



# Women's International League for Peace and Freedom

*United Nations Consultative status with ECOSOC, UNESCO and UNCTAD  
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WILPF Aotearoa Section, PO Box 2054, Wellington 6140

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Kelvin Davis  
Minister of Corrections  
Parliament Buildings  
WELLINGTON

Tēnā koe Minister Davis

On behalf of the Women's International League for Peace and Freedom (WILPF) which has been working for peace and social justice since it was established in 1915 and here in Aotearoa New Zealand in 1916, I am enquiring to find out what the government intends to do as a result of the Prison Inspectorate's recently released report on segregation and cell confinement.

The report is dispiriting to read. It finds that, really, 'segregation' means 'solitary confinement' in New Zealand prisons, and that some prisoners experience solitary confinement for months or years. Months or years of isolating a prisoner in their cell for 22 hours or more a day without meaningful human contact. The report estimates about 29 per cent of prisoners were segregated during the year of the review (1 October 2020 to 30 September 2021). This is within a system where only 16 per cent of prisoners have maximum or high-security classifications. Of all those segregated prisoners, 63 per cent were Māori. The Department of Corrections has said in the past that solitary confinement is not used in this country. It can no longer do so. Nor can it deny that, for a significant number of prisoners, the confinement is prolonged.

This is outrageous.

It is outrageous because it is cruel and inhumane. Solitary confinement is equated with torture and forms of inhuman and degrading treatment prohibited under the Convention Against Torture & Other Cruel, Inhuman or Degrading Treatment or Punishment which Aotearoa New Zealand ratified in December 1989.

Our country prides itself on being a team player in the United Nations rules-based international order. If the country is to continue making these claims, then it should play by the rules, including the expanded United Nations Standard Minimum Rules for the Treatment of Prisoners, or 'Nelson Mandela Rules', adopted by the UN General Assembly in 2015.

The Rules are based on an obligation to treat all prisoners with respect for their inherent dignity and value as human beings, and to prohibit torture and other forms of ill-treatment. They restrict the use of solitary confinement as a measure of last resort, to be used only in exceptional circumstances. Nelson Mandela found solitary confinement to be 'the most forbidding aspect of prison life. There was no end and no beginning; there's only one's own mind, which can begin to

play tricks'. As one prisoner is quoted in the Prison Inspectorate's report: 'Alone in my cell for days, used to often lead me to be frustrated, which led to anger and in turn led to violence. [I] caused a lot of violence in the cells.' These conditions undermine normal socialisation.

The Inspectorate has made 7 important recommendations to address key areas of concern. The report also includes 59 sensible things to consider – which implies that basic things, such as the Department of Corrections offering to contact family or whānau members when a prisoner is segregated, to ensure they are alerted to the change in circumstances for the prisoner, are not currently being done (see Area of Consideration number 8). Such things should be more than 'considered', they should be standard practice.

WILPF Aotearoa trusts that you, as Minister of Corrections on behalf of the government, will ensure that the Department of Corrections implements these recommendations and areas of consideration quickly.

Yours sincerely

Megan Hutching  
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