



Corrections Amendment Bill

July 2023

Tirohanga Whānui | Overview

The New Zealand Council of Christian Social Services (NZCCSS) welcomes the opportunity to provide feedback on the Corrections Amendment Bill. We broadly support the kaupapa to make adjustments to allow for greater integration of Hōkai Rangī and obligations to Te Tiriti. We do, however, hold serious concern regarding the changes to allow the mixing of youth and adult prisoners.

Our main points are:

Item One

We strongly support the inclusion of specific mention of Te Tiriti in this amendment.

Item Two

We support the expanded access to and provision of culturally appropriate programmes and mātauranga Māori, including allowing for release time for these engagements.

Item Three

We support the updating of communications governance to reflect the modern technological environment but have concerns regarding the definition of “intelligence purpose”.

Item Four

We hold significant concern regarding the provision to allow youth and adult prisoners to be mixed in any setting for any reason, especially with regard to the International Covenant on Civil and Political Rights (ICCPR) and the United Nations Convention on the Rights of the Child (UNCROC)

Taunakitanga | Recommendations

We raise the following points and recommendations for consideration:

Item One

We strongly support the inclusion of direct references to Te Tiriti in this amendment. Direct and specific reference to Te Tiriti is an excellent foundation for the further implementation of Hōkai Rangī. The associated adjustments in this amendment will make the Corrections system more compatible with Te Ao Māori.

Item Two

We support the adjustments being made to ensure the availability of and access to cultural experiences and education. Ensuring connection to culture and community while incarcerated has been shown internationally to improve reoffending rates¹. Flexibility around the use of release time to pursue cultural engagement is a welcome addition, as well as the provision of internal programming.

Item Three

Technology and the ways we use it for communication have changed significantly since the Act originated. We support the efforts to ensure that the language and specificities of the Act remain current. We also support the specific inclusion of new oversight to ensure that prisoners convicted of family violence can be monitored to ensure non-contact with their victims.

We do however hold concern that the systemic biases against Māori and Pacific prisoners may result in the misapplication of the new monitoring powers. There has been a historically observable bias against Māori within the corrections system that makes concerns around over-surveillance notable². Government oversight and surveillance is already a topic of notable concern among Māori communities, as it works against the concept of Mana Motuhake. It would be unfortunate for these new powers around communications to be working in opposition to the purposes of Hōkai Rangi.

Item Four

We accept that programme delivery is costly both in time and resources for Corrections and understand that some programmes are only feasible when provided to a combined participant group, comprised of cohorts that would not normally be mixed. Where all participants are adults, and the purpose is to provide education or culturally supportive programmes, this appears to be a balanced response – even in light of the direct contraventions to [ICCPR](#).

The inclusion of young persons into this combination does not meet the balance of risk to benefit. In this instance, both ICCPR and [UNCROC](#) would be directly contravened by allowing youth participants to be integrated with adult prisoners for programmes. In addition, youth are neurologically and pedagogically distinct from adults³, resulting in them requiring distinct programme provision that mixing with adults would not provide.

Recommendation: We strongly suggest removing the provision for young persons and adults within the corrections system to be removed entirely.

Tohutoro | References

¹ Shepherd, S. M., Delgado, R. H., Sherwood, J., & Paradies, Y. (2017). The impact of indigenous cultural identity and cultural engagement on violent offending. *BMC Public Health*, 18(1).

² Brittain, E. & Tuffin, K. (2017). Ko tēhea te ara tika? A discourse analysis of Māori experience in the criminal justice system. *New Zealand Journal of Psychology*, 46(2).

³ Demetriou, A., Spanoudis, G., & Mouyi, A. (2011). Educating the Developing Mind: Towards and Overarching Paradigm. *Educational Psychology Review*, 23, 601-663.

Ko wai tātou | Who we are

NZCCSS has six foundation members; the Anglican Care Network, Baptist Churches of New Zealand, Catholic Social Services, Presbyterian Support and the Methodist and Salvation Army Churches.

Through this membership, NZCCSS represents over 250 organisations providing a range of social support services across Aotearoa. We believe in working to achieve a just and compassionate society for all, through our commitment to our faith and Te Tiriti o Waitangi. Further details on NZCCSS can be found on our website www.nzccss.org.nz.

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