needing admission since 9 August 2017. Although the prisoner was being reviewed weekly by a forensic nurse, as at October 2017 the prisoner remained on the waiting list for admission and, following a review of his electronic health records, it was clear his mood had deteriorated.

At Risk Unit

271. The At Risk Unit has 24 cells equipped with a bed and toilet. The cells were in good condition and free from ligature points. Given the risk of self-harm, the cells do not have modesty screens around the toilets. Each cell has a CCTV camera that allows staff to observe the prisoners from the staff base alongside the scheduled observations identified on individual management plans.
272. The unit has three round rooms (see Image 7) where prisoners who are actively self-harming can be placed. These cells do not have toilets. Instead, prisoners use disposable cardboard containers.
273. The At Risk Unit has exercise yards and day rooms, which prisoners can use when out of their cells. These areas are designed to minimise the risk of prisoners self-harming while providing them with opportunities for mental stimulation such as watching television and exercise.
274. At the time of our inspection, four prisoners were housed in the At Risk Unit.
275. The Southern Regional Clinical Director Health observed a morning daily review in the At Risk Unit and considered that custody and nursing staff worked well as a team and collaborated in the daily health assessment. The nurse led the health assessment, with custodial staff supporting the discussion and offering valuable information.
276. Custodial staff working in the At Risk Unit advised that they had received no specific training to recognise prisoners with mental health needs. They said receiving mental health education would help to allow them to better identify and support people with mental health conditions.

277. The length of time for custodial staff working in the At Risk Unit varied from just a few weeks to many years. As part of the national Improving Mental Health and Reintegration Pilot, mental health clinicians are contracted to provide five hours of education a week to prison staff. However, all At Risk Unit staff we spoke to advised they had not received any education.
278. The National Commissioner agrees that At Risk Unit staff, High Dependency Unit staff, case managers and many nurses would benefit from additional awareness education and targeted training in working with people who have mental health, personality disorder and other complex issues.
279. Mental health clinicians are contracted by the Department to provide support to prisoners and training to staff (five hours per week) and the Lower North Regional Clinical Director Health will raise this with the provider to ensure these hours are being provided.
280. We found that staff respected and encouraged prisoners, and showed kindness in their interactions. Staff were actively involved in multi-disciplinary team meetings with health and other staff.
281. Staff told us they spent a lot of time on paperwork for management plans and compliance issues. They felt having an administration officer would free them up to deal with prisoners face to face.

Findings

- Finding 45. The prison was taking steps to monitor and address prisoners' mental health needs. However, some prisoners experienced delays in their admission to forensic mental health services.
- Finding 46. Staff in the At Risk Unit showed compassion and respect for prisoners held there. Custodial staff had not received specific training to support prisoners with mental health needs. We acknowledge the steps the prison has taken since our inspection to address this issue.

Spiritual support

282. The prison has a chaplaincy, with three FTE chaplains and a faith-based volunteer roster of 111 people who provide religious support for prisoners. The chaplaincy endeavours to ensure that all prisoners have an opportunity to meet with a representative from their faith. However, a prisoner does not have to have a faith-based belief to engage with chaplaincy services.
283. The prison has a purpose-built chapel. However, because it is outside the security perimeter, it is not used for prisoner services and, as result, the chaplaincy uses whatever space is available. Lack of space and time has tended to have a negative impact on providing religious services. The chaplains can talk with unit staff about providing services, which can be subject to room and staff availability.
284. During September 2017, the chaplaincy and volunteers provided 51 faith-based services across the prison, and on 91 occasions they met one-on-one with individual prisoners.
285. We spoke to 13 prisoners about the provision of chaplaincy services. Of those, 11 advised they did not want contact with a chaplain, although they were aware chaplaincy services were available. One prisoner advised he had seen the chaplain every two or three weeks since his arrival in prison.

Finding

- Finding 47. Chaplaincy services were, at times, limited due to regime restrictions and the availability of rooms.

Reintegration

286. Case managers begin working with prisoners to develop a release plan from their initial reception into custody, and continue to develop and confirm this plan as their sentence progresses.
287. Proposed release plans for long-serving prisoners are outlined and confirmed in the Parole Assessment Reports, which are provided to the New Zealand Parole Board (NZPB) before the prisoner's scheduled hearing. Planning is based on a prisoner's risk of re-offending and the support needed to manage those risks.

Temporary release

288. The Department of Corrections offers a range of programmes aimed at helping eligible and suitable prisoners to integrate into the community through temporary release.⁴³
289. Those opportunities include:
- » Release to Work, in which prisoners are able to work in industries outside the prison
 - » guided release, in which prisoners are accompanied on visits to local communities and to services such as accommodation providers and banks
 - » 'outside the wire' employment, in which prisoners take part in prison work opportunities outside their unit or outside the prison perimeter
290. The purpose of Release to Work is to assist prisoners in their reintegration by maintaining, developing or re-establishing work skills and habits, providing contact with the wider community, and providing the opportunity to save money for re-establishment on release.
291. As at 23 October 2017, 19 prisoners were participating in Release to Work opportunities.

Guided release

292. The guided release programme is aimed at long-serving prisoners who need help reintegrating into the community.
293. Guided release coordinators work with prisoners to gradually reintroduce them to the community, and help them deal with immediate needs such as finding accommodation, opening bank accounts, looking for work or applying for benefits, and helping them if problems arise. The programme is available only to prisoners who are eligible and suitable for temporary release.⁴⁴ It is particularly important for prisoners who have little or no support on release.
294. To participate in the guided release programmes, prisoners need to have been in prison for two years or more, have a minimum security classification, have completed their programmes, and be drug and incident free for a period of time.
295. Staff advised that, during guided release, prisoners are reintroduced to life outside the prison as part of their reintegration. Prisoners are taken to an Eftpos machine, provided with a Snapper card or taken shopping for clothing and household items.

⁴³ Temporary release purposes and criteria are set out in Corrections Act 2004, ss 62-64. Also see Corrections Regulations 2005, regulations 26-29; Department of Corrections Prison Operations Manual, M04.06.

⁴⁴ Temporary release criteria are set out in Corrections Act 2004, ss 62-64. The programme is only available to minimum security prisoners or those who the NZPB has ordered released.

296. During our inspection, staff advised they had recently received a prisoner on transfer from Christchurch Men's Prison. The prisoner had two weeks remaining on his sentence. The prisoner had been pre-approved for guided release at Christchurch Men's Prison, and there was an expectation from the NZPB this would happen without requiring the local advisory panel's further approval. However, due to the limited time left on his sentence, the prisoner was not allowed to participate in guided release, as the Prison Director would have had to operate outside the established process to accept the recommendation of the advisory panel from Christchurch Men's Prison. Staff advised that this was not an isolated occurrence.
297. Following our inspection, the National Commissioner advised that access to guided release should not be hindered by transfer. Upon transfer of a prisoner who has been pre-approved for guided release, that prisoner is to be allocated immediately and the guided release application to be completed for the next available panel.

Prisoners' readiness for parole

298. We interviewed four prisoners who were eligible for parole to assess their readiness for their parole hearing. Of these, two advised they did not feel ready for parole. One prisoner advised he had not yet completed any rehabilitation programmes. The second prisoner advised he had declined to attend the hearing because he did not believe he was ready.
299. One of the two who felt ready for parole said his case manager had arranged for him to have a psychological assessment, and had assisted with finding a place to live through the Salvation Army. In contrast, the other prisoner said that his case manager had not been helpful. Instead, other prisoners had told him what he would need to do to get parole. The prisoner advised he had:
- » completed an alcohol and drug brief course
 - » worked in the prison recycling team and in the kitchen
 - » arranged for a one-on-one psychological appointment
 - » with the help of his mother, arranged for suitable accommodation
300. Prisoners we spoke with informally advised that they had to wait until after their first parole hearing before case managers would consider what programmes they could take part in. A case manager acknowledged this, and advised that child sex offenders in particular were not able to complete their programmes before their parole eligibility date.
301. The increase in the prisoner population and the increase in the number of segregated prisoners had made it more difficult to provide the required access to programmes.
302. Following our inspection, the National Commissioner advised that, due to increasing pressures around the prison population, staff shortages, scheduling, funding, and insufficient suitable programmes rooms, some prisoners did not have access to programmes before their parole hearings. The prison is recruiting more case managers and improving its scheduling to address the competing demands of interventions and employment.
303. Further, in April 2018, the prison implemented a Parole Ready Panel initiative. This panel has representatives from case management, programme delivery, scheduling and psychological services.
304. The initial focus was on discussing parole readiness in principle. The concept is now being supported by the parole ready work stream of the High Impact Innovation Team and the focus has

shifted to include discussions on specific prisoners who are six months from their first NZPB hearing and those who have recently been declined.

305. It is planned to widen the Parole Ready Panel's focus to include prisoners who have approximately 18 months until their first hearing. It is working to facilitate access to activities for individual prisoners and identify wider themes regarding barriers in this area.
306. Parole Ready Panels have been instigated at other prisons and staff from other prisons have observed how the panel operates at Rimutaka Prison, as the processes at the prison are seen as being particularly beneficial and collaborative, with positive outcomes.

Prisoners' readiness for release

307. We interviewed eight prisoners nearing the end of their sentences about their readiness for release. Of these, seven had some concerns because they either had not met with their case managers or they found their case managers unhelpful. However, of these seven prisoners, four advised they had received some assistance from the Out of Gate reintegration provider, the Salvation Army, unit staff and family. The remaining three prisoners advised they had no accommodation arranged, had not participated in programmes and did not feel their offending had been addressed.
308. One of the seven prisoners who expressed concerns about his release advised that he was due to be released in one month. He advised he lived near Spring Hill Corrections Facility. He said no-one from the prison had spoken to him about his release and he was unsure if he would be transferred back to Spring Hill Corrections Facility before his release. He advised that he had not been seen by Work and Income, had no bank account, had not received any other assistance or information about his release, and had to arrange his own accommodation for release.
309. The one prisoner we spoke to who felt prepared for release was housed in a Self-Care Unit. The prisoner advised he had secured accommodation with the Salvation Army and had been working with a local business for the previous 12 weeks. He intended to continue to work for the same business until March 2018, when he hoped to go to Weltec to study.
310. The prisoner advised that staff members had placed him on guided release (see paragraph 292) which involved six outings in preparation for his release. During the outings, he saw his accommodation, met his probation officer and visited a store to price bedding for his accommodation when he left prison.
311. Between 1 March 2017 and 31 August 2017, 287 prisoners were recorded as being referred to external reintegration services for assistance with accommodation, income, employment and other needs such as skills and training, personal wellbeing and family connections.

Finding

- Finding 48. Some services were available to support reintegration. However, the increased prisoner population, and limited number of programme rooms and case managers, resulted in some prisoners not being adequately prepared for their parole hearing and subsequent release from prison.

Appendix – Images



Image 1. Example of graffiti in HM units



Image 2. View of toilet in HM7, Cell 15



Image 3. Makeshift pillows in HM unit



Image 4. Example of an evening dinner



Image 5. Recycled bicycle



Image 6. Unit 7's nursery



Image 7. At Risk Unit 'round room'