



Part 5

Appendices



REPORT UNDER SECTION 190 OF THE CORRECTIONS ACT 2004

Section 190 of the Corrections Act 2004 prescribes particular issues that must be reported on in the Department's Annual Report. These issues and the Department's achievements in the period from 1 July 2005 to 30 June 2006 are detailed below.

S190(1)(a)

This aspect reports on how the Chief Executive has carried out his functions under section 8(1)(k), of ensuring that processes are established and maintained to identify communities significantly affected by policies and practices in the corrections system, and giving opportunities for those communities to give their views on those policies and practices, and ensured those views were taken into account, together with information on how prison managers have carried out this responsibility.

Regional Managers are required by the General Manager of the Public Prisons Service to engage with local communities on a regular basis. The processes established to assist engagement are described in the following publications:

- Public Prisons Service manuals and guidelines
- Release of Official Information: Guideline for Coordination
- Consultation requirements as set by local authorities
- Performance management system.

The major issues for the Public Prisons Service requiring consultation with community organisations during 2005/06 included:

- the construction and opening of new corrections facilities
- the transfer of existing facilities out of a community
- changes to existing operations and facilities.

Through staff and community networks, public meetings, hui, and the media; opportunities were made available for community involvement to identify issues that could both positively and negatively impact on a community, provide opportunities for positive contributions by a community, to pass on information regarding departmental and prison activities; and to ensure that the Department complied with legislative requirements.

S190(1)(b)

This aspect reports on the work undertaken by inspectors of prisons, including statistical information about the disposition of complaints and comment on issues arising from complaints or visits.

The Prison Inspectorate was first established in 1954 under the provisions of the Penal Institutions Act of that year. The legislation established a dedicated complaints resolution, investigation and general assurance function, reporting directly to the Chief Executive independently of prison line management. The level of statutory protection afforded to the Inspectors' role and reporting level was in direct recognition of the high level of risk attached to prison management and the need to provide a level of legislative protection for the Inspector's functions. That arrangement was retained upon the devolution of sentence management functions to the new Department of Corrections in 1995 and has also been reflected in the provisions of the Corrections Act 2004. The major change for the Inspectorate arising out of the 2004 legislation is

the formal extension of the Inspectors' role to cover community-based sentences in addition to the traditional prison focus.

This is the second formal report prepared by the Senior Inspector since the Corrections Act 2004 came into force. As anticipated, community-based sentences have generated a very low volume of complaints to the Inspectors, with only six being received in the year. None of these complaints was upheld. The reasons for the low volume are twofold. Firstly, the Community Probation Service has traditionally had a robust internal complaints process in place for offenders. As a result, offender issues are effectively resolved at operational level. Secondly, community-based offenders are able to carry on with their normal lives while serving their sentences. They therefore have ready access to their normal support networks, and the coercive power of the State is significantly less immediate than would be the case were they serving a sentence of imprisonment. This report therefore deals primarily with prison-related matters.

Despite a slight drop in the volume of complaints to the Inspectorate towards the end of 2004/05, the year 2005/06 has been another record year in terms of prisoner contacts with and complaints to the Inspectorate. Prisoners sought 5,754 contacts with the Inspectors during 2005/06. This figure includes some 600 interviews conducted during routine prison visits, but the bulk of prisoner contacts are now through the Inspectors' direct 0800 telephone service for prisoners

and their families. Not all prisoner contacts generate complaints. Many prisoners are simply seeking advice, information, or assurance that they have been managed appropriately. However, 3,589 formal complaints were dealt with by the Inspectors during the year. This figure is the highest since these statistics were first collected in 1997. This is due in large measure to the increase in the prison population over that time, although it is noted that while complaint numbers have doubled since 1 July 2000, the prison population has risen by only a third in that time. The increase in complaint volume is therefore far in excess of the increase in prison population. As noted in the 2004/05 report, high prisoner levels and the resultant increase in prisoner movements of themselves generate tensions among staff, prisoners and their families alike. That inevitably results in a higher incidence of complaint.

The definition of what constitutes a justified complaint was changed at the start of the 2005/06 year. This has had the effect of lowering the threshold of what constitutes a justified complaint. A complaint is now defined as justified if it requires the intervention of an Inspector in order to achieve the appropriate outcome for the prisoner concerned. Despite the high volume of complaints to the Inspectors, the incidence of justified complaints remains relatively low. There were 114 justified complaints to the Inspector during the year. This represents 3.2% of the total number of complaints received. Given the change in definition, comparison of the number of justified complaints with the numbers in previous years is not possible.

A number of areas have been drawn to management's attention during the year, arising out of the Inspectors' complaints activity. The most significant of these are as follows:

- There is a continuing high incidence of prison property complaints. Property complaints also generated the second highest incidence of justified complaints at 5.6%. As noted in my previous report, the

property management systems themselves appear adequate provided they are properly implemented. Many property complaints could be avoided by greater care in itemising property, and ensuring that prisoners have adequate time to check and sign for property during transfer movements. It is my view, however, that as long as the present range and volume of personal property is permitted in our prisons, errors in property handling are likely to remain a concern. This is particularly so while prison population pressure necessitates the current high level of prisoner movements. Attractive items of personal property within a prison also have a significant potential for victimisation and peer pressure among prisoners. It may be timely for the Department to consider carrying out a comprehensive review of prisoner property and clothing with a view to reducing handling errors and compensation costs, and enhancing prisoner safety.

- Of equal concern, however, is the category of staff conduct and attitude. The Inspectors received 214 complaints in this category during 2005/06. 4.5% of complaints in this category were found to be justified during 2005/06. (There are no comparable figures for 2004/05 because of the revised definition for justified complaints as from 1 July 2005). The nature and dynamics of prisons require a constant, consistent and ongoing management presence right down at unit floor level in order to monitor and reinforce the desired behaviours. The time demands placed on today's prison managers, particularly in investigating incidents, complaints and allegations, and in dealing with the effects of constant change rarely allow this ideal to be achieved.

The Inspectorate's visiting programme includes a number of system reviews which focus on those areas of prison activity that generate the greatest level of risk to safe, fair and humane

treatment. There were four areas of focus review undertaken during the year. These were:

- the use of force
- the system for identifying and managing prisoners at risk to themselves
- the prisons' internal complaints system
- the arrangements prisons have in place to ensure regular specialist sanitation and hygiene inspections are carried out and any issues arising are addressed.

The results of these reviews were as follows:

- A reasonable level of assurance can be given that the required system for managing the use of force is in place and being operated in practice. Some minor recording matters were drawn to management's attention at some sites but in general use of force incidents were well documented. In particular there was good evidence that prisoners were given every reasonable opportunity to comply with a lawful order before force was used.
- A reasonable level of assurance can be given that the required system for managing prisoner complaints at prison site level is in place at each prison. Some consistent shortcomings were noted, however, in its implementation. These included:
 - Interview/Complaint forms were not readily available to prisoners at some sites.
 - Some sites were using unofficial 'forms' instead of the required Interview/Complaint form.
 - A receipt was not always given to prisoners immediately an Interview/Complaint form was submitted.
 - The timeframes for logging Interview/Complaint forms into the IOMS system were not always met.
 - The timeframes for dealing with complaints were not always met.
 - A number of complaints,

while properly resolved, were incorrectly classified as 'interviews'.

- A reasonable level of assurance can be given that the system for identifying and managing prisoners at risk to themselves is in place and being operated in practice. However, despite some improvement in this aspect over the year, there is still a need for all available information to be included when carrying out prisoner risk assessments. This applies to file information, pre-sentence information, and information from other sources within the prison such as medical.

In addition to their role in complaints resolution, the Inspectors have undertaken 15 full investigations of significant prison incidents, including 13 deaths in custody. The Inspectors have also monitored the conduct and outcome of internal prison investigations into other prisoner related incidents and allegations.

The most consistent areas of concern arising out of the investigations and monitoring assignments carried out by the Inspectors during 2005/06 were in relation to:

- The need for staff to carry out an adequate level of supervision, observation and routine security checking of prisoners.
- The need for assessing staff to carry out an adequate level of cross-matching of information when completing prisoner self-harm risk assessments.
- The need for staff to report all incidents in a timely fashion, and for reports to be submitted by all staff who are involved in an incident.

It is disappointing to note that some of these areas were also noted in my previous report.

As with the matters arising out of the Inspectors' complaints activities and routine visits, these areas of concern are the subject of adequate and well-proven systems, instructions and procedural requirements. The

issues identified are more about the compliance in practice with those systems, and the provision of adequate management resources to ensure that the required standards are maintained.

The Department of Corrections has seen some sweeping changes in its strategic direction, its structure and its management systems since its beginnings in 1995. All of this has been necessary, but it has resulted in ten years of constant change. Along with these internal changes, the Department has also reflected the changes that have occurred in society at large. Not the least of these has been an unprecedented level of external scrutiny. While these changes have been necessary, they have inevitably distracted attention from the day-to-day basic prison operation. I believe there is a need for the Department to re-focus on these basics so as to ensure a strict adherence to policies and sound operating practice at prison unit level. In order to achieve that, it will be necessary to provide sufficient management resources to adequately monitor what is going on in the prison units on a day-to-day basis.

The Inspectorate has reported progressively throughout the year on the matters arising out of their various activities to operational management, the Chief Executive and the Assurance Board. It is encouraging to note the positive response at all levels to the findings and recommendations that have been made, and the genuine desire of everyone involved to get it right.

Prisons are difficult and often dangerous places. Their very dynamics will inevitably generate incidents and the unexpected. That makes them an easy target for criticism and generalisation which in turn can be extremely demoralising and destructive for staff and management who are constantly under pressure and trying to do their best. I believe, however, that despite the certainty that amid the thousands of contacts, transactions, movements and interactions that take place in every prison on every day of every year incidents will happen.

The Department can be proud of the general quality of its services, and the level of dedication shown by the majority of staff and managers.

Section 190(1)(c)(d)(e)

This aspect describes the processes and systems in place to supervise and control the monitoring of prisoner calls, including statistics on the proportion of prisoner calls monitored and the number and percentage of calls disclosed under section 117(1) and (2):

- to any person other than an employee of the Chief Executive
- to an employee of the Chief Executive
- number of proceedings against a person for a disciplinary offence in which a recording of any of those calls was used in evidence.

Legislative authority for the Department to monitor prisoners' telephone calls is provided under sections 111 to 122 of the Corrections Act 2004. As a result of serious breaches in prison security, the Government approved additional funding in 2004 to enhance prison security by introducing a system and staff to monitor prisoner's telephone calls, and collect and analyse data that contributes to increased Crime Prevention Information Capability (CPIC).

The Terms of Reference for the CPIC project has been developed and the deliverables will include:

- developing a model of CPIC staffing
- purchasing and developing a secure database
- integrating a secure database with IOMS
- purchasing and building a telephone monitoring system
- developing a training plan for all staff.

Section 190(1)(f)

This aspect provides a report on measures to reduce drug and alcohol use by prisoners and the effectiveness of those measures, random-testing programmes and the results of those programmes.

The Department's progress in reducing drug and alcohol use by prisoners is reported in Part 2 (pp 19-52) and Part 4 (pp 73-155) of this Annual Report. (Outcome Achievements and Output 5.6)

Section 190(1)(g)

This aspect provides a report on the operation of every security contract in force for the whole, or any part, of the year to which the annual report relates, including:

- *a summary of reports forwarded to the Chief Executive under S171(2) and (3)*
- *a summary of reports made to the Chief Executive under S172(2)(b)*
- *a summary of actions taken in relation to the operation of security contracts as a result of matters raised in any report forwarded.*

The Department's contract with Chubb New Zealand Limited is for the escort and court room supervision of prisoners in Auckland and Northland. Chubb's performance over the 2005/06 financial year was in line with contract expectations. The General Manager of Chubb NZ provided the Department with monthly reporting outlining performance for measures such as escapes, releases in error, prisoner deaths, prisoner injuries, complaints, staff personal grievances and disciplinary actions.

Section 190(1)(h)

This aspect provides a report on the operation of any contract prison, including a summary of reports by the manager of the contract prison, including:

- *a summary of reports forwarded to the Chief Executive under S214(2) and (3)*
- *a summary of reports made to the Chief Executive under S215(2)(b)*
- *a summary of actions taken in relation to the management of contract prisons as a result of matters raised in any report forwarded.*

The Auckland Central Remand Prison was the first privately-run prison in New Zealand and was initially managed by

Australasian Correctional Management Limited (ACM), which later became GEO Group Australia Pty Limited. ACM/GEO negotiated a five year contract with the Department of Corrections to manage the prison. With the passing of the Corrections Act 2004, management of the Auckland Central Remand Prison reverted back to the Department on 12 July 2005.

GEO performance over the 2004/05 financial year was in line with contract expectations. GEO provided the Department with monthly and quarterly reports which outlined performance against set criteria for incidents, complaints, searches, disciplinary proceedings, drug testing, and programme delivery.

REPORT UNDER SECTION 15A OF THE PAROLE ACT 2002

Section 15A(4) of the Parole Act 2002 requires the Department of Corrections to include in its Annual Report information about the use of electronic monitoring during the year to which the Annual Report relates.

Introduction

The information required covers:

- the number of offenders who were at any time subject to electronic monitoring
- the average number of offenders who were subject to electronic monitoring and the average duration of the monitoring
- the percentage of offenders who, while subject to electronic monitoring (other than as a standard detention condition while on home detention), were convicted for a breach of the condition, or convicted of any other offence, or recalled to prison under an interim recall order or a final recall order
- a description of processes and systems relating to electronic monitoring that were in place during the year reported on.

The number of offenders subject to electronic monitoring condition at any one time

Eight offenders were subject to an electronic monitoring condition during 2005/06.

Three offenders were electronically monitored as a special condition of parole, and five offenders were electronically monitored as a condition of extended supervision.

The average number of offenders subject to an electronic monitoring condition and the average duration of the condition

The average number of offenders subject to an electronic monitoring condition during 2005/06 was three offenders. The average duration of an

electronic monitoring condition was nine months.

The percentage of offenders who, while subject to an electronic monitoring condition were convicted for a breach of the condition, or convicted of any other offence, or recalled to prison under an interim recall or final recall order

Two of the eight offenders subject to electronic monitoring during 2005/06 were recalled due to other offences (25%).

A description of the processes and systems relating to electronic monitoring that were in place during the year

Electronic monitoring can only be used as a special condition to monitor an offender's compliance with other special conditions. These include compliance with participation in a programme or conditions prohibiting an offender from entering or remaining in specified places or areas, either at specified times, or at all times.

The New Zealand Parole Board may impose a special condition for an offender to submit to electronic monitoring following an assessment by the Department on the suitability and availability of electronic monitoring.

The Department canvases the suitability of premises for electronic monitoring and assesses the safety and welfare of any occupants proposing to reside with the offender. In all cases the other occupants of the premises must consent to having the offender, who is subject to electronic monitoring, residing with them.

The Department has a contract with Chubb New Zealand Limited for the provision of electronic surveillance, equipment and security guards to facilitate the use of electronic monitoring in the Department's management of offenders.

Electronic surveillance equipment provides specialised monitoring through an electronic unit based at the offender's place of residence. The offender wears an anklet that emits a continuous radio signal and triggers an alarm if the offender leaves the confines of the premises or does not return to the property at times when they are required to be at the premises.

REDUCING INEQUALITIES – 2005/06

The Government's key goal of Reducing Inequalities is defined as: "reducing the inequalities that currently divide our society and offer a good future for all by better coordination of strategies across sectors and by supporting and strengthening the capacity of Māori and Pacific communities. It aims to ensure that all groups in society are able to participate fully and enjoy the benefits of improved production".

This key goal reflects fundamental principles relating to social justice, a desire to reduce disadvantage and promote equality of opportunity in order to achieve a similar distribution of outcomes between groups, and a more equitable distribution of overall outcomes within society. This entails an integrated approach to managing the reducing inequalities policy to ensure that the goals and principles of reducing inequalities are a core part of key departmental activities and initiatives.

Addressing re-offending by Māori and Pacific offenders is a high priority for the Department. As Māori and Pacific peoples continue to be disproportionately represented in the criminal justice system, the Department is committed to providing quality programmes and services that are effective for Māori and Pacific peoples from initial assessment through to intervention and release.

External Drivers

The Department's Recidivism Index, supported by the Offender Management Process, indicates that Māori offenders are disproportionately represented in the target group of high-risk re-offending.

Māori are over-represented in the corrections system and particularly in the high-risk category. Māori prisoners make up 49.9% of the total prison population while making up 14.5% of the general population. Of the Māori prison population, 23.8% are categorised as high-risk (with risk scores higher than 0.7) compared with the 19.1% for the non-Māori

prison population. Similarly recidivism rates for Māori are significantly higher compared with non-Māori as demonstrated in the following tables:

Within 2 years of release from prison sentence		
Ethnicity	Reimprisoned %	Reconvicted %
Māori	43.3	61.9
European	36.4	52.3

Within 2 years of starting a community-based sentence		
Ethnicity	Imprisoned %	Reconvicted %
Māori	14.6	45.9
European	10.3	36.9

FIGURE 26: REDUCING INEQUALITIES - EXTERNAL DRIVERS

The Department's response is encapsulated in its kaupapa statement: *Kotahi anō te kaupapa, ko te oranga o te iwi* (There is only one purpose to our work; it is the wellness and wellbeing of the people). To give effect to this vision, the Department has a *Māori Strategic Plan 2003–2008*, which outlines work in progress under three key themes of building partnerships with Māori, being effective for Māori and being responsive to Māori.

The Department is also committed to providing quality programmes and services that are effective for Pacific peoples. The recently approved *Pacific Strategy 2005–2008* expresses this desire in the guiding statement adopted by the Department: *My strength does not come from me alone but from many.*

Addressing Specific Needs

The Department has implemented new offender management processes that reflect best practice principles for reducing the risk of re-offending. This entails matching the needs of higher-risk offenders with interventions that contribute to effective and successful treatment and reintegration outcomes. Recent studies including the evaluation of the Te Piriti Special Treatment Unit, the Montgomery House Violence Prevention Programme, and the Department's own recidivism and treatment outcome data, confirm that a tikanga Māori approach to programme delivery promotes an environment that motivates prisoners to address their offending behaviours, support their reintegration activities and reduce their reoffending.

Department's Focus

The Department's focus is encapsulated within the following key themes of its *Strategic Business Plan 2003–2008*:

- Theme 1: Ensuring Effective Offender Management
- Theme 2: Improving Responsiveness to Māori

- Theme 3: Contributing to Reducing Re-Offending, and
- Theme 4: Enhancing Capability and Capacity.

All of the initiatives under Theme 2 and specific strategies under Themes 3 and 4 have been identified as contributing to reducing inequalities.

Theme 2: Improving Responsiveness to Māori

The Department works in partnership with Māori communities and government agencies to provide corrections services that contribute to community safety and reduce re-offending. The Department provides these services in a way that has regard to the Treaty of Waitangi.

The development of government policy on Crown–Māori Relationship Instruments (CMRI) and associated Treaty of Waitangi policy has informed ongoing development of iwi level partnership arrangements. The partnership that has been established with Ngati Rangī in respect of the Northland Region Corrections Facility continues to develop. Two contracts for the delivery of services to support the Department's initiatives in Northland are being progressed. The partnership with the Tuwharetoa Māori Trust Board has enabled the Department to progress new construction projects at Tongariro/Rangipo Prison. Cabinet approval of the Crown–Māori Relationships Instruments policy on 8 May 2006 has simplified the approvals process for new partnership agreements. Partnership agreements are currently being progressed with Poutini Ngai Tahu (West Coast South island), Te Runanga o Tupoho (Whanganui), Pukaki ki te Akitai (Auckland Region Women's Corrections Facility), Ngati Naho (Spring Hill Corrections Facility) and Te Runanga o Otakou (Otago Region Corrections Facility) are now able to be completed.

The Department has identified the importance of addressing the needs of Māori offenders effectively. The strategies and initiatives below assist in improving the effectiveness of the

Department's range of services.

The Māori Strategic Plan 2003–2008

The purpose of the Māori Strategic Plan 2003–2008 is to align the expectations of Māori communities with the Department to improve the Departments' outcomes for Māori. It outlines opportunities to build relationships and strengthen communications between the Department and Māori, and provides guidance to Services and identifies priorities that are most likely to be effective in reducing re-offending by Māori. It consolidates initiatives that the Department has developed over time and introduces new initiatives yet to be developed.

The Māori Strategic Plan 2003–2008 is implemented through the Department's annual business cycle. Decision-making at senior management level determines which initiatives from the plan will be implemented each year. These initiatives are included in the Department's Statements of Intent under outputs agreed with the Minister of Corrections. Implementation of the plan is included in performance agreements between the Chief Executive and General Managers and then translated into the Department's annual work programme.

Framework for Reducing Māori Offending (FReMO)

FReMO is an analytical tool designed to guide the development of policy, interventions and research and is intended to encourage departmental staff, providers and consultants to consider Māori issues to ensure that the Department contributes to reducing Māori offending. FReMO acknowledges that most initiatives that have had a focus or influence upon Māori have not factored in the Māori perspective, the enhancement of tikanga Māori, or a critical analysis of mainstream literature as being crucial to successful outcomes. Rather than assuming workers in the area will automatically consider these areas, FReMO provides a step-by-step process that highlights each of these key areas.

The Māori Initiatives Pathway

The Department recognises that using Māori worldviews as a vehicle in which to promote positive changes in offenders can work, either on its own, or when used in combination with western psychology, and with appropriate support. Developed in 2004/05, the Māori Initiatives Pathway is a general reference tool that provides access to the Department's range of Māori assessments, interventions, policies, and support systems, for both offenders and staff. Available on the Department's local area network (Cornet), the Māori Initiatives Pathway shows where each initiative fits within the Department's Offender Management Process, and provides a hyperlink to access further information on each respective initiative.

Whānau Liaison Workers

The Whānau Liaison Worker position focuses on assisting the well-being, rehabilitation and effective reintegration of prisoners in Māori Focus Units and at the Northland Region Corrections Facility, through liaison with community agencies, whānau, hapū and iwi. The role of the whānau Liaison Worker was developed in consultation with the Psychological Service in late 2004, after the pilot in 2003.

The Whānau Liaison Worker ensures that gains achieved by offenders while participating in programmes such as Māori Therapeutic Programmes are continually reinforced upon release. Consequently, the Whānau Liaison Worker plays a critical role in establishing links between a prisoner, their whānau, hapū, iwi, and the local Māori community to reinforce the positive changes achieved by an offender while in prison. Case Officers are responsible for referring offenders to the Whānau Liaison Worker service. The Whānau Liaison Worker works directly with an offender's whānau by putting in place strategies to resolve or manage identified reintegrative issues.

Whānau Liaison Workers were specialists employed by the Psychological Services until March

2006 at which time they were transferred to the Public Prisons Service. A total of 286 prisoners may be referred to the Whānau Liaison Worker per year.

Community Residential Centres

Community Residential Centres (CRCs) provide a residential programme in a normalised and structured environment. The objective is to resettle offenders back into the community through offering rehabilitation programmes and reintegrative services that will reduce the likelihood of further offending. There are three centres currently in operation nationwide; Montgomery House in Hamilton, Te Ihi Tu in New Plymouth, and Salisbury Street in Christchurch. Te Ihi Tu (based in Taranaki) and Montgomery House (based in Waikato) offer a programme that incorporates tikanga Māori based concepts. CRCs are for high-risk offenders released from prison on parole, temporary release or ordered to serve a community-based sentence.

The Whakatinana Te Kaupapa Strategy

The Whakatinana Te Kaupapa Strategy provides direction on how to improve the way the Department works with Māori providers. The Department of Corrections' Māori Strategic Plan 2003–2008 provides the priority areas for engaging with Māori providers. Those most relevant to Whakatinana Te Kaupapa are:

- integration of Māori world views in programmes and services and involving Māori in service delivery
- development of strong and meaningful partnerships with Māori communities
- building the responsiveness of the Department.

The objectives of the strategy are to improve the effectiveness of the Department's services to Māori and enhance Māori participation in the delivery of services. To date, there have been no reviews of the Whakatinana te Kaupapa Strategy as it is still too early to assess its effectiveness and its implementation.

A review of the strategy will be conducted in the 2006/07 financial year.

Tikanga Māori Programmes

Tikanga Māori Programmes are motivational programmes that develop offenders' understanding of Māori values, beliefs and cultural practices and their socio-cultural environment. They are designed to develop offenders' understanding of their offending behaviour and its impact on themselves, their whānau, hapū, and iwi. Tikanga Māori Programmes motivate offenders to address their offending behaviours and develop pro-social goals for the future. In 2005/06, the Public Prisons Service delivered Tikanga Māori Programmes to 943 men and 48 women. The Probation and Offender Services delivered Tikanga Māori Programmes to 370 men and 49 women.

Māori Therapeutic Programmes

Māori Therapeutic Programmes (MTPs) are 100-hour criminogenic programmes that integrate cognitive behavioural therapy (CBT) and tikanga Māori concepts to address the reasons for the prisoner's offending and facilitate changes in their offending behaviour. The core programme was developed by the Department, in consultation with a number of existing service providers. Selected and trained local, iwi-endorsed service providers are delivering the programme in each of the Department's five Māori Focus Units and at the Northland Region Corrections Facility. Each service provider has been encouraged to use local tikanga Māori, as appropriate, when delivering the programme.

Bicultural Therapy Model

The Psychological Service provides specialist clinical assessments and treatment services to offenders. The Service also develops and delivers rehabilitative programmes for three special treatment units: two for male sex offenders who have offended against children, and one for violent offenders. The referral process includes Māori serving either a prison

or community-based sentence seeing a psychologist where together they discuss therapy goals and outcomes; and options available for Māori under the Bicultural Therapy Model (BTM). This can include working with a psychologist, working with a psychologist and a Māori service Provider, or working solely with a Māori service provider. BTM is available nationwide and works in cooperation with iwi and local Māori service providers who provided a total of 3,933 hours of consultation in 2005/06.

Te Piriti Special Treatment Programme

Te Piriti is a special treatment unit aimed at providing a treatment programme for male sex offenders in order to reduce sexual re-offending against children. The rehabilitative programme offered integrates cognitive behavioural therapy (CBT) within a tikanga Māori framework and has proven to be effective in reducing sexual reconviction for Māori and non-Māori men. Key findings from an evaluation of the programme found that:

- the Te Piriti programme was effective in reducing sexual reconviction for Māori and non-Māori men. The Te Piriti programme had a 5.47% recidivism rate compared to an untreated group who had a sexual recidivism rate of 21%
- Māori men attending the Te Piriti treatment programme revealed significant change pre- and post-therapy in a number of key cultural variables, including knowledge of Whakapapa, Mate Māori (sickness)/ Makutu (curse), Māori traditional values and beliefs, knowledge of Marae protocols and cultural skills
- the use of tikanga in combination with CBT appears to be an effective treatment programme for Māori and non-Māori offenders convicted of sexual offences against children.

The total number of hours available for prisoners to attend a programme at Te Piriti is 12,500.

Specialist Māori Cultural Assessment

A Specialist Māori Cultural Assessment (SMCA) is intended to address responsivity and motivational barriers of high-risk Māori offenders. The interview based assessment is undertaken by a Māori assessor. Referrals are made to the assessor by a Probation and Offender Services or Public Prisons Service contact person. SMCA enhances generic assessment processes by recommending appropriate cultural interventions. An assessment report is then sent to the appropriate Probation Officer or Sentence Planner. SMCAs are currently available within the Probation and Offender Services and Public Prisons Service in the Auckland and Waikato regions.

Māori Focus Units

Māori Focus Units (MFUs) are intended as rehabilitative interventions, aimed at reducing an offender's risk of re-offending. MFUs function as therapeutic environments where all participants (staff and prisoners) work together to promote learning and application of the principles of tikanga to thoughts, beliefs and actions, and seek to positively influence each other towards the goal of a responsible and pro-social life in the community. There are five MFUs based within the Public Prisons Service. They are located within Waikeria, Tongariro/Rangipō, Rimutaka, Wanganui, and Hawke's Bay Prisons.

Kaiwhakamana

The Kaiwhakamana Visitor Policy is a voluntary support role giving Kaumātua (elders) greater access to Māori prisoners. Kaumātua have access to prisons so they can support Māori prisoners. This may include:

- advising and assisting prisoners with whānau relationships
- helping prisoners return to the community with the support of their iwi/hapū/whānau, and
- provide suggestions and advice to the Minister and the Department of Corrections on the provision of services to Māori.

Kaiwhakamana are available nationwide within Public Prisons Service and have access to any prison in the country during normal visiting hours. They may also visit at any reasonable time outside these hours by arrangement with prison management, for example during tangihanga (bereavements).

Kia Mau Staff Training

Kia Mau is a nationwide, three stage cultural awareness training programme intended to increase the knowledge, understanding and skills of Probation and Offender Services staff to enable them to work more effectively with Māori offenders. Recently implemented, Kia Mau training is founded on the belief that understanding departmental responsiveness strategies, tikanga Māori practices and Te Reo Māori, will lead to improved and enhanced working relationships with Māori offenders, their whānau and local communities. Kia Mau is delivered by internal trainers and will be delivered in the Probation and Offender Services' regions or areas, depending on the geographical spread of participants.

Cultural Supervision

Cultural Supervision is a forum for Māori and non-Māori Corrections staff to reflect on and enhance their interactions with Māori offenders assisted by the cultural knowledge and expertise of a Cultural Supervisor. Cultural Supervision is delivered once a month in a group environment. The Supervisor facilitates discussions about Māori cultural issues, and promotes the sharing of knowledge, experiences, and ideas in the group, as well as providing expert cultural knowledge to the group. Individual discussions are also available with the Supervisor. Cultural Supervision is currently available in the Canterbury and Waikato regions. Staff eligible for Cultural Supervision includes Probation Officers, Sentence Planners, and Psychologists.

Chief Executive's Māori Advisory Group

The Chief Executive's Māori Advisory Group provides direct advice and

feedback to the Chief Executive on strategic, policy and operational issues that affect Māori communities. Initiatives consulted on in the 2005/06 year included:

- Visit to Māori Focus Unit at Hawke's Bay Prison
- Māori name for the Department
- Māori cultural practices in the Department
- Māori Therapeutic Programmes.

Te Reo Strategy

The Te Reo Strategy is a four year strategy to support and encourage staff in developing their Māori language skills to enhance the Department's effectiveness when working with Māori – iwi, hapū, and whānau, in community groups, service providers, other agencies, and with Māori offenders. The strategy contains a department-wide action plan to ensure an appropriate environment exists to support staff in the development of Te Reo Māori. Initiatives completed in 2005/06 included:

- Confirmation of the Department's new Māori name Ara Poutama Aotearoa (Positive Pathways New Zealand). The formal description of the name is; *'though the journey has many challenges, with timely support and guidance at crucial times, attaining the goal of an offence free lifestyle can become a reality'*.
- Distribution of the Desktop Māori Language Word Cube that aids frontline staff with useful Māori vocabulary and phrases.
- Development of te reo resources on the Department's intranet, Corernet
- Māori Language Week celebrated through the promotion of the Māori language and culture via the Department's Corernet.

Theme 3: Contributing to Reducing Re-Offending

One of the outcomes for the Department, and therefore a theme area, is to contribute towards an overall reduction in the level of re-offending. The following range of strategies and initiatives work to address the risks of

re-offending and are designed to assist offenders to address their offending behaviours and return successfully to the community.

The Pacific Strategy 2005–2008

The recently approved *Pacific Strategy 2005–2008* complements the Department's *Strategic Business Plan 2003–2008*. It is a stand-alone document designed to focus and direct its activities and efforts to areas most likely to produce positive outcomes for Pacific peoples in New Zealand. A new guiding statement, policy statement, and key themes have been developed to enable the Department to target resources effectively across a mix of current and new initiatives over the next three years.

The Saili Matagi Pacific Violence Prevention Programme

The purpose of the Saili Matagi programme is to reduce re-offending by adult Pacific male offenders that are currently serving a sentence for offences of a violent and serious nature. The objectives of Saili Matagi are identified as:

- to assist high-risk Pacific offenders to identify and change the beliefs, attitudes and behaviours that have resulted in violent offending
- to enhance Pacific offenders' responsiveness to other programmes targeting criminal behaviour (criminogenic programmes)
- to ultimately reduce intergenerational violence and the likelihood of re-offending.

The programme incorporates Western treatment components with Pacific cultural values, beliefs, and concepts that are familiar to Pacific offenders. An evaluation of Saili Matagi found that programme participants benefited from the content and delivery of the programme. Anecdotal evidence also found that some prison staff identified a positive 'immediate behavioural change' in participants during and after the programme. Implementation of the Saili Matagi programme was sound, as good working relationships

were established between facilitators and prison staff. In 2005 approval was given for the programme to be transferred to the Pacific Focus Unit that is being established at the Spring Hill Corrections Facility.

Framework for Evaluation of Pacific Interventions

The recent development of a Pacific evaluation framework is intended to ensure, as new Pacific services are designed and implemented, that robust data is available to guide the evolving improvement of those services. The framework consists of the following four phases:

- evaluation of the need for the programme, its design, and its fit with organisational priorities
- evaluation of programme processes and implementation
- evaluation of the programme's impact and outcomes
- evaluation of the programme's costs and efficiency.

The framework is intended to ensure that funded Pacific-focused services will, from the first day of operation, generate data that promotes both programme integrity; that is, services delivered are closely aligned to service design/intentions, and ongoing programme improvement.

Fautua Pasefika

The Fautua Pasefika Policy, an initiative of the Department's Pacific Strategy, enables Pacific community leaders' greater and easier access to prisons and Pacific prisoners. In addition, these leaders are able to advocate on behalf of the community to the Department and Minister of Corrections on any issues affecting Pacific prisoners. Fautua Pasefika support and advise on a range of issues including:

- addressing the cultural or other special needs of a prisoner
- providing spiritual or religious guidance or instruction to a prisoner
- advocating on behalf of Pacific communities to the Minister and Department staff on best practice

and cultural issues that will attend to the well being of prisoners.

Fautua Pasefika as Specified Visitors to Prisons has been implemented and is now part of the Public Prisons Service's policy and procedures.

Theme 4: Enhancing Capability and Capacity

To achieve the first two themes, the Department requires increased capability and capacity. Initiatives under this theme focus on ensuring the Department has in place the right resources, people, support systems, and infrastructure.

The Chief Executive's Pacific Advisory Group

This Group provides direct advice and feedback to the Chief Executive on strategic, policy, and operational issues that affect Pacific communities. Issues consulted on in the 2005/06 year included:

- the proposed Pacific Focus Unit at the Spring Hill Corrections Facility, including aiga/fanau Pacific values and beliefs that provide a cultural framework that motivates prisoners to address their offending behaviours and support their reintegration activities
- ongoing operations of Fautua Pasefika
- establishment of Pacific Community Liaison Officer positions
- liaison with Pacific Peoples Regional Corrections Liaison Committee (Auckland)
- development of a Pacific Advisory Group for the Spring Hill Corrections Facility.

Pacific Community Advisory Groups

The Department continues to liaise with the Pacific Peoples Regional Corrections Liaison Committee and Waikato Regional Consultative Committee as the main avenue for Pacific communities to contribute to the development of the new regional facilities in South Auckland and the Waikato. Comprised of representatives from throughout the Pacific community, the group provided advice on in

2005/06 on a range of issues, including:

- the design of the Pacific Focus Unit proposed at Spring Hill, including aiga/fanau Pacific values and beliefs, that provide a cultural framework that motivates prisoners to address their offending behaviours and support their reintegration activities
- consultation processes with Pacific communities in Auckland and Waikato
- commissioning issues included operational and management issues relating to the new regional facilities
- development of a Pacific Advisory Group for Spring Hill Corrections Facility.

Pacific Community Liaison Officers

During the 2005/06 financial year, the Department recruited two Pacific Community Liaison Officers within the Public Prisons Service for the Auckland and Waikato regions respectively. This initiative has been established to support community participation in addressing Pacific re-offending by:

- enhancing the Department's responsiveness to Pacific communities
- fully informing Pacific communities about the Department's work
- developing initiatives that specifically target the needs of Pacific offenders.

State Service Commission-Led Ministerial Review: Race versus Needs

Race relations received increased attention over the past year. The Department came under intense scrutiny in 2004 for the amounts paid to Māori individuals and organisations during the process of consultation over the establishment of new regional corrections facilities in Northland, South Auckland and Waikato.

The degree to which the Department's policies are unduly advantaging or disadvantaging Māori remains a contentious issue. The Government

instituted a range of responses including a comprehensive review of government policy. The aim of the review was to ensure that, where ethnicity was a factor in the development of policy and the delivery of services, those policy and services had a sound basis in need.

The Department's policies and programmes subject to the review were:

- Māori culture-related needs (MaCRNs)
- Specialist Māori Cultural Assessment
- Māori Therapeutic Programmes
- Saili Matagi
- Māori Focus Units
- Tikanga Māori Programmes
- Whānau Involvement Plan
- Te Ihi Tu.

The Department co-operated fully with the review process and reviewed a range of departmental policies and services where ethnicity was a factor. Following the State Service Commission-led review, Cabinet noted and agreed, inter alia, that the tikanga Māori/cultural approach undertaken by the Department in these programmes was appropriate and that, upon evaluation, the Department considers using the Whānau Involvement Plan as a blueprint to supporting greater involvement of non-Māori offender's families throughout the corrections system.

The Department has a well-developed rationale for the development and delivery of services to offenders based on risk, need and responsiveness. Māori offenders (and to a lesser extent Pacific peoples offenders) are a demonstrably high-need population for the Department, based on their over-representation in the criminal justice system. The Department's ethnically-oriented programmes have been carefully tailored to meet the needs of Māori and Pacific peoples while still working within the Department's overall approach to offender management.

In response to the review, the Department began formal evaluations of the following programmes:

- Māori culture-related needs (MaCRNs)
- Te Ihi Tu Community Residential Centre
- Specialist Māori Cultural Assessment
- Tikanga Māori Programmes.

2005/06 Expenditure on Reducing Inequalities

For the year ended 30 June 2006, the Department delivered a range of outputs to the Government for the management and rehabilitation of offenders at an actual operating cost of \$658.7 million. Of this amount, \$22.7 million was specifically targeted to assist with reducing re-offending by Māori. Details were as follows:

- Māori Focus Units costing \$18.9 million, of which \$18.0 million was for custody and \$0.9 million for programmes
- Bicultural therapy model costing \$0.3 million
- Māori policy work costing \$1.0 million
- Tikanga Māori programmes costing \$2.0 million
- Whānau Liaison Service costing \$0.5 million
- other Māori programmes costing \$0.03 million.

The outputs delivered to the Government that were not new initiatives specifically targeted at reducing re-offending by Māori cost \$636 million. Of this amount, \$310.5 million was attributable to Māori, who comprise 48.8 percent of the offender population. A further \$58.5 million was attributable to Pacific peoples, because they comprise 9.2 percent of the offender population. Of the Māori offender population, approximately 94 percent are male.

All of the above costs are calculated on a GST-exclusive 'fully absorbed' basis in that they include both direct and overhead costs in accordance with the Public Finance Act 1989, as amended by the Public Finance Amendment Act 2004.

The 2005/06 financial year figures are not directly comparable with the 2004/05 financial year figures as the latter figures were calculated on a GST-inclusive basis in accordance with the previous provisions of the Public Finance Act 1989.