

Official report exposes dire conditions in New Zealand prisons

By John Braddock
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The New Zealand government's Chief Ombudsman Peter Boshier recently released a damning report on conditions at Ngawha Prison, in the impoverished and socially-divided Northland region, which has a significant inmate population of indigenous Maori.

The Labour Party-led coalition government of Prime Minister Jacinda Ardern had promised to improve conditions in prisons and reduce the prison population.

Boshier tabled his report in parliament in August, following an unannounced inspection of the prison last February. He found that prisoners were not being treated "according to minimum standards."

The facility opened to much fanfare in 2005, with a stated aim of operating based on "Maori values"—47 percent of Ngawha prisoners are Maori—and turning around the lives of prisoners. High-security prisoners were transferred out of the prison in 2013, and it now houses prisoners with lower security classifications. The report noted that almost a quarter of the prison's population was on remand awaiting trial, yet many of the prison's practices were more suited to a high-security setting.

In fact, management inhumanely treated all prisoners, regardless of their classification. One example was an instruction that cell doors be locked while prisoners were exercising in the compound, supposedly to reduce assaults. Inspectors found that prisoners were resorting to urinating and defecating in the compound because of a lack of toilet facilities. "This is pretty uncivilised in modern New Zealand," Boshier told Radio NZ.

The facility is severely overcrowded. It was built for 350 prisoners but currently has 650, following the introduction of double-bunking in recent years.

Inspectors were told of restricted access to drinking water in the yard. Prisoners were not allowed to take water bottles or drinks containers and instead had to

use a drinking fountain, which was integrated into the yard's lavatory. "I consider this to be degrading treatment and a breach of Article 16 of the Convention against Torture," Boshier said. The prison director had since revoked the restriction.

Prisoners complained the most about cell conditions, specifically high temperatures and a lack of ventilation. Inspectors found temperatures exceeding 28 degrees Celcius and, in the kitchen, 38 degrees. Prisoners and staff reported long-standing clothing and bedding shortages.

In May, Corrections Minister Kelvin Davis announced that Ngawha and a prison in Hawke's Bay would shift to a "Maori-focused" model, costing \$100 million over four years. Davis said prisoners would have a "Maori pathway that grounds them in their culture, their language but also brings their whanau (families) along." This has clearly done nothing to improve basic conditions for prisoners.

The Corrections department has launched a new strategy, called H?kai Rangi, across the prison system, purportedly focused on treating prisoners with "respect" and giving them more access to families. The stated aim is to cut the disproportionate number of Maori in prison from 52 percent down to 16 percent to match the general population.

There is evidence that Maori are subject to racial profiling by police and receive more draconian criminal sentences than non-Maori. The expansion of the prison population and the brutal treatment of prisoners, however, are bound up with the intensifying corporate assault on the working class as a whole. As the revelations about Ngawha Prison demonstrate, the provision of Maori cultural programs will not fundamentally alter the conditions facing prisoners.

The Labour Party campaigned in the 2017 election on

reducing the prison population by 30 percent by 2030. But it simultaneously promised a fresh “law and order” push to recruit 1,000 additional frontline police, which was sure to significantly expand the prison population. The government last year announced the construction of additional prison facilities to provide a further 900 beds.

The number of prisoners has soared after years of “tough on crime” policies by successive governments. This includes the passage of a “three strikes” law by the previous National Party government in 2010, mandating severe responses for people convicted of some offences.

Ardern’s government has not repealed the three strikes law, despite Labour promising to do so before and after the 2017 election. Labour’s excuse is that its right-wing populist coalition partner NZ First had rejected any change. NZ First is also remaining “tightlipped” over calls to restore voting rights to prisoners, removed by National in 2010, so they can participate in the 2020 election.

Official figures show the prison population has risen for 30 years, ever since the “pro-market” economic liberalisation program launched by David Lange’s 1984–1990 Labour government, attacking jobs, living standards and social welfare. While the rate of crime has not increased, spending on the “justice” apparatus—police, courts and prisons—has increased at three times the rate of economic growth.

The incarceration rate is now 220 prisoners for every 100,000 people, compared with the OECD average of 147. At the current rate of growth, the rate will be 260 per 100,000 people by 2028. The average sentence served is also longer, reflecting tougher sentencing laws and bail restrictions.

The prison overcrowding has seen a surge in prison suicides. There was one suicide from March 2016 to August 2017, then six suicides in the next six months. Over the same period, there were 20 suicide attempts in the first 18 months and then 19 in the next six months. Eight were female prisoners, even though women form just 7.4 percent of the prison population.

The entire regime reflects the social conditions facing increasing numbers of people. While the corporate and political ruling elite keep wages and benefits low and presides over a worsening housing crisis, the poorest members of society disproportionately end up in prison

through class-based policing and punitive laws.

Two thirds of prisoners have literacy and numeracy levels below NCEA Level 1—the lowest secondary school qualification. More than 90 percent of youth offenders have significant learning difficulties. Over three quarters of prisoners have been victims of violence. More than 60 percent have had a mental health problem in the previous 12 months, and nearly half have an addiction problem.

Barrister and youth advocate Kingi Snelgar told Radio NZ that more people are being sent to prison simply because they have no suitable home in which to serve community-based sentences. In response to a 2017 Official Information Act request by the No Pride in Prisons group, Corrections revealed that 87 percent of prisoners were either “unemployed, working for income but not paying tax, receiving a benefit, or being financially supported by another person.”

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