



MANAAKITIA A TĀTOU TAMARIKI

Children's
Commissioner

Media release – UN-funded report another reason to stop locking New Zealand children in police cells

27 April 2017

Children's Commissioner Andrew Becroft says a new United Nations-funded report is more compelling evidence why New Zealand should stop locking children in police cells.

The report, commissioned by the Human Rights Commission and completed by international expert Dr Sharon Shalev with funding from the United Nations' Office of the High Commissioner for Human Rights, recommends a significant reduction in the use of seclusion. It makes recommendations on improving conditions across prisons, care and protection and youth justice residences, and police cells.

Dr Shalev's report notes multiple issues in police cells, including insufficient blankets and pillows, no clear minimum entitlements for showers, exercise, phone calls and other things, lack of privacy, and poor record keeping.

Judge Becroft says it shows why the Office of the Children's Commissioner is advocating strict limits on the use of police cells for young people, who are effectively in solitary confinement because they need to be kept separate from adults in custody.

"It's bad enough that adults are kept in conditions like these but for a child, the effects of even a short time in solitary confinement can be extremely damaging. Children are developmentally vulnerable. They behave in a volatile and unpredictable way, and self-harm is always a risk. Combine that with little opportunity to entertain themselves, no privacy and no exercise, and it's obvious that a police cell is no place for a child."

Judge Becroft says there are certain cases where a young person may need to be held in a police cell, such as prior to their first Youth Court appearance, or where a child needs to be moved to a facility elsewhere in the country. These provisions will remain but the law should not allow young people to be remanded in police cells, where they sometimes stay for several days.

"If the Government is being serious about being child-centred, they won't allow children to be remanded in police cells. It's solitary confinement and it's not acceptable.

"It is contrary to every child rights and human rights norm and frankly I hope the Government moves quickly to remove the option of police cell remand in the new Oranga Tamariki legislation currently before Parliament."

Dr Shalev's report also notes concerns that in both Oranga Tamariki's care and protection and youth justice residences there are secure care units for holding young people separate from others, saying: *'International human rights law and principles of good practice call for a complete prohibition on the use of solitary confinement with children.'*

Judge Becroft says his office will be working through Dr Shalev's report and other recommendations.

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