

ARTICLES

Tough on Crime:

What is the Reality of New Zealand's 'Crime Problem' and Life Behind the Wire

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ABSTRACT:

The coalition government has tripled down on crime policies here in New Zealand, swinging hard as soon as they landed in office. Phrases like “*crime is out of control*”, “*crime is on the rise*”, “*get out of jail free card*”, and “*we will be tough on criminals*” have become synonymous with this government. But what does the evidence say? Having been in prison myself, I embark in this paper to integrate both academic literature and autoethnography to demonstrate the reality of New Zealand’s “crime problem”, and the social and human loss of life behind the wire. This paper will illustrate that tough-on-crime policies are dangerous and unnecessary in the long term. It is a short-term solution with detrimental long-term impacts both socially and economically. Prisons do not rehabilitate; rather, prison creates complex criminals.

INTRODUCTION

“I hope I don’t get too long. I want to go home and be a father! F-- this place. It can make you pretty heartless and cold at times. I’ve not been the kindest to people lately. You get what I mean. Poor fellas, I even got Steez-Dog. I don’t want this place to strip me of my humanity”.

— A.K.A GetemB: Letter from a member of the Chivalrous Brotherhood, Christchurch Men’s Prison.

From the outset of New Zealand’s (NZ) Coalition Government’s assent to office, it was clear from their election campaign that the old rhetoric of crime and punishment would be revived (National, n.d.; Ensor, 2024; Beehive, 2024; Seymour, 2023). The coalition wasted no time advancing a series of punitive law-and-order reforms. These include the reinstatement of the controversial Three Strikes law, the introduction of the *Gangs Act* (2024), the defunding of Section 27 (Cultural) reports under the *Sentencing*

Act 2002, new aggravating factors for youth sentencing and reoffending while on bail or parole, and restrictions on the extent of sentencing discounts judges may apply (Goldsmith, 2024a, 2024b; Cheng, 2024a; National, n.d.).

These reforms ultimately constrain judicial discretion, limiting judges' ability to proportionately consider punishment relative to the offence. When legislation prescribes mandatory sentences with non-parole periods while simultaneously capping available credits, judges are left little option but to impose harsher sentences (Ensor, 2023; RNZ, 2024; Kohere, 2023; Goff, 2000). The effects are already visible in New Zealand's prison statistics. As of March 2025, the national prison population stands at 10,680 — a significant increase from 9,924 in 2024 and 8,893 in 2023 (Department of Corrections, 2025; 2024; 2023). Equally concerning is the rise in custodial sentences for youth offenders (Cheng, 2024b).

“We’re going to be tougher on crime, and there will be a higher prison population”.

— Christopher Luxon (1News, 2024, 2:44)

As New Zealand's economy continues to inflate, the growing prison population is placing a substantial strain on public finances (Pratt, 2017; Tui Burelevu et al., 2023; Paul, 2024; Mussell, 2025). The estimated annual cost of housing a single prisoner fluctuates between NZD 115,000 and 202,000 (Department of Corrections, 2024), while the system's overall maintenance costs hover around NZD 1.3 billion annually (Dahmen, 2022). In addition to operational expenses, the Coalition Government's NZD 1.9 billion investment to expand capacity at Waikeria and Christchurch Men's Prisons will require new frontline staff and health workers, ensuring costs continue to rise (Mussell, 2025).

Despite these immense expenditures, there is little evidence to suggest a meaningful link between imprisonment rates and reductions in crime (Tui Burelevu et al., 2023; Drake & Scott, 2021; Pratt, 2013). For instance, during the 1990s, violent crime peaked — reaching 1,322 offences per 10,000 people in 1992 and 1,562 in 1996 — yet the prison rate remained steady at 116–122 per 100,000 between 1990 and 1996. In contrast, recorded crime rates have declined markedly since 2000, while imprisonment rates have continued to rise, peaking at 219 per 100,000 in 2017 (Statistics NZ, 2006;

Te Ara, 2025; Ministry of Justice, 2018). Undeterred, Justice Minister Paul Goldsmith asserted:

“We’re prepared to make that investment if it means keeping our communities safer” (Cheng, 2024a).

Such a stance, framed under the rhetoric of community safety, reveals a lack of critical engagement with the evidence. Research consistently demonstrates that imprisonment is neither a feasible nor an effective strategy for healing victims, deterring offenders, or reducing crime (Coyle & Piché, 2021; Bos, 2024). In fact, extensive scholarship suggests the opposite: investment in punitive detention tends to heighten the risk of recidivism, deepen criminalisation, and perpetuate cycles of intergenerational deprivation and imprisonment (Anderson et al., 2021; Chen, 2020; Hangan & Dinovitzer, 1999; Tui Burelevu et al., 2023).

This paper examines the Coalition Government’s contemporary “tough-on-crime” approach by reviewing existing academic literature on imprisonment to demonstrate the inefficiencies of punitive detention. It will also draw on autoethnographic accounts from my experience in custody at Christchurch Men’s Prison, to illustrate the lived realities behind the statistics so often abstracted in public discourse (McIntosh & Workman, 2017). The paper is structured into three sections: 1) a contextual overview of New Zealand’s prison system and its historical and social foundations; 2) an analysis of the efficiency and impacts of imprisonment, informed by both scholarly literature and lived experience; and 3) an exploration of alternative approaches such as Restorative Justice, Electronic Monitoring, and Specialist Courts.

Prisons are inherently violent institutions — designed to punish, to strip liberty, and to discipline. They are spaces that disproportionately confine Polynesian (Māori and Pasifika) bodies (McIntosh & Workman, 2017; Anderson et al., 2021; Drake & Scott, 2021; Foucault, 1975). Having spent nearly two years within one of these institutions, I experienced first-hand that prison is a dreadful environment — one that is fundamentally contradictory to rehabilitation because it punishes while simultaneously eroding our humanity (Anderson et al., 2021).

THE NEW ZEALAND PRISON SYSTEM

“Most people are in here for sh-- they did while drunk or popped out of their minds... (Then) They march young fellas like you, up there (court), make you sit quietly and listen while they (Judge and Prosecution) tell you that you’re a piece of sh--, that you are the problem. Instead of telling you that you need help. Then they send you off to a big lag”.

– A.K.A: Big Evil, Conversation in Otira Unit,
Christchurch Men’s Prison.

The Coalition openly prioritizes harsh, punitive detention as the solution to New Zealand’s “crime” problem (Luxon, 2024; Davies et al., 2024; Seymour, 2023a; National, 2023). This approach continues New Zealand’s longstanding punitive orientation toward crime, a pattern that has sustained a comparatively high incarceration rate since the late nineteenth century (Pratt, 2017). The roots of this punitive culture are often attributed to New Zealand’s geographical isolation and colonial-settler history (Davidson, 2023). Through the worldview of early European settlers—largely farmers, merchants, and soldiers (Davidson, 2024)—emerged the notion of New Zealand as a utopian society, one that valued order, conformity, and moral discipline. Consequently, conservative perspectives on crime and state-imposed punishment have persisted and remain visible today (Pratt, 2017; McIntosh & Workman, 2017; Davidson, 2023).

For instance, New Zealand has consistently maintained higher incarceration rates than its OECD (Organisation for Economic Co-operation and Development) counterparts (Ministry of Justice, 2024; Tui Burelevu et al., 2023). The current imprisonment rate stands at 187 people per 100,000—substantially higher than the OECD average of 147 per 100,000 (Ministry of Justice, 2024). In 2017, New Zealand’s rate peaked at 219 per 100,000, at which point McIntosh and Workman (2017) described the country as entering “an incarceration bloc of its own”, characterised by hyper-imprisonment levels comparable to several African nations.

Between 2017 and 2021, the previous Labour Government’s *Smart on Crime* initiatives successfully reduced the prison population and were on track to achieve a 30% reduction goal (Piper, 2022; Little, 2018). Nevertheless, the Coalition has repeatedly claimed that Labour’s law-and-order strategy failed to maintain public safety. Seymour (2023b) contends

that Labour's "soft on crime" approach has created a "more dangerous New Zealand" (1News, 2024).

The Coalition's explicit statements predicting a higher prison population in the coming years suggest that incarceration levels similar to those of 2017 are likely to return (Seymour, 2023c; 1News, 2024). Its ambitious pursuit of mass imprisonment is already evident: as of 2025, the national prison population has reached 10,680—exceeding the operational capacity of 10,633 (World Prison Brief, 2025). Given the government's recently introduced "tough on crime" policies, fears that these numbers will continue to rise appear almost certain (Mussell, 2025), despite the following:

"There is no correlation anywhere in the world between the imprisonment rate and the crime rate. The imprisonment rate is not a measure of crime; it is a measure of the consumption of punishment. New Zealand society does not just have a tolerance for a high incarceration rate — it has an enthusiasm for it" (Tuiburelevu et al, 2023, p. 180).

The issue with the Coalition's tough-on-crime policies is that they are being implemented during a period in which violent crime is declining, and general crime rates have consistently fallen since the 1990s — a phenomenon observed globally (New Zealand Parliament, 2018; Ghandnoosh & Budd, 2024; Mussell, 2023). Dr. Lin Mussell observes:

"Most New Zealanders would say violent crime is increasing for decades when in reality estimates suggest that over ... 30 years, violent crime is decreasing" (Bos, 2024).

Despite intermittent spikes in certain offences, such as fraud and vehicle theft, New Zealand has generally maintained a low crime rate over the long term. In particular, violent crime trends have been decreasing, and at no point post-1990s have crime rates surpassed, matched, or approached those of that decade (New Zealand Parliament, 2018).

While Prime Minister Luxon continues to claim that crime is "out of control" (National, n.d.), the recent Crime and Victim Surveys indicate that general crime rates have remained relatively stable since 2018, with no significant change. Moreover, the surveys report a reduction in sexual and domestic violence victims over the past three years (Ministry of Justice,

2024; Ministry of Justice, 2025). Newbold (2017) further argues that crime data is often misrepresented, noting that “rates can be artificially inflated or deflated by public attitudes and policing policy” (p. 52). Close examination of the data reveals that over half of recorded offences are classified as dishonest crimes, while only 12% involve violent offences, including sexual crimes. Thus, increases in property crime can inflate overall crime levels, even as violent crime remains low.

Compared to other OECD countries, New Zealand’s crime rates are exceptionally low. Violent crime, in particular, is minimal (Te Ara, 2024; McIntosh & Workman, 2017). In 2023, the Institute of Economics & Peace ranked New Zealand as the second safest country in the world. The nation continues to rank within the top five globally for happiness, attributed to low crime rates, political stability, and social cohesion (Institute of Economics & Peace, 2024).

Despite these trends, McIntosh and Workman (2017) argue that New Zealand’s imprisonment rates continue to rise even as crime rates decline. Contributing factors include longer prison sentences and a reluctance to grant bail or parole (Frank Films NZ, 2020). The 2013 Bail Act amendments (Bail Act 2000) effectively reversed the onus of proof for bail onto the defendant, imposing stricter conditions and limiting eligibility for those charged with serious offences (Frank Films NZ, 2020; Brooke, 2018). This approach caters more to growing prison populations than to crime prevention. As Workman explains:

“We have a spirit of punishing; it’s a part of the New Zealand psyche.

We have traditionally punished people more severely than most other Commonwealth countries” (Frank Films NZ, 2020, 1:55).

Historically, both National and ACT have maintained a persistent stance in promoting harsh penal reforms (Pratt, 2017). For example:

- In the 1990 general election, John Banks campaigned on “tougher bail laws and heavier penalties” to create a safer New Zealand (Nga Taonga, 1990, 1:20).
- In 2010, ACT M.P. David Garrett spearheaded the introduction of the Three Strikes Law (Rumbles, 2011).
- In 2013, the previous National government amended the Bail Act, eliminating bail for charges carrying a prison term exceeding three

years and further reversing the onus onto defendants (Brooke, 2018; Tui Burelevu et al., 2023).

- By 2017, Bill English expanded prison capacity through initiatives such as double-bunking (English, 2017).

During my time in prison, I observed the consequences of overcrowding and punitive policy first-hand. In the Otira Unit, an elderly prisoner stabbed his cellmate during unlock, while a mentally disabled prisoner was assaulted throughout the night for minor actions, such as using the toilet during lockdown. In line with the informal prisoner code, retribution often followed the next day, escalating into further inter-prisoner violence. Overcrowding, in my observation, directly contributed to these incidents and heightened overall risk within the facility.

“Rich politicians stand up there and judge us for how we act, (but) never ask why we act this way. Everyone wanna talk about how f---ed we are, (but) no one ever talks about how f---ed state care was. Whose gonna charge them for all the raping and abuse they dished out to us as kids”.

— A.K.A: Huxsta, Otira Unit, Christchurch Men’s Prison.

Pratt (2017) argues that New Zealand’s economic shift during the 1980s — from a centralized to a market-driven capitalist economy — not only sought the privatization of government agencies but also reshaped the nation’s social and cultural outlook. This transition fostered a new emphasis on individualism and personal responsibility, reframing financial circumstances as the result of personal choices rather than structural or external factors. In this view, economic hardship became an issue of poor decision-making rather than social inequity. The same logic, Pratt (2017) contends, was applied to crime: offending came to be seen as an individual moral failing rather than a symptom of broader social conditions. As a result, New Zealand has prioritized investment in prisons while showing reluctance to adequately fund welfare, education, and healthcare. Indeed, the prison system remains one of the few public sectors whose funding has consistently increased—often at the expense of other essential services.

WHY IS ‘TOUGH ON CRIME’ SUCH A POPULAR TREND AMONG NEW ZEALAND POLITICIANS?

Why is “tough-on-crime” such a popular trend among New Zealand politicians? Mussell (2024) suggests that “tough-on-crime platforms are an easy way to shore up votes... It’s not really focused on evidence, but it’s focused on ideology and what people feel will make society safer. I think governments respond to that. They respond to their supporters, to their stakeholders, to their base” (Bos, 2024).

Similarly, Pratt (2017) argues that tough-on-crime rhetoric provides politicians with a simple and emotionally charged platform to project authority and control. It represents a “no-nonsense” stance that appeals to public sentiment, even when such policies are driven more by ideology and lobbying interests — such as the Sensible Sentencing Trust — than by empirical evidence (Tui Burelevu et al., 2023). Pratt further observes that these punitive policies tend to flourish during periods of economic instability, when marginalized communities are often scapegoated to deflect attention from broader structural problems.

A notable example of this dynamic occurred during the *Dawn Raids of the 1970s*, when New Zealand’s economy suffered a severe downturn following the global oil crisis of 1973 and the decline in wool and dairy prices (Pratt, 2017; New Zealand History, n.d.). In response, the government of the time shifted blame toward Pacific migrant workers, accusing them of contributing to rising crime rates and economic distress. Despite Pacific migrants comprising only one-third of the overstayer population, they were disproportionately targeted for enforcement. The resulting campaign of criminalization and racial stereotyping — portraying Pacific peoples as “savages from the South Seas” and encouraging talk of “getting the coconuts” — fueled widespread discrimination and sanctioned violent police raids, often conducted in the early hours of the morning (New Zealand History, n.d.; Workman, 2021). This dark chapter in New Zealand’s history ultimately prompted a formal government apology in 2021.

Pratt (2017) also argues that the neoliberal economic shift of the 1980s transformed not only New Zealand’s economy but also its social and political psyche. In the era of deregulation and privatization, political image increasingly overshadowed evidence-based policymaking — particularly

in the realm of criminal justice. The exclusion of criminological expertise, coupled with the steady expansion of prison funding at the expense of welfare, education, and healthcare, reveals how deeply punitive ideologies have become entrenched. Prisons, once peripheral institutions, have now become a central and normalized feature of New Zealand society (Pratt, 2017).

IS PRISON A WHEEL OR A WALL TO THE PROCESS OF CITIZENSHIP BUILDING?

“I learned violence in Prison... it solidified in my mind that violence is the answer, it is the only way to keep me safe”.

– A.K.A: Huxsta, Otira Unit, Christchurch Men’s Prison.

“*Pain... that’s our religion ay, that’s prison*”.

– A.K.A: K-Dog, Delta Block, Christchurch Men’s Prison.

Advocates of imprisonment often frame prisons as positive and purposeful institutions. Some, such as Seymour, argue that prisons play a vital role in restoring justice and enriching human life (Drake & Scott, 2021; Desmarais, 2024). This view is rooted in the belief that prisons offer rehabilitation, training, and correctional opportunities for those who have transgressed social norms (Drake & Scott, 2021; Anderson et al., 2023; Seymour, 2022).

However, Foucault (1975) traces the origins of modern punishment to earlier forms of public retribution. In pre-modern societies, justice was often equated with the spectacle of physical suffering — torture, humiliation, and death. These public punishments were intended as warnings to deter would-be offenders. Over time, public outrage at such cruelty eroded their legitimacy, as spectators began to perceive the executioners as no less brutal than those they punished. This moral shift gave rise to modern imprisonment — a seemingly humane alternative that replaced physical torment with psychological and spatial confinement (Foucault, 1975).

Yet Foucault (1975) also contends that the human appetite for retribution remains unchanged. The deprivation of freedom, identity, and autonomy imposed by long prison sentences mirrors the earlier deprivation of life itself. Consequently, society continues to equate severe punishment with justice. As a result, public discourse frequently calls for harsher conditions and longer sentences under the guise of “accountability” (Anderson et al., 2023).

While prisons are officially framed as corrective tools designed to rehabilitate and normalize citizens deemed unruly by the state, the reality within their walls tells a different story. As Drake and Scott (2021, p. 421) argue:

“Prisons in practice reveal... the criminal justice process tends to operate in ways that reinforce, rather than correct, social inequalities and injustices”.

From my own time in custody, this statement resonates deeply. In prison, individuals lose nearly everything — their belongings, livelihoods, relationships, and often their sense of self. A King Cobra boss once told me, “If you think this is the worst it can get, oh, trust me, it gets even worse”.

I witnessed men spiral into depression after learning their children would be taken by Oranga Tamariki, or after losing contact with their partners and families. Others were consumed by anxiety about their loved ones’ financial survival or devastated by the news of deaths and suicides outside the wire. Within this environment of violence and control, hope becomes a scarce resource. Reintegration after release is rare because, by the time one leaves prison, much of the life that existed before has already vanished.

During my time working alongside Corrections Officers, many openly expressed a grim expectation that released prisoners would return: “They’ll be back — they always do”. This attitude reflects a deeper systemic failure. Research consistently shows that imprisonment disproportionately affects those living in poverty and social deprivation. Poverty-related disparities often drive individuals toward offending, as limited access to resources and opportunities increases the likelihood of criminalized survival strategies (Hagan & Dinovitzer, 1999; Hook, 2009; Anderson et al., 2021; Tui Burelevu et al., 2023).

“Sometimes, crime is the only way I can provide for my family. The only way I can put kai (food) on the table for my kids”.

— A.K.A: Slayze, Conversation in Alpha Block,
Christchurch Men’s Prison.

“Crime is a choice, but for some of us crime is all we know, and for most, crime is the only choice we have”.

— A.K.A: Bax, Conversation in Miro, Christchurch Men’s Prison.

Former Police Minister Peter Doone observed that the majority of people imprisoned in New Zealand come from backgrounds marked by violence, family dysfunction, childhood neglect, substance abuse, limited education, and chronic unemployment (Tui Burelevu et al., 2023). These social and economic disadvantages form a common thread across the prison population. The Department of Corrections (2016) further reported that 91% of prisoners were diagnosed with substance abuse disorders — a statistic reaffirmed by more recent studies (Monesterio, 2024).

Such patterns are not unique to New Zealand. Comparable studies in other developed nations show that incarcerated individuals overwhelmingly share histories of poverty, trauma, and addiction (Coyle & Scott, 2021; Pfaff, 2012). Gilbert (2017) similarly argues that deviant or antisocial behavior tends to emerge in environments of low socio-economic status, regardless of a country's overall prosperity or level of development. These conditions provide fertile ground for the normalization of survival-based offending.

New Zealand's own history offers a clear example. During the economic boom of the 1950s and 1960s — a period characterized by near-zero unemployment and growing national wealth — subcultures such as the early “bikie” movement arose primarily from working-class and unskilled labor communities. This demonstrates that even in times of affluence, social inequality and marginalization can incubate deviant subcultures, particularly when groups feel excluded from mainstream economic and social life.

“I've been in and out since I was 15, I'll tell you 1 in 2 prisoners are on P (meth)”.

— A.K.A: Big Evil, conversation in Otira, Christchurch Men's Prison.

In my experience, the reality of prison is violent in every sense — physically, emotionally, spiritually, and psychologically (Anderson et al., 2021; Sykes, 1958). Life behind the wire is governed by instinct and hierarchy; for most, it is a constant struggle for survival. From the moment one is processed at the receiving office, it becomes evident that the environment of prison stands in direct contradiction to rehabilitation. The setting itself defies imagination for those who have never experienced it. As one friend once told me, “*You can't explain this sh— to anyone who hasn't been in here. My son asked me what prison is like. I told him to go into the bathroom — even though our bathroom is better than this sh—hole — and lock yourself in there for 23 hours. That's what prison is like. He refused to believe it*”.

Within this world, there are unspoken rules — codes of conduct that every prisoner must follow to survive both the system and each other. Defendants entering for minor offences quickly adapt, often learning from seasoned offenders and career criminals. Younger prisoners are particularly vulnerable: many are coerced into joining gangs, sometimes without a choice, to maintain numerical balance between rival groups within a unit. In this environment, salvation is rare. In my observation, prison functions less as a place of rehabilitation and more as a *criminal network convention*, where behaviours, hierarchies, and loyalties are reinforced rather than reformed.

We call it “the politics” or simply “the code”. It applies to everyone, regardless of affiliation or offence. A common saying inside is, “*Keep your head down and do your own lag*”. Yet, in reality, no one escapes prison politics. Whether you engage or try to stay out of it, the choices are limited: turn a blind eye or risk becoming a target. These unspoken laws revolve around violence — where vulnerability is weakness, might determines right, and hierarchy dictates survival (Sykes, 1958).

Under these conditions, most prisoners leave worse than when they arrived (Chen, 2020). I have witnessed gang violence, suicide attempts, brutal assaults, and severe mental deterioration. I have seen men lose their minds — smearing faeces on walls and fences, using it to paint or to lash out at staff — acts of despair in an environment that strips away humanity. In prison, loss and pain never cease; we simply learn to endure them.

“It doesn’t matter what you hear on the outside, nothing will ever prepare you for prison. You have to come here to know”.

— A.K.A: Canny, Conversation in Otira, Christchurch Men’s Prison.

“This is prison, you can’t be nice. sometimes you just have to come out of your cell and just f-- someone right up”.

— A.K.A: Monsta, Conversation in Delta Block,
Christchurch Men’s Prison.

“*You can’t rehabilitate in prison bro, you can’t be open around here, gangstas use that sh-- against you... look around, people getting f--ed up for chickens, getting high on meds, cunts being set up. Then all you see is razor wires and steel fence, how you gonna change in this kind of place?*”

— A.K.A: Huxsta, Conversation in Otira, Christchurch Men’s Prison.

INTERGENERATIONAL IMPRISONMENT AND THE MEDIA

Individuals from disadvantaged backgrounds who are funnelled into a system that reinforces patterns of reoffending are often themselves products of *intergenerational imprisonment* and enduring social disparities (Anderson et al., 2021; Coyle & Scott, 2021; Drake & Scott, 2021; Tui Burelevu et al., 2023). In New Zealand, this cycle is most visible among Māori and Pasifika communities, who continue to bear the brunt of structural inequalities within the criminal justice system.

Research consistently demonstrates that Māori and Pasifika are *seven times more likely* to be charged, prosecuted, and convicted than non-Polynesian populations. Even more alarmingly, they are *eleven times more likely* to be remanded in custody and sentenced to imprisonment for the same offences (McIntosh & Workman, 2017; Department of Corrections, 2024). Māori alone make up approximately *53% of the general prison population*, a figure that has exceeded *60% in some years*, while Pasifika represent around *12.3%* (Department of Corrections, 2024).

These statistics reveal not only a pattern of racialized punishment but also a cycle of intergenerational disadvantage — where incarceration, poverty, and social marginalization are perpetuated across families and communities. The criminal justice system, rather than disrupting this cycle, often reproduces it through biased policing, inequitable sentencing, and limited access to culturally grounded rehabilitation opportunities.

“My grandfather was a founding member of the mob, my dad, the prez for the chapter here, my uncles are dogs (Mongrel Mob), my cousins are dogs. This was all I knew”

– A.K.A: H-Dog, Conversation in Alpha Block, Christchurch Men’s Prison.

“My dad was niggah (Black Power), used to beat my mom all the time, she was a p-head (meth addict) she’d runoff. Dad did an 8-year lag, I went off to state care and got raped there. I joined the niggahs ‘cause my dad was a niggah, that’s my family”.

– A.K.A: Rinz, Conversation in Otakaro, Christchurch Men’s Prison.

“See the old girl... she’s been working here for about fifteen years, she reckons the first people she locked up, she went on to lock up their children and then their grandchildren”

– A.K.A: Tu, Conversation in Otira, Christchurch Men’s Prison.

Studies indicate that the children of imprisoned parents are *ten times more likely* to experience imprisonment themselves. The mass incarceration of individuals from specific communities therefore produces profound *collateral damage* within those communities (Hagan & Dinovitzer, 1999; Chen, 2020; Tui Burelevu et al., 2023). This widespread imprisonment removes vital human resources, eliminates potential economic contributions, and contributes to the *breakdown of family structures*, ultimately plunging families — and in turn, entire communities — into deeper cycles of poverty and social instability.

These patterns are clearly visible in African American and Latino communities in the United States, where large numbers of potential family breadwinners have been imprisoned for extended periods, thereby reducing the *economic and social capital* available to those communities (Hagan & Dinovitzer, 1999; Cook, 2023).

Similarly, in Aotearoa New Zealand, Māori communities have experienced comparable outcomes. McIntosh and Workman (2017) argue that the imprisonment of Māori has become so *normalized* that it is often perceived as an expected part of Māori life. Cook (2023) further suggests that these disparities stem directly from the *hyper-imprisonment of Māori youth* since the 1940s. The early institutionalization of Māori through youth detention created patterns of *recidivism and intergenerational imprisonment*, where incarceration became a repeating feature across multiple generations.

Cook’s (2023) longitudinal findings demonstrate that from the 1960s to the 1990s, Māori youth imprisonment rates remained persistently high. It was not until around 2005 that a generational divergence emerged — with youth imprisonment declining, but *adult imprisonment among Māori increasing* as a continuation of institutionalized behaviour formed earlier in life. In my own experience, many Māori I have encountered in prison describe incarceration as a kind of *whānau reunion*, reflecting how deeply embedded and normalized imprisonment has become within some communities.

“Prison is the only time I get to kick it with my older brother, he’s been in here since he was 16, he’s 31 now”.

– A.K.A: Rinz, Conversation in Otira, Christchurch Men’s Prison.

“I haven’t seen my brother in a long time, turns out he was in here over in Bravo... my uncle is here too on the other side in D1, it’s good to see family”

– A.K.A: Shadee, Conversation in Delta, Christchurch Men’s Prison.

“My son is at Kotuku, he’s with the Killa Beez, I’m waiting to get shipped there to see him”.

– A.K.A: Daz, Conversation in Otakaro, Christchurch Men’s Prison.

It is well established that Māori and Pasifika peoples are significantly over-represented in both poverty and prison statistics — a pattern that has persisted for the past three decades (McIntosh & Workman, 2017; Tui Burelevu et al., 2023). This over-representation is deeply tied to long-standing social prejudices and historical misconceptions, often perpetuated by the media. Since colonization, Māori and Pasifika communities have been mischaracterized as “savages” or inherently violent, and such narratives continue to resurface in modern reporting (McIntosh & Workman, 2017; Tauri, 2014; Tui Burelevu et al., 2023; Hook, 2009; Ngata, 2024).

Contemporary studies show that New Zealand media continue to *over-report crime*, broadcasting criminal incidents at roughly *twice the rate* of comparable jurisdictions, despite national crime statistics showing an overall decline (Allen & Bruce, 2017). Wallace (2006) and Newbold (2016) argue that this distortion fosters *media-driven moral panics*, in which the public is led to believe that the nation is facing a crime wave. This, in turn, pressures politicians to respond reactively with “tough on crime” policies, even when the evidence points to decreasing crime rates.

Such reporting practices are particularly damaging to Māori and Pasifika communities. Allen and Bruce (2017) contend that the media’s framing of crime is a *major factor in their over-representation* within the criminal justice system. By repeatedly associating Polynesian identity with criminality, the media has created a perception that crime is somehow intrinsic to being Māori or Pasifika. Hook (2009) traces this phenomenon back to colonial

propaganda that portrayed Māori as violent cannibals to justify the seizure of Māori land. He argues that these stereotypes are *reactivated* each time a Māori individual commits a violent act, reinforcing historical prejudices rather than contextualizing the structural inequalities at play.

Although no formal law stipulates harsher punishment for Māori or Pasifika offenders, Hook (2009) suggests that such outcomes reveal more about the *implicit biases* of police, media, and the courts than about the actions of those being judged. In this way, the media not only shapes public perception of crime but also sustains a justice system that continues to criminalize Māori and Pasifika identities.

WHAT IS CRIME AND WHO IS A CRIMINAL?

Coyle and Piché (2021) raise an important question: what do we, as a society, consider a “crime” and who do we define as a “criminal”? Studies suggest that around 90% of people have committed an act that could, in principle, be punishable by imprisonment at least once in their lifetime. Similarly, Newbold (2017) argues that this trend extends to New Zealand, where not all crimes are reported to the police, and not all reported incidents necessarily constitute crimes. If most people have committed some form of offence, then the more pressing question becomes: *who decides which acts, and which people, are treated as criminal?*

Cunneen (2021) suggests that in colonial-settler states, governments often exploit racial polarization to sustain historical hierarchies and reinforce old racial rhetoric. This is evident across Canada, the United States, Australia, New Zealand, and the United Kingdom, where Indigenous and other marginalized peoples are consistently over-represented within the criminal justice system. Tauri (2014) extends this argument, claiming that the *hyper-criminalization and mass imprisonment* of colonized communities represent a modern continuation of cultural domination and forced assimilation.

In the New Zealand context, Mussell (2024) argues that public misconceptions about crime are partly shaped by the nation’s limited media landscape, where competition for audiences drives sensationalism. In this environment, Māori and Pasifika offending becomes a profitable headline, a pattern that Hook (2009) argues reinforces enduring colonial stereotypes of Māori as inherently violent.

Ultimately, these dynamics suggest that within colonial-settler societies, the definition of “criminality” is not neutral but *socially and politically constructed*. The consistent over-representation of Māori and Pasifika peoples in New Zealand’s prisons points to a deeper, systemic discrimination within the justice system — one that determines not only what counts as a crime, but also *who is most likely to be treated as a criminal*.

LIFE IN REMAND

Growing up in Christchurch, I often felt ashamed of being Pasifika. The media constantly reminded me that my people were seen as nothing more than “idiots, lowlifes, and criminals” — sometimes all at once. The popular reality crime show *Police Ten 7* only reinforced this stereotype. Every time it came on, I would leave the room, embarrassed to watch it with my non-Polynesian friends. For many young Pasifika men, the stereotype of the “brown boy” future was limited to three paths: sports, construction, or crime.

Eventually, I found myself in remand — double-bunked in a small cell, locked in for 23 hours a day, fed through a meal flap. We ate next to the toilet, with nothing productive to do except lie on our bunks and wait for time to pass (Tui Burelevu et al., 2023). Communication with our families was heavily restricted. Our liberty was stripped away; our freedom to choose, eliminated. We became property of the state. As I looked outside my cell window, I often thought we were like laboratory rats — confined, watched, and studied within a concrete box (Sykes, 1958; Haggerty & Bucerius, 2020).

Inside, I witnessed everything: violence, family breakdowns, extreme mental distress, suicide attempts, addiction spirals, gang recruitment, and criminal networking. Life on remand is grim — there are no safe spaces, no rehabilitation, no education, no incentives to behave — only survival. Prisoners are three times more likely to attempt suicide and twice as likely to experience suicidal ideation (Bowman, 2016; Smith, 2020), a reality I saw daily. Violence becomes a language — a way of life. Studies estimate that around 9,000 violent incidents occur in New Zealand prisons each year (University of Waikato, 2021). I have seen that violence firsthand; the smell of blood is something that never leaves you.

If crime is the product of deeper social issues, then addressing the *root causes* — not just the symptoms — must be our priority.

“Just because we are in here (Prison) does not mean our families should be punished as well, I’m a prisoner not my family not my children. We barely get to see them, and when they come (to visit), they get treated like criminals”.

– A.K.A: Big Evil, conversation in Otira, Christchurch Men’s Prison.

ALTERNATIVES TO IMPRISONMENT

“Look around you all you see are brown faces... surely there is a better way of doing things than this sh--, people come into prison and learn violence, it molds you. If you come in violent, you go from being just violent to calculating”.

– A.K.A: Big Evil, Conversation in Otira, Christchurch Men’s Prison.

To imagine a society without prisons may seem impossible, yet the current statistics challenge the necessity of mass incarceration. In New Zealand, nearly *half of prisoners are serving time for non-violent offenses*, primarily related to dishonesty (Department of Corrections, 2024). In 2024, *50% of prison sentences were for two years or less*, rising to *64% for sentences up to three years*. The financial and social costs of imprisoning non-violent offenders are substantial, and alternative approaches could be more effective (Little, 2018).

Restorative Justice

One such alternative is *Restorative Justice* (RJ), a process where offenders and victims meet to discuss the offense, its impacts, and ways to repair harm. RJ emerged in the 1970s in Canada, influenced by Indigenous frameworks, including the Aboriginal Wagga Wagga model, First Nations practices, and New Zealand’s Family Group Conference model (Tauri, 2014). Today, RJ has been adopted internationally and shown to be effective in reducing recidivism and repairing harm (Coyle & Piché, 2021; Tui Burelevu et al., 2023; Tauri, 2014).

RJ allows offenders to avoid unnecessary criminalization and supports victim healing through dialogue and understanding. Studies indicate that most victims find *imprisonment inadequate* for their recovery, whereas RJ provides a more meaningful process (Coyle & Piché, 2021; Tui Burelevu et al., 2023). Participation in RJ can also contribute to sentencing discounts,

though it is only available after a guilty plea and requires consent from both the victim(s) and RJ coordinators (Ministry of Justice, 2025).

However, Tauri (2017, 2018) critiques RJ as being *tailored for Western legal frameworks*, often misrepresented as “Indigenous” while reflecting middle-class, colonial-settler priorities. Despite this, properly implemented RJ can *reduce imprisonment, prevent hyper-criminalization, alleviate court backlogs, and help victims heal without re-traumatization*.

Electronic Monitoring (EM) Bracelets

Another increasingly popular alternative is the *Electronic Monitoring (EM) bracelet*, first introduced in New Zealand in 1999. EM uses GPS tracking to monitor offenders’ movements while in the community. Early iterations faced technological limitations (Gibbs & King, 2003), but GPS improvements in 2012 enabled more precise monitoring, eventually allowing EM to be used for *home detention and parole* (Department of Corrections, 2022, 2024). EM bracelets have also been applied as a *bail method* with court-imposed conditions.

In practice, however, judges are often reluctant to grant EM bail. Legal counsel have noted that *district court judges frequently deny bail*, fearing mistakes in judgment, and that files are sometimes reviewed superficially before hearings (Frank Films NZ, 2020). Strict court-imposed EM conditions — such as 24-hour lockdowns with limited permitted leave — also create a high risk of unintentional breaches. Minor infractions, including small delays or stepping slightly outside approved areas, can be considered violations, often resulting in incarceration.

To be effective, EM systems require *lenient yet structured conditions*, clear operational guidelines, and adequate access to *bail and rehabilitation facilities*, particularly for individuals with substance use disorders. With 91% of prisoners diagnosed with Substance Abuse Disorder (Department of Corrections, 2016; Monesterio, 2024), timely access to rehabilitation could prevent unnecessary imprisonment and support reintegration.

Alcohol and Other Drug Courts

A further alternative is the specialist *Alcohol and Other Drugs (AOD) Court*, piloted in New Zealand since 2012. Evidence indicates that defendants processed through AOD courts show a 25–30% reduction in recidivism

compared to traditional courts (Ministry of Justice, 2019). International studies from Australia and the U.S. show similar results, with reductions of 25–50% (Ministry of Justice, 2019; Māori Land Courts, 2019).

Expanding AOD courts can help *divert offenders whose crimes are substance-related*, provide necessary treatment, and reduce backlogs in mainstream courts. This ensures that serious offenses receive appropriate judicial attention while supporting *rehabilitation and reintegration* for less serious offenders.

CONCLUSION

There is a clear and pressing concern with the government's pursuit of harsh punitive punishments. Such policies *ignore decades of research* on prisons and rehabilitation, both domestically and internationally. They disproportionately impact our most vulnerable communities, contributing to the *further criminalization of Māori and Pasifika peoples* and the *perpetuation of intergenerational disparities*.

Law and order policies must be *informed by evidence*, not political expediency. Government influence should be limited in how the judiciary determines criminal penalties, allowing judges to operate *independently and uphold democratic principles* (Goff, 2000). Courts also require comprehensive reports, such as *Section 27 (cultural) reports*, to fairly and proportionately assess defendants, ensuring that sentencing reflects both the law and the individual circumstances before the court.

If the coalition's drive for harsher penalties reflects Pratt's (2017) observation that law-and-order platforms are used primarily *to appeal to the public for votes*, this approach is increasingly dangerous. Judicial decisions must remain impartial, free from public pressure, or *the integrity and confidence in New Zealand's justice system will erode*. As Sir Ron Young aptly summarizes, law and order policy in New Zealand suffers from a lack of research:

“Too much of the policy is based on... appealing to the public's... worst instincts” (Q+A with Jack Tame, 2025, 12:55).

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