

# Inhumane conditions in privately run New Zealand prison

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The National Party government announced on December 9 that it will not renew the contract for UK-based company Serco to manage Auckland's Mount Eden Prison when the contract expires in 2017.

The announcement followed months of revelations about the inhumane conditions at the remand prison. Since the government privatised management of Mt Eden in 2011, Serco has been served with 55 breach of contract notices for a wide range of issues, including understaffing, inadequate staff training and leaving dangerous items like razor blades in prisoners' possession.

Video footage emerged in the media during July showing organised "fight clubs" among inmates and at least one Serco guard. There have been claims that guards also failed to stop beatings among prisoners.

Former prisoner Kevin Mussard is taking legal action against Serco, claiming it failed to prevent him being almost beaten to death. The family of Alex Littleton has also blamed Serco for not stopping an attack on him in February when he was allegedly thrown from a prison balcony and broke both his legs.

An Ombudsman's report released this month revealed that under Serco's management around 70 remand prisoners aged 16 to 19 were being confined to their cells 23 hours a day, apparently because staff cuts meant they could not be supervised. The report noted that prisoners' conditions had worsened since a similar critical report in 2014. In April that year, the Ombudsman's office warned against the practice of locking up teenage prisoners for 19 hours a day.

Such solitary confinement has been defined by the United Nations as inhuman and degrading punishment, which may sometimes amount to torture. Then corrections minister Sam Lotu-Iiga told Fairfax Media on December 3 that the practice was "unacceptable"

but added: "That's the nature of our prisons ... they are hard places."

In response to media coverage of the prisoner "fight clubs," the Corrections Department took over the running of Mt Eden Prison in July. In a further attempt at damage control, this month Prime Minister John Key replaced Lotu-Iiga with Judith Collins as corrections minister.

Serco, however, will retain its 25-year contract to run Wiri Prison, which opened in May in South Auckland. Key told the media that Serco would also be allowed to "re-pitch or re-tender" for the Mt Eden contract in 2017. At her swearing-in on December 14, Collins declared that she had no regrets about awarding Serco the contract to run Mt Eden when she was previously corrections minister at the end of 2010.

The government is committed to private prisons as part of its austerity agenda, aimed at cutting costs and boosting corporate profits at the expense of working people. It is moving to sell off thousands of state houses, privatise more welfare services and expand for-profit charter schools.

For years the government covered up the unsafe and inhuman conditions at Mt Eden Prison. The Corrections Department issued no more than financial wrist slaps for Serco's repeated breaches of prisoner safety. On April 1, Lotu-Iiga assured parliament that the prison had an "excellent" record, claiming "it is one of the highest-performing prisons in New Zealand."

Serco has been implicated in human rights abuses elsewhere. Since 2009, the company has operated prison-like detention camps in Australia where asylum seekers are held indefinitely in atrocious conditions. There has been a litany of protests, hunger strikes, suicides and reports of abuse by detainees, including last month's riot at the Christmas Island detention

centre following the death of refugee Fazel Chegeni.

At the Serco-run Yarl's Wood immigration detention centre in England, detainees have alleged verbal, physical and sexual abuse by staff, limited legal representation, scant access to interpreters and poor standards of health care.

New Zealand's main opposition Labour and Green Parties called for the government to immediately sack Serco. Labour's corrections spokesman Kelvin Davis, posing as a champion of prisoners' rights, told the media on December 9: "Private prisons just aren't working. They haven't worked overseas and they're not working here ... [Corrections Minister] Judith Collins brought [Serco] in and now she has to sort the mess out that she started."

Such statements are profoundly hypocritical. For a start, the country's first privately-run prison was Auckland Central Remand Prison, operated by Australasian Correctional Management (ACM) from 2000 to 2005, during the Labour government of Prime Minister Helen Clark. Labour and its coalition partner, the "left wing" Alliance Party, agreed to honour ACM's five-year contract to run the prison, signed by the previous National government in 1999. Legislation to ban private prisons was not passed until 2004.

While criticising the abuses at Mt Eden Prison, Labour agrees with National's basic agenda of austerity and privatisation. It has made no pledge to renationalise power companies or social housing if it wins the 2017 election.

Successive governments have promoted hard-line "law and order" policies, including tougher jail sentences and increased police powers, to deal with the social tensions produced by the crisis of capitalism. The 1999–2008 Labour government opened four new prisons and oversaw a 36 percent increase in prisoner numbers, from 4,917 in 1999 to 7,771 by the end of 2007 (by the end of 2014 the figure reached 8,641). By 2006, New Zealand's incarceration rate was one of the highest in the OECD, with 185 prisoners for every 100,000 people, more than double the rate in 1987.

Labour oversaw squalid and dangerous conditions in publicly-run prisons. An Ombudsman's report from December 2005 found that prisons were struggling with soaring prisoner numbers. Many were kept in their cells with nothing to do for up to 15 hours a day. A report by the *New Zealand Herald* on February 28, 2006, noted

that "as the nation's prisons have filled to overflowing, police cells have been called in to hold surplus prisoners for days and sometimes weeks."

The *Herald* reported that 95 percent of prisoners with drug and alcohol problems could receive no treatment in 2006 due to a lack of programs. It also pointed out that the 140-year-old Mt Eden Prison building was in a severe state of disrepair, with "sub-standard conditions for inmates (e.g. insufficient day light and day space)" and sewage flooding onto the exercise yard.

Conditions have worsened under National, which introduced double-bunking in some prisons in 2009 (installing bunks in cells intended for one person). A report on New Zealand by the United Nations Committee Against Torture, released in May, criticised overcrowding and inadequate health services for prisoners, the high number of assaults at Mount Eden, and the disproportionate rate of imprisonment among Maori.



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