

Chief Ombudsman ‘extremely disappointed’ by double-bunking decision

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Chief Ombudsman Peter Boshier says he’s extremely disappointed that double-bunking is going ahead at Arohata Upper Prison, a satellite site of Arohata Women’s Prison in Tawa.

Peter Boshier says that during an inspection of the satellite site late last year, his OPCAT inspectors expressed strong concerns about proposals to double-bunk. The Department of Corrections confirmed in February that double-bunking would go ahead in 44 of the Upper Prison’s cells.

‘Cell sizes at Arohata Upper Prison don’t meet the international standard for even one person, let alone two’, Peter Boshier says. ‘The facility simply won’t be suitable for double-bunking without significant improvements and additions, and even then double-bunking should only ever be used as a temporary, emergency measure’.

Arohata Upper Prison is located in the former Upper Jail of Rimutaka Men’s Prison in Trentham. It’s been used since February 2017 to accommodate prisoners from Arohata and from Auckland and Christchurch Women’s Prisons, to cope with rising prisoner numbers at those facilities.

Peter Boshier says that overall, the facilities and conditions at Arohata Upper Prison put prisoners at a severe disadvantage.

‘All the women at Arohata Upper Prison are low security, yet they’re managed as if they’re high security, with much less time out of cell, little or no constructive activity, and no access to the programmes they need to complete for successful parole’, Peter Boshier says.

The Chief Ombudsman said a particularly troubling aspect of his inspection was the challenges for women from outside the region who now live at a considerable distance from their children due to their transfer to Arohata Upper Prison.

‘Inspectors distributed a prisoner questionnaire at the start of the inspection, and 65 percent of respondents stated they have children aged under 18’, Peter Boshier says. ‘If the women are from out of region, visits from their children are much more difficult if not impossible, and the lock-up regime means they often miss even an after-school phone call’, he says.

Peter Boshier says he's aware of the pressures staff are under at the Upper Prison, and their efforts to ease the difficulties and anxiety of women who had been transferred.

'Eighty-nine percent of questionnaire respondents said staff treated them with respect. Many women told our inspectors that they knew the staff were trying to make a very difficult situation work as well as possible, and appreciated their efforts'.

'The Department of Corrections is facing some very difficult choices in dealing with our ever-increasing prisoner numbers', Peter Boshier says, 'and I recognise there is no magic bullet solution.

'But as a country, we have to do better. Adding double-bunking to an already cramped and limited environment will have a very negative effect on the women's physical and mental wellbeing, and their prospects for rehabilitation'.

The Chief Ombudsman released his report on a full, unannounced inspection of Arohata Upper Prison today. The report is available [here](#).

More information: Mark Torley, 027 275 5733

Arohata Upper Prison

Where is Arohata Upper Prison?

Arohata Upper Prison is a satellite site of Arohata Women's Prison in Tawa. It's in the grounds of Rimutaka Prison in Trentham, separated from the men's facility by a perimeter fence, and occupies the building of the former Rimutaka Upper Jail that was closed in 2015.

In February 2017 two wings were reopened to accommodate women from Arohata, as prisoner numbers increased there. By September 2017 two further wings had been opened and the Upper Prison was also accommodating women transferred from Auckland and Christchurch Women's Prisons.

The Upper Prison's capacity is for 112 low/medium to minimum security prisoners, and it was full at the time of the inspection in late 2017.

What did the inspection look at?

New Zealand signed up to the Optional Protocol to the Convention Against Torture (OPCAT) in 2007. The Chief Ombudsman is a 'National Preventive Mechanism' under OPCAT, meaning he monitors and inspects prisons and health and disability facilities to ensure they meet national human rights standards and don't subject detainees to torture or to cruel, inhuman or degrading treatment.

The inspection in September and October 2017 examined the facilities and treatment of prisoners against six criteria: Treatment; Lawful custody; Decency, dignity and respect; Health and wellbeing; Protective measures; and Purposeful activity and transition to the community.

Inspectors made 25 recommendations for improvement and will monitor and report on the Upper Prison's progress in implementing them.

What are the international standards for cell size?

The European Committee for the Prevention of Torture and Inhuman or Degrading Punishment (CPT) defines the minimum space for a one-person cell as six metres square of living space, plus sanitary facility.

The CPT defines the minimum space for a two-person cell as 10 metres square of living space, plus sanitary annexe.

The 44 cells that are proposed for double-bunking at Arohata Upper Prison (11 in each wing) are 5.7 square metres including sanitary facility.