

# More crime, more time and

by Matt Nippert

The bars are lime green, perhaps chosen by a colour consultant for calming properties when the prison was built in 1969. Between them slips a mirror, an inmate's periscope, showing in reflection a haggard face.

Our guide for the day, Bryan Christie, has an easy manner with those he guards. After 30 years working his way up from correctional officer to Paremoremo manager, he says he misses his time on the floor.

"You can actually tell how the prison's doing just by listening. From inmate banter you can tell if there's trouble or if all's going well."

Today the inmate banter does not spell trouble, but neither does it spell any ease.

"You're treating us like animals in here, Bryan!" shouts the prison submariner.

"No, we're not," he replies.

The exchange alleged abuse and reasoned denial reaches specifics.

"We can buy Milo and noodles from the canteen," yells the prisoner, "but we're not allowed hot water."

"There's a reason for that," says Mr Christie. During 1998 riots inmates improvised a hot-water hose to scald wardens. Prison management is well aware of the ingenious potential of some of their charges.



PHOTO: RICHARD ROBINSON/NZ HERALD

**PRISON LIFE:** Bryan Christie, a correctional officer for 30 years before becoming Paremoremo manager, misses his time on the floor.

"You're treating us like animals in here, Bryan!"

"Welcome to the human zoo!" comes the call from the cage.

It's the last thing I hear as Mr Christie guides us away. "I just feel sorry for his victims," he mutters.

That prisoner is serving a long stretch, one of the longest in New Zealand legal history. He is not a pleasant man and neither are his surroundings. The length of his sentence and his crowded accommodation reflect a trend that is seeing our human zoo outgrowing its cage.

Minister of Corrections Paul Swain admits there is "great concern" at the size of the prison population. Corrections is able to house 6462 inmates, and at the end of March there were 6403 detainees.

This is no new crisis. At the start of October 1985, New Zealand's prison population exceeded capacity by 172 prisoners. The then assistant secretary for justice Mel Smith told the *New Zealand Herald*: "When you are under that sort of accommodation pressure you start to have trouble."

The release of more than 1000 prisoners under the Criminal Justice Act brought temporary respite and the Justice Department announced it would close Wanganui City and Waikune prisons because they were no longer needed.

But the relief was short-lived. By the end of 1989, there were almost 3900 prisoners, up 1300 from 1985. Mr Smith, now Deputy Secretary of Justice, again told the *New Zealand Herald* an increase in crime and jail sentences was putting pressure on already overcrowded prisons. Corrections was adding new units to Paremoremo and Rolleston, opening a prison in Hawkes Bay, buying land in Northland and looking for a site in South Auckland.

The explanation is simple: a slight rise in violent crime rates and longer

sentences for those crimes. Labour and National governments have introduced legislation to ratchet up sentence length. Between 1985 and 1987, Labour made prison mandatory for many violent offences and extended non-parole periods.

In 1993, National let courts impose minimum terms for serious violent offenders, made parole harder to get, and increased maximum sentences.

The result: the prison population doubled between 1985 and 1999. Now it is projected by the Ministry of Justice to increase another third between 1999 and 2010, helped along by the Government's 2002 Bail, Parole and Sentencing Act.

Our imprisonment rate is already high by international standards. We detain 155 people for every 100,000 inhabitants, ranking us seventh in the OECD. If present trends continue, the rate will be up to 174 for every 100,000 by 2010, ranking us third, behind the United States and Poland.

MPs from across the spectrum know the public demands longer sentences. Progressive MP and former Corrections Minister Matt Robson says the Government is being "held hostage" on law and order and Act's Stephen Franks says politicians are being "forced by public opinion to be punitive and increase sentences".

Kathy Dunstall, secretary of the Canterbury branch of the Howard League for Penal Reform, says the system "is just about bursting at the seams" and points out the 2002 election saw "the complete convergence of all political parties"

"You can actually tell how the prisoner's doing just by listening."

Mr Swain says: "I think that the public are genuinely alarmed and outraged, particularly at violent criminals, and they have demanded that the Government act on those and lock them up for longer."

Greg Newbold, senior lecturer in sociology at the University of Canterbury, says longer sentences are

## Prison population

1985-1999

Prison population doubles

1999-2010

Prison population will increase by one-third

155 people detained for every 100,000 inhabitants

## Estimated costs

1997-2004

Budget increases from \$361m to \$620m

2006

Budget to hit \$900m

Four prisons being built to house 1400 inmates

mainly about revenge.

"But I think that's legitimate. I'd want revenge too if someone had beaten my little girl to death."

The pressure is not just on politicians. Victoria University Professor of Criminology John Pratt also blames longer sentences on "a more punitive stance being taken by judges, often because that's what they believe the public is insisting on".

The Government's Bail, Parole and Sentencing Acts, passed in 2002, are adding to the squeeze. More people are being denied bail, so more people are being held in remand prisons. "Remand muster this year has increased past everyone's expectations," says acting general manager of Auckland Central Remand Prison Chris Burns.

The Bail Act came from "a lot of concern about people committing crimes on bail", says Mr Swain but Public Prisons Service general manager Phil McCarthy says the act has caught more than just serious offenders. "Only about 50% of people who are remanded in custody are ultimately given prison sentences."

Meanwhile, he says, "sentence lengths are increasing and the number of sentences of imprisonment are increasing".

Granting parole under new law is more at the discretion of the parole board and, says Mr McCarthy, prisoners are now serving more of their sentence before being granted early release.

With prisons full already and demand set to steadily increase over the next six years, there are rocky times ahead.

Jan Thomas, manager of Pillars, an Auckland family and women prisoner advocacy group, says overcrowding has meant families are broken up.

"They send remand prisoners all around the country," she says. "I get calls from families, saying their mother has been flown away from them."

It is a story Ms Dunstall has heard before. "Women with children up in Auckland are being fired down to Otago."

But Mr Swain maintains the system is not in danger of collapse. "There is the ability to manage in the short term. For example in low-security areas we can do more double-bunking in cells."

Rising imprisonment levels have come at a formidable price. The Corrections Department budget increased 72% between 1997 and 2004 from \$361 million to \$620 million. It is likely to hit close to \$900 million in 2006 with four new prisons being built in Northland, the Waikato, South Auckland and Otago. They will collectively house 1400 inmates.

Construction has been budgeted at \$600m and the facilities are expected to cost \$120m a year to operate.

"Taxpayers should have their mouths open at those kind of figures," says Mr Swain. "The real issue is that most New Zealanders want criminals locked up, and locked up for a long time, but there's a huge cost that comes with that."

It is a cost that Garth McVicar of the Sensible Sentencing Trust is prepared to pay.

"Obviously we were aware there were going to be some horrific costs involved," he says. "We took the view that there's horrific costs to victims on the other side of the ledger. I see no alternatives but to make some severe sacrifices to reduce the level of violent crime."

Mr Franks cites American studies showing recidivist offenders, each cost \$150,000 a year to the community, and concludes "it's still going to be worth locking them up".

But Mr Swain says the government is caught in a bind. "The public are demanding two things one, to lock people up, and two, to make sure that people fit back normally into society. The second part is hard in light of the first."

One factor law and order campaigners cite in favour of more prisons and longer sentences is offenders' tendency to reoffend. Corrections figures indicate 36% of inmates who are released will again be behind bars within two years.

And while the equivalent figure for the British correctional system is 57%, this difference "doesn't mean we're doing well", says Mr Pratt. "On the one hand you want to send people there to punish them, but going to prison is a debilitating experience in so many ways you're also ensuring that they come back."

A strong body of research and opinion argues that locking prisoners up for longer, increases the chances they will re-offend. It is a view that those involved in running prisons tend to support.

Brendon Moynihan, Auckland regional manager, doubts longer sentences contribute much beyond keeping prisoners out of the community.

"It's still going to be worth locking them up"