

## Unintended consequences for prisoners as Northland continues with old regime

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The Chief Ombudsman Peter Boshier says the Northland Regional Corrections Facility is persisting with policies that are preventing it from achieving its full potential.

Mr Boshier has tabled his latest report in Parliament on an unannounced inspection of the Prison conducted in February.

Mr Boshier says the Northland Regional Corrections Facility has changed focus.

High security prisoners were transferred out of the prison in 2013. Now it housed prisoners with lower security classifications and almost a quarter of the prison population with those on remand awaiting trial.

“Yet many of the processes and practices were more suited to a high security setting and were impeding achievement of the Prison’s vision to develop a Kaupapa Māori based culture to support tāne to take their proper place in the community.”

Mr Boshier says population pressures and staff shortages have also served to limit progress.

“The unintended consequences of persisting with some practices had an adverse impact on the treatment of prisoners.”

Mr Boshier says one example was an instruction that cell doors were locked while prisoners were exercising in the compound to reduce prisoner-on-prisoner assaults.

“My Inspectors found that prisoners were resorting to urinating and, on occasion, defecating in the compound because of a lack of toilet facilities.”

Inspectors were advised by staff of a restriction on access to drinking water in the yard – prisoners were not allowed to take water bottles or drinks containers there and instead to use the drinking fountain which was integrated into the yard’s lavatory. The Prison Director was unaware of the situation and immediately revoked the restriction.

“Restricting prisoners’ access to toilets and water is unacceptable and current mitigations were inadequate. I consider this to be degrading treatment and a breach of Article 16 of the Convention against Torture.”

Mr Boshier says prisoners complained the most about cell conditions, specifically high temperatures and a lack of ventilation.

“My inspectors found cell temperatures exceeding 28 degrees Celsius and the kitchen was 38 degrees.”

In addition, both prisoners and staff reported long-standing shortages of both clothing and bedding.

Although 47 percent of the prison’s population was Māori, cultural provision was limited.

“Relationships between the Prison and iwi were fragile however, I am encouraged to learn of the willingness of all parties to overcome difficulties and provide a strong response to shared challenges.”

“My Inspectors observed generally positive interactions between staff and prisoners. Continuity of leadership, developing partnerships with iwi, and meeting performance standards consistently, will enable the Prison’s potential to be achieved.”

The Department of Corrections has accepted 28 of the Chief Ombudsman’s 31 recommendations.

The report of the inspection conducted from 18-27 February 2019 can be found [here](#).

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## **More information**

### **Our function**

New Zealand signed up to the United Nations’ Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) in 2007. The Chief Ombudsman is a ‘National Preventive Mechanism’ (NPM) under OPCAT, meaning he monitors prisons and other places of detention (like health and disability facilities) to ensure they meet international human rights.

The Chief Ombudsman’s focus is on making sure prisons have sufficient safeguards in place to prevent any human rights violations. If not, he recommends practical improvements to address any risks, poor practises, or systemic problems that could result in a prisoner being treated badly. Follow up inspections are conducted to look for progress in implementing previous recommendations. Reports are written on what is observed at the time of inspection.

Find out more about the Chief Ombudsman’s role in examining and monitoring places of detention, and read our other OPCAT reports, at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz). You can also follow us on Facebook: [@ombudsmannz](#).