



2012/13 financial review of the Department of Corrections

Report of the Law and Order Committee

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Department of Corrections

Recommendation

The Law and Order Committee has conducted the financial review of the 2012/13 performance and current operations of the Department of Corrections and recommends that the House take note of its report.

Introduction

The Department of Corrections manages offenders who are sentenced to imprisonment or community sentences or held on custodial remand, and provides rehabilitative programmes to address the causes of their offending. It also provides information to the judiciary regarding sentencing decisions, and to the New Zealand Parole Board regarding release decisions. In 2012/13 its total revenue was \$1.185 billion and its total expenses were \$1.159 billion, resulting in a net surplus of \$26 million. This includes \$4.8 million in revaluation gains and up to \$14.5 million in expense transfers.

Financial performance

The Office of the Auditor-General assessed the department's management control environment and financial information systems and controls as "very good", the same as the previous financial year. The department is in the process of making recommended enhancements to its procurement policy, practices and policy management, which was taken into account in the assessment.

Spring Hill Prison

The department is conducting an enquiry into a riot at Spring Hill prison on 1 June 2013, where a group of intoxicated gang-associated prisoners broke into a staff control room, and it took eight hours to bring the situation under control. The department is pleased with the way the event was handled, considering it a testament to the training of its staff that there were no fatalities, and there have been no related complaints. Its advanced control and restraint officers receive intensive specialist training. They received special commendations for their central role in bringing the situation under control.

The prisoners involved in the violence managed to concoct alcoholic drink using fermented fruit and alcohol-based hand sanitiser. The department has now removed the hand-sanitiser and reduced the amount of fruit prisoners are given, and is requiring more regular cell searches. It has also had a change of manager at Spring Hill as it considers that previous leadership was not visible enough.

The department told us that the event had tested its emergency response equipment and measures with a difficult combination of fire and water hazards and intoxicated prisoners, although it was resolved satisfactorily. On the basis of lessons from the riot it had invested in more specialist protective and emergency response equipment, and increased the number of advanced control and restraint officers.

The department said that the open design of the prison was unsuitable for high-security prisoners, who it has placed in other facilities. It is a good facility for prisoners who are

willing to be rehabilitated, and the department does not want to disadvantage such prisoners by tightening overall security to deal with a small minority.

We asked if the large amount of drugs and drug paraphernalia confiscated at Spring Hill was indicative of a systemic problem in the prison. The department said it is pleased with the level of detection, and invests a lot of personnel in controlling what is brought into the prison.

Safety

Following the previous year's financial review, the department has produced a plan to combat violence in prisons. The plan sets out improvements intended to reduce assaults on staff by offenders. It has also produced a pamphlet for staff, *Keeping each other safe*, which outlines the plan. It is trying to overturn the assumption that having to deal with violence personally is normal for staff. The key message is that violence of any kind will not be tolerated. The department aims to reduce the number of assaults on staff by half by 2015. It has introduced stab-proof vests and on-body cameras, and training in the use of pepper spray and self-defence.

We asked if the use of cameras could be intimidating for some prisoners. We heard that the introduction of closed-circuit television cameras is to make people think about their actions and the potential consequences. It expects camera footage also to be helpful in clarifying disputed events. The cameras will be trialled only in demonstrably high-risk areas.

We asked if the department was confident that staffing was sufficient to ensure the safety of staff and prisoners. The department pointed out that the environment also plays a part in ensuring safety. For example, Spring Hill was fully staffed on the day of the riot, but keeping prisoners active and engaged also was important in keeping conditions safe. It has been proactively encouraging prisoners to keep active; going to the gym, or taking part in education, training or work.

Attacks on prisoners

We questioned the accuracy of the reporting of assaults on prisoners, having heard anecdotally that there were more stabbings in prison than those reported. The department assured us that the reporting is thorough, and the large numbers of reported assaults that do not result in injuries demonstrates this. There is an obligation to report them, and any failure to do so would show a lack of integrity.

The department said it is pleased that serious attacks on prisoners have dropped in the last four months, but acknowledged that this did not necessarily predict a lasting trend.

Change in prisoner attitudes

We asked the department about the large increase in serious assaults in 2009–2013. The department said that it had examined this issue, and many reasons emerged. One was an unusually low rate of assault in 2010, which made subsequent rates look worse; however it acknowledged that one incident was of the most serious kind, and resulted in the death of a staff member.

The department said that an obvious factor was a worsening in the attitudes of younger prisoners, with a growing lack of respect for authority figures and institutions. Gang affiliations are more common, and the proliferation of gangs leads to more violence among prisoners, which staff are challenged to monitor and predict. We were assured that the many reasons for this trend will continue to be monitored and studied carefully.

Serco

We asked the department if it was confident that Serco Incorporated New Zealand, which runs Mount Eden prison and in March 2012 was awarded the contract to build and operate a 960 bed prison at Wiri, maintained good safety standards and staffing levels. The department said that Serco had the same obligations to their employees as it does to staff in state prisons, and is experienced in running prisons.

Facilities and prison design

All of New Zealand's prisons have different designs, ranging from low-security, open styles to high security, and the department has been taking steps to ensure prisoners are in the appropriate facility for them, even if this means distance from family.

Effect on security

Some of the prisons are very modern, and some nearly 100 years old. The older prisons present more challenges in terms of safety for staff and prisoners. It can be difficult to ensure officers have a clear line of sight to the prisoners, to move prisoners around the prisons safely, and to check for contraband that may contribute to violence.

Paremoremo rebuild

We asked the department, recalling its insistence on the importance of prisoners remaining active, to comment on the restriction of some prisoners in D block at Paremoremo Prison to a small room for exercise while the yard was being renovated. The department told us that it is rebuilding the prison, which is 50 years old and does not have good rehabilitation or care facilities. The new prison will open in 2017. In the meantime the department wants to avoid putting money into constructing temporary facilities. It acknowledged challenges for staff and prisoners, but said that safety had to be paramount. The ultimate solution is to improve the facility, but this may make for difficulties in the short term.

Prison safety in earthquakes

The department undertook a seismic survey of facilities following the Christchurch earthquake, and we asked if it had found that its prisons are safe in the event of an earthquake. The department has established a risk profile of its facilities and has set up a programme it believes is more rigorous than any comparable response. It aims to double the current building code requirement that existing buildings have one third the ability to resist earthquake damage of a new building. It had planned to bring the most at-risk buildings up to standard within 12 months, but had fallen behind in this programme as more problems requiring attention came to light. It believes the most fundamental problems have been addressed. It maintains a capacity buffer against forecast levels of prisoners, so if a major earthquake made some facilities unusable, there are enough beds available in others.

Staff engagement and training

The department agreed that staff engagement is not as good as it should be. It expects that changes to make leadership in the department more visible, and to ensure that staff see that leaders take concerns such as safety seriously will go a long way towards improving it. It is also examining the structure of the prison service with a view to more transparent accountability.

The department has increased its initial training for prison officers from 6 weeks to nine; considering international comparisons and the complexity of the job, we queried whether this was sufficient. The department said the training provided is frequently refreshed, and they have recently introduced mental health, youth, and drug and alcohol training.

Domestic violence programmes for prisoners

We asked the department what it was doing to increase the number of people sentenced for domestic violence crimes completing domestic violence programmes. The department said that it is difficult to ensure people with community-based sentences complete their programmes, but they have more success with prisoners. Some success in its community work programme has been largely due to successful liaison between offenders and community work supervisors, and it hopes to take what it has learned there and extend it into domestic violence programmes, with the aim of increasing participation.

Appendix A

Approach to financial review

We met on 11 December 2013 and 29 January 2014 to consider the financial review of the Department of Corrections. Evidence was heard from the Department of Corrections and advice received from the Office of the Auditor-General.

Committee members

Jacqui Dean (Chairperson)
Jacinda Ardern
David Clendon
Hon Phil Goff
Hon Todd McClay
Ian McKelvie
Mark Mitchell
Richard Prosser
Lindsay Tisch

Evidence and advice received

Department of Corrections, Responses to written questions, received 11 December 2013 and 29 January 2014.

Office of the Auditor-General, Briefing on Department of Corrections, dated 11 December 2013.

Organisation briefing paper, prepared by committee staff, dated 9 December 2013.

Appendix B

Corrected transcript of hearing of evidence 11 December 2013

Members

Jacqui Dean (Chairperson)
Jacinda Ardern
Shane Ardern
David Clendon
Hon Phil Goff
Hon Todd McClay
Ian McKelvie
Mark Mitchell
Simon O'Connor
Richard Prosser
Lindsay Tisch

Witnesses

Department of Corrections
Ray Smith, Chief Executive
Leigh Marsh, Senior Corrections Officer

Dean	Just so you are aware—it is almost redundant for me to say this, but we are being webcast to an audience of about 25 people. So all they will see is the back of your head. So as long as you are comfortable with that—I'm sure you will be. Welcome to the committee. We've set aside an hour, so we'll go around—just before 25 past 11. If you'd like to give us some opening comments—and then happy to take questions. Thank you.
Smith	Good, thank you. <i>[Introductions]</i> So hopefully we've got the right people here. I'd like to give you a quick update on Spring Hill, and then a quick update on staff safety. So I'll try to wrap that up in 10 minutes and then hand back to you, if that's OK?
Dean	Sure.
Smith	So—if I could just read a statement on Spring Hill. Just over 6 months ago I briefed the select committee on the immediate aftermath of the prisoner riot at Spring Hill on 1 June. Now, a lot has been done since then to recover from the riot, and to enquire into what we can learn from the incident, and to further strengthen our prison system to minimise the likelihood and consequences of a similar disturbance. So I'd like to take this opportunity to update the select committee as much as possible. As charges are progressing against those prisoners involved, and much of the inquiry relates to security matters, it may be some time until the inquiry itself is finalised. Even then,

there are likely to be aspects of the inquiry report that cannot be released publicly, to protect the security of New Zealand prisons.

Our inquiry into causes of this event has been very thorough so far, and there may yet be further learnings that may come from examining the event. Our view is that the primary cause of the riot was the actions of a group of violent prisoners with gang associations, who had become intoxicated on a fermented fruit-based concoction and had been fighting earlier in the day. As is often the case with serious incidents, although the immediate cause was obvious, there is also a set of contributing factors that influenced the incident and how it played out. These had to do with the ability of prisoners to accumulate fruit and access to alcohol-based sanitisers, as well as aspects of the design of the unit and how high-security prisoners were being managed.

We have learnt from these contributing factors and have already taken a number of remedial actions. In response to the riot, all high-security prisoners were transferred from Spring Hill and Northland corrections facilities and remain housed in secure facilities in other prisons. The rebuild of the unit destroyed in the riot has been completed, and once it has been commissioned, prisoners will be placed back in it. In the rebuild we have taken the opportunity to design new enhancements to security—particularly related to staff safety. We have also reviewed the overall management of high-security prisoners across all prisons. As you would appreciate, I can't go into too much detail in this area, but I can assure the committee that the system has been enhanced overall.

We're taking steps to reduce prisoners' ability to accumulate fruit and have replaced alcohol-based hand sanitisers with alternatives. In future, prisoners will have access to a daily allowance of two pieces of fruit provided as part of their meals, which is the case now, and the ability to purchase no more than seven additional fruit items per week.

I made public at the time how proud I was of our response to this very dangerous situation. Corrections staff demonstrated bravery and commitment to quickly bring the escalating violence under control, and in so doing undoubtedly saved the lives of prisoners threatened by the fire. Our advanced control and restraint—our ACR—teams were central to bringing the situation to a safe conclusion. Quite rightly, they and their commanders recently received special commendation awards from the Minister and me for their actions on the day.

The Spring Hill riot was the most significant ACR deployment in over a decade. Our staff were deployed into an extremely hazardous situation in which fire threatened building collapse. The effects of water from fire fighting and intoxicated violent prisoners tested their training and equipment. Our investment in training and equipment supported staff to meet the challenges well on the day, and we've used the learnings from Spring Hill to make further investments in specialist protective and emergency response equipment. We have also increased the number of ACR officers to further enhance our capacity to respond.

A significant number of extra staff were seconded to Spring Hill prison immediately after the riot, to stabilise the situation and assist in restoring a normal regime in the prison. The management team has been strengthened through secondments from various prisons, and a new prison manager has been appointed who'll oversee the reopening of the unit.

Since the riot, we've been working closely with our emergency service partners, particularly the New Zealand Fire Service. Although the Fire Service's fire investigation report is not yet complete, we have appreciated the support from the Fire Service's senior management and begun familiarisation visits to all prisons with the Fire Service.

In summary, can I just assure the committee that all has been done that can reasonably be done to ensure that the risk of such a disturbance happening again is reduced. I think the critical issue there is that these types of events, from time to time, will flare up. What we are seeking to do is minimise the damage or disruption or danger to life, and that is the thing we need to learn from out of what occurred.

So I'm happy to leave a copy of that statement, and then I was wondering if I could be indulged to give you a quick update on the staff safety programme, then hand back to the committee and allow questioning?

Dean

Yes. You've only taken 5 minutes so far.

Smith

Is that OK? All right. What I would be keen to do then is, if I could just hand out—it's only half a dozen pages; someone can. I think the topics sort of go together a little bit, so I thought that might be useful. So, essentially, it was that this committee in December last year, where we talked about the issue of serious assaults on corrections staff, and it was a feature of conversation. I assured the committee that we had a plan and there were a number of things we wanted to get on and get going with, so I thought it's a good opportunity to update you on how we're going a year later.

First of all, the importance of learning from other jurisdictions, like Australia, the potential for a zero-tolerance approach to violence, and enhancing staff training, and the need to use tools like pepper spray we discussed. So we've engaged with our colleagues in Australia, and we set up an expert advisory panel, and there was some publicity about that in November last year to investigate staff safety, offer advice, and endorse the staff safety plan that we'd been working on. That panel was chaired by Howard Broad. It had representatives from New South Wales corrections services—so my chief executive colleague in New South Wales. My chief executive colleague in the Department of Community Safety in Queensland was also a member of the panel. Serco Asia Pacific's manager was involved, and some of our key corrections staff here, as well as an industry expert on health and safety.

We consulted over 600 people in the course of the panel's work. We spent quite a lot of time with the four unions that we are involved with. We spent time talking to other Government organisations. We also talked to a range of non-government organisations that we deal with that deal with prisoners.

And, of course, a lot of time was spent with our own staff. So the panel was pretty pleased overall with the progress that we were making and the foundations of the plan we had set out. I think key was that we need to elevate the issue of safety for all people in corrections under a strong anti-violence philosophy, and link with already established health and safety functions, and I'll talk a bit more about the anti-violence.

The panel sort of came back and said to us that hard-line tactics and overt weapons alone are not the answer, and sometimes you'll hear calls for these things, but I think it was reinforced by our staff and all the people we talked to that that's not the direction of travel, but that we need to focus on understanding our environment better and trying to prevent these types of incidents, and then being prepared to respond if something terrible does happen.

The action plan sets out improvements to drive a significant reduction in offender assaults on staff. The key message is that violence of any kind is not acceptable and will not be tolerated. I guess we've never been explicit about that. I think we've accepted the fact that we work in a high-risk environment with a lot of violent people, but we hadn't sent a clear message that it won't be tolerated, and then need to back that up with a plan. As a bit of a goal, we set out to try and halve the number of assaults on staff by 2015. Of course, we'd like to do a lot better than that, but we thought that was realistic.

Just quickly—progress on key initiatives. I've just picked a selection that I thought were topical. On body cameras—we're starting a 6-month pilot from January this year. Stab-proof vests—we already have stab-proof vests that are at the highest industry standard. In fact, we've never had an officer that's been stabbed through the vest—in fact, stabbings in New Zealand prisons are not really the way that violence is perpetrated. It is more so the case in English jurisdictions. But, notwithstanding that, we've had that. But we've been investigating new vests, and ones that are a bit more manoeuvrable. So I wonder whether that's a good point just to—if we could just show those a little bit, because I think they are new. So, Leigh—

Marsh Not a complete practical demonstration, I hope!

Smith If you'd like to rush at Leigh, we can—so Leigh Marsh is a senior corrections officer who's been a lead in the staff safety programme. So, Leigh, do you just want to very quickly talk about the vest and the on-body camera.

Marsh Yes, so this vest—the same specifications as the previous vests—the highest specification available. The significant difference is around comfort and manoeuvrability. Unlike the previous vest this has shoulder and gusset adjustments to allow more movement here and a height adjustment, which reduces when you sit down and moving up and allow more movement from the body. It also has greater cut-outs here to allow movement around the arm, whereas the previous vest was very tight in here and it was very hard to move the shoulders.

The on-body camera, as you can see here, can be worn on the vest. It can also be worn on the uniform. The purpose of the camera is as a de-escalation tool. When a conflict arises between an officer and a prisoner, the officer can activate the camera. They then see themselves in the camera's lens and research tells us it will then calm the prisoner down as they see their behaviour in there. They can also use the footage to help manage that situation afterwards: training and debriefs and holding prisoners to account.

Smith Thank you, Leigh. So the objective is, again, to try and use things that help de-escalate rather than escalate the situation.

Clendon Excuse me, Ray. Does that camera record sound as well?

Marsh Yes.

Clendon It does. Thank you.

Smith And we're working with the Privacy Commissioner, so we need to make sure we have good rules so we don't breach people's human rights. So we're not wanting to collect this information for all time or anything like that. We've been working well with her to make sure that we actually get that right, as well, in the introduction. We don't want some legal challenges off the back of that.

Just a couple of other points. The initial training course—corrections officers always completed a 6-week induction course before they were put on, out of the training school here at Rimutaka, largely. That's now extended out to 9 weeks. That allows us to do much more work on safety with staff and that's pretty much industry best practice and what we found in Australia and other countries.

The pepper spray has often been topical here. Pepper spray training has been rolled out to almost the entire corrections workforce now and is available. I think we've used it five times this calendar year. So, once again, it's not something we carry around with us, but for planned situations sometimes it can be a better option than sending people into deal physically with people.

Tactical exit training—I think this has been an important introduction. Staff have told us they would like the communication capability, which is first and foremost the way to de-escalate situations. But if somebody grabs you, how do you remove yourself from those holds? So we've given them some more training on, again, how to extract themselves, remembering most of this is about us defending rather than being aggressive in situations.

The physical readiness assessment—we're currently trialling that. So we haven't had that traditionally. I'm pleased to say that my executive team and I went through the physical readiness assessment. We all passed and finished in the top 15 percent. So it's doable.

Unidentified Not to boast.

Smith No. So we're not asking people to do something we can't do. It's not an impossible test to do. It's more about making sure that the people you're working alongside can come to your aid and will be able to be there.

And the zero-tolerance campaign—one key thing we’ve been trying to do here is starting to get up some messaging, I think, which is more explicit about what we expect. So quite simple: “No excuses for violence or abuse”, “We don’t tolerate violence or abuse.” I see these going up in probation sites as well. So that doesn’t stop people doing it, but it’s a beginning of saying “If this is the message and we all need to take it seriously, then how do we reinforce it.”

For our staff—sort of key messages: How do you keep the person next to you safe on the shift? Safety is everybody’s responsibility. If you ignore risk, who gets hurt? Are you doing your part? And so on, and so it goes. And so people have worked quite hard. Safety—while the department at a corporate level can do a range of things, in the end the 8,000 people that work for us have to take a personal responsibility and so does the leadership.

How’re we going? Well, in the first 4 months of this fiscal period we’ve had no recorded serious assaults on staff. There are particular definitions around these assault categories, which we share with our Australian jurisdictions. We did them together with them so that we could compare across Australia - New Zealand. The overall rate of assaults on staff have dropped but that’s a bigger challenge. So a long way to go there and, importantly as well, prisoner-on-prisoner assaults. So it’s not just the staff. Prisoner-on-prisoner assaults have dropped almost half in the first 4 months, so I’m pretty pleased about that.

So what I thought I would just leave you with in closing, if I could, is a copy of the *Keeping Each Other Safe: Staff Safety Plan*. It’s year 1. We’ll want to update this every year as we get more into that. So that’s been a big focus of the year.

Ardern Thank you. Thank you very much for that really helpful overview. I want to start by going back to Spring Hill, and you talked about some of the—I guess—the precursors, as you see them—to the riot. One element that you mentioned was, of course, the ability to create an alcoholic substance, which was consumed by prisoners. But I note from your response to the financial review questions that in the last financial year Spring Hill had the highest number of physical finds of drugs and paraphernalia confiscated by either prisoners or those visiting the prison. But not just the highest; it was double the next highest prison, with 144 finds. That’s almost three times as many as in 2009. Do we have a systemic problem at Spring Hill?

Smith First of all, it’s good that we find these things. So it’s good that people are finding it. We run quite a strong programme. You often see with the *Dog Squad* programme on TV they often feature Spring Hill and I think we bring a lot of people to that prison to make sure—at control and checkpoints. How do these things get into the prison is the real issue, and prisons are all designed differently. Some prisons have a lot of spare land around them where people can throw things over fences to get things into the prison. Some prisons it’s more difficult to achieve that, depending on the proximity.

It also has a lot to do with the types of prisoners that are contained. So one of the things we've made a decision about with Spring Hill and Northland, because it's a similar design, is to take high-security prisoners out of there. It's the high-security prisoners that generally present the greatest risk in this regard. We have decided that that facility is not best designed. It's a reasonably open-type prison environment. So some prison environments are quite closed off. Spring Hill is quite an open environment—it's more campus style—and we think the medium – lower-risk security prisoners will do better there as a destination prison, which is really what it was designed for.

So, I think that combination of changes, I hope, will see I guess a more normalising of those type stats.

Ardern I mean, I understand you're learning the new environment, the new builds, and issues that come with acclimatising to that environment with the prisoner set that you have in there. But it's gone from 57 to 67 to 93 to 144. That indicates things are getting worse not better as the years have gone on.

Smith I think it had been a tough jail to operate. I think it had a large number of high-security prisoners, as I said. We've made a whole range of changes there. There's been a range of changes in the management regimes. There's changes in leadership. There are changes in the design of the facility. I think all these things will strengthen that. It's a prison that accommodates 1,000 prisoners—a lot of visits.

Ardern But Northland, built at the same time—similar issues, I guess, in acclimatising to new layout and design. It's managed to drop quite considerably its rate of finding drugs and paraphernalia.

Smith Interestingly, the prison manager we've appointed at Spring Hill was the prison manager at Northland. So I think—

Ardern So, definitely improvements to be made.

Smith I think leadership's a big part of it. No question that improvements can be made and I think we're being fulsome about that. I think we could do a lot better. However, I think that prison will always be challenging in terms of—It's quite an easy one to visit at well. So it's proximate to the population of people that stay there. So there's a high visiting regime there, and it's generally in the course of people going in and out of the prison that things get introduced. So there's a big flow of people, I think, in and out of their prison. It's not the only one that has that. I mean Mt Eden has a high flow and has done well.

Goff Just as a supplementary, you said in your introduction about Spring Hill you've strengthened the management team and you've appointed a new prison manager. Is that an implicit acknowledgment that the management of that prison was not up to scratch?

Smith Yes, I don't think the leadership was as visible as it should have been. It's not to say that the people that were working there weren't talented and capable. But it's one of New Zealand's largest prisons and I think the visibility could have been stronger and I think that makes a big difference.

- My observation across prisons and probation sites is when leadership's working well and working well with the staff, then I think often times you do a lot better. So I think it needed a change. The people that we had there were talented and capable people too, but I think it needed a change.
- Goff Just a second supplementary on that, if I can. You've said that you're really pleased with the response of the staff and helped save lives, etc. and acknowledge and commend the officers concerned with that. But in your inquiry, which you're kind of giving us an insight to but you will release, I think, substantially, you would also have found faults. Apart from the fruit and the sanitiser, you would have also found fault in the way in which things were working in the prison. I wonder if you could share some of those faults with the committee.
- Smith Yes, I think I've tried to give you a bit of an insight into that without going too far at this point until the inquiry's completed. And I'm conscious too that we have 23 prisoners facing a range of arson and related charges. I think more information will come out in the course of that process. So I think we've got a little ways to go before we complete, but my observation of the ones that were made here is that I think some of these prisoners would have been better located in other places, and I think we're trying to get that prison back to the purpose it was more appropriately designed for.
- You know, on the day we were well staffed. All those kind of things were in place. I think the really big learning for me out of this is that these things can flare up and they can get away on you, and you need to be able to contain them fairly quickly. So you've got to match prisoners to environments where they can be contained. And when you've got open campus-style prison and you've got a concentration of people that probably haven't accepted that they need to conform to a way of getting themselves out of prison, you run the risk, I think, that something can happen and it's hard to maintain order and control.
- In answer to your question, I think there are a lot of learnings for us. That's why we took the step, even though we haven't got a problem in Northland, to say: "Well, it's a similar design. Let's not just rely on people to get this right. Let's actually shift those high-risk prisoners too." I think that's had a substantial effect on the corrections estate. We have moved 140-odd prisoners around. I think maybe the positive that comes out of that too is that those prisoners that perhaps wanted to be at Spring Hill, so they could be proximate to family, are now not. But they know that in order to be, they've got to get with the programme.
- Goff So you had an overconcentration of difficult-to-manage prisoners at Spring Hill. That was one of the factors?
- Smith I think so. I think that made it harder, and so I think you got the kind of things with people fermenting fruit and perhaps the acts of violence and aggression happening more frequently, harder to manage in a not very controlled environment. Some of the prisons, in the wings of prisons where you have high-security people—I can think perhaps in Hawke's Bay—where you might not have more than 12 mixing at any one time. So if things

do get a little heated, it's much easier to control and contain, and they can't get very far. Whereas I think in the more open-style prisons that risk can be more apparent.

Mitchell Thank you. I know that prisoners, or some prisoners, dedicate a fair bit of their time trying to find ways to defeat measures that are put in place and the whole fruit and hand sanitiser thing. I was just wondering—I might have missed it in your briefing—but have you adopted a national policy around that? Did you find evidence of that throughout the country?

Smith Yes, yes we have. So we've removed alcohol-based hand sanitisers and found a replacement for that. So I won't go into how they managed to use the hand sanitisers to kind of achieve what they achieved, but you can do these things, so that removes a risk. The fruit issue—what we don't want to do here is punish all of those people that are kind of just getting on with their sentences and trying to turn their lives round because a small group of people did something serious. So what we are trying to do is get a balance here.

So we always give fruit with meals. We're saying that people can buy another seven pieces of fruit in their normal ordering. That gives them three pieces a day. We think that that's probably reasonable. We've looked at what Australian jurisdictions do. Most corrections jurisdictions struggle a little bit with this and they've got various rules around sweeteners and all types of things to try and restrict it—you know, bags with holes in them. There's lot of ways you can try and reduce the likelihood of someone being able to create a fermented fruit-type situation where they can get high on it. So I think we've tried to take a practical approach.

And, of course, the other thing we do is cell searching. But when you've got 8,500 prisoners you can't search every cell every day. That's not practically achievable.

Prosser These high-security prisoners that you're taking out—I'm curious as to where they're going. Are they all being concentrated in one place, or are they—

Smith No, no. I won't go into where we've located them. I don't want to make it harder for anyone else that's managing, but they've been spread.

Prosser OK. Are there then differences in design and management in these other prisons, which could perhaps be incorporated into Spring Hill to make it more—

Smith Yes. I think a couple of things. If you think about our prison construction, they've all been constructed over the last—probably now—50-60 years. They were stretching back as much as 100, but we've closed those ones down. I think the oldest is probably sitting at Waikeria—well, Invercargill's nearly 100 years old. So if you think about prisons as buildings, they're all constructed in different time periods and so they have different arrangements around them, some of them much more constrained. Then we had a period where—I think, rightly—we wanted to create more open environments where we thought we could rehabilitate people better.

The reality is you need both and I think the challenge in the more open campus-style prisons is not trying to use them for something they weren't really designed for, unless you're going to strengthen the prison so that they can cope with both methods. In New Zealand we've tended to operate comprehensive prison models—that is, everything from very high to very low security. So you tended to load all of that in. I think what we want to do is make sure that some of the prisons are more specialist-focused.

So some of the changes that we've made at Spring Hill will mean that you could accommodate higher-risk people, but I don't think we want to concentrate it there. We think we'll do a better job there at that prison with the staff and all of the programmes. You know, it's an amazing prison in terms of the facilities it's got available to rehabilitate people, and I don't think we should contaminate it with people that aren't wanting to participate yet. That's kind of my view about it.

McKelvie I guess the short time I've been in this place and watching what you do, I've been hugely impressed with corrections. I think you do very well with it. But you just touched in the course of your answer to Richard's question on the issue that I was interested in. When you are talking about Spring Hill you are talking about the upgrade to staff security measure around the rebuild. But one of the things I've noticed—and it's a topic you've just touched on—is that every one of your prisons is so different. I was wondering what sort of a challenge that presents around staff safety and, I guess, prisoner safety for that matter.

Smith Everyone's designed differently, did you say?

McKelvie Everyone's so different. All your prisons are so different. You just touched on that topic.

Smith Well, that's the point. The most modern prison will be Wiri, which is to open in 2015, and it will look very different to Invercargill. It will look very different to something that was designed 50 years ago at Pāremoremo. It will look more similar to Otago and Spring Hill and Northland and Auckland women's, which are very progressive, modern, positive prisons, I think. So, it does create challenges: the lines of sight that officers have in prisons, the way they move people about prisons, the control and checkpoints that make sure that people aren't introducing contraband or that they aren't around a corner doing something that you can't see, where prisoners might be hurting each other.

I think in the more modern and open prisons, even in the higher security areas, these features are built in. If I think of Mt Eden prison, it's got hundreds of cameras. So the ability to observe what people are doing there is much greater than probably any other prison that we have—it's only 2 or 3 years old. So these things will make a difference to how you staff prisons, how you operate them, the kind of regimes that you can run.

McKelvie So just to briefly pick up on the camera thing—because I was interested in the camera that Ben showed us. There's no chance that it'll be intimidating rather than—I think you used the word “pacifying” or something like that?

Smith Well, the experience with—CCTV cameras, of course, are pretty commonplace, and one of the things I learnt in my time in leading Work and Income officers who experience spates of violence, I think, through the 90s was when we introduced CCTV cameras and people realised that actually their actions were being filmed. It didn't solve the problem, but it cut it substantially. So none of these things resolve the problem. I don't think they intimidate people, but I do think they make people think about their actions and the consequences for them of their actions.

The other thing I think's really important with the cameras is when an incident does happen between staff and a prisoner, there are different accounts of that incident. And so I think that also helps us be responsible in the task that we're performing too, and we can learn. So sometimes we won't all be at our best, and I think we'll be able to learn from what went well and what didn't go well—how were people speaking to each other. So I think for both sides, I think this is potentially very positive. Could it be intimidatory? Well, I hope not. We're not going to place this on 4,000 staff. We're going to trial it in the high-risk areas where we have most of the difficulty.

O'Connor Just a very quick one if that's all right. It was just around the whole ACRs. You talked about their expansion and their roles in this. So as someone who is not as familiar, just what is involved with that team?

Smith Yes, so one of the decisions we've made is that—so to become an ACR officer, you undergo specialist training. It's quite intensive. I think they spend nearly a week together every year past the first induction period. So you're fully kitted up in riot gear. You'll often see these people on TV. You have access to more things. They have specialised baton training—all those types of things.

I guess one of the things I'm really proud about is you make a big investment in all of this training, and you don't want to have to use it. But if you think about Spring Hill, where we would have had 60 officers deployed and 27 people putting up hard resistance, the reality that everyone came out of there alive when you've got things flying around and weapons being used, I think, was a testimony to the training—that people actually held it together. We didn't have any rogue behaviour. In fact, there's been no complaints raised in relation to how that was handled. So everyone got out of there alive; I think, was a huge achievement.

Now, what we are doing to advance that is we're putting in two more teams. I think Spring Hill was short of a team, and we'll get an extra, additional team of people trained, and we are doing the same in Otago. So that's important.

And then there are some equipment-related issues. We hadn't operated in the middle of a fire where there'd been water before, and we found that some of the equipment didn't stick to us so well. Shoulder pads and things like that fell off. We needed more gear. I mean, we were in the middle of the smoke issue. So men and women were having to go into a situation where there was a smoke inhalation issue and rescue other prisoners. So,

make sure we've got all the respirators we need and those type things. So, quite an investment in making sure that we learn from it.

J. Ardern I wanted to come back to the question of safety within corrections facilities, and also, I think, everyone would applaud efforts to improve safety for staff. I think it's important to acknowledge that your 50 percent reduction is sitting over the top of a significant increase in recorded assaults, both non-serious assaults—no-injury assaults on staff as high as, I think, over 100 percent in some cases—so, obviously, a need to do something there. I guess my question is, though, that some of the submissions to the board that you set up around this did say that the general environment within the prison affects staff safety, and I wonder what you're looking to do around prisoner-on-prisoner assault, given we've seen, I think it's a 27 percent increase since 2009 in serious prisoner-on-prisoner assault, and the kinds of interactions that staff are then having to deal with when that breaks out.

And I also question even then how accurate some of the numbers around serious assault on prisoners is, given—I've seen some of the numbers, but I've had shared anecdotally with me that they've seen stabbings that well exceed what's included in the tables that you've provided to us. So, your comments on that general issue and the accuracy of reporting.

Smith No, I think they're really good questions. Maybe I'll start with the reporting. As far as I know, it's pretty thorough. It's been running for a long time. I think the reason we have so many reported assaults where there are no injuries is because people know that it's important to report it. So we certainly encourage people to report. And I think as the safety programme rolls, I think we'll see more reporting of incidents, actually, for a period.

J. Ardern Even at Wiri, where there's a \$500,000 bonus at stake if they don't report a serious prisoner assault?

Smith Well, there is an absolute obligation to report these things, and anyone that doesn't do that, you know, is lacking in integrity. And I think that we look at these very seriously. We've got some quite strong definitions around them so we can compare them with the Australian jurisdictions, so we can sort of see how we're going in relation to them. So I'm pretty comfortable with the reporting because there's a high level of reporting, and any officer can enter into the system—and are expected to—anything that happens to them, and we encourage that.

Your question, though, about the broad environment—I mean, I would agree. My observation in joining the service—it would be 3 years ago this Christmas Day—is that too many people in prisons weren't active enough. And I think it's unhealthy if prisoners are not actively engaged. Even if they're more difficult, you have to find ways to keep them engaged. There will be a small number where you might just have to leave them until you can find a way, but I think we could do more.

So there's been a big push from us as a team to lift the engagement levels, whether it's participating in constructive activities, whether it's getting them to the gym and those kind of basic things, but, actually, a participation in

education, training, and employment has been a big drive. I'd like to see all prisoners that can—much more active. So we're seeing a big increase. I think the three working prisons were a way of driving that up, and we're seeing quite a change. And it's interesting how innovative prison managers and their teams can be to create opportunities for people to go out and do things.

J. Ardern And, look, I absolutely concede I've seen some very good things in the prisons that I've visited. But, at the end of the day, one of the things you're still managing is that you will have a period with prisons on unit either in lockdown or not, and staffing ratios are incredibly important. You referred to that yourself as the smaller units sometimes being more manageable. Wiri, as I understand, is going to be a 65-bed unit, or at least some of the ones I saw I believe were a number as high as that, but staffing ratios aren't increasing. In Mt Eden there have been reports from staff that they are operating below the staffing ratio they are required to operate at. Are you confident that you've got enough staff on those units to ensure the safety of both staff and prisoners?

Smith Well, look, I think staffing's really important, but, of course, it's not the only dynamic. I mean, if you look at Spring Hill, we were fully staffed on the day, and these things still can go wrong. So staffing—

J. Ardern You said there was fighting going on earlier in the day. I mean—

Smith Absolutely. I mean, so when prisoners fight with each other, that's quite a challenging safety issue for our people. I've sat at hospital bedsides with staff that have gone to stop prisoners fighting, who have come off second-best in that encounter. And one of the real challenges, I think, for our corrections staff is to work out how quickly to move towards some of these problems, to make sure that you can go with others, that you've got the required backup. But, look, if it's a terrible situation, there's no way one of my staff's going to sit and watch someone else be beaten to death. So there are those situations where people have to make judgments, but I would say staffing's important, but the broader environment's important. So you can staff up units, but if you have everyone doing nothing, you are far more likely to have difficulty than if you have people actively engaged in things that make a difference in their lives.

J. Ardern So you haven't had concerns expressed about staffing ratios at Mt Eden?

Smith Well, I'm confident that Serco is an international company who've got a lot of experience in running prisoners'—

J. Ardern Well, they're definitely an international company. Whether or not they're reputable is another question.

Smith Well, they run prisons in four countries and they have a different model than us. I accept that. But they have an obligation—*[Interruption]* Sorry. They have the same health and safety obligations that I do as chief executives towards their employees. And they have to run a regime that makes sure that their people are safe under the health and safety Act. And the directors of Serco Incorporated New Zealand have the same obligations on them

that all of us that are employers do, and those things are strengthening, which I think is a good thing. So I think that they've got a lot of experience. They do it differently than us. I take it very seriously in our environment.

And I guess the other point I would make is that—you raised the issue about prisoner-on-prisoner assaults and, because it all kind of fits together in a way, I'm really pleased to see that serious assaults had dropped in the first 4 months. I mean, you know, we can't put a line under it yet. It's early in the year; these things can change quite quickly. One significant incident can mean that we have a series of people hurt, and prisoners as well. But I do agree with you—the whole message about reducing violence.

So this anti-violence thing is not just about towards our staff. This has to be for everyone that's in the correctional system. And nowadays if you start with us—we've just released this pathway booklet, and we're very clear at the beginning what you can expect from us and what we expect from you. And to be honest with you, I don't think we—I know it seems a sort of basic step—were clear about that.

When you have workplaces where—look, I grew up in a workplace where it was expected that as a male I'd go out and deal with situations if they became violent at the counter in dealing with people on welfare benefits. And many of the people that I worked with, growing up in New Zealand, had that expectation. So a lot of us have grown up in New Zealand thinking that we can handle things, we can go and sort them out if they come up. And I think it's no different in the corrections environment, where people kind of go: "Well, it's part of the territory. I expect there to be some of this, and we have to handle it."

What we're trying to do is reverse that norm and say, actually, no, that is not the default position. I don't expect people to have to come to work and wonder whether they're going to go home at the end of the day. I expect them to have confidence that we have a no-violence policy and we put all the things in behind it.

So how do make that practical and real when you've got an aggregation of very violent people, because we've segregated them all out of society and we've aggregated them in one place? Well, an example: if a prisoner assaults a staff member, they will be removed within 48 hours to maximum security if that's a serious assault. So, you know, I think previously across the prison network there would have been different interpretations. That's not because we want to load up the maximum security jail; it's trying to send a message that says if we say you can't do something and you do, then we take it seriously.

Clendon Just two quick supps around safety generally. You've made the point quite strongly that keeping prisoners active is critical to the well-being of the prisoners and the staff, and I entirely endorse that. That sits uneasily, though. Earlier this year for some period of 10 or 12 weeks prisoners at D Block were denied access to outside yards for some reason of renovation, I believe. Basically, their exercise was in a relatively small room. How does

that fit against your commitment to keeping people—these are some of the most volatile people in our prison system.

Smith Look, it's a really good question. So you'd have noticed that we've just announced that we're going to rebuild that facility. It's 50 years old. Some of you have been through it a few times. It's pretty intimidating. It's pretty difficult. It does house the most difficult, often forensically challenged people that we have in our system. It doesn't offer good rehabilitation or particularly good care facilities. So, look, you're talking a \$250 million approximate redevelopment there to actually put that right. That will be open in 2017. If we're making modifications between now and then, of course, we want to be careful how much money we sink in there, given that ultimately we'll pull that building down.

I guess the other thing to be conscious of there—I mean, I'm very conscious with the staff that work there. I think they do an incredibly job. We had people that we take to a shower in that D Block, four officers, one person, and then that one person will assault them. Now, what do you do next? So sometimes the regime there gets very tight. Of course, nobody likes that, but the solutions are not always that obvious. I think the big solution is: fix the facility. It's simply not designed to hold the number of forensically challenged people that we've got, and I think if we fix that, we'll go a long way to improving the environment for them, their chances of rehabilitation, and also safety for our staff.

Clendon Another aspect of safety. I'm aware that following the Christchurch earthquake you undertook a survey of the seismic characteristics of prisons. The Minister was rather shy about sharing the detail of that on the grounds of commercial sensitivity, but what can you tell us about the status of that survey, what you've done in response to it, what work is being done or has been done? Are the prisons safe? I mean it's just dreadful.

Smith I think we've got one of the leading programmes, actually, in addressing this. I chair a governance committee that meets at least every 2 months now. We've established a risk profile across all of our facilities. We've set ourselves a programme that is more aggressive than any council or mandatory requirement to lift our buildings, places where our people work, and where prisoners are housed, to a level of building code requirement where everything is above 66 percent. We don't have to do that, but we're doing it because it's the right thing to do. So we've got a category of buildings, which are R1 rated, which we said we would resolve within the first 12 months. We're a little bit behind programme—but, in fact, we found a few more—but fundamentally we've addressed the greatest risk.

So closing New Plymouth Prison—New Plymouth Prison was something like 8 percent of the building code, Mt Crawford prison was about 12, some units in Waikeria and other parts of the prison network we have closed down because they simply weren't repairable. And, hopefully, you will have noticed—I think we announced about an \$80 million redevelopment programme; Invercargill Prison—keeping it open, but we've got to spend \$17 million there; I think remedying some of the earthquake-related stuff

and making it better for prisoners, to rehabilitate them. We're doing the same thing in parts of Tongariro. Waikeria will be a particular challenge for us—a big challenge there in a facility that's very old and has significant earthquake-related issues. They're not at the dangerous level, but they will not achieve the long-term threshold that we need. So I just would really want to assure you that we have taken this really seriously—and in the probation network as well; right across the probation network.

Clendon Is that summary information available somewhere? Online?

Smith Yes. I'd be happy to put together a summary for the committee if that was helpful.

Clendon That'd be useful.

Smith Because I think there's quite a lot of learning in this, in the way that we've gone about it. None of us here want to be in a situation where people are housed in a facility that they can't escape from where, because of an earthquake, their lives are put at risk. I think, you know, we've taken that really seriously.

Dean OK, I've got a supp. from Phil, then Richard, and then a new question.

Goff Thanks. Ray, I applaud the goal of halving the number of assaults by prisoners against staff, but that'll actually take us back to about where we were 4 years ago. I'm looking at your answer to question 171 in the supplementary estimates, and there's been a huge increase from 2009-10 to 2012-13 in serious assaults and the other categories of assaults. They have doubled, and I'm just wondering what the reason for that is. Yes, look, we're bringing in new ideas now, but what was it that caused such a huge level of increase in assaults, not to mention the prisoner-on-prisoner assaults, over that 4 year period?

Smith Yes, it's challenging isn't it, because I have wanted to understand that too—what has changed. It's very interesting in that period. The year that we had the lowest serious assaults on staff, I think, the 2010 year, there were two—probably the lowest we had in a decade—

Goff 2009-10.

Smith —but a staff member died. So at the most serious end it's pretty volatile because the numbers are small, but in the broader scheme of things you're right in saying those assault rates have risen. I think things I've observed that make a difference is the department embarked in 2009, I think, on a communication programme with its staff—i.e. teaching officers better ways of communicating with prisoners to de-escalate situations, and there was a fall-off in assaults, but it came back again.

I have a sense that it's one of those things that unless you have it on the agenda and push it really hard all of the time, people drift into patterns where it becomes more normalised rather than unacceptable. So I think we've just got to drive really hard on it.

I have looked at some of the issues. You wonder about things like double-bunking and those type of things—have they made a difference. It's a

reasonable question to ask, but I had an evaluation report done that says actually the opposite. It had a very slight opposite effect. So it's not that; you would think that maybe that's part of it, but it's not that. If you talk to staff who've been around for a while about why are there more, they'll tell you that a lot of the younger people we bring into the prison system now do not—I guess, they don't respect authority-type figures and institutions in the way that used to be the case.

I don't think that explains a 5-year period, but I think there's a little bit of that as well in the situation. They will tell you that prisoners are different. And the other thing that might influence this a bit is the Effective Interventions programme that actually stopped a lot of people having to be imprisoned, because they were on home detention or other types of community-based sentences—means that the concentration of people in prisons, I suspect, might be getting a bit tougher in turn. So I don't think that's a complete answer, but a little bit of a my sense of—I think we've got to do more as a leadership group, which is why I've taken the challenge on personally to make sure that health and safety is a No.1 priority and we listen to our people about it. But I think there are some other, maybe, factors in the dynamic of what's happening in the population of people in prisons that might have a bit of an effect on it.

- Dean I'm going to keep things moving because we're going to run out of time.
- Prosser Thanks, Madam Chair. Thanks Ray. Just with regard to earthquakes and so forth, I presume you have contingencies in place, if you did suffer a major loss of a large facility, that you can rehouse prisoners, that you've got capabilities to relocate, to transport.
- Smith Yes, we do. We run a buffer against the forecast. The Ministry of Justice releases a forecast of prisoner numbers, and we try to make sure we've got sufficient beds to meet that forecast, but we run a buffer above that. We're in a good position at the moment to be able to offer that buffer. So, yes, if something terrible happened somewhere, I think—as long as we don't get too many events all at once.
- Mitchell Just a very quick supplementary, because you made what I thought was quite an interesting comment about the fact that the guys, the prison officers, on the front line are noticing that there's a slight culture change in terms of the younger prisoners coming through—seem to be more motivated to engage in some sort of prisoner-on-prisoner assault or prisoner-on-staff assault, and I'm just wondering, you know, the older prisoners maybe had a bit more of a code that they operated to and—
- Smith Yes.
- Mitchell —and a bit more respect for maybe both police and corrections officers. So do you see that as a bit of an alarming trend? I mean, is it seen as a badge of honour to come into our prison system and try and assault someone? Can you just expand a little bit more on that?
- Smith I suppose it's important to say—look, I visit prisons all the time, sit with prisoners, talk to them, and I think the overwhelming majority of prisoners

actually want to get on and do something better with their life. They want to get back to their kids and their families, and they want to show that they can be different. Whether they can be or not, I think their motivations on the whole are generally pretty good.

But one of things that's quite different and that has been changing is the gang affiliations. So there's a proliferation of gang associations now. It's not just your core gangs, Mongrel Mob and Black Power, those type things; there's a proliferation of street gangs, and this sort of creates a tension in the environment where people—they're not necessarily interesting in fighting with corrections officers or fighting the system particularly. They're interested in fighting with each other. So it's a real challenge for staff, I think, to try and keep these factions at bay and keep people separate.

So a lot of it is kind of stupid stuff, I would say, but the growth in those people that say they are gang-affiliated is—and it's a New Zealand thing, much more so. If you go to Australia, they do not have this prevalence of gang association. If you go to the UK, they don't have this prevalence of gang association in the way that we have it in New Zealand. It is an aspect of culture here that is a bit unique and creates, I think, some of the underlying violence.

Mitchell Just very quickly on that, with gangs, going back to what we had at Spring Hill or the situation in—you guys are obviously gathering intelligence all the time so you can monitor and get a feeling for what's happening inside the prison system, but it's very hard for you to be able to anticipate if instruction comes from outside the prison and the gangs may have an issue or some sort of turf war going on, and they take that inside the prison by directing or telling prisoners that they are going to plan maybe an assault against another gang. So is that an issue or a problem and is there any way of sort of addressing that?

Smith I'm sure it can be, but I think, yes, we do have quite a good intelligence function. We, on the whole, are pretty good at picking up on those types of things and being able to de-escalate. A lot of prisoners get moved around the system—probably more than we would like actually, and I think in future we want to try and stabilise that a bit for their own rehabilitation needs to be met—but some of the movements are simply about observing that something is starting to escalate or there's some plans and we move people around the system a bit to try and separate those issues, which is pretty expensive but, I think, is pretty important. So, good use of intelligence makes a difference, but not every situation's controllable, and I think any good corrections officer will tell you that they can't predict every situation.

Dean Thank you. We've got three primary questions to go. We're just under 10 minutes now, so we'll keep everything nice and crisp from now on. David, thank you.

Clendon OK. Ray, in your annual report, you identify staff engagement at about 66 percent, which is up marginally. It's similar to what it was 2 years ago. I'd suggest that that isn't a particularly high score, given the importance of the

quality of the staff you're engaging with the task. So I'd be interested in your comment. I think 66 percent would have been a reasonable average 5 years ago in a sort of a corporate setting, but I think it's sort of below par, I would argue.

Smith It's lagging, isn't yet. Yes.

Clendon Yes. Allied to that is a question around the training. It's gone from 6 to 9 weeks' training of officers. That's a step in the right direction. It's similar to UK, significantly less than Western Australia. Norway has a 2-year training programme for prison officers. It's an increasingly complex job. As you've said, the nature of inmates is changing. I mean, it is a very, very difficult task. You've got to be a psychologist, physically fit—all of these things that prison officers are confronted with. So interested in that—how do you up that level of staff engagement and do you really think 9 weeks is enough?

Smith Well I think I'd agree with you. I mean, we want to lift that engagement score. Interestingly, what we do have is that there's two important measures in there. One of the measures in that engagement survey that is one of the highest of any of the occupational groups surveyed is: do people believe in the job they're doing. So what we know is that people get up and go to work in the Department of Corrections because they believe they can make a difference. So their personal motivation is not at question, which is a great thing.

The second issue, I think, revolves around us improving our leadership of our own people, and we have a visible leadership programme. It's doing things like the safety and taking it seriously and leading it from the top and asking all of our people and managers to make it a priority. Those types of things will lift our engagement survey because people will see that the people that they work for take their job seriously.

One thing I think perhaps will have to be addressed in time is that some of the structures, I still think, particularly in the prison service, are old-fashioned. They look similar to the structures when I joined the Public Service 30 years ago. They're quite hierarchical is what I mean. There's a lot of ladders and steps in there, and I think some smoothing out of that over time might mean that people get clearer about who actually is in charge and who can be held accountable for these things. So I think we've got a little bit to do there.

On the training side, I mean—gosh, the move to 6 to 9 weeks is substantial. It's what most Australian states do. The training doesn't end there. I mean, they're constantly brought back in for refresher training and so on, but, I guess, could you ever train enough? Don't think so. One of the things I'm proud about that we're going to train people in just now is that they're all going to get, I think, access to 2 days on mental health. You know, so we've done a good job of that with our probation staff. We've trained them in 2 days on youth issues, 2 days on brief alcohol and drug interventions. What else have we done? There's been three or four—motivational, those types of things. So I think—no real disagreement.

Goff Ray, real concern about domestic violence and all the efforts that we're trying to make in the community with White Ribbon. I noticed for the last 5 years we've barely made half of all people sentenced to doing domestic violence programmes complete their programmes. Last year it was 54. Five years ago it was 54. It's not good enough to have only half of the people complete their programme, and we don't seem to be seeing any real improvement. That's got big implications, consequences, if people are sentenced, they don't complete it. What are we doing about that to bring that level up?

Smith Yes, we worry about that too. So I think the completion rate of domestic violence programmes in the community-based sentence people is hard. It's hard to get them to keep coming to the programme. And I guess that reflects on their motivation to want to change, as to why they don't turn up. In prisons it's a bit easier, because they're actually there and we can, I guess, force their participation to a degree, although you'll note that's about at 70 percent. So again we have drop-off rates.

We've just reviewed the programme. We think that some of the domestic violence programmes we're running are not all appropriate. You know, it's a bit of a vanilla approach. You get sent on a programme and it doesn't matter whether you're a very high risk person or quite low, the level of intervention is the same. We think a better programme approach might do better, but it's a bit of a perennial issue about getting people on community sentences to actually comply.

One thing that's worked very well—getting people to turn up for community work, a similar type thing, but we have managed to increase the participation and attendance rate at community work and are breaching less people in the court, and I think that's happened because we changed the programme. So now a community work participant gets access to a basic work and living skills programme, which they quite like—teaching them to cook and do some basic things. And I think they build a different rapport with the community work supervisor, which means they're more likely to turn up and complete their sentence, and I wonder if some of those learnings may need to be applied to these other programmes to try and lift the participation. So I agree with you, it's too low—how do we get them to be motivated to be there, other than statutorily, I think.

J Ardern Very, very quickly. When's the Rimutaka investigation into Damon Tafatu due, and the Wiri build is ahead of schedule—the over \$800 million capped contract is ahead of schedule in its building phase. Who's banking the savings from that build being ahead of schedule?

Smith That's a good question, isn't it. I don't know the answer to the first one, to be honest with you. I'm happy to report back on where it's up to. Well it's one of the interesting things, isn't it—the risks and rewards of how you build these projects. So I guess all of the financiers and investors who are backing the project and borrowing the money to build that facility—

J Ardern Including ACC.

Smith Well, I'm not the expert on this, but I might hand over to Jeremy, who is. But I guess that's the challenge, isn't it. So you could look at it and say sharing that risk with somebody else is different than when the Government agency is just writing out cheques on a build programme. All those investors and financiers have got an interest in that consortium of making sure that that gets achieved on time and that they don't run behind. Maybe we've got lucky with the weather, or—

J Ardern And they're going to get an \$11 million cheque as a consequence.

Smith Well, you know, I think it's the risks and rewards thing. So you can take these projects on yourself and you can run a \$300 million build programme, and we've seen sometimes that they haven't always gone quite to schedule in programme, and that's a challenge. That's a downside risk. You can bring them in ahead of schedule, but you don't always know. I mean, I think in this situation that other people are taking a risk with their money. We don't pay anything to anyone until that's open. And so we're saying "You go borrow all the money, you take all the risk."

Dean Ray, thank you very much for coming today, and Christine, thank you—and co., thank you very much.

conclusion of evidence