Youth suicides in New Zealand prisons

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Two reports recently released by New Zealand's Commissioner for Children provide a glimpse of the brutal, dehumanising fate that faces young people caught up in the country's prison system. The Commissioner, Roger McClay, published the two reports last month, after conducting investigations into the suicides in detention of David Tufala, aged 15 and Damien Meyer, 17. Both boys died while incarcerated in adult prisons.

David Tufala was a Tokelauan immigrant youth who killed himself in Auckland's Mount Eden Prison in late 1997. Damien Meyer took his life last year while in Manawatu prison, by hanging himself with a sheet from the bars of his cell. He killed himself immediately after learning that he was to be transferred back to Mount Eden where he had previously been an inmate.

Since 1991, New Zealand, with a population of just three million people, has had 13 suicides in prison of young people aged 20 years and under. Five were under 18 years old, the recognised age of adulthood in the country's legal system.

The life stories of the two boys and the circumstances of their respective deaths make grim reading.

David Tufala was one of thousands of Pacific Islands youth living in the working class area of South Auckland. He was the son of Tokelauan parents, and had been living in New Zealand for several years. In 1996, then aged 14, he was expelled from his secondary school, Onehunga High School. He was already a drug user and substance abuser, and had been referred to the police Youth Aid section on burglary and other offences.

In 1997, Tufala appeared in the Youth Court charged with aggravated robbery, aggravated wounding, burglary and committing a crime with a firearm. He was initially taken from his parents' care and placed in the custody of the Social Welfare Department, but was then sentenced in the High Court to four years' imprisonment for his various offences. He was initially sent to Mount Eden prison following his sentencing, instead of to the Youth Unit at Waikeria prison.

Mount Eden is a desolate and forbidding fortress-like structure housing adult prisoners in primitive and degrading conditions. Greg Newbold, a New Zealand academic who qualified as a sociologist after doing five years in prison on drugs offences, described the Mount Eden remand section in his 1982 book, *The Big Huey*:

"The cell was like a tomb. The door was of heavy black steel plate and the walls were cream-painted stone. The paint had evidently been on for years, because it was stained and chipped and peeling off, and covered in graffiti from decades of transitory habitation. The floor was made of concrete, thick with old wax, and painted black. Light came from a fluorescent tube fixed behind a grill on the ceiling, and from a heavily barred window high on the cell's walls. There was no glass in the window and wind, rain and the odd pigeon feather came into the room when the wind blew in the right direction. It was from the feathers and the pigeon droppings which littered the sills outside that the pigeon-lice which infested some of the cells came from...

"There was a dirty shelf in the corner on which stood our jug of water. The only other furniture was two beds. Each bed had a mattress, but there were no pillows and no linen... The p..s pots went under the beds. They were made of plastic and their insides were covered with a hard, light-brown precipitate which gave off an abominable stench as soon as it got wet. We had no toilet paper... We had no reading material... no facilities to wash or brush our teeth, and no radio...We couldn't turn our lights out. Only the screws could do that, and 'lights out' wasn't until 11."

David Tufala, aged 15, was imprisoned in such circumstances in Mount Eden prison for nearly four weeks before finally killing himself. He was reportedly kept at Mount Eden because he was meant to have gone back to court almost immediately for a hearing on matters regarding his previous offending, however, the paperwork had been mislaid.

The report of the Children's Commissioner reveals that his level of psychiatric risk was wrongly assessed when he arrived at Mt. Eden. He frequently complained about distress and physical assaults by adult inmates, he was locked up for long hours with no evening recreation, and that he received no treatment for his drug abuse problems.

On the day he committed suicide, David had a visit from his mother, during which she found him to be in a terrified state and alleging physical assault by a prison warder following his request for protection from other inmates. The assault by the warder had, according to David, taken place earlier that day. David's mother, a Pacific Island immigrant with poor English skills, appeared not to feel herself able to complain about her son's mistreatment.

The precise details of David's death are not revealed in the report. However, it is clear that death was not immediate. He attempted suicide on 25 October 1997, and was then admitted to Auckland hospital, where he died two days later.

Damien Meyer was 17 years old when he took his life. He was in prison for a sentence of two years and three months for aggravated robbery. He had a medical history of depression, and had attempted suicide on three previous occasions.

Like Tufala, he was an alcohol and drug abuser by the time he was 15. He had initially begun his sentence in the youth section of Mount Eden Prison, but was transferred to Manawatu Prison in mid-1998. Because of his previous history, the court had in place a number of specific stipulations at the point of his imprisonment. It instructed that he be kept separate from adults, that he be watched around the clock and that he be considered as seriously "at risk". The prison authorities ignored all these.

On his initial induction into Mt. Eden, a note on Damien's file made explicit reference to Damien's express desire to kill himself. However, the prison nurse assessed him as not at risk. Information about Damien's past and the court notes were ignored by prison officers. Four assessments at Mount Eden all produced the wrong conclusion that he was "not at risk".

No monitoring or treatment was put in place while Damien was at Mt. Eden or Manawatu prisons. The Commissioner for Children concluded that "from the time of his arrival at Manawatu Prison until his death, his file was never checked by custodial staff for background information."

However, Meyer's parents believed it was "inconceivable" that the prison authorities would not have known of his suicidal tendencies, as an assessment had been carried out by a forensic psychiatrist who had placed a cautionary note on his file. Mr. and Mrs. Meyer said they had never been advised of any measures to ensure their son's safety from self-harm or

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suicide at either of the prisons. In fact prison authorities "never ever consulted us as parents of an inmate about anything".

Meyer was to be transferred back to Mount Eden prison in August 1998 in order to face further charges in an Auckland court. Despite a requirement that prisoners be given a week's notice of any impending transfer, Damien was only told of his shift 24 hours beforehand. It obviously threw him into a state of panic.

According to his mother, Meyer rang her that day in a "very distressed" state of mind. He said he had not been told why he was being returned to Mt. Eden. He said he was fearful of going back because of his previous experience there, including standover tactics by other inmates, particularly by gang members, and worries about having to let his "morals slip" to survive there. He told his mother of his "devastation" about the atmosphere at Mount Eden.

Meyer committed suicide on 19 August 1998. He was found in his cell unconscious with a bed sheet tied around his neck and attached to the window bars. He died in Palmerston North Hospital.

Comparing the histories of the two boys, the commissioner's report draws out the following similarities:

* Both had severe drug and/or alcohol problems, which were evident before they were 15 years old and before they started offending.

* Both needed help from an early stage but received nothing. None of the official agencies which dealt with the two boys, including the Children and Young Persons' Service, had provided any treatment or interventions to deal with either boys' substance abuse over the years. In Tufala's case "not one agency with which he had contact ever referred him for psychiatric assessment".

* Both were inadequately and incorrectly assessed on entry to Mount Eden prison. The report cites a 1998 Ombudsman's review of Meyer's treatment in prison, which describes a "sorry saga of non adherence to what should be every human being's right i.e. allowance for and treatment of psychological problems and illnesses."

* Neither boy's history of abuse, depression, or suicide attempts were considered by prison staff.

* Both were juveniles in adult prisons, and both showed obvious signs of not coping in prison conditions known for "standover tactics, bullying, stealing and a gang culture". Even the Youth Section at Mount Eden is described as operating a gang or "strong man" atmosphere.

* In both cases, Mount Eden Prison was a focus of their "acute concern" and "extreme fear".

The two reports by the Commissioner for Children are an indictment of a system, which systematically brutalises young people. Yet, significantly, the recommendations drawn by Commissioner McClay—a former Cabinet Minister in the National Party government—will do nothing but intensify the assault on the rights of young people. The report has nothing to say about the fundamental causes of teenagers turning to drug and alcohol abuse and crime, but instead endorses the current moves by the Corrections Department to build "age appropriate facilities for young offenders," in other words to embark on a program of building more youth prisons.

In New Zealand, all the official statistics show that young people, particularly in working class areas, are the ones bearing the brunt of the social crisis created by the country's 15-year "experiment" with market economics and conservative social policies. Damien Meyer and David Tufala are only two of the more tragic individual cases as is indicated by the following figures:

* **The impoverishment of children.** According to a recent Statistics New Zealand report, almost one in four children under 15 years of age have no parent in paid work. More than 40 percent of Maori children and 39 percent of Pacific Islands children—those making up the most oppressed sections of the working class—come from homes where both parents are unemployed.

* **Youth unemployment and low pay.** Rising unemployment has hit young people the hardest. While the overall unemployment rate currently stands officially at between 7 and 8 percent, for under-20 year-olds it is nearly 18 percent. Simultaneously, low pay rates have been entrenched for young people through the Employment Contracts Act, especially in the service sector where youth employment is concentrated. The 1991 Budget decision to remove unemployment benefits from 16-18 year-olds has caused widespread youth poverty.

* **Educational crisis.** Increasing numbers of under 16-year-olds are being suspended or excluded from school. According to the latest figures from the Ministry of Education, the total number of long and short-term suspensions for the first quarter of 1999 was 2,658, an increase of over 300 on the same quarter for 1998. Suspensions of all types are now running at the rate of 58 students every day. In the last month the government has issued new regulations to schools designed to widen the scope of suspensions and to give schools more "flexibility" in issuing suspensions, stand-downs exclusions and expulsions.

* **Criminalisation of young people.** In Wellington recently, a 14-year-old boy was tried in the adult court for rape, abduction, aggravated robbery and threatening to kill. The presiding judge said the Youth Court did not have "the full range of sentencing options, including jail, needed to deal with the youth". This was despite the boy's "extraordinarily difficult childhood," which included being placed under care in at least six different places throughout the country, and having himself suffered sexual abuse. Such developments are set against mounting media campaigns over "violent crime" and recent government moves to increase penalties for incidents of so-called "home invasion".

* **Youth suicide.** New Zealand is now acknowledged as having the highest youth suicide rates among the OECD countries.

Whichever political party wins the coming general election, due in November, the use of repressive measures against young people will intensify. It is already clear that the election campaign will emphasise "law and order" issues, with "young criminals" at the centre.

Labour Party justice spokesman Phil Goff launched its "young offenders" policy earlier this month. He said too many children "are growing up in environments of abuse and neglect, without adequate parenting, destined to become teenagers with multiple social problems, including offending". Goff, a former Minister of Education and a leading figure in the 1984-90 Labour governments that helped to create the social crisis, went on to declare that "urgent, tough measures" are needed to "take hardened young offenders out of circulation and change their behaviour".

Under Labour's policy, the term "hardened young offenders" is clearly aimed at children younger than 14. The police will be able to apply to the Youth Court for offenders under 14 to be placed in secure care. At present, this provision applies only to those over 14. The Youth Court will be authorised to impose longer sentences. Labour will also give the police an increased range of powers to deal with under 14-year-olds, including the right to demand fingerprints. Underlining the fundamental agreement between the major parties, Justice Minister Tony Ryall said Labour had simply taken programs already being implemented by the National Party government and claimed the measures were part of its future policy.

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