

Published

Elizabeth Grant

Churchill Fellowship 2008: To investigate correctional facilities for Indigenous prisoners New Zealand, Canada & Denmark

The Winston Churchill Memorial Trust, 2009

© 2011 The Winston Churchill Memorial Trust.

As per email from Executive Officer, received 9/2/2015

Copyright of Elizabeths Fellowship Report vests in the Trust and may be reproduced provided full acknowledgement is given to The Winston Churchill Memorial Trust. The version that is currently available on the Trusts website (link specified in your email) is the version that may be reproduced.

February 11, 2015

<http://hdl.handle.net/2440/67154>



The Winston Churchill Memorial Trust of Australia

CHURCHILL FELLOWSHIP 2008

To investigate correctional facilities for Indigenous prisoners
New Zealand, Canada & Denmark

Dr. Elizabeth Grant

Wilto Yerlo, Centre for Australian Indigenous Research and Studies
The University of Adelaide

North Terrace, ADELAIDE, South Australia 5005

Tel : +61 8 8303 4908

Fax : +61 8 8303 4910

E-mail: elizabeth.grant@adelaide.edu.au

Website: <http://www.adelaide.edu.au/directory/elizabeth.grant>

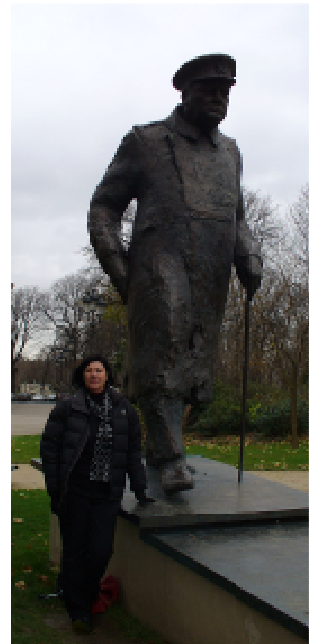
I understand that the Churchill Trust may publish this report, either in hard copy or on the internet or both, and consent to such publication.

I indemnify the Churchill Trust against any loss, costs or damages it may suffer arising out of any claim or proceedings made against the Trust in respect of or arising out of the publication of any report submitted to the Trust and which the Trust places on a website for access over the internet.

I also warrant that my final report is original and does not infringe the copyright of any person, or contain anything which is, or the incorporation of which into the final report is, actionable for defamation, a breach of any privacy law or obligation, breach of confidence, contempt of court, passing-off or contravention of any other private right or of any law.

Signed: Elizabeth Grant

Dated 31st March 2009.....



"The mood and temper of the public with regard to the treatment of crime and criminals is one of the unfailing tests of the civilisation of a country."

Sir Winston Churchill, Statement to the House of Commons, 1911

Table of Contents

Acknowledgements.....	4
Executive Summary.....	7
Program.....	8
Introduction.....	9
Denmark.....	13
Brief Overview of the Danish Prison and Parole System	13
Danish Prisons	14
Greenlanders within the Danish Prison System.....	17
Herstedvester Institution	18
Greenlander Unit, Herstedvester Institution.....	20
State Prison Østjylland.....	21
Greenlander Unit, Risskow Hospital.....	24
State Prison Møgelkær	25
State Prison Vridsløselille	26
Summary	28
Rikers Island, New York.....	31
James A Thomas Center	33
Rose M. Singer Center	35
West Facility	36
Summary.....	37
Canada.....	38
Brief Overview of the Canadian Correctional System	38
Prisons within the Canadian Correctional System	38
Aboriginal Peoples within Canadian Prison System	39
Stan Daniels Healing Centre.....	41
Edmonton Institution for Women.....	43
Edmonton Institution for Men	44
Pê Sâkâstêw Centre	45
Bowden Institution	48
Kingston Penitentiary.....	51
Joyceville Institution.....	53
Summary	54
New Zealand.....	56
Brief Overview of the New Zealand Correctional System	56
Prisons within the New Zealand Correctional System	56
Māori Prisoners within the New Zealand Prison System.....	58
Auckland Region Women’s Corrections Facility	60
Vaka Fa’aola, Pacific Focus Unit, Springhill Corrections Facility	61
Te Ao Maarama Māori Focus Unit, Waikeria Prison	63
Te Hikoinga Māori Focus Unit, Tongariro Rangipo Prison	65
Te Whare Whakaahura Māori Focus Unit, Rimutaka Prison.....	66
Summary.....	67
Summary and Recommendations	69

Acknowledgements

I would like to thank the Winston Churchill Memorial Trust of Australia and those involved in this remarkable organisation for this enriching experience. I am in deep gratitude to Associate Professor Terry Williamson at the School of Architecture, Landscape Architecture and Urban Design at the University of Adelaide for encouraging me to apply for the fellowship. I would also like to thank the University of Adelaide who provided the support so that I could fulfil the fellowship.

Visiting, understanding and documenting custodial environments can be difficult. There were a number of people who assisted in this fellowship and I would like to sincerely thank them for their generosity with their time and expertise.

Denmark

Mr. William Rentzmann, Director-General, Ministry of Justice
Mr. Jens Tolsrup, Manager Local Prisons, Direktoratet for Kriminalforsorgen
Dr. Birgit Jessen-Petersen, Chief Medical Officer, Anstalten ved Herstedvester
Mr. Michale Schrøder, Deputy Governor, State Prison Østjylland
Dr. Hilde Cassier, Chief Medical Officer, Inuit Unit, Risskow Hospital
Mr. H.H. Brøndsted, Governor, State Prison Møgelkær.
Mr. Erik Bang, Head of Building Division, Direktoratet for Kriminalforsorgen
Mr. Sten Ostenfeldt, Architekt, Director Alex Poulsen Arkitektkontor
Ms. Marianne Secher, Govenor, State Prison Vridsløselille, Fængselsvej

United States of America

Chief Carolyn Thomas, Chief of Department, City of New York Department of Correction
Mr. Erik Berliner, Assistant Commissioner, Health Affairs and Forensic Services, City of New York Department of Correction
Mr. Roderick Williams, Executive Director, Health Affairs and Forensic Services, City of New York Department of Correction
Captain Juan Pietri, Health Affairs and Forensic Services, City of New York Department of Correction.
Professor Jess Maghan, Director. Forum for Comparative Correction
Professor James B. Jacobs, Co-director, Center for Research in Crime and Justice, New York University

Canada

Mr. Don Head, Commissioner, Correctional Service of Canada
 Dr. Allen Benson, Native Counselling Services of Alberta
 Ms. Claire Carefoot, Executive Director, Stan Daniels Healing Centre
 Mr. Wil Campbell, Cultural and Spiritual Advisor, Stan Daniels Healing Centre
 Ms. Janet-Sue Hamilton, Director, Edmonton Institution for Women.
 Ms Julie Keates, Correctional Program Officer, Edmonton Institution for Women
 Mr. Ron Boutin, Warden, Edmonton Institution for Men
 Mr. Al Tessier, Projects Officer, Edmonton Institution for Men
 Mr. Robert Davies, Executive Director, Pê Sâkâstêw Centre
 Mr. Kevin Jean, Coordinator, Pê Sâkâstêw Centre
 Mr. Claude Sevigny, Chief Engineering and Maintenance, Pê Sâkâstêw Centre
 Ms. Cheryl Threefingers, Program Development Officer, Pê Sâkâstêw Centre
 Mr. Floyd Wilson, Warden, Bowden Institution
 Mr. Henry Kowal, Assistant Warden, Bowden Institution
 Ms Donna Bishop, Aboriginal Correctional Program Officer, Bowden Institution
 Mr. Ken Hutchison, Architect
 The Honourable Judge John Reilly, Provincial Court of Alberta
 Ms. Lee Redpath, Director, International Relations, Correctional Service of Canada
 Ms. Suzanne Leclerc, Senior Project Officer, International Relations,
 Correctional Service of Canada
 Mr. Alvin Kube, Manager, Aboriginal Relations Branch, Correctional Service of Canada
 Dr Ivan Zinger, Director of Policy and Senior Counsel,
 Office of the Correctional Investigator of Canada.
 Ms. Nathalie Neault, Director of Investigations,
 Office of the Correctional Investigator of Canada
 Mr. Ed McIsaac, Executive Director, Office of the Correctional Investigator of Canada
 Ms. Aurora Constantinescu, Office of the Correctional Investigator of Canada
 Ms. Theresa Westfall, Warden, Kingston Penitentiary for Men
 Ms Tania Michelin, Aboriginal Liaison Officer, Kingston Penitentiary for Men.
 Mr. Dave St-Onge, Correctional Service of Canada Museum
 Ms Cathy Gainer, Joyceville Institution
 Mr. Jay Pike, Joyceville Institution

New Zealand

Mr. Barry Matthews, Chief Executive, Department of Corrections
 Ms. Uarnie More, Department of Corrections
 Mr. Bill Murdoch, Department of Corrections
 Mr. Rewi Thompson, Architect
 Ms Cheryle Mikaere, Acting Manager, Auckland Region Women's Corrections Facility
 Mr. Nohopuku Williams, Vaka Fa'aola , Pacific Focus Unit, Springhill Corrections Facility
 Mr. Willie Ash, Vaka Fa'aola , Pacific Focus Unit, Springhill Corrections Facility
 Mr. Kevin Smith, Manager, Waikeria Prison.
 Mr. Dennis Goodin, Waikeria Prison.
 Mr. Errol Baker, Unit Manager Te Ao Maarama Unit, Waikeria Prison
 Mr. Robert Kapoor, Whanau Liaison Officer, Te Ao Maarama Unit, Waikeria Prison
 Mr. Reihana Karaka, Te Hikoinga Māori Māori Focus Unit, Tongariro Rangipo Prison
 Mr .Tony Howe, Manager, Rimutaka Prison
 Mr. Phil Nelson, Rimutaka Prison
 Mr. Damian Wanoa, Te Whare Whakaahura Māori Focus Unit, Rimutaka Prison

I would also like to thank the people who shared the experiences that made the fellowship unforgettable. The friendships forged were wonderful. Without these people, I would not have eaten a meal of reindeer and seal, dined at a Michelin star restaurant, developed a deep passion for Danish design, attended my first league baseball, ice hockey and dodge ball games, eaten at a New York icon, learnt how to wear a cowboy hat, followed the buffalo trails in the Canadian Rockies, shopped at Wal-Mart, shared a turkey Christmas supper, listened to the wisdom of the Elders, skated and ate beavertails on the Rideau Canal, sat in a thermal pond on top of a mountain or dug a car out of a two metre snowdrift. Thank you for sharing your adventures, homes, families and friends and allowing me to experience your culture.

Finally I would like to thank my family who accepted my absence stoically and welcomed my return.

Executive Summary

Dr. Elizabeth Grant

Wilton Yerlo, Centre for Australian Indigenous Research and Studies

The University of Adelaide, North Terrace, ADELAIDE, South Australia 5005

Telephone: +61 8 8303 4908

E-mail: elizabeth.grant@adelaide.edu.au

The design of environments for Australian Aboriginal offenders has always been problematic. The needs and concerns of Aboriginal prisoners have been little understood and prison environments have often not served the needs of prisoners resulting in incidences of deaths in custody, self-harming and resistance behaviours. Australian Aboriginal prison populations continue to grow and the importance of providing custodial environments to meet the varying and diverse needs of these groups of prisoners is important. Within the fellowship I wished to view Indigenous custodial facilities across a number of countries to assess whether there were common needs and preferences among Indigenous prisoner populations and find innovation in prison design which could be applied to the Australian context.

This report documents that Indigenous prisoners in other countries have common concerns shared by many Australian Aboriginal prisoners. The prison location, the ability to live within a social group, staying in contact with family and community were all common concerns.

The normalisation of prison environments appears to have a major effect on the behaviour of prisoners within prisons. Theoretically it has been shown that normalising prison environments results in fewer instances of resistance behaviours (e.g. escapes, threatening behaviours, riots, suicides and self-harming behaviours) among prisoners. The level of critical incidences reported in Danish prisons was low. Within the design of prisons a variety of techniques were used to normalise prison environments successfully. These are underpinned by a legislative framework which ensures a minimum standard of prison accommodation.

The design of different types of Indigenous units has been pioneered in New Zealand and Canada successfully. These have involved specific design processes which allow Indigenous communities to partner with correctional agencies to achieve mutual aims and all have involved the incorporation of cultural knowledge into the design or later enculturation of the prison environment. There were some accompanying issues in the design of Indigenous specific facilities. Most had a minimum security classification excluding numbers of Indigenous prisoners and the issues of housing certain groups of prisoners was proving problematic at some sites. There is much that can be learnt from these examples for application to the Australian context.

Program

Denmark 11th – 21st November 2008

Activities:

Presented at Space + Interaction = Discourse Conference, Aalborg (4 day conference)

Visited the following Institutions:

- Herstedvester Institution
- State Prison Østjylland
- Inuit Unit, Risskov Hospital
- State Prison Møgelkær.
- State Prison Vridsløselille

Met with Department of Prison and Probation Services Management and Staff

Met with architects.

United States 6th – 10th December 2008

Activities:

Met with various academics

Visited Rikers Island

Canada 10th December 2008 - 9th January 2009

Activities:

Visited the following Institutions:

- Stan Daniels Healing Centre
- Edmonton Institution For Women
- Edmonton Institution For Men
- Pê Sâkâstêw Centre
- Bowden Institution
- Kingston Penitentiary
- Joyceville Institution

Met with various architects

Met with Staff and Management Correctional Services Canada

Met with Office of the Correctional Investigator of Canada

New Zealand 13th – 21st January 2009

Activities:

Visited the following Institutions:

- Auckland Region Women's Corrections Facility
- Vaka Fa'aola , Pacific Focus Unit, Springhill Corrections Facility
- Te Ao Maarama Māori Focus Unit, Waikeria Prison
- Te Hikoinga Māori Focus Unit, Tongariro Rangipo Prison
- Te Whare Whakaahura Māori Focus Unit, Remutaka Prison.

Met with various architects

Met with the Staff from the Department of Corrections

Introduction

Providing prison environments for Australian Aboriginal offenders has always been problematic due to the varying and differing needs of this group of prisoners.¹ The Royal Commission into Aboriginal Deaths in Custody (RCIADIC), coronial inquests and other inquiries have periodically identified the need for the special consideration of custodial environments for Aboriginal prisoners. These recommendations have noted that understandings of the needs of Aboriginal peoples in custodial environments were poor.² In the 18 year period since the release of the RCIADIC's national report, there has been some increased attention given to custodial conditions for Aboriginal prisoners.

Australia operates under eight separate correctional jurisdictions. Some correctional agencies provide prison environments for Aboriginal prisoners that vary from those provided for other groups of prisoners. There are examples of prison environments incorporating separate outdoor areas for cultural gatherings,³ the use of dormitories or 'double bunking'⁴ for prisoner accommodation,⁵ and the establishment of minimum security facilities in rural locations

¹ See James Semple Kerr, *Out of Sight, Out of Mind: Australia's Places of Confinement, 1788–1988* (1988), Neville Green and Susan Moon, *Dictionary of Western Australians, Volume X, Far from Home: Aboriginal Prisoners of Rottnest Island 1838–1931* (1997); Elizabeth Grant and Paul Memmott, 'The Case for Single Cells and Alternative Ways of Viewing Custodial Accommodation for Australian Aboriginal Peoples' (2007–08) 10 *Flinders Journal of Law Reform* 631, 632–3; Richard Midford, 'Imprisonment: The Aboriginal Experience in Western Australia' (1988) 21 *Australia and New Zealand Journal of Criminology* 168.

² Commonwealth, Royal Commission into Aboriginal Deaths in Custody ('RCIADIC'), National Report (1991) vol 5, pt G, 'Recommendations' (recommendation 331).

³ Cultural meeting places have been built at a number of prisons including at Port Augusta Prison in South Australia, Alice Springs Prison in the Northern Territory, and Casuarina, Bandyup, Roeborne, Acacia and Eastern Goldfields prisons in Western Australia. The general aim appears to provide a culturally appropriate meeting place for Aboriginal prisoners at the particular site. The Western Australian Inspector of Custodial Services has noted that some cultural meeting places at Western Australian prisons were 'virtually unused' as security controls had effectively 'rendered them out of bounds'. This was described as a 'curious phenomenon' demonstrating insulting, hypocritical and unacceptable tokenism. See Western Australian Office of the Inspector of Custodial Services, *Report of an Announced Inspection of Acacia Prison*, Report No 19 (2003) 55.

⁴ 'Double-bunking' is 'the practice whereby two prisoners are accommodated in a cell designed for single occupancy'.

⁵ Dormitories are used for the accommodation of Aboriginal prisoners in a number of prisons around Australia, including Port Lincoln Prison in South Australia, Alice Springs Prison and Darwin Prison in the Northern Territory and the Eastern Goldfields Regional Prison in Western Australia. See Grant and Memmott, above n. 1, 364.

specifically for Aboriginal prisoners.⁶ Other (perhaps more sophisticated) approaches to prison environments for Aboriginal prisoners include purpose-built cultural centres within prisons⁷ and the use of mobile work-camps. In the absence of evidence-based research, the development of such initiatives has primarily been based on first-hand observations from correctional officers and stakeholder consultation with outside Aboriginal groups. Approaches between Australian States and Territories are inconsistent, with some agencies placing greater emphasis on the needs of Aboriginal prisoners and the approaches and resultant prison environments vary significantly between jurisdictions.⁸

More needs to be known about the design of custodial environments for Indigenous offenders.⁹ The incarceration rate of Aboriginal peoples is increasing and Australia now has the highest rate of Indigenous incarceration in the OECD. The rate of incarceration has risen to where 22% of the Australian prison population is now Indigenous and on any one day, 6% of Australia's young Aboriginal men aged 25–30 years are in prison. Nationally non-Aboriginal incarceration rates average 163 per 100,000 of the adult population versus the national rates for Aboriginal prisoners of 1,561 per 100,000.

At the same time, increasing numbers of Aboriginal peoples are entering the Australian prison system with chronic illnesses, substance abuse problems, learning and cognitive disabilities and mental illness. While the health status of Aboriginal and Torres Strait Islander prisoners has not been profiled in depth, it is known that Aboriginal men continue to suffer a greater burden of illness than other Australians" with "the burden of ill health commencing early and continuing throughout life". It is accepted that incarcerated Aboriginal males suffer high rates of diabetes, cardiovascular disease, kidney disease and renal failure, hearing loss and asthma, and a range of other chronic health conditions which predate incarceration.¹⁰ These factors have the capacity to impact heavily on the individual's prison experience with certain factors influencing the ability of the Aboriginal prisoners to interpret and understand the environment while others affect the prisoner's mobility and tolerance of the environment. The

⁶ For example, the Brewarrina (Yetta Dhinnakkal) Centre in New South Wales.

⁷ For example, the Girrawaa Creative Works Centre located within Bathurst Prison in New South Wales.

⁸ Elizabeth Grant (2009) 'Prison Environments for Australian Aboriginal Prisoners: A South Australian Case Study' *Australian Indigenous Law Review* 12 (2): 66 – 80.

⁹ See Elizabeth Grant, *Safe, Suitable and Appropriate Environments for Aboriginal Prisoners: A Study of Prisons in South Australia* (D. Phil Thesis, University of Adelaide, 2008) as the first empirical study of the needs of Aboriginal prisoners.

¹⁰ Australian Medical Association, *Undue Punishment? Aboriginal People and Torres Strait Islanders in Prison: An Unacceptable Reality* (2006).

prison environment can also have an effect as a lack of control, whether actual or perceived, over aspects of one's life, may also contribute to poor health. Trudgen¹¹ has identified loss of control as leading to hopelessness, the loss of the will to live and, ultimately to high levels of sickness and mortality. Deaths in custody are unfortunately still a common event in the Australian prison system.

As well as health issues, Aboriginal prisoners facing multiple layers of social disadvantage. Disadvantage includes: linguistic, access to the legal advice and representation, social, educational, employment, socioeconomic, and health. These factors are intergenerational and despite a multitude of recommendations from the Royal Commission into Aboriginal Deaths in Custody, Aboriginal peoples face considerable disadvantage. Aboriginal Prisoners are a particularly marginalised group. Findings from a survey of 41 male Aboriginal prisoners at Adelaide Remand Centre¹² in 2005 found 73% expected to have insecure or no accommodation on release, 36% reported being homeless before admission, 90% were on Centrelink payments before admission, 5% had some casual employment, and 5% had no income at all, 85% did not have photo Identification, Over 50% had no birth certificate or Medicare card.

The experiences of incarceration are also having profound effects on the wider Aboriginal population.¹³ As part of the criminal justice system, incarceration fosters and compounds Indigenous anger, often leading to greater levels of fear, anger and frustrations within communities. The relationship between criminal justice agencies is founded in 200 years of dispossession. There is hatred and anger of criminal justice agencies in the wider Aboriginal community. Anyone doubting that anger should look at the confrontation between the residents of Redfern and the Police and the riots and the community campaign that ensued after the unfortunate death of a young Aboriginal man, T J Hickey in 2004 following a police chase¹⁴ or the burning down of the Police Station and riot following the premature death of Mr. Doomadgee in the Palm Island Police Watchhouse in the same year.

¹¹ Richard Trudgen, *Why Warriors Lie Down and Die* (2000).

¹² Anthea Krieg Aboriginal incarceration: health and social impacts (2006) 184 *The Medical Journal of Australia*, 534-536.

¹³ See Chris Cunneen, 'Indigenous Anger and the Criminogenic Effects of the Criminal Justice System', in Andrew Day et al (eds), *Anger and Indigenous Men* (2008).

¹⁴ The Sydney Morning Herald *Editorial The Root Cause of TJ Hickey's death* July 17th (2004)

While the excessive incarceration which compounds the social disadvantage felt by the Aboriginal population needs to be addressed, there also needs to be a rethink and practical changes at the correctional level. Prison environments to better suit the needs of Indigenous offenders need to be provided. A number of countries have varying approaches to the design of custodial environments for Indigenous populations. Māori Focus Units have been operating within New Zealand prisons under a 2003 initiative to prevent self-harm and address the specific criminological needs of Māori prisoners. In 1995, legislation was passed to allow Aboriginal prisoners to be housed in facilities operated by Aboriginal communities in conjunction with the Correctional Services Canada, known as healing centres or lodges. The healing centres offer services and programs that reflect Aboriginal cultures, in spaces that incorporate Aboriginal peoples' traditions and beliefs. Scandinavians have embedded all aspects of their correctional system within the principles of normalisation and the Danish have been responsible for provide secure environments for Greenlanders.

Within the fellowship I wished to view Indigenous custodial facilities across a number of countries to see if there were common needs and preferences among Indigenous prisoner populations and identify innovation in prison design which might be applied to the Australian context. It was important that Indigenous prison facilities were not seen in isolation. Indigenous people are incarcerated in a range of facilities; therefore varying prison environments were visited in each country. It was hoped to visit an example of a prison within each security level or type and to view identified precedents of Indigenous prison design. Within the itinerary I was able to also visit Rikers Island Correctional Facility in New York which is also documented within this report.

Denmark

BRIEF OVERVIEW OF THE DANISH PRISON AND PAROLE SYSTEM

Imprisonment in Denmark is shaped by Scandinavian approaches to social policy. The imprisonment rate is one of the lowest in Europe and has remained relatively stable for the last two decades when prison populations in other countries have increased substantially.

The Danish Prison and Probation Service falls under the Ministry of Justice and is responsible for the administration and maintenance of 105 prisons in Denmark (consisting of 13 state prisons and 37 local or remand prisons, three local prison units as well as 23 local probation districts, and eight hostels).¹⁵ The responsibility of the Department is the enforcement of all penal sanctions and effectuation of remand in custody. Within the Danish Prison and Probation Service there are no separate agencies between each institution and the Department (i.e. Denmark is not divided into separate jurisdictions).¹⁶

The system is based on three types of punishment directed by the courts: ordinary imprisonment, lenient imprisonment, and fines/day fines. In addition, in special cases, dangerous offenders may be sentenced to indeterminate preventive detention. Imprisonment sentences delivered by courts may range from 30 days to life, lenient imprisonment from seven days to six months. Imprisonment may be imposed in the form of suspended or non-suspended sentences. A court may direct that a prison sentence may be served in prison, in a social treatment institution (e.g. psychiatric institution) or at home with intensive probation and electronic supervision. When the person has been sentenced the court decides whether the offender can be sent home to await a letter giving a date when the sentence will begin or whether the person is to remain in custody and serve the sentence immediately. The deferral of immediate imprisonment post sentencing allows offenders to make the necessary arrangements (e.g. childcare, employment) before imprisonment and also allows the Danish Prison and Probation Service to decide when and where placement and programs

¹⁵ Ministry of Justice, *The Programme of Principles for Prison and Probation Work In Denmark* (1994),

¹⁶ International Centre for Prison Studies, *World Prison Brief, Denmark* <http://www.prisonstudies.org/>

appropriate to the individual are available. It is also an effective mechanism to control overcrowding within prisons.

DANISH PRISONS

Denmark's prisons are classified as either 'open' or 'closed' institutions.¹⁷ 'Open' prisons were introduced in Denmark after the end of the second world war, originally for housing people convicted and sentenced of collaborating with German occupation forces. Open prisons have since been converted for normal prison use and have now become the cornerstones of the Danish prison system. Simultaneously the concept of punishment within Denmark was redefined to only include the deprivation of liberty (and not harsh prison living conditions).

An open prison does not generally include any static security measures against escapes (e.g. secure perimeters, bars or security features or electronic surveillance). Generally the perimeter of open institutions is marked by a small boundary fence to demarcate the premises of the State Prison and preventing the movement of unauthorised people through the prisons grounds. The lack of secure perimeters may make demands on the prisoner's self-discipline. Unauthorised departure will generally result in the prisoner's transfer to a closed prison.

Prisoners in an open prison are generally allowed to wear their own clothes, bring in their own furniture and have their own radios or television in the cell. The cell is regarded as the prisoner's personal space and in most instances the prisoners is unsupervised within the cell environment. Prisoners in open institution are generally given a key to their cells. Often prisoners return home periodically for weekend visits, may be entitled to holidays (after a qualifying period) and are normally permitted to leave the prison for activities such as medical appointments, educational purposes and some personal circumstances.

Closed prisons include a level of static security which prevents escape to increase community safety. Closed institutions routinely have electronic surveillance, perimeter walls, and the capacity to lock the prisoner down to cell level.

In visiting both open and closed institutions it was noted that most Danish prisons had segregation cells and a protective cell. A protective cell is a completely bare cell with a bed

¹⁷ British Broadcasting Corporation, *Lessons from Danish Prisons* (2003)
<http://news.bbc.co.uk/2/hi/europe/3036450.stm>

bolted to the floor, where it is possible to restrain the prisoner with a body belt (with ankle and wrist straps). When mechanical restraints are applied, prison management noted that medical attention must be sought immediately, and the prisoner must be placed under constant surveillance. Protective cells are used if necessary to avoid threatening violence, to overcome violent resistance or to prevent suicide or other self-harming.

In 1993 the Prison and Probation Service produced a statement of their principles. Within the statement emphasis is placed on six principles: normalisation, openness, exercise of responsibility, security, least possible intervention and optimum use of resources for the enforcement of all punishments. The Department of Prison and Probation describes these principles as follows:¹⁸

- Normalisation means that conditions in prisons must be arranged so that they correspond to external conditions (to the greatest extent possible).
- Openness involves a duty for the Prison and Probation Service to ensure that prisoners can make and maintain contact with their families and the general community. This is obtained through visits and leaves. Both the principle of openness and that of normalisation are to contribute to reducing the subsequent negative effects of the deprivation of liberty.
- Exercise of responsibility means that the offenders must have the opportunity to develop a sense of responsibility, which may improve their chances of subsequently living law-abiding lives.
- Security means that the sanctions must be enforced with due attention paid to the protection of ordinary citizens from crime as well as protection of prisoners from aggression and damaging influences emanating from other persons.
- Least possible intervention means that no more force or restrictions than necessary should be used.
- Optimum use of resources entails an obligation to use the existing resources, including staff, in the best possible manner. Each unit of the Prison and Probation Service must express these principles in its activities on a continuing basis. In daily work, typically none of the principles can stand alone, but several possibly conflicting principles must be weighed against each other.

Pivotal to the design of the Danish prisons is the concept of normalisation. The design of

¹⁸ Ministry of Justice, *The Programme of Principles for Prison and Probation Work In Denmark* (1994), Ministry of Justice, *Danish Prison and Probation Service* (2001).

prisons must allow prisoners to carry out daily tasks such as shopping, cooking, washing and cleaning. The residents must have facilities which allow them to buy their groceries and prepare their own meals. Where incarcerated at the same institution, men and women should be able to follow a daily routine of work and education and socialise together in the common spaces.

The principles of normalisation have an impact on the type of visits areas provided in Danish prison system. Most open and closed prisons have private visits rooms where prisoners can visit with friends, husbands or wives in privacy. Custodial supervision is not overt for visits and in most instances custodial staff regard visits as a private event. In open prisons conjugal visits sometimes take place in the prisoners' own cells. The visit rooms viewed were provided with seating, a table and a couch which converted into a day bed. Within the principles of normalisation, conjugal visits are recognised as important for preserving family bonds and increasing the chances of success for a prisoner's outcomes post release and prisoners provided with sheets and condoms. A number of prisons have a small apartment where family may stay with the prisoner for more extended periods.

As a general rule each prisoner has a cell/room of about seven square metres. Custodial sentences are normally served in association with other prisoners, but prisoners who so wish can normally serve their sentence in segregation. There is an ever-increasing group of vulnerable prisoners seeking segregation due to threatening and intimidating behaviour by negatively dominant prisoners.

Within the fellowship a number of secure environments were visited. They were:

- Herstedvester Institution
- State Prison Østjylland
- Inuit Unit, Risskøw Hospital
- State Prison Møgelkær.
- State Prison Vridsløselille

GREENLANDERS WITHIN THE DANISH PRISON SYSTEM

Greenland's indigenous peoples call themselves Kalaallit, or Inuit, and constitute around 85% of the Greenland population of approximately 56,000. Within Greenland, three main dialects are recognised: the northern dialect Inuktun (or Avanersuarmiutut), Western Greenlandic (or Kalaallisut which serves as the 'official' language), and the Eastern dialect Tunumiit oraasiat (or Tunumiutut) spoken in eastern Greenland.

Greenland's status as a Danish colony was terminated in 1953. In 1979 Denmark granted home rule to Greenland and Greenland achieved its own representation in Copenhagen. The Greenland department, which falls under the Danish Prime Minister's office, is responsible for home rule affairs and for coordinating the duties of other ministries. In 2008 Greenland voted to become a separate country within the Kingdom of Denmark, effective from mid 2009.

During the time of the fellowship, the provision of prison and probation services in Greenland were within the Ministry's of Justice's responsibilities. The Danish Criminal Code and the Danish system of sanctions do not apply to offences committed within Greenland. The Greenlandic Penal Code is known for its so-called "offender principle",¹⁹ where sentences are not intended to punish, but to find the "measure" judged to be most suited to prevent the guilty person from engaging in further crime. There are vast differences between Denmark and Greenland in this regard. The Danish Criminal Code is concerned with penal limits depending on the crime committed whereas the Greenlander Penal Code the sanction imposed is measured against the potential rehabilitative outcomes for the convicted offender.

When imprisonment is set by Greenlander courts only certain terms can be served in

¹⁹ Helene Brochmann, Detention in Greenland. Night-Time Correctional Institutions, Probation and Hostels for Juvenile Offenders as seen by Prisoners and Staff (2001) 25, *Man & Society*

Greenland due the facilities available.²⁰ Greenland does not have psychiatric treatment facilities or a 'closed' institution and offenders sentenced to this type of facility must serve their term of imprisonment in Denmark.²¹

The International Centre for Prison Studies²² indicated that the imprisonment rate for Greenlanders was 334 per 100,000 of the adult population while the Danish imprisonment rate is 63 per 100,000 of the adult population in 2007. A number of Greenlander Units have been set up in various institutions around Denmark and these will be discussed in the following descriptions of the various facilities.

HERSTEDVESTER INSTITUTION^{*23}

Herstedvester Institution was commissioned in the 1930s and was a major innovation in institutional architecture at the time. Using the medical model of therapeutic design the facility was laid out under campus planning within a solid perimeter wall.

The institution was originally designed to house psychopaths in preventive detention (these people could be detained for indeterminate periods) and to imprison psychopaths convicted of a criminal offence (this group were to be held for determinate sentences). The Danish Penal Code was revised in 1973 and 1975 with the effect that offenders could no longer be held for indeterminate periods. Following these changes the institution's policies changed and psychopaths were no longer accepted. Herstedvester Institution now receives male and female convicted offenders with a special need for psychiatric and psychological care from across Denmark (and Greenland and the Faroe Islands) and houses a limited number of remand prisoners who are not mentally ill, but need psychiatric or psychological care or assessment.

Prisoners have problems of an existential nature from states of crisis to severe personality disorders or actual mental illness. All prisoners have committed very serious crimes and 40% of the prisoners are sex offenders. 87% of prisoners have been sentenced to a term of more

²⁰ The Ministry of Justice noted that Greenland currently had six facilities with an official capacity of 183 prisoners.

²¹ A new prison is planned for Greenland. To be commissioned in 2013, the prison will combine closed and open facilities. See Dheera Sujan, *Greenland's Open Prison System: The State we're In* (Radio Broadcast 13/11/2008) *Radio Netherlands* (2008).

²² The International Centre for Prison Studies, Kings College London *Prison World Brief, Greenland* (2007)

²³ * Indicates that it was not possible to photograph this facility. This will be used throughout this report to indicate facilities which were not photographed.

than eight years and while prisoners are not psychotic there are a number who may be classed as borderline. Apart from the use of medications and psycho-therapeutic treatment, Herstedvester has a long tradition of influencing offenders through the day-to-day work at the institution aimed at correcting the behaviour and working with the attitudes of the offenders. There are conditions for prisoners to be housed at the institution. All prisoners must work and be within a therapeutic program. There is currently a waiting list to be admitted to the prison. A planning committee within the prison meets regularly and assesses new admittances (short and long term) to control the prison population. Under this system of management the prison has never been overcrowded.

It is a walled institution with the buildings (termed pavilions in Denmark) laid out under the principles of campus planning. Most prisoners move around the facility without being accompanied by an officer outside the lock down periods. There is a prisoner population of 153 residents. The population is predominately males but a smaller number of females (10) are housed and integrated into the population. Females have a separate accommodation unit but work and socialise freely with the male prisoners. Males and female prisoners are free to intermingle in common areas. Male prisoners however are not permitted to enter female accommodation and vice versa. Observing male and female prisoners co-located was a revelation for me and there was a sense of normality about the institution.

Most residents are housed in units located in separate buildings located within the perimeter. Each resident has a separate room and shares communal living spaces and shower facilities. Residents prepare their own meals within these units and purchase supplies from an internally operated shop. Residents requiring a greater security, care or supervision are housed in a maximum security accommodation located near the medical area. This accommodation also contains a cell fitted with a restraint bed and supervision area used for the short term management of prisoners in crisis.

There are number of employment areas. All prisoners are offered the opportunity to be employed and must participate in meaningful activities there are workshops for small manufacturing projects. There is a specific area for Greenlanders to practice Inuit crafts such as the creation of tupilak (small wood or bone carvings of supernatural creatures or arctic animals that have pre-Christian origins).

As in all Danish prisons, Herstedvester Institution provides private visit rooms for prisoners to

visit with their families. The visit area is located along the perimeter wall to provide a separate entrance for families. Prisoners are left alone in visit rooms. The rooms are provided with a couch (which can draw out to a double bed) a small table and chairs.

Greenlander Unit, Herstedvester Institution

In 1986 Herstedvester Institution set up a special unit for convicted, non-psychotic Greenlanders sentenced under the Greenland criminal code. The unit has 13 places and is partially staffed with Greenlandic-speaking staff, including Greenlander officers, social workers and an interpreter.

Greenlanders are generally together. While there are significant differences in culture and language between peoples from different parts of Greenland, the numbers of prisoners are so small that the unit acts as housing for people from the various Greenlandic cultures. The unit is similar in planning to those housing other prisoners; however the unit has two kitchens to allow the preparation of traditional Greenlander food to be prepared in one area. The unusual smell of some of the traditional foods (such as seal and reindeer) led to complaints by some prisoners and hence the construction of a separate kitchen. The prisoners have cells which flank a central corridor. Along the corridor maps and images of Greenlandic culture are hung. There are no images presented directly onto the building fabric. The unit contains a lounge area adjacent to the kitchen areas.

Staff reported that there were difficulties housing Greenlandic prisoners in Denmark. Many prisoners were homesick and found the transition to Denmark and separation from extended kin very difficult. Many did not have visitors and missed cultural activities and familiar landscapes. In the past Greenlanders were regularly sent to Denmark for boarding school education and since the demise of this system many younger Greenlandic prisoners have very limited understandings of the Danish language and some Herstedvester staff have communication difficulties.

Most staff felt the environment at Herstedvester Institution somewhat met the needs of the Greenlandic prisoners. They felt that the building styles in contemporary Greenland were not significantly different to the accommodation found at the institution. It was noted that it was important that the Greenlandic Community within the Institution should remain tightly clustered to replicate Greenlandic tradition where being within a social group was important and solitude is totally undesirable.

STATE PRISON ØSTJYLLAND

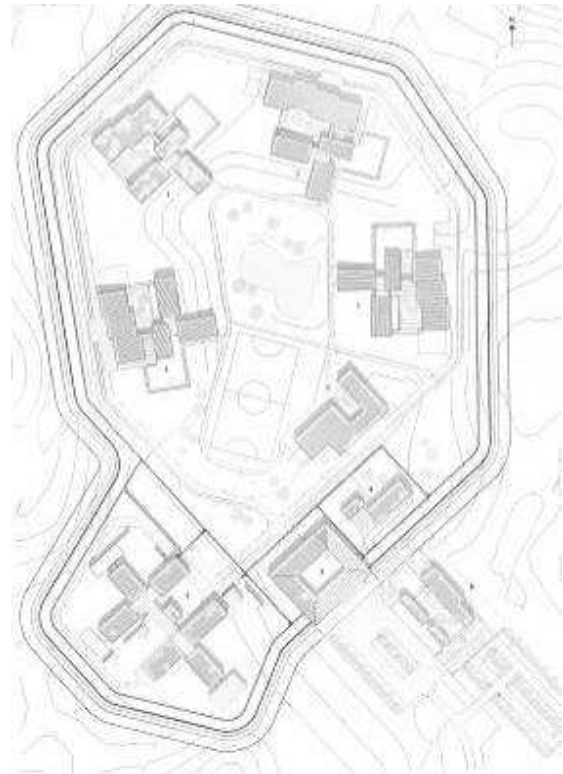


Source: Department of Prisons and Probation Service

In 2006, The Ministry of Justice commissioned State Prison Østjylland to replace the existing 150 year old Horsens State Prison. The prison design was generated by design competition in 2001 won by Danish architectural firm Fris and Moltke.

The prison is laid under campus principles on former farm land. The building area is 22,000 metres square divided into three sections. These sections comprise two general living units and a specialist maximum security accommodation section. An administration unit and three units for teaching and working are housed in other buildings. Another building houses the visits facilities which include visiting rooms and separate apartments for over-night and weekend stays of prisoners' families. An infirmary and a cultural centre (with a library, a church, sports facilities and shop) were also included in the design. The main administration facilities are located in the gatehouse which also includes the central technical systems and the main guardroom. Outside the perimeter wall facilities for prison staff will be developed at a later time.

Each building is sited around a topographical dip, providing views from the accommodation into the inner courtyards and grounds of the prison. There are views of the surrounding landscape above the six-metre-high perimeter fence at a number of points. The buildings are also spread out – several different prison sections were required, as well as outside activities and recreational options for the prisoners.



Source: Department of Prisons and Probation Service

The prison is separated into a number of separate facilities ('prisons within prisons') to provide security according to separate needs. These are further divided into units to provide



secure living units. Units are connected to work and employment areas so that movements within the prison are reduced. The major units are designed to house 48 prisoners but if management needs decree, the units can be divided down to six man units through securing various doors. All accommodation is in separate cells. Prisoners have separate shower, toilet and washbasin in their cell. All units have communal kitchens

and most prisoners (excluding those in segregation) are expected to prepare all meals.

Separate secure units (Special Security Units) have been built for the detention of certain prisoners (such as the members of outlaw biker gangs) as Denmark has chosen to concentrate difficult prisoners such as these to restrict gang activity within the prison system. From the 1980s onwards Denmark experienced serious repercussions from the so termed 'biker wars'.²⁴ The small high security units devised within the design of Østjylland aim to keep individuals from rival gangs separate from each other and from the mainstream prison population.

Visit facilities within the prison are located in several areas. Normal regular contact visits are held in the visits area. This has 14 visit rooms where prisoners can conduct their visits to some degree of privacy. The rooms are provided with a couch (which can draw out to a double bed) a small table and chairs. The prison also has a number of non-contact visit areas located in the very high security area. These are unusual in design in that they consist of two adjacent rooms with a window and audio system. One room



²⁴ Tom Barker, 'One percent bikers clubs: A description' (2005) 5 (1) *Trends in organized Crime*: 101 -112

reserved for the family is fitted similarly to other visit rooms and has comfortable furniture and coffee making facilities. The other room for the prisoner is smaller and is capable of being secured. Prisoners (as in all Danish prisons) conduct their visits in private. The prison also has two apartments for couples, where prisoners who have been sentenced to periods greater than eight years in prison can have visitation for up to 47 hours per visit. These have a couple of bedrooms, a small kitchen and lounge area and are attached to small secure courtyard. Again while custodial officers are located outside they generally do not interrupt family visits.

Under Danish law, 1.2% of public building expenditure must be used for the public art within new buildings. Within State Prison Østjylland, a number of public arts were commissioned to decorate the prison environment and soften the effects of the prison. A number of the commissioned artworks were controversial in nature yet their presence appears to have broad support among the correctional system. The integration of public art into custodial environments is a relatively new experience for the Department of Prisons and Parole and only this prison contains commissioned public art. The architects noted that in future projects they felt that the inclusion of public art should occur earlier in the design process so that it could be integrated in the building fabric.



GREENLANDER UNIT, RISSKOW HOSPITAL



Risskow Hospital is a psychiatric hospital located in Aarhus (the second largest city in Denmark) located in Jutland. Although the hospital is not under the jurisdiction of the Ministry of Justice I visited the facility as they had opened a unit for convicted forensic Greenlandic patients in 2002. The majority of patients had committed serious crimes (e.g. murder, sex offences) and had been found not guilty by reason of insanity and had a

home address in Greenland at the time of their arrest. A small group of patients at the unit were on remand for serious crimes and had been sent to the Unit for assessment or treatment during the court process.

The unit is a closed ward housing 18 patients in separate rooms over two floors. Acutely ill patients are concentrated on the lower floor while stabilised patients are located on the upper floor. The layout is to traditional hospital planning with rooms located along a wide central corridor. Patients may move between the two floors freely and out to a secure courtyard. They have a number of shared facilities. These include a number of counselling and program rooms, a small cinema, a lounge/smoking area and a kitchen area. Some piece work is provided and this is completed in the program rooms. There are also areas for administration and therapeutic use, including areas to isolate and safely contain patients in crisis.



Within the unit patients are expected to prepare certain meals and communal kitchens are available for a variety of meals. Regular access to traditional foods is seen as therapeutic and encouraged. Patients are also expected to launder their own clothes. Both males and females are housed in the unit and freely mix. Many of the patients at the time of the visit were young and a number of patients did not speak

either Danish (or English). Staff noted that this was common among younger Greenlanders.

Again staff saw a number of issues of housing Greenlanders on mainland Denmark. Some staff noted that some patients were very homesick and longed for families and familiar activities. Staff noted that few patients get regular visits from family, but did note that like all Danish prisoners patients in the Inuit Unit, Risskow Hospital were permitted periodic holidays accompanied by hospital/custodial staff. Patients generally returned to Greenland for the 'holidays' and if possible stayed with family (if this is not possible patients/prisoners stayed nearby with custodial staff), visited with family and friends and often engaged in popular Inuit activities such as fishing. All prisoners in Denmark are entitled to 'holidays' periodically. The cost of these is borne by the Ministry of Justice. The staff and patients from the unit also have an annual holiday at a school camp. Staff noted that this was a highlight for patients and saw it as an important therapeutic activity.

STATE PRISON MØGELKÆR



Møgelkær State Prison was originally a manor house which was converted into a work house for the young offender. In 1945 the Prison and Probation Service took over responsibility for facility and was used up until 1973 for the accommodation of youthful offenders. From 1973 it was converted into an 'open' prison to house both male and female offenders. The prison has a design capacity for 126 prisoners and houses both male and female offenders. It receives prisoners from east Jutland and metropolitan Copenhagen. It also receives female prisoners from areas west of the Green Belt.

The prison has no perimeter fence and a public road runs through the facility. The gatehouse, main administration building, work areas and some accommodation units are located on one side of the public road while various other accommodation units and the prison chapel are located on the other side of the road.



Within the units, prisoners are housed in separate rooms in various buildings located around



the site and have move around the site with relative freedom. Most of the buildings are relatively dated but are of a reasonable standard and with a high level of amenity. All prisoners are required to prepare their own meals so each unit has a communal kitchen and a shared passive recreation space. Prisoners are placed according to their individual needs and some units are designated as drug-free and for other special groups of prisoners. One interesting recent addition to Møgelkær State Prison is the chapel building. The construction of this building was funded by a charitable organisation is of a very high architectural standard. It houses the chapel, offices for the chapel and a meeting area in located on a mezzanine level.

STATE PRISON VRIDSLØSELILLE

The State Prison Vridsløselille was built in 1859 to a radial design within the Pennsylvania system of prison design and philosophy. The Pennsylvania System was developed in the early 1800s, and is a system where all prisoners worked and lived in solitary confinement. The creation of first prototype was the Walnut Street Jail in Philadelphia in 1790 was seen as



a model of enlightened thinking about criminality. The commissioning of Walnut Street Jail was followed by the construction of the Eastern States Penitentiary at Cherry Hill in 1929.²⁵ The Pennsylvania system advocated cellblocks laid out in a radial pattern from a principal supervisory station, each block consisting of a central corridor flanked by rows of comparatively large cells where the prisoner lived and worked for his

entire sentence. Interestingly, the commissioning of State Prison Vridsløselille in Denmark occurred only 30 years after the completion of the first large scale prototype in America. This is demonstrative of the historical emphasis of the Danish Prison Department on the rehabilitation of prisoners and their willingness to embrace cutting edge prison design and

²⁵ Marilyn McShane and Frank Williams, *Encyclopedia of American Prisons* (1996).

rehabilitative philosophies.

The State Prison Vridsløselille is located on the outskirts of Copenhagen and within walking distance of Herstedvester Institution. Residential areas and some light industry surround the prison and it is well serviced by train and bus services. It has a design capacity for 240 prisoners including 20 places which are within 'open' units. The prison admits men over 23 years of age from metropolitan Copenhagen and Zealand who have been sentenced to a custodial term in a closed institution.²⁶



The original prison structure has been re-developed to subdivide the open wings into separate units under the principles of unit management. The separate units and cells have



been upgraded considerably and the areas softened with the use of various materials. The units has been modernised and a communal bathroom, dining area and kitchen are available.

Visit facilities have been recently upgraded in an innovative design project. In the design project the entrance to the prison was been decorated with signs and symbols

to increase wayfinding. Individual visit rooms and the communal area have been decorated to various themes to make them 'child friendly'. The visitors waiting area was decorated with unusual and whimsical items such as a chandelier and provincial French furniture in this highly unusual design project.

²⁶ Ministry of Justice, *Danish Prison and Probation Services* (2001).

The external perimeter also been upgraded and a solid perimeter with static security measures was built in the late 1990s to prevent the entry of contraband (especially drugs, mobile telephones and alcohol) entering the prison. Interestingly it was mentioned in discussions that at the time of construction of the perimeter that neighbours were opposed to the construction of a more secure and solid perimeter.

The prison does not have a street presence. The surrounding areas is taken up with residential areas (including accommodation for prison staff) and the visitor is directed to through a small vegetated car park and then through a pedestrian walkway along the perimeter of the prison to the front gate. Vehicles have a separate sallyport and gatehouse. Pedestrian entry to the prison is gained through the 18th century gate. After entry



to through the gate the visitor is directed across a courtyard into the administration building where the visitor is processed through security processes. All visitors and staff are required to be processed and it appears relatively difficult to accommodate these static security elements within the 18th century structure.

SUMMARY

During the visit there were a number of points of interest to the Australian context.

- There appeared to be some common issues shared by Greenlander and Australian Aboriginal prisoners. The issues of being off country and away from family, access to cultural activities, being part of social group and traditional foods were concerns articulated by Greenlander prisoners that have been identified as issues for Australian Aboriginal prisoners.
- The use of appropriate signs and symbols as a simple tool to enculturate Danish prison environment for Greenlandic users was seen.
- The presence of dedicated units for Greenlandic users within psychiatric facilities appears to be an initiative that Australian correctional agencies may consider.

Culturally specific areas in such institutions may provide necessary treatment in an environment which takes into account the specific needs of Australian Aboriginal users.

- There appears to be little regard in the design of institutions for the separate domiciliary practices of Inuit peoples. Little research has been conducted in this area and the domiciliary practices of various groups appear to be little understood. There may be an opportunity for Australian research to inform the Danish context.
- The normalisation of prison environments appears to have a major effect on the behaviour of prisoners within prisons. Theoretically it has been shown that normalising prison environments results in fewer instances of resistance behaviours (e.g. escapes, threatening behaviours, riots, suicides and self-harming behaviours) among prisoners. The level of critical incidences in Danish prisons is low. Within the design of prisons a variety of techniques have been used to normalise prison environments very successfully. These are underpinned by a legislative framework which ensures a minimum standard of prison accommodation.
- The normalisation of the Danish prison system appears to be underpinned by a regulated set of minimum standards for prison accommodation. Prisoners are assured of certain facilities, services and programs. Information on the rights of the prisoner was freely available and I sighted the handbook at most institutions. Australia has eight different jurisdictions administering correctional services. Some jurisdictions have binding minimum standards and there are issues where binding guidelines do not exist. The quality of the prison environment tends to diminish over time or in critical periods (e.g. often leading to overcrowding) if there are no binding standards.
- Herstedvester Institution although over seventy years old is a remarkable treatment facility for seriously psychiatrically ill offenders. This facility should be considered as a precedent in the design of secure forensic mental health units and consideration should be given to providing meaningful work and recreation facilities and allowing residents some deal of control over their environment when designing such facilities in Australia.
- Normalisation is considered at every stage of the design of Danish prison facilities. Some examples include the inclusion of kitchens into the design of prison environments for all security levels, the design of visit areas and the fittings provided to cells.
- The innovative design of visit rooms and areas was of particular interest. Danish prisoners are provided with a private room or apartment and the design of the non-

contact visit areas was seen as particularly innovative. The approach to non-contact visits at State Prison Østjylland where the visitors were seated in a comfortable room viewing the prisoner through glass was an improvement on the non-contact visit facilities generally included in Australian prisons. The child friendly visit areas developed at State Prison Vridsløselille illustrated the willingness of the Danish Correctional System to be innovative by employing design professionals to consider these areas.

- The use of non-traditional materials in Danish re-fits is innovative. In the re-development of State Prison Vridsløselille designers employed stained glass, fish tanks, soft furnishings and fittings, muted colours and emphasised the creation of a domestic environment. The resultant environment was remarkable and the observed behaviour of the prisoners supports the literature connecting normalised prison environments with positive behavioural outcomes.
- The method of preventing overcrowding in Danish prisons must be considered. While it is unlikely Australian correctional jurisdictions would consider a similar system it should be seen that the current Australian method of placing all prisoners in maximum security prison environments in the first instance is flawed. It should be examined as this system is overly expensive, has the potential to cause psychological damage to the prisoner and is contrary to approaches required for the best outcomes of prisoner.

Rikers Island, New York*

It was possible to visit several facilities located on Rikers Island in New York due to stop-overs in my itinerary. Rikers Island is one of the world's largest jail facilities and is operated by the New York City Department of Correction. The New York City Department of Correction manages over 100,000 admissions each year with an average daily prisoner population of approximately 14,000 people²⁷. At the time of the visit, Rikers Island was holding approximately 13,000 prisoners. At various times in the recent past, Rikers Island has held double this number.

Rikers Island is located in the East River between Queens and the Bronx adjacent to LaGuardia Airport. The island itself is part of the borough of the Bronx and the access to the island is via the Rikers Island Bridge in the south. Few vehicles are allowed on the Island and the New York Department of Correction runs a shuttle bus across the bridge to the visitors centre.



Source: unknown

There are nine operational facilities on Rikers Island for the custody, and control of people accused, remanded or convicted and sentenced to one year or less of jail time. Many of the prisoners are held for very short periods and there is a through traffic of offenders being transported to courts, other facilities and being released. The facilities on the Island are:

²⁷ The New York City Department of Correction website (2008)
http://www.nyc.gov/html/doc/html/about/about_doc.shtml

1. North Infirmery Command

North Infirmery Command consists of two infirmary buildings, one of them the original Rikers Island Hospital built in 1932. The facility has a 500-bed capacity housing infirmary care, non-infirmery and general population prisoners. It also houses prisoners who require extreme protective custody because of the notoriety or the nature of their case. A special dormitory houses prisoners with AIDS and AIDS-related cases.²⁸

3. Eric M. Taylor Center

The Eric M. Taylor Center was built in 1964 and expanded in 1973. EMTC's current capacity is 2,250. It houses adolescent and adult male prisoners sentenced to terms of one year or less. Most of its housing is dormitory style. Able-bodied sentenced prisoners are required to work.²⁹

4. George Motchan Detention Center

George Motchan Detention Center was originally opened in 1971 as the women's prison. It was redeveloped to house a capacity of 2,500 was converted into a male detention centre.³⁰

5. Adolescent Reception and Detention Center

Adolescent Reception and Detention Center was opened in 1972. The facility houses adolescent male detainees (aged 16 -18 years). The facility has a capacity of 2,500 in a combination of modular dormitories.³¹

6. Anna M. Kross Center

Anna M. Kross Center was commissioned in 1978 and houses 2,400 prisoners in 40 housing areas spread over 40 acres. It also houses a Methadone Detoxification Unit for detainees and the Mental Health Center.³²

7. Rose M. Singer Center

Rose M. Singer Center was commissioned in 1988 as an 800-bed facility for female detainees and sentenced prisoners. Additional modular housing increased the capacity to over 1,700 prisoners. In 1985, the Department opened the nation's first

²⁸ The New York City Department of Correction website *An Overview Of NYC Doc Facilities*
http://www.nyc.gov/html/doc/html/about/facilities_overview.shtml

²⁹ Ibid

³⁰ Ibid

³¹ Ibid

³² Ibid

jail-based nursery at the old Correctional Institution for Women. The present female prisoner facility features a nursery with capacity for up to 25 infants.³³

8. George R. Vierno Center

George R. Vierno Center was opened in 1991 as an 850-bed facility for detainees. A 500 bed addition opened in 1993.³⁴

9. West Facility

West Facility was designed in response to an outbreak of tuberculosis in the 1980s. It is constructed of climatically controlled sprung structures (rigid aluminium framed structures covered by a heavy-duty plastic fabric) Part of the West Facility has been converted into the Department's Communicable Disease Unit (CDU) in which male and female prisoners are housed negative pressure housing units.³⁵



Source: unknown

I was able to tour several facilities with staff from the Health Affairs and Forensic Services including the James A Thomas Center, Rose M. Singer Center and the West Facility.

James A Thomas Center

This jail currently holds 2,600 prisoners and is the primary receiving male facility for Rikers Island. It has the capacity to house 350 prisoners in detoxification beds, another 37 prisoners in beds for multiple detoxification programs (e.g. drug and alcohol abuse) and has space for 100 prisoners in beds designated for 60 day group programs. The Warden noted that most of the prisoners entering the jail were in the 19 – 35 age range and were facing drug related charges and had an average stay of 45 days. It was noted that many prisoners arrived with complex physical and mental health issues (many which are not being addressed while the

³³ Ibid

³⁴ Ibid

³⁵ Ibid

prisoner is not in custody).

All prisoners received by the James A Thomas Center have been through a court screening process and are transported from the courts holding pens located throughout the New York Burroughs to Rikers Island. First time offenders are treated slightly differently and under New York law are not permitted to be strip searched. All offenders are subject to a classification on arrival. This consists of 1 – 17 point scale classification related to the type and frequency of offending (17 being highest classification and related to repeat violent offending behaviour), personal factors and past behaviour whilst in custody. The classification determines the placement of the prisoner into various types of housing. Under law, Rikers Island is also required to give each incoming offender a complete physical examination by a medical practitioner within 24 hours of reception. All prisoners with infectious diseases are placed into different units if the information is volunteered. Note: Medical information is considered private and medical information is not shared between custodial and medical staff.

The Warden noted that the first 72 hours of induction is a period of some risk of suicide for prisoners and they are monitored closely during this period. In the last 2 ½ years no deaths by suicide had occurred with one death by homicide in this particular jail.

I was able to visit one living unit within James A Thomas Center occupied by prisoners undertaking a program entitled 'Road Not Taken'. Prisoners were housed in a 50 bed dormitory with an adjacent dayroom and ablution facility. Facilities within the unit are basic. Each prisoner is given a bed and a plastic bin to store personal effects. There is no capacity for security of personal effects. One officer reported that Rikers Island has had to develop an unwritten law of 'no stealing' to allow prisoners to live. Whether this unwritten law is observed by all prisoners is unknown. Shower and toilet areas are communal and the prisoners are able access to them. The showers and toilet areas can be seen from the custodial officer's secure post.

The unit is manned by two custodial staff with program staff. Custodial staff supervise by direct and indirect supervision. One staff is located on the floor of the unit supervising prisoners. The other staff member is located in a secure booth with views to most sections of the unit. Case management is not undertaken by custodial officers. Additional supervision is given by appointing prisoners into position of trust. Some prisoners are appointed as elders to manage the decision making process within the living unit.

Rose M. Singer Center

I was also able to visit the Women's facility, the Rose M Singer Center and see the intake area, nursery area, the infirmary and medical areas and the segregation area.



Source: The New York City Department of Correction

The intake area for women was located in the lower level of the building. Women were brought in from the various jurisdictions and held in 'bullpens' to be processed into the facility. The intake

process included a full medical evaluation by a medical practitioner and had to be conducted within a set period (24 hours). The 'bull pens' (according to the borough court they had been processed at) were communal and contained a number of benches and a toilet.

Once inducted most women in the facility are housed in dormitory accommodation. However, the facility also has a segregation accommodation area co-located alongside a segregation unit for juvenile female offenders. The units have been designed on a linear axis with a secure custodial officer booth located between them. All supervision is indirect and the two units are manned by three officers. One officer mans the floor of each unit and one officer is located in the secure officer booth electronically controlling access and egress. The units are very similar in design to maximum security male accommodation provided in older Australian prisons.

The nursery area at Rikers Island was the first jail based nursery opened in the United States. It has a capacity to accommodate 25 women and young babies. At the time of my visit the nursery was accommodating eight women and their babies. The unit is laid out with a central glassed enclosure flanked by cells. Babies' cots are housed within the glassed enclosure and the mothers sleep in cells around the perimeter of the unit. Considerable attention has been given to the decoration of this area with muted colours, soft floor coverings, and domestic style furniture and fittings. During day time the women prisoners move around the unit freely.

Supervision is direct and staff appear work from the floor rather than a office.

The infirmary within the women's facility was co-located with the Women's Medical Services. Accommodation within the infirmary was dormitory style and housed approximately 30 women adjacent to nursing and other medical interview areas. Medical staff interview in partitioned spaces rather than separate offices.

West Facility

The West Facility was built after a Court ordered that Rikers prisoners "with symptoms of tuberculosis or other communicable diseases shall be isolated in a medically appropriate manner from the rest of the prisoner population." At the time, rates of tuberculosis had increased due to AIDS; increasing homelessness; greater poverty; over-crowding; and other



Source: The New York City Department of Correction

factors. Between 1979 and 1992, the number of patients with tuberculosis and the percentage of patients with multi-drug resistant tuberculosis more than doubled. In central Harlem, tuberculosis cases reached a rate 222 per 100,000 people. Rikers Island responded with the construction of 'state of the art' facilities to house prisoners with communicable diseases. The accommodation is designed with negative room pressure to prevent cross-contamination (i.e. ventilation

system designed so that air flows from the corridors, or any adjacent area, into the negative pressure room, ensuring that contaminated air cannot escape from the negative pressure room to other parts of the facility). Climatic control is used in all parts of the building to maintain an even temperature. Floors and external pathways between the sprung structures are also heated. All accommodation is single with individual bathroom facilities. The accommodation unit is designed that the prisoners do not have contact with other prisoners or staff but are still able to perform certain functions (e.g. getting meals etc). Visual sightlines into all accommodation are maintained through the use of windows for both the supervision of the prisoner and to lessen the prisoner's feelings of isolation. Prisoners are provided with television as a diversion and there are facilities to allow non-contact visits.

With the tuberculosis outbreak contained across New York, Rikers Island employs the West Facility as a tool to manage the spread of communicable diseases in the large prisoner population. Upon reception, all incoming prisoners receive a medical examination and are screened for communicable illnesses, such as tuberculosis and sexually transmitted disease, and other medical problems. All prisoners indicating that they have a communicable disease (e.g. chicken pox, measles) or have been in contact with a person with a communicable disease are isolated in the facility for a conservative period.

SUMMARY

During the visit there were a number of points of great interest to the Australian context.

- The importance paid to health screening among a prisoner population with low health care outcomes in the community.
- The importance paid to designing prison facilities to meet the needs of prisoners from a health care perspective.
- The use of an architecture response to avert the spread of certain communicable diseases. The Rikers Island response to tuberculosis was large scale but is a useful precedent in the consideration of the control of communicable diseases in Australian prisons. It is also useful to consider whether screening, treatment within specialised facilities would be useful for Aboriginal peoples with certain health issues entering the correctional system.
- The use of the courts as a mechanism to regulate and enforce prison living conditions. Generally there has been little recourse to the courts in Australia to ensure minimum living conditions in prisons. The examples presented during the visit were extremely useful in gaining international perspectives on one way minimum living conditions can be obtained and regulated.
- The anecdotal evidence to suggest that some psychotropic and other medications may cause heat sensitivity to the patient. The court decision and discussions with staff from Health Affairs and Forensic Services suggest prisoners prescribed certain medications commonly used in the treatment of mental and cognitive disorders, as well as anti-hypertensives, diuretics, barbiturates and anti-histamines may suffer fatal or near fatal heat stroke when exposed to certain thermal conditions due to patients' impaired thermoregulation. Given there is anecdotal evidence to suggest that the prescription of such medications is routine to prisoners in Australian prisons further research and 'best practice' principles for thermal environment for the design of prisons is possibly warranted.

Canada

BRIEF OVERVIEW OF THE CANADIAN CORRECTIONAL SYSTEM

In Canada, responsibility for corrections is divided between the federal and provincial governments. Convicted persons sentenced to two years or more of custody are placed under the jurisdiction of the federal government agency, Correctional Services Canada, which operates prison institutions throughout Canada. Persons sentenced to 'two years less a day' and those held on remand are the responsibility of provincial governments and are housed in provincial prisons

PRISONS WITHIN THE CANADIAN CORRECTIONAL SYSTEM

At the time of the fellowship, there were 192 correctional facilities across Canada with 76 under federal jurisdiction. These correctional facilities are identified as either maximum, medium, minimum security. The maximum security facilities normally have high security fencing around the perimeter of the facility and prisoner movement is often highly restricted within the facility. Medium facilities also use fences around perimeters, however, security is lower, and prisoner movement is less restricted. Minimum facilities mostly do not enclose buildings with fences and prisoner movement is generally unrestricted during most periods of the day. Multi-level facilities combine features of two or more of the security levels defined above. Some facilities use the same buildings to accommodate prisoners classified at different security levels, while others use separate structures for each security level. Multi-level security facilities may be enclosed by fences.

The Corrections and Conditional Release Act (CCRA) states in Section 4(h): "that correctional policies, programs and practices respect gender, ethnic, cultural and linguistic differences and be responsive to the special needs of women and aboriginal peoples..." Sections 79 to 84 explicitly discuss the needs of Aboriginal prisoners, including: programs, agreements, advisory committees, spiritual leaders and Elders, parole plans and other aspects that are designed to address the distinct needs of the Aboriginal prisoner. Under the Section 79 the Correctional Service of Canada has developed Aboriginal facilities in various locations in conjunction with Aboriginal communities and with the consultation with a range of

Aboriginal individuals and organisations. The most radical departure was the development of healing centres or lodges.

Healing centres or lodges offer services and programs that reflect Aboriginal culture in a space that incorporates Aboriginal peoples' tradition and beliefs. In the healing lodge, the needs of Aboriginal offenders are addressed through Aboriginal teachings and ceremonies, contact with Elders and children, and interaction with nature. A holistic philosophy governs the approach, whereby individualised programming is delivered within a context of community interaction, with a focus on preparing for release. In the healing centres, an emphasis is placed on spiritual leadership and on the value of the life experience of staff members, who act as role models.

Within the scope of the fellowship I wanted to visit a range of correctional facilities at various security levels and to view the first centre where Aboriginal programs were first delivered (the Stan Daniels Healing Centre) and to view the first healing centre built (Pê Sâkâstêw Centre).

To view a range of correctional centres, I visited the following facilities:

- Stan Daniels Healing Centre
- Edmonton Institution For Women
- Edmonton Institution For Men
- Pê Sâkâstêw Centre
- Bowden Institution
- Kingston Penitentiary
- Joyceville Institution

ABORIGINAL PEOPLES WITHIN CANADIAN PRISON SYSTEM

Three groups of Aboriginal peoples are recognised in Canada. These are First Nations peoples, the Inuit, and the Métis, who emerged after the settlement of Canada. Within each of these groups there is considerable linguistic, tribal and cultural diversity but all Indigenous peoples share a commonality in that original societies and cultures have been diminished by over a century of colonisation and dislocation from traditions and cultures.

One example of the forced assimilation was the Residential Schools Program which separated over 150,000 Aboriginal children from their families and communities. In the 1870's, the federal government began to play a role in the development and administration of these schools. Two primary objectives of the system were to remove and isolate children

from the influence of their homes, families, traditions and cultures, and to assimilate them into the dominant culture and to "to kill the Indian in the child". The residential schools program and other aspects of colonisation have led to a breakdown of Aboriginal economies and institutions of self-sufficiency and self-governance.

A large proportion of the Canadian Aboriginal population suffer socio-economic disadvantage with poverty, inadequate educational opportunities, unemployment, poor living conditions, alcohol abuse and domestic violence affecting a great proportion of people. Aboriginal people come into conflict with the law disproportionately to their representation in the general population. While representing 2.7 per cent of Canada's population, Aboriginal people continued to have high levels of representation in custody.³⁶ According to the 2006 Census, Aboriginal people represented 4% of the adult population in Canada, yet they accounted for 24% of adult admissions to provincial and territorial custody. The Office of the Correctional Investigator estimated that the overall incarceration rate of Aboriginal Canadians to be 983 per 100,000 of the adult population.³⁷ Other disparities in the correctional system include the over classification of Aboriginal offenders resulting in people not benefiting equally from programming intended to prepare prisoners for eventual release, being incarcerated in higher level security prison environments in higher numbers, finding it difficult to gain the security classification to be able to be housed in a healing centre or other minimum security institutions and various forms of discretionary conditional release such as temporary absences, work releases and parole.

The growth of Aboriginal street gangs in the western Canada has had an effect on the Aboriginal prison population. These gangs are based in urban and rural western Canada and have different characteristics than those found among the members of more established gangs in other areas of the country. The members tend to be young, disenfranchised and involved in violent crime. There are currently 54 different gangs identified within federal correctional institutions and the presence and membership to Aboriginal street gangs among prisoner population outnumbers membership to outlaw motorcycle groups. Members of Aboriginal street gangs generally have more disciplinary offences (especially drug and fighting offences), more 'guilty' decisions in disciplinary hearings, and significantly less

³⁶ Statistics Canada, *Canadian Prison System* (2005/06) http://www.vcn.bc.ca/august10/politics/facts_stats.html

³⁷ Office of the Correctional Investigator *Annual Report* (2007/08)

enrolment in prison work and rehabilitation programs while in prison.³⁸ Gang membership has an impact on the types of prison environments provided for Aboriginal offenders.

STAN DANIELS HEALING CENTRE



The Stan Daniels Centre is housed in former Military Building on the northern edge of the Edmonton CBD. It is a 73 bed facility that is a Community Correctional Centre and a Section 81 designation. Residents (termed Owiciyiswak) are either conditionally released offenders (day parole or full parole/statutory release with residency), or residents with prisoner status.

Until 1999, the Native Counseling Services of Alberta operated the Stan Daniels Center in Edmonton under a contract with the Correctional Services Canada. In 1999, correctional operations were transferred to the Native Counseling Services of Alberta in accordance with Section 81 of the Corrections and Conditional Release Act, 1992 (CCRA).

The Stan Daniels Healing Centre has pioneered a range of programs to assist Owiciyiswak for their release into the community. Elders play a critical role as spiritual and cultural teachers. With guidance, residents are offered the opportunity to heal, to grow spiritually, and to reconnect with Aboriginal culture. Services offered include a relationships program, a loss and recovery program, a family life improvement program, an Elders healing circle, a relapse prevention program, a substance abuse program, and activities and ceremonies.³⁹



³⁸ Dean Jones, Vince Roper, Yvon Stys and Cathy Wilson, *Street Gangs: A Review of Theory, Interventions, and Implications for Corrections* (2004)

³⁹ Native Counselling Services of Alberta, *Warrior The Stan Daniels Healing Centre 20th Anniversary Documentary* (2008).



located to fit the residential, program and facility are located near the main entrance. which is used to hold offenders who have to be transferred back to a secure prison there is a large kitchen and communal dining on the same level which generally function as communal furnishings. Owiciyiswak sleep in large dormitories, some rooms have partitions partially separating the facilities. Residents with similar needs are grouped together in the quieter areas of the facility).

A lower level of the building has been refurbished to include a circular room for circle ceremonies and activity areas for Owiciyiswak. Throughout the building areas have been enculturated to include relevant signs and symbols painted on the walls.

The Stan Daniels Healing Centre was the precedent for the design of the minimum security institutions to include cultural knowledge (see Pê Sâkâstêw Centre). The desire for purpose built buildings can be seen from the constraints of operating cultural programs in an old adapted building in an urban context are evident. The location of the facility is problematic as it brings Owiciyiswak within short distances of alcohol and drug related activities. There are a number of 'walk-aways' from the facility and both the Correctional Services



Canada and Native Counseling Services of Alberta have to accept and manage these 'escapes'.

EDMONTON INSTITUTION FOR WOMEN*



Edmonton Institution for Women opened in 1995 as a multi level prison for women. The institution was designed under campus principles and contains nine living units (each housing 10 minimum or medium level prisoners) eight 'structured living environment' units and fifteen secure units for maximum security prisoners.

The design of the facility reflects the recommendations of the *Creating Choices Report of the Task Force on Federally Sentenced Women Report* (1990)⁴⁰ which reiterated findings of previous governmental and non-governmental reports on the state of Canadian prisons for women. In short, the findings stated that prison environments for women were over-secure and based on a male model of corrections; women prisoners were geographically dislocated and isolated from their families; the programs did not meet the needs of prisoners serving a life sentence, or Francophone, or Aboriginal women; and that there were few community or institutional links report.⁴¹

The five guiding principles outlined in the 1990 report stated that empowerment, meaningful and responsible choices, respect and dignity, supportive environment, and shared responsibility should be the foundation for the incarceration of women offenders. These principles informed and guided the consultation process for



Source: Correctional Services Canada

Edmonton Institution. The design was also informed by the design process for William Head Institution (Vancouver Island, British Columbia). The design project for William Head

⁴⁰ Ministry of the Solicitor General. Task Force on Federally Sentenced Women, *Creating Choices Report of the Task Force on Federally Sentenced Women Report* (1990).

⁴¹ Stephanie Hayman, *Imprisoning our Sisters: The New Federal Women's Prisons in Canada* (2006).

attempted to reflect research into the positive effects of softening the prison setting. This project was the first Canadian prison to considered the "greater use of sound-deadening materials like carpet and acoustic tiles," comfortable furniture, soft lighting, wall-hangings and other changes to allow prisoners greater control over their environment.⁴²

Edmonton Institution for Women is located in an industrial area of Edmonton, Alberta and has a design capacity for housing 110 prisoners. Accommodation for women prisoners is provided in stand-alone houses clustered behind a main building which contains staff offices, program space, recreation, a health care unit, and a visiting area*. On the campus there are also two private family visiting units within a secure perforated perimeter.

The design of Edmonton Institution for Women has served as a design precedent for many facilities for women internationally including Boronia Pre-release Centre in Western Australia. It was interesting to view this precedent and gain further understandings of the directions where design for the housing of women prisoners could progress.

EDMONTON INSTITUTION FOR MEN*



Source: CBC News

Edmonton Institution for Men is located outside Edmonton, Alberta and opened in 1978 and currently operates as a maximum-security facility. Edmonton Institution housed 227 male prisoners at the time of my visit

Edmonton Institution was built in 1978 according to campus principles with accommodation units surrounding a central courtyard. Originally designed as a medium security institution the security rating was upgraded to maximum security in the last decade. With this upgrade the campus principles of the facility were changed and prisoners were locked down to separate units and the static security aspects of the facility increased. There are eight units surrounding the courtyard with 24 cells in each unit. Prisoners are housed in separate cells within units with a high level of security and restricted regimes. The facility has separate administration, recreation (including a gym), administration and medical facilities. Areas where prisoners gather in numbers are guarded by armed officers (e.g. the gym). There is

⁴² J.C. Johnston, A Psychological perspective on the new design concepts for William Head Institution (British Columbia). (1991) 3 *Forum on Corrections Research*, 14-21.

also a ceremonial ground with a sweat lodge and tepee with a secure fence surrounding it on the edge of the site.

Edmonton Institution is the most secure facility in Alberta with the most restricted regime. Supervision is indirect and officers have secure office areas in each housing unit. There is a separate area where prisoners can dine as a group; however food can be delivered to the cell with food slots in each door. All education and programs are delivered to prisoners in the cells to reduce the movement of prisoners.

Changes in security level and regime at the institution were in response to the growing number of Aboriginal gang members entering the Alberta prison system. Staff at Edmonton identified two primary gangs present at the Institution (Red Alert and Manitoba Warriors). The correctional system appears to have tackled the problem by separating gang members, either in separate units within the prison or by keeping them in segregation or dispersing them in different institutions. Staff reported that the prisoner profile changed in last decade to include much younger offenders charged with violent crimes with small sentences (typically one to two years). It was noted that many of these prisoners came into the system with little respect or fear of the criminal justice system. While incarcerated for relatively short sentences of many prisoners it was difficult to engage individuals in programs or deliver services which may divert them from future custodial sentences.

Edmonton Institution appears to have responded to the younger offenders sentenced for violent offences with the attitude that limited facilities will be provided for prisoners. Any deviance from the expected behaviour results in facilities appears to result in changes in the environment for the group (i.e. 'you abuse it you lose it attitude'). There were a number of examples where the environment had been 'hardened'.

PÊ SÂKÂSTÊW CENTRE

Pê Sâkâstêw Centre was commissioned in 1997 as a federally owned minimum-security facility, located on land owned by the Samson Cree First Nation and leased to the Correctional Services Canada. The Centre is a 60-bed facility that accommodates 40 minimum-security prisoners and 20 day parolees. It located near Hobbema, town with a population of approximately 12,000 located within a one-hour drive south of Edmonton, Alberta. Hobbema has four First Nations communities, including the Samson Cree reserve.



The establishment of the Pê Sâkâstêw Centre and other healing lodges was enabled by legislation to allow Aboriginal prisoners to be housed in facilities operated by Aboriginal communities, which are known as healing centres or lodges.

I was able to discuss the design process for the Pê Sâkâstêw Centre with the architect, Ken Hutchison. He

stated the design team was chosen through a tender process. After winning the tender he was presented with a layout for the facility by the Correctional Services Canada project team. The layout reflected the medicine wheel and the four directions and in the early consultations the importance of the integration of the colors red, yellow, white, and black and the principles of normalisation were emphasised. The architect embarked on a consultation process to identify design triggers and issues and the meetings generally included 150 – 200 people and were conducted in both English and Cree.

Hutchinson was presented with the challenge of designing the buildings for the site. He described the design process as a process where he worked continuously with overlays on butter paper. He used an identified significant totem (the eagle) as the basis for the design of each of the residential units and the ceremonial building. With the Correctional Services Canada project team, Hutchinson the community was consulted regarding the form of each building and the plan and layout for the ceremonial building became more apparent and minor details for each building were resolved. It was noted that the extended consultation period was necessary to achieve the finished result. The finished design included six circular buildings are arranged in a large circle on the 40-acre site. Buildings were orientated in four directions with the ceremonial building taking the most significant north facing position.



Hutchinson noted that the construction period was somewhat difficult. Certain elements of cultural significance were not fully understood by Correctional Services Canada. These led to some disputes between the community and Correctional Services Canada. Ultimately one building (the Elder building) was not built to the original plans. This was constructed to a standard domestic plan due to budget overruns. The architect and the community saw this building as one of the most important buildings on the site and were dismayed when the plan was not fully realised.



The completed centre contains a reception building (housing reception, staff offices, visit area and a large circular meeting and social room). A commercial kitchen, recreational areas (gym and weights room), general store and trade training areas are located in an adjacent building. Stand alone residential buildings are provided for residents. The ceremonial building houses the circular ceremonial Elders room, Elders offices and rooms for educational use. Another stand alone building is provided for the use of Elders. At present there is room on the site for further expansion.

After the commissioning of the centre sweat grounds were constructed according to Cree ethnoarchitectural traditions. These are located at the rear of the ceremonial building and contain a pow wow area, a sweat lodge and various tepees. Construction of new ethnoarchitectural forms in this area occurs according to the cultural need and is directed by the Elders.

The Centre is extremely important in understanding prison environments for Indigenous prisoners as it was the first design to be based on the premise that the use of architecture and design could reflect cultural knowledge (especially knowledge transmitted through oral tradition) to increase the cultural knowledge of the user primarily to redirect their lifestyle from criminality to one of well-being.

At the time of my visit the accommodation units within the centre was been categorised for the use of certain prisoners. One unit was being utilised as an intake unit, another for residents beginning their path towards spirituality and connectedness and the remainder of the units for residents who had developed a cultural connection and were on a cultural and spiritual path.



In discussions with the Executive Director, he stated that there were benefits and constraints with the location of the centre. He felt that it was imperative that he received guidance from the Hobbema Elders in his decision making processes and it was important that the community saw the centre as part of the community. At the same time social issues within the community impacted the centre. In recent times the possession and use of firearms had increased in the community and a number of drive-by shootings had occurred (one with tragic fatal consequences). To provide a greater level of safety for the residents a security perimeter was constructed. The director expressed that location of the centre next to the community was beneficial but did not always provide residents with a break from community life and the accompanying social issues. At the same time he felt the location of centre away from a major town provided residents with some of the peace (and a break from urban life) that may be needed for residents undergo personal change and growth.

The planning for the site was seen as problematic as it did not include areas for employment and training. The Executive Director felt equal emphasis was needed in the layout of future healing centres to provide areas for the development of spiritual and cultural growth and employment skills.

BOWDEN INSTITUTION*

Bowden Institution is a multi level facility located between the communities of Innisfail and Bowden in Alberta. Prisoners with higher security levels are housed on the main campus while an adjacent minimum-security farm annex accommodates prisoners in eight separate residences. The institution was opened as a provincial facility, but was acquired by the Correctional Service of Canada and designated as a federal facility in 1974.



Source: Correctional Services Canada

Bowden Institution was designed as a medium security facility according to principles of campus planning and was one of the first of the Canadian medium security institutions to move away placing accommodation units around a central court yard (see Joyceville Institution).

The front buildings contain the administration functions in a two storey building. The institution has a large gym and fitness centre and education buildings, a reception unit, dissociation/segregation beds, an Aboriginal program area and sweat grounds and a health care unit.

The buildings housing prisoners are separated into two, each unit designed to the principles of podular living with an officer post separating the units. Cells were designed for single occupancy (now double bunked) and include a toilet and wash basin. Showers were located within the unit and prisoners organised a schedule for the use of the communal facilities. The living areas in the units provide areas for dining and food preparation and a passive recreation area.

Bowden Institution was designed to house approximately 500 prisoners. At the time of the visit, the Institution was accommodating approximately 700 prisoners by double bunking prisoners. Interestingly, it was reported that prisoners were not displaying high levels of resistance behaviours (e.g. riots, non-compliant behaviour, increases in standover tactics, increases unnatural deaths in custody) normally seen with overcrowded and double bunked facilities at the time of my visit. Some commentators outside the facility were at a loss to explain this. Staff at the facility noted that the commissioning of the institution may play a part in the low levels of resistance behaviours displayed by prisoners. It was stated that the institution was commissioned as a facility primarily for sex offenders with an accompanying behavioural model where tolerance and compliant behaviour were expected among the

prisoners. This expected model of behaviour appears to have continued among the greater population of prisoners, while the prisoner population had changed to include prisoners convicted of other offences. During the visit, I noted that the facilities were very well maintained, clean and prisoners had reasonable access to programs and facilities. Bowden Institution is somewhat of an anomaly in that negative by-products of overcrowding and double bunking (e.g. lower access to programs and recreational activities, decreased cleanliness of the facility, higher levels of resistance behaviours) do not appear to have effected the institution (or were not observed during my visit). From a research perspective, I noted that the commissioning process may be worthy of further investigation to provide insights into the salient aspects of reducing negative behaviours among prisoners when double-bunking is used to manage a rapid growth in the prison population.

Aboriginal prisoners at Bowden Institution are placed to disperse members of gangs and to provide compatibility in the double bunked cells and the units. Generally Aboriginal prisoners are not placed into pre-existing social groupings and staff noted the importance of having all prisoners intermingled. Staff also noted that the number the Aboriginal prisoners requesting (or needing) segregation due to gambling debts or gang related issues was higher than requests from the general prison population.

Aboriginal prisoners have the opportunity to congregate during the delivery of Aboriginal specific programs (if they choose to be involved) in the large multi-use Aboriginal program area. The adjacent sweat grounds were used relatively frequently. Sweat lodges were constructed according to the ethnoarchitectural traditions of the advising Elders and sweats were offered to prisoners on a monthly basis. Other ethnoarchitectural forms were constructed according the change of season and the observance tradition. The families of prisoners were invited to participate in some of these celebrations. Staff noted that the issues of ill health and lack of transport often prevented families from attending.

KINGSTON PENITENTIARY*

Kingston Penitentiary is a maximum-security facility located in Kingston, Ontario. The



Source: Correctional Services Canada

Penitentiary was Canada's first federal prison. In 1831, J.C. Thomas was appointed to help design the facility.⁴³ He visited several countries and finally decided to implement the Auburn 'silent associated system.'⁴⁴ The Auburn System was a 19th century penal philosophy whereby prisoners worked during the day in groups and were kept in solitary confinement at night, with enforced silence at all times (and named after the New York state prison at Auburn). The Auburn approach employed cellblocks consisting of rows of very small cells placed back-to-back in the centre of the building and separate large workshops where prisoners laboured together. Kingston Penitentiary was designed by the former deputy warden of the New York State Prison and built under the supervision of the same builder. At the time of its commissioning in 1835 it had been planned to house 880 prisoners (making it one of the largest prisons in the world at the time). During the first 100 years, women were incarcerated at the penitentiary although remained segregated from the male population.⁴⁵

The prison is located on a 10-acre walled enclosure which has an entry gate leading to a cross-shaped main cellblock and a large cross-shaped workshop at the rear. The cellblock housed administrative facilities (offices, a staff room etc) are housed in the front wing and prisoners are housed in the other three.

⁴³ Peter Hennessy, *Canada's Big House: The Dark History of the Kingston Penitentiary* (1999)

⁴⁴ John Winterdyk, (ed), *Adult corrections : international systems and perspectives* (2004)

⁴⁵ Dennis Curtis, Andrew Graham, Lou Kelly, and Anthony Patterson. *Kingston Penitentiary: The First Hundred and Fifty Years*. (1985)

In the early history of the penitentiary, prisoners spent their non-working hours in cells (2 m by 0.6 m), each fronted by sound insulating wooden doors with small barred openings for ventilation and supervision. The cells were laid out in long rows stacked 5 cells high in the middle of the cellblock (termed ranges in Canadian correctional terminology). The layout permitted continuous staff supervision of each cell from both the front and rear. Labour programs were carried out in large open workshops that were easily supervised.

In 1971 a riot at Kingston Penitentiary destroyed several parts of the prison. In the redevelopment of the facility, security was increased and accommodation for prisoners was redeveloped under the principles of unit management using an indirect supervision model.

During the fellowship visit the facility housed between 350 and 500 prisoners and another 120 within the Regional Treatment Centre located in a building within the site. The living accommodation for mainstream prisoners was contained in units. Each unit contained two ranges of two tier banks of cells located 90 degrees to each other. The ranges are indirectly supervised by staff housed in a secure office located between the ranges. Officers had the capacity to electronically operate doors to cells and entry/egress from the secure office. The



frontage of each cell was barred. Each cell contained a bed, washbasin and toilet. Separate showers were located on each range and prisoners had access to them several times a week. Kingston Penitentiary was an extremely restricted environment. The use of bars for the frontages for cells and the use of electronic opening created a noisy environment.

JOYCEVILLE INSTITUTION*



Source: Correctional Services Canada

Joyceville Institution is a medium-security facility located about 20 kilometres northwest of Kingston, Ontario and adjacent to Pittsburgh Institution and the Rideau Canal (a UNESCO world heritage site). The facility was commissioned in 1959 and is an interlocked facility consisting of four storey barrack blocks located around a central courtyard. It was the first facility in Canada where the accommodation was designed with adjacent living and dining areas rather than constructing traditional cellblocks.

Joyceville Institution has a design capacity of 528 prisoners (with four handicapped places, 25 segregation and two observation cells). At the time of the visit it was housing 515 prisoners. The prisoner population generally consists of 15 – 20% Aboriginal prisoners.

Staff noted that the prison profile of this group of prisoners appears to be changing subtly and the Aboriginal prisoner profile was becoming younger with many involved in gang related offences. This aspect was having an impact on the way the facility was being used and changes that were being made to the environment. At the time of the visit there were plans to refit the visit area to allow greater surveillance (both visual and audio) and at the same time to increase the facilities for visitors.

While staff identified that Aboriginal prisoners preferred to be housed within social groupings this was generally not followed. There was preference for prisoners from various backgrounds to be dispersed across the various units in the prison. Staff were concerned that concentrating certain groups would lead to recruiting for gang activity, greater levels of radicalisation (especially conversion to radical Islam) and increases in illegal activities. At the same time staff noted in each unit many small groups tended to form on the basis of race or religion.

SUMMARY

During the visit there were a number of points of interest to the Australian context.

- The design of minimum security environments for Aboriginal prisoners present excellent examples of the manner in which cultural knowledge can be integrated in the facility design.
- The processes for consultation for such facilities can be taken as examples for Australia. It should be noted that the process takes time and resources to be conducted thoroughly.
- The partnerships with Aboriginal communities for siting facilities on traditional lands are examples where the involvement of Indigenous communities in the criminal justice system has been increased. This model is useful for consideration in some parts of Australia.
- There are cultural, social and economic considerations need to be fully considered in choice of locations for facilities.
- The precedents of 'normalised' prison environments for women prisoners in Canada are useful for consideration in the design of women's facilities in Australia. The process that Canada went through and its outcomes should be considered in the design of Australian women's prisons.
- There appears to be little regard in the design of maximum and medium security institutions in Canada for the separate domiciliary practices of Aboriginal peoples. Little research has been conducted in this area and the domiciliary practices of various groups of Inuit, Métis or the diverse number of groups of Aboriginal peoples appear to be little understood. There may be an opportunity for Australian research to inform the Canadian context.
- The location of prisons appears to have an impact to the level of visits to Aboriginal prisoners by their families. Repeatedly it was stated that the general low socio economic and health status of families meant that visiting family members in prisons (often in isolated locations poorly serviced by public transport) was very difficult. At most medium and minimum security prisons there did appear to be a concerted effort to provide facilities and opportunities to bring families into the prison to celebrate certain cultural events.
- The presence of Aboriginal ethnoarchitectural forms in the form of sweat lodges and tepees at most prisons appears to a powerful reminder in the prison environment that Aboriginal prisoners are present in the prison as a distinct and diverse group. In maximum security prisons, participation in regular sweats and other ceremonies often

provided Aboriginal prisoners with diversions and 'escape' from the highly secure hardened and regimented prison environments. The presence of Elders and Aboriginal staff and programs also provided important support mechanisms. The right to practice religion as been used as the basis to allow sweat lodges, tepees and other ethnoarchitectural forms to be constructed in most prisons and to allow Aboriginal prisoners certain privileges (e.g. carrying a medicine bundle and participating in ceremonies, etc). At the same time some people saw these as religiously based practices. From this perspective there appears to be some dichotomies between holistic Aboriginal viewpoints and those of Correctional Services Canada.

- The emergence of Aboriginal gangs in western Canada and the effects on the prison environment appears to be an important issue which Australian correctional agencies and researchers should observe with interest. Increasing numbers of young urban based Aboriginal men are being incarcerated. Correctional Services Canada's response to offenders convicted of violent offences (and other problematic prisoners) is by separating and segregating them in hardened environments along with a reliance on static security measures and indirect supervision for management. The benefits of this approach are being discussed. For example, Mercredi⁴⁶ stated: "Strong security and the punishment models do not work well with the Aboriginal people. There is a psychological explanation for Aboriginal resentment towards heavy-handed policing or security. In the collective memories of the Aboriginal societies, hard measures by white society have always been met the same way - with resistance. The choice is clear to CSC: to develop approaches for dialogue and real opportunities for wellness and personal transformation as opposed to building a fortress of resistance and animosity". The alternatives to housing such groups in hardened environments is an area which has not been fully discussed in the literature. Australian correctional systems may learn a great deal from monitoring the on-going response Canadian correctional agencies to these issues.

⁴⁶ Ovide Mercredi, *Aboriginal Gangs A Report to the Correctional Service of Canada on Aboriginal Youth Gang Members in the Federal Corrections System* (2000)
<http://www.csgv.ca/counselor/assets/AboriginalGangs.pdf>

New Zealand

BRIEF OVERVIEW OF THE NEW ZEALAND CORRECTIONAL SYSTEM

The law of New Zealand consists of the common law, statute law enacted by the New Zealand parliament, a number of United Kingdom laws which are still in force, regulations, by-laws and other forms of subordinate legislation. When applying the common law, New Zealand courts take into account common law principles developed in New Zealand and countries such as the United Kingdom, Australia and Canada.⁴⁷

Imprisonment is the most serious sentence. The Criminal Justice Act gives guidance on the use of imprisonment for violent offences and limitations on the use of imprisonment for young offenders and property offences. Limited guidance is given to factors other than offence type and seriousness, such as the characteristics of the offender (prior offending history, personal circumstances and ethnicity) and the particular circumstances of the case.⁴⁸

The Department of Corrections administers the New Zealand corrections system under the Corrections Act 2004 with a mandate of managing offenders in a safe, secure and humane manner, providing a safe environment for staff to work in and the public to visit, ensuring appropriate compliance with, and administration of, sentences and orders and providing information to the judiciary to help them make sentencing and release decisions. The Corrections Act 2004 includes Ombudsmen and Visiting Justices in prisons to maintain a program of inspections.

PRISONS WITHIN THE NEW ZEALAND CORRECTIONAL SYSTEM

There are 20 prisons located across New Zealand with the capacity of accommodating over 8,500 sentenced and remand prisoners.⁴⁹ Of the 20 facilities, 17 are purpose built for men and three for women. Historically, New Zealand has placed less emphasis than comparable

⁴⁷ Warren Young, *World Factbook of Criminal Justice Systems New Zealand* (1991) <http://www.ojp.usdoj.gov/bjs/pub/ascii/wfbcjnew.txt>

⁴⁸ Sue Triggs, *Sentencing in New Zealand: A Statistical Analysis* (1999)

⁴⁹ Department of Corrections New Zealand *Website* <http://www.corrections.govt.nz>

jurisdictions on some aspects of security management. The emphasis has been on the development of dynamic security and developing high levels of quality interaction between correctional officers and prisoners. There has also been an emphasis of the development of national standards to govern all aspects of prison construction, including cell construction which advocates (with limited exceptions) that New Zealand prisoners be housed one prisoner per cell).

In response to the large numbers of Māori imprisoned New Zealand developed the concept of Māori Focus Units. The Māori Focus Unit was built on the premise that increased cultural knowledge would reduce the criminal behaviour. The units were developed to operate on tikanga⁵⁰ Māori principles and operate within a tikanga Māori environment. Through the practice of Māori values and disciplines, and specialist Māori programs, the units aim to bring about positive changes in thinking and behaviour. The first Māori Focus Unit opened at Hawkes Bay Prison in 1997. Since then, Māori Focus Units have been established at Waikeria, Tongariro Rangipo, Rimutaka and Wanganui Correctional Centres. Each of the current Māori Focus Units is housed in a stand-alone 60-bed unit and is open to prisoners of all nationalities.

The New Zealand Regional Prison Project was devised to construct a number of new prison facilities in regional areas, to provide an increased standard of accommodation and program areas for prisoners, to provide environments according to current security developments and to increase the overall capacity of the system. Northland Regional Corrections facility was commissioned in 2005, Auckland Regional Women's Correctional Facility was commissioned in 2006 and Otago Correctional Facility and Spring Hill Correctional Facility were both commissioned in 2007. The Spring Hill Correctional Facility Incorporated a separate focus unit for prisoners from Pacific Island backgrounds to respond to the growing numbers of Pacific Islanders in the prison population.

All of the projects within the Regional Prison Project have been designed according to campus planning principles and generally employ single level buildings for prisoner accommodation. In developing the project the Department established specific relationships with Māori communities to design, develop and operate prisons in manner effective for Māori offenders. Communities were also engaged in their role as guardian or Kaitiaki, local iwi

⁵⁰ Tikanga means according to correct protocol/s.

representatives to advise on matters in relation to cultural and spiritual elements of the design. The projects also used Māori architects to lead the consultation processes. This has led to some interesting design developments.

Within the scope of the fellowship I visited the following facilities:

- Auckland Region Women's Corrections Facility
- Vaka Fa'aola , Pacific Focus Unit, Springhill Corrections Facility
- Te Ao Maarama Māori Focus Unit, Waikeria Prison
- Te Hikoinga Māori Focus Unit, Tongariro Rangipo Prison
- Te Whare Whakaahura Māori Focus Unit, Remutaka Prison.

MĀORI PRISONERS WITHIN THE NEW ZEALAND PRISON SYSTEM

Māori make up approximately 15% of New Zealand's population with larger numbers of the Māori population living on the North Island. To understand the position and overrepresentation of Māori within the prison system a brief historical overview will be given.

The Treaty of Waitangi was signed in 1840 by representatives of the British Crown and various Māori chiefs and recognised Māori ownership of their lands and other properties and gave Māori the rights of British subjects and a number of other rights (including the right to consult). In the following year New Zealand officially became a colony of Britain. As European settlement increased between 1843 and 1872 violent conflicts occurred between the Māori and the European colonisers (titled the New Zealand Wars).⁵¹ After the New Zealand Wars, some Māori lands were confiscated and during this time the Māori population declined rapidly as a result of the wars and European diseases.

During the late 1960s and 1970s, the Treaty of Waitangi became the focus of a strong Māori protest movement which rallied around calls for the government to "honour the treaty" and to "redress treaty grievances." Since 1980 the Waitangi Tribunal, a government body established to settle legal claims based on the 1840 Treaty of Waitangi, have engaged in recompensing Māori for land that was illegally confiscated.⁵²

Māori are over-represented in the New Zealand prison population and account for almost half

⁵¹ Michael King, *History of New Zealand* (2003).

⁵² Claudia Orange, *The Story of a Treaty* (1989).

of the prison population with the Māori incarceration rate being 175 per 100,000 of the adult population while the non-Māori incarceration rate is approximately 100 per 100,000 of the adult population.⁵³ The Department of Corrections suggest that the overrepresentation rates are a result of social and historical reasons, and access to key services such as health, social support and education, and the effectiveness of those services (including cultural appropriateness) in responding to Māori are of crucial importance in reducing disadvantage which results in prison overrepresentation.⁵⁴ There are some specific security issues in housing Māori prisoners.⁵⁵ For the last 40 years, there has been a growth in gang membership among Māori to provide the means of pursuing "legitimate channels to success" through better access to social services, employment, recreation, education, and vocational training⁵⁶ and the majority of Māori offenders belong to gangs, such as the Mogrel Mob and Black Power gangs. Gangs tend to be national in focus with chapters in different cities and control a great deal of the criminal activity.

New Zealand has moved to become a bi-cultural country to observe the conditions of the Treaty of Waitangi. In recent years considerable attention has been paid to reviewing the responsiveness of services to the needs of Māori and to provide consultation and adequate redress.

⁵³ Department of Corrections New Zealand *Website* <http://www.corrections.govt.nz>

⁵⁴ *Ibid*

⁵⁵ Mark S. Fleisher and Scott H. Decker, 'An Overview of the Challenge of Prison Gangs', (2001) 5(1) *Corrections Management Quarterly*, 1-9.

⁵⁶ Kayleen Hazlehurst and Cameron Hazlehurst (eds) *From Gangs and Youth Subcultures: International Explorations* (1998).

AUCKLAND REGION WOMEN'S CORRECTIONS FACILITY



The Auckland Region Women's Corrections Facility was commissioned in 2006 as New Zealand's first purpose-built women's prison and designed by Perumal Pedavoli, Warren and Mahoney in consultation with local iwi and hapū (Puukaki ki te Aakitai). The facility is set on a 47 hectare site with a building area of 13 hectares (38 buildings) surrounded by a 1.5 kilometre length six metre high perimeter fence. It is located in an industrial area of South Auckland.

The facility can accommodate 286 prisoners in various types of accommodation. High and medium security prisoners are housed in units while minimum security prisoners are accommodated in living units of 10 beds and there are also self-care four bedroom houses for mothers with babies. Māori women prisoners make up over 58% of the prisoner population while Pacific Islander prisoners comprise over 6% of the prison population.

The land was gifted by Kaitiaki to initiate a partnership between the Department of Corrections and the local Guardians and includes a sacred site. The design process of the facility took this important site as the one of the design triggers for the project. All services are contained within a curved building (in the shape of a spine) which is directed towards and surrounds the site. Low and medium



security accommodation is sited inside the spine with views of the sacred hill. Women with high security needs (and those being inducted) are housed in secure units on the outer side of the spine. The design philosophy is that women will work with the services (contained in the spine) to move to be closer to their culture (and as they move to over to the other side of the spine closer the sacred hill). The manager of the facility has the most uninterrupted view of the hill as it is her/his role to guide the women towards their culture and protect the sacred part of the landscape.



The planning for the facility is totemic and resembles a Sting Ray which relates to its location near the harbour and the local Māori totem. At the centre of the site a Papmauri, a traditional Māori meeting place has been designed with a contemporary approach to Māori ethnoarchitecture.

There are a number of areas of architectural significance in the design of Auckland Regional Women's Correctional Facility:

- The normalisation of high security women's accommodation,
- The normalisation and softening of the design of gatehouses,
- The use of visual courtyards outside interview rooms to reduce stress,
- The use of water features in a correctional environment,
- The incorporation of a sacred site into the design,
- The use of colour to ameliorate the environment.

VAKA FA'AOLA, PACIFIC FOCUS UNIT, SPRINGHILL CORRECTIONS FACILITY

Spring Hill Corrections Facility was commissioned in 2007 and was the largest of the four new facilities built as part of the New Zealand Regional Prisons Development Project. The facility can house 650 male prisoners (with low, medium or high security classifications) within a 215 hectare site.



The Spring Hill Correctional Facility is designed under principles of campus planning with accommodation units clustered around centrally located services such as kitchens, industry areas and programme rooms. The entire facility is enclosed by a highly secure perimeter fence with a single controlled point of entry. The perimeter fence follows the contours of the site and allows views out to the horizon.



Architects Stephen and Turner designed the facility in consultation with the local iwi, Ngāti Naho, in their role as guardian or Kaitiaki. The Spring Hill Correctional Facility has specially designed two cultural spaces, the Fale adjacent to the Pacific Focus Unit and a whare hui, the Māori meeting place.

Accommodation for prisoners is provided in several models including self-care cottages, 60 bed units and secure units. The 60 bed units surround a courtyard area and are built as a pair in the form of a figure eight. The entry to the unit and secure officer facilities are housed in the intersection of the form. The design of the units is a reinterpretation of the traditional prison units built throughout New Zealand. Each prisoner has an individual cell fitted with a toilet and wash basin and there are shared shower facilities and dining area and passive recreational area. The courtyard area contains courts and other opportunities for recreation. Gate is provided to each unit to provide vehicular emergency access and provide a view to outside the unit.



The Vaka Fa'aola, Pacific Focus Unit is located in one the 60 bed units. At the time of visit the unit housed 44 prisoners from six Pacific nations (Samoa, Tonga, Cook Islands, Nive, Tokelau and Fiji). Staff noted that many of the prisoners had lived in the South Auckland area prior to incarceration and were first or second generation migrants to New Zealand. It was also noted that there was a high level of the prisoners had affiliation with a street gang. During the visit staff noted that six street gangs were represented within the prisoner population at the Vaka Fa'aola, Pacific Focus Unit. While staff saw there were some issues in housing gang affiliates within the same unit it was pointed out that most gang affiliations



are 'left at the gate' and there were not major disturbances due to this aspect. Staff did indicate that there are considerable differences between Pacific cultures and this was somewhat problematic in housing different nations together. There were some long-standing historical feuds between various cultures (especially Tongans and Samoans) which led to some unrest between the prisoners. There were also issues in assuring the safety of the young, vulnerable or psychiatrically ill prisoner in the unit as supervision outside program periods was indirect and there were unsupervised and blind areas in the unit. It was also indicated that many of the residents were located considerable distances from their homes. It was pointed out that the Pacific Focus Unit may be more appropriately sited in the southern area of Auckland. The location of the Unit had an effect on the ability to get Elders involved in the programs and reduced the number of visits prisoners received from their families.

The physical environment of the Vaka Fa'aola, Pacific Focus Unit has not been designed to incorporate the domiciliary practices of Pacific Islanders. The enculturation of the environment consists of decorating the environment with Pacific Islander signs and symbols and in the delivery of specific programs. Given the youthfulness of the facility it is understandable that enculturation by this method has not progressed at this point.

TE AO MAARAMA MĀORI FOCUS UNIT, WAIKERIA PRISON



Waikeria Prison is New Zealand's second largest prison accommodating up to 1031 sentenced and remand prisoners with security classifications ranging from minimum to high-medium. Waikeria Prison opened in 1911 and New Zealand's first detention centre for youth was later established at the site in 1961. Following the abolition of borstal training in 1981, Waikeria became a youth institution. The site was became a men's

prison in 1985 following the enactment of the Penal Institutions Amendment Act 1985 and has grown and evolved since that time. The Prison is set on a 1200 hectare site near Te Awamutu.

The Te Ao Maarama Māori Focus Unit is a stand alone facility housed in one of the older prison units idiosyncratic to New Zealand corrections. The units consist of 60 cells located on three sides of a rectangular grassed and asphalt courtyard. The fourth side houses office and reception areas and a meeting room (Marae) and dining and kitchen facilities for the unit. The entrance to the unit is also located along the fourth side the units are secured through a gate (or series of gates) to the compound and the building completes the perimeter of the unit. The units are then generally surrounded by a second perimeter fence. The units are similar in design. Each prisoner is housed in separate cells each fitted with a toilet and wash basin. Showers are shared and located along each side of three residential wings of the unit.

The benefit of viewing the Māori Focus Units in the older New Zealand prisons lies in examining how the architecture have been enculturated and the way the environments support the enactment of cultural practices and programs.



It is the practice of the Te Ao Maarama Māori Focus Unit at Waikeria Prison (and many of the prisons as will be discussed later) to greet all visitors and incoming prisoners with a Fowhiri (Māori welcome ceremony). Prisoners assemble within the courtyard and greet the visitor who slowly approaches the group through the entrance gates. The layout of the older units allows the prisoners to assemble out of view of the visitor and to be called into full view to greet the visitor. The general effect as the visitor moves through the gates is of a fearsome and proud Māori group. It would appear the current external layout has considerable benefits to adding to the gravity of the situation by providing a long narrow entrance.

There have been other subtle changes to the environment to increase the feelings of living as a Fare (family) within the unit. The furniture in the dining room has been rearranged so that

the group dine on one table for each meal. Other areas of the Māori Focus Unit at Waikeria Prison have been studiously enculturated the prison environment to increase the cultural program outcomes. Artefacts are displayed in the reception area. The meeting room and education areas have been decorated with signs and symbols appropriate to Māori cultures present in the area. The unit also has an adjacent garden area where prisoners are encouraged to cultivate some traditional foods and vegetables. These are stored in the specially constructed ethnoarchitectural structures.

TE HIKOINGA MĀORI FOCUS UNIT, TONGARIRO RANGIPO PRISON

Tongariro Rangipo Prison is a low security prison and accommodates 600 male prisoners. The prison started as a prison camp called Hautu near Turangi in 1922. The Tongariro Rangipo Prison site was founded in 1926 and was situated on the Southern boundary of the Hautu site. It became a separate entity in 1977. The prison is on an 8,000 hectare site with



4200 hectares of forested land and 2400 hectares of farmed land. The remainder of the site roads consists of river reserves, wetlands and native forest. The Māori Focus Unit is located on the incoming road to the prison and stands as a separate entity.

The Te Hikoinga Māori Focus Unit is constructed to the same design as that used at Waikeria Prison but has subtle differences and has been enculturated in different ways. The unit has less static security measures than the Māori Focus Unit at Waikeria Prison and does not have a second perimeter fence. Te Hikoinga appears to have developed along a separate trajectory from the unit at Waikeria prison and sees itself more as a stand alone facility. The unit was the only prison on the site until the construction of the adjacent prison (housing prisoners with low and medium security classifications). Staff see the close proximity between the two prisons as problematic. The major issue appears to be the increased noise level. The increased noise generated by two facilities has had an effect on the local community and staff felt it had also decreased the atmosphere within the Māori Focus Unit. Staff mentioned that it was more difficult to build a spiritual and cultural environment in a noisy environment.

Prisoners are encouraged to participate in woodcarving classes run to Māori tradition (Whakairo) in an adjacent portable building. Some of the finished works are displayed around the unit and enculturate the areas in a similar fashion to the way woodcarving is an integral part within Māori ethnoarchitectural forms. Their presence has added to the gravitas of important areas (especially the entrance and the Marae).

Te Hikoinga appears to act as a keeping house for cultural artefacts and holds a number of valuable artefacts regularly used in cultural events. The unit plays an important role in holding these artefacts for the greater community. It is interesting to think of the potential as the prison environment to act as a keeping place for the greater community.

TE WHARE WHAKAAHURA MĀORI FOCUS UNIT, RIMUTAKA PRISON

Rimutaka Prison is one of New Zealand's largest prisons with capacity to accommodate approximately 800 male prisoners with various security classifications. The Prison was opened in 1967 and is located in Upper Hutt. Rimutaka Prison has a single point-of-entry, called the gatehouse and a high security perimeter fence which surrounds accommodation of all security classifications.



The Māori Focus Unit constructed at Tongariro Rangipo Prison is to the same design as that used at Waikeria and Tongariro Rangipo Correctional Centres, but has higher levels of static security measures outside the unit. It also operates as a low security prison and generally prisoners will be in the concluding stages of their sentence. As with the other units there were expectations on the prisoners on their behaviour while in Te Whare Whakaahura such as remaining drug free, and participating in cultural and work programs. Like the other units Te Whare Whakaahura found it hard to find appropriate candidates for the focus units and there were spare spaces.

Similar methods to enculturate the environment had been used at the unit. Woodcarvings had been placed in the entrances of the unit and areas had been given Māori names and identities. The meeting rooms (Marae) adjacent to the offices were used by the prisoners to meet regularly (hui). Staff at Te Whare Whakaahura noted the importance of keeping the space in the Marae as sacred and there need for a separate space for day to day meetings. It was interesting to see how a traditional prison space may not respond to a certain culture and changes in the environment may be necessary to allow the cultural practices to occur unhindered.



SUMMARY

During the visit there were a number of points of great interest to the Australian context.

- New Zealand has been a pioneer in developing separate minimum security environments for Indigenous prisoners within larger prisons. These units have developed using a generic New Zealand prison unit and the environment has been 'layered' and enculturated to the cultural needs of Māori (and more recently Pacific Islander) users. In effect focus units have been delivered with a blank canvas to be decorated as desired. Staff have been responsible for directing the enculturation process (often in consultation with Elders and the community) and elements of Māori ethnoarchitecture have been incorporated into the Māori Focus Units. Most staff reported that prisoners were involved in enculturating the areas of the Māori Focus Units and this provided some useful program opportunities (e.g. getting prisoners involved in woodcarving etc). Most managers were aware the environment could be enculturated further to provide a better backdrop for the cultural programs occurring within the Unit but they lacked the skills or resources to complete this. It may be preferable for Australian prison agencies considering separate Aboriginal units to consider involving design professionals to assist with aboriginalising the spaces to allow greater outcomes from the onset.
- The units play roles which extend beyond simply accommodating prisoners. They act as keeping houses, stages for cultural performances and environments for the revival of cultural practice, language and tradition. With these complex roles the architecture of the Māori and Pacific Islander Units may need to be seriously considered in a

specialised design process. These units play (or have the potential to play) important role to the communities of the cultures they represent.

- The processes for consultation for such facilities can be taken as examples for Australia. It should be noted that the process takes time and resources to be conducted thoroughly.
- The partnerships with Māori communities for siting facilities on traditional lands are a good example where the involvement of Indigenous communities in the criminal justice system has been increased. This model is useful for consideration in some parts of Australia.
- There are cultural, social and economic considerations need to be fully considered in choice of locations for facilities.
- New Zealand has the only known example where a sacred site has been incorporated into the design of custodial facility. The design of Auckland Regional Women's Facility should be considered as an important precedent in the design of facilities for Indigenous users.
- The types of materials and their application into the design of the new custodial projects in the regional prison project should be observed with interest by Australian architects. The use of visual courtyards, incorporation of water features, surface treatments, landscape architecture, the separation of functions of the prison entrance and the gatehouse should be viewed as innovations in penal design that have a capacity to normalise and improve the prison environment.
- Similarly the development of Māori or Pacific Islander meeting areas should be seen as a major innovation which has the capacity to increase the physical environment for Indigenous groups.
- The domiciliary practices of various Māori or Pacific Islander peoples appear to be little understood as little research has been conducted in this area. There may be an opportunity for Australian research to inform the New Zealand context.

Summary & Recommendations

The Churchill Fellowship allowed me to develop greater international perspectives on the design of custodial environments. The information gained through the fellowship is invaluable in my role as an academic and researcher and as a consultant on prison projects. Architects generally use precedents to inform their design process and build on what has been achieved in the past. The history of Australian prison architecture is rarely documented yet many of Australian prison projects have drawn on international precedents to inform their design. The fellowship provided me with greater understandings of the development of Australian prison architecture and it was extremely useful to view the design precedents that have informed various projects. In particular the developments in the design prison environments for women have been informed by projects in Canada and it was extremely useful to view these. It was also useful to view projects which could be used as precedents for future design. Many of the Indigenous projects fitted into this category. It is also invaluable to view prison design which was outdated to further understand how elements of the prison can have profound impacts on the prisoner.

It was noted that Indigenous prisoners in Denmark, Canada and New Zealand shared a number of commonalities which need to be considered in the design of prison environments. The location of the prison (or psychiatric institution) was very important. Indigenous prisoners wanted to stay connected to communities (including urban Indigenous prisoners) and close to families. Some prisoners noted that being able to participate in cultural activities, stay connected to a social group and to live in a familiar landscape was very important. Various strategies had been enacted to lessen the damage where prisoners were imprisoned considerable distances from home. The Danish approach was to allow prisoners periodic holidays and this ameliorated the situation but seen not seen as optimum. The location of prisons appears to have an impact to the level of visits to Indigenous prisoners by their families. Repeatedly it was stated that the general low socio economic and health status of families meant that visiting family members in prisons (often in isolated locations poorly serviced by public transport) was very difficult. At most medium and minimum security prisons there did appear to be a concerted effort to provide facilities and opportunities to bring

families into the prison to celebrate certain cultural events. The siting of a prison for Indigenous prisoners also needed to consider the surrounding infrastructure and facilities. The Stan Daniels Healing Centre (Edmonton, Canada) noted the problems of running programs and housing Indigenous offenders adjacent to liquor shops and other temptations. The Pê Sâkâstêw Centre was attempting to operate programs in close proximity of community with a problem of illegal firearm use. There are important lessons to be learnt from these examples that can be applied to the siting of Australian prisons.

Another issue I considered important was to further understand the concept of 'normalising' prison environments which has been pioneered by the Scandinavian countries. Viewing a range of prisons in Denmark enabled me to conceptualize how a 19th century prison environment could be normalised and I was able to view the more recent innovations in prison design. The normalisation of the Danish prison system appears to be underpinned by a regulated set of minimum standards for prison accommodation. Prisoners are assured of certain facilities, services and programs. Information on the rights of the prisoner was freely available and I sighted the handbook at most institutions. Australia has eight different jurisdictions administering correctional services. Some jurisdictions have binding minimum standards and there are issues where binding guidelines do not exist. The quality of the prison environment tends to diminish over time or in critical periods (e.g. often leading to overcrowding) if there are no binding standards.

I viewed a number of major innovations in the Danish prison environments. These included the standard provision of kitchens for prisoners of all security levels. Central kitchens were no longer provided and most prisoners were expected to prepare their own meals (including forensic mental health patients and maximum security prisoners). This appears to be a very sensible and cost effective measure. Danish prisons generally had a store (needed as prisoners were responsible for food preparation). These were similar to the stores in Australian prisons however in some instances these were operated by a local operator and provided similar goods and services to those available locally.

The visit rooms in Danish prisons were also innovative. Providing a private room would probably not be accepted within Australian corrections but it was useful to view this alternative approach. The child friendly visit areas developed at State Prison Vridsløselille illustrated the willingness of the Danish Correctional System to be innovative. The approach to non-contact visits at State Prison Østjylland where the visitors were seated in a

comfortable room viewing the prisoner through glass was an improvement on the non-contact visit facilities generally included in Australian prisons.

The use of non-traditional materials in re-fits was also innovative. In the re-development of State Prison Vridsløselille designers employed stained glass, fish tanks, soft furnishings and fittings, muted colours and emphasised the creation of a domestic environment. The resultant environment was remarkable and the observed behaviour of the prisoners supports the literature connecting normalised prison environments with positive behavioural outcomes.

Denmark has pioneered psychiatric treatment facilities. Herstedvester Institution was one of the first institutions of its type world wide and advocated normalised environments for the criminally insane over seventy years ago. The campus planning model this institution uses is still relevant today as a precedent for the design of secure forensic mental health units.

Viewing Rikers Island in New York was educational to observe how large fluctuating prison populations can be managed although the methods of managing and accommodating prisoners may not be generally transferable to the Australian context. There were important lessons to be learnt from this facility. The method of having reserve accommodation to cope with fluctuating prison populations was one approach to managing overcrowding not generally entertained in Australia. The use of hulks was also an interesting approach.

The major innovation at Rikers Island appears to be their responses to the poor general health of prisoners. This example appears further the "balloon theory" which suggests that mental hospitals and prisons are parts of an interrelated system; so that when one part of the balloon is pressed there will be a bulge somewhere else. It would appear that deficiencies in the United States public health system also need to be addressed within the North American jail and prison system. Australian prison systems are experiencing increases in the number of prisoners with poor psychological and physical health. Traditional approaches to the design of prison medical facilities may need to be reconsidered.

The development of minimum security facilities specifically for Indigenous offenders has been an innovative measure developed in Canada and New Zealand. These facilities have developed under the premise that greater cultural knowledge will reduce criminality. This premise is difficult to measure using typical correctional benchmarks such as recidivism rates and escape rates etc. It is often difficult for the facilities to measure themselves as they face

the insurmountable challenge of working and attempting to heal dispossessed and disenfranchised offenders. Setting other benchmark for the measurement of success that follow holistic Indigenous philosophies may be useful.

Little research has been conducted into the domiciliary practices and norms of the Indigenous offenders in any of the countries visited. Understanding the environmental needs and preferences of the user groups may be useful to providing a better fit between the user and the environment to increase control of the environment and reduce negative behaviours.

The culturally based facilities in New Zealand and Canada were aimed at offenders with minimum security ratings often in the later stages of their sentences. It was noted that many Aboriginal offenders would not be eligible to be housed in cultural units due to their security ratings and it was noted that the Healing Lodges in Canada and the Focus Units in New Zealand had vacancies as they found it difficult to find eligible prisoners to participate in their programs. Given that Indigenous offenders in Canada and New Zealand may be more commonly assigned higher security ratings, it would appear that maximum and medium security cultural facilities could also be developed. This would allow the offender to address cultural issues from induction into the correctional system. At the same time, the presence of Aboriginal ethnoarchitectural forms in the form of sweat lodges and tepees at most Canadian prisons appears to a powerful reminder in the prison environment that Aboriginal prisoners are present in the prison as a distinct and diverse group. In medium and maximum security prisons in Canada, participation in regular sweats and other ceremonies often provided Aboriginal prisoners with diversions and 'escape' from the highly secure hardened and regimented prison environments. The presence of Elders and Aboriginal staff and programs also provided important support mechanisms.

It was mentioned that Canadian Indigenous offenders may be unwilling or unable to be placed into a cultural unit due to their gang affiliations. This issue are very complex and need to be considered and debated. Currently most research and information on the design of facilities for gang members is based on knowledge of outlaw biker gangs or similar organisations. The Aboriginal gangs of Western Canada have different attributes and the correctional strategies used for their management and housing may not be the most appropriate response. Research indicates that segregating offenders in hard architecture is likely to result in psychological damage, high levels of resistance behaviours within the prison and low outcomes for the offender. The challenges faced by Canada are very pertinent to

Australia and should be considered. Youth Aboriginal gangs have emerged in some areas of Australia where there are large Aboriginal populations (e.g. Alice Springs, Redfern Sydney and some parts of Western Australia). Strategies for the management and housing of young Aboriginal gang members in Australian prisons in the context of institutional and offender outcomes need to be further considered.

New Zealand Corrections has pioneered Indigenous approaches to the design of custodial environments. In particular the methods of consultation in new projects were innovative and inclusive. The employment of Indigenous architects to direct the consultation process with Indigenous communities for new projects appeared to provide alternative readings of the site and generated cultural knowledge which could be employed in the design process. Forming partnerships with local communities appeared to be in its preliminary development but worthwhile method worthy of consideration for a new Australian prison project. Auckland Women's Regional Facility appears to be the first prison to consciously incorporate a sacred site within its design. This facility is an important precedent in the design of Indigenous custodial environments.

From an academic perspective, I developed greater understandings of mechanisms to ensure minimum standards for prison environments for prisoners and the way in which the guiding philosophy of a correctional system regulates aspects of the prison environment. I also identified a number of important areas which may be worthy of further research:

- There appears to be gaps in the knowledge of the domiciliary needs of Indigenous prisoners across the world.
- There appears to be some commonalities between the needs of Canadian Aboriginal, Greenlander and Māori prisoners. There appears to be opportunities to take my current research and test this in international context. In particular the effect of Greenlander prisoners being dislocated from traditional lands appears to be very worthy of research and has the capacity to increase the knowledge of the needs of incarcerated Indigenous peoples across the world.
- It would be useful if the design approaches used by Canada and New Zealand to create low security prison environments for Indigenous prisoners were further documented. This research would be useful to design practitioners and would increase the understandings of the process of design for these projects.
- There appears to be little knowledge on the design of prison environments for Indigenous prisoners in maximum and medium security settings.

- The effects of certain aspects of the prison environment on prisoners are little understood. In particular the effect of the prison's thermal environment on prisoners using certain medications appears to be a crucial area of future research.

When I commenced research into prison environments the importance of disseminating information on this subject became clearly apparent. Attempting to research Australian prison architecture was difficult. Photographic records of prisons were rare and if completed, images were kept in obscure and difficult to access places. Similarly, I found little was written about Australian prison architecture. Design practitioners on projects had neither the time nor the resources to document the processes and products of their design. I have developed a research practice where I photograph prison environments where possible. During the fellowship I photographed many of the prisons that I visited and will lodge the images (with the appropriate caveats) in archives for the use of other researchers. These images will also be used for future research, dissemination of information (e.g. conference papers and publications) and informing design practitioners on particular projects.