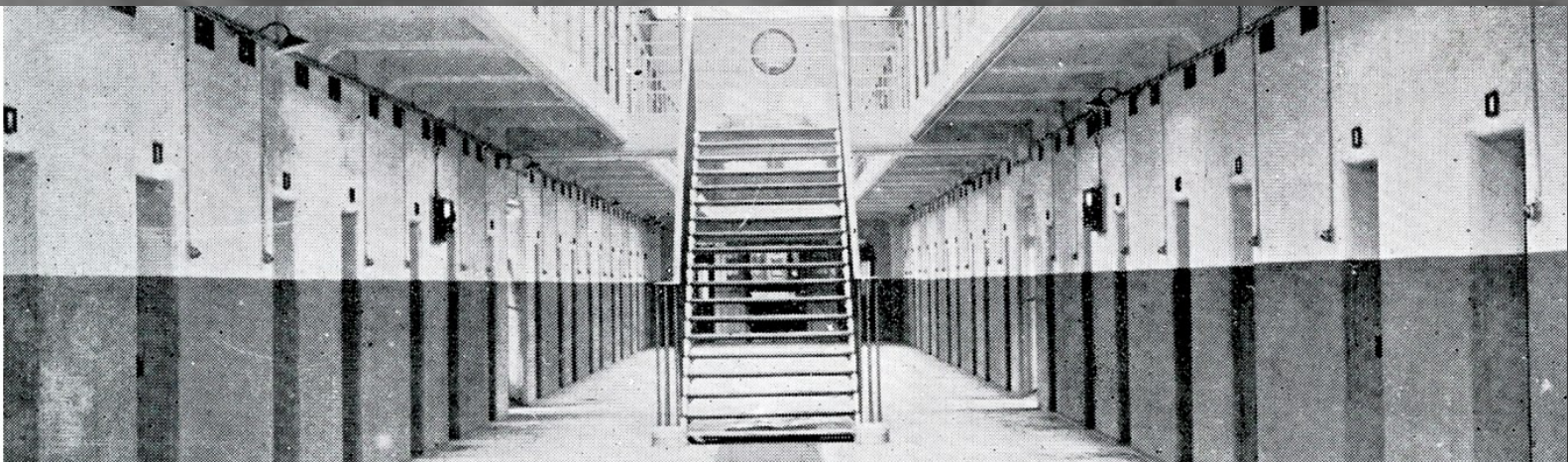


TE TŪĀPAPA
WHAKAHARATAU
UNDERSTANDING PRISON
VIOLENCE IN AOTEAROA

SYMPOSIUM PROCEEDINGS
7 DECEMBER 2020



EDITOR: ARMON TAMATEA



NGA TŪMANAKOTANGA
Turning the tide on prison violence



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Te Tūāpapa Whakaharatau
Understanding Prison Violence in
Aotearoa

Symposium Proceedings

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CONTENTS

Foreword	v
Introduction / Armon Tamatea	1
Prison violence in New Zealand prisons / Tā Kim Workman	5
Prison violence and custodial operations / Neil Beales	21
Insights from the Inspectorate / Janis Adair	35
Stop the assaults / Beven Hanlon	47
Tiaki ai te tapu i te tangata: Stewardship of mutual sacredness / Arrin Clark	61
Stopping prison violence: A lived experience of a possible and inclusive solution / Rue Jade Morgan	75
Post symposium reflections: A panel discussion / Devon Polaschek, Michael Daffern, Andrew Day, with Armon Tamatea (chair)	85
Contributors and panellists	99
About Nga Tūmanakotanga	108
About Te Tūāpapa Whakaharatau	108
Acknowledgements	109

FOREWORD

As National Commissioner of Ara Poutama Aotearoa, the safety of our Corrections whānau - our staff and the people in our prisons - has always been a top priority for me. We are committed to ensuring we operate prisons that protect the safety of those in our care, our staff, and our communities.

A number of highly complex factors contribute to violence in our prison environments. Corrections continues to implement initiatives to maintain safe prisons and address the rate of interpersonal violence across our prisons. Forging strong and collaborative partnerships with partner agencies and learning from our differing perspectives is key to making progress on this issue.

Since my involvement in the Governance Committee of Nga Tūmanakotanga I've been encouraged with the commitment to partner with Māori in this area, which closely aligns with our own Ara Poutama Hōkai Rangi strategy. The Nga Tūmanakotanga online symposium, *Understanding Prison Violence in Aotearoa*, was held in December 2020 and was the result of a collaborative and ongoing partnership between Ara Poutama Aotearoa, Nga Tūmanakotanga, and Waikato University.

This symposium provided a valued and much needed opportunity to discuss the complex issues of prison violence with a wider and public audience. The insightful kōrero, experiences, and expertise of the speakers brought voices from diverse perspectives to the fore. This book has been transcribed from the symposium and provides the opportunity to engage and educate readers on the less visible aspects of prison violence.

Thank you to everyone involved for the significant effort you have put into the symposium and this book. I trust that readers will appreciate the balanced debate, passion, and knowledge shared by the experts.

Rachel Leota

National Commissioner

Ara Poutama Aotearoa – Department of Corrections

INTRODUCTION

ARMON TAMATEA

Violence is a major social problem worldwide. Much korero about violence tends to focus on (1) *individual* factors that blame the occurrence of violence on perpetrators or victims, where the source of the problem is conceptualised as individual pathology or a psychological, biological, or moral defect; (2) *institutional* factors where the institutions themselves that are set up to deal with the problem are also seen as contributing to the problem; (3) *structural* factors where the broader system is dysfunctional, producing disadvantageous outcomes along lines of ethnicity, socioeconomic level and income distribution, gender, and power; or, (4) the level of *discourse*, or how we as a society talk about the issues and by what rules are we understanding violence. Violence as an idea and as behaviour is complex, and this is especially the case when we examine carceral spaces.

Prisons and other secure institutions can be seen as types of *ecosystems* that contain and intervene with a diverse group of people who present many challenges – mental health compromises, substance abuse issues, histories of abuse and neglect, disconnection from whānau or other viable support networks, poor access to essential services, and proximity to others who pose threats to wellbeing, to name but a few.

Recent innovations in data capture and the range of variables mean that we can explore research questions about violence and prisons that could not be answered previously. Core assumptions of this research are that *prisons are ecologies* – spaces and ecosystems where people, resources, and the built environment are interrelated – and that *violence is a product* of a complex of interpersonal and environmental factors that increase the likelihood of assault – but may also suggest opportunities for possible solutions.

Nga Tūmanakotanga is an MBIE-funded project that seeks to understand and reduce prison violence in Aotearoa. The origins of this project go back nearly two decades when I started out as a clinical psychologist working for Ara Poutama (then known simply as the Department of Corrections) and has been shaped over time by conversations and interactions with custodial staff and people in the care of the Dept, gang whānau in prisons and the community, members of the international prisons and corrections industry, as well as academics and government researchers.

The aim of *Nga Tūmanakotanga* is to (1) understand violence in the contexts in which it occurs, and to (2) develop localised, place-based interventions to reduce violence and improve safety for prisoners and staff in these settings. *Nga Tūmanakotanga* is the guiding principle of the research programme. Together with the logo, this *tohu*¹ reflects tidal movements as an analogy of the nature of violence in New Zealand prisons – Stretches of calm interspersed with moments of

explosive aggression – but also the nature of this research journey and recognises the ebb and flow of people who live and work in carceral spaces, examines the visible and the hidden practices that contribute to the causes, the control, and the prevention of violence within these environments, and works in harmony with these elements – these ecosystems – to facilitate optimal conditions for the safety and wellbeing of mauhere and kaimahi.

This book is a record of korero that came out of an online symposium that was held in December 2020. *Te Tūāpapa Whakaharatau* was the theme of this inaugural symposium and refers to the foundation, the state of what is currently known. What we attempted to do with this event was to create an opportunity to bring together voices that speak from different spaces in the *prison ecology*, to share their wisdom, insights, knowledge, and reflections with us, and to inform, challenge, and stimulate our collective thinking about the issue of prison violence in Aotearoa.

¹ Kindly gifted to the project by Mr Mate Webb.

This symposium started out as a serendipitous opportunity to bring some people together around a table, but has emerged into a critical element of a public conversation about the important issue of real-world violence – especially in places that are not visible to many New Zealanders. The event was very fortunate to include contributions from individuals from different parts of the ‘prison ecology’: Sir Kim Workman’s longevity as a public servant and former Head of the Prison Service provides a rich historical and contextual perspective of how the a strategic and system-wide approach can contribute to reductions in violence; Neil Beales’ extensive experience with the UK prison service reveals some valuable points of comparison and offers a framework for fair operational practices in the New Zealand context; Janis Adair’s view from her role as the Chief Inspector of the Office of the Inspectorate provides some insight into a role that is critical in addressing safety and maintaining humanity in the prison space; Speaking from his many years as president of the Corrections Union, Beven Hanlon’s

direct and frank korero on the underlying dynamics and tensions in prisons that contribute to unambiguous and very real challenges for custodial staff who work in hazardous sites; Northland-based cultural service provider, Arrin Clark, discusses his observations of the challenges faced by our prison system and the effects on those who live and work in these spaces; Jade Morgan’s reflections of his lived experiences in the system offers insights into cultural and social resources that can facilitate non-violent pathways. Finally, an academic panel discussion draws together some of the key messages of the symposium and advances an agenda of safer prison spaces.

This symposium is not the first or last word on the issue of prison violence in Aotearoa. Indeed, a desired outcome of this hui was to contribute to an ongoing korero/dialogue with stakeholders from the criminal justice sector, academia, mauhere and their whānau (past and current), and the broader public. Everyone has a voice in this space.

Mauri ora.

PRISON VIOLENCE IN NEW ZEALAND

KIM WORKMAN

Tā Kim Workman first encountered prison violence in 1976 as a senior investigator for the Ombudsman's Office, as head of the prison service from 1989 to 1993, and between 2003 and 2009 during his involvement with a faith-based unit at Rimutaka Prison. He talks about the efforts to reduce prison violence over the years, and the factors that contributed to both success and failure.

E ngā rangatira, ngā Kaiwhakahaere me ngā ringa raupa o Ara Poutama Aotearoa, ngā mihi mahana ki a koutou. Ngā mihi hoki, ki te hunga e tiakina ana e mātou, kei runga anō hoki i ngā whiu me ngā tono hapori, me ō rātou ake whānau, ngā ngaioletanga, ngā pūkenga ā-hapori, me ō tātou kaimahi. Ka mauria mai ngā mihi o āku whanaunga mo ngā karu o te Ika a Maui. Nā, Kua pānui au i te ripoata arā ko te 'Hōkai Rangi'. Kua roa e tatari ana mo te taonga nei, ā, kua tae mai. Kei te Hōkai Rangi te reo o tō tātou iwi.

When Dr Armon Tamatea invited me to contribute to today's

webinar, it was in my capacity as someone who has been engaged with prisons and prison violence over many years. We have agreed that I should share that lived experience with you, with a focus on my time as Head of Prisons from 1989 to 1993, and *He Ara Hou*¹ – a prison reform strategy.

Corrections, or Ara Poutama as it is now known, is currently implementing a much more ambitious and comprehensive prison reform strategy – *Hōkai Rangi* – one which is generously resourced, and has the full support

¹ Ministerial Committee of Inquiry. (1989). *Prison review: He Ara Hou*. Wellington, NZ: New Zealand Government.

of government². For me, the vision of *Hōkai Rangī* is inspiring. If the six strategies for change (or pou) are fully realised, it will significantly reduce prison violence, staff will treat those in their care with respect, upholding their mana and dignity. No one will be further harmed or traumatised by their prison experience, whānau will be supported to walk alongside Māori in their care and management, access to culture will be a fundamental right, and Māori will be encouraged to share and learn about their identity. Prisoners will be equipped to fully participate in society on their release.

Between 1989 and 1993, as the then operational head of prisons, I led a similar effort to reform the prison system. We had no extra money to implement the reform, but plenty of enthusiasm.

Unfortunately, our timing was a little out. Logan³ later commented:

*'The combination of muster growth, State sector reforms and profound changes of Penal Division mission, organisation and culture combined to create a dislocation far beyond the scale of any organisational experience of the Justice Department and probably without parallel in New Zealand'*⁴

In 1992, a video titled 'Hard Porridge'⁵ was made to promote *He Ara Hou*, and is prescient of the vision set out in *Hōkai Rangī*. I will talk about that reform and its impact on prison violence – from the viewpoint of both success and failure.

² Ara Poutama Aotearoa. (2019). *Hōkai Rangī: Ara Poutama Aotearoa Strategy 2019 – 2024*. Wellington, NZ: Department of Corrections

³ Logan, B. (1993) *Ministerial Inquiry into Management Practises at Mangaroa Prison Arising from Alleged Incidents of Staff Misconduct*. Wellington, NZ: Ministry of Justice.

⁴ Logan (1993, p.7).

⁵ Attewell, W. (Director). (1992). *Hard Porridge: He Ara Hou – A New Way* [Film]. Valhalla Productions. That video has an interesting back story. Produced by veteran cameraman Waka Attewell, it was the first in its time to use a female voice-over. It was released at a time when the then government was planning to 'get tough on crime' and its message didn't resonate. I learned some years later that a senior departmental official recalled it from those it was initially sent to, although one copy found its way into the National Films archive. As far as I am aware, only one other group has seen it in the last twenty-eight years.

In the context of this hui, the key issue is whether *He Ara Hou* was successful in reducing prison violence. Newbold and Eskridge⁶ reported that:

'The results (of Ara Hou) have been rather dramatic. In the first year of He Ara Hou alone, there was a threefold increase in the number of inmates completing educational coursework. Nearly a quarter of all prisoners are engaged in academic courses... In addition, there has been a 75 percent reduction in misconduct reports and escapes, and suicides have remained low, at about four a year... In 1992, there was only a total of 40 assaults by inmates on staff in the entire country, most of which were minor and involved no injury'.

There were of course, significant differences between the prison system, then and now. Three come to mind.

Prison Population Increase

There was a major spurt in the prison population. In May 1987, there were 2,916 people in prison. By 1989, there were 3,693 – a 27% increase – and by 1993 the number of prisoners rose to 4,707⁷.

Prisons were Insecure

Prisons were run-down, and lacked sound security procedures. It was possible to walk out of most of them. Paremoremo was the exception, although Dean Wickliffe escaped from there in 1991.

Lack of Effective Rehabilitation

With the exception of the Kia Marama sex offenders programme at Rolleston Prison, other initiatives such as anger management programmes, violence prevention, alcohol and drug dependency programmes had little effect, and many staff were critical of their value⁸. As criminologist Warren Young commented, *'Talk about the*

⁶ Newbold, G., & Eskridge, C. (1994). Penal innovation in New Zealand: He Ara Hou. *Journal of Offender Rehabilitation*, 20(3-4), 21-35. Quote from p.21.

⁷ Logan (1993).

⁸ Strategos Consulting Ltd. (1989). *Department of Justice Resource Management Review*. Wellington, NZ: Strategos Consulting Ltd. (p.38).

significance of rehabilitation was mostly rhetoric' ⁹.

Criminologists such as Greg Newbold focused on the importance of developing a climate of tolerance between prison administrators and prisoners.

'...a rise in the level of administrative oppression causes inmate self-commitment to deepen. Conversely, when the external threat is removed, a reduction in tension allows defences to relax. Relationships with staff then soften, and although a strong subgroup identity may remain, a desire for stability fosters a mood of tolerance. A productive symbiosis can then develop' ¹⁰.

Later research confirmed that humane treatment resulted in less disruptive and violent behaviour, reduced institutional management

problems¹¹, and increased the likelihood of prisoner success upon release¹². Harsher prison conditions on the other hand, did not reduce post-release criminal behaviour, and potentially increased it¹³.

The three key performance indicators of institutional management at the time were escape rates, suicide rates and the incidence of prison violence. A close examination of all three measures, partly answers questions about the success of *He Ara Hou*.

Escape Rates

It remains something of an enigma that in the face of growing public and political criticism about escapes, the Department chose not to publish those statistics which showed that while prisons were highly insecure, less prisoners were choosing to escape between 1989 and 1993.

⁹ Brown, M., & Young, W. (2000). Recent trends in sentencing and penal policy in New Zealand. *International Criminal Justice Review*, 10(1), 1-31. (Quote from p.11).

¹⁰ Newbold, G. (1992a). What Works in Prison Management: Effects of Administrative Change in New Zealand. *Federal Probation*, 56(4), 53-57. (Quote from p.56).

¹¹ Seiter, R. P. (2002). *Correctional Administration: Integrating Theory and Practice*. Upper Saddle River, NJ: Prentice Hall.

¹² Wright, K. N. (1994). *Effective Prison Leadership*. Binghamton, NY: William Neil.

¹³ Chen, K. M. & Shapiro, J. M. (2007). Do Harsher Prison Conditions Reduce Recidivism? A Discontinuity-based Approach. *American Law and Economics Review* 9(1), 1-29.

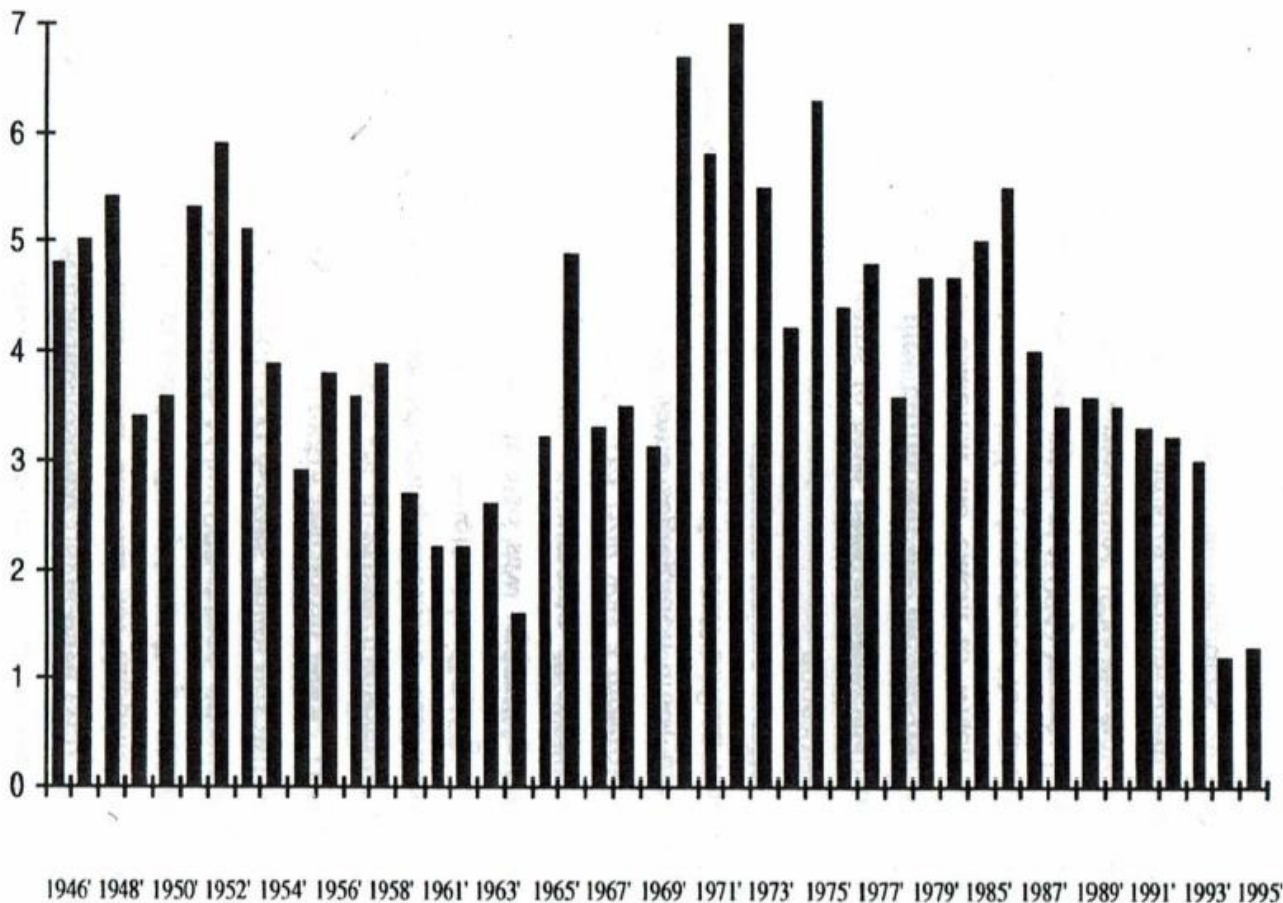


Figure 1. Prison escapes as a percentage of daily prison population, 1946-1995¹⁴

An interview by Sarr¹⁵ of a senior prison official in 1995, provides some insight:

'We started a magazine called Te Ara Hou and sent it to all the judges and the justices. They were writing to us saying – This is great stuff. Keep it up. We'd send it to the media, too. We did a media

survey and at one point we were getting more positive coverage than negative, the media were covering the issues for the first time in years. But then the Department stopped that, stopped us sending it to the media or anyone outside. The Department had decided that there will be as little media about prisons as possible, because we don't want prisons, full stop, in the press. It was done by orders

¹⁴ Centre for Research, Evaluation, and Social Assessment. (1996). *Escape pressures: Inside views of the reasons for prison escapes*. Wellington, NZ: Ministry of Justice (p.7)

¹⁵ Sarr, P. (1995). *Corrections: Recent Attempts at Workplace Reform and Managing Change in New Zealand Prisons* (Doctoral dissertation, Victoria University of Wellington).

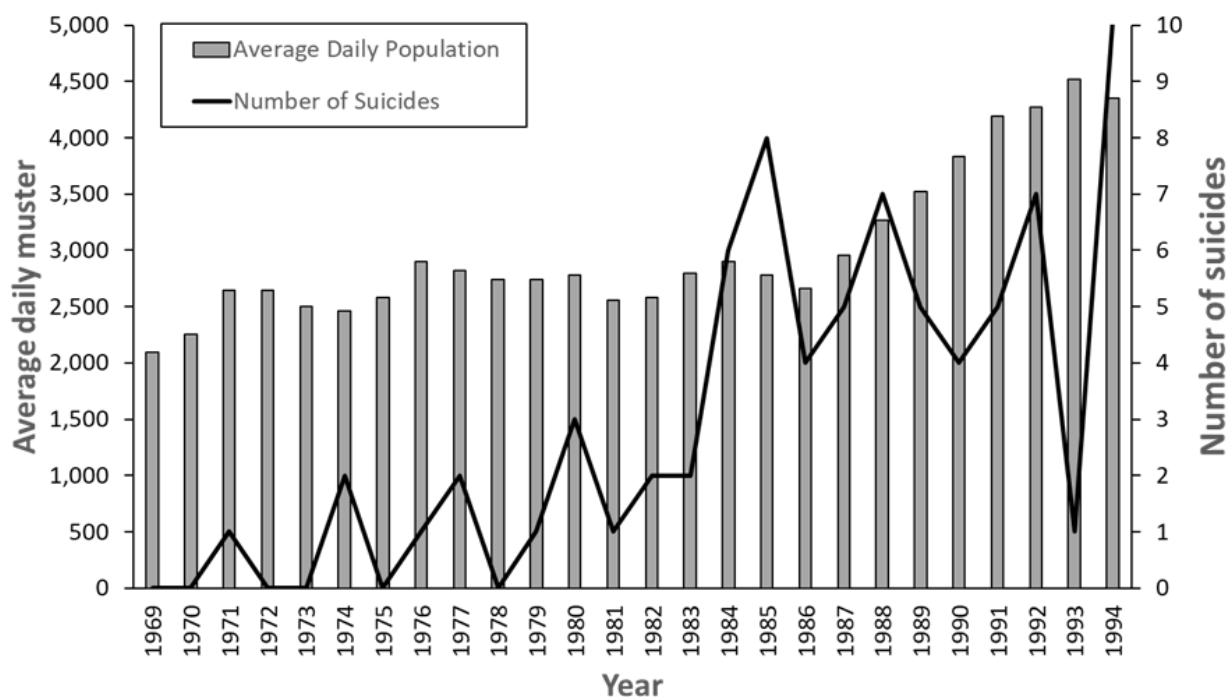


Figure 2. Number of suicides and average daily muster (1969-1994).

from above, saying you're not to do this, you're not to do that. There was no open debate. It's worth noting that there was political pressure to move in other directions, or use other tools for prison management'

Suicides

An examination of the suicide rate shows a decline in the suicide rate between 1989 and 1993, in the face of a rising prison population¹⁶. The statistics do not support Newbold's view that suicide numbers were unaffected¹⁷. In 1992, the suicide rate was 0.16 % of the total muster (8 suicides). By 1993, it dropped to 0.01% in 1993 (1 suicide).

¹⁶ Department of Justice. (1995). *Review of Suicide Prevention in Prisons 1995: Report of the Suicide Prevention Review Group*. Wellington, NZ: Corrections Operations Group. (Quote from p.67).

¹⁷ Newbold, G. (2007). *The problem of prisons: Corrections reform in New Zealand since 1840*. Wellington, NZ: Dunmore Publications. (Quote from p.95).

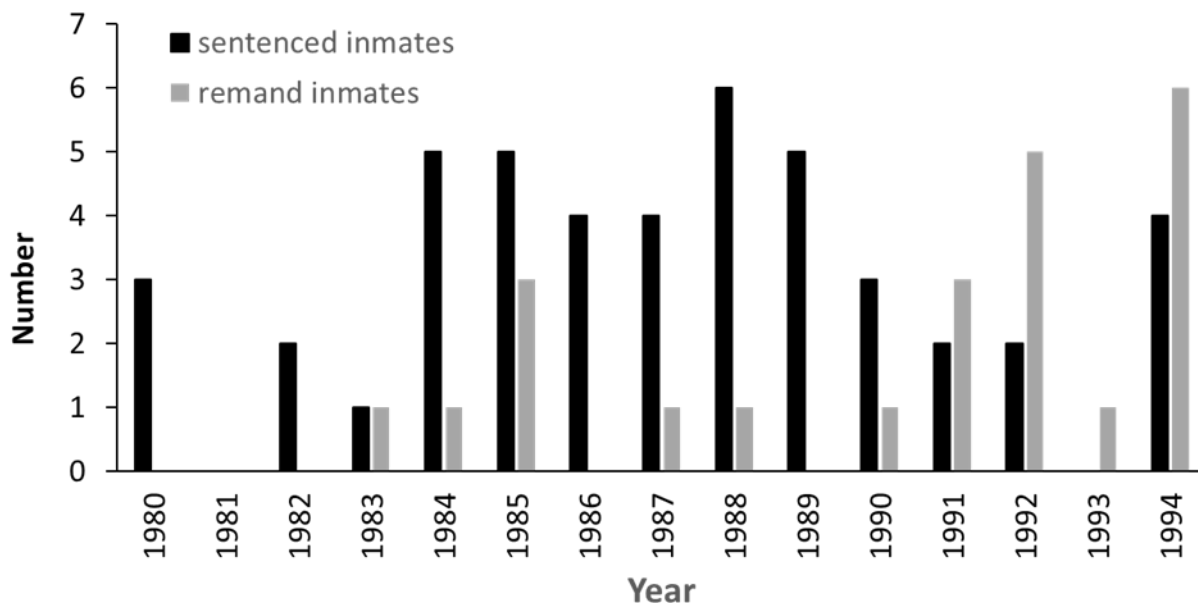


Figure 3. Number of suicides by remand and sentenced inmates

In 1994, after the Department of Justice abandoned *He Ara Hou* the figure rose dramatically to 0.23% (10 suicides). The Department of Justice established a Suicide Prevention Review Group¹⁸ to review suicide prevention policies and practices, in response to the ten prison suicides that had occurred in 1994¹⁹.

It could not find a simple explanation for the increase, helpfully noting that while suicides

in prisons are either the result of individual factors or factors related to the institutional environment, it was almost certain that an interplay of these factors contributes to suicides in prisons. What, then, had changed in 1994?

Let me tell you what I think may have contributed to the 1994 increase in suicides. If you look at this graph, it shows a steady decline in suicides within the sentenced population, leading to a nil suicide rate in 1993. The *He Ara Hou* reforms and programmes were focussed on sentenced

¹⁸ There was no Māori representation on the Suicide Prevention Review Group. A Māori Suicide Review Group, sponsored jointly by the Department of Corrections and Te Puni Kokiri, was convened in 1996 and reported separately.

¹⁹ Department of Justice (1995).

prisoners; but for remand prisoners it was business as usual. The official policy at the time was that there was no obligation to offer programmes, work or recreational activity to prisoners on remand. Justice Minister, Doug Graham, had – on more than one occasion – expressed concern about the lack of programme activity for remand prisoners. If *He Ara Hou* did have a positive impact on sentenced prisoners to the point they were less likely to kill themselves, the same could not hold true for those in remand, who went largely untouched by the increase in recreational and educational activity. That possibility was not discussed in the Suicide Prevention Review report. In 1994, with a return to a ‘tough on crime’ regime, escapes reduced significantly and the total number of suicides increased ten-fold. Later research confirmed that humane treatment resulted in less disruptive and violent behaviour, reduced institutional management problems²⁰ and increased the

likelihood of prisoner success upon release²¹. Harsher prison conditions, on the other hand, did not reduce post-release criminal behaviour, and potentially increased it²².

Gangs and Violence

While there was a significant drop in prison violence, there was still an underbelly of violence that persisted within the prisons. Much of it was gang-related – mainly between Black Power and the Mongrel Mob, but also retribution against prison officers who assaulted them. Gang leaders themselves were becoming concerned at the escalating prison violence. Harry Tam, a Mongrel Mob member and member of Group Employment Liaison Scheme (GELS), was seminal in forming the Mob Advisory Panel (MAP) which worked successfully with Prison Managers in Paremoremo and Mt Eden to resolve gang disputes in prisons²³. Each gang appointed mediators who maintained liaison with prison

²⁰ Seiter (2002).

²¹ Wright (1994).

²² Chen & Shapiro (2007).

²³ Winter, P. (1998). Pulling the teams out of the dark room: The politicisation of the Mongrel Mob. In K. Hazelhurst & C. Hazelhurst (Eds.) *Gangs and Youth Subcultures* (pp.245-266). New Brunswick, NJ: Transaction.

management sorting out in-prison disputes. They also visited the remand wing at Mt Eden to inform new prisoners belonging to the gangs of the behaviour expected of them²⁴. Prisons were neutral territory, and while gang membership was not officially recognised or acknowledged, the provision of gang appointed mediators resulted in a lessening of violence. Another Mob leader, Edge Te Whaiti, formed the Heirs of Tane Trust, helping prisoners to develop personal qualities and social skills which would enable them to stay out of prison upon release²⁵.

There was resistance from some officers, the union, and increasingly public servants who wanted to distance themselves from gangs. When on one occasion, I met with gang leaders at head office, the Dominion newspaper was informed in advance, and photographed them entering the building. The resultant publicity fuelled political opposition to gang engagement. MAP fell out of favour, not

because it was ineffective, but because the public sector was becoming increasingly risk averse. It became clear that a culture of violence had developed in some prisons, and was actively condoned by management. I issued a memorandum to staff making it clear that while prisoners who assaulted officers would be dealt with to the full extent of the law, that same applied to officers who unlawfully assaulted prisoners, and officers who witnessed such assaults and failed to report them.

About ten days after I issued the memorandum, an officer assaulted a prisoner, and the incident was witnessed by another officer who reported it. His action sent a warning shot across the bow of the system. There was a mixture of responses – disbelief, outrage, anticipation, and relief. The offending officer was suspended pending an inquiry, and subsequently dismissed. He was reinstated after an Employment Court hearing at which the officer who witnessed the event came up with a different version of the

²⁴ Meek, J. (1992). Gangs in New Zealand prisons. *Australian & New Zealand Journal of Criminology*, 25(3), 255-277.

²⁵ Currie, C. (1989). *Art in Prison: An Evaluation of a New Zealand Prison Programme*. Wellington, NZ: Institute of Criminology, Victoria University of Wellington.

event. Nevertheless, the suspension sent out a strong message that violence would not be tolerated and inspectors subsequently reported that the number of assault complaints against staff and prisoners plummeted.

At the time, I failed to understand the extent to which an underlying culture of violence existed within the prison system. That gap in my education was taken when after a series of incidents at Mangaroa Prison following its opening in 1989, the Minister of Justice, the Hon Doug Graham, commissioned a Ministerial Review into Mangaroa Prison²⁶. It disclosed a culture of violence and corruption, and not only in Mangaroa. In October 1991, following the stabbing of a member of the management team, Logan found that illicit beating became uncontrolled, spilling over into unprovoked attacks on other prisoners which extended over several days, and included locking some inmates naked, out in exercise yards overnight. Anyone with an interest in the issue of prison violence should read the

report which was not widely distributed at the time. The difficulty when something like that happens is that the media, the public and politicians make a false correlation between the performance of a single prison and the wider reform agenda, and on this occasion, *He Ara Hou* became the scapegoat. The Logan Report however, tells a very different story.

Hōkai Rangi is being introduced at a time when all the stars are in alignment. *He Ara Hou*, however, was introduced at a time when the then Labour government was vacillating between its traditional support of humanitarian ideals and responding to the public and political demand for a 'tough on crime' approach. Senior public servants avoided making critical decisions and descended into a state of intellectual inertia. It was considered unwise to declare a personal ideology or deviate from the neoliberal mantra that dominated penal thinking for the next thirty years. The move from penal welfare to risk management and a need for public and political credibility, steadily changed the

²⁶ Logan (1993)

way in which the inner life of the prison was managed²⁷ ²⁸. New Zealand was no exception. By the end of 1993, *He Ara Hou* was no more.

By that time, I became interested in what became known as the 'Decency Agenda', which originated from the 1991 Woolf Inquiry into the UK Strangeways Riot and other disturbances, attributing the riot to 'wholly unacceptable and inhumane conditions' and 'arbitrary and oppressive staff behaviour'. It was later championed by UK Director General of Prisons, Martin Narey, and heralded the testing of prisons on the basis of moral performance. On appointment, he had this to say:

'The choice is straightforward. We take on the challenge. We make a reality of the rhetoric of decency and dignity. Or we accept the unacceptable. We tolerate filth, appalling healthcare, treating prisoners

*as a sub-species, doing virtually nothing to prepare them for release. We tolerate these things because they are too difficult to change.'*²⁹

I was heavily influenced by the work of Narey and Alison Liebling. In 2003, as National Director of Prison Fellowship, we established the Faith Based Unit at Rimutaka Prison, it was a further opportunity to test the extent to which the development of a positive social climate would have on prisoner wellbeing and behaviour. That strategy included:

- Developing a strong values focus based on Christian principles and restorative justice practice;
- In the evening, for four days a week, dividing the 60 prisoners into four facilitated whānau groups in which prisoners would share about the day, speak about what was happening in their lives, speak openly about what was irritating them, challenge those who were not

²⁷ Garland, D. (2001). *Culture of Control: Crime and Social Order in Contemporary Society*. Oxford, UK: Clarendon Press.

²⁸ Liebling, A. (2004). *Prisons and their moral performance: A study of values, quality, and prison life*. Cambridge, UK: Cambridge University Press.

²⁹ Quoted in Liebling, A. (2008). *Prisons and their moral performance*. Oxford, UK: Oxford University Press (p.39).

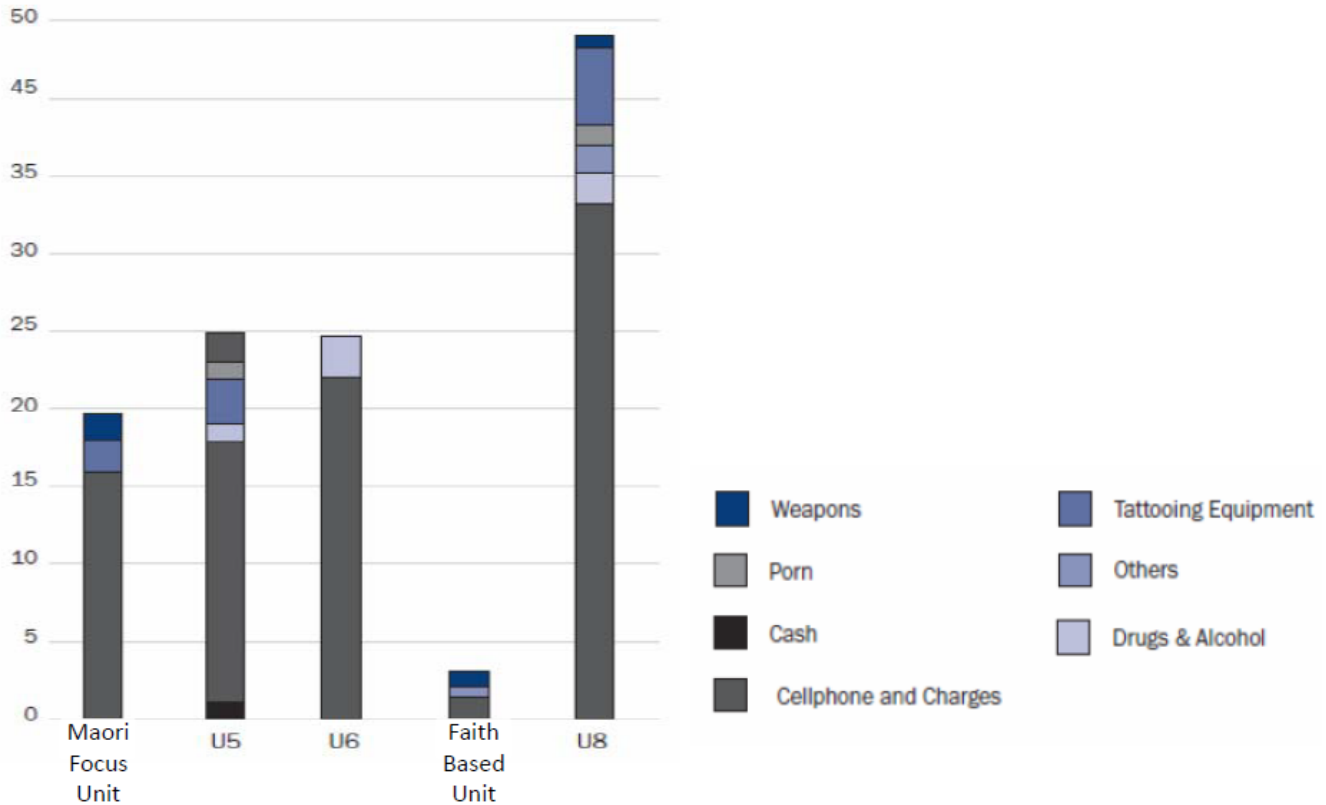


Figure 4. Incident reports by type, Rimutaka Prison, 2003

- living the values, and allocate responsibility for tasks;
- Encouraging volunteer involvement. The unit averaged 70 volunteer visits a week, who interacted regularly with prisoners, music, art, choir, literacy and numeracy;
- Whānau Days, organised by the prisoners, included hiring a bus which travelled from Auckland to Wellington, with whānau members staying overnight, at a local marae;

- Release to Work projects to 'Give Back', supporting the elderly, chopping firewood, mowing lawns, painting community buildings, and;
- Encouraging prison based restorative justice conferences.

A 2003 Incidents Report which compared the performance of the various units at Rimutaka Prison showed the impact of that approach on prisoner behaviour.

Alison Liebling³⁰ established that moral practices were strongly

³⁰ Liebling (2004).

correlated with positive outcomes. It relates to the *Hōkai Rangi pou* ‘respect the human dignity and inherent mana of all people in our care, their whānau and staff’³¹.

Since then, the literature has unequivocally established that prison social climate has an influence on prisoner wellbeing and behaviour³² and correlates with incidents of violence and disorder within prison. A more positive social climate is associated with lower behavioural disturbance, higher levels of motivation, engagement with treatment and therapeutic alliance³³, greater service user satisfaction, more positive therapeutic relationships with staff³⁴, lower rates of violence³⁵,

and more positive treatment outcomes³⁶.

After the demise of *He Ara Hou* the initial enthusiasm and support from academics waned. Newbold³⁷ concluded (in the absence of evidence either way), that *He Ara Hou* didn’t reduce reoffending. I was referred to as a ‘Christian with strong reformist views; who believed, as Finlay and Palmer had – that criminals could be reformed through reasoning, kindness, understanding and personal engagement’. I wasn’t a Christian at the time *He Ara Hou* was implemented, nor did I believe what was claimed. But I *did* believe that prisoners should be treated with dignity and respect. If Greg Newbold had asked me what I believed, I would have told him.

³¹ Ara Poutama Aotearoa (2019) (Quote from p.22).

³² Wortley, R. (2002). *Situational prison control: Crime prevention in correctional institutions*. Cambridge, UK: Cambridge University Press.

³³ Long, C. G., Anagnostakis, K., Fox, E., Silaule, P., Somers, J., West, R., & Webster, A. (2011). Social climate along the pathway of care in women’s secure mental health service: Variation with level of security, patient motivation, therapeutic alliance and level of disturbance. *Criminal Behaviour and Mental Health*, 21(3), 202–214.

³⁴ Bressington, D., Stewart, B., Beer, D., & MacInnes, D. (2011). Levels of service user satisfaction in secure settings – A survey of the association between perceived social climate, perceived therapeutic relationship and satisfaction with forensic services. *International Journal of Nursing Studies*, 48(11), 1349–1356.

³⁵ Friis, S., & Helldin, L. (1994). The contribution made by the clinical setting to violence among psychiatric patients. *Criminal Behaviour & Mental Health*, 4(4), 341–352.

³⁶ Long et al. (2011).

³⁷ Newbold, G. (2016). *Crime, law and justice in New Zealand*. London, UK: Routledge. (Quote from p.231).

However, if I *had* believed it, I may have been on to something. In 2020, Auty and Liebling's³⁸ research used the 'Measuring Quality Prison Life' (MQPL) survey tool, to measure the moral, relational and organisational quality of prison life for prisoners and its impact on reoffending. Their findings show that higher moral quality of life, or higher interior legitimacy, supports better outcomes for prisoners on release, including a reduction in re-offending. They explained that their *'theoretical model of in-prison change was derived from penology and sociology as well as human (rather than "correctional") psychology'*³⁹.

I have one final comment to make. I have been privileged over recent years to work closely with both Police and Corrections. There has been a tendency within both organisations to disregard the views and potential support of their end consumers. The democratic tradition of 'policing by consent' and the views of vulnerable communities have been

ignored. Corrections frequently forget that there are two tribes within a prison – prison staff and prison officers. The trick is to maintain a compatible relationship between the two.

In 2013, the Department of Corrections conducted a major review of prison safety. I was the then Chair of the then Justice Coalition. In the covering letter to the Expert Advisory Panel on Staff Safety, we had this to say:

'Our major concerns are two-fold. First, the strategy seems to proceed on the assumption, that violent behaviour, and conduct which provokes violent behaviour, is the exclusive attribute of prisoners. In our submission we said that "the notion that it is possible to reduce violence in prisons by focussing only on prisoner assaults on staff is difficult to comprehend and unlikely to succeed".'

Second, the interplay of the science of risk assessment has

³⁸ Auty, K. M., & Liebling, A. (2020). Exploring the relationship between prison social climate and reoffending. *Justice Quarterly*, 37(2), 358-381.

³⁹ Auty & Liebling, (2020; p.7).

led to the perverse outcome of constructing offenders as walking bundles of risk. The significance of a risk-centric environment is that it can lead to unintended consequences, such as a less humanizing view of offenders. As Ward, Yates and Willis⁴⁰ ... comment, 'the risk paradigm tends to construct offenders as "passive recipients of operant

behavioural principles," meaning that they become "risks" to be managed rather than humans with shared values and goals.'

If we are faithful to the kaupapa of *Hōkai Rangī*, that will change.

Tēnā koutou, tēnā koutou, tēnā tātou katoa.

⁴⁰ Ward T., Yates, P., & Willis, G. (2012). The good lives model and the risk need responsivity model: A critical response to Andrews, Bonta, and Wormith. *Criminal Justice and Behavior*, 39(1), 94-110

PRISON VIOLENCE AND CUSTODIAL OPERATIONS

NEIL BEALES

Based on an operational viewpoint of custodial practice using his experience from being an Officer/SCO/PCO/Manager/PD and CCO, Neil will discuss (1) how prison violence impacts the custodial operations and how operations can impact prison violence, and (2) how the balance between Order, Control, Safety and Security can be maintained whilst still operating a humane and decent environment.

The key focus of my discussion will be about prison operations, how they influence violence within prison, how they can influence it and also mitigate it, and in some cases eliminate it. I want to acknowledge Kim Workman. I listened with intense interest to the opening discussion and it brought back a tremendous amount of memories and recollections for me.

Early Experiences

I joined the prison service in England in 1991, just after the Strangeways Riots¹. So that happened in 1990, and as a result of that it peaked my interest in what was going on in prisons. The riot itself was a watershed moment for custodial practice in the UK. It lasted for 25 days. It resulted in 194 injuries, it resulted in two deaths; 51 criminal charges were laid as part of the Strangeways riot and it led on to the Woolf Report² and many other

¹ The Strangeways Prison riot occurred in Manchester, England. The riot began on 1 April 1990 when prisoners took control of the prison chapel before spreading quickly throughout most of the prison. The riot and rooftop protest ended on 25 April when the final five prisoners were removed from the rooftop, making it the longest prison riot in British penal history.

² The *Woolf Report* was published in 1991, following a five-month public inquiry held into the disturbances at Strangeways and other prisons in 1990. The report described the conditions inside

studies in the years since. I joined almost directly after that, along with a tremendous amount of other staff who were all brought in, in part to try and change the direction in which the department had been traveling for such a long time. We were selected differently and we were trained differently at the time. What happened then was there was a lot of good intentions. The *Woolf Report* gave a very clear direction as to what needed to change. They identified very clearly, the inhumane aspects that have largely in part led up to the riot, such as the slopping-out³ of which I was a witness to. When I joined straight after the riot, there were still practices of slopping-out to three men in a cell with a bucket and no electricity for sanitation. It was beyond Dickensian, but the whole plan was to change that and to change it gradually, it was to invest in training, in recruitment, in infrastructure, change the policies, change the way in which we were interacting with people in prison. For about a year or two, that seemed to be the focus.

In Liverpool in 1993, there was a young boy called Jamie Bulger who was taken from his mother in a shopping center by two (at the time) 10-year old boys and walked out of the shopping center and down the road. They murdered him in the most brutal fashion. That shocked the nation to the core. Not only that a young boy, a two-year old, could have been murdered in such a brutal way, but in fact had been murdered by two children himself. That incident became yet another watershed moment.

Just prior to that, we had been enjoying a visible change. By that stage, I was working at a prison called Camp Hill⁴ Prison on the Isle of Wight. I clearly recall in the unit I was working in, normally you would have about 66 prisoners in our unit with some changes in the *Criminal Justice Act*. At the time, we had seen our numbers drop to about almost half of that unit. It was great. We could spend time with people. We could get to know the people we were working with.

Strangeways in the months leading up to the riot as intolerable and viewed errors by staff and management at the prison and Prison Service as central contributing factors to the riot.

³ When prisoners 'slop out', they empty the containers they used as toilets during the night in the cells where they sleep.

⁴ Her Majesty's Prison Isle of Wight – Camp Hill Barracks, situated in Newport, Isle of Wight.

We could do things with them. I remember being involved in running workshops, helping people to write CVs and practice for job interviews and identify skills that they could work on whilst they were going to spend time with us.

That changed dramatically. I noted in Sir Kim's talk earlier when he mentioned rhetoric and how things can be influenced by rhetoric, which doesn't necessarily match the operation intent. When Jamie Bulger was murdered, the Prime Minister at the time, John Major, came out and said that we should 'condemn more and understand less' – That was the message from the Prime Minister. In opposition, Tony Blair said that we need to be tough on crime and tough on the causes of crime. Well, the results of that political rhetoric and direction from the two main leaders of the parties in the UK led to what we saw as staff on the ground as almost this schizophrenic attitude and approach towards criminal justice. On one hand, we had issues like the *Woolf report* and all the

results, post-Strangeways, which were trying to drive improvements in the prison system, and we had been recruited as staff on the premise that we were going to be the change agents for a new way of doing things in prisons. On the other hand, we were faced with an ever-increasing prison population at the same time, the advent of private prisons that were being introduced, and whichever way you looked at it, there is an argument that they did a lot in terms of driving standards up and forcing investment into the infrastructure. But at the same time, detracted the argument from the very real issues that needed to be resolved in the public sector and, for us it seemed that it all became about key point indicators and money rather than human interactions. So, over the next 10 years that is how the agenda unfolded.

There was a lot of talk at that time about this idea of the decency agenda⁵, which eventually came to fruition and many changes were made – some good and some not

⁵ The 'decency agenda' originated from the findings of the Woolf Inquiry which in part attributed the Strangeways riot to unacceptable and inhumane conditions and arbitrary and oppressive staff behaviour.

so good. The end result, in my view, was quite telling. When I joined the prison service in 1991, there was about 42,000 to 43,000 prisoners in the English and Welsh prisons. All of the investment of the ensuing two decades – and I saw a lot of it – were termed gold standard product investments in infrastructure, new prison design, enhanced electronic security, all of those issues.

By the time I left the service to come to New Zealand in 2009, we were looking after roundabout 81,000 to 82,000 people in prison. So effectively, we pretty much doubled the prison population. In the years that have passed since, I remained close to many of my colleagues in the Service over there and part of my job is to keep abreast of what's going on in the systems around the world. What I have found is that in my view, things have just not improved at all. It got progressively worse over there. It was a result of the global financial crisis and the lack of investment in the system which has led to a deterioration in standards and therefore an increase in risk right across the board.

I was offered the job to take over as the Prison Manager. I had done a lot of research into this role and I'd read a lot about the criminal justice system in New Zealand. I was quite excited because a lot of what I read reminded me of the intent and design post-Strangeways particularly, and the *Woolf Report*. When I came to Paremuremu, there was a few things that were certainly quite stark. The prison design itself, especially the old East Division, was quite austere, not a design that I was particularly used to – It's an American design, and to me it was not a good place to try and do good work with some difficult people.

I think it was my first six weeks, I had a knock on the door and there was one of my principal officers to report to me that one of his staff had assaulted a prisoner. We investigated, we stood him down, we investigated and subsequently dismissed him. As a new prison manager in a prison having come from abroad, my sense was that at the time that that action (and it was the right action to take) was pretty much going to take my knees from underneath in trying to

engage with the staff and get them on my side to try and do some of the things that we needed to do. Within a few days, there was a knock on the door and staff started poking their heads in and saying things like 'it was about time'. They wanted change.

The vast majority of staff that I've worked with, both in New Zealand and in the UK are good people who want to do good work and who want to be given the environment and the freedom to do that good work. So, that was quite telling for me and it encouraged me, and over the next three and a half years I was quite happily ensconced at Paremoremo. Did we get everything right? No, it's not that kind of world. We don't always get everything right. But I did sense that we had the opportunity to change things when Ray Smith⁶ came on board.

On his first visit, we'd had a fire the night before in D Block⁷. We went wading through the water and we looked at the damage and we started the discussion about prison design. He had never worked in a

custodial environment before but he was all ears and willing to listen. He came back about a month later and as luck would have it, we'd had another fire by the same person – indeed the night before – and once again, we waded through D Block and this elevated our conversation about what we needed to do to improve the conditions in the East. In my view, I said we could maybe throw some paint at it and change some of the design in a small way. However, in actual fact what we needed, if we were going to make any significant changes, was a complete rethink about how we manage the most difficult, sometimes the most dangerous people in our system in a manner which was going to enable us to actually engage with them in a safe way, which, I have to say, take my hat off to Ray Smith and his team, at the time they got fully on board and invested in that.

By this stage, three and a half years later, I had been offered the role as the Chief Custodian and moved to Wellington. I saw an opportunity to engage more widely across our state to try and look at

⁶ Chief Executive Officer, Ara Poutama (2011-2019)

⁷ One of the maximum security wings (now in disuse)

where else we could make some improvements in what we do. One of the very first things I did was ask for a review of our training system. At the time, our officers were going to the college for about eight weeks and then being returned to their sites to take up their roles. I thought this was inadequate and wasn't preparing them properly for the job we were asking them to do. And then we engaged in the safety programmes as well, which inevitably ended up in making some significant changes to what we do in prisons to keep everybody safe. In particular, how we equip, resource and train our staff.

On Prison Violence

I have to admit that I struggle with that term, 'prison violence', in and of itself having worked in this system now, both here in the UK for nearly 30 years. 'Prison violence' is a thing – Yes, it is, because we have violence in prisons, but I see prison violence as one facet of violence. It's just one aspect of violence that we live in, in these current times, is it magnified in prisons? Yes, it is. Can things in prison exacerbate

violence? Absolutely they do. But I worry when we talk about prison violence as a subject that it allows others off the hook with this. And by that I mean, other agencies and the wider community, they'll term something as prison violence and therefore feel some kind of abdication that they no longer have a responsibility to the people that we end up looking after, and that when these people come to prison, it's our job as Corrections to fix them.

As our Minister⁸ has said, Corrections is like that goalie on a football field. You know when that ball goes in the net, everyone wants to point to the goalie and say you should have done a better job, but that ball has got past 10 other players. These people who come to us more and more, so we are learning all the time. More and more that the people we are looking after have come from a background of significant violence. Many of them have been subject to abuse, either violent abuse, sexual abuse, mental abuse, physical abuse, when they were growing up. They have ended up becoming perpetrators of violence

⁸ Hon Kelvin Davis.

themselves. Approximately 75% of the people we were looking after in prison have a conviction for violence either currently or previously in their record. Layer on top of that all of the figures of people that we are managing with mental health issues, with alcohol and drug issues, with learning disabilities, you begin to understand some of the complexities of what goes on in the prison, in a system that is not – and has not – been designed to manage all of these competing factors and issues.

So, I do have a problem with terming something ‘prison violence’ and looking at it through a narrow microscope. However, I understand why we need to, because we do have a very important part to play in trying to help the very people that are there, and the more we understand about the factors that happen in prison, or can be magnified in a prison, perhaps maybe then we can start engaging with the wider sector or the other agencies in saying to them, ‘this is what we need from you’. Because

what I don't want to do is just end up in a situation where everyone's pointing fingers at each other saying, ‘it's not our problem. It's your problem. Don't blame us. Look for yourselves.’

On *Hōkai Rangi*⁹

We do need to take more of a leadership role in this place. We do need to take more of an understanding role when it comes to how we look after people, of which *Hōkai Rangi* is very much a part of that. *Hōkai Rangi* appears to have come at a time when the stars are aligning. It is one of the reasons why I was interested in the comments around rhetoric, because when *Hōkai Rangi* was launched by the Minister of Corrections a couple of years ago, I asked him the question of how do you protect something like that from political rhetoric, from a system that has a three-year parliamentary cycle and probably an environment where we have quite a rabid press and media interest in anything to do with prisons and violence? The bottom line is we have no choice.

⁹ *Hōkai Rangi* is the National strategy for Ara Poutama Aotearoa and is notable for its strong emphasis on Māori participation in design and outcome priorities.

We have to do this because if we just keep on looking through the rear-view mirror, all we're ever going to do is repeat the same mistakes, we have to look forward. Some have stated that *Hōkai Rangi* in and of itself is a strategy that is not evidenced. There is no evidence that it's going to work. And there are aspects of that that are true. However, lying in the heart of *Hōkai Rangi* is quite a simple premise, and that premise is treating people humanely and decently – you're more likely to get a better outcome and good officers in my experience have always known that to be true. Good staff, which the vast majority of our staff are, have always known that to be true – that a humane and decent approach to what we do is critical to running a safe and secure prison and keeping the people that we look after safe and secure, and keeping the people that look after them safe and secure. To do that you need an environment which enables that. I think back to my first impression of the East Unit in Paremoremo prison, and that wasn't a good environment to do that. We are somewhat hindered by the fact that a lot of prisons are

older by design and are not necessarily designed with the new thinking in mind. However, that is a challenge that we all live with both here and abroad. When I speak to my colleagues in Australia and Canada and the UK, we all have those challenges. So, we have to overcome them.

Key Areas for Managing Prisons

To me, managing prisons rests on four key areas. The building blocks of managing prisons can be broken down into these four themes: security, safety, order and control.

Security

It's about the *physical security* – the bars and the doors and the walls and the fences, the electronic security things that you can build and move around. Then you've got your *dynamic security*. That's your staffing, how staff are moved around the system, how they are trained to observe, how they report incidents, how they respond, and then you've got *procedural security*, that's your policies, your processes, which are based from your regulations and, and the Act¹⁰.

¹⁰ Corrections Act 2004

Safety

Sitting below that you have your safety. So that's how we do things, when we do things, it's about having an understanding and management of risk. We have to understand the risk. It's about having proper fair systems to assess risk. It's about having the means to mitigate, eliminate or manage those risks appropriately. Around that is how to utilise the tools and equipment and the systems appropriately, fairly, and proportionately.

Order

Order is the general construct of the day. Your routines, the programmes, your application of process, when we're doing what we do and where people go to, why they go there, how they moved there, what format they go in.

Control

Control is about the application of rules and response to incidents and risks. This is achieved by good interactions, good relationships and cooperation from the side.

That is a simplified view of looking at those four elements, but if you

look at those things, security, order, control and safety, they can only work in together with each other. If they are wrapped around a system that has humane containment and compassion at its heart, it needs to be lawful, and that needs to be supported by good training, good supervision, it needs to have a good institutional research and development and above all, and it needs to be transparent. We need to be able to talk about what we do, talk about why we do it. We need to be able to respond to criticism and we need to be open to learning and changing where we need to change. Sometimes we may need to defend our approach. There will always be different views as to the right way or wrong way of doing things. Sometimes we need to explain why we do things in certain ways. And then other times, we need to own it when it goes wrong.

So those four elements: security, control, order and safety to me have always been the four cornerstones of running a safe system. When I look at violence in prison and how that impacts on those four elements, there are factors which affect that:

importation factors, deprivation factors and situational factors. *Importation* factors will be things like age and gender, social networks and expected norms. So that could be the gang issues that come into the personal histories and attributes, mental health issues, drug and alcohol problems. *Deprivation* factors – loss of freedom, loss of social network and contact, loss of employment, loss of housing – sometimes people may lose their families when they come to prison. This will have an impact on how people behave and respond to imprisonment. And then you've got *situational* factors, such as physical prison design, levels of surveillance, prison architecture, the prison population and crowding levels; the antisocial prompts. So, are you putting people in the right place? Are you mixing people properly?

Quite prominent nowadays, and particularly with some of the rising gang member numbers that we're seeing, are people being instructed to do things that actually they didn't wake up that morning having any intention to do? But they're being pressured by peers

to take part in certain activities, which leads them down an assaultive route, and then reduced self-control. As humans, one of the things that we do when we feel that we are losing control of a situation is to regain that control, and that's a natural instinct. When we no longer have that legitimate authority, such as when we are asserting too much control unnecessarily and disproportionately to what we're doing, that prisoners will do one of two things: They will try and regain that control, either through legitimate things such as recourse the complaints legislation or illegitimate means, by either trying to circumvent security or assault people, whether that be other prisoners or staff to try and manipulate the situation that they're in – or just by virtue of responding in an emotional way. We also have management practice as the first part of the situational factors: Staff numbers, morale, training and skills, the offender's sense of autonomy, use or overuse of coercive control practices, and the perceived fairness of staff and the regime that is being run in any particular prison. So, those three factors,

importation, deprivation and situational factors run alongside the four areas of security, safety, control, and order. The balance, as you can imagine, is precarious and it will differ from site to site because one of the things that we know is that the risk of violence and aggression in prisons is not distributed evenly across our estate.

Since July this year, five of our prisons account for 55% of assaults reported on staff and 57% of ACC¹¹ claims for assault related injuries. So you can see differences when you go to different prisons. I was in Tongariro prison, which is a very impressive place when you walk in. It's very tidy. It's very clean. It's very open, it's very relaxed. There is a lot of good social interaction going on. People are busy. They are generally happy and the whole site is geared towards a very positive approach. However, there are other prisons where it is more oppressive.

It's the people at the heart of those who are making the

difference. I have walked through maximum-security units and I've seen exceptional relationships between staff and prisoners, and I've walked through those minimum-security units and seen poor relationships between staff and prisoners. So there's never any one easy boxed-off way of looking at this situation. We have to look at all of these things in context. As a government agency, we are responsible to the public through our Chief Executives through the Ministers and we can sometimes get thrown around by the changes and expectations from the public as to what they want us to do or what they want their prisons to be and what they want to be happening in prisons. This bore out quite clearly to me when we opened the new maximum-security prison in Auckland just a few years ago. In that unit, we have built a sensory garden. It's the first kind of building that we've put one of these in, specifically built in a maximum-security side of the unit, primarily for those that are experiencing the most issues when it comes to their mental

¹¹ The Accident Compensation Corporation (ACC; Te Kaporeihana Āwhina Hunga Whara) is the New Zealand Crown entity responsible for administering the country's no-fault accidental injury compensation scheme, and provides financial compensation and support to citizens, residents, and temporary visitors who have suffered personal injuries.

health and wellbeing. We opened with great pride only to be castigated in the press about a week or so later by what a 'ridiculous idea' it was and why we allow prisoners in a maximum-security unit to feel grass and touch trees and listen to the sounds of running water. This is the world of managing prisons. You are never, ever going to get it right every time, and you're never ever going to please everybody. The public can be fickle. The public can easily be swayed by strong arguments put forward through the media. Equally, nowadays we live in the world of social media, which more and more is driving discourse and debate – but very often can be quite ill-informed, can be kind of quite dangerous and unfair. Nevertheless, this is the world that we live in trying to run prisons in this modern era. What we cannot forget is that regardless of what's going on around us, regardless of what's happening in the political sphere, what's happening in the government sphere is the very people that are walking through those prisons every day. Those people who we are looking after, and those who are doing the looking after, are the

recipients of those practice and policy changes, and they are the people that have to either instigate those changes or receive those changes, especially when a law is changed that has an adverse impact in the security of control within the prison.

The people who feel that most harshly, of course, are people in prison, and then the staff who are managing them. We need to give them more of a voice. We need to listen more clearly to what they are telling us. We need to apply those changes in a more fair and consistent way. *Hōkai Rangī* is our tool to do that. I am personally quite excited by the opportunities that *Hōkai Rangī* is going to bring. It allows us to turn the mirror on ourselves in a way that is far less threatening than what could otherwise be. It is challenging us on some of our long-held beliefs and thinking. It's challenged me. I've been in this job for nigh on 30 years and *Hōkai Rangī* is challenging me in ways that I am very appreciative of in this role. As the Chief Custodial Officer we have to be continually challenged.

We have to have our thinking challenged. We have to engage in forums such as this and listen to other views and be willing to make changes where those changes are appropriate. All of that must happen whilst at the same time, every single day, people are walking into prisons, working with prisoners, going into prison themselves as prisoners, and working and living within our environments.

So, this isn't something that we can rest on our laurels and think that just because we have a strategy and it says that we're going to do lots of good things that things are going to change overnight, but they are not going to change overnight. We have a lot of work to do in this space. I have a role in this space as the Chief Custodial Officer to make sure that our prison Operations Manual, our processes are aligned with *Hōkai Rangi*, that I'm listening, that I'm being responsive, that I am being receptive and allowing my own thoughts to be challenged.

Future Directions

If we are going to reduce organisational risk of violence and

aggression, we need to understand that it cannot be achieved through any one intervention, but requires a system-based approach. Many of Ara Poutama's strategic interventions related to *Hōkai Rangi* and core operational activities are likely to have flow-on benefits to the risk of violence. These will be indirect effects and not easily tied back to one specific change, or a series of changing trends.

As with many of the critical supporting health and safety controls that we've identified, they're already in our business as usual operational practice. We need to anticipate that focus is to be weighted towards better insights and assurance of their presence and effectiveness to identify where these may be working as required. In other words, we need to not just think that once we apply changes, that those changes are going to take effect, we need to keep analysing and we need to keep learning, and we need to keep asking questions of ourselves and be willing to face those challenges.

INSIGHTS FROM THE INSPECTORATE

JANIS ADAIR

The Office of the Inspectorate works to ensure that prisoners are treated in a way that is fair, safe, secure and humane. The Inspectorate's functions include prison inspections, investigations, monitoring and reporting. This presentation will examine the complex and challenging issue of prison violence through the lens of the Inspectorate.

Mā te titiro me te whakarongo ka puta mai te māramatanga

By looking and listening, we will gain insight

Part I: About the Inspectorate

Firstly, it's important to set out our role. The Office of the Inspectorate *Te Tari Tirohia* works to ensure prisoners are treated in a way that is fair, safe, secure and humane. The Office of the Inspectorate 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 to ensure objectivity and integrity. As Chief Inspector, I report directly to

the Chief Executive of the Department of Corrections.

Structure of the Office of the Inspectorate

The Inspectorate is a multi-disciplinary team, comprised of inspectors as well as clinical (health), legal, communications, data analysis and specialist report writing staff. Staff are based in Auckland and Christchurch as well as Wellington in order to support the Inspectorate's function across New Zealand. The Inspectorate:

- undertakes inspections of prisons
- investigates complaints from prisoners and from offenders in the community
- investigates all deaths of people in Corrections' custody

- carries out other investigations and monitors situations of concern

Our work aims to be influential, credible and highly persuasive, and ultimately supports the Department of Corrections' goals of ensuring public safety and reducing re-offending.

Part II: Commentary and Insights about Prison Violence

Background

Soon after I was appointed as Chief Inspector in July 2017, the prison population peaked at around 10,800 and the prison population

today is around 8,600. So, to what extent does the reduction in the total prison population translate into a reduction in the number of violent or violence-related incidents that occur in prisons? I will explore this further in my short presentation on "*Insights from the Inspectorate*"

As Chief Inspector, I regard it as an absolute imperative to be as present as I possibly can be across the prison network, that is, the 18 prisons across New Zealand. I try

to get around the country as much as I can visiting sites and engaging with both prisoners and staff. I visit every site following an inspection and before the public release of the inspection report to see firsthand the observations of my inspection team and to seek assurance that the matters identified by inspectors as needing improvement are being addressed by the site.

Access to Information

The Inspectorate gains information about prison violence from a variety of sources. My inspectors are on the ground, talking to prisoners and staff, either as part of an inspection, a site visit or on site conducting enquires into matters. Complaints from prisoners, family and whānau members, lawyers and other advocates can provide insights into areas of concern. Incident reports, use of force reports and PTAT (the Prison Tension Assessment Tool) notifications are among the sources of information available to my team.

In my Office, we have a daily management briefing where we become familiar with what is

happening across the prison and Community Corrections networks. This provides a timely opportunity to take action if we learn of something that gives cause for concern and we can make enquires directly with Departmental staff in a timely way. The Department does not always know what complaints we have received, so it is important that we are able to bridge that gap, if appropriate, with information both from the Inspectorate and the Department.

Addressing Violence

Violence is not unique to prisons. Many of the people who come into prison are there because of their violence related offending history whilst in the community and/or they have often also been victims of violence. We know that risk factors for higher levels of violent behaviour includes:

- Youth (<25 years)
- History of violence / violent conditions
- Gang membership
- Violence convictions
- Low self-control (anger, temper, mental health)
- Anti-social behaviour (attitudes and personality)

Within prison, a number of factors can contribute to violent behaviour, such as gang influence and access to contraband (e.g. drugs).

Ideally, prison is a place where an offender will receive rehabilitation and learn vital life skills (such as literacy and trade training, to enable them to get a job on release). This does not always happen, and will depend on a prisoner's security classification, mental health, behaviour, motivation etc.

Corrections officers are expected to provide positive, pro-social role modelling, especially in being able to communicate effectively and respectfully.

Prisons have discipline and sanction processes to hold prisoners to account, but these need to be effective and well understood. Prisoners can be charged with misconducts for behaviour that is unacceptable, such as violence. Too often, however, as evidenced in many inspection reports, this discipline system is not as effective as it could be. Too often misconducts are not heard in a timely way and

charges are withdrawn, meaning prisoners are not being held to account for their actions.

All too often we see prisoners presenting with more complex and challenging behaviors. Those complex or challenging behaviors may be borne out of post-traumatic stress disorder (PTSD), or mental unwellness, and the individual needs to be better managed or supported, rather than a punitive approach taken in terms of laying further misconduct charges. These decisions should be taken carefully and arise from a well-considered decision-making processes to ensure consistency in approach.

Individuals can complain to my Office if they want to have a misconduct reviewed and we have a statutory responsibility in this regard. I'm interested in how well the misconduct process is working. Are there any trends, under what circumstances, and what is the outcome of those misconducts? How many of those misconducts are withdrawn because they have run out of time or there is no one

available to hear it? A disciplinary process must be both effective and efficient and monitored nationally across the prison network.

Addressing Health Issues

Studies have shown that prisoners have higher levels of mental health and substance use disorders than the general population, and higher rates of anxiety, mood and personality disorders, as well as higher rates of psychosis symptoms and psychological distress¹. They may also have had a traumatic brain injury or suffer from PTSD, which can lead to more aggressive behaviours.

Solutions to reducing violence in prison must include a mental health response. Prisons have a primary health care service that is required by Section 75 of the Corrections Act 2004 to provide health care that is "*reasonably necessary*". The standard of care must be "*reasonably equivalent to the standard of health care available to the public*". For many prisoners, this is the first time they have regularly accessed health services. My clinical inspectors tell

¹ Comorbid substance use disorders and mental health disorders among New Zealand prisoners. June 2016. Dept of Corrections.

me that many individuals who are involved in violent incidents have a background of mental health issues or acute mental health deterioration.

I have been pleased to see that Corrections has strengthened its health services in the last 18 months or so, with the new positions of Deputy Chief Executive Health, Chief Nurse, Director of Mental Health and Addictions, Chief Māori Health Advisor and Chief Medical Advisor, and other supporting roles. The Mental Health and Reintegration Service, created in 2016, includes mental health clinicians working with staff and prisoners at each site. Trauma counsellor positions have been established at the three women's prisons.

The Intervention and Support Project is piloting a prison-wide model of care for prisoners vulnerable to self-harm and suicide. My clinical inspectors, who are registered health professionals, review all the health complaints we receive. Often if someone is injured as a result of an assault in prison, they may not complain about that assault or raise it with a custodial

staff member. They may then present to the health centre with an injury and not want to disclose how it came about. From our perspective, it's important to have insights into health-related complaints. The health database MedTech is only ever reviewed by our registered health professionals.

The Complaints Process and Importance of Early Resolution

If I do nothing else in my time of office as Chief Inspector, I want to ensure the complaints process is refreshed and enhanced. Around 98% of complaints that come to the Office of the Inspectorate are from prisoners, or are from individuals who are supporting people in prison (the other 2% are from people managed by Community Corrections).

Early resolution provides an indicator of emerging trends, risks, problems and issues. The opportunity for early intervention aims to bring about more timely resolution. The establishment of the Early Resolution Team in the Office of the Inspectorate provided the opportunity to realise my vision, enhancing the way in which

people are visible and heard within the Corrections and Community Corrections space. The Early Resolution Team is led by a principal inspector, staffed with four assistant inspectors, and supported by a clinical (health) inspector. We have daily multidisciplinary team (MDT) meetings where all the complaints received by the Inspectorate in the previous 24 hours (or 48 hours over a weekend) are reviewed. Everyone contributes to the thinking about how we triage those complaints or issues. Are there any emerging risks or concerns and how do we escalate those? Triage gives us the opportunity to consider where the complaint is best managed, considering the issues presented and the complexity of those (e.g., can it be dealt with by the Early Resolution Team or should it be escalated to a regional inspector). Importantly, if a complaint raises safety or security concerns, it will be dealt with under urgency by the team with appropriate escalation and communicated directly to the site to ensure that the individual is spoken to and supported.

Since becoming Chief Inspector, I have introduced regular analysis and reporting of complaints trends. However, interpreting the trends is only meaningful when those complaints are appropriately classified. We have made a significant investment in our approach to complaints with the development of a new database to record the information.

As a caveat, data is only as good as the information we receive. Low numbers of complaints, in and of itself, does not necessarily indicate a well-functioning site. One should never take any comfort from this information source alone, because complaints are one of the many sources of information about a site or the tension threat in a particular unit.

As a starting point, access to the complaints process is an imperative. If you're relying on an individual to make a complaint, they first need to ask a staff member for a form to record their complaint (known as a PC.01). Many prisoners, however, have significant challenges with literacy. The individual must then return the completed form to a staff

member and it then has to be uploaded into the complaints system. As you can see, this is time and resource intensive. I can understand why individuals have low levels of trust and confidence in the complaints system given its reliance on access to forms and staff to complete the administrative tasks. I've long been an advocate of making the complaints process much more accessible in a way that removes the potential intervention of a staff member. This would also enable staff to focus their time on engagement with the men and women in their care.

One of the things we're working on with the Department is getting PC.01 forms loaded onto unit kiosks so the individual can make the complaint directly. This inherently will have some challenges because prisoners are also ordering canteen items, checking their trust account balance and doing other tasks on the kiosk – it's a one-stop shop. It's not a silver bullet, but it is an opportunity to register a complaint or issue or request information.

The more we can introduce technology, the greater visibility and opportunity there is for people to be visible and heard – it's such an imperative. Without that, there are so many constraints and barriers to know what is happening, and also to enhancing trust and confidence in the complaints process and those administering it.

Stakeholder Insights

I meet on a regular basis with CANZ² and, separately, with the PSA³ which provides relevant insights into violence in prisons. It's an important opportunity for me to hear directly from them. It's also an opportunity for them to share their insights from across the prison network. Many of our discussions have concerned violence in prison including, importantly, the focus of their concern about assaults on staff.

In terms of other insights, of course, prisoners are a useful source of information directly to my inspectors and to staff across the team. Often prisoners will want to share information with us

² Corrections Association of New Zealand

³ Public Service Association

about the way a particular unit or wing is operating, for example, and any concerns they may have for their safety.

I also meet as frequently as I can with members of civil society. Frequently we will receive email correspondence, letters and telephone calls asking for me to speak with advocacy groups. I see it as a key and critical component of my work that I am available and accessible to hear from anyone who can contribute to the way in which we conduct our work.

Regional Inspectors

The investigation team is led by a principal inspector and has regional inspectors assigned to all prisons. Their role is to manage all complaints that require complex or detailed investigation. Previously, they would have dealt with all reviews of misconducts and other more straightforward matters, but the establishment up of the Early Resolution Team, and being able to respond in a more timely way, has freed up the regional inspectors to allow them to be much more visible, to visit prisons and to speak with prisoners and staff. There is

no compensation for actually being present and engaging with staff and prisoners.

The regional inspectors have a critical role to play. They know each prison site well. Regional inspectors are generally assigned to a different prison every two years to ensure that relationships are refreshed and remain constructive and purposeful.

Inspecting Prisons

In March 2017, the Office of the Inspectorate started a programme of inspections of New Zealand's 18 prisons. Prison performance is assessed under four principles:

- 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 re-offending.

The Inspectorate has developed *Inspection Standards*⁴ informed by

⁴ Available at www.inspectorate.corrections.govt.nz

international guidelines, including the Nelson Mandela Rules (UN standards for prisons),⁵ and which include standards that recognise the specific needs of Māori and women. Inspectors consider ten areas of prison life: reception and admission, first days in custody, escorts and transfers, good order, duty of care, environment, health, purposeful activity, reintegration and prison staff. All inspection reports are released to the media, published on the Inspectorate website, distributed to prison libraries and shared with stakeholders.

It's important to note that the Office of the Inspectorate is not a national preventative mechanism. For corrections facilities, that is the Office of the Ombudsman. The Inspectorate conducts both announced and unannounced inspections. It's absolutely critical that we don't always need to signal and signpost that we are coming to inspect a site. From time to time, we do announced inspections, but it's really critical from an assurance perspective that we inspect what is happening when sites least expect

us to conduct an inspection, and this includes what happens outside of normal business hours and at weekends. Unannounced inspections can enhance stakeholder and civil society trust and confidence that the site is well functioning and prisoners are being managed in a way that is fair, safe, secure and humane.

The *Inspection Standards* describe the standards of treatment and conditions we expect a prison to achieve. They include indicators that inspectors will consider when assessing the treatment of prisoners and prison conditions.

The Inspectorate has adopted the assessment methodology used by HM Inspectorate of Prisons for England and Wales⁶ 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.
- Reasonable progress: Managers are implementing a realistic

⁵ Available at www.unodc.org/documents/

⁶ Refer to guidance on Independent Reviews of Progress at www.justiceinspectorates.gov.uk

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.

We haven't yet, and I don't know that I will necessarily, conduct a survey with prisoners either prior to, or during, our inspections. Largely that is because of the challenges of surveys that may not be well supported given the high number of individuals with literacy issues. Surveys can be complicated and resource intensive. Over a range of questions, they can include asking individuals to assess how safe they feel in prison (from one to 10). What does that mean for that individual? How do they

make that assessment? Are they reflecting how safe they feel on a particular day, or as a result of a particular event or circumstance?

A key part of our inspections involves conducting interviews with prisoners, to share their 'lived experience' of their time in prison. Any matters of safety, security or risk that arise during those interviews are immediately actioned. We shoulder, and appropriately so, the burden of responsibility that if an individual tells us they do not feel safe in prison, our responsibility is to take immediate action to bring that to the attention of staff so they can undertake what, if any, risk that individual poses to themselves or others.

Thematic Inspections

This work complements the prison inspections regime, which has now transitioned into its second phase of announced and unannounced follow-up prison inspections. Following my appointment, I made a commitment to ensure the work of the Inspectorate was future focused to address the challenges for people in the care of the Department of Corrections.

Our first published thematic inspection was *Older Prisoners: The lived experience of older people in New Zealand prisons*.⁷ In determining which areas to examine, I considered older prisoners to be a priority, because they are among the most vulnerable sections of the prison population. The reports contain commentary about the vulnerabilities that people felt in terms of their age and status in prison and how safe they felt. It's important also to record the very good work being done by staff around those particular individuals. We were pleased to confirm that many of the older prisoners felt well supported, including by staff and other prisoners.

We have conducted two other thematic inspections, which are both in the drafting stage, the second concerns the lived experience of prisoners involved in inter-prisoner transfers. Again, this arose from my concern when the prison population was relatively high, but also more broadly asking the question of how many times do we move prisoners across the

prison network? Linking it back in terms of prison safety, the more times we move people, the greater risk potentially to both prisoners and staff. The rationale for moving prisoners needs to be clearly understood, defined and articulated to all concerned. While I recognise that the Department must manage its prisoner population, which includes the transfer of prisoners across the prison network, it must do so safely.

The third thematic inspection which we have undertaken involves the lived experience of wāhine across the prison network. It's critical that in terms of prisoner violence or violence in prisons, we make sure that it's not a one size fits all approach. The way in which men are managed is not necessarily the same regime under which women should be managed. The Department must have a trauma-informed, culturally-sensitive and gender-responsive way in which it manages its prison population.

⁷ Available at www.inspectorate.corrections.govt.nz

Concluding Thoughts

The Inspectorate is only one part of the corrections system that can provide insights into what happens within the prison environment. We expect everyone to shoulder the responsibility of calling out violence in prisons. Firstly, to better understand why it has happened and to support the investigation, and secondly, it's critical that all incidents are recorded so there is clear picture of what the tension and safety risk looks and feels like – importantly, the actions undertaken to

remediate these, and lessons that can be learned from particular situations.

I am certain too that violence against staff in prisons must also be well understood, reported on and addressed. The Department of Corrections must be vigilant to incidents and causes of violence in prison and ensure staff safety is of equal priority. I invite you to visit the Office of the Inspectorate's website⁸. This site will provide you with more information on some of the matters I have discussed today.

⁸ www.inspectorate.corrections.govt.nz

STOP THE ASSAULTS

BEVEN HANLON

A voice from the floor, trying to get the message across that what we are doing is not working. More and more people are becoming victims of violent crime in prison. We have lost sight of the real driver of violence in prisons and how to properly manage this, to create safe places for the people that work in prison to be able to provide a place where rehabilitation can take place for the people that are in custody in prison.

One of the big problems in New Zealand prisons is that there is no accountability for poor prisoner behaviour – there is no consequence for the behaviours that violent prisoners exhibit in prison. If you look at the new maximum-security prison in Auckland, those prisoners are there not because of what they've done on the *outside*, but because of the behaviours they exhibit on the *inside*. These prisoners are multiple staff assaulters, multiple prisoner assaulters, they're there to be managed because their extreme behaviour is a risk to others, they don't follow rules and act out violently far more frequently than any other prisoner group, yet there are no punishment cells in that prison. It

was built without punishment cells. This is the worst of the worst, the one or two percent of the prison population that chooses to do whatever it wants, whenever it wants, yet there is no way we can actually manage them in a way that holds them to account for their behaviour.

Compromising Safety: Reporting Violence

One of the concerns that staff have raised with us is that they have prisoners who assault staff, yet the police aren't interested in prosecuting because apparently it's not in the public interest. For instance, a high-profile prisoner poured urine and faeces over an officer all down the inside of their vest, all over their head, and

essentially nothing happened. They gave the prisoner loss of privileges (early lock and removal of TV). He claimed that he had mental health issues and so they gave him his TV. The only thing he would have lost was his TV as maximum prisoners are already on restricted unlock time. So essentially, he got nothing. You take it to the police; the police aren't interested because they claim it doesn't fit the public interest test.

We have high levels of violence compared to most other comparable prison jurisdictions. If you look across the ditch, we're far more violent than any prison in Australia, yet we are far more *progressive*. It's only a small amount of prisoners that cause these problems, but we fail to manage these prisoners properly and safely.

Compromising Safety: Political Impact

One of the big issues that we have in prison is each time we get a new Government, we get a new plan. As a government changes, whatever the previous government was doing, gets thrown out the window and we start something

new and there's a big push on that. A lot of media is put out within the prison system. Prisoners are advised of what's going to happen, staff are advised of what's going to happen, families are advised on what's going to happen: "These are the new ways forward... this is what we're doing" and so forth.

Take drug treatment units, for example. Many years ago in Hawkes Bay we had these drug treatment units. We had prisoners in there that passed the course, and then a week later, they're out in the self-care unit and every single one of the prisoners that passed the course tested positive for cannabis. But this is never reported. The graduation ceremony was but the failure wasn't. Statistics are manipulated to make these programs appear more effective. An example of this is you have a class of 20 prisoners in drug rehabilitation program, part way through the program several prisoners are caught with drugs or test positive, they are given an opportunity to change, are tested again at a later date and again test positive for drugs. They are removed from the group. As these prisoners are removed from

the group they are not counted in the results (i.e., start with 20 prisoners, 5 are removed for 'issues', stats are then based on program numbers of 15 not 20). They are not counted as failures and because they have not completed the course any further drug use is also not counted against the program stats. This gives a very false impression of how effective these programmes really are.

Compromising Safety: Programmes

One of the problems with all of these programmes is that the motivation to do these programmes is wrong. For people to want to change, they've got to have the right motivation, and currently the motivation to do these programmes is not to change – It's to get out early. Prisoners know that they can do these programmes and that they can essentially do whatever they like whilst on these programmes and they will pass. The reason I say this because there's pressure from the government to show that these programmes work. They're investing millions of dollars into these programmes and so they've

got to work. Only once have I seen a government stand up and say look, we gave it a try and it didn't work. The programme was what we called 'Straight Thinking'. It was a criminogenic programme, and it turns out that when they reviewed the results of that you were more likely to come back to prison if you did that course than if you didn't, so that programme was stopped. We don't see people having such a brave approach to these things anymore. It's "this will work no matter what", and what we're seeing is more and more pressure on staff to make it work – that is, staff are encouraged not to report incidents. So, if you get assaulted or something happens to you in prison, you take it to the misconduct process. It doesn't get processed, so you take it to the police. They're not interested, so you don't report it. And if you do report it, you're then discouraged from reporting it because we've got a programme that says this stuff doesn't happen anymore, and you're encouraged to manage it in other ways, and so things that should be reported simply aren't reported.

As an example of this, at Hawke's Bay we've got a violence reduction/drug reduction programme, a close friend of mine, about 61-years old, was king hit by a prisoner. It didn't knock him over. The officer responded best he could and tried to restrain the prisoner. It turned into a bit of a fight to start with and once extra staff came they got the prisoner to the ground, restrained him, and took him away. That officer was assaulted about two years ago now, he hasn't returned to work because of the injuries he sustained from that assault – It looks like he may never return to work. That prisoner was two weeks short of finishing a 16-week programme. They didn't want that one incident to stop him from graduating, so that prisoner stayed in that unit, completed that programme, and was ticked off as 'passed'. It was only after the Union intervened and supported that officer to go to the police and push to get a conviction that the prisoner was finally charged with assault, and was convicted of that assault. The prisoner was not removed from this low security unit with high privilege. The issues that this creates is, firstly, *if staff*

aren't being supported in the process that they have to use, so then they don't use it. If this happens you run the risk of staff reacting in ways that they shouldn't. Nobody wants to see that, nobody wants to see a system that loses control, and the more we allow prisoners to do whatever they like, which results in more and more staff being assaulted, the more likely it is we will have a situation like this happen, and it has happened before in the prison system.

We have been down this path before. There was an inquiry into Mangaroa Prison that came about because prisoners weren't getting the proper disciplinary processes followed through with them. There were no consequences to their actions. They were allowed to do what they wanted to do in the prison. Staff felt frustrated and it was alleged that they did things they probably shouldn't have done. We don't want to ever see something like that in the system again, but we are warning that that's the sort of thing that can happen if we continue to allow prisoners to do what they do to

staff at the rate that they're doing it at the moment.

There's such pressure on staff to make sure programmes work. A more recent example was *Hōkai Rangi*. The Union fully support the principles of *Hōkai Rangi*. We think it's a great way forward. It's a great way to help get down 50% of the prison population. It's what we should be doing in this country. However, what we're finding is that there's no consequences for prisoners' behaviours. There's no consequences for what they do. An example is one of the units at Hawke's Bay Prison. Everyone talks about what a great success it is. What they don't talk about are all the staff assaults and prisoner assaults that have been happening in that special unit. They're not talking about the fact that it went from being in the brand new big open unit to being moved into the old small closed unit because of the large amount of violent incidents and we couldn't control the violence in the open unit.

Compromising Safety: Processes

We had managers allowing prisoners to visit people without following the proper processes for vetting – Ignoring the rules that are in place for everybody's safety. We have unsupervised unvetted visits, and what that resulted in was the taonga¹ that was provided by the local iwi being stolen by the visitors. It was subsequently retrieved, but that gives us an indication of what some of these prisoners are like. They're there to take whatever they can and we've got to be able to manage that behaviour. It's only a small number of prisoners that are like that. However, if we allow this to continue, that number will get greater and greater as it has been over the last few years. I'm kind of building a picture of all sorts of problems and terrible things! But if you listen to Janis Adair² from the Inspectorate's Office, there are some really great things happening in the prison system. From a Union point of view, we want to make sure that we just don't take those things too far. As I've said, *Hōkai Rangi* is a great programme. It's something

¹ A prized treasure of cultural or social value (e.g., a wood carving gifted to a person or site).

² See chapter, this volume.

that we fully support. We think that done properly, it will have a great result. Family/whānau is the way to stop people coming back to prison. I think we do need to stop thinking that prisons are the answer and *Hōkai Rangi* is part of that. We've also got to stop thinking that the people in prison are *victims*. We know that they've got poor pasts. We know that they've got mental health issues, addiction issues, violence issues – those are all givens. But as I said, the majority of these people have had numerous times to fix or adjust that behaviour. By the time they come to prison, they need to be in prison (in the majority of cases), and once they come to prison, they should be managed appropriately based on their behaviour.

Compromising Safety: System Failures

From a Union point of view, what we're saying is that we have the systems in place, let's follow them. We have a misconduct system for when prisoners don't behave, let's follow that misconduct process. We have an external charge process for serious assaults. Why aren't the police prosecuting these

things? Why aren't we managing these prisoners on a day-to-day basis? We shouldn't have an overall global approach to how we deal with all these prisoners. What we should have is an overall guide on how we can individually manage these people and what we want to be able to do is manage their behaviours. We want to be able to manage their behaviours so that they change, and they change for the better, not the worse. At the moment, we are losing that battle.

Staff are losing confidence in the system because of the rising levels of violence and assaults. They see that there is no consequence to prisoners with poor or violent behaviour and what they do, and they see that the prisoner's violent behaviour is escalating higher and higher. The more we give these prisoners, the more programmes we put into the prisons, the more violent our prisons are getting. This has to be better-targeted rather than everyone gets everything. One of the issues is that what we're doing is we're taking those programmes, we're taking those philosophies and we're ignoring the *systems* that we have. It's

important that we have a structured system within the prison. It keeps everyone accountable, but that structured system has a process for managing poor behaviour and like in life has consequences for poor choices/behaviour.

Compromising Safety: Security Classification

For instance, we have a security classification system. If we look at it, you can see that we don't follow that. The security classification system is our first risk assessment of prisoners and their behaviour and it gives us an overall guide of what they're going to be like. That assesses what their previous behaviours have been like, and once they've been in prison that assesses what their behaviours are like in prison. Now, if we're not reporting incidents as they're happening, they don't show up on their security classification, which means that that prisoner gets to come down in their security classification and is given more freedoms, which means they're getting a reward for negative behaviour. So why would you change your behaviour if you're getting a reward for being bad?

Compromising Safety: Reporting Incidents

The other process there is that the parole board use the misconduct system and the incident report system for their reports. They look at those and they say, "well, there's no reports here – The prisoner's doing well, he's completed this programme. So we must have to release them". Yet, because we're not reporting everything, they would have a different picture if we were reporting things. It's important that we get on top of reporting of incidents. It's important we get on top of the security classification. If it means that prisoners are being held in high security because they're high security and they're high risk, then that's what needs to happen. Once they make that change, then we can start looking to give them all of the things that they need to have. We need to look at our misconduct process and we need to say if the main part of our misconduct process is loss of privileges (and loss of privileges used to be a reduction in unlock time), less access to visitors, less access to phone calls to the family and no TV or radio. But now we're saying that prisoners should

have access to family, should have access to visits. We lock all of our prisoners up a lot now, so there is no reduced unlocked time. All they've got left is a TV. However, if they have poor mental health issues – and they all claim to at the misconduct hearing – then they're allowed their TV. So if we can't use that as the consequence, we need to come up with something new. There needs to be some sort of accountability for the behaviours that are within the prison for that next level of misconduct.

We're supposed to be able to put prisoners in isolation – cell confinement. We can't do that because we simply don't have enough cell confinement beds. The maximum-security prison has been built without punishment cells. No confinement cells. I've already mentioned the Hawke's Bay or Mangaroa Report³ that talked about not having misconduct cells and having prisoners do their punishment in the wing and the consequences of that and the flow-on effects. So, like I say, we've been here, we've done this before, we shouldn't be making the same

mistakes. Yet it appears that we are.

Solutions?

As a Union, we believe the security classification needs to be reviewed so that we're actually managing prisoner's behaviour individually. So, if a prisoner plays up and assaults staff or assaults prisoners, we can react to that and manage them safely and appropriately. We can put a plan in place which allows staff safe access to the prisoner, allows the prisoner to safely access the facilities and systems that we have, and we can keep everyone safe. Just because they are on a programme shouldn't mean that we ignore all those processes, put them back into that system and allow them to do what they like. Sometimes the consequences of their actions are that they will be pulled from a programme and they will be put back into high security and they won't be allowed to continue and they'll have to wait until their time comes up again before they continue that programme.

³ Logan, B. (1993). *Ministerial inquiry into management practices at Mangaroa Prison – Arising from alleged incidents of staff misconduct*. Wellington, NZ: Dept. of Justice.

Reducing Violence: Focus on Behaviour

Now, a lot of this is simply managing people's behaviour as it happens. One of those changes that we'd like to see to the security classification is that currently we have a classification system that's based on escape risk for part of it, all of our prisons – and this seems a bit strange – but all of our prisons have now got fences. Not that long ago they didn't and so it was important to assess the likelihood of escape. That risk has dramatically reduced with the introduction of secure fences around prisons. What we should be looking at is *behaviour*. We can have prisoners that are going to be high security because of their previous conduct, because of the offenses that they're in for. But that doesn't mean they sit in high security and do nothing. If they're demonstrating that they want to change, they're doing all the things that we're asking them to do, then they should be allowed to move within our system to low security where all of those programmes, rehabilitation, and extra activities should be. Currently all of these activities (work, rehab and education) are available to all

prisoners of all security classifications and behaviour.

We need to start reinforcing positive behaviours, then monitor their behaviour on a regular basis. If their behaviour has improved, then we could move them to an area where they can get access to those rewards. As their behaviour improves again, they get to go to an area where they've got all sorts of activities. If we change our security classification just slightly so that it doesn't matter if they've got an escape risk, we can have more of those people getting those opportunities.

Reducing Violence: Gangs

We need to identify gang risk. We need to actively manage the gang membership within our prisons. If we remove gangs from our prisons, we remove a lot of the problems within our prisons. One of the ways that we can manage gang behaviour in the prison is having that consequence process. At the moment there's no deterrent to being in a gang because if you join a gang in prison, you've got the support of fellow gang members. You get all of the joys of being in a gang, all the stand overs, extra

food, all of that stuff comes back to you. If we have a process that works properly, we're managing behaviours, we're managing the gangs – It is a deterrent from being in a gang – and maybe we can stop a few of those people signing up to gangs whilst they're in the prison.

Reducing Violence: Security Classification

We also need to introduce a new security classification system. As New Zealand moves to longer sentences, as more prisoners are being given more time within the system, we're getting longer and longer sentences within the system. As there are no consequence to those actions, it's difficult to manage those prisoners. There's one prisoner who has assaulted staff 30 times in a year, and essentially nothing's happened to him. So why would he stop doing that? The answer is he won't, he keeps assaulting staff, but we keep giving them activities, we keep giving them options, we do nothing about it.

What we need to do is we need to understand, there will be a hard-core bunch of prisoners who won't follow the rules, who will resist all

of those things. We need to be able to manage them or this group gets bigger and bigger and becomes the norm. We know how to manage this prisoner group, we've done it before. We've had high levels of violence at the maximum-security prison before.

The Union, along with the Inspector, the Ombudsman, and Corrections, all got together on how we would manage those prisoners – and we managed them, we got the assault rates down. We got these prisoners to adapt their behaviour because suddenly their behaviour was being managed. However, that programme stopped when we opened the new prison.

Reducing Violence: Political

Another way we can support staff and prisons to help make the prisons safer is to stop using prisons as a political football. For example, recently in the media there was a story of how poorly a prisoner was treated at the women's prison. It was completely one-sided. There was no information about that person's behaviour in the prison. There was no information about why that prisoner was managed in the way

that the prisoner was. This management process was endorsed by the coroner after an officer was killed by a prisoner, it appears harsh and oppressive to some but it is literally what keeps Prison Officers alive. Subsequently the Department and the Union were able to get some information out, obviously not about that prisoner, but how we manage troublesome prisoners. Too often, incidents in the paper are being used for political parties to kick the process around. We need the government to come together, agree on a process, and move that forward. If we can ever get to that point we're a long way towards changing what happens in our prisons.

Concluding Thoughts

The issue for us in prisons is the high levels of violence and that staff are concerned every single day that they may get assaulted. If you're fearing that, or you're thinking that every day, you can't do your job properly. You can't offer rehabilitation. You can't safely go about your daily duties. Nobody should have to work in that environment. Our system won't work and won't change

people if that's the system that we have. As mentioned earlier, we fully support the principles of *Hōkai Rangī*. We think that it's certainly the way forward. However, we need to make sure that we follow the processes that we have in place as well. Everyone wants to go to work every day and come home every day. Nobody wants to go to work and come home in an ambulance or not come home. Whether its prisoners going in the ambulance, or whether it's staff in the ambulance, it's just too frequent and that needs to stop. And some of the ways we can do that is to follow the systems that we have in place.

*** Response to Questions**

If you could name one thing that has the most impact on assault against staff, what would that one thing be and what would be the implications of that going forward under Hōkai Rangī?

It's not one thing unfortunately, we've got to be able to manage a prisoner's behaviour, and there's not a lot we can take from prisoners in prison these days because they get a lot of it anyway

– and that's some of the problem. If a prisoner assaults staff, the first thing we've got to do is the basic health and safety principles of isolate. We've got to take that prisoner away and isolate that hazard. If you just look at it that way, however, there's a human side which means if we're isolating that prisoner then they're not getting family contact, they're not getting treatment, they're not getting those things. I think that has to be a consequence of their action. People need to understand that if you are going to go out and you're going to assault people, then actually there is a consequence to what happens. However, once that consequence is in place, we need to explain to them that you're here for this reason. If you behave, if you do these things, if you don't violently attack people, if you stop threatening to assault people you can go back to this process, you can have these things and you can have these activities moving forward. Because let's face it, today it's a Corrections Officer, tomorrow it's their partner – or it's

their children, or it's a person in the street. So if we can't get it right in prison, it's not going to change on the outside where there's nobody watching them.

There's a number of drivers that might contribute to violence. So, for example, compromises around mental wellness might be one of those drivers, addiction to substances might be one of those drivers as well. How would you see the way to manage those other more complex layers to what drives violence in prisons?

Mental wellness is certainly an issue we grapple with in prisons, particularly as community support dwindled back in the 80's and 90's, these people ended up in prison. One of the concerns as a Union that we have about the Waikato initiative⁴ is the prisoners with mental health issues in prison are considered *prisoners* and they're considered prisoners until the point where they're considered a *patient*. What I mean by that is they will self-harm to levels that you wouldn't believe before

⁴ Formerly the 'Waikeria Mental Health and Addictions Service', now known as 'Hikitia', this service is due to commence operations as both part of the new build at the Waikeria site as well as an outreach service across the Waikato-BOP region.

they're put into forensic care. So we look after them and support them within the prison, but we can only manage that behaviour with what we've got. So what we've got is handcuffs, we've got isolation rooms, we've got those sorts of activities – I'm talking about the extreme end of things... prisoners that are pulling their eyeballs out, cutting themselves open, all sorts of activities which unfortunately is happening on a more and more frequent basis. Once they're put into a forensic facility, they can be (for want of a better term) “chemically restrained”. At that point, they're given medication, which keeps them calm, controls their emotions a little better, and they're able to be managed to the point where they're safe to work with again – and so they put them back into the prison. When they come off that medication they go back to how they were. The problem with the initiative, as we see it moving forward, is we're going to have these prisoners that are identified as forensic prisoners with mental health issues, but they're still prisoners, and they're going to be managed like prisoners, because those are the only tools that the *Corrections Act*

gives us. What we see are those prisoners who assault staff, not in a malicious way often, but because of the issues that they have. The staff that work in there understand that, but that shouldn't mean that staff get assaulted, and that shouldn't mean that we just ignore that and we try and manage them however we can, what we need to be able to do is use all of the tools that are available in forensic care not just prison.

You mentioned that if you take gang members out of prison that it will remove a lot of the problems within prisons. Could you give us some expanded thoughts on that?

So, based on stats, if you took out the prisoners that were gang members, the percentage of Māori in prison is around about 52%. If you take out the gang members that number drops to 15%, very similar to what the actual population of society is. So one of our issues and bigger issues is gangs. The issues with violence is predominantly gang members; that is *young* gang members that senior gang members can't control that are extremely violent. They will attack you for essentially no

reason. At Auckland, we have spates of prisoners just having a competition to see who can assault the most staff. Prisoners want to be the most notorious, horrible person they can be, some of these are gang members. It's ingrained in them. The gang issue is the biggest issue that we have, but prisons won't fix your gang issue.

Do you have any thoughts about strategic placement as part of dealing with gang tensions?

If you identify yourself as a gang member and you actively participate in gangs, we lock you up, we give you the minimum of everything. So prison becomes the punishment that the judge gave you. Because minimum entitlement is all you're entitled to, as your behaviour improves, as you move away from that gang behaviour – so you stopped barking on the phone, you stop calling each other 'dog', and growling at each other and all those things that they do, you then

allow them to not just be in the yard on their own, but to be in the yard with other people. The way you would manage that is to be in the yard with other people from other gangs, because if they're going to start getting along and in small numbers together we're starting to see some change.

If Gang A is not getting on with Gang B, we don't let them both out at the same time just because they're in the same unit. Gang A will get their time out and then Gang B will get their time out. But then you've also got Gang C and Gang D. So the seven hours of unlocked time that those prisoners would have had is now down to an hour and a half because we've got to manage those behaviours and those gangs. There are many benefits (increased unlock time) of being able to manage gangs and those behaviours that would flow-on for everyone. But unfortunately at the moment, we can only manage them by keeping them separate.

TIAKI AI TE TAPU I TE TANGATA

STEWARDSHIP OF MUTUAL SACREDNESS

ARRIN CLARK

*“Tipu te mahara, tipu ki roto
Kia honoa koe e tama, ki te hono tawhito”*

This whakatauaki reminds us of the importance for clarity and understanding of ancestral knowledge, principles, values and practice relating to Rongomaraeroa. What do we know about the primary catalysts for violence within prison environments and within pro-offence populations? What do we know to be effective approaches in the management of violence experienced within these environments and communities?

“A man forced of his will, is of the same opinion still”

Prison Violence and Violation of Tapu¹

From a Māori perspective, violence of any form is really a violation of tapu. So, we’re really looking at tapu from a point of *violation* of tapu. The act of violence from a Māori perspective is, and can only be viewed as a violation of sacredness.

However, prison environments have a historical āhuatanga² and a

view that prison and violence come hand in hand. Let's be mindful that prisons have participated in a range of violent acts that stream back to the days of torture - all those types of things. The unfortunate reality of violence in prisons is that it has always been there, and probably is going to be there for a long time to come until we actually change things. I believe the violence that we experience in prisons is an

¹ Loosely: A restriction or prohibition – a supernatural condition. A person, place or thing is dedicated to an *atua* (god, supernatural being) and is thus removed from the sphere of the profane and put into the sphere of the sacred.

² Characteristic, feature, aspect.

outcome of the environment and the population. But in reality, because of the common factors that exist, I believe that violence is going to be an ongoing experience for staff and for prisoners in our care.

Offender Management

We've heard from Kim Workman³ earlier, we've heard from Neil Beales⁴, and we've heard from Janis Adair⁵ regarding the Department's view in terms of duty of care. However, when we look at the duty of care, this practice is supposed to be undertaken to ensure the safe and humane treatment of people in our care.

The overriding public view is that we ensure public safety. Public safety is really about sending people to prison, to punish and to restrain, to keep our society safe, and minimising risk to our society. In the sentence management, there's an overriding need to ensure that we're doing the best possible job. However, when we send them into a prison

environment, containment is probably the greatest focus where the rehabilitative pathway is an attempt to reduce offending, reduce the recidivism, people coming back to prisons. How well we do in terms of that, as Beven⁶ highlighted, involves an awful lot of money in that area. Do we get quality result for the extent of public money that we're investing? I believe we have some fiscal responsibility in terms of that.

What do we know about Prison Environments?

We need to look at some of the factors that create violence in the prisons. What do we know about prisons? Our social interpretation of prisons is that's where bad people go. That's where we put people who offend us. Hence their name: 'Offenders'. It's where we put people who deserve to be punished and people who should be locked away. So the greatest focus for prison is really about public safety. It's about how tight the doors are locked, how big the fences are, how we keep these people away from the general

³ See chapter, this volume.

⁴ See chapter, this volume.

⁵ See chapter, this volume.

⁶ See chapter, this volume.

public. The other historical view with prisons is that prisons are a place for punishment.

What we see as misconduct reports and misconduct processes; the integrated offender management system is a documentation system for recording any activity with offenders in prisons, such as misconducts and incidents. One of the unfortunate aspects of that is when you tend to read one, you find very few are reports of *good* behaviour. They are mostly about non-compliance and behavioural issues, they don't tend to cover too much in terms of the positive aspects of a person's behaviour within a prison. So, we come to have this real punitive methodology approach, which is limited in its capacity and capability. We currently run a number of programmes within the Ngawha facility⁷, with a range of programmes we run in Ngawha we get probably through a volume of around 150 of the 500 inmates that are there.

So that means the other two thirds tend not to get an awful lot. What we're able to achieve in terms of

the time that they're with us is difficult because of the limited capacity and capability of prisons. One of the issues that have been brought up is '9-to-5 locks', so it's not a lot of time in the day to actually engage with offenders and engage them in quality programmes and activity.

In terms of the violence, in terms of the gang culture within the prisons, and the large numbers of gang members involved in violent activity within prisons, there's an exposure to contamination and predation. So, in terms of attending to them, we need to look at the population that fits in a prison.

Prison Staff

The demands on staff are huge, the staff fatigue levels, and workplace anxiety is an ever-present issue. I'm currently working with staff who are doing back-to-back shifts regularly, they're often fatigued and often unhappy in themselves. One of the things I'd really like to do is actually acknowledge the staff for the incredible effort that they actually input into daily operations,

⁷ Also known as the Northland Region Corrections Facility, located in Kaikohe.

safety and the wellbeing of people in their care. It's my view that staff do not join the Department of Corrections to persecute, to punish. They join with the true intent of wanting to help and make things different. However, in their role, they often feel unequipped, under-resourced and they work extensive hours, and a number of our staff are often suffering from fatigue. They're responsible for the offender safety and they're also responsible for the safety of their colleagues.

The primary role for staff within prisons is to ensure and encourage offender compliance to the range of different rules of operation that exist within those spaces. There's corrections and compliance. So often we have custodial rehabilitative methodology that is often conflicting in its function. So how do we equip, how do we resource, how do we build the capacity and capability of our staff to be able to manage the people within their care? Keeping in mind that the population that exists within the prison have some interesting anomalies, and sometimes it requires some crisis management and some

intervention, that unfortunately leans towards a violent, aggressive, and often hostile approach. That is the unfortunate nature of the prison environment. I believe that we've got a long way to go before we're looking at changing what that looks like.

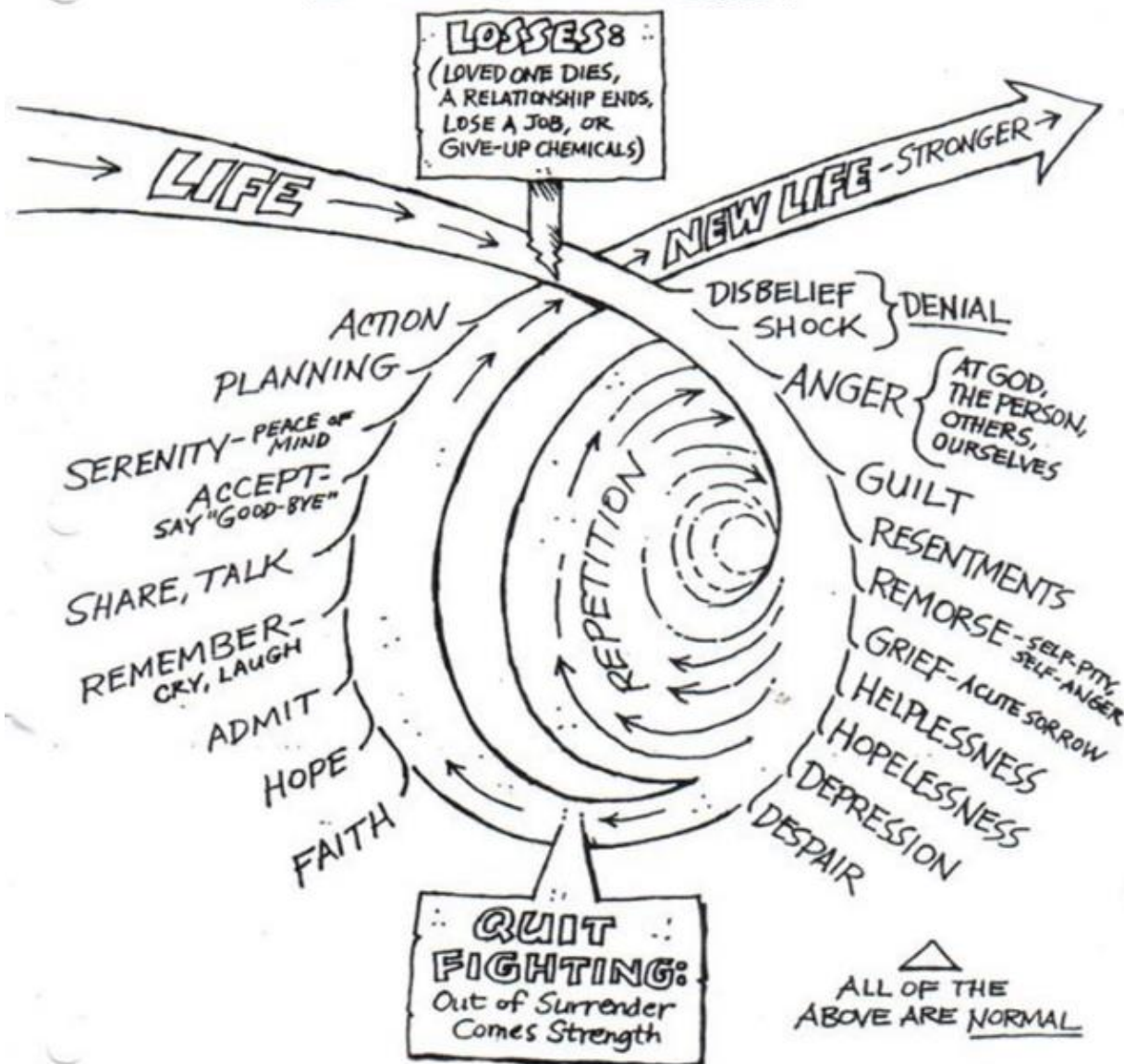
The Prison Population

So, when we look at the population, what do we know about the population?

Below, this chart was done by an ex-temporary resident. It shows some of the extensive trauma, loss, and grief that exists for a large number of our offenders in our care. They have limited opportunity throughout their life and they have limited capacity. So, when we say "let's send these people back to their whānau", it's done with the understanding that the family we're sending them to actually has the capacity and capability to attend to their needs – and often that isn't the case.

The Loss Cycle

The Normal Cycle for All Losses...



DENIAL-ANGER-DEPRESSION-ACCEPTANCE-RECONSTRUCTION
(BARGAINING TAKES PLACE ALL ALONG)

We have people who, for whatever reasons, their life path has resulted in core beliefs of them holding a victim stance, they have a strong entitlement belief, which is basically really the belief that they deserve better than they're receiving.

Unfortunately, they often attend to things through displaying righteous anger and violence. Hostility towards staff, hostility toward their offender peers, hostility towards external providers within this space. This life path that they've led driven

from this core belief has driven a number of criminogenic characteristics: impulsivity, they get to hang out with the birds of a feather who flock together, and substance abuse is rife. The days of methamphetamine have had a huge impact on our ability to provide any rationale for change, or any ability to provoke and prevent with these men. A number of these people within these spaces have a high propensity for violence, as we know, many of them will come from violent backgrounds, come from families where that was a common activity within their upbringing, the risk-taking arousal, where risk is a national sport for many, all of these things coupled together resulting in lifestyle imbalance.

So what we're really looking at is a population that come with a range of extenuating circumstances that no one programme actually has the ability to deal with. When we talk about criminogenic programmes, I'd like to suggest they're some of the best programmes I believe I have ever seen. However, often they're delivered in isolation, often they're delivered without any

consolidation, without any behavioural modification opportunities. I liken it to just being able to learn anything by repetition, repetition is something that is something that helps consolidate skills, understanding and our ability to duplicate that within our life.

Contributing Factors of Violence

A lot of the contributing factors to the violence that I've observed in my time has to do with the population characteristics, particularly the gang culture, the allegiance and the expectations of gangs. Prisons have become a 'university', a training ground for prospecting gang members. I think we've known that for a long time. Gangs actively recruit young men from within these spaces because young men are going to be the foot soldiers for them. They're the ones who are going to do the running, and they're the ones who are going to do all of the crime. They're also the ones who are going to do the prison sentences.

There's a small minority in there, which is pretty human. People come into prisons with personal grievance and that can particularly

exist within the gang culture. I'm aware that it's been a practice from the Department, historically, that should we have a Black Power member in a prison who's non-compliant then we'll send them to a prison such as Mangaroa, which has a high level of Mongrel Mob members in it, and it's used as a form of punishment and used as a deterrent – but mostly as a punishment. The understanding for most is that when people from one club are sent to another prison that is predominantly populated by another club, they are going to experience difficulty, duress and grief on the arrival and in their daily activity within those spaces. There's a high level of predation and there's a lot of people seeking to improve their position who will use the opportunity presented within the prison.

One of the overriding factors that I hear from inmates all the time regarding violence against staff is really a sense of not being valued, not being respected, or not being included in how the prison is being facilitated. Their requests often go unheard, the long processes and systems that exist within prisons prolong any progression with

requests. They often speak about the inability to progress through their sentence plan due to the absence of programmes within different sites. This creates a whole lot of frustration.

Impact of Prison Violence

I believe that we have a duty of care to ensure that the people within our care are safe and have the ability to be *well* within the space they are residing in. This means that we need to really look at how we practice and all the high-level design, *Hōkai Rangi* being one of those, really need to look at how we implement these things in the practice on the ground. The impact of violence on offenders means that often men will go and equip themselves and 'tool up', as they say, with a range of implements: shanks, knives, razorblades, all sorts of things that I'm sure Intel would be able to provide you quite an encyclopaedia on.

The anxiety that exists for a lot of offenders in prisons is really high. Upon coming to prison, I'm aware that when the door goes 'clang' for the very first time, the nervousness and the anxiety is tenfold for a lot

of those men on their first entry into prison. The anxiety predominantly around their physical safety and the ability to progress through their sentence plan without being preyed upon, beaten, coerced into activity that they are generally unwilling to participate in. Likewise for our staff. They attend work and they are working in a hostile environment. There's an underlying anxiety that exists within a prison environment on a daily basis. So again, I can only really commend the staff for their courage and their willingness to actually operate in a space that can often be quite hostile.

The impact of violence on whānau, when in prison, is often unspoken. I had a family contact me regarding a young man – a son of theirs who's just into the prison, first time offender and the anxiety to the family is tenfold. Their whole concern is for the physical safety of their son – that he not end up being preyed upon by undesirable elements within the prison. But often when they come out of prison, they have had an experience of violence, and the whānau are the ones who are left

to pick up the pieces. We're not just talking about death, but we're also talking about extensive physical disabilities, head injuries, broken bones, legs, hips, shoulders, a range of physical ailments that are often a result of violence experienced within the prison environment. And in all of that, we need to look at what the fiscal ramifications of that are, and what the social ramifications are.

How Do We Seek to Reduce the Violence Within These Spaces?

So how do we reduce the violence within these spaces? Firstly, I'm a water man. I like my ocean. I like being in the water on it and around it, water is a place of healing for me. I live in a country space. We're here in the country, we're not fortunate enough to have access to the local council dam. So, we catch water off our roof, the water channels from the roof into the gutter, runs from the gutter down through the downpipe into a big holding tank. I like to align that with policing and the justice system, where actually the flood constantly hits the roof. The justice system is more like the spouting and the downpipes and

the prison. It's the water tank that holds the water.

What we understand is that a lot of issues about violence, the lack of capacity, the lack of capability for our population actually as a result of the life they've grown up in. So that's not necessarily just a Corrections problem. So the education system, they may have not been able to engage and succeed in an educational space. They often come from low socio-economic environments where their families may not have been able to provide them with much of the opportunity that many of us have experienced in our lives. So they're coming in already with a predisposed disposition that a prison environment is required to contain in a water tank. Then we basically feed that water, we feed these people through a water pump and a water filter. So the water comes out of the tap, usable, palatable, and fit-for-purpose. However, within our current space, we find that we get low volumes of men through rehabilitation programmes. Often they have big gaps between the programmes and there is no behavioural modification

opportunities or ability to consolidate the skills that they learn within these programmes. Does that contribute to offending? I guess I could say we have to put spoons in prisons too, but the spoons get made into shanks. Should we now stop putting spoons in prisons? Like anything, it's all about how one uses the tool, how one chooses to apply those techniques, those principles and how we tend to use those in our everyday life – and that isn't going to change overnight. That is going to change from attendance in a 10 or 12-week programme. That's going to require some application over time.

Are we ready for some serious change? The *Hōkai Rangī* strategy certainly proposes an opportunity for us to enter into a journey of change and one of those components of their journey, I'd suggest would be a need to look at pure custodial roles and intervention roles. Do we ask staff to do both things, or are we asking too much? Are we asking them to step beyond their capability and their capacity? Many of our staff are unaware of the rehabilitative methodology applied with

criminogenic programmes throughout the country. A lot of them have no ability to demonstrate the principles of these criminogenic programmes within their daily operation, such as proactive management, communication, all these different techniques that we're teaching offenders, but our staff are not aware of how likely they are to be able to apply those in their everyday work environment within their units, you engage more with offenders in our care.

Beven also spoke about offender management, about managing offender musters within our prison sites. An interesting statistic: 52% of inmate population being Māori. If we take out the gang population, we're left with 15%. That means that 15% are basically at risk of being contaminated or being coerced by the remaining population. That's not only Māori population, it's non-Māori as well. So I guess what we have to do is look at how we actively go about ensuring segregation placement to ensure the safety of our general

population within these spaces. I think we've reached a time in our evolution in terms of prisons to actually start viewing and giving greater thought to what therapeutic communities need to look like.

I agree with Beven's example that we actually need to use a behavioural modification technique. We don't just put anybody in there so they get an easy sentence. There's a number of people within these spaces who use that opportunity just to ease their journey, just to get an early release date, to appease the parole board, to appease those decision-makers so they can return to the community. But what we also know about that is that those with little intent, tend to re-offend in a very short time and return to prison.

Judges are asking for alternative solutions that may remove the decision for a person to go to a prison environment. There are such things as Section 27A's⁸,

⁸ Section 27 of the *Sentencing Act 2002* allows a charged person to request the court to hear a person on their personal, family, whānau, community and cultural background. A report under this section may be in oral or detailed written form.

cultural assessments within the Department of Corrections. We have a specialist Māori culture assessment that looks at some of those historical life path, and cultural engagement issues that exist that may have resulted in them offending. We're applying those in terms of how we may map a pathway for that person within their reintegration. So I think with all of those factors that the Department is evolving. Is it at the best we could ever be? Not quite yet, but I think we are progressing. We are progressing from the old days of "lock 'em up, throw the key away".

As an external provider to the Department, I find our engagement within prisons to be quite challenging at times. It's a challenging environment, more so by the rigid compliance rules, the inability to be flexible, and the demands on staff, the anxiety that raises the over-infatuation with public safety often removes the ability to think openly and to be proactive about the approach. So we get to the letter of the law, and

in most spaces they will tend to stay within the letter of the law because it's safe. There are a number of amazing findings that have come out of the Dunedin Longitudinal Study⁹ that point towards key indicators within our society and how we raise our children, how educated our children are, what we've exposed them to, the type of activity we expose them to, and the type of activity that is absent in their lives that contribute towards a pro-offense lifestyle, that results in entry to a prison.

Today, we see a larger use of external providers in terms of the programmes and the services delivered by the Department of Corrections, such as the Mangaroa project, the work that's going on with external providers, within the Waikato area, the mental health and addictions project that's going on in the Waikeria/Te Arawai project, a number of those projects have been driven from iwi providers and from external providers to the Department and

⁹ For a good introduction to this landmark study, see Moffitt, T., Caspi, A., Rutter, M., & Silva, P. (2001). *Sex Differences in Antisocial Behaviour: Conduct Disorder, Delinquency, and Violence in the Dunedin Longitudinal Study*. Cambridge, UK: Cambridge University Press.

I'd encourage them to continue to do so.

Hōkai Rangi – that's been an amazing journey in forming this new strategic direction. It talks about the journey of every human person through life. The term 'Hōkai Rangi' talks about us being spiritual beings here on a human experience and our journey through the spiritual realm before entering into a physical experience. It also acknowledges that after death, we return to our spiritual state and return to our spiritual home, which is where the *Hōkai Rangi* part comes in. So when I started talking to my kaumatua, kuia and my elders up North, one of the comments that came up my Ngāpuhi¹⁰ relations was that if we focus on the Hōkai Rangi, what are we going to do in the Hōkai nuku? They've often been let down by the implementation.

Cultural Interventions and Unconscious Bias

If you ever look at the *Hōkai Rangi* strategy, it is full of Māori terminology, a range of cultural interventions, inclusion of mana

whenua to address the disproportionate representation of Māori within this space. The most recent justice sector review came out and reported that Māori males going to court are five times more likely to go to prison. For an adolescent Māori male, he's seven times more likely to go to prison. For a Māori female, she's nine times more likely to go to prison. They'll be sentenced to prison by the court. I think the justice sector review highlighted a huge understanding of disparity, what is termed today as *unconscious bias*.

Unconscious bias isn't something just that turns up overnight, unconscious bias is something that is planted, is grown, it's nurtured, it's fed, and it bears fruit. For us to actually attend to that, I am going to suggest that this isn't going to happen overnight. The unconscious bias that works against Māori within this justice sector is unfathomable. However, we are evolving and these things are getting better. *Hōkai Rangi* gives me faith that we actually are able to evolve to an even better space. What that really looks like is bringing in more programmes and

¹⁰ Northland Iwi.

services from external cultural providers, or expertise, and I'd like to talk to what that might look like. I had a conversation with Ngāpuhi where they had this highfalutin idea that they wanted to own and run the prison. So, we had to highlight to ask them, "do you really want to be the jailer of your own people? Is that really the place for Māori to position themselves?" We were able to convince them that it's really about the delivery of certain services and programmes where Māori have expertise: reintegration services.

Final Reflections

We need to ask ourselves some questions here: Are the costs of prisons sustainable? Are these things equal? Are these things still usable? Is there a place for prisons? My personal view is yes, there is a place for prisons for those who pose huge risk to our

society – but there are also large numbers of people in these spaces who I don't believe should be in there. The other question is, could we be managing offender population in any other way than we currently do? So for me again, it's time for change.

Some encouraging words I'd like to leave with you come from the last paramount chief of Ngāpuhi¹¹: *"Tawhiti mai ke to haerenga, kia kore e haere tonu; He nui rawa to mahi, kia kore e mahi tonu – We have come too far not to go further, We have done too much, to not do more"*. Sometimes things are frustrating and slow, however, they are progressing and require one to persevere. The challenges within the space may appear unsurmountable, but when we address them one by one, we are able to attend to them one by one.

¹¹ Sir James Henare.

STOPPING PRISON VIOLENCE: A LIVED EXPERIENCE OF A POSSIBLE AND INCLUSIVE SOLUTION

RUE-JADE MORGAN¹

This korero is based on lived experience of having been incarcerated and share some key insights to what helped, not only himself, but the others who prescribed to the rehabilitative power of connecting to culture and heritage.

Back in 1995, I found myself rebelling from my family who unfortunately were quite entrenched in gang life and gang activities. I thought that I would be able to escape that lifestyle. Unfortunately, I didn't quite escape it, how I wish I could have, and received a sentence of six years for a series of aggravated robberies involving a firearm.

When I was first incarcerated, I was classified as a youth in prison, or a 'YIP', and for our safety we were separated from the rest of the mainstream jail for very good

reason being young people to protect us from the influence of what some would jovially nickname 'university'.

My co-offender and I were youth in prison and were the only ones that seemed to be in Addington prison at the time, so we found that boredom was a huge factor for us getting into a little bit of mischief. When we're transferred into the cages, I ended up seeing a lot of family members and they're asking what was I doing there by myself and to go and be with family. What my co-offender and I

¹ From the outset, I just wanted to congratulate Ara Poutama for leading the field in regards to positive change and looking at better ways in which we can tackle and reduce offending and re-offending issues. So, kia ora Ara Poutama! The whakatauākī of the Department is correct, I wholeheartedly believe in our new strategy *Hōkai Rangī*, and of course, the whakatauākī is "ko tahi ano te kaupapa o to tātou mahi ko te oranga o te iwi – There is only one purpose to what we're doing and that is to address the wellbeing of our people of the community".

decided to do was to place ourselves on protection. We were asked why did we want to go on protection when there's only my co-offender and I where we were, and our simple answer was that being alone was worse than being with elders and olders that were incarcerated as well.

So I feel from my perspective and my experience that Ara Poutama is quite awesome, albeit still an ambulance at the bottom of the cliff. I feel that with all this excellent work and beautiful intent to help redress these issues try and help fix them that I feel that what has been looked over – and I liken that to the gaping wound that is unfortunately a part of any colonised society – and that's that terrible word, 'colonisation' – for a lot of Māori in particular.

I personally have experienced a fear-based approach when going into prison. One of the Corrections Officers that was taking me through my induction almost delighted in telling me that I was going to be in huge danger, that I'm a pretty boy – I've got long hair – and I'm a young person. So that

really peaked my anxieties. I thought going from out of the lion's den into the lion's mouth was what was about to happen. So unfortunately, that Corrections Officer essentially primed me for violence, that I could expect this to happen. It really put me on the back foot in regards to being open and I guess calm in the face of a storm.

Needless to say, he was only one person and I'm a bit pig-headed and I didn't bother listening to him too much. So when, and like it's been said during remand there was absolutely nothing for us to do – there was heaps of boredom. There were other people that weren't gang members that were predated on other people, essentially all stemming from boredom. Once I received my sentence of six years, I managed to be put into East Wing, in Papanui Prison¹. It was my first offense. That was a pretty decent offense and a series of them. I most definitely needed to go to jail. However, for a first offense as a 19-year-old young man that was quite a blow and I thought I was

¹Also known as Christchurch Men's Prison, located on the outskirts of Christchurch.

going to jail for at least 50 years...
thankfully it was only six.

When I was a young fella, I think I was about maybe five, my brother and I accidentally broke a window in a telephone booth, and of course, as a child would do, we legged it and got seen going over to my grandparents' house. A passer-by (bless them), witnessed what had happened and rang the police to inform them that we had vandalised the telephone booth and the police promptly come over for a visit. During that visit, I asked the Sergeant what I'd have to do to be able to join the police force, and he goes "why do you wanna join the police force for?" I told him, having been brought up in a horrific gang environment, that I knew many monsters and I wanted to be able to stop them. To which he snorted down his nose and said that I would never become a cop in the New Zealand police force. I think he saw the pain and I really felt that there were some monsters that needed to be stopped in my experience, and if anyone who's ever played (as children do) cops and robbers, if you've been told by the cops that you'll never be a cop, then there's

only one other option for you. I feel that that was pretty limiting to say the least.

My grandfather was of the mind that whatever I do, he didn't want me to be Māori. He didn't want me to waste my time. He wanted me to be a lawyer, a doctor, even a soldier, but whatever I did, he did not want me to be Māori. With the social picture of how the media has portrayed Māori over the last hundred plus years has set up our society unfortunately to racially profile, to put those things in the 'too-hard basket' to say that Māori are inherently dangerous, Māori are inherently violent, without capturing those good qualities and those fantastic traits, those resilience builders. So, after being sentenced I went into classification with a little bit of a chip on my shoulder, that the society that I thought was ours, wasn't quite meant for me or for my family members down here in the South.

So, when I was getting classified, the gentleman asked me what I'd like to do in the time that I was now finding myself in jail. Instantly I replied that "I would like to do anything and everything Māori".

Immediately that sort of drew a little bit of a sharp retort that "Morgan, that seems to be a little bit political". I looked back at him quite incredulously saying, "hey, look mate, he Māori ahau – I am Māori, and for 19 years of my life, I've been living in te ao Pākeha², and look where it's got me". Not blaming our Pākeha whānau whatsoever, but I had been alienated, I had been distanced from my culture and identity for almost my entire life, and the culture and identity that was replaced in that was from the gangs. So I also had this ingrained feeling that there was more to life. There's more to this equation than just what I've personally experienced.

I think that it's fair to say that any psychologist would be able to tell you the negative effects that persistent and consistent bullying and intimidation, negative messages of worth, whether it be culturally, physically or gender-wise can have. If anyone knows anyone that's been bullied and harassed on a constant continuous schedule, then of course they're going to feel attacked, they're

going to feel defensive, they're going to feel undervalued, overwhelmed, and reactive. Now, if we put that paradigm not only on to one person, but to an entire ethnic grouping of an Indigenous people in their own land, I think that we could start to unpack that and to honestly and genuinely look at reasons why that might contribute to family intergenerational poverty, family violence, intergenerational criminal activities.

Glossing over it and wanting to put it in the too-hard basket because it's uncomfortable for some is not doing our country any justice whatsoever. It's not allowing us to be able to connect to these people who are suffering post traumatic colonisation – words and phrases that I haven't heard being used appropriately or effectively enough.

The reason why I bring that up is because, after having been sentenced and in East Wing in an 80-man unit with quite a high number of preventive detention detainees, as well as a very high amount of lifers, there was no

² The cultural norms of the dominant ethnic group in Aotearoa: New Zealanders of European descent.

kaupapa Māori³ – and this is back in 1997. Thankfully, after almost a year, an external programme delivered some te reo⁴, tikanga⁵, identity and cultural activities which I gelled with. A lot of the other men that were in there from different walks of life, different gangs, were able to actually come together and show a little bit of expertise. They were empowered to be genuinely themselves without their gang identity or persona. They shared freely, they communicated, they talked, they discussed the cultural paradigms in stories that they were handed as young people and that was the first time in jail that I actually felt an authentic sense of rehabilitation, of connection, of redemption. Having had my grandfather tell me off and not want me to do anything Māori and then going into this [prison] and having a fear that we wouldn't be validated, acknowledged or that it wouldn't have any valuable contribution to our lives. All of a

sudden, I'm in what some term as the 'belly of the beast – te puku o te taniwha'.

Learning about myself, learning that we had heroes, learning that we had stories of excellence, of integrity, of goal setting, of basic heroism. That provided me in those times with a sense of resilience, with a sense of connection, with a sense of identity, which then allowed us as a group of inmates to connect with kapa haka⁶ and waiata⁷.

We also had a master come in and teach tuwharetoa-style of mau rākau⁸, which just spoke to my wairua⁹, spoke to my soul. What else helped me in that time, besides our inmate population being truthfully Māori, were some of the Corrections Officers and the connections that I had made with them through my own exploration within jiu-jitsu. I joined a jujitsu club and I didn't know that the instructors were Corrections

³ Topic, policy, discussion, plans, purpose in relation to Māori realities and affairs.

⁴ Māori language and dialects.

⁵ Correct procedure and custom according to Māori lore.

⁶ Māori performative arts, commonly in song, dance and chants.

⁷ Māori songs.

⁸ Broadly, the art and skill of wielding Māori weaponry.

⁹ Loosely: Spirit, essence. A very complex notion, but in this sense refers to spiritual health.

Officers who were tasked with helping create the tactical response stuff. Those men in that martial art were some of the first positive male role models both Māori and non-Māori in my life.

I felt that with these men being physically able to protect themselves that this was an ability for me to find some tools to stop the monsters in my family from being able to hurt my family any further. I also knew that there must be different korero around Māori identity, taiaha¹⁰ and all that sort of stuff, but there was nowhere to go and learn it.

Unfortunately, my sensei was also a manager of one of the wings and when I unfortunately found myself walking up to him to go and say hello, as a prisoner he looked at me and he said, “Morgan, what are you doing here?” Jokingly I said, “Oh, six years”, to which he shook his head and he was feeling rather disappointed that he had failed me. I managed to tell him that, unfortunately, I feel that I failed you. Another man really helped me out as a youngster and sowed

some really positive seeds of positive masculinity, of intercultural engagement and acceptance. He had jumped in and joined in on the wing, I recognised him instantly and went up and greeted him and to which he greeted me back and treated me as a human, treated me like I was somebody. I can't push that message enough that I love the fact that *Hōkai Rangī*¹¹ is explicitly telling – instructing, informing, guiding our prison staff how to work effectively with people that want to be reformed, habilitated and not punished. A human connection and treating me like a human helped me humanise them and look at them as people just doing their jobs and needing the time out as well.

When I was in Addington prison, that was still back in the ‘bucket days’, the only other place I’ve heard ‘muster’ is on a farm when we're looking at how many cattle and stock that you've got. ‘Feeding out’, instead of meal time, and then worst of all, because we had buckets for excreting in, that was

¹⁰ A traditional Māori weapon.

¹¹ *Hōkai Rangī* is the National strategy for Ara Poutama Aotearoa and is notable for its strong emphasis on Māori participation in design and outcome priorities.

called 'slop out'. The only other time I heard 'slop out' is on a pig farm. So again, these colonial words, these colonial labels these de-humanising ways of working with people and expecting positive outcomes.

I struggle with that part of humanising people in care when we're still referring to them as animals. Having these officers able to actually understand that they're working with humans allowed me to get over myself. Yes, I was very unwell when I first went inside. I seriously needed a lot more help. I'm a tradie – a painter decorator – and I was bought up with hard skills; how I can put the paint on the brush, which wall to paint, which surfaces are porous, when not to paint and how to prep your wall, all that sort of stuff – that's your hard skills. I liken criminogenic programmes to the hard skills that a lot of our people in care haven't been exposed to or had normalised for them.

I liken the hard skills, the criminogenic programmes, to when you're in the darkness – I liken that to a torch. So when you've got a torch, you can see

what you're shining at, but unfortunately the beam is fairly limited and you can get a little bit of ambient light if you use your eyes and look hard enough. So the criminogenic programmes are fantastic for helping people look for that exit, but a lot of the participants are taking a lot of the criminogenic needs programmes for a bit of a ride. From my experience, and from the feedback that I've heard from a lot of the guys that I work with, they feel that it's being facetious, that it's looking down on them, and that giving it a Māori name (or a "marri" name) as much as people try, I feel it is providing more of a barrier than any resilience factors that we'd like to see.

So, with the cultural engagement programme that I've set up for whānau down here in the South, I liken that to the other side of the hard skills – It used to be called soft skills, we've rephrased it into *essential* skills. If I was an employer, I can train somebody with the hard skills, but the soft skills I wouldn't necessarily look down on because I would view them as being essential to the job getting done, essential to quality

assurance, essential to making sure that things can carry on going. So, with essential skills, such as culture and art, as a therapeutic way of allowing people to cathartically release emotions, trauma, everything they need to work through and navigate, then arts and culture is a fantastic way for them to do that as well.

However, my programme – being a cultural engagement programme – I also liken that to a torch in the darkness. However, I liken cultural activities and cultural programmes as a black light, ultraviolet light. So, to anyone that doesn't know what that is, you turn on the light and everything in the dark will glow. It doesn't have to have the beam shining on it, it will all glow and it'll stand out. So if we can use criminogenic programmes, and embed te ao Māori genuinely and authentically and not just tick a box and say, “yeah, nah, we've done our bit”, then hopefully we can start to see more genuine engagement with those programmes.

From the elders that I've talked to, they say it is just like day and night. That to have one and as well as the

other that is how we can look at honouring both sovereigns of this land. Both peoples with a valid and possibly new and inclusive pathway forward. Another reason why I believe that culture, cultural identity, cultural engagement, and the programmes like what I'm delivering are so inclusive and important, is because just like with a new strategy, what works for Māori can also work for non-Māori.

By that stage in my development I'd gotten over myself, I had gotten over the fact that I was the person that got myself into that predicament and that I am going to be the person that's going to get me out. So, I networked around with other inmates who were either musically inclined or had some either church or kapa haka background and we established a kapa haka group where we were able to learn te reo Māori. So there were some of us that were good speakers and so we were able to help each other, others could play the guitar, others could remember waiata and haka and we came together twice a week, and we shared kai. We all had different aspects and different things that

we brought. A beautiful incident happened where two neo-Nazi skinheads were watching us – we could tell you when you're being watched – and they came over and saw us putting up our words, setting up a table with all the food that we had collectively brought together to share and to break bread, and they came out to me and said “Jade, hey look man, we're starving. Can we please come and have a feed with ya”?

I thought, first and foremost, “fantastic”, here are these two people on the opposite end of the spectrum you could say, from the tribe of people that I particularly harmed; my offenses were against White Power and other white supremacists, but here are these two lads coming up to ask for a feed cap in hand, to which I replied: "Hey guys, thank you for coming over to ask, but this food is not all mine and the guys have all checked in and put their own bits of kai in here too, so I can't answer on behalf of them. However we are singing, we're singing some

hymns, we're singing some songs, were doing some hakas, and hey, if you're willing to jump on board with us, sing a few songs, do a bit of a haka and we're going to do a bit of a prayer as well, then boys you're most welcome to join us".

So, I put that to the team, the team wholeheartedly agreed that if these lads want a feed then they just got to do a bit of singing and waiata with us. Which they did. That is one of the feathers in my cap from when I was inside.

The beautiful thing about *tuakiri* is that ‘tuakiri’ means ‘identity’, but it also means ‘beyond the skin’. So inclusivity, compassion, cultural inclusivity worked for me and a lot of the men in our experience and that is why I strive forward and have offered my programme down to Otago Corrections Facility and it works. It works. Treating people like people, giving them a space to talk, giving them a space to be heard and to get their grievances out is so important.

POST-SYMPOSIUM REFLECTIONS: A PANEL DISCUSSION

PANEL: DEVON POLASCHEK, MICHAEL DAFFERN &
ANDREW DAY

CHAIR: ARMON TAMATEA

Armon: What I want to do here is invite each of you to share your reflections with us, after which I'll present some questions to you as a group, and we can see where we go from there. So, okay. Let's start with you, Devon...

Devon: Kia ora e hoa mahi. It's been a long day so far, a pretty intense day. I'm pretty stunned I guess by the great job that our different speakers have done to show just how complex issues are in creating safer prisons. And also all the expectations that sit on Corrections, but I've got a few points here. None of them particularly profound, and they don't even hang together well, but I'll do my best to try and make them sound a bit more coherent than they might. So, one of the points I thought I would make note of is a number of speakers who spoke both about how to make our

prisons safer, and about *Hōkai Rangi*. And to me, these are two related things, but they're also two distinct things. So *Hōkai Rangi*, as I see it, is the Department's—Ara Poutama's—aspirational, strategic plan, and it's a wonderful, inspiring vision. And at the moment, anyway, it's a container into which people are currently pouring all of their dreams for a better world for our people. Nga Tūmanakotanga, on the other hand, is really just about making prisons safer. It's a smaller, more modest goal. As Neil noted, the main models of prison violence simply say that prisons are violent because they're full of violent people and they're places where people have nothing else to do to express themselves, to pass the time, or communicate, or to get what they want. In other words, the environment is making people more violent. To some extent, I thought Beven Hanlon's

rather bleak picture from the staff union suggested aspects of both. He suggested that we're creating an environment that rewards assaults on staff with little in the way of punishment. At the same time, he said that the standard prison regime, as he was describing it, is now one that previously would have been a punishment regime. I found both those points really disturbing and want to know more about them. So, reduced hours of unlock and reduced contact with the outside, with nothing to take away except people's television. This is one of the drivers of prison violence. Prison violence is driven rather by environments that are so impoverished there really is little left to lose, which is a dangerous position to leave people in. These are two of his points that I really think we need to follow-up with. The biggest, most dangerous part of our prison population – or our prison environment – and the growing proportion as the muster drops out are our *remand* prisoners, constituting more than a third of our current prison population. We talk a lot about sentenced prisoners, but actually the remand prison units are

probably where we should be particularly putting an effort because I absolutely take Jade's point about boredom on remand.

Matua Jade's perspective suggests how important it is to have meaningful activities in there. Some of our prisons are actually starting to do quite a good job of that. Armon, me and others had an opportunity to see a relatively enriched remand environment at Waikeria recently for example, but more is needed. Meaningful supervised activities are a big part of prison security. I love what Matua Jade said about his criminogenic programme torch and his ultraviolet beam: I'm not going to forget that in a hurry and I'd agree that those programmes are only a first step.

Thinking a bit more about the bigger picture, a number of people talked about the considerable and contradictory external expectations that are on our prisons. Prisons are the servants of their communities, not the other way around. Prisons are one of the few places where the people we didn't take better care of as children and where people we're

still not taking very good care of, can still get in the door. But of course, that's not to say that they're there just as victims. By the time we get to see them in prison we can't help but acknowledge that they've also usually done substantial harm to other people, and by now may have an ongoing capacity to hurt others. So, in a way, conversely, while we're trying to make prisons safer, the rain is still falling on the roof as Matua Arrin said. Safer prisons to me are not likely to make our communities a lot safer, unless the forces that are creating the next generation of people destined for prison aren't also called into account. That includes our families and our whānau who are still mistreating each other and the vulnerable tamariki that are in our care, and the rest of the government services that are supposed to be there to create the wider safety net, without which we will end up with the expectation that prisons, which really are not just the ambulance at the bottom of the cliff, but arguably on the rocks at the bottom of the cliff, end up somehow being expected to fill that gap. So I wonder as part of this project, if we don't also have a

mandate to try and point out that we're not in this alone, that prisons really cannot do what the rest of society is increasingly unable to do or unwilling to do.

Michael Daffern: Thank you very much Armon. It's been a privilege to hear the various presenters today – for us to hear their distinguished words. Before I make any comment on the presentations today, I want to acknowledge that I am an outsider from 'across the ditch'. I make these comments from the position of having worked clinically and conducted research in prisons over a number of years.

Prisons are very complex environments and Armon noted at the outset today that the investigatory team sees prisons as ecologies; similarly, Sir Kim Workman and Neil Beales reminded us that prisons are part of a much broader ecological system. I thought that was a really important comment. It reminds us that we are working within a broader context, we're looking after men and women temporarily, in a system that's influenced by multiple external factors. Sometimes those external factors

have a negative influence, such as “tough on crime” agendas, but sometimes those external forces are actually really positive. So, I think that it's critical that we think about how various external forces can both aggravate, and mitigate, violence within prisons. If we accept that prisons are complex environments that are part of a larger ecology, then we must also acknowledge that violence in prison is determined by a broad range of factors. Some of them are imported, some situational, and some occur as a consequence of the deprivation that is experienced by people within prison.

There is of course no simple solution to the problem of prison violence, but the speakers today were uniform in their acknowledgement of the need for respect, safety, and a humanitarian approach to prisoner care and management- translating those principles into practices is the challenge. Many correctional systems around the world have invested heavily in psychological treatment programmes, and they have been the focus of some discussion today. Violence intervention programmes have a

positive, but modest impact on violent behavior, both inside prison but also on release. But as Arrin notes, they're often run in isolation from other operational activities within prison and they have a very limited impact if they're run in isolation. New Zealand is fortunate to host a number of intensive treatment programmes that are well-integrated and they're the programmes that seem to have the best outcomes. But more treatment programmes won't be the answer, they'll only address one part of the ecology; therefore they are only one part of the solution. Similarly, more staff training isn't the answer.

Again, I agree with Beven that it's important to encourage people to accept responsibility for their behaviour and to be held to account when they're acting aggressively – confrontational consequences, and by this I'm thinking about punishment aren't the panacea. Consequences that are informed by an understanding of the multiple causes of violence are necessary. Arrin notes that we need restorative responses. We know that restorative approaches at the point of sentencing can be

very productive, not only for those people who are the victims of violence, but also for those people who have perpetrated violence. These types of programmes need active and respectful participation. Participants in restorative programmes developed to respond to prison violence, particularly custodial staff, will need to be given time and resources to engage. Clearly staff and prisoners need to feel safe, so the job of rehabilitation and reintegration, which is why prisons exist, can occur. I was struck by Neil Beales' football analogy: Corrections being the "goalkeeper". I was also impressed by a statement that if we want prisons to be effective environments that facilitate rehabilitation and successful reintegration, then the other players on the team need to be engaged. I think this is what Armon was saying when he opened the day, with the saying "your basket, my basket, our people will be sustained". I think this speaks to the need for a collaborative generation of solutions to the problem of prison violence. A culture of violence thrives without coherent and cohesive responses. Again, I think it overlaps with what

Arrin was saying when he was calling for restorative responses.

At the moment, prison violence looks like a wicked problem, but Neil and Sir Kim reflected on past successes. Sir Kim reported on the success of bringing gang leaders together with prison managers, and administrators, and it's this sort of collaboration that's required to create what one of the speakers referred to as a more neutral environment, one that doesn't prime violence. The challenge is how do we engage everyone within prisons and perhaps more importantly, outside of prisons, to work together to lessen violence. The average person in the street may not be too concerned about violence within prisons, and they may be inclined to prefer more punitive or confrontational responses. The key may be to focus on the impact that unsafe, indecent and violent prisons have on the reform and rehabilitation of people who are incarcerated. Most people will be released at some time, and as Sir Kim tells us, some may become our neighbours. It is critical that we find solutions to the problem of prison violence so that prisons are

safe places where people can start to change.

So, I was really heartened by some of those stories of success that we heard today and also what seems to be very genuine interest in finding solutions to the problem of prison violence.

Andrew Day: Thanks Armon – and thanks Renae for organising today. It's been a long day, but it's flown by for me. I'd also like to thank the project governance group for their support for the work we're doing, and particularly thanks to Mate Webb for gifting us the name that guides this work. It's a real honour to be invited to join the symposium and of course to speak with Devon and Michael, and they have of course, pretty much said everything that I might say. But as an Australian, it's a great privilege to hear about work going on in other parts of the world and to hear about just how those with intimate knowledge of prison violence talk and think about the key issues. And so today, for me, has really been around hearing some different ways of thinking about the problem of prison violence.

I would agree with Michael that this really is a difficult wicked and entrenched problem. Some of the conversations we have had today reminded me of my first job as a prison psychologist with the Home Office in the UK in the period immediately following the Woolf report, which was produced after the Strangeways prison riots. We heard terms like “soft porridge” - a wonderful expression to describe what we talk about these days as humane containment – and I think we have heard a lot of references today to the associated idea of dynamic security. Today, though, highlights for me how we are all very much struggling with some fundamental questions about our role in promoting prisons as places of punishment and control (or even just incapacitation) or if our goal is to provide rehabilitation and care and if, in fact, we can do both of these things at the same time. This, for me, draws our attention to the role that prisons should play in our communities, and – to put this starkly - whether we want or expect our prisons to be violent places and the extent to which we should see prison violence as both normal and inevitable. A related concern is the

degree to which we should view staff safety as paramount. We have been asked to consider, for example, whether it is possible to do anything meaningful in this area without first ensuring that the people who work in our institutions feel safe.

The presentations today, in different ways, all touched on the idea that we can't simply enforce safety in our prisons. Whilst it might seem obvious that the simplest way to have a safe prison is to not to let anyone out of a cell - and if we lock people up for 24/7 or 23½ hours a day and use the very best surveillance technology to ensure that there are few opportunities for violence, we have also heard today that *safety* isn't the same thing as *control*. Safety relies on trust, a shared commitment, procedural fairness, and we need to think very carefully about the balance we strive to achieve between proactive and reactive responses to violence. In addition, it seems clear that prison staff need to have the resources to deliver what we've heard referred to today as the 'decency agenda', which is focused on how everyone in a prison has a responsibility to

promote the personal dignity of others.

So perhaps we don't need only to respond to violence, but to think about how we can put the conditions in place that will prevent it from happening in the first place. For me, this probably involves introducing a level of permissiveness into institutions that we don't have at the moment. This brings with it a level of risk and we need to think carefully about the balance we want to strike between these two ideas, particularly when we think about some of the more dangerous or difficult people that we are expected to manage, and whether there are circumstances in which the risk of greater permissiveness are simply not worth taking. It may well be that we will need a range of approaches for use with different people, in different places, and at different times.

One final thing I would like to say is that a lot of the conversations today resonated with those that we are starting to have in Australia around framing the work of correctional services in a more ecological way. This means seeing

'corrections' as part of our community and the importance of the 'permeable' the prison wall that allows the community into the prison and those in the prison to have more contact with those in the community. I think in Australia, that we have also worked in an era driven by the need to 'manage offenders' where the emphasis has been firmly placed on personal risk and the expectation that individuals should take a very high level of responsibility for their behaviour - both inside and outside of the prison walls. These days I think we are talking more and more about personal responsibility as a necessary but not sufficient condition for change. I would agree with Michael's observations about prison violence prevention programmes and how individual-level change is an important part of the solution to prison violence, but it is not sufficient for meaningful change to occur.

Many of the presentations today have been a really wonderful prompt for us all to start thinking seriously about the broader cultural and social context in which violence occurs and how stronger

partnerships are needed between those who provide services and those who receive services. This will inevitably lead to new initiatives that serve to create prison cultures and climates that are safer for both prison staff and those who live in prison.

So how do we go about this? Well, Beven reminded us about the critical importance of correctional staff and how we need to invest in supporting and training our staff. Staffing ratios and better reporting systems are also clearly very central to any effort to prevent violence. Those who work in prisons have to have confidence that the system that they work in will not simply escalate violence and place them at risk of harm. Neil talked about the need for us to listen more to what people in prison are telling us. As Janis said, by looking and listening we all gain insight. Jade's experiences – and Arrin's experiences also – very clearly told us how this might actually happen through community and cultural engagement. So it seems to me that there are many things that we can take from today.

Armon: Thank you, Devon, Michael and Andrew for your reflections. Now, I have some questions from the audience that will be interesting to get your perspective on. This first one concerns a quote from Sir Kim's talk earlier on and I'll just read it out here for the benefit of yourselves as well as for our audience: *"the interplay of the science of risk assessment has led to the perverse outcome of constructing offenders as walking bundles of risk. The significance of a risk centric environment can lead to unintended consequences such as a less-humanising view of offenders. As Ward, Yates and Willis comment, the risk paradigm tends to construct offenders as passive recipients of operate behavioral principles, meaning that they become risks to be managed rather than humans with shared values and goals"*. What are your thoughts about how that might relate to the prison violence space?

Devon: I was very frustrated by Tā Kim saying this and I challenge him to come to Te Whare Manākitanga at Rimutaka prison in the future and hold up that position, because risk management is actually *not*

the business of rehabilitation programmes. Rehabilitation programmes facilitate risk reduction by teaching people ways to do things that effectively ameliorate risk by creating positive alternatives. For example, teaching lots of different skills and helping people really understand better how they got to be where they are, what are the things that have got them there, what their future might look like, planning and reintegration and so on. These skills are useful for all aspects of people's lives, not just people in prison. And so, in reality, it really isn't about making people be the bearers of risk, nor is it simply about trying to restrict them from behaving in a risky way, I really think that when people take that perspective, they should come and see what our best rehabilitation looks like on the ground, because it doesn't look like that at all.

Andrew: When I heard you read out that quote, I was reminded of someone in prison who said *"it's really hard to stay out of trouble in here"*. What I take from this is really the need to think more about the balance that we are striking to achieve between what

we might call ‘importation’ and ‘deprivation’ drivers of prison violence. So, things that people bring to them within prison that might place them at risk of acting violently are the imported factors and the things that happen within the environment that support or trigger violence relate to deprivation. Your quote reminds us not to be too ‘pathological’ or perhaps too ‘clinical’ in the way in which we seek to understand risk and to remember to focus as well on the environmental drivers of violence. We know, for example, that things like procedural fairness - the belief that the rules are administered justly and fairly and equally across an institution – are really key to the prevalence of violence, just as the availability of and participation in programmes and services is likely to be important. And so the quote reminds me that prisons are ecologies. It also reminds me of a quote, I think it was from Neil earlier today, that we can't simply pass over the responsibility for violence in prisons over to corrections. This has to be a shared responsibility between the government and the community and relates to the broader values

that underpin our work – about the personal dignity of people in prison and treating all people with respect; and by this I don't just mean personally, but also organisationally – such as the service getting things done, being reliable, and fulfilling promises. So for me, it's just another reminder that we can't ‘treat’ violence out of people and that violence occurs in response to triggers. I think Jade has vividly described aspects of the broader context in which prison violence occurs – whether this be historically, socially and culturally - and how we need to keep this firmly in our minds when we try to identify solutions to violence in institutions.

Armon: Thank you for those responses. The next question relates to Beven's korero, and there were certainly some interesting challenges that he posed throughout. The question is: “So you talk about discipline and the need for consistency. What does the panel think about enforcing discipline?”

Devon: We were out at the prison recently talking to staff and one of the things that they said was that

they feel like they have very few levers for encouraging positive behavior. The way that they were talking, and this is how Beven was talking too, the only things they really seem to have control over is taking things away from people. We know that that's the least powerful way to influence people's behaviour. We also know that force doesn't generally work as a method for doing anything, and has some really nasty consequences and side effects. To me, it seems that we're really considering the bigger picture of an environment that needs to have things in it that people don't want to lose in order to really have a fraction of the power that an environment can have over behaviour. As I said in my earlier remarks, I was rather disturbed by the idea that we are just allowing people to commit serious offenses against staff, for which they go unpunished. I'd like to know more about that.

Andrew: There's a common view that if we think about the problem of violence as being associated with the characteristics of people who come into prison, then the obvious solution is to make prisons

stricter and starker environments in the belief that this will secure more control. I'd like to make the point that the evidence suggests that the reverse is likely to be true. So it's as much about the administration of legitimate rules. Providing meaningful activity also seems to work. The research that we have in this area shows that prisoners that are organised around these lines have lower rates of violence than those that are more control-oriented. So there are some things that we can learn from this.

I think we've heard a little bit today, but not so much, about the use of incentives or privileges. This is an interesting and important area for us to consider. Beven certainly raised a number of questions around the utility of the current security classification system – particularly in relation to the consequences for aggressive behaviour. There are also possibilities for using things like family visits, phone calls, time out of cell as part of a behaviour management strategy. So how should we think about as privileges or rights in prison? How and when should we use segregation? I think

these are all questions for us to reflect on going forward around what a decent and optimally safe prison would actually look like.

We do have choices in how we manage our regimes. If we think about the Singapore prison service, they choose to structure sentences very differently. They have, for example, a third of the sentence that is dedicated to punishment, which typically involves residing in very spartan conditions, a third to deterrence, and then the last third of a sentence is dedicated towards rehabilitation. And this gives a very different feel in terms of the incentives and the privileges that are available to those who participate in programmes and other activities. So I think there are more questions than answers here, but clearly some of those organisational incentives and privileges are really important and it seems key to me that people in prison have confidence that good behaviour will help them to progress through the system.

Armon: A couple of comments that have come from our audience concerned the regular mention of the term “behaviour”, but very

little about *learning*. What thoughts can you share with us here?

Andrew: My reaction is that we should be thinking about facilitating and engagement, rather than behaviour or learning as such. Again, this comes back to this idea of creating the conditions where it is reasonable and desirable to behave in certain ways. So this isn't about individuals learning to be better people. This is about creating environments that allow people to have their needs met in ways that don't involve harm.

Michael: And just to add to that, I would see that some of what we do want people to do is acquire the skills and interest in relating to other people and having their needs met in non-violent ways. That, of course, relies upon the setting conditions being safe, where people are encouraged and motivated to relate differently without recourse to violence.

I think Jade mentioned that he felt *primed* to act violently. If the setting simply encourages people to act violently and reinforces people for violent behavior, then

it's not going to be an environment that's conducive to change.

Similarly, if we start to think about participating in violence intervention programmes, if those new skills, new attitudes are only encouraged and supported within a therapeutic room and not supported outside of that room, then it's very, very difficult for an individual to sustain what can be a caustic reaction to their new attempts to try different behaviour.

Armon: One thing which struck me a few times – and I know Janis, Jade and Arrin touched on this – is thinking about a *health* conceptualisation of violence and what that would mean in terms of an alternative narrative to the criminogenic one. What thoughts might you have about whether this could change our entire focus and what possible implications that may have in terms of ways forward?

Andrew: I'm not entirely sure that health models of care are that good a fit with a justice model. There's lots of reasons for this, including the idea of 'stepped care' that guide health service delivery

systems. This runs contrary to the risk principle as it means that services are delivered until they fail and then more intensive treatments are provided.

Generally, I think what having a health perspective brings, and this does connect with *Hōkai Rangī*, is encouragement to think about wellness and wellbeing and the impact of violence on people who've experienced it - whether they be staff members or people who perpetrate or are victimised by violence. I think there's a lot more we can do around trying to understand these experiences, and many of the things we've spoken about across the course of today are around the importance of people feeling safe at work and feeling safe in prison.

We do know that if people don't feel safe, then they're unlikely to fulfill their duties very successfully. They are also unlikely to learn very much from any programmes that might be made available. A lack of safety makes us over-vigilant or hyper-sensitive to threat. It makes us shut down and focus internally which runs counter to what we are trying to do in prison by giving people an opportunity to reflect on

why they're there, what's happened in their life, and put things together in a different way so that they can make some better decisions upon release after prison.

Devon: If I could just add to that other way of thinking about prisons.... I think it's great that we are trying to humanise how we work with people in prison. That's important for sure, but sometimes I feel a little bit of concern about the way we're talking about 'people in our care'. Because our prisons are not primarily a caring facility, that is not a primary function of a prison. We can and should take care of people to the best of our abilities, but it's not a health service. And it can't be for reasons that I think have been well articulated. So, a better way may be to think about prisons in that

sense as part of a much better network of a public health and wellbeing framework. What I mean is that we can view people's time in prison as a very small part of a much bigger plan to deal with violence, both in and outside of prisons. Looking at that from a public health perspective really also pushes the whole issue of levels of prevention, not simply being at the bottom of the cliff, but thinking about what would primary prevention look like? While we're sitting here working with current prisoners, there is another generation coming along who might be even more troubled and disturbed than the current one and what what's being done with them?

Armon: Thank you all for a stimulating session.

CONTRIBUTORS

JANIS ADAIR
CHIEF INSPECTOR
THE OFFICE OF THE INSPECTORATE -
TE TARI TIROHOA



Janis has been Chief Inspector of the Office of the Inspectorate Te Tari Tirohia in the New Zealand Department of Corrections since July 2017. Born in Northern Ireland, Janis spent seven years as a nurse in the British Army. She then joined the Police and spent 15 years in Hampshire, where she worked in the Criminal Investigation Department, dealing with drug investigations, major crime, and a stint as second-in-charge of the anti-corruption unit. In 2004, she came to New Zealand and has worked for the Commerce Commission, the Independent Police Conduct Authority and the Office of the Ombudsman. Before joining Corrections she was in the UK working on the Independent Inquiry into Child Sexual Abuse.

The Inspectorate is a critical part of the independent oversight of the Corrections system, and operates under the Corrections Act 2004 and the Corrections Regulations 2005. While part of the Corrections Department, the Inspectorate is operationally independent to ensure objectivity and integrity. From early 2017 the Office of the Inspectorate was significantly enhanced. It moved from being primarily complaints-focused to having a wider mandate, including carrying out inspections of prisons to ensure that prisoners are treated in a fair, safe, secure and humane way.

NEIL BEALES

CHIEF CUSTODIAL OFFICER

ARA POUTAMA



Neil Beales has been Chief Custodial Officer since late 2012 and appointed Departmental Spokesperson for Corrections in January 2017. Neil has been with the department since 2009 having come to New Zealand to take up the role of Prison Manager at Auckland Prison. Other roles Neil has held include Acting Assistant Regional Manager – Northern Region.

The General Manager Custodial/Chief Custodial Officer is the Department's primary source of expertise and spokesperson on custodial practice within New Zealand and internationally and advises and supports the Executive Leadership Team. This includes immediate problem analysis and resolution. The Chief Custodial Officer also provides informed advice on emerging custodial practices and developments worldwide and maintains an overview of research trends and future thinking within the international and corrections community. The Chief Custodial Officer is one of the key influencers of the development of operational policy and practice for Corrections and contributes to the thought leadership and strategic planning for Corrections.

Before coming to New Zealand, British-born Neil served 18 years with the English & Welsh Prison Service, starting as a Prison Officer serving at several different prisons and progressing through the ranks to Deputy Governor of HMYOI Huntercombe in Oxford. During his service he has held a large range of managerial and operational roles both within prisons and regional and national offices.

ARRIN CLARK

CULTURAL SERVICE PROVIDER
ARA MOANA ADVENTURES LTD



Arrin is the CEO, and lead facilitator within Ara Moana Adventures Ltd. Ara Moana Adventures have been a service provider to the Department of Corrections since 2001, and have been engaged in the development of a range of cultural programs and services.

Arrin has a background in Youth Services, A&D Treatment, Mental Health and Addictions, Outdoor experiential learning, and has 19 years of experience in working with Offender Communities within Custodial and Community environments. His experience and understanding of his community have allowed him to engage with offender communities at a range of levels, with a particular interest in addressing subject matter relating to Gang Resignation. This has resulted in a considerable number of successful resignations, over the last 15 years.

More recently, Arrin has been engaged in the working party group involved in the design of the recent Hōkai Rangi Strategic Plan with the Department of Corrections.

BEVEN HANLON
INDUSTRIAL OFFICER
CANZ



Beven was born in Whanganui but grew up in Maraenui Napier. He went to Richmond Primary School, Wycliffe Intermediate and Colenso High School, then Whanganui Boys College and back to Colenso High School.

Beven did a 2 year diploma of Sport and Recreation at the Eastern Institute of Technology. After this he worked as a boner at Medallion meats and finished as the boning room supervisor at just 22 years old.

Beven started as a Corrections Officer in April 1998. In early 2001 Beven was appointed as a Senior Corrections Officer at Hawkes Bay Regional Prison. At the time he was the youngest Senior Corrections officer in the country. Beven joined the union when he started in the Prison service, Corrections Association New Zealand (CANZ) and held positions from local delegate right up to National President of the union. In the 10+ years of being President of CANZ, Beven actively advocated for the increased safety of staff and prisoners.

Beven has seen numerous versions of case management, sentence management and other social experiments used on prisoners. The one constant over this 23 year period is that prisons continue to get more and more violent and dangerous for both staff and prisoners.

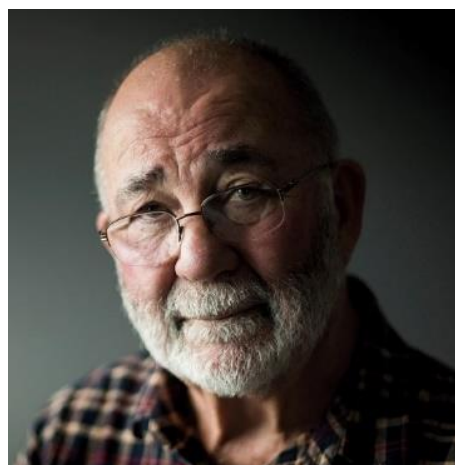
JADE MORGAN
LECTURER
OTAGO POLYTECHNIC



Rue-Jade (Jade) Morgan heralds from the beautiful Harbour waters of Whakaraupō (Lyttleton) on Banks Peninsula, Christchurch. Te Rāpaki o Te Rakiwhakaputa is the name of his marae and his tribal affiliations connect him from Stewart Island all the way up to both coasts in the north island as well as a strong connection to the island of Sava’I in the tropical isles of Western Samoa.

Jade is currently a Lecturer within the Foundation Studies team at NZIST’s Pukenga Aotearoa, Dunedin main campus formerly Te Kura Matatini ki Otago – Otago Polytechnic. Jade also created and delivers a cultural engagement programme at Otago Corrections Facility, Te Hōkai Manea Tīpuna – *The glowing footprints of the ancestors*, which has been running since 2017.

ROBERT KINSELA (KIM) WORKMAN
KNZM QSO



Tā Kim Workman (of Ngāti Kahungunu ki Wairarapa and Rangitāne) is a retired public servant, whose career spans roles in the Police, the Office of the Ombudsman, State Services Commission, and the Department of Māori Affairs. He was Head of the Prison Service from 1989 – 1993.

In 2000, Kim was appointed National Director, Prison Fellowship New Zealand (PFNZ), and retired from that position in 2008. In 2005, Kim was

the joint recipient (with Jackie Katounas) of the International Prize for Restorative Justice. In 2006 Kim joined with the Salvation Army, to launch the “Rethinking Crime and Punishment” (RCP) Project. In 2011 he formed JustSpeak, a movement that involves youth in criminal justice advocacy and reform.

In 2016, Kim was awarded the degree of Doctor of Literature (DLitt Well) by the Council of Victoria University, and in 2017, the same degree by the Council of Massey University. In February 2018, Kim was awarded Senior New Zealander of the Year, under the New Zealander of the Year Awards Scheme.

Kim was recently appointed to the Human Rights Review Tribunal and the NZ Parole Board. He represents the Kingitanga as co-chair on the Kawenata Governance Board, which manages a Memoranda of Understanding between the Kingitanga and the Department of Corrections.

Kim has six children, 10 grandchildren and 3 great-grandchildren. He enjoys listening and playing jazz.

PANELLISTS

PROF. MICHAEL DAFFERN

SWINBURNE UNIVERSITY



Michael Daffern is a clinical psychologist by training. He has worked in prisons and in general and forensic mental health services in Australia and the United Kingdom. Currently, he is Professor of Clinical Forensic Psychology and Deputy Director of the Centre for Forensic Behavioural Science at Swinburne University of Technology. He is also Consultant Principal Psychologist with the Victorian Institute of Forensic Mental Health (Forensicare). Michael is a Fellow of the Australian Psychological Society, former chair of the Australian Psychological Society College of Forensic Psychologists, and in 2013 he was awarded the Distinguished Contribution in Forensic Psychology award from the Australian Psychological Society. He divides his time between teaching, research and clinical practice. His research interests focus on aggression and violence, personality disorder, and offender assessment and rehabilitation.

PROF. ANDREW DAY

UNIVERSITY OF MELBOURNE

Andrew Day is Enterprise Professor in the School of Social and Political Sciences having previously worked as the Head of Research in the Indigenous Education and Research Centre at James Cook University and in the School of Psychology at Deakin University. He has research interests in areas of offender rehabilitation, violent offenders and juvenile justice.



PROF. DEVON POLASCHEK

UNIVERSITY OF WAIKATO

Devon Polaschek is a clinical psychologist and professor of psychology. Her interests are in causes and prevention strategies for criminal behaviour, especially violent behaviour and family harm. She is also the director, of the New Zealand Institute of Security and Crime Science.



DR. ARMON TAMATEA

UNIVERSITY OF WAIKATO

Armon Tamatea (*Rongowhakāta; Te Aitanga-A-Māhaki*) is the project lead for Nga Tūmanakotanga. He is a clinical psychologist who served as a clinician and senior research advisor for Ara Poutama Aotearoa before being appointed to the University of Waikato. Armon has worked extensively in the assessment and treatment of violent and sexual offenders, and contributed to the design and implementation of an experimental prison-based violence prevention programme for high-risk psychopathic offenders. He has also been involved in post-graduate clinical psychology training. His research interests include institutional violence, psychopathy, New Zealand gang communities, and exploring culturally-informed approaches to offender management. He was also president of the Australian and New Zealand Association for the Treatment of Sexual Abuse (ANZATSA) from 2018-2021. Armon currently divides his professional time between teaching, research, supervision, and clinical practice in the criminal justice arena.



ABOUT NGA TŪMANAKOTANGA

Nga Tūmanakotanga is a multi-year applied research project funded by the Ministry of Business, Innovation & Employment (MBIE) and led by Dr Armon Tamatea. The aims of Nga Tūmanakotanga are to develop a holistic and integrated approach to understanding and addressing the causes and control of violence in carceral spaces.

A central assumption of Nga Tūmanakotanga is that prisons are *ecologies* – spaces where people, resources, and the built environment are interrelated – and that violence is a *product* of a complex of interpersonal and environmental factors that increase the likelihood of assault – but also suggest opportunities for possible solutions.

The project draws together a range of perspectives from across the ‘prison ecology’ and includes viewpoints from within these sites as well as those who interact from outside.

Please visit us at www.waikato.ac.nz/turning-the-tide

ABOUT TE TŪĀPAPA WHAKAHARATAU

“Te Tūāpapa Whakaharatau” speaks to the foundation, the introduction phase of the project, the state of what is currently known. Tidal imagery is central to Nga Tūmanakotanga and reflects how we navigate currents, heavy seas, and even tranquil waters.

ACKNOWLEDGEMENTS

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Firstly, our fantastic presenters: Tā Kim, Neil, Janis, Beven, Arrin and Jade.

The Nga Tūmanakotanga governance committee:

- Neil Campbell (General Manager, Cultural Capability, Ara Poutama Aotearoa)
- Rachel Leota (National Commissioner Corrections Services, Ara Poutama Aotearoa)
- Linda Nikora (Professor of Indigenous Studies, Auckland University)
- Harry Tam (Director, H2R Research and Consulting)
- Mate Webb (Cultural Consultant, Ara Poutama Aotearoa)

The research team:

- Dr. Lars Brabyn (School of Social Sciences, University of Waikato)
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- Prof. Michael Daffern (School of Health Sciences, Swinburne University)
- Prof. Andrew Day (School of Social and Political Sciences, University of Melbourne)
- Prof. Randy Grace (School of Psychology, Speech & Hearing, University of Canterbury)
- Assistant Professor Robert Henry (College of Arts and Science, Saskatchewan University)
- Prof. Devon Polaschek (Director of the New Zealand Institute of Security & Crime Science, University of Waikato)

Most importantly, we acknowledge the tāne, wahine and Takatāpui – past and present – who have served time in the New Zealand prison system, many of whom have generously and selflessly contributed to our

understanding of their realities of prison violence and the contexts in which it occurs, as well as their whanau who in their own way are also serving their sentences with them.

We also thank the many practitioners, researchers, and friends who supported this work from the earliest days.

We would like to express our gratitude to the University of Waikato for supporting and promoting this event.

Lastly, we appreciate YOU... those delegates who attended the symposium and the readers of this book. We hope that these korero have stimulated thought and helped to provoke some constructive reaction in your space to address the issue of safer prisons and, ultimately, safer communities.

Ngā mihi.

Armon Tamatea & Renae Dixon
Project Lead Project Manager