

# New Zealand prisoners subjected to abusive treatment

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Reports released in December on four New Zealand prisons reveal that inmates have been subjected to inhumane treatment. The reports are written annually by the Ombudsman's office under provisions of the Crimes of Torture Act (COTA). The four adult Corrections Department facilities are Arohata, Manawatu, Invercargill and Otago.

The information was released to the *New Zealand Herald* during an investigation into the solitary confinement of Ashley Peacock, a compulsory mental health patient. Peacock has been kept in a small, concrete room in the Tawhirimatea mental health unit for five years and only allowed outside for 90 minutes a day.

The reports reveal a wide range of degrading and abusive treatment. Sleeping conditions are described as "deplorable" and drinking water as discoloured. In most cases, there was an almost 17-hour gap between evening meals and breakfast. Prisoners are filmed, in varying stages of undress, during strip searches or while using the toilet, either directly or by security cameras.

Inspectors found a pervasive culture of bullying and victimisation amongst the prisoners. Nineteen inmates told of sexual abuse. Only two of these cases were officially reported because the prisoners feared reprisals.

Prisoner suicides rose from four in 2015 to 10 in 2016. There were also 26 attempts at suicide or self-harm last year. One prisoner at Otago Corrections Facility was handcuffed behind his back for 21 hours a day for 10 weeks after several attempts at self-harm.

New Zealand has the seventh-highest level of incarceration in the OECD, at 261 per 100,000, just below Mexico. Prisoner numbers rose to a record high of over 10,000 in November, and prisons were unable

to manage the increase. This resulted in double-bunking in cells designed for only one inmate, and longer lockdown times of up to 15 hours a day (from 5 p.m. to 8 a.m.) so staff could be used to relieve shortages in other prisons.

The COTA reports highlight the lack of adequate staffing. In one example, staff who were on leave or were no longer employed at one prison were incorrectly rostered, resulting in prisoners being unattended for up to two-and-a-half hours at a time. According to Fairfax Media on December 5, the Department of Corrections said 600 prison officers were required by September 2017, yet 194 Corrections jobs were eliminated in 2015.

Incarceration rates have sharply increased over the past three decades, in line with the assault by successive governments on jobs, living standards and social services. During the Lange Labour government's big-business "reform" agenda of the 1980's, the daily average number of prisoners rose 30 percent, from 90 per 100,000 of total population in 1984 to 117 per 100,000 in 1990.

New Zealand's prison population has ballooned by 41 percent under the current National government, which has implemented a severe austerity program in response to the 2008 global economic crisis including attacks on education, wages, welfare and labour rights.

In November, the first inmate to be charged under the "three-strike" legislation, enacted in 2010, received a compulsory sentence of seven years' imprisonment, subject to parole, after pinching the backside of a female prison guard. David Seymour, leader of the far-right ACT Party which introduced the legislation, said parliament had passed the law because "judges were not taking crime seriously enough." The courts have so far issued 7,647 first strike warnings and 175 second

strike warnings, for offences from a list of 40 crimes.

The victims of the harsh imprisonment regime are the most impoverished and oppressed sections of the working class. Maori, who constitute 15 percent of the general population, make up more than half the 8,000-plus male prison muster. Around 34 percent of all prisoners are aged between 20 and 29 years.

An investigation by *Al Jazeera* in June identified a litany of “familiar themes” applying to Maori inmates in particular. The majority had problems with literacy and numeracy, histories of drug or alcohol abuse or came from so-called “dysfunctional” families. Contributing social factors included inter-generational unemployment, inter-generational lack of education, adoption and being raised in the social welfare system.

Labour and National have both promoted hard-line “law and order” policies, including tougher jail sentences and increased police powers, to deal with deepening social tensions produced by the crisis of capitalism. Helen Clark’s 1999–2008 Labour government opened four new prisons to accommodate a 36 percent increase in prisoners, from 4,917 in 1999 to 7,771 in 2007. Labour also launched the country’s first privately-run prison, Auckland Central Remand Prison, initially operated by Australasian Correctional Management.

In 2010, the National government engaged the international conglomerate Serco to run Auckland Central Remand. The results of privately-operated, for-profit prisons are disastrous. Reports have emerged of the inhumane treatment of the Serco-run Mt Eden Correctional Facility prisoners, including 16–19 year-olds confined to cells for up to 23 hours, and “fight clubs” between inmates condoned by guards. The Serco-run Wiri Prison in South Auckland has been ranked worst by the Corrections Department, who based their ranking on the level of assaults, positive drug tests and complaints by inmates.

Due to widespread media attention surrounding the Mt Eden fight clubs, the contract will not be renewed when it expires in 2017. Yet former Prime Minister John Key and Corrections Minister Judith Collins refused to end arrangements between Serco and the Wiri prison, and the government has considered renewing the contract between Serco and Mt Eden in future. Serco’s management is promoted as a model for the publicly owned prisons to follow. Key told the

*Herald* on October 6: “I think there’s a place both for private and public prisons and they hold each other to account.”

In response to National’s proposal to spend an estimated \$1 billion on 1,800 extra prison beds, Labour’s corrections spokesman Kelvin Davis declared in a December 13 press statement: “The government is clearly comfortable with pouring more money into a bottomless prison pit because it’s easier to provide a pop-up prison than to rehabilitate and reintegrate prisoners in order to reduce offending.”

Labour’s history, however, proves that it is committed to the same punitive measures as National. In discussing a Salvation Army report on prisons with Fairfax on December 7, Davis admitted that “successive governments have vied for who can be toughest on crime.”

Campaigns by Labour MPs for recent local body elections demonstrate that if Labour is elected to govern in 2017, it will continue this trend. Former Labour leader, now Auckland mayor, Phil Goff, and his successor in the Mt Roskill electorate, Michael Wood, have both promised to increase police recruitment and to open more police stations.



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