

## Chief Ombudsman resets inspections of prisons and mental health facilities

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The Chief Ombudsman has reset his monitoring programme for prisons and mental health facilities, with targeted inspections starting next week.

Mr Boshier says the inspections will focus on the way prisons and mental health facilities have balanced responding to the COVID-19 pandemic with maintaining peoples' human rights.

"I firmly believe that independent monitoring is essential during these unprecedented times. It provides confidence to the New Zealand public that our most vulnerable people are being treated fairly."

Mr Boshier says he recognises staff are extremely busy so the inspections will be targeted and focused. He is also providing advance notice so his inspectors can liaise with facilities about health and safety arrangements. His team will start by inspecting 15 prisons and district health board facilities over the coming weeks.

"I want a clear and immediate picture of what is happening in these facilities and how people are being treated. The inspections will involve teams of only two or three inspectors and will take no longer than a day. They will have health and safety plans in place, and will bring their own PPE with them."

"I am particularly concerned by reports that prisoners are being kept in their prison cells for long periods of time as a way of stopping the virus from spreading."

Mr Boshier says he wants to make sure prisoners are receiving at least their minimum entitlement of time out from their cells.

"That's at least one hour's physical exercise a day, in the open air if possible."

"My staff have held discussions with Corrections about what data it is being collected on this issue and how that can be shared with us. What data I have seen so far has been insufficient to draw a conclusion from. Further information is expected from Corrections imminently. I will be forming my own assessment as to what is going on in prisons using Corrections' data, my inspectors' observations, and other information my staff are gathering."

“At the outset of the pandemic, Corrections took a very conservative position in managing the spread of the virus in relation to inspections by my staff. Recently, that position has been reviewed and I was pleased to receive a letter from the Chief Executive of Corrections advising that he considers it even more essential than ever that I am able to exercise my OPCAT functions in the current COVID-19 context in prisons.”

Mr Boshier agrees oversight of people held in detention is even more important now, with the Government’s emergency powers now in force.

“I must make sure that the use of extraordinary measures during this pandemic do not have a disproportionate impact on the rights of people in detention.”

Mr Boshier started inspecting secure aged care facilities last week.

Earlier this month, the Chief Ombudsman provided the Department of Corrections and other agencies with a set of principles to help them meet New Zealand’s international human rights obligations during the pandemic. These are published on his website.

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Contact Mark Torley, Manager Communications, on 027 2755733.

The Statement of Principles, inspection criteria, and more information about OPCAT and the Chief Ombudsman’s monitoring role is located at:

<https://www.ombudsman.parliament.nz/what-we-can-help/monitoring-places-detention>