

Waikeria Prison

Unannounced Follow-up Inspection

August 2019



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Office of Inspectorate *Te Tari Tirohia*

Our whakataukī

Mā te titiro me te whakarongo ka puta mai te māramatanga

By looking and listening, we will gain insight

Our vision

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

Our values

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

Office of the Inspectorate values:

Respect – We are considerate of the dignity of others

Integrity – We are ethical and do the right thing

Professionalism – We are competent and focused

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

Diversity – We are inclusive and value difference

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Foreword

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

This report follows an unannounced follow-up inspection at Waikeria Prison. It was the Inspectorate's second unannounced inspection, after a programme of scheduled initial inspections of all 18 New Zealand prisons that began in March 2017. These inspection reports are being progressively published on the Inspectorate website¹ and are made available to prisoners in prison libraries. The inspection reports contain findings rather than recommendations. The Department and prison take steps to address matters identified in the reports.

The inspection process provides an ongoing invaluable insight into prisons. It provides assurance that shortcomings are identified and addressed in a timely way, and examples of good practice are shared across the prison network. As the Inspectorate has added health expertise to its team of inspectors, inspections now have a strong clinical focus.

The follow-up inspection links to the work of my regional inspectors, who have close and ongoing contact with sites.

The initial inspection of Waikeria Prison, in 2017, identified the challenges associated with ageing facilities, a rising prison population, pressure on staffing and barriers to rehabilitation. It also highlighted some significant successes, such as the wide range of rehabilitation, training and work opportunities offered at the prison.

The Department responded to my report by implementing an action plan and carrying out significant improvements despite the challenges of the prison.

Our unannounced inspection took place in August 2019 and focused on areas identified in the initial inspection that required improvement, as well as considering areas covered by new *Inspection Standards*.

An unannounced inspection provides the inspection team with a clear picture of what happens routinely in the prison. It gives assurance that the findings of the previous inspection are being addressed by the prison and standards are being maintained constantly.

Waikeria Prison faces challenging conditions due to the continued use of facilities more than 100 years old. The high security units continue to be an environment not conducive for the humane treatment of prisoners.

However, I was pleased to note the positive staff engagement with prisoners. Staff reflected that they used the Department of Corrections' values from the Hōkai Rangi strategy in their day to day interactions with prisoners.

¹ <https://inspectorate.corrections.govt.nz>

The prison has made good progress in providing a range of work, education and rehabilitation opportunities for all prisoners, including those on remand.

I visited Waikeria Prison in January 2020 and received an update from the Prison Director. I was pleased to be able to follow up some of the changes made at the prison in response to this report's findings. I acknowledge the National Commissioner's response to the report, which is included at Appendix B.

I acknowledge the cooperation of Waikeria 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

Our findings

1. This report sets out observations from our 2017 inspection, along with the response from the National Commissioner at the time (noting that the National Commissioner did not comment on all aspects of the 2017 inspection). The *Inspection Standards* for each section are also noted. Our commentary from the 2019 follow-up unannounced inspection follows and our 2019 findings are listed.
2. Our follow-up inspection found that Waikeria Prison had overall made good progress in its response to our 2017 observations, particularly in the areas that prison management and staff could directly control and influence.

Reception and induction

- Finding 1. Receiving Office staff continue to ensure the safety of new prisoners and treat them in a humane and respectful manner. The prison had made good progress towards ensuring the completion of immediate needs assessments for all new prisoners.
- Finding 2. The prison has made reasonable progress in respect to preserving the privacy and human dignity of new prisoners by the installation of a full-length curtain around the prisoner strip area. However, prisoner privacy is not maintained in the Receiving Office holding cells because the CCTV camera is positioned over each cell toilet.
- Finding 3. The prison has made good progress in improving prisoner inductions and ensuring information relating to prison life is accessible.
- Finding 4. The prison has made good progress in the timeliness and record keeping for prisoner initial telephone calls.

Duty of care

- Finding 5. The prison has made reasonable progress to ensure that prisoners of different categories, using the AVL suite, are kept in separate holding cells.
- Finding 6. The AVL suite toilet used by prisoners offers no privacy as it has a clear glass window.
- Finding 7. The prison has made good progress towards providing for the safety and security of different categories of prisoners with the introduction of the transition group and carefully considered prisoner placement.
- Finding 8. The prison has made reasonable progress in trying to reduce violence when moving high security prisoners to the yards, but we note that there has been an increase in the prisoner on staff assaults across the prison.
- Finding 9. The prison has made no meaningful progress with improving prisoner supervision while they are in the yards because the extra staff assigned to sentry duty in the high security unit yards has not been maintained and the number of computer monitors and camera views means the yards cannot constantly be observed from the control room.

Finding 10. At the time of our follow-up inspection, the prison site was in the process of recruiting for a Site Emergency Response Team. We note that the SERT team is now in operation.

Finding 11. Gang management is an on-going focus for the prison.

Health

Finding 12. Health needs generally continue to be met at Waikeria Prison.

Finding 13. Some health assessments for newly arrived prisoners contained a limited history of their health information or needs.

Finding 14. The Health Service did not have access to some IT capability to support clinical practice, such as GP2GP, electronic referrals or electronic Special Authority capability.

Finding 15. The main health centre had sufficient consultation rooms. However, these were old and some were untidy during our follow-up inspection. Dated health furniture was not appropriate for vulnerable prisoners to use and could lead to staff injury.

Finding 16. The prison has good connections with disability support agencies, which assist the prison in disability assessments and the provision of support services and/or equipment.

Finding 17. Not all older people had their 65 years and over annual health check.

Finding 18. Health staff identify and respond well to prisoners with physical, mental or intellectual disabilities.

Finding 19. The environment of the ISU is more therapeutic, with wall murals, chalk boards, games, bean bags and exercise activities.

Finding 20. The prison has increased the unlock hours and constructive activity in the ISU.

Environment

Finding 21. There has been no meaningful progress to improve the condition of the high security facility. A number of maintenance tasks needed to be carried out in the residential unit walkways and shower areas. Most shower areas are old and still had peeling paint, and the yards were in poor condition.

Finding 22. The prison has made reasonable progress in improving the cleanliness of the high security yards with moss and graffiti removal.

Finding 23. The prison has made good progress in improving the management of bedding and clothing, which is regularly replaced throughout the year.

Finding 24. The low security units continue to provide a good environment in which prisoners' needs were generally met.

Finding 25. In units applying an 8am–5pm unlock regime, there continues to be a lengthy period of time between evening and morning meals.

Good order

- Finding 26. No meaningful progress has been made on improving the physical environment of the existing high security facility to meet the safety needs of prisoners or staff. However, we note that construction is underway to establish a new high security facility at the prison by 2022.
- Finding 27. The prison has made good progress with improving the effectiveness of its drug testing programme.
- Finding 28. The prison has made good progress with improving classification and placement decisions to ensure that the majority of prisoners are held in accordance with their appropriate security classification.
- Finding 29. The prison continues to make good progress to ensure prisoners in low security units are kept safe and placed in an environment where security is proportionate to the risk they pose.
- Finding 30. The high security separates area is an environment not conducive for the humane treatment for prisoners, with little natural light. No meaningful progress has been made to improve the environment and conditions of this area.
- Finding 31. The prison has made reasonable progress transitioning East North unit to a management unit.

Purposeful activity

- Finding 32. The prison has made good progress in providing prisoners access to physical exercise.
- Finding 33. The prison has made good progress in maintaining gym equipment in Totara unit and has installed CCTV cameras in Karaka unit's programme delivery rooms, enabling programmes to be delivered.
- Finding 34. The library continues to provide good access to library resources and materials that meet prisoners' needs.
- Finding 35. The prison has made good progress in ensuring prisoner access to telephones to contact family and whānau.
- Finding 36. The prison embraces the Tokorima a Māui values and takes a prisoner-centric approach to support prisoner connection with family and whānau.
- Finding 37. The prison has made good progress re-purposing cells as an interview room and an area where prisoners can use the kiosk and make free, unmonitored calls to their lawyer. This is innovative and benefits the prisoners.
- Finding 38. The prison has made good progress providing a wide range of work, education and rehabilitation opportunities to all prisoners. These opportunities extend to remand prisoners.

Reintegration

Finding 39. The prison continues to make good progress in the area of reintegration.

Prison staff

Finding 40. The prison has made good progress in ensuring staff positively engage and respect prisoners. Staff reflected that they were using the Department of Corrections' values from the Hōkai Rangi strategy in their day to day interactions with prisoners.

Finding 41. The prison has made good progress with assigning case officers to high security prisoners.

Introduction

3. This report is the second of a programme of follow-up prison inspections to be carried out by the Office of the Inspectorate *Te Tari Tirohia*.
4. The Inspectorate visited Waikeria Prison between 27-29 August 2019 to carry out the unannounced inspection.
5. Inspectors assessed the treatment and conditions of prisoners at Waikeria Prison against the *Inspection Standards*, which are based on the principles of safety, respect, purposeful activity and reintegration. The *Inspection Standards* relate to 10 areas of prison life: reception and admission, first days in custody, escorts and transfers, duty of care, health, environment, good order, purposeful activity, reintegration and prison staff.
6. Follow-up inspections consider areas of prison life that were the subject of observations in the initial inspection. Standards that are new or were not considered as part of the initial inspection are also considered in the follow-up inspection.
7. The *Inspection Standards* are informed by:
 - » the United Nations Standard Minimum Rules for the Treatment of Prisoners ('the Nelson Mandela Rules')
 - » HM Inspectorate of Prisons *Expectations* (England's equivalent criteria for assessing the treatment of and conditions of prisoners)
 - » the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders ('the Bangkok Rules')
 - » the Yogyakarta Principles, which guide the application of human rights law in relation to sexual orientation and gender identity
8. This is the second follow-up inspection that has been carried out and the Inspectorate continues to refine its methodology.
9. Inspectors make their assessments with four key principles in mind, to ensure that prisoners are treated in a fair, safe, secure and humane way. The principles are:
 - » **Safety:** Prisoners are held safely.
 - » **Respect:** Prisoners are treated with respect for human dignity.
 - » **Purposeful activity:** Prisoners are able, and expect, to engage in activity that is likely to benefit them.
 - » **Reintegration:** Prisoners are prepared for release into the community and helped to reduce their likelihood of reoffending.
10. The Inspectorate has adopted the assessment methodology used by Her Majesty's Inspectorate of Prisons for England and Wales² to assess progress made by prisons since our initial inspection. There are four possible progress judgements:
 - » **Good progress:** Managers have implemented a realistic improvement strategy and have delivered a clear improvement in prisoner outcomes.

² Refer to guidance on Independent Reviews of Progress <https://www.justiceinspectorates.gov.uk/hmiprison/wp-content/uploads/sites/4/2019/03/INSPECTION-FRAMEWORK-2019.pdf>

- » **Reasonable progress:** Managers are implementing a realistic improvement strategy and there is evidence of progress (for example, better systems or processes) and/or early evidence of some improving prisoner outcomes.
 - » **Insufficient progress:** Managers have begun to implement a realistic improvement strategy, but actions taken have not yet resulted in any discernible evidence of progress (for example, better systems or processes) or improved prisoner outcomes.
 - » **No meaningful progress:** Managers have not yet formulated and resourced a realistic improvement plan.
11. The fieldwork for the follow-up inspection was completed by three inspectors, supported by a Principal Inspector. Inspectors carried out:
- » an interview with the Deputy Prison Director (who was Acting Prison Director at the time of the inspection)
 - » interviews with prison management and selected staff
 - » informal interviews with 45 prisoners
 - » a physical inspection of the high security facility and five of the low security prison units, and
 - » a review and analysis of relevant documents and data
12. In addition, the Principal Clinical Inspector and Clinical Inspector visited the prison between 23-25 September 2019 and interviewed prisoners and health staff and inspected facilities to assess the health standards. At the time of the 2017 inspection, the Inspectorate did not have access to a qualified health professional so some of the health standards were assessed for the first time during the follow-up inspection.
13. On 28 November 2019, we provided the Acting National Commissioner with a draft of this report. He responded to the draft on 15 January 2020 and his response is attached as Appendix B. We acknowledge the improvements that have been carried out at the prison in response to this inspection report.

Waikeria Prison

14. Waikeria Prison is situated in south Waikato, in Corrections' Central region. The prison's high security facility was established in 1911 and was gazetted as a borstal institution until 1981. From 1981 to 1985 it was a youth institution, after which it was reinstated as a men's prison.
15. The prison has the capacity to house up to 783 male prisoners with security classifications from minimum to high, including remand prisoners.
16. The prison houses high security prisoners in the East and West units. East has 126 beds for remand prisoners while West North has 60 beds and West South has 65 beds for sentenced prisoners. The Intervention and Support Unit has the capacity to house up to 26 prisoners.
17. There are seven low-medium security units. Te Ao Mārama, Rata, Karaka, Totara and Puriri units are located three and a half kilometres from the high security facility. Each unit is individually fenced. Nikau and Miro units are situated in another part of the prison, nearer the high security facility. Karaka, Nikau, Rata and Totara units can accommodate up to 80 prisoners each. Puriri and Te Ao Mārama have 60 beds in each and Miro has 66 beds (34 cells).
18. In 2012, four of the prison's nine original units were closed as they were no longer considered fit for purpose. In 2015, the Department announced it planned to close the remaining units

but, due to the then rising prisoner population, some closures did not proceed and four of the units continue to be used as high security units.

19. A new 500 bed facility to accommodate high security prisoners is currently under construction. This will include a 100 bed dedicated mental health and addiction facility. Construction is due for completion by 2022.

Prisoners

20. At the time of our inspection, the prison housed 752 prisoners. Of these, 438 (58%) were sentenced prisoners. Forty-five percent of prisoners (339 individuals) were classified or managed as high security.
21. The majority of the prison population were Māori (68%), followed by Pākehā (23%) and Pasifika (4%).
22. Ten prisoners were aged 19 and under, and 37 prisoners were aged 60 and over.

Staff

23. At the time of our inspection, the prison had 306 FTE³ custodial staff, which was nine below its minimum requirement. Six of the custodial staff were identified as either on secondment or on leave. In addition, the prison's Health Unit had 15 FTE nurses.

Complaints received and deaths in custody investigated by the Inspectorate

24. From 1 July 2018 to 30 June 2019, the Inspectorate received the following contact from prisoners:
 - » 112 complaints⁴
 - » 11 information requests
 - » Nine statutory reviews (misconducts and temporary release/removal reviews)
 - » Four Visitor Prohibition Order reviews
25. In addition, there was one death in custody.⁵
26. The volume of complaints received from prisoners at Waikeria Prison in the 2018/19 reporting year was similar to other prisons with similar prisoner populations.

³ Full time equivalent.

⁴ The top five complaint categories were the complaints process (16%), property (14%), prison transfers and movements (12%), staff conduct and attitude (12%) and work and pay rates (7%).

⁵ There is no further comment in this report about the death. The Inspectorate has investigated it separately.

Progress since the initial inspection

27. This section sets out the observations from our 2017 initial inspection, the National Commissioner's response to those observations and the findings of our 2019 follow-up unannounced inspection.

Reception and induction

2017 observations	National Commissioner's response
<p>The prison generally took steps to keep new prisoners safe and generally treated them in a humane and respectful manner.</p> <p>Non-completion of immediate needs assessments could create risks to health or safety of prisoners or others.</p> <p>Strip searches of prisoners were conducted behind a screen and could be seen from neighbouring holding cells and from the prison's property office. This was not consistent with respect for human dignity.</p> <p>In high security areas, induction interviews did not always occur.</p> <p>There were delays in new arrivals receiving their initial telephone call to family or friends.</p>	<p>Secondary assurance checks have been conducted by the regional operation performance team on the completion of immediate needs assessments.</p> <p>A privacy curtain has been requested for the strip search area and will be in place in March 2018.</p> <p>The site is seeking approval to mix prisoner categories in this facility [the Receiving Office] in order to ensure they can continue to use this resource effectively while managing prisoner risks and needs appropriately.</p> <p>Secondary assurance checks were completed to monitor inductions in high security units and it was noted that some improvements have been made but not yet to the expected standard. The Prison Director will continue to monitor progress, through monthly reports from a residential manager, and will consider additional resources if necessary.</p> <p>A new telephone is now in place in the Receiving Office and is being supported by an additional staff member.</p>

Inspection Standards

- Prisoners are safe and treated with respect on their reception and during their first days in prison. Prisoners' immediate needs are identified on arrival and staff ensure that individuals' immediate anxieties are addressed before the end of the first day.
- Prisoners are promptly inducted and supported to understand life in prison and know what will happen to them next.
- Searches of cells and prisoners are carried out only when necessary and are proportionate, with due respect for privacy and dignity.

Needs Assessment

28. Receiving Office staff continued to treat prisoners in a humane and respectful manner and ensure they were kept safe, as observed in 2017. In particular, prisoners' anxieties were addressed.
29. A review of six prisoner files showed the prison has made good progress in improving prisoner immediate needs assessments. Our review confirmed that immediate needs assessment documentation had been completed for five new prisoners.
30. When visiting the Receiving Office, we noticed that a full-length curtain had been installed in the strip search area to ensure the dignity and privacy of prisoners was maintained. The curtain, when drawn, extends across the entire strip search area making it no longer visible from the property area or Receiving Office.
31. Staff monitor prisoners in the Receiving Office holding cells via CCTV. While all holding cells have privacy screens, prisoner privacy is not maintained because the CCTV camera is positioned above each cell toilet.

Induction

32. A review of COBRA⁶ data from the period 1 February to 31 July 2019 for the prison showed that 92% of prisoners had an induction completed within 72 hours.
33. The prison has created a comprehensive induction booklet covering all aspects of life in a high security facility, including its rules and regimes. Inspectors were told by a manager that the information booklet is given to all new arrivals into the high security facility, so they know what to expect. Prisoners were made aware of any rules and routines specific to their unit by printed copies placed in each cell and on unit noticeboards.
34. Inspectors confirmed that the secondary assurance checks conducted by the Department of Corrections in April and June 2018 identified that the prison had achieved a 93% and a 95% completion rate for unit inductions for newly received prisoners within the required 24-hour timeframe.

Initial telephone call

35. Since our 2017 initial inspection an additional telephone has been in place in the Receiving Office to enable newly received prisoners to make a free telephone call to family and whānau.
36. Staff recorded whether prisoners were able to reach their family and whānau member during that first telephone call. If no contact was made, staff followed up and permitted the prisoner to try again later that day or in the following few days.

⁶ COBRA is the Corrections Business Reporting and Analysis platform.

2019 Findings

- Finding 1. Receiving Office staff continue to ensure the safety of new prisoners and treat them in a humane and respectful manner. The prison had made good progress towards ensuring the completion of immediate needs assessments for all new prisoners.
- Finding 2. The prison has made reasonable progress in respect to preserving the privacy and human dignity of new prisoners by the installation of a full-length curtain around the prisoner strip area. However, prisoner privacy is not maintained in the Receiving Office holding cells because the CCTV camera is positioned over each cell toilet.
- Finding 3. The prison has made good progress in improving prisoner inductions and ensuring information relating to prison life is accessible.
- Finding 4. The prison has made good progress in the timeliness and record keeping for prisoner initial telephone calls.

Duty of care

2017 observations	National Commissioner's response
The two-booth audio visual link (AVL) suite was not used often, due to staff shortages. Use of AVL eliminates risks to safety and good order that can arise when prisoners are transported to and from court. The limited number of holding cells and the resulting mix of remand and sentenced prisoners created potential risks and placed additional demands on staff.	The site is seeking approval to mix prisoner categories in this facility in order to ensure they can continue to use this resource effectively while managing prisoner risks and needs appropriately.

Inspection Standards

- Prisoners have reasonable access to consult with a legal advisor.
- An audio visual link can be used for eligible court cases and for other legal consultations.
- Prisoners of different categories, where possible, are separated by allocating them to separate parts of the prison.

Court hearing attendance

37. Staff said the two-booth AVL suite is still not used due to the staff resource required to support it. However, we were informed that the AVL suite is used when long court hearings are scheduled.
38. The toilet used by prisoners in the AVL suite has a clear glass window in the door which offers no privacy.

Separation of prisoner categories

39. Staff working in the AVL suite were unsure if an exemption existed to mix different categories of prisoners in that area. Staff stated their priority was to always keep prisoners separate according to their category. Staff acknowledged there had been occasions when prisoners of different categories were mixed but said they gained the prisoners' verbal consent prior to mixing them.
40. Following our inspection in 2017, an exemption to mix certain prisoner categories was granted and then expired in June 2018. The next exemption was not granted until after our follow-up inspection on 11 September 2019. That exemption will expire on 30 September 2020. The exemption applies to the mixing of remand accused and remand convicted prisoners in East and Totara units, the AVL holding cells and the Health and ISU units.
41. Staff appeared to carefully consider prisoner placement. The Assistant Prisoner Director informed us that recently a transitions group had been established on site where key staff discussed which sentenced high security prisoners may be ready to move into a low security unit. The staff then supported the suitable prisoners identified to lower their classification.

2019 Findings

- Finding 5. The prison has made reasonable progress to ensure that prisoners of different categories, using the AVL suite, are kept in separate holding cells.
- Finding 6. The AVL suite toilet used by prisoners offers no privacy as it has a clear glass window.
- Finding 7. The prison has made good progress towards providing for the safety and security of different categories of prisoners with the introduction of the transition group and carefully considered prisoner placement.

Bullying and violence reduction

2017 observations	National Commissioner's response
<p>Violence or stand-overs occurred regularly in the high security units, particularly in the exercise yards.</p> <p>Prisoners were aware of gaps in physical supervision as well as gaps in CCTV coverage.</p> <p>The prison does not have a Site Emergency Response Team (SERT) to respond to violent incidents and has no timeframe for one to be introduced. There was friction between gangs in the [high security] facility. Staff and management were proactive in dealing with gangs.</p> <p>The management of rival factions created significant demands on staff, as did the mixing of different categories of prisoners and different security classifications.</p>	<p>The National Commissioner advised that the number of staff on sentry duty in high security exercise yards had been increased to more effectively deter and respond to violence and intimidation.</p> <p>Staff continue to take a zero-tolerance approach to violence and have been supported in managing the high security units, particularly exercise yards, with extra staff. As this has been effective in ensuring visibility and quick response to incidents the Prison Director has decided the staff levels in the yard will continue.</p> <p>The transition to a specific management unit has progressed with identification of a senior corrections officer who will be in place from April 2018.</p>

Inspection Standard

- Prisoners feel safe from bullying, abuse and violence.

42. Between 1 February and 31 July 2019, 58 physical assaults by prisoners were recorded at the prison (31 assaults occurred in high security units). Of those assaults, 29 were prisoner on prisoner and 29 were prisoner on staff assaults.
43. During the equivalent time period of our 2017 inspection (1 January to 30 June 2017), 55 assaults by prisoners were recorded (52 in high security units), including 45 prisoner on prisoner assaults and nine⁷ prisoner on staff assaults.
44. Inspectors spoke with several prisoners in the high security units. The prisoners did not raise any concerns around their safety in the units and inspectors observed staff actively engaging with prisoners.

⁷ One further assault was recorded as being prisoner against another person (not a prisoner or staff member).

45. To ensure staff and prisoner safety, up to 10 staff support prisoner movements to the exercise yards. Inspectors observed the unlock process in West North unit where prisoners were unlocked by staff two at a time, searched and provided with their lunch and toiletries for showering before being escorted to the yards. In the high security facility, most prisoners had no option but to use showers in the exercise yards (see image 2).
46. Staff were positioned at points along the corridors and walkways to ensure prisoners were moved safely in single file to their respective exercise yard. The process was conducted quickly and appeared to be methodical and safe, with careful consideration given to which prisoners were best allocated to each yard. Information was clearly displayed in the wing informing prisoners which items could be taken to the yards.
47. Waikeria Prison's high security facility has an overhead covered walkway (see image 1) above the exercise yards. A staff member is rostered on "sentry duty" when prisoners are in the yards. The sentry officer walks back and forth along the walkway, supervising prisoners.
48. During prisoner movements to and from a yard, the sentry officer is required to confirm changes in prisoner numbers with staff positioned below at the yard gate. This requirement means the sentry officer cannot continue to observe the remaining yards, and prisoners are aware of this. At these times, no other staff are directly supervising the remaining yards in person.
49. We viewed the yards during our follow-up inspection, including from the sentry position. After our 2017 inspection, two staff members were placed on sentry duty to increase the level of prisoner supervision in the yards. The Deputy Prison Director told us that having two rostered sentry officers was unsustainable due to staff shortages.
50. We observed staff monitoring the yards in the control room as a secondary security measure. Staff confirmed that if they notice prisoners fighting or that a CCTV camera has been covered, a "code blue" is called and staff respond. Due to the number of monitors and camera views, it is not possible for staff in the control room to observe the yards all the time.
51. During our follow-up inspection, the prison was recruiting staff for the Site Emergency Response Team (SERT)⁸ team, which will include two senior corrections officers and 10 corrections officers. Training was scheduled for the week of 16 September 2019 and operational duties were expected to start the following week.
52. Since our follow-up inspection, the SERT team has commenced its operations. Our review of incidents showed that during the short time the SERT team had been operational, it had supported the prison with vehicle checkpoints, cell and prison searching and telephone monitoring.
53. Waikeria Prison has a high number of active gang members. On 31 August 2019, 47% of all prisoners and 63% of high security prisoners had active gang alerts.
54. The prison's gang management plan outlines the approach taken in the placement of gang affiliated prisoners. This includes placing prisoners in exercise yards that are appropriate to their gang affiliation and any other relevant information held. The Deputy Prison Director reported there had been recent incidents of violence in the exercise yards involving prisoners with the same gang affiliations, so gang management is an on-going focus for the prison.
55. Safer Custody Panel (SCP) meetings, the gang management plan and regular information sharing with Intelligence, Police and staff help the prison identify and address gang tensions.
56. The SCP meets monthly to discuss and monitor incidents, risks and trends in relation to the safety of staff and prisoners. We reviewed the minutes from several meetings and concluded the SCP

⁸ The SERT contributes to site safety by targeting the introduction of contraband and responding to incidents and emergency events.

review and continuous improvement procedures appeared robust and were effective for monitoring gang activity and staff and prisoner safety.

2019 Findings

- Finding 8. The prison has made reasonable progress in trying to reduce violence when moving high security prisoners to the yards, but we note that there has been an increase in the prisoner on staff assaults across the prison.
- Finding 9. The prison has made no meaningful progress with improving prisoner supervision while they are in the yards because the extra staff assigned to sentry duty in the high security unit yards has not been maintained and the number of computer monitors and camera views means the yards cannot constantly be observed from the control room.
- Finding 10. At the time of our follow-up inspection, the prison site was in the process of recruiting for a Site Emergency Response Team. We note that the SERT team is now in operation.
- Finding 11. Gang management is an on-going focus for the prison.

Health

2017 observations	National Commissioner's response
Prisoner's health needs were generally being met.	There was no specific comment.

Inspection Standards

- Prisoners' immediate physical and mental health needs, including substance use and prescription medication needs, are assessed on reception and responded to promptly and effectively.
- On reception, prisoners are made aware of the prison health services available and how to access them.
- Prisoners have timely access to community-equivalent health and dental services and receive treatment which is sensitive to their diverse needs from competent staff in an environment that promotes dignity and maintains privacy.
- Prisoners are supported and encouraged to optimise their health and well-being.
- Prisons have a health service which ensures professional care of the physical and mental health of prisoners.
- Health files are accurate, up-to-date and confidential, and accompany the prisoner when they are transferred.
- Prisoners have access to specialised external secondary and tertiary health care services when required.
- Prisoners have a right to health confidentiality and do not have to provide information, undergo health interventions or screening.
- Prisoners with a history of substance abuse receive specialised and individualised treatment and culturally appropriate support (including aftercare).
- Trans prisoners receive health care equivalent to that available to them in the community.
- Health professionals do not participate in disciplinary sanctions.

Health screening on reception

57. On reception, nurses complete a triage screen of recently received prisoners to identify their immediate health needs. All reception triage scores were appropriately allocated with the follow-up assessments arranged within the required timeframes.
58. Nurses obtain a copy of a prisoner's medical history from their community provider so that care plans can be developed, including early prescribing of any regular prescribed medication.

59. We noted the prison does not use the secure electronic GP2GP⁹ process of transferring patients' medical notes, which is available through MedTech, the Corrections' patient management system. Use of this process provides staff with more patient health information to support their clinical decision making.
60. Records showed that while Initial Health Assessments and Update Health Assessments were consistently undertaken within required timeframes, the quality of these assessments varied. Some Initial Health Assessments had only mandatory fields completed, which meant important details such as mobility, dental, diet or lifestyle risks were missing. An Initial Health Assessment should be comprehensive in order to explore the patient's health history and presenting conditions, and understand ongoing health needs.
61. After the completion of health assessments, screening tests for communicable diseases were completed.
62. All new arrivals were assessed for nicotine replacement therapy and provided lozenges when required.
63. A prisoner confirmed that during his health assessment, the nurse asked him questions about his health and his mental health and well-being. He also said the nurse told him how to access the Health Service and explained the health request process.

Provision of health care

64. Waikeria Prison provides a nurse-led primary health service consisting of 17.7 FTE registered nursing staff, one health care assistant, two team leaders and a Health Centre Manager. They are supported by three administrative staff and two rostered custodial officers. All health staff were up to date with their mandatory training.
65. Services are supported by medical officers, a dentist, a physiotherapist and a podiatrist. Prisoners¹⁰ can be referred to external providers such as sexual health clinics, optometrists, local acute and after hours medical clinics and Waikato and Lakes District Health Board services. Tattoo removal can also be arranged.
66. Medical Officers spoke about the variable levels of IT capability and connectivity with the health sector while working at the prison. At times, Medical Officers told us, they could not access Special Authority Forms or the Electronic Referrals Management System electronically.
67. Our review of the nurse clinic appointments showed that most prisoners were being seen within one or two days of submitting a health request form. A small number of health concerns were being addressed within seven days. There was some evidence that not all prisoners who submitted a health request form were assessed face to face with a nurse prior to a referral to other providers or other follow up actions being undertaken.
68. The waiting time to see a medical officer was approximately one week in high security, with urgent cases being prioritised. The waiting time for the dental service was generally three weeks for non-urgent cases. Waiting times to see a physiotherapist were also reviewed and were found to be within an acceptable timeframe.
69. The main health clinic in the high security facility was old and will no longer be used when the new high security facility is built. The clinic has an adequate number of treatment rooms to meet the

⁹ GP2GP is a safe and secure electronic patient file transfer system. It enables patient medical records to be transferred between general practice management systems. Most NZ prisons use the GP2GP system.

¹⁰ Health staff refer to the prisoners they work with as patients.

- needs of the Health Service. However, there appeared to be a general untidiness in some of those rooms, with supplies and equipment lying around on surfaces and trolleys.
70. All treatment rooms had the old-style plinth tables for patients to use. These tables cannot be lowered or raised by health staff and the back support for sitting up is limited. Height adjustable plinths are safer and easier for older people or people with disabilities to use and reduce the likelihood of staff experiencing back strain.
 71. Each low security unit includes a health clinic that is used to administer medication and see prisoners. The low security health clinic we inspected was clean and tidy. Both high and low security medication rounds were completed within the required timeframes, except during an unexpected lockdown.
 72. During our inspection there seemed to be very few inhaler spacer devices in stock and available for use. Nurses we spoke to acknowledged that it was best practice for a person with asthma to use a spacer device with their inhaler but indicated this was not common practice. A Medical Officer also commented on the lack of spacer devices available.
 73. A review of the patient management system and our observations and discussions with staff confirmed that the prison completes regular screening for communicable diseases, diabetes and cardiovascular disease as part of the Initial Health Assessment process, as well as incidental screening when requested by prisoners.
 74. Cardiovascular Risk Assessments are completed and the Acting Team Leader had recently attended training with the Heart Foundation on the use of their new risk screening tool.
 75. Nurses run clinics so they can proactively provide health information and health promotion material to prisoners. Nurses are allocated portfolios in their areas of interest or expertise such as diabetes, vaccines and infection control.
 76. Disability Needs Assessments are carried out as required. The Central region and the prison have successfully engaged Disability Support Link¹¹ regarding training for "interRAI"¹² assessments. This relationship helps older people or people with disabilities to promptly gain access to the necessary equipment and support they need. Disability Support Link will visit the prison within a week of a Disability Needs Assessments referral being sent.
 77. MedTech records indicate that not all prisoners nearing the age of 65 (or over 65) have a reminder for their annual 65 and over health check. In fact, there was no evidence to confirm that any of these annual checks were taking place. We alerted the Health Centre Manager to this while we were in the prison.
 78. We identified evidence that kaiwhakamana¹³ engagement was occurring as required. A prisoner in the Intervention and Support Unit was identified as needing cultural support and this was arranged for him in a timely manner. A Māori cultural advisor from the District Health Board forensic team links in with family and whānau if appropriate.
 79. Screening for Māori prisoners is aligned to Ministry of Health guidelines. The Health Centre Manager advised us there are three Māori nurses employed at the prison, some of whom spoke Te Reo with Māori prisoners during consultations.
 80. Generally, complaints about health services are submitted using the prisoner complaint process (PC.O1). The Health Centre Manager advised that they do not get many Health and Disability

¹¹ The Waikato District Health Board needs assessment and service coordination service.

¹² "A suite of seamless and comprehensive clinical assessment instruments, developed by an international collaborative to improve the quality of life of vulnerable people." www.interrai.co.nz

¹³ Volunteers who have approved access to prisons to enable the well-being of Māori prisoners. They include kaumatua and kuia.

Commission complaints. The Health Centre Manager told us she encourages her team to have conversations with prisoners to try and resolve their concerns as early as possible.

81. During an interview with a prisoner, we were advised that he had previously submitted a health complaint to the prison. The prisoner told us he was happy with the response he received, which included someone from the health team meeting with him and agreeing a way forward together. The prisoner said he felt listened to and did not feel he was treated negatively because he had made a complaint.
82. Our discussions with medical officers, nurses and prisoners suggest that prisoners feel informed about their health conditions and treatments. One example was an older prisoner who had several medical conditions and a recent new diagnosis. The Medical Officer spoke to us about how he discussed with the prisoner at length his prognosis, treatments and end of life advanced care planning.
83. Health records we reviewed and prisoners interviewed confirmed that consent is documented for health interventions. During consultations in treatment rooms, a corrections officer was stationed nearby but privacy and confidentiality were maintained.
84. Nursing staff spoke about identifying what health information was necessary to share with custodial staff when managing prisoner care, particularly when they were in the Intervention and Support Unit. Nurses were aware of health information privacy and custodial staff appeared respectful of these requirements.
85. Health related decisions are based on clinical assessments. Nurses reported that they felt confident to challenge custodial staff when necessary (in relation to prisoner care) and were advocating for patients' clinical needs.
86. Health staff attend all medical emergencies at the prison. They have emergency bags in both the high and low security residential areas and there is also an emergency bag in the security van so it can be transported quickly to any incident scene if necessary.

Substance abuse

87. Very few new arrivals had current ASSIST assessments (Alcohol, Smoking and Substance Involvement Screening Test) and there are no alcohol and other drug brief and intermediate programmes available at the prison.
88. People who are receiving opioid substitution treatment in the community continue this treatment if they come to prison. The Community Alcohol and Drug Service is available at the prison and provides an alcohol and other drug service when required. One of the medical officers is gazetted to prescribe opioid substitution treatment.
89. The prison receives a daily prisoner list from Police who advise health staff of who is currently detained in court cells and who has been released. This notification process allows health staff to identify when a person has been released from court without prior notice. Health staff can then inform alcohol and other drug or mental health service providers.

Trans prisoner health care

90. At the time of our follow-up inspection, the prison had one identified trans prisoner. S 9(2)(a)
[REDACTED] She was also being supported by health staff with her needs.
91. The Health Centre Manager advised that the health unit follows the Corrections' transgender policy and described the support provided to the trans prisoner as "*walking beside them*". Health staff made relevant referrals and supported her as required.

Health professionals' role in discipline

92. Inspectors confirmed that health staff have no role in imposing disciplinary sanctions or restrictive measures on prisoners.
93. Health staff described their role during or after a Use of Force incident. They said they have a good working relationship with custodial staff, with mutual respect being demonstrated for each other's role during these types of incidents.

2019 Findings

Finding 12. Health needs generally continue to be met at Waikeria Prison.

Finding 13. Some health assessments for newly arrived prisoners contained a limited history of their health information or needs.

Finding 14. The Health Service did not have access to some IT capability to support clinical practice, such as GP2GP, electronic referrals or electronic Special Authority capability.

Finding 15. The main health centre had sufficient consultation rooms. However, these were old and some were untidy during our follow-up inspection. Dated health furniture was not appropriate for vulnerable prisoners to use and could lead to staff injury.

Finding 16. The prison has good connections with disability support agencies, which assist the prison in disability assessments and the provision of support services and/or equipment.

Finding 17. Not all older people had their 65 years and over annual health check.

Mental Health

2017 observations	National Commissioner's response
<p>Prisoners in the At Risk Unit were being managed in a way that minimised risks of self-harm but could not be considered therapeutic given the long hours of lockup and very limited opportunities to interact with others or engage in constructive activity. Prisoners told us there was little to do in the unit to keep them mentally or physically stimulated. They had little to occupy them in their cells, and there was very little variety or stimulation in their out-of-cell activities. When they were in the exercise yards, they had nothing to do but walk around. Prisoners in the At Risk Unit were allowed out of their cells for two hours per day. The hours alternated daily, with a 9am–11am unlock time on one day and a 1pm–3pm unlock time the next day. This meant that prisoners could be locked up for up to 26 hours at a time.</p>	<p>A forensic nurse has begun working full-time on the site.</p> <p>All sites are working to enhance the At Risk Unit and will be supported by the Intervention and Support Project (ISP). While it is not a pilot site for the ISP, a representative will be attending the intervention and support learning event in April 2018.</p> <p>Unit regimes had changed to ensure that prisoners were not held in their cells for excessive periods of time</p>

Inspection Standards

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

94. Mental health was not specifically assessed in the 2017 inspection, so all relevant inspection standards were assessed.

Intervention and Support Unit

95. The Intervention and Support Unit (ISU) appeared freshly painted with bright artwork and murals on the walls. The unit was clean and tidy, with painting currently in progress. There was minimal graffiti (e.g. paint scratched off some surfaces) but staff reported that all areas would soon be repainted.
96. Recreation rooms had been set up with chess and backgammon boards painted on the tables and prisoners were able to obtain the game pieces from staff. Chalk boards were being painted on the interior cell walls. Two large screen televisions were to be placed in the two recreation rooms, to replace the two existing small televisions.
97. One recreation room had bright bean bags and two comfortable couches. This area also had a large religious mural and the officer advised that the room is used for church services. The ISU yard was

also being painted and had a bright mural on the wall. There was a privacy screen in the yard toilet. Prisoners were able to take a ball with them into the yard.

98. There was an exercise bike in a corridor area which had been acquired so prisoners, particularly those with high blood pressure, could exercise. Prisoners were able to retain their reading glasses in their cells during the day after agreeing to sign a behavioural contract.
99. The ISU had appropriate levels of clothing kit stocks and two prisoners from another unit worked as unit cleaners. The cleaners had access to an office type area where their supplies were stored and where they could take breaks. The cleaners told us that the ISU was a good place to work.
100. The ISU staff we spoke to appeared to apply the Tokorima a Māui¹⁴ values in how they worked with and supported prisoners in the unit.
101. ISU unlock regimes had changed to ensure that prisoners were not locked up for excessive periods of time. Prisoners are unlocked from their cell for two and a half hours per day, in addition to time they are permitted to make telephone calls and attend meetings. Prisoners can attend the gym if they wish for a 30-minute session with an activities officer Monday to Thursday.
102. We also noted that the new forensic occupational therapist is using a range of sensory items with prisoners.
103. In December 2018, the operational performance team for the Central region completed a secondary assurance assessment. They confirmed the ISU has an 8.30am–11am and 1pm–4.45pm unlock regime.

Mental health services

104. Nursing and medical officers manage the prison's primary mental health care services. As part of the Initial Health Assessment, a prisoner is subject to a mental health screen. Prisoners who present with a positive screen, acute or serious mental health issues are referred to Waikato District Health Board forensic services.
105. Custodial, case management and nursing staff can make referrals to the Mental Health and Reintegration Services. Each Mental Health and Reintegration Clinician has a caseload of about 20–30 people. At the time of our follow-up inspection, there was no waitlist to the clinician and people were usually seen within a week.
106. There are a range of mental health services available on site including:
 - » Two Mental Health and Reintegration Clinicians, employed by Emerge Aotearoa,¹⁵ who take referrals and work with prisoners to manage depression and anxiety.
 - » Time to Live Health Care¹⁶ provides a Packages of Care service and comes on site twice a week to see patients. It supports people with mental health issues, including anger management or grief. It also works with people with attention deficit hyperactivity disorder, supporting them to manage their behaviour themselves.
 - » ACC funded counselling service. Case managers and health staff make referrals for prisoners to access the counselling service and there are several counsellors working with prisoners across the prison.
107. During our follow-up inspection we identified that nurses were completing daily mental health assessments for prisoners in the ISU. However, since our visit, the health team has experienced

¹⁴ The five kaupapa values of manaaki (respect), rangatira (leadership), whānau (relationships), wairua (spirituality) and kaitiaki (guardianship).

¹⁵ A non-government organisation which provides a range of mental health, addiction and other support services.

¹⁶ A mental health services provider.

- some staff shortages and we have noted that the quality of some mental health assessments and processes have declined.
108. The prison appeared to have a positive working relationship with forensic services at the prison. Forensic nurses and doctors visit the prison every week and provide information and advice when required. A forensic nurse is based in the ISU five days a week. This nurse is also responsible for providing site wide coverage over this period.
 109. The forensic nurse will review acutely unwell ISU prisoners daily and provide support to custodial staff as well as input into management plans. If a prisoner needs to be admitted to inpatient mental health care at the Henry Bennett Centre, they typically must wait several weeks for an available bed.
 110. The forensic service has recently (as at the end of August 2019) provided an occupational therapist who is also based in the ISU. The prison has a dedicated custodial officer rostered to support forensic staff.
 111. We found that custodial and health staff were collaborating to engage cultural services and providers. In one case, staff arranged for an appropriate kaiwhakamana to meet with a prisoner who believed he was affected by mākuutu (witchcraft).
 112. The forensic service also has a cultural advisor who works with Māori patients on their caseload.
 113. The Health Centre Manager told us they had little knowledge of Kaupapa Māori health services in their region, and therefore had not connected prisoners nearing release with these services. Connecting Māori prisoners to Māori health services ensures improved continuity of care for prisoners on release.
 114. The Mental Health and Reintegration Clinician advised us that mental health staff awareness training is delivered to custodial staff every Friday. Custodial staff approach the training with enthusiasm and will often seek advice about concerns they have with a prisoner's behaviour.
 115. The new Waikeria Prison facility, currently under construction, will include a specialist mental health unit. It will deliver a Māori model of care, which is currently being developed by Corrections alongside Māori service providers, mana whenua and the District Health Board.

2019 Findings

Finding 18. Health staff identify and respond well to prisoners with physical, mental or intellectual disabilities.

Finding 19. The environment of the ISU is more therapeutic, with wall murals, chalk boards, games, bean bags and exercise activities.

Finding 20. The prison has increased the unlock hours and constructive activity in the ISU.

Environment

2017 observations	National Commissioner's response
<p>The prison's high security facilities were in very poor condition.</p> <p>Many of the cells were dark and damp, with minimal natural light and little air flow.</p> <p>Some parts of flooring in the toilet areas were stained and the floor coverings were lifting and decaying.</p> <p>Graffiti was on most surfaces.</p> <p>The exercise yards had rubbish on the floor, graffiti (some gang-related) on the walls and moss on the floors and walls.</p> <p>The exercise yards had dirty shower blocks that had paint peeling from the walls. In one of the yards a broken water basin was spraying out water.</p> <p>Most of the pillows viewed in high security cells were dirty and had fillings that had become clumped together and offered little support. Duvets were in a similar condition. Some were very thin.</p> <p>Provision of clothing was not adequate.</p> <p>The prison's low security facilities provided a good environment in which prisoners' needs were generally met.</p> <p>Pillows in some units did not provide adequate support.</p> <p>Prisoners reported that the water in their cells sometimes turned brown and hot water was sometimes turned off for part of the day.</p> <p>Meals complied with Department of Corrections national menus, but some prisoners complained that the quality was poor.</p> <p>The gap between evening and morning meals was potentially unreasonable but was a consequence of a reduction in unlock hours arising from limits on staffing and growth in the national prisoner population.</p>	<p>Effort remained ongoing to maintain the high security facilities to an appropriate standard. To achieve this, staff continued to identify necessary repairs and manage these with the facility's maintenance provider. Unit cleaners were responsible for cleaning yards, and grounds maintenance teams had completed resurfacing of walkways and removed moss from yards. Painters had been employed throughout units to paint cells and yards.</p> <p>Options to clad the showers with stainless steel were being costed.</p> <p>At times prisoner behaviour contributed to the standards of the unit, for example tagging, graffiti and damaging property. Staff remained alert to this and used prisoner employment teams to remove graffiti through cleaning, water blasting and painting. Staff could charge prisoners with misconduct for behaviour identified in the inspection report of attempting to ignite items in the yards.</p> <p>At the time of the inspection, the site was changing clothing colours and there was a delay with the clothing manufacturer. This had been resolved.</p> <p>Since the inspection, a new order of pillows had been made and, in recognition of the higher temperatures over the summer period, lightweight duvets were provided to prisoners. A central management process has also resolved issues related to the supply of clothing to prisoners, with sufficient stock available to provide two sets of clothes to prisoners.</p> <p>In lower security units, pillows and other bedding was replaced as needed. This was monitored by unit staff.</p> <p>Faulty hot water heaters had been replaced and drinking water had been tested and was safe.</p> <p>Prisoners' meals complied with the national menu, and the amount of fruit would not be increased.</p> <p>Following changes to the unlock regime, adjustments had been made to deliver the dinner meals later to these units.</p>

Inspection Standards

- Prisoners live in a clean and suitable environment which is in a good state of repair and fit for purpose.
- Prisoners have enough bedding that is laundered regularly.
- Prisoners are encouraged to keep themselves clean and are provided with toiletries.
- Prisoners have adequate access to a variety of clean clothing, including underwear and footwear, which is seasonally appropriate and of the right size and quality.
- Prisoners have a varied, healthy and balanced diet which meets their individual needs.
- Prisoners' food and meals are stored, prepared and served in line with hygiene regulations.
- Clean drinking water shall be available to every prisoner.
- Mealtimes are reasonable and generally match those in the community, where possible.

Residential units

116. As identified in our 2017 inspection, the high security facility continues to be not conducive to the humane treatment of prisoners. The design of the physical environment means staff had difficulty performing their day to day duties. Staff spent a significant part of their day moving prisoners to and from exercise yards.
117. Individual high security cells do not have showers so most prisoners must be moved to the outdoor yards for showers. Although prisoners told us the showers were hot, they are used year-round including during bad weather and in winter.
118. There are limited shower facilities in each wing and staff said only prisoners with an identified health need can use them. The two showers we viewed in one wing were clean but peeling paint was visible.
119. Maintenance in the high security units was reported to us as on-going and staff reported that cells were being painted as they became vacant and could remain so for the necessary painting period.
120. We observed very little graffiti in the communal areas of the high security units. Most areas had recently been painted. The Tokorima a Māui values were painted on the walls of each unit and cells had a motivational quote on the inside of the door.
121. Overall, the cleanliness of the yards had improved since our 2017 inspection. The yards were cleaned by the unit cleaners at the end of each day, after all prisoners had showered. Prisoners had used their soap to draw graffiti on the yard walls. Graffiti and moss were cleaned from the yard walls with a water blaster and detergent.
122. After our 2017 inspection, most of the shower areas in the yards did not receive remedial maintenance, such as stainless steel cladding, that had been proposed. Two showers appeared to have been recently painted but the remaining ones had chipped and peeling

paint. Despite their age and lack of maintenance, the showers appeared clean. We did not find any leaking water basins.

123. Some high security yards and yard walkways had been resurfaced with good results, but others still had uneven surfaces and trip hazards. The walkways were mostly clear of rubbish.
124. While we were inspecting the yards, a prisoner commented that sometimes the drinking water was brownish and it should be looked into. The Deputy Prison Director advised that a lot of work had been undertaken to identify ways to improve water quality and, in the meantime, it was tested regularly and found to be safe. The high manganese content in the water caused the discolouration. He commented that the prison was exploring whether a new bore could be established for the new high security facility.
125. The Deputy Prison Director also told us that bottled water was offered to prisoners as part of the summer heat plan. Hot drinks were also available to prisoners in the high security yards.
126. We also visited five low security units: Totara, Rata, Karaka, Miro and Nikau. At the time of our inspection, only Nikau unit had an extended unlock regime (typically 7am–9.30pm) because it is a working unit. The Deputy Prison Director confirmed that from October 2019, Karaka and Te Ao Marama units would return to extended unlock hours. During winter, these units had an unlock regime of 8am–5pm which provided an opportunity for staff to utilise some of their leave balances
127. The low security units that we visited were all well maintained. We observed most shower areas had been refurbished with new stainless steel shower surrounds.
128. Rata, Totara and Nikau units each have a 20-bed annex alongside the 60-bed unit, with a gate allowing access between the two residential areas if required.
129. Prisoners residing in these annexes have access to a small common room with books, tables, kitchen facilities and equipment such as a sandwich press, toaster and microwave. All equipment was in a good condition. Prisoners we spoke with in the annex areas appreciated this extra equipment.
130. Prisoners housed in the annexes had access to all common areas across the unit. However, unit rules did not permit prisoners housed in the main residential area (60 beds) to enter the annex. Annexes were equipped with their own prisoner information kiosk and telephone.
131. A prisoner in the annex and Totara unit staff told us there were no longer any concerns about the water discolouration in the cells. In the past, when there were concerns about water discolouration, staff provided prisoners with water from the cooler, which was in the guard room.

Clothing and Bedding

132. Prisoners we spoke to in the high security facility shared no concerns about the condition and quantity of the bedding or clothing available to them. We observed staff removing excessive kit from cells. We were informed that this practice happened on a regular basis. Excess sheets, pillow slips and blankets were laundered and returned to the kit locker for re-distribution.
133. We viewed the kit locker area for high security prisoners and it appeared well stocked, with appropriate levels of spare clothing and bedding.
134. Records of monthly clothing and bedding orders for August 2018 to July 2019 showed regular purchases of clothing, bedding and towels by the prison.

135. We also spoke to several prisoners in the five low security units we visited about their bedding. A temporary shortage of items, including pillows, was mentioned. In Karaka unit, many prisoners had more than one pillow.
136. Staff working in the lower security units told us they did regular 'sweeps' of cells to collect any excess bedding and clothing that had been accumulated. These items were re-laundered and returned to the unit kit lockers for reissue.

Food

137. Prisoners in the low security units are served breakfast and dinner in their unit's dining room. Breakfast is served between 7.45am–8.15am daily and dinner from 4pm. Almost all units were operating an 8am–5pm unlock regime, meaning there was a lengthy period of time between dinner being served in the afternoon and breakfast the next day.
138. Staff told us that when Karaka and Te Ao Marama units recommence their extended unlock hours, evening meals will be delivered later in the day.
139. One low security unit, Nikau, already had an extended unlock regime. Nikau unit houses 80 prisoners, many of whom work on the farm, in industries or Release to Work. Accordingly, prisoner mealtimes varied depending on their work schedules.
140. Prisoners we spoke to informally said the food quality was generally good but there continued to be too much bread in the diet. We note that all Corrections managed prisons will change to a new national menu from 14 October 2019.
141. To minimise incidents and gang-related tension, Karaka and Totara units had seating plans for prisoners in the dining rooms.

2019 Findings

- Finding 21. There has been no meaningful progress to improve the condition of the high security facility. A number of maintenance tasks needed to be carried out in the residential unit walkways and shower areas. Most shower areas are old and still had peeling paint, and the yards were in poor condition.
- Finding 22. The prison has made reasonable progress in improving the cleanliness of the high security yards with moss and graffiti removal.
- Finding 23. The prison has made good progress in improving the management of bedding and clothing, which is regularly replaced throughout the year.
- Finding 24. The low security units continue to provide a good environment in which prisoners' needs were generally met.
- Finding 25. In units applying an 8am–5pm unlock regime, there continues to be a lengthy period of time between evening and morning meals.

Good order

Security

2017 observations	National Commissioner's response
<p>Waikeria Prison's high security facility does not provide a physical environment that is conducive to safety and good order.</p> <p>The drug testing regime makes an important contribution to prisoners' health and safety, and to the good order of the prison. Its effectiveness was limited due to staffing shortages.</p> <p>The low security units provided a safe environment in which prisoners were actively managed, and levels of violence and intimidation were low.</p> <p>Rata Unit is the Harmony Unit. Unit staff and prisoners expressed concern that an influx of younger prisoners could upset the unit's balance and leave some older prisoners vulnerable to bullying and standovers.</p>	<p>Staff continue with a zero tolerance approach to violence and have been supported in managing the high security units, particularly exercise yards, with extra staff. As this has been effective in ensuring visibility and quick response to incidents, the Prison Director has decided the staff levels in the yards will continue.</p> <p>Rata Unit subsequently settled, and no issues of any significance had happened. Monitoring of the Prison Tension Assessment Tool will occur to ensure accurate information is reflected to understand unit dynamics.</p>

Inspection Standard

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

142. As in the 2017 inspection, the physical environment of the high security facility does not meet the safety needs of prisoners or staff. Construction is underway to establish a new high security facility at the prison by 2022, and the Deputy Prison Director told us the new build is having a positive impact on staff morale as they can see an improved future taking shape.
143. Staff responsible for drug testing prisoners complete their duties in accordance with policy. When the prison is short staffed, drug testing staff will assist with prisoner escorts to court in the mornings, allowing time to complete testing for the rest of the day. If time is short, staff will suspend voluntary drug test requests if necessary.
144. The low security units continued to provide a safe environment for prisoners. Prisoners continue to be actively managed by staff and incidents of violence and intimidation were low.
145. Rata unit's 20-bed annex houses mostly older prisoners or prisoners with ongoing health issues (see image 4). We spoke informally to several older prisoners. No-one raised any concerns regarding the mix of older and younger prisoners in the unit. On 27 August 2019, 20 prisoners under 30 were housed in Rata unit.

2019 Findings

Finding 26. No meaningful progress has been made on improving the physical environment of the existing high security facility to meet the safety needs of prisoners or staff. However, we note that construction is underway to establish a new high security facility at the prison by 2022.

Finding 27. The prison has made good progress with improving the effectiveness of its drug testing programme.

Classification and placement

2017 observations	National Commissioner's response
The limited unlock times and restricted access to communal areas were particularly restrictive for the minimum, low and low-medium security prisoners who were housed in the high security facility.	Time out of cell was constrained due the high security facility's physical environment and the mix of prisoners and security classifications housed in the facility.

Inspection Standards

- Classification, placement and treatment are based on an individual assessment of each prisoner's risks and needs.
- Prisoners are held in the appropriate security conditions and can seek review about decisions on their security classification.

146. We observed staff closely monitoring prisoner placements to ensure that low security prisoners were not unnecessarily placed in high security accommodation long term.
147. On 27 August 2019, 19 low security prisoners were housed in high security units. Of these, two were minimum security, seven were low security and 10 were low-medium security. Our inquiries confirmed that these prisoners were in high security units because:
- » they had recently been sentenced and were subsequently moved to lower security units within a week of classification,
 - » it was a temporary placement due to on-going mental health issues,
 - » there had been recent issues with non-compliance or serious violence against staff. Placement for these prisoners was temporary for all but one prisoner who was subsequently re-classified as high security.
148. Waikeria Prison has recognised that not all remand prisoners pose the same level of risk or require high levels of supervision. Consequently, Totara unit houses up to 80 remand convicted and remand accused prisoners who have been assessed using the Remand Management Tool as RMT2,¹⁷ which means they require a lower level of supervision.

¹⁷ RMT2 = Level 2 (low supervision). Definition: Remand prisoners in custody for less-serious offending and considered being at risk of criminal influence, may participate in activities that are conducted under a lower custodial supervision.

2019 Finding

- Finding 28. The prison has made good progress with improving classification and placement decisions to ensure that the majority of prisoners are held in accordance with their appropriate security classification.
- Finding 29. The prison continues to make good progress to ensure prisoners in low security units are kept safe and placed in an environment where security is proportionate to the risk they pose.

Segregation and cell confinement**Inspection Standards**

- Prisoners are placed on directed segregation only with proper authority and for the shortest time period, which is regularly reviewed. Prisoners understand why they have been segregated.
- Prisoners are kept safe at all times while on directed segregation and individual needs are recognised and given proper attention.
- Cell confinement is subject to strict policies and procedures.
- Prisoners live in a clean and suitable environment which is in a good state of repair and fit for purpose.

149. Segregation and cell confinement were not covered in the 2017 inspection.
150. Separates cells are used for prisoners serving a period of cell confinement after having been found guilty at a misconduct hearing.¹⁸ They are apart from the other unit cells.
151. The high security separates area continues to be an environment not conducive for the humane treatment for prisoners (see image 3). Several cells have no natural light and only have light coming in via the skylight in the corridor. There were two prisoners housed in this separates area at the time of our inspection.
152. Cells were warm, but toilets were dirty. Exercise yards had some moss present, but minimal graffiti. There were no privacy screens surrounding the toilets. The shower in the area was in reasonable condition, but there was no privacy screen.
153. In one cell there was no toilet. Staff confirmed that this cell was only used as a temporary holding cell, occupied for short periods of time, when a prisoner has recently arrived into the unit and required time to calm down.
154. Waikeria Prison does not have a purpose-built management unit like other prisons. The prison's East North side of the remand unit, known as Te Wero, appears to be an informal management unit where prisoners are held on directed (non-voluntary) segregation. There are also voluntary segregated prisoners housed in this area.
155. During our inspection, the unit appeared tidy and well organised.

¹⁸ Under Section 133 and 137 of the Corrections Act.

156. While visiting Te Wero unit we saw a staff member talking to a prisoner for an extended period of time. We were told by staff that the prisoner had several issues he wanted resolved and staff were actively trying to work with him to find appropriate solutions.

2019 Findings

Finding 30. The high security separates area is an environment not conducive for the humane treatment for prisoners, with little natural light. No meaningful progress has been made to improve the environment and conditions of this area.

Finding 31. The prison has made reasonable progress transitioning East North unit to a management unit.

Searches

2017 observations	National Commissioner's response
Whenever prisoners left their cells they were consistently and thoroughly searched for unauthorised items.	There was no specific comment made about searches.

Inspection Standards

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

157. Inspectors observed prisoner searches conducted prior to prisoners being escorted to the yards. The searches were carried out in a methodical and thorough manner. Prisoners were also scanned using the handheld detector, and any property being taken to the yards was searched.
158. Inspectors observed that the quality of rub down searches was of a high standard.

Purposeful activity

2017 observations	National Commissioner's response
<p>Prisoners in high security had limited opportunities to engage in constructive out of cell activities other than exercising in yards, which some considered unsafe.</p> <p>Closing off communal areas in high security units limited prisoner opportunities to make constructive use of their time out of cell and limited opportunities to associate with others.</p> <p>In a challenging environment, the service provided by the activity officer was an example of the positive impact that can result when staff are able to actively manage prisoners and provide access to constructive activities.</p> <p>Most of Waikeria Prison's low security units provided a wide range of rehabilitation, work, and learning opportunities.</p> <p>Staff from several of the units told us opportunities for rehabilitation and reintegration would be enhanced with longer unlock hours.</p> <p>Access to these opportunities was constrained by limits on time out of cell which had resulted from growth in the national prison population.</p> <p>Remand prisoners typically have fewer opportunities than sentenced prisoners to take part in education, training and other activities.</p> <p>Prisoners in Totara unit told us they wanted more courses and activities. Prisoners had access to library books, but the unit's gym was closed as equipment was broken.</p> <p>The prison's Reintegration Coordinator told us that more programmes could be offered with volunteers. However, Karaka unit needed more classrooms, and CCTV in the classrooms, to ensure that volunteers and programme facilitators were safe.</p> <p>Reduced unlock hours in Karaka unit limited opportunities for prisoners to take part in programmes and out of cell activities.</p> <p>Prisoners in the Totara annex advised that no corrections officer was with them when they were unlocked. Officers unlocked them and then returned to the main unit.</p>	<p>An increased number of prisoners now have access to the gym through the addition of a second activity officer.</p> <p>Following the 2017 inspection, the National Commissioner advised that unlock hours would be increased during 2018 in three of the low security units.</p> <p>Gym equipment in Totara unit has been reviewed and is now operational. A second activity officer is helping to increase access to gym activities across the site.</p> <p>Totara annex is no longer a segregated area and is a fully functional low security unit and the gate is now opened. As the gate is opened there is no need for a staff member to be permanently based there. With the increase in the number of remand prisoners in Totara, an extra staff member has been located to that unit.</p>

Inspection Standards

- All prisoners are able to spend at least one hour in the open air every day.
- Prisoners have regular access to a suitable library, library materials and additional learning resources that meet their needs.
- Prisoners can access out of cell activities which promote learning, well-being and support rehabilitation.
- Prisoners have access to physical exercise and recreational activities.

Supporting prisoner well-being

159. We did not see any communal areas in the high security areas of the prison that were closed. However, there are no indoor recreation areas in the Remand and West units. Purposeful activity was spent in the form of yard time, gym time, education or activities such as rehabilitation or programmes.
160. High security prisoners have the choice of going to the yards for exercise and fresh air or remaining locked in their cells. Staff said they encouraged prisoners to go to the yards (unless they had a medical reason not to) and they checked on those who chose to stay in their cells to confirm they were alright.
161. Time out of cell varied for prisoners housed in high security units. We noted that some prisoners were spending six and a half hours per day in the yards. In contrast, prisoners subject to directed segregation spend one hour and 15 minutes in the exercise yard every morning after breakfast. The additional 15 minutes gives them time to take a shower.
162. In the low security units, a wide range of rehabilitation, work, and learning opportunities continued to be provided. However, more opportunities could be offered with extended unlock hours in place throughout the whole year.
163. During our visit to Totara unit, we confirmed that the annex no longer accommodated segregated prisoners. This meant staff no longer had to keep the prisoners in the annex and main compound separate or have a staff member permanently based in the annex.
164. Staff told us there had been no permanent increase in staff numbers in Totara unit. An extra staff member is assigned to the unit when the number of prisoners increases to 75 or above.
165. In July 2019 prisoners were invited to take part in Te Tokorima a Māui challenge by creating a story, poem or drawing that embodied Tokorima a Māui values (kaitiaki, whānau, wairua, rangatira and manaaki). This challenge showed that the prison is demonstrating and embedding the values.
166. A number of other purposeful activities are offered in the low security units, including regular religious study groups, Alcoholics Anonymous (Totara and Karaka units) and cooking (Te Ao Marama). Block courses occur at various times in the year, including cooking, meditation and yoga. Karaka unit also has a carving space for prisoners, which they can use when not undertaking rehabilitation programmes.

Exercise

167. A second physical education officer is now in place to support the high security facility (including prisoners in the ISU), meaning prisoners can attend gym sessions at least twice per week. Prisoners through exercise circuits and other gym-based activities.
168. Physical education officers organised a recent competition ("Red Circuits") for the high security units. Prisoners participated in 16 exercises and were ranked according to weight and height criteria. The prisoner with the fastest time won the competition.
169. Low security units all have allocated gym areas that appeared well equipped.
170. The gym in the Totara unit was open and fully functional. We observed a number of prisoners playing touch rugby on the grassed area in the unit. A table tennis table was set up in another room.

2019 Findings

Finding 32. The prison has made good progress in providing prisoners access to physical exercise.

Finding 33. The prison has made good progress in maintaining gym equipment in Totara unit and has installed CCTV cameras in Karaka unit's programme delivery rooms, enabling programmes to be delivered.

Library

Inspection Standard

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

171. Prisoners in high security still had access to library books. The librarian visits each unit twice a week to deliver and collect books and request forms. Prisoners can borrow three books for up to two weeks. The library also offers a foreign language catalogue of books in 12 languages. There were also bookshelves in the high security units stocked with a small quantity of books.
172. Each low security unit is equipped with its own small library with a good selection of books and other material.

2019 Finding

Finding 34. The library continues to provide good access to library resources and materials that meet prisoners' needs.

Communication with family and whānau

2017 observations	National Commissioner's response
<p>There were payphones in communal areas in high security units, but prisoners reported they did not have access to the telephones because the communal areas were not being used.</p> <p>Prisoners reported that there were long delays in obtaining approval for telephone numbers to be added to their telephone list.</p>	<p>Administration support has been provided to high security units to assist with processing approvals. Positively, a reduction in complaints has been noted.</p>

Inspection Standards

- Prisoners are encouraged to maintain contact with family/whānau members.
- Prisoners have regular access to telephones and other communications, subject to a risk assessment.

173. Prisoners we spoke to across the prison had no issues with accessing telephones during unlock hours.
174. Payphones with privacy hoods were available in all high security exercise yards. Payphones were also available in the high security residential areas but, due to the unlock regime, most telephone calls would have to be made in the yards.
175. One unit also has a re-purposed cell with a computer kiosk and payphone in it. Prisoners can be locked in the room to use the kiosk or to make private telephone calls to their legal representative.
176. During our follow-up inspection, we confirmed that an administration support person has been appointed to assist with processing telephone number approvals to reduce waiting times.
177. From February to July 2019, five complaints were made about telephone number approvals. One complaint was upheld and a telephone number was later authorised.
178. The prison has introduced events to encourage and maintain prisoner connections with family and whānau. These include:
 - » An annual kapa haka challenge ("the Mangatutu Cup") involving all units. Prisoners are encouraged to invite family and whānau to watch the performances. The winners travel to the Spring Hill Corrections Facility inter-prison competition.
 - » Te Ao Marama unit making their visits area more family friendly and introducing a designated outdoor area to encourage prisoners to positively interact with their tamariki and partners. Prisoners are encouraged to read books, face paint, draw, use the chalk boards, play games or cook a meal together with their family, whānau and tamariki. For special occasions, like Father's Day, the unit offers activities such as t-shirt design, soup making and ball games in the compound.
 - » An annual Whānau Rā (family day). In July 2019, Te Ao Marama unit held its first Whānau Rā in five years. Around 180 family and whānau members were welcomed into the unit.

Prisoners played board games, basketball, touch and soccer with their tamariki. The prisoners prepared a hangi lunch for their visitors and performed kapa haka.

179. We were also told about the Rotorua branch of the Prisoner Aid and Rehabilitation Society which offers transport to prisoners' families living in the Bay of Plenty to enable them to visit the prison. The service rotates between Tongariro and Waikeria prisons every fortnight.
180. Placed around the prison were wooden stalls called "Whare Takoho", which held fruit and vegetables grown by prisoners in Puriri unit and staff with fruit trees at home. The fruit and vegetables were available to family and whānau visiting the prison (see image 5).

2019 Findings

- Finding 35. The prison has made good progress in ensuring prisoner access to telephones to contact family and whānau.
- Finding 36. The prison embraces the Tokorima a Māui values and takes a prisoner-centric approach to support prisoner connection with family and whānau.
- Finding 37. The prison has made good progress re-purposing cells as an interview room and an area where prisoners can use the kiosk and make free, unmonitored calls to their lawyer. This is innovative and benefits the prisoners.

Industry, treatment and learning

2017 observations	National Commissioner's response
<p>The physical conditions and management regime in the high security facility were not conducive to rehabilitation, even for motivated prisoners.</p> <p>Sentenced prisoners had access to a good range of work experience opportunities.</p> <p>High security prisoners had access to industry programmes, but not treatment programmes.</p>	<p>CCTV cameras have been installed in high security programmes room and programmes have been successfully facilitated in this space.</p> <p>A painting workshop has opened in high security with an instructor, and activity officers have been doubled in this area.</p> <p>The Associate Prison Director has been tasked with ensuring programmes are available for high security prisoners.</p>

Inspection Standards

- Prisoners can access out of cell activities which promote learning, well-being and support rehabilitation.
- All prisoners, where possible, can engage in work that is purposeful, benefits them and increases their employability
- Education and vocational training programmes are offered in line with the needs of the prisoners.
- Appropriate interventions are provided to reduce the likelihood of reoffending and promote successful reintegration.
- Rehabilitation programmes, targeting the specific needs of the prisoner, are available and accessible.

- There is good cooperation and communication between the prison and social support organisations, including those that deliver rehabilitation programmes in the prison.

Rehabilitation

181. High security programmes room have cameras installed. Inspectors observed a programme taking place in one the rooms
182. During our follow-up inspection the prison offered a wide range of programmes for remand and sentenced prisoners in the high security facility.
183. Between July 2018 and April 2019, a total of 234 remand prisoners completed programmes. The programmes available to remand prisoners over this period included:

Brainwave Parenting Programme (10 prisoners completed), Tikanga Māori Motivational Programme (9), First Aid (17) and various Skills for Life programmes (198).
184. The Assistant Prison Director confirmed a project team has recently been formed to improve the number of programme opportunities for remand prisoners.
185. In low security, Karaka unit continues to host the Drug Treatment Programme and Special Treatment Units for sex offenders and violent offences.
186. Te Ao Marama continues to offer Te Tirohanga Programme where prisoners are able to complete the New Zealand Certificate in Tikanga (Level 2) as well as the Mauri Tū Pae programme.
187. From 1 February–31 July 2019, the following programmes were completed across the low security units: Medium Intensity Rehabilitation Programme suite (including the maintenance programme) (74 prisoners completed), Mauri Tū Pae programme (18), education (699, including 494 education assessments), motivational programmes, including the Tikanga Motivational programme (73), the Drug Treatment Programme (21) and the Special Treatment Unit Rehabilitation Programme (8). In total, there were 1,091 programme completions.

Education

188. Education tutors conduct education assessments and produce learner pathway plans, facilitate Secure Online Learning classes and offer support for self-directed learners. The Principal Advisor Rehabilitation and Learning said education tutors focus on completing the assessments and plans for remand prisoners and every opportunity is taken to place them on short high intensity programmes.
189. The Intensive Literacy and Numeracy Programme is available to all prisoners, along with the Howard League literacy programme and access to the Secure Online Learning suite.
190. The Assistant Prison Director confirmed that if prisoners wanted to study at a higher level, that option is available. One prisoner is currently completing his doctorate and others are completing university qualifications via self-directed learning.
191. In addition, 53 volunteers are regularly supporting prisoners with a range of purposeful activities. Volunteers are involved with activity groups, social skill development, crafts, cooking, yoga and meditation. Contracted service providers, such the Howard League Reform Trust, Prisoners Aid and Rehabilitation Service were also assisting with purposeful activities.

Work

192. There has been a significant increase in the number of high security prisoners working since our 2017 inspection. Eighty-one prisoners worked in the high security facility at the time of our follow-up inspection as painters, water blasters, kit locker workers, tray men, laundry men, bakers, kitchen workers, barbers, horticulture workers, librarian assistants and cleaners.
193. More than 100 prisoners worked in the low security units (including Totara, the remand unit) in a range of positions including as cleaners, kitchen hands, kit locker workers and rubbish collectors.
194. In addition, 161 prisoners were undertaking a range of industry training opportunities, in farming (25), grounds maintenance and horticulture (52), mechanical engineering (12), laundry (4), bakery (1), catering (32), distribution (13) and painting (22).

2019 Finding

Finding 38. The prison has made good progress providing a wide range of work, education and rehabilitation opportunities to all prisoners. These opportunities extend to remand prisoners.

Reintegration

2017 observations	National Commissioner's response
<p>The prison has a strong focus on providing reintegration and rehabilitation opportunities that will support prisoners to live crime-free lives on release.</p> <p>The prison's Guided Release programme offered excellent support for long-serving prisoners who were integrating back into the community. Guided Release staff advised that reduced unlock hours in the low security units limited the range of activities they could provide.</p>	<p>It was encouraging to read the recognition that Waikeria Prison has a strong focus on providing reintegration and rehabilitation opportunities to support prisoners to live successfully in the community on release. The Guided Release programme in particular is reported as working effectively.</p>

Inspection Standards

- Prison management actively prepares prisoners for their release by facilitating access to post-release services.
- Prisoners are given all necessary practical support and support information ready for their day of release.

195. The prison continues to offer reintegration opportunities.
196. The Out of Gate reintegration service for remand prisoners is available, which consists of four one-hour sessions per week. Two sessions are held in the high security facility and a further two in Totara unit.
197. From 1 February to 31 July 2019, 181 prisoners accessed the Out of Gate reintegration service, including remand prisoners in Totara unit.
198. For the same period, the prison has considered 141 applications for Guided Release, with 129 being approved. The Guided Release process helps long serving prisoners who are nearing release. It usually involves getting support in the community and re-engaging with families.
199. Guided Release destinations vary according to the individual needs of the prisoners. For example, prisoners visited Vehicle Testing New Zealand to renew their driver licence or sit their learner or restricted licence test. Others went to Community Corrections sites for meetings, banks to open accounts, or Work and Income to set up appointments following their release.
200. Some prisoners went on Guided Release to arrange employment or accommodation upon their release with supported accommodation providers or local marae.
201. The Release to Work programme has been boosted by the prison building project. Eighteen prisoners are employed by the building and earthworks contractors. As at August 2019, three prisoners on Release to Work have secured long-term employment on their release.
202. There are no self-care units at Waikeria Prison, which would allow prisoners to complete their reintegration pathway. Prisoners are required to transfer to another prison to access a more home-like environment.

2019 Finding

Finding 39. The prison continues to make good progress in the area of reintegration.

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Prison Staff

2017 observations	National Commissioner's response
<p>Staff-prisoner relationships appeared to be very positive in the low security units. Staff tended to be highly visible and engaged with prisoners, looking after their needs and supporting their involvement in rehabilitation or work opportunities.</p> <p>There were delays in prisoners being notified who their case officer was.</p> <p>Prisoners' rehabilitation could be compromised by lack of access to a case officer.</p> <p>Staff spent significant time locking and unlocking prisoners from cells and escorting them to exercise yards. This left staff with little time to interact with prisoners.</p> <p>The facility's design makes supervision challenging and this, combined with a complex mix of prisoners and a time consuming unlock regime, creates significant challenges for staff.</p> <p>Although staff placed a high priority on safety and were highly responsive to any incidents they became aware of, their efforts were constrained by limits on time available for active management of prisoners, and by limits on opportunities for prisoners to be engaged in out of cell activities.</p>	<p>There was no specific reference in the National Commissioner's response.</p>

Inspection Standards

- Staff are good role models for prisoners and relationships between them are professional, positive and courteous.
- There is an adequate number of custodial staff to manage prisoners safely.

203. From 1 February to 31 July 2019, case officers, who are custodial staff, were assigned to 91% of prisoners recently received into the high security units within the required three days.
204. Notices on display in the high security units specified which case officer was assigned to particular cells. Prisoners were also allocated a second case officer who could support the prisoner when their primary case officer was unavailable.
205. Prisoners appeared to know their case officer, based on the level of active management we observed between staff and prisoners in the high security units.
206. Staff-prisoner relationships also continued to be positive in the low security units.



207. As we moved around the high and low security units we were pleased to see the positive interactions occurring between staff and prisoners which reflected the Department of Correction's Hōkai Rangi strategy. Staff talked to us about responding to prisoners' needs and helping them connect with their family and whānau. We observed interaction between staff and prisoners that demonstrated kotahitanga (unity and inclusiveness) and manaaki (respect).
208. We observed staff are highly visible in all units, actively engaging with groups of prisoners or individuals. It was obvious, in some cases, that serious conversations were being had, and others were more light-hearted.
209. Staff typically work eight-hour shifts (8am–5pm). However, a few staff start their shifts early (6am–2pm) to ensure breakfast and cell cleaning occurs on time and others may start late (2pm–10pm).

2019 Findings

Finding 40. The prison has made good progress in ensuring staff positively engage and respect prisoners. Staff reflected that they were using the Department of Corrections' values from the Hōkai Rangi strategy in their day to day interactions with prisoners.

Finding 41. The prison has made good progress with assigning case officers to high security prisoners.

Appendix A – Images

OFFICE OF THE INSPECTORATE
Te Tari Tirohia



Image 1. View from the walkway, overlooking high security yards.



Image 2. Shower in a high security yard.



Image 3. High security separates cell.



Image 4. Annex at Rata Unit.



Image 5. Stall with fruit for family and whānau.



Image 6. Horticulture area.

Appendix B – National Commissioner's response



15 January 2020

Janis Adair
Chief Inspector
Department of Corrections

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

Tēnā koe Janis

Re: Draft Report on Waikeria Prison Unannounced Follow-Up Inspection August 2019

Thank you for the opportunity to respond to the draft inspection report. The Prison Director, Regional Commissioner and I are proud of the progress Waikeria Prison has made since your previous inspection in 2017. I know the Prison Director was particularly pleased to see the positive comment about the improvement in staff engagement with people in our care, as well as the focus on values across the site. This is part of a regional drive and the Regional Commissioner wanted to recognise Waikeria Prison's leadership in this area.

The leadership team has focused on engaging all staff in the journey of improving the site and ensuring everyone has a voice. They have also focused on investing in training Senior Corrections Officers who play a critical leadership role in the day to day operations of each unit. They have taken deliberate steps to make the culture of Waikeria Prison visible to others, through initiatives such as painting the Ara Poutama values onto walls and providing Tokorima a Māui training to all staff at the site. I am confident the improved culture on site has helped staff cope with the challenging physical environment and in turn, effectively support the men who reside there. The comment shared with my team by the Prison Director as an example of their accomplishments is heartening. With pride he stated he had been told a prisoner said in an interview "I like being here because people care".

There are also a number of additional important initiatives in place at Waikeria Prison that I'd like to comment on, some aspects of which are not detailed in the report.

Te Ao Marama unit

The Te Ao Marama unit was set up to provide a service for Māori men in our care. As noted in the report Te Tirohanga Programme (a rehabilitation programme) is provided in this unit. Waikeria Prison have focused on reintegration and transitioning people in our care from Te Ao Marama to the community as quickly and safely as possible; and contact with positive whānau is key to success. Also key to this focus

are opportunities to transition. Clear pathways have been established from the unit into Whare Oranga Ake, working outside the units and release to work. Prison staff have noted that these pathways have contributed to high levels of those from the unit appearing before the New Zealand Parole Board being granted parole. Waikeria Prison staff ensure they fully utilise the opportunities this unit provides by maintaining a full unit and effectively managing the waitlist.

Intervention and Support Unit

As you have noted in your report, Waikeria Prison has put a lot of effort into making improvements to the Intervention and Support Unit (ISU) in recent years. The unit is now operating very well and has benefited from strengthened leadership. One means of strengthening the leadership was to change the reporting line of the Principal Corrections Officer to the Deputy Prison Director, enabling both close support and oversight. It is further supported by strong engagement with and support from the prison's Health team and the District Health Board (DHB). The strong relationship with the DHB has enabled a joint innovation to support staff development through training hosted at the Henry Rongomau Bennett Centre (mental health facility). To further support staffing the unit, Waikeria Prison has placed staff who express an interest to work there and created an environment where those who have been placed there are recognised as 'brave' if they are open and aware that they need a break or to be cycled out of working in the intense environment of the unit.

The site is also making efforts to engage with cultural services and providers to aid staff in their work and I believe the example you highlighted in your report of a kaiwhakamana being arranged to meet with someone who believed he was affected by mākutū is an excellent example of this.

Physical environment enhancements have been made to the building itself through the creation of murals and ensuring the unit is freshly painted throughout. The site is currently working on a plan to erect a secure fence around a grassed area next to the ISU, which will allow people placed in the unit the opportunity to spend time outside.

Totara Unit and focus on reintegration

Waikeria Prison has made an effort to successfully utilise the Remand Management Tool to provide appropriate people on remand the opportunity to reside in a low security unit, rather than being managed in a high security facility (as the majority of people on remand generally are). The Totara low security unit holds 80 people who have been assessed by the tool as level two (RM2) and is staffed to the standard high security ratio of 15 prisoners to one staff member. This means people in the unit receive the benefits of the low security environment, including a longer unlock regime and a more relaxed atmosphere. The unit also has an emphasis on reintegration and provides people with access to instructors and motivational programmes on-site, as well as the opportunity to engage in activities like a kapa haka group and a site-wide kapa haka competition.

There is a significant emphasis on reintegration more widely across the site, with people being provided with opportunities to work towards their reintegration back into the community throughout their time in prison. Waikeria Prison has a high number of people engaged in work, including those assessed as high and low security. At this current time, 17 tāne are employed in high security units and 137 in low security units. There is also a focus on transitioning people from high security to low security regimes as soon as possible in a safe manner, while aiding them to maintain contact with whānau through family days and whānau hui.

Rata unit

The prison has proactively responded to the needs of the growing population of elderly people, by creating a dedicated 20 bed annex in Rata unit for men who are ill (some terminally), or at the latter stages of life. The annex provides for their specific needs through a higher level of care and support than is generally provided across other units. Health care assistants are placed in the unit to assist people with day to day needs which could not be managed easily in the normal prison environment.

Focus on cultural capability and tikanga

The prison makes a deliberate effort to focus on the cultural capability of staff and the Prison Director has described tikanga as being "the backbone" of the site. This can be seen through the provision of te reo Māori lessons to staff, focus on kapa haka and other cultural activities and engagement with cultural service providers. There has recently been a focus on the cultural capability of nursing staff working in the health centre and the nursing workforce on site includes a number of Māori nurses to aid the provision of health care to Māori men. The prison's new facilities have been designed to allow the site to operate under a kaupapa Māori model and the current focus will support the successful transition to this model.

New build

The prison's management team has been busy focussing on the exciting new build to deliver a 600 bed facility including a 100 bed Mental Health and Addiction Service by 2022. It is pleasing to see the building work and development of the operational model has progressed well without adversely impacting on the day to day operations of the existing prison. In addition to supporting the building project, all staff remain dedicated to ensuring people in their care have a safe experience while they are housed in the existing facilities.

Clothing and bedding access

The report notes good progress had been made in the management of clothing and bedding stock. As this had been a persistent issue for a number of sites I am particularly pleased with the sustained progress made by Waikeria Prison through the enhancement of their future focused order processes. I understand they are focused on continued improvement in this area. In 2020 the residential manager team will collaborate on developing a consistent set of procedures for the entire site.

Challenges to address

Your report also offers a valuable insight into the prison by detailing a number of challenges that persist. I note that in the main these relate to the high security facilities at the site, and areas where significant investment of resources is required. In particular, I am satisfied that findings which note a disappointing lack of progress relate to challenges not solely within the ability of the Prison Director to resolve. The majority of these issues will cease to exist once the new facilities are operational and the planned closure of the existing high security facilities can proceed.

High security facilities

In the interim, the Prison Director is fully aware of the need to maintain the high security facilities to the best standard possible and the management team remains focussed on an ongoing programme of maintenance of units, cells and yards.

Both myself and the Prison Director are cognisant of the issues that exist with the current 'separates' cells and they are exploring alternatives on site that limit the impact on available accommodation capacity.

Additional issues to address

We also note that further effort is required to make improvements to the areas detailed below. I am confident that the necessary steps have been taken or are underway to address these challenges.

- Exploring options to adjust cameras in Receiving Office holding cells, to improve privacy for people using cell toilets.
- Placing screening over the window of the toilet in the AVL suite, to enhance privacy for people using it.
- Health staff having access to the necessary applications, such as GP2GP. This issue will be resolved in January 2020.
- Providing additional food with evening meals, in response to concerns about the time between meals in units on 8am to 5pm unlock regimes.
- Process implementation to ensure all people over 65 years old receive their annual medical health check.

There are also the following findings in the draft report that I would like to comment on.

Mixing of different categories in AVL holding cells

I am informed that as a general rule, and wherever possible, people of different categories are kept separate while they are placed in the AVL holding cells and therefore the exemption is in place for exceptions only.

Reduction in violence across the site

The prison has a focus on reducing violence across the site and management has taken proactive steps to do this. A use of force governance group has been established, which looks at consistency of the use of tactical options and lessons learned from incidents. There is also a focus on appropriate use of pepper spray and using verbal options to de-escalate incidents. Staff are also regularly reminded of tactics to keep themselves safe in high risk activities, for example when entering yards, through bite-sized discussions at the site's morning briefing meetings. A strong relationship has also been forged between the intelligence, drug detection dog teams and the Site Emergency Response Team which will enable ongoing collaboration on activities that support the safety of the prison for everyone on site. I am pleased to say that the number of assaults on staff reduced in the second half of the 2019 calendar year, with only four serious assaults occurring between July and December.

Staff oversight of yards

The Prison Director has taken further action to address concerns regarding staff oversight of the high security yards. While staffing numbers mean it is not the best use of available staff to maintain two staff members on 'sentry duty' at all times the yards are in use, work is underway to install a new screen in the control room to focus on the yards' cameras. A dedicated staff member who is on light duties will be placed in the control room to monitor these cameras while the yards are in use. They will monitor the yards to ensure the safety of people in our care and our staff and will be able to coordinate a swift response if an incident occurs.

Health centre consultation rooms and furniture

I note that the older plinth-style tables in the health centre's consultation rooms are similar to the tables one might find in health consultation rooms across the sector. I am of the view that there is limited risk of harm occurring to those who use these tables and am comfortable that these are replaced in health centres as part of standard asset replacement processes. However at Waikeria Prison the Prison Director is exploring the possibility of ordering four new tables for the consultation rooms which can then be placed into the new health centre when transition occurs.

While the health centre is an old facility and will cease to be used once the new facilities are built, staff make an effort to keep it adequately equipped, clean and in an orderly state at all times. On a recent visit to the prison by two staff from my office, the health centre's consultation rooms were found to be tidy.

High security yards and showers

The yards and showers in the high security facility continue to be a challenge for the site, due to their age. However, a programme of work is in place to ensure they are maintained to a safe and clean standard. There are plans to repaint all of the showers in the high security yards in the near future and anti-graffiti paint is already being installed on the walls of the yards to help keep them free of graffiti. The prison

also maintains scheduled maintenance of walk-ways into the yards, to ensure they remain free of slip and trip hazards.

As noted above, the draft report findings highlight that Waikeria Prison has made significant progress since the original inspection. I am confident the team will continue to maintain the changes, resolve persisting issues and identify areas for further improvement in meeting the needs of people in their care and providing a healthy and safe environment for staff.

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

Ngā mihi nui



Andrew Milne
Acting National Commissioner

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