

BY EMAIL

15 March 2019

Attention: Boffa Miskell

Dear Nick Pollard,

s92 Response

Section 3 Social Impact Assessment

Both Residences – Korowai Manaaki and Whakatakapokai

3 (a) Please answer the following questions concerning the Case Study Reviews set out in the Literature Review section of both SIAs (refer to section 4.2 of each SIA):

- i. Perceived fear is said to decrease over time, referencing the Final Report and Decision of the Board of Inquiry into the Proposed Men’s Correctional Facility at Wiri, 2011). It is understood that the statement was made by a SIA specialist involved in the proceedings. Please describe any empirical evidence to support this statement.**

The following research listed in our bibliography sites empirical evidence that we reviewed to support this statement:

- Carlson, K., A., (n.d.) Prison Impacts: A review of the research. Port Angeles, Washington: U.S Department of Justice;
- Corydon Consultants Ltd (2013). Auckland Region Women’s Corrections Facility and Men’s Corrections Facility- Social Impact Monitoring Baseline Report. Retrieved from https://www.corrections.govt.nz/__data/assets/pdf_file/0009/698841/SIMP_Baseline_report_FINAL_VERSION_15_07_2013.pdf
- Morgan, B., & Baines, J. (2001) A Historical Analysis of New Zealand’s Prison Facilities. Host Communities: Siting and Effects of Facilities. Taylor Baines & Associates. Retrieved from http://www.tba.co.nz/pdf_papers/FS25_Historical_Analysis_Prisons.pdf
- Shichor, D. (1992). Myths and realities in prison siting. *Crime & Delinquency*, 38(1), 70-87.
- Tootle, D. M. (2004). The Role of Prisons in Rural Development: Do They Contribute to Local Economies? Retrieved from http://www.realcostofprisons.org/materials/Prisons_as_Rural_Development.pdf

The social impact monitoring reports for the Auckland Regions Women’s Correctional Facility and Auckland South Corrections Facility – Kohura from 2013 – 2015 (one of which is provided for in the reference above) are based on surveys including staff, inmates and the community and note that in relation to perceived fears raised during the project proposal, the following findings in relation to community and safety well-being were found:

- Crimes rates remained largely unchanged in some areas (drug offences) and decreased in some areas (wilful damage and disorder including violence);

- Domestic violence call outs relating to the correctional facilities were approximately 0.15% of police calls and 1.7% of Women's refuge calls;
- Graffiti and vandalism decreased in the area over time; and
- School children having gang associations decreased over this time.

ii. Morgan and Baines 2001 reference

The article we reference in our SIA does cite Daly 1999. However the website link provided in the report was to another Morgan and Baines article of the same year, this is corrected in the SIA and the link is below http://www.tba.co.nz/pdf_papers/FS22_Sector_Review_Prisons.pdf. We have referenced it as cited in this article so are reliant on those details. The reference for Daly, from the Morgan and Baines report, is provided below:

Daly, G. 1999, IN THE MATTER of the Resource Management Act 1991 AND IN THE MATTER OF An Appeal to the Environment Court in Gisborne by the Department of Corrections. Evidence of Gwendoline Petronella Louise Daly, FNZIV Registered Public Valuer.

iii. The case study reviews sections also refer to Shichor 1992. Shichor draws on US research of 38-60 years ago. Please comment on the transferability of that evidence to South Auckland in 2019 and advise whether it is appropriate to this setting.

Where possible case studies from New Zealand and Australia were used as evidenced in this section and cited in the bibliography. Shichor is one of ten different authors cited in the case study section of the literature review. The limitation of case studies regarding youth justice and care facilities was also acknowledged and specifically cited in the SIA (see section 4.2 of both SIA reports). The article by Shichor was cited as it was considered to provide a useful overview of community perceptions in relation to 'correction facilities'. Furthermore, it is noted that these case studies align well with issues raised by the Local Board and community consultation feedback (see AEE Section 10.6 and Section 5.4 of Weymouth Road SIA), and no further or 'unexpected' issues were raised in that process. As such, nothing identified to date indicates that the case studies do not have relevant 'transferability' (albeit that the authors accept that it cannot be presumed that all communities are the same, nor (as set out in the SIA) that the scope of the Project for youth justice is directly comparable to correction facilities). This is noted in the conclusion statement of Section 5.4 of the Weymouth Road SIA.

iv. The Case Study Reviews section state This is a U.S-based study about community perceptions, collected via a survey, before the prison was built. As presently framed, with evidence of effects described at the end of the paragraph, this passage suggests that this is the position in New Zealand. While this may be the case, could this discussion please be reframed/expanded based on New Zealand perceptions and New Zealand empirical evidence of outcome.

As noted in response to the previous question, where possible, New Zealand and Australian examples were used. The end of the paragraph notes "as set out in evidence above", to clarify this refers to the previous paragraphs of which New Zealand examples are used. Please see the response to question 3a above for further clarification of empirical evidence and New Zealand examples used in the assessment.

3 (b) Please consider, in relation to both SIAs, whether there may be benefit in revisiting the use of descriptors...

Section 5.2: Establishing the Study Area, defines neighbourhood and wider community as separate reference areas in both reports. For Whakatakapokai “Local Neighbourhood” is defined in Figure 2 and “Wider Community” is defined in Figure 3. For Korowai Manaaki Figure 3 defines the “Local Neighbourhood and Figure 4 defines the Wider Community”. We acknowledge the report for the Weymouth Road site also refers to immediate neighbours, within the local neighbourhood community, but consider this is important in respect of some social impacts identified. We acknowledge there is one error in our referencing and have updated this to clearly refer to a ‘Local Neighbourhood’ effect and in other instances we have sought to clarify our scale of assessment further (e.g. replacing references from ‘community’ to the specific descriptors. We have also included a definition of the immediate neighbours, in the case of the Weymouth site.

Please see track changes within the report.

Whakatakapokai

3 (c) The SIA refers to previous youth justice use of this site:

[Section 1, Introduction]

[Section 5.1 Site History]

The Council has two questions arising from these passages:

- i. Please provide more information concerning the previous youth justice use of the Whakatakapokai site, and the rationale (at that time) for the change in use of the site to care and protection only. It is anticipated that this information will include more details relating to community concerns referred to in the passage immediately above.**

The following sets out our understanding of the use (and designated use) of the site. This information is drawn from designation and hearing documentation for the Weymouth Road residence and expands on the site history provided in Section 5.1 (SIA), providing specific reference to the “purpose of designations” in this chronology.

The site currently known as Whakatakapokai (398 Weymouth Road) was originally identified as a suitable site for a “Girls Training Centre” in 1961. In 1985 a new hostel for boys was completed – indicating a change in purpose. It appears from documentation that the site began around this time to be used for both males and females and for youth justice and care and protection. However, it is understood that there was no specific reference to the use for youth justice and care and protection at that time (e.g. was not changed from ‘Training Centre’).

The difference between use and designated purpose of the site was formally challenged in 1991; on the basis that a mixed gender facility used for youth justice and care and protection was considered to be outside the designated purpose of the site. The outcome of this challenge was that the purpose of the site was limited to revert only to a “Girls Training Centre”. In 1992 an alteration to designation was sought and after a series of appeals was eventually settled in 1993 (to alter the operational purposes of the site). It is noted that the conditions on the designation provided controls relating to management of the Centre including the establishment of a Community Liaison Committee and excluded certain categories of children and young persons from the Centre (such as youth under the criminal justice system).

In 1995 another alteration to designation was sought. This was eventually resolved in 1998 and enabled the site to provide for Care and Protection and Youth Justice. The following key conditions that are deemed relevant to this question are noted:

- No residents be kept at the North Residential Centre (398 Weymouth Road) who are serving sentences of imprisonment pursuant to the Criminal Justice Act 1985.
- No male young persons (those age 15 years of age or more) who are remanded pursuant to the Criminal Justice Act 1985 shall be kept at the Centre.
- That the provision of youth justice facilities at the Centre shall cease on 30 June 2003.

This condition of designation provides context or explanation to the change in use of the site; limiting it to care and protection only (e.g. the Ministry were responding to a pre-set condition on the change of use defined by the designation conditions). As per the conditions, the Korowai Manaaki Facility was opened in 2003 as a purpose-built youth justice facility.

The above historic information relates to processes for designation and formal applications to change the use of the site over the last 35 years, with the most recent of those some 20 years ago in 1998. The documentation of material from these changes allude to community concerns regarding the proposed use of the site (for both care and protection services and as a youth justice facility), which is highlighted in Section 5.1 of the SIA. They do not provide information regarding social concerns pertaining to the operation of the site (for either care and protection or youth justice since that designation was confirmed, in 1998 or since the change in its use, since 2003). This issue is discussed from the media review in Section 6.2.1 of our SIA.

ii. In light of the above and given the proposal to reintroduce youth justice function at the site, please provide further information concerning any changes that are either proposed at the site or which have already occurred at the site (whether operational, structural or otherwise), to support the reintroduction of a youth justice element.

It is considered that this information has been provided in the AEE please refer to the following sections for the details requested; 7.2, 7.3, 7.4 and 7.5. This information was relied on and considered in the scope of change assessed in the SIA.

For completeness, the following provides a summary of our understanding of the operational and structural changes identified for the re-establishment of the site for youth justice services (as provided to us by the Ministry):

Structural changes: enhancements to existing security includes:

- Glazing in areas where children and young people have access will be upgraded to same standard as at other Youth Justice residences;
- Doors and locks in areas where children and young people have access will be upgraded to same standard as at other Youth Justice residences;
- Low profile bollards will be installed set back from the street frontage to prevent vehicular access into the facility/carpark other than through the barrier arm;
- Additional CCTV will be installed, and all CCTV will have 24-hour monitoring;
- Lock down functionality will be installed which allows secure doors to be locked from central control room preventing keys being used to exit the secure areas; and

- Interlock functionality will be installed as per other Youth Justice residences which will require internal doors to be secured before external doors can be opened.

Operational changes:

- Care and protection services will use the Wharenui as a hub for assessing care and protection children and young people before they are placed at community homes (separate from the youth justice facility);
- Youth Justice will occupy the main secure part of the residence including the two 10 bed secure accommodation units;
- The existing buildings will continue to be used for their existing purpose, i.e. accommodation, education/training, gym, pool, courtyard for recreation/sports, workshop, kitchen administration;
- The administration block will be shared use by Youth Justice and Care and Protection administration services / employees;
- Placement decisions are based on an assessment of each child/young person's circumstances and profile and matching this to the right location; and
 - A range of factors including age, gender, offending, where their whanau/community is, vulnerability, therapeutic needs, and risk they present to staff, other residents and public are considered in this assessment (See section 7.5 of the AEE for full details).
- Delivery of targeted programmes for the children and young people will be provided within the facility. This will include education/vocational, tikanga/cultural, drug and alcohol, and other programmes targeting offending behaviours.

It is understood that while the range of variables precludes being prescriptive in the designation, the intent is that higher risk young people would be placed in existing Youth Justice residences (including Korowai Manaaki) with the proposed residence at Weymouth being used for those with a lower risk profile. However, it is acknowledged this is not prescribed in the designation conditions and has not been factored in the SIA.

3 (d) Please provide any evidence or information which may assist in assist in assessing whether the neighbours and wider community understand what the proposed change in the role of the facility is, especially the difference between a solely care and protection facility and its proposed transformation to a largely youth justice facility with a 'care and protection' hub.

Please see Section 10 of the AEE which outlines the consultation provided on this matter and Appendix 4 of the AEE for the information provided in the letter to the neighbours. For completeness copies of this information are attached to this response.

3 (e) The second paragraph at 6.2 of the SIA states that *"the overall social impact framework has been 'screened' to focus on potential social impacts for this proposal"*. Please describe how/why potential impacts were screened.

As described in this section we began with an analysis of relevant literature and the project and community context. Once this data was collated and analysed we went back and reviewed the IAIA Framework provided in section 3.1. Matters that were identified as potential impacts were retained and matters that were not relevant to this project and context were removed, this is so a targeted analysis of potential impacts was provided.

In particular, given the nature of the proposed activity (and the change in use of an existing site), the following potential social impact considerations were not considered relevant to this SIA:

- Their culture – their shared beliefs, customs, values and language of dialect
- Their political systems – the extent of which people are able to participate in decisions that affect their lives, the level of democratisation that is taking place, and the resources provided for this purpose.

The following provides further information on why potential impacts were screened or not considered further in respect of potential impacts in the SIA. Regarding potential impacts on culture, it was concluded that in both cases the sites are part of the existing environment and the physical environment. The proposed changes in use are not changing this. While there may be potential for cultural changes **within** the facility as a result of the proposed changes to purpose of designation. I do not anticipate that the changes will impact the shared beliefs, customs, values and/or language/dialect of either the local neighbourhood or wider community.

As noted in the SIA, there are established political systems supporting the relationship between both facilities and the community (e.g. the community liaison committee). This mechanism allows members of the community to understand and/or potentially to participate in decisions that may impact them in respect of the operation of the site. While recommendations are made to the Community Liaison Committee as a result of the mitigation proposed in the SIA, it was not anticipated that the physical alterations to the designation would impact on wider political systems (e.g. the scale of the project will not impact on existing democratic processes etc).

3 (f) Section 6.2.3 of the SIA states that any impacts on property values are generally temporary. Please describe the empirical evidence to support this. Please also comment on the relevance or otherwise of the specific context of the residential area surrounding Whakatakopokai in this regard (i.e. with many new-build houses recently erected/sold).

Please see the literature review pertaining to empirical evidence on property value (extract below) you will note it refers to Adult Corrections Facilities so perceived impacts may be greater than a community youth residential facility, however it provides relevant context, using New Zealand examples for the evidence base of this conclusion.

'A decrease in property values and community status is another potential impact the presence of correctional facilities can have and a concern for on communities. Daly (1999) reviewed the values of properties around Mt Eden, Paremoremo, Rimutaka, Wellington, Arohata and Manawatu correctional facilities concluding that no significant changes were noticeable. Daly (1999) notes that if there were any negative effects they were temporary and limited to immediate neighbours (as cited by Morgan & Baines, 2001). Similarly, Mid North Coast correctional facility had little impact on property values and a housing development was built in the area (BBC Consulting Planners, 2017). While Morgan & Baines (2002) did not note any negative connotation for residential values in Kaitoke, due to the Wanganui correctional facility.

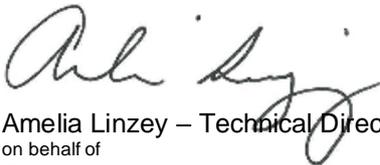
3 (g) Please provide information about whether people have attempted to inappropriately enter the site, cause nuisance at or near the site (e.g. past residents returning or friends of), or pass contraband into the site via the surrounding neighbourhood. Please list date, activity, and any mitigation put in place/ action taken as a consequence. Members of the SIA team (Amelia Linzey and Jo Healy) spoke with operations staff of Korowai Manaaki (three staff in total) during the site visits undertaken in preparing the SIA. These interviews specifically sought information in respect of abscondences from and

inappropriate entrances into the youth justice facility. Confirmation was received from those staff that the latter of these had not been an issue to their knowledge (e.g. there was no recall from the staff interviewed of members of the public (affiliates of residents or otherwise) entering the property and or liaising with residence at fence perimeters).

The following is the register of incidents we have received from Oranga Tamariki from Whakatakapokai since January 2016:

- 4 instances of unidentified people entering onto the property without apparent cause. No specific problems resulted. No indication that these people had a connection with the residence or young people placed there.
- 1 instance (Jan 2016) of vandalism at the administration building windows during the night.
- 1 instance (Feb 2016) of an individual connected with a young person placed at Whakatakapokai probably (couldn't confirm it was that person in the car) coming to and parking at the site's carpark without reason. No problem resulted but a restraining order was taken out for that individual.
- 1 instance (Feb 2017) of police being called to deal with a large group of youths causing problems along Weymouth road (including outside Whakatakapokai). This was not related to Whakatakapokai - it was from a local house party.
- 1 instance (April 2018) of a youth (former resident) kicking a staff members car in the car park.
- 2 instances of a car being broken into (April and June 2018). No indication that this had a connection to the residence and is assessed as opportunistic criminal activity in the area.
- Regards contraband:
 - From time to time the young people at the site have been found with items not allowed (e.g. cigarettes, knife, batteries, restricted clothing items etc). The source of the contraband is not recorded.
 - There was one recorded instance in September 2016 of a young person having cannabis in their possession. This occurred shortly after a family visit, but this cannot be confirmed as the source.
- Actions/mitigations:
- Noting the rarity of incidents for which info was requested the existing security arrangements were considered appropriate and sufficient with the addition of some additional CCTV coverage and lighting.

Yours sincerely



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Yours sincerely



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