



24 May 2018

C95403

BAW Russell
fyi-request-7648-86524700@requests.fyi.org.nz

Dear Mr Russell

Thank you for your email of 18 April 2018 requesting research referred to in the explanatory note to the Corrections Amendment Bill. Your request has been considered under the Official Information Act 1982 (OIA).

You requested:

In the explanatory note to the Corrections Amendment Bill you state that "although it is recognised that single-cell accommodation can be preferable, research has shown that cell sharing is acceptable if properly managed". I seek all research referred to in this statement and any other research the Department has considered in reaching the conclusion in the statement.

The Corrections Amendment Bill includes a number of amendments to the Corrections Act 2004 designed to improve the ability of the Department of Corrections to safely and humanely manage prisoners, improve prisoner discipline and safety, and ensure the fair treatment of prisoners.

The prison population has increased at a rate considerably higher than forecast. The increase and subsequent demand for prison capacity is heavily influenced by external factors outside Corrections' direct control, including legislative changes, judicial decision making, policing trends and crime levels.

Managing prisoners safely is a duty Corrections takes extremely seriously. We have a range of policies, processes and tools in place to identify and mitigate concerns about prisoner safety.

As you will be aware, beginning in the early 2000s, changes to policy, legislation sentencing practice and offending rates meant that an increasing number of prisoners needed to be accommodated. In response, the number of double-bunked cells across the prison network were increased. Double bunking is common practice internationally, including in Australia and the United Kingdom.

In order to measure the impact of the increased use of double bunking, two phases of research were undertaken. The resulting report is available on our website here: http://www.corrections.govt.nz/resources/research_and_statistics/prisoner_double-bunking_perceptions_and_impacts_2012.html. The research found no measurable increase in the rate of incidents involving prisoners in those units during periods when the proportion of double-bunking increased. The research also found that while around 60 percent of prisoners preferred to be housed in single cell accommodation, others thought that sharing a cell could help with their literacy skills and provide some support, particularly for young prisoners accommodated together. Currently, around 30 percent of our prison capacity is double bunked.

Prior to being double bunked, prisoners are comprehensively assessed for their suitability to share accommodation. A tool called the Shared Accommodation Cell Risk Assessment tool (SACRA) guides trained custodial staff to consider a significant range of information about the prisoner including their offending history, prison experience, physical characteristics, gang affiliations, mental health needs, and history of violence toward others. The information enables staff to consider the risk that the prisoner may present to another prisoner, or be subject to themselves, if placed in a shared cell. The SACRA process does not replace staff judgement.

You may also be interested to know that the newly implemented POM I.10.07 Support Plan for Trans Prisoners policy stipulates that a transgender prisoner must be placed in a cell on their own and not double-bunked with another prisoner. This policy gives consideration to the safety of all prisoners, although it may be overridden by the Prison Director if two transgender prisoners with the same gender identity choose to be placed in a shared cell, in which case their suitability would be assessed using the SACRA.

The statement that *“although it is recognised that single-cell accommodation can be preferable, research has shown that cell sharing is acceptable if properly managed”* is mainly based on findings from the 2012 study mentioned above. Therefore, your request is declined under section 18(d) of the OIA as the information requested is publicly available.

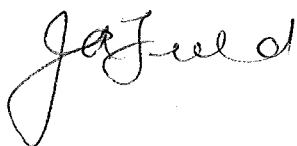
This notion is also endorsed by another report into double bunking completed in May 2015 by Julian King & Associates. The document is titled “Northland Region Corrections Facility Double-Bunking Review”. The document cannot be released in full as it contains security information relating to prison infrastructure. We are also concerned that release of these types of reviews would hinder the flow of information for future similar reviews. It is important that such reports are conducted in a way that encourages frank examination of all matters under review.

Therefore, we have prepared a summary of the report in accordance with section 16(1)(e) of the OIA, which provides that where the information requested by any person is comprised in a document, that information may be

made available by giving an excerpt or summary of the contents. A copy of the summary is enclosed for your reference.

I hope this information is useful. If you have any concerns with this response, I would encourage you to raise these with the Department. Alternatively you are advised of your right to also raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jo Field', written in a cursive style.

Jo Field
Deputy Chief Executive
Service Development

Summary of the Northland Region Corrections Double-bunking review

Background

The Department of Corrections (the Department) faces short and long-term needs to accommodate an increasing number of prisoners in cost-effective ways. This is due to a number of factors including changes in government policy, legislation, sentencing practice, actual offending rates and the New Zealand Police crime resolution. Since 2009, a number of options that add capacity to the prison estate have been introduced, including increased double-bunking in existing prison cells. Double-bunking is common throughout prisons in western jurisdictions, as a response to rising prisoner numbers.

The Department has long-term experience in operating multi-occupant prison cells. In the past few decades, the proportion of shared-cells has varied between 21 percent and the current 32 percent of the total prison system. Between 2009 and 2011 an extension of double-bunking represented a 75 percent increase in shared cell accommodation. During the expansion, approximately 350 additional prison staff were recruited, and a number of supportive policies and procedures developed to guide decision-making about who to double-bunk and with whom. These included the implementation of the Shared Accommodation Cell Risk Assessment (SACRA) tool.

In February 2015, the Department engaged an independent researcher to undertake a review of double-bunking at Northland Region Corrections Facility (NRCF). The objective of the review was to:

- place the current cell sharing practices in the comparative context of single-cells;
- examine aspects of NRCF's current operations under conditions of expanded cell sharing and increased operating capacity;
- and to identify stakeholder suggestions for enhancing the site's capacity to operate at maximum capacity.

The review focused on the effect of double-bunking in the areas of prisoner wellbeing, staff and prisoner safety, staffing, gang activity, access to programmes, and observance and promotion of tikanga Māori principles.

The review included interviews conducted by two researchers with management, staff and prisoners over four days. Analysis provided by the Department included a review of incident, programme, staffing and gang affiliation data. Literature on international perspectives on double-bunking and the affidavit were also reviewed.

Findings

Overall, the results of the research suggest that the expansion of double-bunking and subsequent increased muster at NRCF have had positive and negative effects on the areas covered by the review.

Please note that the research report was prepared with input from a small sample size of prisoners and staff members. It is not within the scope of the report to verify the veracity of the comments made by the interviewees. Although the prisoners and staff members have made attributions between their experiences and the impacts of shared cell accommodation, it would require a wider study of multiple prison sites to provide clearer evidence of any causal connections.

Prisoner wellbeing

Reported positive effects on prisoner wellbeing included decreased loneliness, increased social and emotional support, improved monitoring of cellmates' physical and emotional health, and reductions in self-harm.

In contrast, there were reports that double-bunking facilitates abuse and bullying between cellmates, particularly overnight. However, data suggests that those housed in single-bunked accommodation are more likely to be involved in these types of incidents.

Prisoners and staff safety

There were no recent reports of major incidents in which custodial or non-custodial staff safety was compromised. However, some staff perceived that double-bunking had increased risks to their safety. Some concerns were specific to double-bunking, such as the potential for prisoner assault on staff during lockup and unlock.

Whereas, other concerns were associated with the increased muster. Training and a staff safety forum focused on processes for managing staff safety in the context of double-bunking have been implemented to mitigate these risks.

Numerous processes are in place at NRCF to support prisoner safety, including the risk assessment through the SACRA tool. All prisoners interviewed reported feeling safe in their current double-bunking arrangement. Nevertheless, some staff and prisoners raised concerns that the increased muster could occasionally impact on the administration of the SACRA risk assessment processes.

Staffing

The reported main effects of double-bunking on staffing related to the increased administrative burden from matching cellmates and managing the additional muster,

as well as managing standard operational tasks. These tasks were reportedly detracting from the time Corrections Officers had to engage in relationship management and pro-social modelling with prisoners. Staff felt that even though the prison operates at 105 percent staffing level and prisoner to staff ratios are being maintained, ongoing staff attendance and retention issues had been exacerbated by the increased muster. In combination, these factors were said to contribute to staff turnover.

Access to programmes

Staff reported that the expansion of double-bunking has been accompanied by an increase in optional programmes and improved access to recreational facilities such as the gym. However, data show that programme waitlists have increased. The review could not determine whether this reflected a growth in demand exceeding the increased programme capacity or improved referral processes. In any case, problems of programme access appear to be compounded by staff attendance and retention issues, and limited meeting space to accommodate the needs of the expanded muster. Most stakeholders felt that double-bunking could enhance or impinge upon prisoners' engagement with programmes depending on who they were celled with and the quality of that relationship.

Gang activity

Stakeholders acknowledged that gangs are active in a prison environment regardless of bunking status. At the same time, they generally perceived that double-bunking facilitated gang related activities, as lockdowns provide uninterrupted opportunities for recruitment, tattooing and standover tactics.

Observance and promotion of tikanga Māori principles

Feedback suggests that double-bunking and increased muster have a positive effect on promoting tikanga Māori values. Reportedly, interest in tikanga programmes has increased and there is more tikanga activity within the units since the expansion of double-bunking. Findings also suggest that double-bunking impinges negatively upon some cultural values such as rangatiratanga (self-determination and self-management), and things tapu, such as reaching over someone which is unavoidable in a double-bunked cell.

Other key findings

In addition to identifying mixed effects of double-bunking and the associated increase in muster, the results of the review highlight the following four key findings:

- the review found that there are inconsistencies between the qualitative interviews and quantitative data.
- feedback from management tends to align with the quantitative data suggesting that there is a divergence between the views of management and some staff on the perceived effects of double-bunking on staffing, safety and prison operations.
- the effects of double-bunking and the associated increased muster reported by prisoners and staff seem to be compounded by infrastructure and staffing issues mentioned above.
- many of the concerns recently brought to the Department's attention were supported by feedback from prisoners and front-line staff.

Literature review

A review of the literature also presents mixed findings for the effects of double-bunking on staff safety, programmes and prison operations. However, it suggests that double-bunking may be managed effectively with appropriate risk assessment processes, appropriate resourcing for programmes and other services and maintenance of appropriate prisoner to staff ratios.

Opportunities for improvement

Stakeholder feedback indicates there are opportunities for improvement in regards to staff recruitment and development or restructure of infrastructure at NRCF. In turn, these improvements might help to alleviate some of the concerns that staff have about safety as well as their concerns about workload, which may have flow on effects on work quality and staff retention.

For the most part, staff and prisoners have accepted the reality of double-bunking despite a preference for single-bunked cells. With some improvements, negative impacts of double-bunking on safety, staffing, programme access and engagement and tikanga Māori could be reduced.