
Report on an unannounced inspection of Department of Corrections' Rimutaka Prison (Upper Prison – Units three and four) Under the Crimes of Torture Act 1989

12, 13 & 27 September 2012



Dame Beverley Wakem DNZM, CBE
Chief Ombudsman
National Preventive Mechanism

Executive Summary

Background

1. In 2007, the Ombudsman was designated one of the National Preventive Mechanisms (NPMs) under the Crimes of Torture Act (COTA), with responsibility for examining and monitoring the general conditions and treatment of detainees in New Zealand prisons.
2. On the 12 and 13 September 2012, Inspectors Greg Price and Jacki Jones (to whom I have delegated authority to carry out visits of places of detention under COTA) visited Rimutaka Prison (the Prison). Inspector Jones also spent the afternoon of 27 September in the Prison. Whilst the Prison has 29 individual units, the inspection focussed on the Upper Prison; units three and four (the Units). They were accompanied by Alex Schroder and Lucie Trask from the Ombudsman's Office and Nick Hartridge from the Independent Police Conduct Authority (IPCA).

Findings

3. The Inspectors were pleased to note a number of positive findings during their visit, for example:
 - There was no evidence that any prisoners had been subject to torture, or cruel, inhuman or degrading treatment in the six months preceding the visit.
 - The Inspectors have no issues of concern arising from the use of restraint and segregation in the Units.
 - Over three quarters of the prisoners interviewed stated that most staff treated them with respect.
 - The Inspectors had no concerns with the quality and quantity of food services for prisoners in the Units.
 - Prisoners receive considerably more than their minimum entitlement to daily exercise.
 - When asked, 66 per cent of prisoners stated they have more than six hours out of their cell each weekday.
 - All areas visited during the inspection were clean and tidy and reasonably well maintained.

4. There were, however, several areas of concern that needed addressing:
- Overall, it was not possible for the Visiting Team to conclude that the formal complaints process functioned satisfactorily in the Units.
 - The shower facilities in the Units are a serious health and safety risk.
 - Cells do not have curtains and prisoners complained that the security lighting keeps them awake at night.
 - Many mattresses observed by the Visiting Team were substandard.
 - Not all the exercise yards had sufficient seating for the number of prisoners using them.
 - Prisoners who do not wish to go out for exercise are locked in their cells (known as yard or lock).
 - Association / recreation time in the Units is limited to meal times.

Recommendations

- The Prison Manager should reinforce the P.C.O1 complaint process with managers and staff to ensure prisoners have the opportunity to make a complaint without fear of repercussion or reprisals.
- In keeping with all the other units in the Prison, the Upper Prison cells should have curtains.
- The majority of the mattresses in the Units need to be replaced and there should be an auditable renewal process in place.
- The shower facilities in the Units need to be upgraded without delay.
- Exercise yards should have sufficient seating for the number of prisoners using them.
- Prisoners should not be locked in their cells if they decline to go outside, or if exercise has been cancelled because of inclement weather.

- There needs to be greater opportunities for prisoners to associate / have recreation in the Units, other than at meal times. This should include access to the gymnasium and library facilities.

Consultation

5. A draft copy of this report was forwarded to Prison Services National Office for comment as to fact, finding or omission prior to finalisation and distribution. General Manager Prison Services' comments have been included below.

Prison Services' comments

Thank you for the opportunity to comment on the above report. I note that a number of positive findings have been reported and that there was no evidence that any prisoner has been subject to treatment that might have contravened the Crimes of Torture Act (COTA) 1989.

The report makes seven recommendations which I will address individually.

- a) *The Prison Manager should reinforce the P. C. 01 complaint process with managers and staff to ensure prisoners have the opportunity to make a complaint without fear of repercussion or reprisals.*

All staff in the Upper Prison Units have been informed that although general complaints are to be managed at the lowest level, the PC.01 complaint process must also be utilised when appropriate. Staff have been informed that prisoners must be given the opportunity to make a complaint through the PC. 01 process if they wish to do so.

All prisoners are informed on induction of the need for their behaviour to be of an acceptable standard. They are also informed that if their behaviour is unacceptable, their segregation status may be reviewed and their placement reconsidered.

- b) *In keeping with all the other units in the Prison, the Upper Prison cells should have curtains.*

Discussions are underway with s9(2)(b)(ii) on the best way to install curtains in the Upper Prison. Once an agreement is reached, curtains will be ordered and installed in the Upper Prison cells. It is anticipated that this will be completed within six months.

- c) *The majority of the mattresses in the Units need to be replaced and there should be an auditable renewal process in place.*

The Upper Prison has mattresses in storage and the renewal process has already commenced. Prisoners who have medical problems and have a recommendation from Health staff have access to a second mattress. Checking the condition of mattresses is part of daily cell inspection and regular cell searches.

d) *The shower facilities in the Units need to be upgraded without delay.*

A Refurbishment of the showers has been approved and upgrade work has commenced this week. s 9(2)(b)(ii) contractors have already inspected the areas requiring repair work and confirmed materials have been received and the project is on target.

e) *Exercise yards should have sufficient seating for the number of prisoners using them.*

Hexagonal shaped outdoor seats have been placed in the yards, ensuring sufficient seating is provided.

f) *Prisoners should not be locked in their cells if they decline to go outside, or if exercise has been cancelled because of inclement weather.*

Routines will be altered within a month to allow extra wing time for all prisoners in the wing to assist them with their daily needs, association with other prisoners and to have more recreation time. Staff will still maintain oversight in this area and make changes as required.

g) *There needs to be greater opportunities for prisoners to associate / have recreation in the Units, other than at meal times. This should include access to the gymnasium and library facilities.*

The unit Gymnasium is currently being cleared of all stored staff uniforms and will be made available for prisoner use. The Prison provides a weekly library service and prisoners are aware of the process of issue and return of library books. A Library catalogue is available in the wing and forms to order books are located in the wing office.

Fact page

Rimutaka Prison

Rimutaka Prison is in Upper Hutt, north of Wellington. It is one of New Zealand's largest prisons accommodating minimum to maximum security male prisoners.

The prison was opened in 1967 (Upper Prison) and was originally called Wi Tako. It has grown substantially in recent years and opened the country's first container-cell unit in 2010.

It has a number of specialist units which provide long and intensive rehabilitation programmes aimed at specific causes of offending including:

s 6(c) (formally called the Violence Prevention Unit)

Drug Treatment Unit

s 6(c)

s 6(c)

Work is underway to open the country's first high dependency unit (unit 10) for those prisoners who struggle with carrying out activities of daily living.

The Upper Prison is a high / medium security facility currently housing voluntary segregated prisoners. It has four units; unit one, two, three and four. Each unit can hold 28 prisoners in individual cells. Units one and two are currently closed. The Upper Prison has its own separates area, workshops, exercise yards, visits room and gymnasium. Staff and visitors enter and exit through a separate gate house to the main prison.

The Prison employs around 540 staff.¹

Region

The Prison is part of the Prison Services' Lower North Island region

Operating capacity

942 (including 112 in the upper prison)

Last inspection

¹ Department of Corrections website.

Unannounced inspection September 2012 (Upper Prison only)

Announced follow-up inspection January 2011 (container-cell unit only)

Announced inspection April 2010 (container-cell unit only)

The Visit

1. Rimutaka Prison (the Prison) was visited on 12, 13 and 27 September 2012. The visit was conducted by Inspectors Greg Price and Jacki Jones.² They were assisted by Alex Schroder and Lucie Trask from the Ombudsman's Office and Nick Hartridge from the Independent Police Conduct Authority (IPCA). The focus of the inspection was the Upper Prison; units three and four (the Units).

Visit methodology

2. The Inspectors requested that some information be made available during or after the visit. This included:
 - The number of restraint incidents for the previous six months
 - The number of complaints for the previous six months
 - The number of incident reports for the previous six months
 - The number of prisoners placed on directed segregation for the previous six months and the related paperwork
 - Control and restraint refresher training registers for the Unit staff
 - Minutes of staff meetings for the previous three months
 - Copy of the recently published staff survey results and any action plans
3. At the commencement of the visit the Inspectors met with the Prison Manager, Richard Symonds, before making their way around the site. On the day of the visit there were 55 prisoners in units three and four.
4. Whilst it is not always possible for the Inspectors to examine all aspects of detention during the visit, the following areas were examined on this occasion.³

Treatment

- Torture, or cruel, inhuman or degrading treatment
- Restraints
- Segregation

Protective measures

- Prisoner interviews
- Complaints process

² Acting under delegation of the National Preventive Mechanism (NPM) Chief Ombudsman Beverley A Wakem and Ombudsman David McGee.

³ Our inspection methodology is informed by the Association for the Prevention of Torture's Practical Guide to Monitoring Places of Detention (2004) Geneva, available at www.apt.ch.

Material conditions

- Accommodation
- Sanitary conditions
- Food services

Regimes and activities

- Outdoor exercise
- Work and leisure activities

Treatment

Torture or cruel, inhuman or degrading treatment

5. There was no evidence that any prisoners had been subject to torture, or cruel, inhuman or degrading treatment in the six months preceding the visit.

Restraints

6. There were no use of force incidents in the Units for the previous six months.

Seclusion

7. There was only one prisoner placed on directed segregation (in the separates unit) in the six months prior to the inspection. The necessary paperwork was completed to a high standard. The prisoner concerned was moved there from the main prison and not as a result of an incident in the Upper Prison.
8. The separates area (management unit) has four punishment cells and four management cells. All cells have their own exercise yard, heating, ventilation and toilet facilities (see photographs below). All areas were clean and tidy, although cells have a large amount of graffiti in them.

s 6(c)



Separates unit

Separates cell

9. There is one shower for eight prisoners.
10. Prisoners have access to a telephone, upon request.
11. The Inspectors had no concerns with the use of restraint and segregation in the Units.

Recommendations - Treatment

- I have no recommendations to make.

Protective measures

Prisoner interviews

12. There were 55 prisoners in the Units on the day of the visit and the Inspectors interviewed 47 (85 per cent) of them. Two prisoners declined to be interviewed. A series of structured questions designed to give the National Preventive Mechanism (NPM) an idea of how prisoners felt they were being treated in the Prison were put to each prisoner; their responses can be found in appendix one.
13. Generally, the prisoners felt they were treated with respect by most staff (76 per cent). However, 66 per cent said they did not feel they were able to turn to a member of staff if they had a problem.
14. More prisoners than not said they felt safe in the Prison (70 per cent), although a large number (68 per cent) said they had been victimised by another prisoner or group of prisoners whilst in the Prison.

Complaints process

15. The Visiting Team was provided with a printout of all the PC.O1 complaint forms for the period 18 March – 18 September 2012. There were a total of 27 complaints from 10 prisoners during the period. Fifteen (55 per cent) related to requests for information. The Inspector checked ten complaint forms and noted the managers' responses and response times. All responses were appropriate and forms were returned to the prisoners in a timely manner.
16. Of the 25 per cent of prisoners who made a complaint, only 12 per cent said they felt complaints were dealt with fairly, although 83 per cent felt complaints were dealt with promptly, which reinforces the Inspectors' findings.
17. During the prisoner interviews, 25 per cent of prisoners stated that they had made a complaint whilst being in the Units. Of the 75 per cent who had not made a complaint, 68 per cent said there was no point complaining because staff would threaten to

transfer them to another prison or take them off segregation. The Inspectors advised those prisoners to speak with the Residential Manager or the Prison Manager if they felt their complaints were not being addressed. However, 96 per cent of the prisoners said they did not know and had not seen the Residential Manager since arriving in the Units, and 100 per cent said they did not know and had not seen the Prison Manager.

18. The Inspectors were concerned with the number of negative comments made by prisoners about the complaints process, especially the alleged threats of transfer or removal from segregation if a complaint was pursued. They also observed a lack of senior management presence in the Units throughout the inspection.
19. Overall, it was not possible for the Visiting Team to conclude that the formal complaints process functioned satisfactorily in the Units.

Recommendations – Protective measures

- The Prison Manager should reinforce the P.C.O1 complaint process with managers and staff to ensure prisoners have the opportunity to make a complaint without fear of repercussion or reprisals.

Material conditions

Accommodation

20. Although old and dated, the Units and cells were clean and tidy and free from graffiti. However, space is limited, with small, cramped cells and limited recreational areas. Cells have their own toilets and hand washing facilities and offer a degree of privacy. However, cells do not have curtains and prisoners complained that the security lighting keeps them awake at night (see photographs below).

s 6(c)



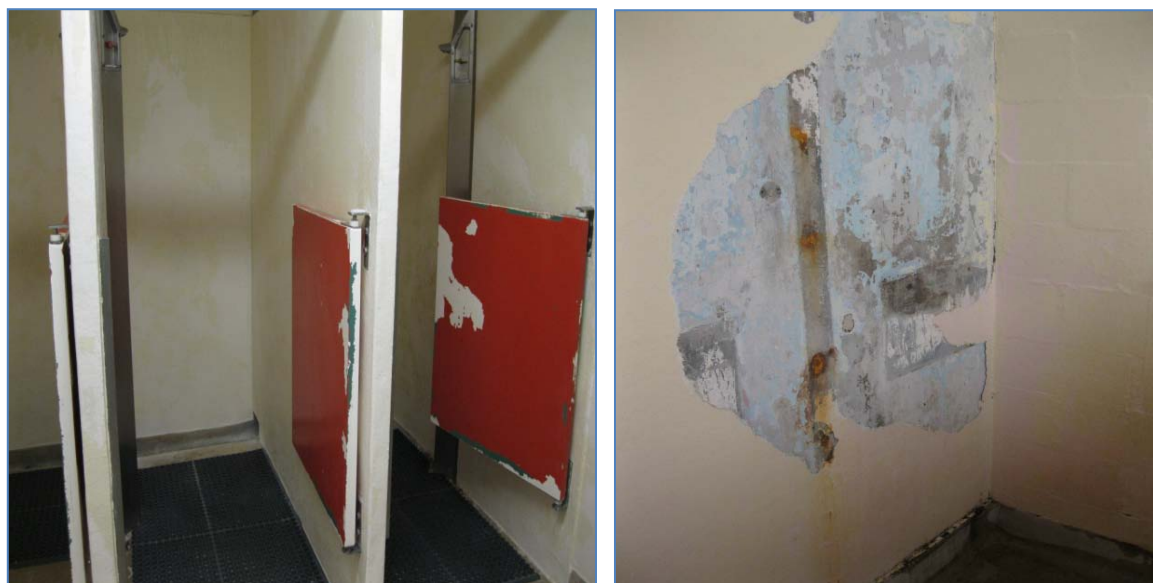
21. Many mattresses observed by the Visiting Team were substandard and needed replacing. Some prisoners were using more than one mattress to compensate for their compressed one.

22. When questioned, all prisoners said they had weekly access to clean bedding and clothing.

Sanitary conditions

23. Each Unit has three showers servicing 28 prisoners (see photographs below). The showers had no ventilation or natural light. There was mould on the ceilings and floors, peeling paint on the walls and rotten woodwork. Despite several requests by managers to get them upgraded they remain in a desperate state of repair and a serious health and safety risk.

24. Eighty nine per cent of prisoners stated that they could have a daily shower.



Shower facilities

Food

25. Thirty four per cent of prisoners stated that the food was good, 28 per cent said it was bad and 38 per cent said that it was neither good nor bad.

26. During the inspection process the food was observed by the Visiting Team on both days who found it to be presentable and sufficient in quantity.

27. The Inspectors had no concerns with the quality and quantity of food services for prisoners in the Units.

Recommendations – Material conditions

- In keeping with all the other units in the prison, the Upper Prison cells should have curtains.

- The majority of the mattresses in the Units need to be replaced and there should be an auditable renewal process in place.
- The shower facilities in the Units need to be upgraded without delay.

Regimes and activities

Outdoor exercise

28. All the prisoners spoken to confirmed that they have the opportunity for outdoor exercise if they choose, and receive considerably more than their minimum entitlement. However, as observed by the Visiting Team, not all the exercise yards had sufficient seating for the number of prisoners, which was particularly difficult for those elderly and infirm prisoners who have to stand for long periods.

Work and leisure activities

29. Not including the cleaners, prisoner employment in the Units is limited to the recycling shop and clothing store (between 6 and 10 prisoners) with a few prisoners completing in-cell education activities (mainly art work).
30. Prisoners' cells are unlocked at 08.15am in order to enable them to have breakfast, take showers, clean cells, make telephone calls and use the recreational facilities (pool table, table tennis etc). When asked if they have problems getting access to the telephone, 68 per cent of prisoners claimed they did.
31. From 9am until 11am prisoners are required to go into the exercise yards. Prisoners who do not wish to go out are locked in their cells until lunch time (known as yard or lock). The process is repeated after lunch, yard or lock from 1.15pm until 4pm.
32. With the exception of the prisoners who go to work, the Inspectors observed all but two prisoners locked in their cells on one particular day, because it was raining. The two prisoners not locked in their cells were out in the yards.
33. Generally lock down is at 4.45pm until 08.15am the following day.
34. Association / recreation time in the Units is limited to meal times.
35. When asked, 66 per cent of prisoners said they get more than six hours out of their cell on a weekday, if they choose. However, only 34 per cent claim to be currently involved in any work / education / or programmes.
36. Although there is a gymnasium in the Upper Prison no prisoners have access to it. Management informed the Visiting Team that it is currently out of order.

37. Whilst the Visiting Team observed a small selection of books in the Unit, 77 per cent of prisoners said they do not get access to a weekly library service.

Recommendations – Regimes and activities

- Exercise yards should have sufficient seating for the number of prisoners using them.
- Prisoners should not be locked in their cells if they decline to go outside or if exercise has been cancelled because of inclement weather.
- There needs to be greater opportunities for prisoners to associate / have recreation in the Units, other than at meal times. This should include access to the gymnasium and library facilities.

General observations

38. With the exception of ^{s 6(c)} [REDACTED], all areas visited during the inspection were clean and tidy and reasonably well maintained. ^{s 6(c)} [REDACTED] had a new manager who was very enthusiastic about his plans for the unit. Unfortunately, his and our frustration was the amount of graffiti in the unit. Whilst the unit had been identified for a repaint, this had been put on hold, which is disappointing.
39. The grounds are well tended and maintained.
40. The gatehouse staff were courteous and professional in dealing with both visitors and staff entering and exiting the site.
41. Although this inspection focused on the Upper Prison, the Visiting Team also took the opportunity to walk around the main site, including ^{s 6(c)} [REDACTED]. They would like to thank all the staff who took the time to engage with them and for their open and frank discussions.
42. Whilst staff were generally happy in their particular unit, they felt unsupported by managers and frustrated with the level of communication coming down from above. From the Visiting Team's observations over the two days, and with the exception of ^{s 6(c)} [REDACTED] and the Upper Prison, they did not see a middle manager or senior manager in any of the areas they visited.
43. Sixty eight per cent of prisoners when interviewed said they had problems accessing the telephone in the Unit and 54 per cent said they had experienced problems sending or receiving mail. Managers should take a look at these issues.
44. Seventy per cent of prisoners said they had problems accessing stored property. Again, management should follow this up.

Acknowledgement

45. I appreciate the full co-operation extended by the manager and staff to the Inspectors during their visit to the Prison. I also acknowledge the work that would have been involved in collating the information sought by the Inspectors.

A handwritten signature in black ink that reads "Beverley A. Wakem". The signature is written in a cursive style with a large initial 'B' and a long, sweeping tail on the 'k'.

Dame Beverley Wakem DNZM, CBE
Chief Ombudsman
National Preventive Mechanism

Appendix 1: Prisoner interviews

Rimutaka Prison

Unit: Upper Prison Units 3 & 4 Date: 12 & 13 September 2012

Sentenced: 47 interviewed (55 in the units)

Remand: Nil

Respectful custody

Q1. Are you normally offered enough clean, suitable clothes for the week?

Yes: 100%

No: -

Q2. Are you able to shower every day?

Yes: 89%

No: 11%

Q3. Do you normally receive clean sheets every week?

Yes: 100%

No: -

Q4. Do you normally get cell cleaning materials every week?

Yes: 89%

No: 11%

Q5. Can you normally get your stored property, if you need to?

Yes: 70%

No: 30%

Q6. What is the food like here?

Good: 34%

Bad: 28%

Neither: 38%

Q7. Have you made a complaint (PCO1)?

Yes: 25%

No: 75%

Q8. Is it easy or difficult to get a complaint form?

Easy: 28%

Difficult: 72%

Q9. Do you feel complaints are dealt with fairly?

Yes: 12%

No: 88%

Q10. Do you feel complaints are dealt with promptly?

Yes: 83%

No: 17%

Q11. Do you know or have you seen your Residential Manager since arriving in the Unit?

Yes: 4%

No: 96%

Q12. Do you know or have you seen the Prison Manager since arriving in the Unit?

Yes: -

No: 100%

Safety

Q11. Do you feel unsafe in this prison at the moment?

Yes: 30%

No: 70%

Q12. Have you ever felt unsafe in this prison?

Yes: 38%

No: 62%

Q13. Have you been victimised by another prisoner or group of prisoners here?

Yes: 68%

No: 32%

Q14. Is there a member of staff you can turn to for help if you have a problem?

Yes: 34%

No: 66%

Q15. Do MOST staff treat you with respect?

Yes: 76%

No: 24%

Health

Q16. How easy or difficult is it to see the doctor?

Easy: 28%

Difficult: 72%

Q17. How easy or difficult is it to see the dentist?

Easy: 36%

Difficult: 64%

Q18. How easy or difficult is it to see the nurse?

Easy: 77%

Difficult: 23%

Q19. What do you think of the quality of the health service?

Good: 28%

Bad: 26%

Neither: 46%

Q20. Do you consider yourself to have a physical disability?

Yes: 51%

No: 49%

Q21. Do you feel you have any emotional well being/mental health issues?

Yes: 53%

No: 47%

Purposeful activity

Q22. On average, do you get more or less than six hours out of your cell on a weekday?

More: 66%

Less: 34%

Q23. Have you had problems with sending or receiving mail?

Yes: 54%

No: 46%

Q24. Have you had problems getting access to the telephone?

Yes: 68%

No: 32%

Q25. Can you access the gym at least once a week?

Yes: -

No: 100%

Q26. Can you access the library service at least once a week?

Yes: 23%

No: 77%

Q27. Do you have access to at least one hour outside exercise a day, if you choose?

Yes: 100%

No: -

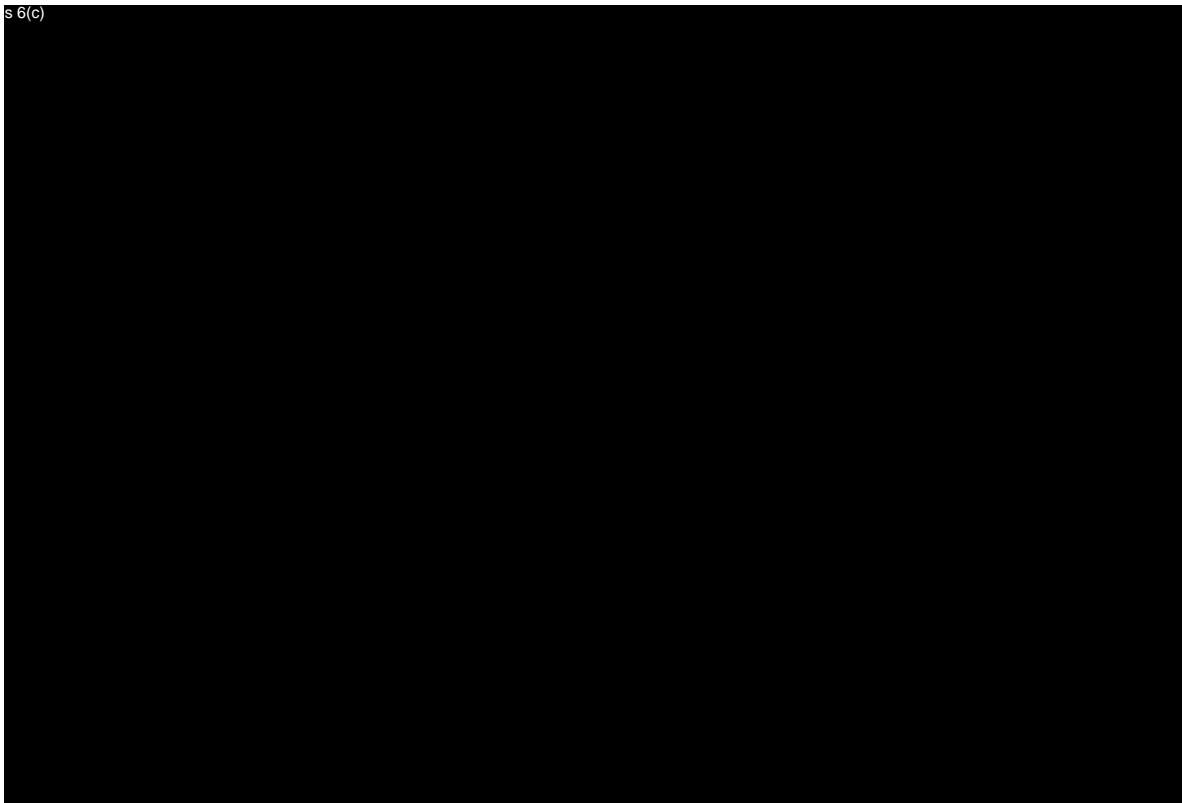
Q28. Are you currently involved in any work/ education/ or programmes?

Yes: 33%

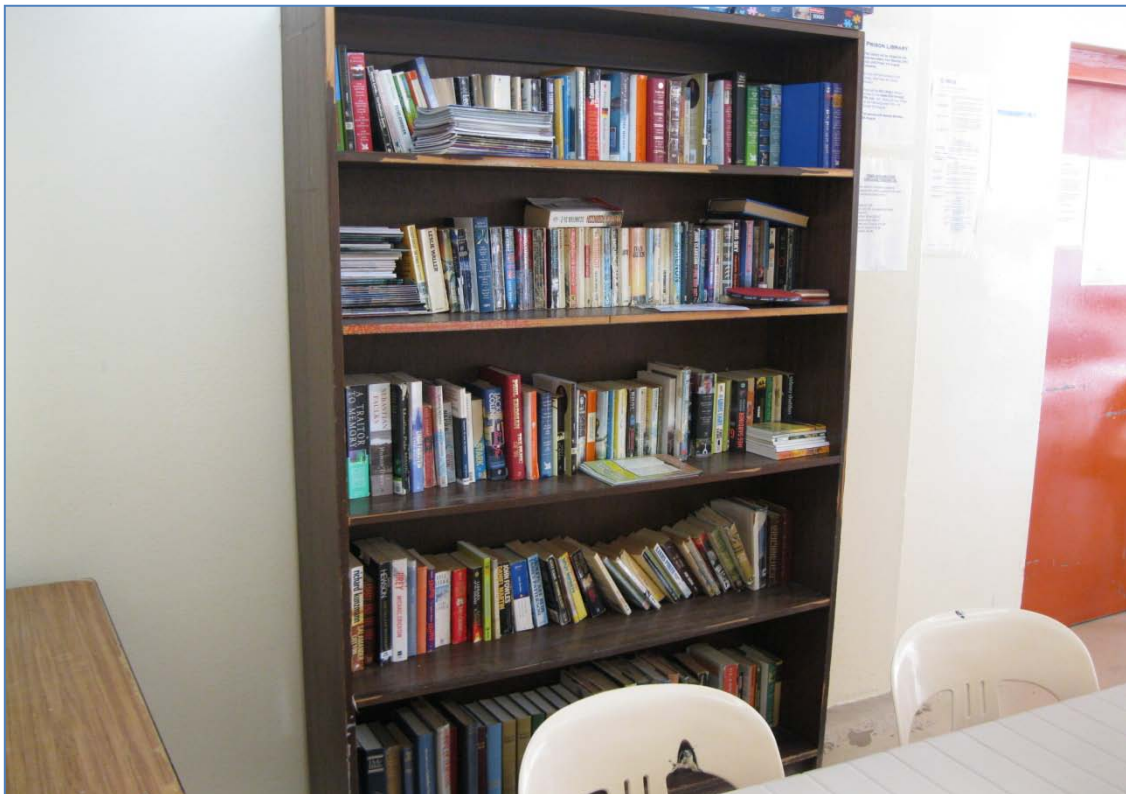
No: 66%

Appendix 2: Photographs

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Association / recreation area



Small selection of books in the Unit

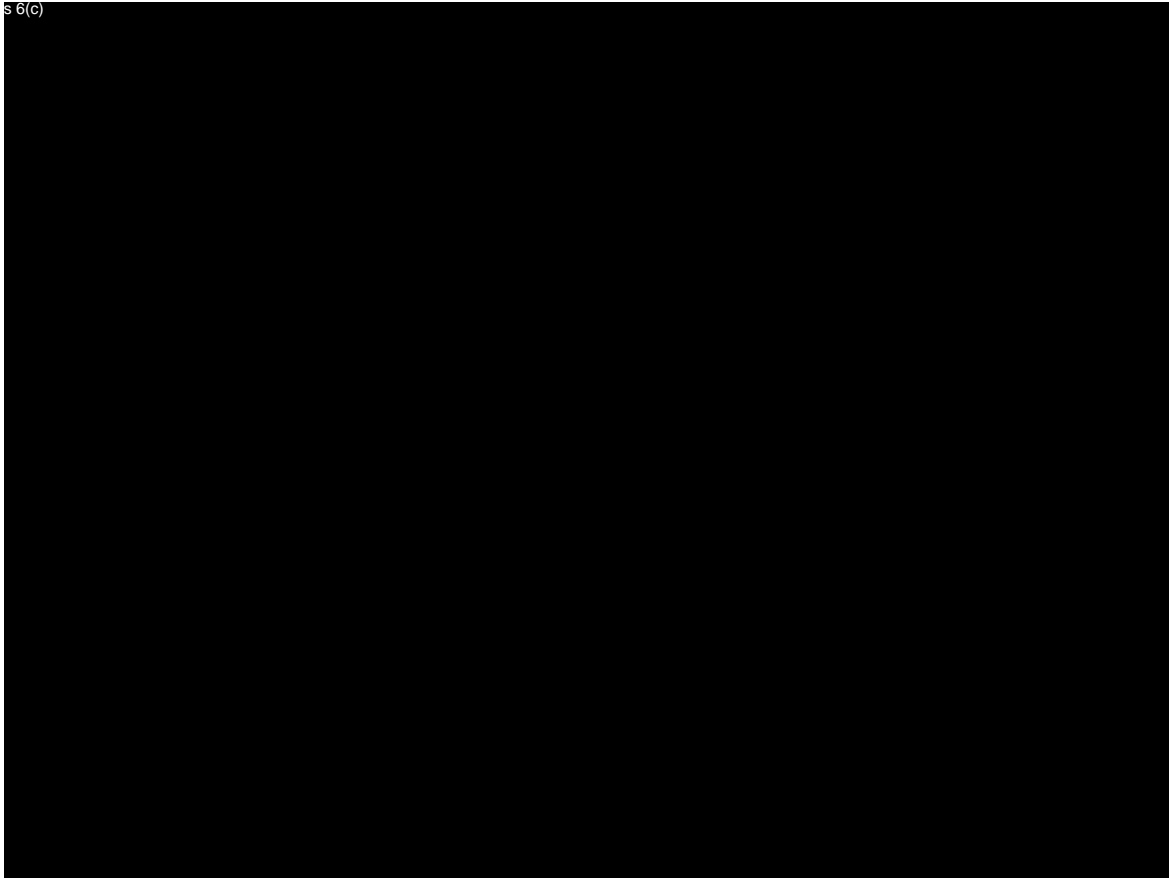


Evening meal



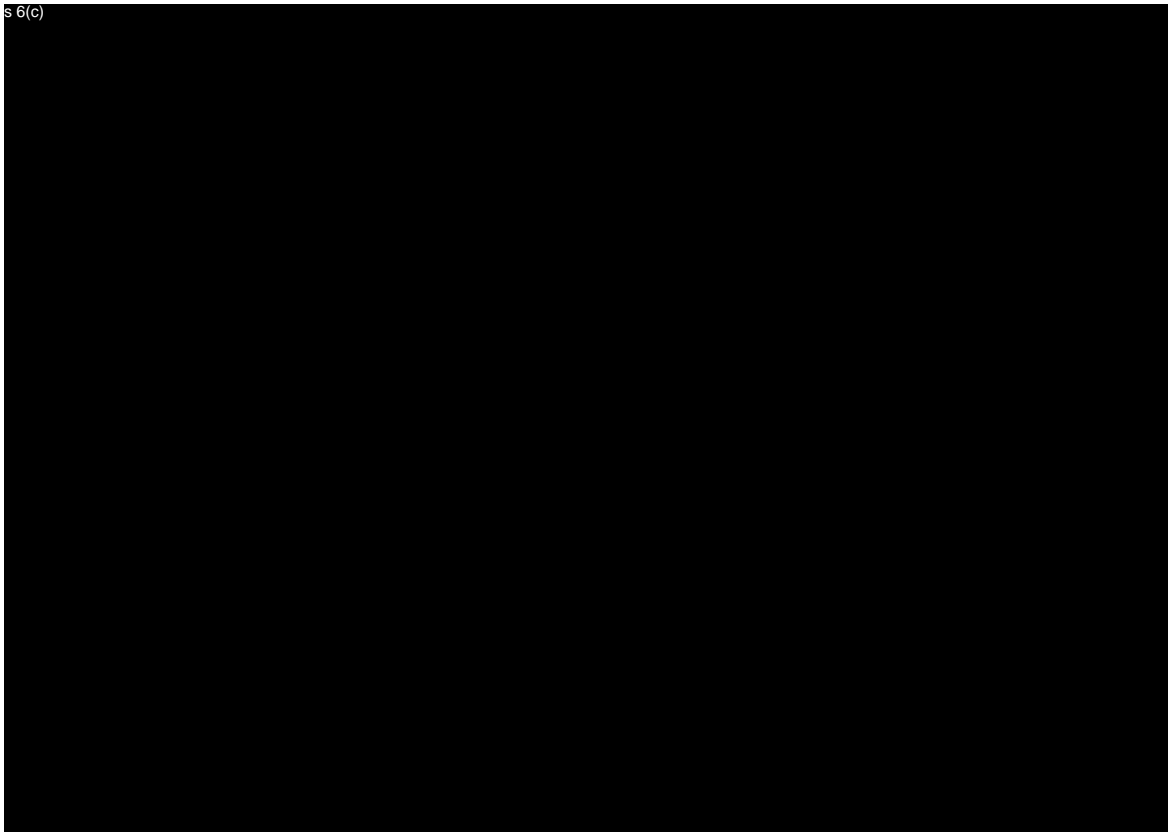
Lunch time meal (one of three sandwiches)

s 6(c)



One of four exercise yards (with adequate seating)

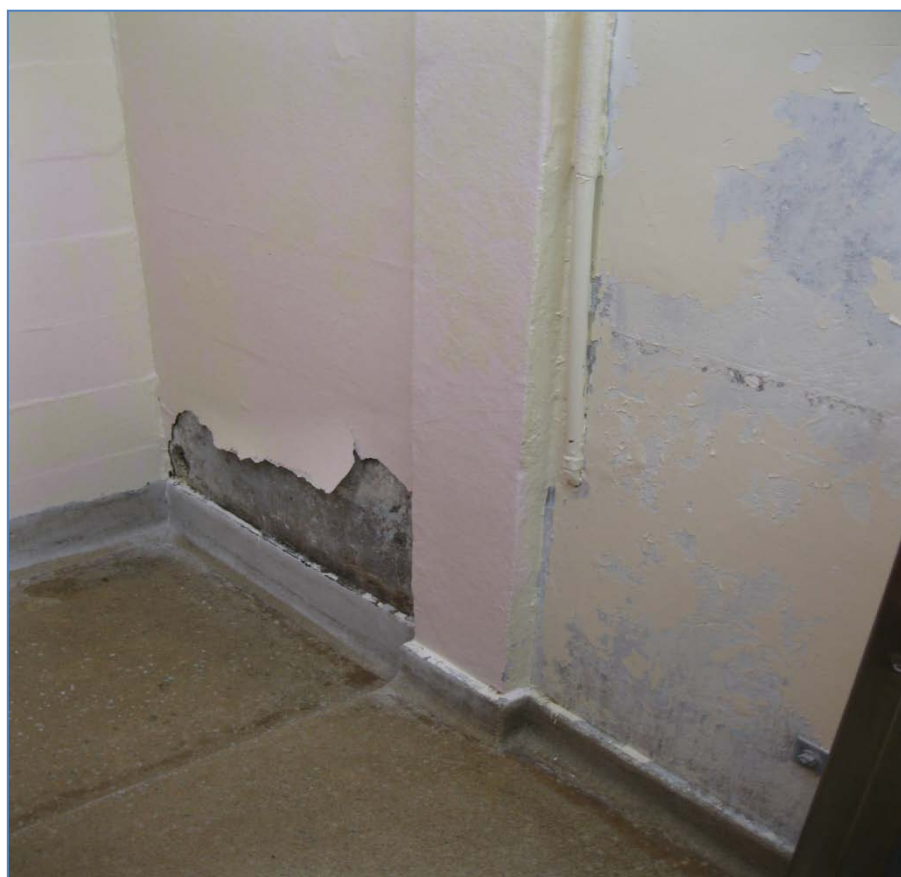
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Visits room



Parts of the prison are showing their age



Appendix 3: Overview of OPCAT – Prisons

1. In 2007 the New Zealand Government ratified a United Nations convention called the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (*OPCAT*). The objective of OPCAT is to establish a system of regular visits undertaken by an independent national body to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment.
2. The Crimes of Torture Act 1989 (*COTA*) was amended by the Crimes of Torture Amendment Act 2006 to enable New Zealand to meet its international obligations under OPCAT. Section 16 of COTA defines a “*place of detention*” as:

“...any place in New Zealand where persons are or may be deprived of liberty, including, for example, detention or custody in...

 - (a) *a prison*
 - (c) *a court cell.*
3. Pursuant to section 26 of COTA, an Ombudsman holding office under the Ombudsmen Act 1975 was designated a National Preventive Mechanism (NPM) for certain places of detention, including prisons and court cells.
4. Under section 27 of COTA, an NPM’s functions, in respect of places of detention, include:
 - to examine the conditions of detention applying to detainees and the treatment of detainees; and
 - to make any recommendations it considers appropriate to the person in charge of a place of detention:
 - for improving the conditions of detention applying to detainees;
 - for improving the treatment of detainees;
 - for preventing torture and other cruel, inhuman or degrading treatment or punishment in places of detention.
5. To facilitate the exercise of their NPM functions, the Ombudsmen have delegated their powers to inspect places of detention to an Inspector (COTA). This is to ensure that there is a separation between the Ombudsmen’s preventive monitoring function under OPCAT and the Ombudsmen’s investigation function under the Ombudsmen Act by using separate visits and staff for each function.

Appendix 4: Process of site visits

1. Under COTA, NPMs can visit, at regular intervals or at any other time the NPM may decide, any place of detention for which it is designated. Site visits can be unannounced.
2. Until, or unless, the Inspector has information that would warrant a specific visit to be unannounced, it is expected that sites will be given notice of an impending visit to facilitate the provision of any information required by the Inspector.
3. As part of the visit preparation, the Inspector may request some information beforehand and request that other information be provided at the time of the visit.
4. At the commencement of each site visit, there will normally be a meeting with the manager of the unit, or that person's delegate, during which the Inspector will indicate how the visit should proceed.
5. During the visit, informal interviews and discussions will be undertaken with staff and detainees, and a tour of the facility, preferably in its entirety, should take place.
6. Because of the wide scope of issues to be considered, it may not be possible to address them all during each visit. Accordingly, visits could focus on one or more of the following areas:
 - reception areas;
 - isolation facilities (such as management units, punishment areas, and segregation facilities);
 - sanitary facilities;
 - cells/accommodation;
 - medical facilities;
 - accuracy of relevant documentation; and
 - a review of any matters drawn to the attention of the Visiting Team prior to the visit or during the visit.
7. Visits will be followed by a report by the NPM which will include findings and recommendations (if any) aimed at improving the treatment and conditions of detention of persons deprived of their liberty. Implementation of any recommendations will be closely monitored.

Appendix 5: Standards relevant to a prison or court cell against which they will be measured

1. There are a number of Acts which can result in someone being detained in a prison or a court cell, including:
 - Criminal Justice Act 1985
 - Corrections Act 2004
 - Immigration Act 1987
 - Sentencing Act 2002
2. Some of the key issues to be examined during a visit could include treatment, protection measures, material conditions, regimes and activities, medical services and personnel.
3. Article 1 of OPCAT explains that the objective of OPCAT is to *“establish a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment.”*

The purposes of the monitoring and reporting regime include:

1. *“...strengthening, if necessary, the protection of [detainees] against torture and other cruel, inhuman or degrading treatment or punishment”* (article 4.1 OPCAT refers); and
2. *“...improving the treatment and the conditions of the persons deprived of their liberty and to prevent torture and other cruel, inhuman or degrading treatment or punishment, taking into consideration the relevant norms of the United Nations”* (article 19(b) OPCAT refers).

Part 2 of the Crimes of Torture Act, which relates to the prevention of crimes of torture, makes it clear that one of the purposes of the Act is to enable New Zealand to meet its international obligations under OPCAT (section 15 Crimes of Torture Act refers).