



The Corrections Amendment Bill  
Law and Order Select Committee

The Salvation Army (New Zealand, Fiji and Tonga territory) Submission

1. BACKGROUND:

- 1.1 The Salvation Army is an international Christian and social services organisation that has worked in New Zealand for over one hundred and twenty years. The Army provides a wide-range of practical social, community and faith-based services, particularly for those who are suffering, facing injustice or those who have been forgotten and marginalised by mainstream society.
- 1.2 One of these key services is the Army's Court and Prison Services which provides court officers and chaplains for courts and prisons around New Zealand. The Court and Prison Services is committed to working with everyone and anyone involved in the court or prison process and attempts to be immersed in the reality of the criminal justice system in New Zealand<sup>1</sup>. This submission has been prepared by the Social Policy and Parliamentary Unit of The Salvation Army.
- 1.3 This submission has been approved by Commissioner Donald Bell, the Territorial Commander of The Salvation Army's New Zealand, Fiji and Tonga Territory.

2. THE SALVATION ARMY PERSPECTIVE:

- 2.1 We would like the opportunity to publicly talk to these issues with the Government that are raised in this submission if there is such a process. Our contact details for this submission are at the end of this paper.
- 2.2 We strongly advocate for the continued support of services and initiatives that work towards the rehabilitation and reintegration of those who are incarcerated in our prisons.

Nelson Mandela once said, *no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones.* The Salvation Army sincerely believes in the redemptive work of faith-based services combined with social service based interventions in supporting our 'lowest ones' - in this case, the ones who have been convicted and

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<sup>1</sup> Smith, Dr Leanne and Bonnie Robinson. (2006) Beyond the Holding Tank: Pathways to Rehabilitative and Restorative Prison Policy, The Salvation Army, Social Policy and Parliamentary Unit, p 13.

sentenced for their crimes and separated from their whanau and communities.

- 2.3 We continue to acknowledge the completely unsatisfactory rates of imprisonment in our nation. As noted in our recent fifth annual State of the Nation report, *The Growing Divide*<sup>2</sup>, the prison population reached 8,715 people for the year to 30<sup>th</sup> June 2011. That was a 3.6% increase over 2010 and a 19% increase since 2005/06. Despite the general falls in volumes and rates of reported crime, our prisoner numbers and imprisonment rates have continually increased over the last four years.

In our Election 2011 discussion papers<sup>3</sup>, The Army noted that there is about \$4 billion per year spent by the Government on the various arms of the Justice sector. Additionally, it is estimated that the financial cost of crime in New Zealand is over \$9 billion per year. In stark contrast, the current Government announced in their 2011 Budget that only about \$137 million will be spent on rehabilitative and reintegration services for those incarcerated. We believe this spend is inadequate and must be addressed.

- 2.4 Moreover, the development of new private prisons in *already* impoverished communities continues to baffle The Salvation Army. We have made our vehement opposition to the new Wiri prison and the overall privatisation of prisons very public in recent times<sup>4</sup>.

In a recent editorial, Major Campbell Roberts, the National Director of The Salvation Army's Social Policy and Parliamentary Unit, lamented that a private contractor was recently rewarded a massive 25 year contract to run the new Wiri prison<sup>5</sup>. Conversely, Major Roberts noted that most Government contracts for social, rehabilitation and reintegration services for prisoners, like those provided by The Salvation Army, are usually for short 12-month periods with very small amounts of funding. Again, we find these developments very perplexing.

These new private prisons also, somewhat confusingly, go against recent forecasting done by the Ministry of Justice that estimate prison numbers of about 8,200 whereas the Department of Corrections is forecasting prison numbers at over 10,300<sup>6</sup>! Which of these forecasts is correct? Will we have to fill our brand new private prisons purely because we have to because of these estimates?

### 3. RESPONSE TO SPECIFIC AMENDMENTS:

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<sup>2</sup> Available at: [www.salvationarmy.org.nz/research-media/social-policy-and-parliamentary-unit/state-of-nation-reports/the-growing-divide/](http://www.salvationarmy.org.nz/research-media/social-policy-and-parliamentary-unit/state-of-nation-reports/the-growing-divide/)

<sup>3</sup> These are available on request to: [social\\_policy@nzf.salvationarmy.org](mailto:social_policy@nzf.salvationarmy.org)

<sup>4</sup> Our submission to the Wiri prison inquiry is available at: [www.salvationarmy.org.nz/research-media/social-policy-and-parliamentary-unit/submission-papers/submission-to-wiri-prison-inq/](http://www.salvationarmy.org.nz/research-media/social-policy-and-parliamentary-unit/submission-papers/submission-to-wiri-prison-inq/)

<sup>5</sup> This editorial was in the April 2012 edition of our monthly e-newsletter *Public Sphere*. Copies of Public Sphere are available at: [www.salvationarmy.org.nz/research-media/social-policy-and-parliamentary-unit/public-sphere/](http://www.salvationarmy.org.nz/research-media/social-policy-and-parliamentary-unit/public-sphere/)

<sup>6</sup> As noted in *The Growing Divide*, page 35.

- 3.1 In the Regulatory Impact Statement titled *Removing Legislative Barriers to Effectiveness and Efficiency in Corrections - Paper 1: Prison Security*, the Department of Corrections noted two potentially significant risks with these new amendments. Essentially, there is a potential for an increase in litigation from those incarcerated. This is because these new amendments may be seen to impinge on a prisoner's basic human rights as defined by the New Zealand Bill of Rights Act, 1990. This potential is even larger given the new amendments around what constitutes *reasonable grounds* for a strip search.

We would again like to hi-light these risks found in this Regulatory Impact Statement. We implore the Government to develop robust frameworks to address this 'grey' area around a prisoner's basic human rights. We understand that Corrections is aiming to control the flow of contraband in prisons. However, we submit that these, and other practices within prison can greatly dehumanise a person. There must be stronger safeguards around a prisoner's human rights *despite* the fact they are in prison.

As aforementioned, we advocate for greater investment into rehabilitation and reintegration services to help those prisoners with addictions and a reliance on this contraband in prison. Instead of sanctioning the contraband itself, the addictions that drive these desires need to be addressed and assisted before that person is released back to mainstream New Zealand society.

- 3.2 We believe that for those health centre managers identified in Clause 7 of the Bill, there needs to be further clarity around their roles and responsibilities. We have a long history of working with current and former prisoners who have long histories of substance abuse, addictions and mental health issues. We believe these health centre managers must be medical professionals who have strong skills in the addictions and mental health areas to ensure the prisoner is supported holistically.
- 3.3 The Army supports Clause 8 of the Amendment Bill. We are glad that there will statutorily have to be more than one person professionally capable of handling a prisoner's health needs.
- 3.4 Under Clause 10, the new rules around authorised property must be given to new prisoners. We submit that this information must be given in languages other than English to ensure all prisoners fully understand these rules.
- 3.5 Clause 34 is about the reasonable ground test for searches. We have noted our challenges with this clause in section 3.1 of this submission.

#### 4. CONCLUSION:

The Salvation Army is intimately connected to the work happening for those serving sentences in prisons. Our Courts and Prisons service provide critical support and guidance to those facing the mammoth police, justice, courts and prisons processes.

Our focus through all of these mediums is to continue to advocate for the sanctity of human life and to move towards solutions aimed around freedom from addictions and rehabilitation and reintegration back into communities.

We strongly urge the Government to invest in these types of services so as to help ensure that those incarcerated are supported to be free from their addictions and do not re-offend once out of prison.

We are humbled and grateful to be able to contribute to this process. We would like to speak to these issues publicly as well. For more information, please contact Major Roberts. Thank you and God bless.

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