

**Submission**  
to the  
**Department of Corrections**  
on the  
**Proposed men's prison at Wiri**

*“For Catholics and other Christians, the message is about repentance, forgiveness and reconciliation rather than calls for retribution and punishment. This is not a soft option. It is an extraordinary task, a difficult and painful path for both victim and offender, requiring an enormous investment of time, resources and support for all parties. But without repentance, forgiveness and reconciliation our society risks becoming a more violent and fearful society, creating more victims and more prisoners.”*

A statement by The Catholic Bishops of New Zealand, October 29 2006.

**Summary:**

- **We strongly advocate the incorporation of restorative practices and rehabilitation programmes as an integral part of the prison especially through the establishment of a Habilitation Centre within the prison itself.**
- **We support the implementation of regular assessments of all prisoners where the final goal is towards restorative and rehabilitative actions that reduce the chances of reoffending and assist with their reintegration as productive members of society.**
- **We also acknowledge that there are a range of innovative community groups seeking a greater involvement with people in prison, and feel that proposals such as that of a Māori rehabilitation unit deserve good consideration and adequate funding.**
- **This would also include finding ways to assist other sections of the community such as Restorative Justice groups, Māori Iwi and Hapū, to be more involved in the care, rehabilitation and reintegration of prisoners, both before and after release.**
- **We believe an approach to a tertiary institution to undertake a longitudinal study on the progress of the 2014 intake to help determine the effects of various measures and programmes over time would inform future corrections policy.**

## **Introduction**

In 2009 Bishop Patrick Dunn of the Auckland Catholic Diocese appointed a new Justice and Peace Commission. Our purpose is to assist the Bishop by fostering and promoting the social teaching of the Church with a focus on justice, peace, human development and the integrity of creation. It is from this belief that we advocate restorative justice as a positive way of healing the effects of crime.

## **The role of prisons within society**

Catholic social teaching recognizes that lawful public authorities have both the right and duty to deprive people of liberty. The purpose of this is to discourage behaviour harmful to human rights and fundamental norms of civil life and to repair the disorder created by criminal activity rather than simply to punish for the sake of retribution or vengeance.

Widespread imprisonment as the primary means of punishment is a relatively recent innovation, becoming dominant in most of the world in less than the past 300 years. While this replaced more inhumane punishments such as capital and corporal punishment, it has not always fulfilled the hopes of early reformers that it would provide fundamental change and rehabilitation for criminal offenders.

As an institution which interacts with the justice system, particularly through the provision of prison chaplaincy services internationally, the Church has frequently spoken out about prison conditions. Pope John Paul II said in 2000 that prisons do not infrequently become places of violence, and often fail to recognise and protect the dignity and rights of the human person.

## **Restorative practices as part of prison culture**

**We strongly advocate the incorporation of restorative practices and rehabilitation programmes as an integral part of the prison especially through the establishment of a Habilitation Centre within the prison itself.**

Despite the fact that it is frequently an unpopular position to hold, Catholic organizations are among those arguing for improved prison conditions and better processes of reconciliation and reintegration. We recognise each prisoner as having innate human dignity, but do not argue this on altruism alone. We see no benefit for victims and society if criminal offenders become more hardened and embittered through violent treatment in prisons – the result will be an even more violent society.

So it is good to know that there are currently initiatives within the country's prisons that are working towards Restorative Justice practices. We acknowledge the work involved in running penal institutions is an important and at times arduous task. The job of containment of offenders provides challenges for all within the department as they strive to address the needs of people who have both caused crime and been damaged by the consequences of it.

We advocate that restorative justice practices become so normative to every day prison life that they become part of its culture. Correction facilities need to be about correction, helping people to change how they think and feel, so that they can play a productive rather than destructive role in our society.

The way a prison is organized can have a powerful influence on how those released can return to family/whanau and contribute positively to society.

One way of doing this is to set up a **Habilitation Centre** within the prison where offenders who wish to change can face their crimes and, with appropriate guidance, attempt to deal with the causes of their offending. Experience in other jurisdictions has shown this to be very effective in reducing re-offending. Establishment of such centres was one of the principal recommendations of the 1989 Roper Report following a Ministerial Committee of Inquiry into the Prison system. It was not seen as practicable to implement at the time partly because New Zealand prisons were not built to cater for such an approach. The success of Restorative Justice, Faith and Cultural based prison units are an indication of the possibilities in this area. The building of a new prison is an opportunity to incorporate Sir Clinton Roper's proposal in the design and running of the prison as a positive way of reducing re-offending by providing a humane and constructive environment for prisoners to change their ways.

Of course not all prisoners want to change. But there are many who do. And these should be given every opportunity to do so. Often this involves providing them with the facilities to overcome addictions that sabotage their attempts to live normal lives. Some have lived with the dark secret of illiteracy and cloaked it with antisocial actions that disguised the limited options they perceived life had dealt them. Working with prisoners as human beings with hopes and fears, dreams and anxieties provides the basis for giving them the hope that rehabilitation is both possible and achievable.

### **Reducing re-offending by providing adequate treatment for all prisoners**

**We support the implementation of regular assessments of all prisoners where the final goal is towards restorative and rehabilitative actions that reduce the chances of reoffending and assist in their reintegration as productive members of society.**

On admission all prisoners need to be part of a comprehensive assessment programme that leads to a structured daily programme to address remedial needs. This may range from addressing substance abuse to relationship counselling, parenting skills, and providing access to anger management groups. As spirituality can provide a powerful motivation to change, opportunities should be provided to celebrate people's spiritual beliefs. Ethnic differences need to be recognised in a real and tangible way and prisoners' sense of their own worth as human beings needs to be built up not diminished.

It is important not to underestimate the extent of some of the problems prisoners face. Mr Barry Matthews the retiring head of Corrections stated recently that 80% of people going into prisons have a drug or alcohol problem. In December 2009 Corrections minister Judith Collins announced that the number of beds in drug-free units in prisons are to double from 500 to 1000 in the next three years. This is good news but with over 8000 currently in prison, more than 80% of prisoners with drug or alcohol problems will continue to remain untreated.

We understand that action has a consequence and there has to be a deterrent to crime and we also accept that some people need to be contained. However the number of prisoners who have addictions is so large that it requires a major intervention if other issues are to be addressed. This why we believe an investment in adequate treatment of drug and alcohol problems will assist people to take up a productive role in society, decreasing the chance of recidivism and ultimately reduce the overall cost of prisons.

Preparing prisoners for rehabilitation within the prison should include life skills training, literacy courses and employment skills so they have some chance of managing their lives adequately and obtaining employment upon release from prison. It is important that such programmes are of sufficient duration to be part of everyday life in prison and not just for a chosen few a few weeks before release.

To this end it is important that Wiri prison develops a plan to enable all inmates to be actively involved in employment or vocational training as an integral part of the operation of the prison. This will of course need to be taken into account in the arrangement and type of buildings that make up the prison.

## **Involving the community**

**We also acknowledge that there are a range of innovative community groups seeking a greater involvement with people in prison, and feel that proposals such as that of a Māori rehabilitation unit deserve good consideration and adequate funding.**

Current statistics reveal 51% of the current New Zealand prison population identify as Maori. Given the very disproportionate number of Māori imprisoned in relation to our population, we would see opportunities for Māori Iwi and Hapū, among other community based providers, to become more involved in the care, rehabilitation and reintegration of prisoners, both before and after release. It is important that adequate funding be made available to assist with this process.

Sir Mason Durie's Whare Tapa Wha concept is a useful model. The four cornerstones of this holistic treatment are: Hinegnaro, tinana, wairua, and whanau which focus on mental, emotional, spiritual and family values. High priority is given to spirituality wairua, the inner soul as the driver of change for good within the heart of each person.

Linked to this process is the need for half-way houses that provide suitable temporary accommodation for prisoners upon release to enable them to integrate back into society and find suitable employment.

We also recommend that Government and Community initiatives be implemented where the focus is on educating and changing society's widely held negative perceptions regarding offenders and their reintegration into society. This could include a public education programme about overcoming the obstacles to former prisoners turning their lives around along the lines of the 'Like Minds' programme that has so successfully promoted understanding, tolerance and support for people with mental illness.

## **A major study proposed**

**We believe an approach to a Tertiary institution to undertake a longitudinal study on the progress of the 2014 intake to help determine the effects of various measures and programmes over time would inform future corrections policy.**

Such a project if well conceived and implemented could have a positive impact in informing policy in the area of Corrections by assessing measures that lead to the reduction of re-offending and the improved rehabilitation of prisoners. This could be along the lines of the Dunedin longitudinal health project

begun in 1973 which is still producing outstanding research material that has informed Health policy for decades.

Dr Tracey McIntosh, Head of the Department of Sociology at Auckland University has expressed an interest in pursuing this type of longitudinal research project. Our committee have passed Dr McIntosh's details to Craig Erskine, Director of the Wiri project.

## **A turning point in our history**

The incorporation of Restorative practices and rehabilitation programmes as an integral part of the operation of prisons already occurs in countries such as Canada and Sweden which have lowered their reoffending rates significantly compared to the practices common in the US which has increased it. We understand that New Zealand currently has the same level of imprisonment as the United States had in 1994. They have continued to adopt a largely punitive approach to the treatment of prisoners leading to an ever higher rate of imprisonment and reoffending and a consequent economic and social burden for future generations.

Restorative practices are working in Youth Courts in New Zealand with youth crime continuing to go down as Judge Andrew Becroft has shown.

As the New Zealand Catholic Bishops said in 2005:

"We are mindful of the success of the restorative processes as applied to youth justice in this country. Drawing on our ancient Maori tradition and wedded to modern insights, youth justice has started to become a real force for good in the community. ...Restorative justice processes for adults would offer a more positive focus and would guarantee a healthier, fairer and more positive form of criminal justice."  
*N.Z. Catholic Bishops Conference "Creating New Hearts – Moving from Retributive to Restorative Justice" August 2005*

The Auckland Catholic Diocese Commission for Justice and Peace believes that good planning in the building and operation of the Wiri prison is exactly that opportunity in the history of our nation when a real difference can be made in the way we manage our prison population for present and future generations.

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