



RESTRICTED DOCUMENT

Category:	INITIAL INVESTIGATION
Date:	28/08/2009
Prepared By:	Section 9(2)(a)
File Reference ¹ :	INV 09-077

Classification:	RESTRICTED
Priority ² :	LOW

Subject:	MT EDEN FIGHT CLUB
Dissemination:	PSU Only

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¹ PSU File Number

² Urgent Non Urgent

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BACKGROUND

1. This report relates to an initial investigation by the PSU after information was received from Regional Manager ^{Section 9(2)(a)} [redacted] that prisoners were allegedly being forced into fighting each other in the yards at Mt Eden Prison. The information alleged that staff were involved in organising these fights and betting on the outcome.
2. ^{Section 9(2)(a)} [redacted] requested that the PSU interview the informants and assess the information.

INFORMATION SUPPLIED

3. On 31st July 2009 information was received from two Prisoners who had been transferred from Mt Eden Prison to Spring Hill Prison, advising that they had transferred so to avoid being involved in a prisoner "Fight Club" that allegedly included staff members.
4. The Prisoners alleged that staff were betting on the outcome of these fights and that if prisoners did not participate they were set upon by other prisoners. Prisoners involved in organising the fights and enforcing beatings were believed to be members of the Killer Beez Gang.

ACTION TAKEN

5. An initial investigation was conducted and reported on back to ^{Section 9(2)(a)} [redacted] on 27/08/2009. (Copy of report attached)

RESULT OR OUTCOME

6. The investigation concluded that prisoners were involved in fights as alleged and while it was likely staff were aware of the practice and failed to take steps to stop it, there is no credible evidence to support the allegations that staff were involved in organising and betting on these fights.

ACTION RECOMMENDED

7. Prison Service have undertaken a number of steps to mitigate this risk however these actions do not involve the PSU
8. From a PSU perspective there are no further enquires required at this time.
9. This matter can now be closed unless new information comes to our attention.

IN CONFIDENCE

TO : [Section 9(2)(a)] Regional Manager
[Section 9(2)(a)], Assistant Regional Manager

CC: [Section 9(2)(a)] Chief Investigator

FROM: [Section 9(2)(a)] Senior Investigator

DATE: 17/08/2009

SUBJECT: Mt Eden Prison Fight Club

1. Background Information

This report relates to an initial investigation by the PSU after information was received that prisoners were allegedly being forced into fighting each other in the yards at Mt Eden Prison. The informants alleged that staff were involved in organising these fights and betting on the outcome.

1.1 On 31st July 2009 information was received from two Prisoners who had been transferred from Mt Eden Prison to Spring Hill Prison, advising that they had transferred so to avoid being involved in a prisoner "Fight Club" that allegedly included staff members.

1.2 The Prisoners alleged that staff were betting on the outcome of these fights and that if prisoners did not participate they were set upon by other prisoners. Prisoners involved in organising the fights and enforcing beatings were believed to be members of the Killer Beez Gang.

The focus of this initial investigation was to identify whether or not any criminal or serious misconduct by staff members at Mt Eden Prison.

2. Summary of Enquires

Enquires were made to establish the validity of the allegation raised by the Prisoners to Staff at Spring Hill Prison.

Prisoner Enquires:

2.1 On 2nd August 2009 Prisoner X (name withheld) was interviewed at Spring Hill Prison. He confirmed he had previously spoken with Unit Manager [Section 9(2)(a)] and was happy to disclose what he knew.

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2.2 In Summary Prisoner X stated:

- He had moved to the North Extension, Mt Eden in July from ACRP.
- He had heard that prisoners were involved in fights called "Contender Fights".
- He had heard that staff were placing bets on these fights.
- Believed that if you did not fight you got assaulted by the other prisoners in the yard.
- Was in the wing for one night and then heard from another prisoner his name had been drawn to fight so requested to go the Special Needs Unit, (SNU).
- He had never been involved in the fights but had witnessed fights in the yards.
- He believed the Corrections Officers involved were Polynesian or Maori.
- Had not seen any Prisoners involved in the organising or betting of the fights.
- We should speak with Prisoner Z as he could confirm what had happened.
- Had gone on SNU as did not want to get involved in anything as only had three weeks to go.

Prisoner X was not associated to any gang and was serving a short sentence for property offences.

2.3 On 2nd August 2009 Prisoner Y (name withheld) was interviewed at Spring Hill Prison.

In Summary Prisoner Y stated:

- He had been at Mt Eden Prison for four months.
- The fights were set up by Killer Beez, Section 9(2)(a), and was called "Contendering".

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- He had been in about 20 fights over that time.
- If you don't fight you get "pack attacked".
- Guards stand around the tower walk way and watch the fights.
- Prisoners get nothing for fights.
- Some staff turn a blind eye to the fights and had heard other staff bet up to \$5000 a time on the outcome.
- Staff bring in contraband for the Killer Beez to pay the debts.
- Is a "race" thing with the Polynesian Prisoners and Guards picking on the Maori and Pakeha prisoners.
- Could not name any of the staff involved but might be able to pick them from a photo board.
- Had gone on SNU as had wanted to get away from Mt Eden and serve out the rest of his sentence.

Prisoner Y was a gang member in good standing and had been around the prison system for a number of years. He had a good understanding of the dynamics of prison life.

2.4 On 2nd August 2009 Prisoner Z (name withheld) was interviewed at Spring Hill Prison.

In Summary Prisoner Z stated:

- He had been in Mt Eden about 6 weeks
- Had heard rumour that prisoners were fighting and that staff turned a blind eye to it.
- Had never seen it himself
- Had heard that staff bet on the fights but had never seen it.

Prisoner Z was on SNU due to his age and nature of offending. He had no involvement with gangs and was new to the prison system.

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2.5 On 21st August 2009 Prisoner W (name with held) was interviewed at Mt Eden Prison.

In Summary Prisoner W stated:

- He had been at Mt Eden Prison for about 2 months
- He had heard the rumour of the fights but had never seen them take place in the wings and had not witnessed any organised fights in the yards.
- He had never been assaulted or been approached to fight.
- He had heard rumours of staff betting large sums of money on the outcome of fights but had never witnessed this and could not name any staff involved.

Prisoner W is a career criminal who is not known to be associated with any gang.

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Staff Enquires

2.6 On 2nd August 2009 Unit Manager ^{Section 9(2)}_(a) was spoken to about the initial disclosures.

In Summary ^{Section 9(2)}_(a) stated:

- He was conducting the SNU induction and during questioning both X and Y independently gave the reason for wishing to be removed from mainstream as being avoidance of the "fight club".
- Neither Prisoner had been prompted regarding this matter and both had been happy to discuss there concern further further.

2.7 On 7th August 2009 Corrections Officer A (name with held) was spoken to at Mt Eden Prison.

Officer A was approached after being identified by both staff and Prisoner informants as being some one who had worked in the Unit and could be relied upon to give an honest account of the activities.

In Summary A stated:



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- Section 9(2)(a) and the Killer Beez had set up organised "Contender Fights" some time ago however this practice had largely been stopped.
- There were still a number of fights between prisoners however they where generally over very quickly and were done Section 6(c)
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- Some staff ignored these fights/assaults and many were not reported or under reported.
- In his opinion it was mainly a cultural thing and was not helped by the large Polynesian prisoner and staff numbers within the Prison.
- A few of the senior Polynesian staff members turned a blind eye to these incidents and this practice is followed by the junior staff members who look up to them.
- He had never seen or heard of staff betting on these fights and would find it hard to believe that they were as the fights were over very quickly.

2.8 On 7th August 2009 Corrections Officer B (name with held) was spoken to at Mt Eden Prison.

Officer B was approached after being identified by prisoner informants as being a straight up "Scew."

In Summary B stated:

- He had heard rumour of the Fight Club/ Contender fights but had not witnessed any organised fighting as claimed that involved Staff.
- He was aware the number of assaults/fights in the yards had increased and felt it was probably more common than reported.
- He had over heard a senior staff member say he was not concerned about the fighting as it meant the prisoners left them, (staff) alone.
- He believed the incidents were happening because of the ethnic make up of staff and prisoners in the prison and the high ratio of new staff who thought it was normal to ignore the fights.

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- Did not believe that staff were involved in betting on the fights as claimed as it would be almost impossible to organise and watch these fights even with a few staff being involved ^{Section 6(c)} [REDACTED]

^{Section 6(c)} [REDACTED]

Other Enquiries:

- 2.9 Enquiries have been made with the Prison Inspectorate in regards to earlier information received by them regarding a "Fight Club" being established,
- Approximately six months ago information had been received by the Inspectorate that prisoner ^{Section 9(2)(a)} [REDACTED] was involved in fighting/sparring in the yards with other prisoners. This activity apparently did not last long and was stopped as soon as it had been brought to Prison Management attention.
 - The Inspectorate has confirmed they have never received any complaints either formally or anonymously regarding this type of activity at Mt Eden in recent months.
- 2.10 A review of recent Incident Notification Reports has been conducted of Assaults/ Fights at Mt Eden. There appears to be a high proportion of unexplained assaults in the exercise yards however there is no evidence that staff have been involved in any of these incidents either directly or indirectly.
- 2.11 PSU have conducted a site visit and viewed the areas that staff have allegedly occupied to view these fights. This matter has also been discussed with the Prison Manager and Regional Operational Intel staff.
- 2.12 Consideration was given to preparing a photo board for the prisoner to identify staff, however the prisoner concerned had not witnessed any wrong doing by staff and the staff names are already known to us. There is no benefit in pursuing this line of enquiry.

3. Findings and Conclusions

Based on my enquiries so far conducted I make the following preliminary findings:

- 3.1 It is my opinion that the information passed by both Staff and Prisoners is consistent and credible, however there was insufficient evidence to

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corroborate the prisoners allegations or indicate or identify any wrongdoing on the part of staff.

- 3.2 It is more likely than not that prisoners are involved in fights within the exercise yards of the North Block, North Extension area of Mt Eden Prison.
- 3.3 These incidents are more likely to be short fights/ assaults carried out
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- 3.4 It is likely that some prisoners are unwilling participants and are either assaulted or threatened to be assaulted if they do not participate.
- 3.5 These fights are most likely being encouraged and enforced by members of the Polynesian based Killer Beez Gang and their associates. Currently the Killer Beez is the dominate gang in Mt Eden prison.
- 3.6 While possible, it is unlikely staff are involved in organising and betting on these fights. It is also unlikely that staff members regularly gather on the overhead walkway to watch these fights.
- 3.7 There was no evidence of any wrongdoing by staff but there is currently a perception amongst some prisoners that staff are involved in betting large sums of money on these fights.
- 3.8 There was no evidence of under reporting but there is a perception amongst some staff members that assaults/fights are under reported and this is because some un-named senior staff members do not take these incidents seriously or ignore them to make their job easier.
- 3.9 That there is a perception amongst some prisoners and Staff that this is an ethnic or cultural based problem with the Polynesian staff siding with the Polynesian prisoners.

4. Incidental Findings

- 4.1 There is a consensus amongst some staff and prisoners that these fights are tolerated by certain staff because it makes the management of troublesome prisoners easier.
- 4.2 Some staff and prisoners spoken to believe Polynesian prisoners are treated differently by some senior Polynesian staff and much of the

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undesirable behaviour of the junior staff in this regard is influenced by those senior members whom they look up to.

5. Recommendations

- 5.1 That the preliminary findings are noted.
- 5.2 Given that Prison Manager has already implemented steps to mitigate the risk to prisoners, this initiative should remain a priority in foreseeable future and management remain vigilant for unreporting assault related incidents.
- 5.3 That management actively monitor prisoner assault related incidents to identify any trend that might be indicative of "fight club" type activity.

Should further information come to light the PSU will review the findings of this investigation. This matter is forwarded for your attention and actioning.

Section 9(2)(a)

Senior Investigator
Professional Standards Unit