

Reproducing a ‘horrific’ place: Carceral humanism and prison expansion in Aotearoa New Zealand

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Abstract

Analysis of incarceration in Aotearoa New Zealand (NZ) has largely focused on the influence of penal populism. The role of progressive politics in NZ's significant carceral build-up has, by contrast, mostly escaped critical examination. Using Waikeria Prison as a case study, set to become the country's largest by 2030, this article investigates how successive NZ governments are 'selling' prison expansion to the public. Using critical discourse analysis, we show how this prison expansion project has been revised and sustained over the past decade in part due to Labour politicians' abilities to reposition prison expansion as a means to deliver not simply retribution and incapacitation, but also mental health services and 'indigenised' corrections. Attending to NZ's distinct brand of carceral humanism, we show how various ideological defences of imprisonment can be combined, recycled and reinterpreted by decision-makers in shifting political conditions. The analysis highlights the durability and flexibility of carceral expansionism in settler colonial and neoliberal capitalist contexts and draws attention to the contradictions and struggles inherent to NZ's carceral crisis.

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Introduction

The prison population in Aotearoa New Zealand (NZ) has more than tripled since the mid-1980s even as crime rates have decreased relative to the general population (Ministry of Justice, 2022). With an incarceration rate of 199 per 100,000 population, NZ outstrips Canada and the UK (World Prison Brief, 2025), and racial inequalities are stark, with Māori comprising over half of NZ's prison population (compared to 17% of NZ's total population (Statistics New Zealand, 2025)) (Department of Corrections, 2026).¹ Decades of prison population growth have been accompanied by ballooning Corrections budgets, surpassing NZ\$2 billion in 2025 (New Zealand Treasury, 2026), and significant investment in prison expansion projects, typically delivered in partnership with private firms (Martin and Mann, 2025).

This carceral trajectory in NZ has largely been theorised as a product of penal populism, which is a dynamic whereby politicians disregard expert evidence and instead respond to perceptions of increasingly punitive publics by implementing tougher crime control policies to gain votes (Pratt and Clark, 2005; Pratt, 2006, 2007, 2017). Especially since major economic restructuring in the 1980s (Larner, 1997; Kelsey, 2015), successive NZ governments have pursued more punishment to (re)build a sense of social cohesion and state authority to combat growing insecurities and inequality (Pratt, 2017). However, punitivism alone cannot explain the massive scale-up of NZ's carceral capacity over the past four decades. In the late 2010s, for instance, as the 'progressive' new Labour-led government decried inheriting a 'prison capacity crisis' (Office of the Minister of Corrections, n.d.a), they opted to push forward with a NZ\$750 million redevelopment and expansion of Waikeria Prison, a 100-year-old carceral facility in the North Island. After Jacinda Ardern had successfully campaigned on a platform of care, inclusion and social change to become NZ's third woman Prime Minister in October 2017 (Curtin and Greaves, 2020), the Labour-led government framed their massive prison spend at Waikeria in similar terms; insisting it was necessary to make 'the prison network more safe, humane and effective' at rehabilitating prisoners (Office of the Minister of Corrections, n.d.b).

Indeed, recent international research on prison and jail expansion troubles the traditional assumption that conservative 'tough on crime' politics are the sole or even primary drivers of prison 'booms' (Eason et al., 2024). In England and Wales, Jones et al. (2024) have traced a recurring narrative of 'modernisation' in successive government campaigns to build new prisons in response to system crises (of overcrowding, poor sanitation, etc.). In the United States, a now sizeable body of literature demonstrates how liberals and moderates laid the groundwork for the nation's unprecedented prison boom in the last decades of the 20th century, frequently through plans to professionalise and, again, modernise policing and prisons (Murakawa, 2014; Taylor, 2025). As the legitimacy of U.S.

mass incarceration became increasingly brittle after the turn of the century (Clear and Frost, 2014), critical scholars have tracked how proponents of prison and jail-building projects adopted 'progressive' rhetoric to sell new carceral visions to the public under the banner of reform – even while purporting to *reject* mass incarceration policies (Schept, 2015; Blum, 2024; Kurti and Shanahan, 2025). Australian research focused on Victoria, the state that has traditionally had the country's most restrained penal policies, has similarly revealed how new prison infrastructure investments are marketed as 'state of the art' and environmentally sustainable (Russell, 2024, 2026), or, in the case of women's prisons, buttressed by the myth that they are 'trauma-informed' (Carlton and Russell, 2023). Meanwhile in Canada, Piché et al.'s (2017) examination of governments' 'marketing techniques' for prison expansion found not only conservative and parochial pitches for public safety, institutional security and local job creation but also promises of rehabilitation, healing and 'indigenising' corrections.

Grappling with these contradictions, abolitionist scholars have developed the term 'carceral humanism' to refer to attempts to rebrand or repackage carceral control under the guise of 'the caring provision of social services' (Kilgore, 2014; Heiner and Tyson, 2017; Kurti and Shanahan, 2025). Liberal and progressive pitches for 'new', 'softer' techniques of discipline and punishment can absorb and diffuse critiques of mass incarceration as the evidence mounts of its many far-reaching social harms and disruptions (Gilmore, 2007; Clear and Frost, 2014; Schept, 2015). Carceral humanism can thus serve to re-legitimise the system in times of crisis and pave the way for carceral reinvestment, diversification and expansion (Schenwar and Law, 2020; Kurti, 2024).

This article uses the Waikeria Prison expansion as a case study to explore how successive NZ governments have attempted to justify prison expansion amidst declining crime rates, sharpening social inequalities, worsening systemic racism and significant anti-prison struggle (McIntosh and Workman, 2017; Lamusse and McIntosh, 2021; Norris et al., 2025). In the final days of 2020, Waikeria Prison made headlines as a Māori-led prisoner uprising unfolded over 6 days, culminating in burning a dilapidated unit to the ground. Treated by officials as an aimless riot, the dissemination of the 'Manifesto of the Waikeria Uprising' by outside organisers instead revealed the protesters' aims to highlight both the immediate and the enduring crises of NZ incarceration; namely, degrading prison conditions and the prison's role in Māori oppression (Martin & Norris, 2025; Rāketē and Lamusse, 2024). As the site of the longest prison protest in modern NZ history (Lamusse, 2021) and a decade-long prison expansion project, Waikeria offers critical insight into the 21st-century carceral state in NZ (Martin & Norris, 2025). It also continues to be a centrepiece of NZ's carceral infrastructure planning strategy (Department of Corrections, 2025). As 596 new prison beds neared completion at Waikeria in 2024, a further 810-bed expansion was announced, setting Waikeria on the path to become NZ's largest prison by 2029 (Blackwell, 2024; Mussell, 2025).

To understand the political conditions that have sustained and propelled the Waikeria prison expansion project, we reviewed a range of official documents and conducted a critical discourse analysis of 20 government media releases and public speeches about the project spanning 2016–2025. Our analysis illustrates that even though the Waikeria expansion was initiated and later resumed by a conservative National-led government

on the basis of arguments that we characterise as ‘pragmatic’ and ‘punitive’, the intervening Labour-led government justified continuing the prison build by reimagining it as a ‘humanist’ project of mental health care and correctional ‘indigenisation’. This allowed Labour to maintain the ‘kind’ and socially progressive image that then Prime Minister Jacinda Ardern had cultivated (Curtin and Greaves, 2020). It also served to pacify responses to crises (especially the hyper-incarceration of Māori) and cater to a range of voter sentiments (i.e., by maintaining the carceral apparatus, but doing so *humanely*). By adopting a carceral humanist stance, the NZ Labour-led government garnered legitimacy even while building the material infrastructure that would sustain the penal crisis that they promised to reverse.

Through a close analysis of the discursive logics that reproduce incarceration in the case of Waikeria, we elucidate NZ’s distinct brand of carceral humanism, characterised by prison-based mental health treatment and ‘indigenised’ corrections. Observed also in Canada (Boyce, 2017; Piché et al., 2017), ‘indigenisation’ projects in the penal sphere refer to attempts to incorporate ‘acceptable’ forms of Indigenous culture into prison systems without meaningfully changing the way such systems operate, giving rise to critiques of tokenism, co-option and disempowerment through pacification (Norris et al., 2025). Conceiving of ‘indigenised’ corrections as part of a specific carceral humanist repertoire in NZ, our analysis further reveals the utility of carceral humanism as a tool of liberal counterinsurgency, which can be mobilised to isolate and discipline prisoner resistance (Rodríguez, 2021; Burton, 2023; Taylor, 2025). This leads us to conclude that the necessary political counterpoint to pragmatic or punitive cases for prison expansion is not humanist prison development; it is a moratorium on prison-building. To ground this analysis, we begin by situating the Waikeria Prison expansion as part of a longer trajectory of colonial placemaking, economic reformation and struggle in NZ.

Colonialism, neoliberalism and struggle: Situating the Waikeria Prison expansion

Waikeria Prison is sited within the rohe (region) of Ngāti Maniapoto, an iwi (tribe) of the Tainui confederation, roughly 170 kilometres south of Auckland, in the Waikato on the North Island of NZ. Far from neutral, the land on which the prison now stands has been figuratively and geographically central to the colonisation of Aotearoa. Before its present role as the latest staging ground of NZ’s carceral expansion, Waikeria has been a site where prior structural conflicts, or ‘conjunctures’ (Hall et al., 1978), have been played out and resolved.

In 1840 in Aotearoa, the British Crown and Māori polities signed the Te Tiriti o Waitangi (Treaty of Waitangi), which purported to enshrine the Māori right to land and their absolute political sovereignty. However, the Crown immediately transgressed the Treaty, sparking a series of armed conflicts (Mikaere, 2013). One of the most significant was the war in 1863 between the Crown and the Kīngitanga (O’Malley, 2019). Formed in 1858, the Kīngitanga unified multiple tribes under the rule of a single elected monarch, drawing primarily from Tainui iwi residing in the Waikato region. The Kīngitanga forbade the sale of Māori land to settlers (O’Malley, 2019), posing an obstacle

to the process of primitive accumulation necessary for the successful imposition of capitalism in Aotearoa. After a brief, brutal campaign characterised by settler atrocities against Māori civilians, the Kīngitanga was defeated in a last stand at Ōrakau. When the fortifications at Ōrakau fell, Crown soldiers began a massacre of the defenders and their families, who attempted to escape south across the Pūniu river. Some of them likely fled across the present-day site of Waikeria Prison. It is a kilometre directly south of the Pūniu river from the battleground at Ōrakau, at the intersection of what is now Waikeria Road and Settler Road.

The defeat of the Kīngitanga opened up Māori land in Waikato for alienation, partially through the lifting of the prohibition on sale and through punitive land confiscations carried out by the Crown to recuperate the cost of the invasion. The carving up of Waikato destroyed the viability of independent Māori life there, without the land base to sustain resistance to colonialism. What landholdings were not immediately confiscated or sold were gradually eroded over time through a variety of other means. The land on which Waikeria Prison now stands was taken from Ngāti Maniapoto by the Crown under the Public Works Act in 1909, for use as the Waikeria Reformatory Farm (Davidson, 2023). When prisoners started arriving in 1911, one of their first tasks was constructing a building that would, a century later, still be used as the Top Jail unit of Waikeria Prison (Davidson, 2023). At the close of 2020, when prisoners at Waikeria staged an uprising over 6 days in protest of their degrading and unsanitary conditions of confinement – torching mattresses, breaking out of their cells and onto the roof, and ultimately burning the Top Jail unit to the ground (Martin & Norris, 2025; Rāketē and Lamusse, 2024) – they destroyed a structure that had stood as witness to the 20th century’s carceral arc at Waikeria.

Since the confiscation of the land at Waikeria in 1909, NZ has undergone a series of structural economic developments, each of which has been reflected in the state’s punishment strategies. After the Great Depression, the NZ Labour Party took power in 1935, building a welfare state and inaugurating a half-century of social democratic political consensus (Franks and McAloon, 2016). The state intervened in the economy to maintain low unemployment and high living standards, which kept the prison population relatively low and stable (Pratt, 2006; Easton, 2020). Post-war urbanisation saw many New Zealanders migrating to cities to take up work in industrial manufacturing, an urban drift that was particularly pronounced among Māori. The concentration of the working class in urban ghettos and the return of Māori to cities that had been almost exclusively inhabited by Pākehā (white settlers) resulted in popular anxieties about crime and delinquency (Walker, 2004; Hyslop, 2022). The interventionist welfare state responded to these classed and racialised anxieties with disciplinary institutions, including state surveillance, policing, child welfare officers, prisons and youth reformatories (Rāketē and Cox, 2025). As Tauri (2014, p. 26) argues, in settler-colonial societies, social problems tend to be ‘projected ‘out from’ Indigenous communities’, thereby framing crime as a ‘Māori problem’ that justifies intense state surveillance and intervention, and deflects from the insecurities generated by economic systems (Rāketē and Cox, 2025).

The 1966 global Wool Shock upended the price of NZ’s primary export good, disrupting the economic basis of the country’s moderate prosperity that had sustained the social

safety net (Easton, 2020). As productivity growth slowed, unemployment rose, and inflation set in, the criminal legal system absorbed more of the shocks suffered by the population; however, this was not evenly distributed. Between the 1960s and 1980s, the proportion of Māori among the prison population soared, exceeding 50% of the intake for the first time in 1984 and staying around that level ever since (Smale, 2019). Social democracy was unable to cope with the deepening profit crisis and collapsed in 1984, with the Labour Party introducing structural reforms now renowned as the ‘New Zealand experiment’, a form of New Public Management (Larner, 1997). This opened the country to international finance, abandoned industrial policies that had sheltered local manufacturing, restricted trade union power and started dismantling the welfare state (Kelsey, 2015). The ‘shift from a welfare to a competition state’ (Larner, 1997, p. 7) ratcheted up the exploitation of NZ’s working class – and its prison population (Rāketē, 2026).

The neoliberal reforms of the 1980s engendered a profound sense of ‘endemic insecurity and anxiety’ amongst the public, as the ‘road maps of everyday life’ previously provided by a relatively robust social welfare state were removed (Pratt, 2006, p. 555–556). In their place, a convergence of populist voices on crime and justice issues arose, manifesting as voter demands for a victim-centred justice system and harsher punishments (Pratt, 2006, pp. 556–557). This catalysed a suite of new sentencing, parole and victims’ rights legislation under a Labour-led government at the start of the 21st century, which enabled politicians to appeal to the public’s apparent punitive sentiments and cemented the prison as a ‘symbol of reassurance and security’ despite the lack of a concurrent rise in crime rates (Pratt, 2006, p. 558). Racial and economic inequality, however, continued to worsen (Rashbrooke, 2013).

As the flow-on effects of populist lawmaking were felt, the centre-right National-led Government planted the seed for enlarging Waikeria Prison in 2010 (Bole, 2010), but the plan was put on hold due to a brief period in which the prison population appeared to ‘flatten’. Shortly thereafter, however, a campaign led by victims-rights group, the Sensible Sentencing Trust, following a high-profile murder case, led to the 2013 passage of the *Bail Amendment Act*, which drove a renewed upsurge in incarceration as the number of people on remand (unsentenced prisoners) grew by 60% in just 3 years (Department of Corrections, 2026). In October 2016, Cabinet approved National’s business case for an additional 1520 prison beds at Waikeria through a ‘Design, Build, Finance, and Maintain’ Public Private Partnership (PPP), expected to open by late 2021 (Collins, 2016b). The tender process for the PPP ran in 2017 but was delayed when the Labour Party was elected in October that year with a promise to ‘reduc[e] the prison muster by 30 percent by 2030’ (Little, 2017).

In May 2018, the Labour-led Government announced a smaller prison build at Waikeria of 596 beds (Davis, 2018c), and in September that year, a PPP contract worth NZ\$750 million was executed with a CIMIC Group consortium, including the controversial US multinational Honeywell (Pacific Partnerships, 2018; Martin and Mann, 2025). Construction at Waikeria commenced in June 2019 and, after various disruptions, this phase of the expansion project was completed in June 2025. It added 596 high-security beds across 28 new buildings to the existing 460 operational beds at Waikeria (CIMIC,

2025). In the meantime, however, the National Party had returned to power in late 2023 and their 2024 budget announcement included a further 810-bed expansion of Waikeria Prison at an estimated cost of NZ\$890 million, reviving their original ambitions for a larger carceral facility with a capacity of more than 1800-beds (Mitchell, 2024).

Methods: Deconstructing prison-building discourse

To explore how successive NZ governments have rationalised prison expansion, we adopted a case study approach, examining official justifications for the Waikeria Prison expansion by analysing government media releases and public speeches, which represent what Piché et al. (2017) term ‘the front stage’ of prison expansion marketing. Media releases and speeches are tools for the government (and other actors) to attempt to set or control the public narrative. Through regular, strategic publications with concise messaging intended for media take-up and recirculation, governments use media releases and speeches to shape or seek popular consent (Gramsci, 1995), allay doubt amongst their constituents (F. Burton and Carlen, 1979), and, in this case, mount defences of imprisonment (Mathiesen, 2000). If and when any given defence of imprisonment (e.g., retribution) fails in the face of an impending or actual ‘legitimation deficit’ (F. Burton and Carlen, 1979), governments move to pursue alternative framings (e.g., rehabilitation) (Mathiesen, 2000) to manage public impressions of contentious policy decisions as political, economic and cultural conditions shift and change (e.g., after a major election win). Like Burton and Carlen (1979, p. 13) we seek to ‘deconstruct official texts and to expose for analysis the structures of knowledge and modes of knowing released in state publications’. Critical discourse analysis is particularly suited to this task.

Critical discourse analysis (CDA) entails analysing language and communication to understand how power, social hierarchies and ideologies are constructed and reinforced between actors (Fairclough, 2013). It involves making meaning out of the language used in the discourse relating to a particular issue, tracing how certain ideologies are naturalised, and considering which ideas are rendered silent within the dominant discourse (Fairclough, 2013). Importantly, CDA can ‘re-open’ and ‘den[y]’ the claims of government (F. Burton and Carlen, 1979, p. 14), and allow space for alternative understandings.

To compile our dataset for the analysis, we comprehensively searched the official website of the NZ Government, [Beehive.govt.nz](https://www.beehive.govt.nz), for all documents that refer to Waikeria Prison between January 2010 and September 2025.ⁱⁱ We collected a range of official documents, including government media (press) releases, public speeches, Ombudsman’s reports, prison expansion business cases, correctional budgetary and prisoner forecasting documents. We manually reviewed all results for general relevance and refined suitable parameters for inclusion in the dataset (i.e., media release or public speech that discusses the Waikeria Prison expansion) based on feasibility and specific relevance to our research aim of understanding how governments have justified the Waikeria prison expansion to the public. Our final dataset consists of more than 50 pages of government documents: five media releases and one press conference transcript from the National-led government (18 October 2016–26 May 2017 and 6 May 2024–5 June 2025) and nine media releases and five speeches from the Labour-led government (8

December 2017–3 April 2021). After reading these documents, we developed a coding guide with 23 descriptive codes, which were grouped into three overarching themes: ‘pragmatic’, ‘punitive’ and ‘humanist’ justifications for the Waikeria Prison expansion. We developed themes inductively from the dataset and deductively based on key concepts in the literature on prison expansion. Coding was completed by two members of the research team using NVivo software to assist with the qualitative data analysis. The following sections summarise our findings by theme. After briefly canvassing pragmatic and punitive arguments, we present an extended critical analysis of humanist rationales for prison expansion, which reflects both their prevalence in the dataset (thanks to the predominance of Labour documents analysed) and their relative absence in the literature on NZ penalty to date.

Crisis and contradiction: Official justifications for the Waikeria Prison expansion

Pragmatism

Both National- and Labour-led governments articulated arguments for the Waikeria Prison expansion that were positioned as ‘pragmatic’. These are seemingly direct, practical solutions to an immediate or foreseen problem (e.g., prison overcrowding) as well as economic rationalist arguments for efficiency and cost savings in the Corrections system. These discourses present prison expansion as sensible and basically inevitable, relying on statistical and economic abstractions to normalise rising incarceration and rationalise the allocation of millions of public funds to new prison infrastructure.

When the National-led government’s business case to expand Waikeria Prison was approved by Cabinet in October 2016, Corrections Minister Judith Collins (2016a) argued that prisoner numbers had ‘increased faster than projected’ and that ‘the construction of a new facility for around 1500 prisoners at Waikeria’ was needed to ‘accommodate the forecast number of prisoners’. Similarly, in June 2018, when Corrections Minister Kelvin Davis (2018c) announced the Labour government’s intentions for the Waikeria Prison expansion, he justified it as a response to overcrowding and prisoner forecasts: ‘we have 10,600 people inside a network designed to house 9,254’ and in ‘2021 the prison population is projected to have increased by a further 1,700’. And at the belated opening of the new Waikeria Prison facilities in 2025, National Corrections Minister Mark Mitchell (2025) argued that the newly constructed cells would ‘help ensure Corrections has the right level of capacity’ and that the forthcoming 810-bed expansion of Waikeria Prison would keep the government ‘ahead of the increasing prison population’.

At first glance, prison overcrowding appears a straightforward rationale for new carceral infrastructure. However, this discourse obscures the policy decisions that drive up prison numbers, such as major reforms to bail, sentencing and parole laws enacted in NZ since the millennium (Mussell, 2025). It also naturalises the seemingly endless growth of carceral populations. In large part, it does this through an uncritical reliance on prison population forecasts, which are too often ‘taken... as gospel’ (Littman, 2021, p. 883) by carceral decision-makers. In such forecasts, the penal past is corralled into a neat,

upwards sloping line, which allows the future of punishment to be cast as calculable, coherent and predictable (Armstrong, 2013). In effect, this pragmatic justificatory discourse translates ‘political and moral questions (how much and what kind of punishment)’ into technical ones (how many prison beds will be needed in ten years); it also musters the authority of numbers to crowd out and undermine ‘other ways of envisioning the future of prisons’ (Armstrong, 2013, p. 140). Like all modelling endeavours, prisoner forecasts are not ‘objective’, but the product of a series of normative judgements and exclusions, such as discounting or minimising the possibility of future decarceral policy shifts (Littman, 2021).

In addition to relying upon quantitative methods to predict and reproduce prison populations, both Labour and National sought to couch their prison expansion plans at Waikeria in the logics of economic rationalism and austerity. While Labour condemned National’s ‘mega prison’ plan at Waikeria as ‘expensive and ineffective’ (Davis, 2018c), National promoted the economic efficiencies of building more carceral infrastructure on preexisting ‘prison land’. This argument was based in part on Waikeria’s relative proximity to communities most targeted for criminalisation:

Most of the forecast demand is expected to come from the upper North Island and Waikeria is in a good location to serve this demand. Being close to the areas of need reduces the costs of operating the prison network and helps keep prisoners close to family and support networks. The Government is committed to ensuring value for money for taxpayers and all the proposed beds are on prison land where a lot of the infrastructure is already in place. (Collins, 2016a)

As is well known, prisoners in NZ are routinely drawn from communities, especially Māori communities, that are experiencing poverty and exclusion from labour markets and higher education (Workman and McIntosh, 2013). But here, the continuum from deprived neighbourhoods to prison gates is reconstrued as a supply-and-demand chain that can be scaled up to maximise efficiency and ‘value for money’. Preexisting carceral infrastructure in the Waikato (‘prison land’) also serves to legitimise further prison development, once again highlighting the significance of historical and ongoing anti-colonial struggle at the Waikeria site.

Punitivism

Even though criminal justice policymaking, not ‘crime’, dictates demand for prison space, punitive discourses were littered throughout government media releases about the Waikeria Prison expansion, extending colonial NZ’s strong tradition of exclusionary disciplining and penal populism. National-led governments framed the expansion as part of suite of measures to ‘crack down on crime’ and ‘restore law and order’ (Mitchell, 2024). Enhancing prison capacity would, in Prime Minister Christopher Luxon’s words, help to ensure ‘that dangerous offenders are not on our streets’ where, he speculated, ‘there is a high chance that they will only create more victims’ (Luxon, 2024).

Overall, the National Party branded itself and its policies as ‘law and order’-focused and relied more heavily on punitive rationales for new prison construction, such as

incapacitation, retribution and victim's rights. Labour also leaned on established punitive frames for the Waikeria Prison expansion but was more likely to pair punitive sentiments with stated commitments to rehabilitation. For instance, Labour Corrections Minister Davis (2018b) argued that 'New Zealand is safer when the most violent offenders are locked away, but prison is also a place where offenders should be rehabilitated, not trained by other prisoners to become more hardened criminals'. Elsewhere, Davis (2018c) commented that 'prisons shouldn't be resorts' and claimed that Labour's plans for Waikeria 'strike the right balance between showing hardened criminals the consequences of their actions, and providing a new facility that can work to rehabilitate prisoners'. Consistent with their overall political image, Labour attempted to wager the both/and to maintain a centre-left voter base while appealing to newly won centre-right constituents: prison expansion to achieve both incapacitation *and* rehabilitation, retribution *and* reducing re-offending. As Corrections Minister, Davis pursued this 'balanced approach' in part by carving out incapacitation and retribution for 'violent offenders' and 'hardened criminals', drawing lines of deservingness to resolve the apparent contradiction between these divergent penal theories. While rehabilitation aims to transform the wayward criminal into law-abiding citizen (through resource-intensive methods of psychosocial treatment, education, training, etc.), incapacitation promises an end to crime swiftly and bluntly – by simply removing people from public space (Gilmore, 2007). Retribution, meanwhile, appears to satisfy the punitive and disciplinary impulses well documented in NZ (Pratt, 2006, 2007; Rāketē and Cox, 2025). The bipartisan use of penal populist rhetoric is telling insofar as even during a reformist Labour-led government, which sought to create more 'safe and effective alternatives to prison' (Davis, 2018a), it was unable to break from the ideology of retribution that structures NZ penalty.

Humanism

Although pragmatic and punitive discourses continued, humanist arguments for the Waikeria Prison expansion dominated public communications from the government after the Labour Party took office in October 2017. These included ideals of rehabilitation and modernity, integrated prison-based mental health treatment and community partnerships, especially with Māori.

Perhaps unsurprisingly, the rhetoric of rehabilitation was peppered through half the documents we analysed. A justification as old as the modern prison itself (A. Y. Davis, 2003), the insistence that prison development was necessary to enhance rehabilitation was bipartisan. National argued that without new prison infrastructure investment, they would 'be less effective at rehabilitating prisoners' (Collins, 2016a) and Labour boasted that the new prison development at Waikeria would 'improve rehabilitation opportunities for people in prison' (Davis, 2021b). The endurance of rehabilitation as a key 'defence' of imprisonment (Mathiesen, 2000) in NZ belies its track record, however. More than half of those leaving prison in NZ are re-sentenced within 2 years, with post-release homelessness considered 'standard' (Mills et al., 2025).

While rehabilitation remained a bipartisan touchstone, Labour's discursive strategies for legitimising the Waikeria Prison expansion drew upon a much larger and updated

repertoire of carceral humanist arguments. This was necessary, we suggest, because of the fundamental contradiction between Labour's stated goal of 'reducing the prison muster by 30 percent by 2030' (Little, 2017) and their decision to continue with the new prison build at Waikeria, albeit with a 'new direction' (Davis, 2018b).

When announcing Labour's plans for the Waikeria Prison expansion in June 2018, Davis crafted a narrative of modernisation that began with an emotional first encounter:

One of the first prisons I visited after becoming Minister was Waikeria. And the first thing that I thought was: This place is horrific. The yards are like animal cages. It was first designed 100 years ago and isn't fit for purpose for either staff or prisoners. Now I know prisons shouldn't be resorts. Offenders must face consequences – and the loss of freedom is punishment for the crimes people commit. But in saying that, we shouldn't be sending people to prison to become better criminals rather than better people. [...] Today I am announcing that we will build a world-leading 500 bed facility here at Waikeria alongside a 100 bed mental health unit that is the first of its kind in New Zealand. [...] We know smaller prisons are more effective in providing real rehabilitation, and this facility will be one of the smallest prisons in New Zealand. (Davis, 2018c)

In this pivotal speech, Davis describes his disgust upon encountering the dehumanising architecture of Waikeria Prison, which is framed as a result of its age (having been 'designed 100 years ago') rather than the structural violence of the prison itself as an exercise in human caging. To 'draw a line under years of failed prison policy' (Davis, 2018c), Davis seeks to leave behind both the outdated Waikeria Prison of the present *and* of National's oversized vision for 'an American-style mega prison' (Davis, 2018c), here condemned as a 'crime-breeding factor[y]'. Although previously describing government spending on prisons as a 'moral and fiscal failure' (Davis, 2018a), this speech by Davis (2018c) culminates in the decision to build a 'world-leading' prison facility, one that is smaller than what was approved under the National-led government but that still ensures that 'offenders [...] face consequences'.ⁱⁱⁱ

Although Labour depicts its plans for Waikeria to be one of NZ's 'smallest prisons', the new 600-bed facility alone would in fact be larger than half of NZ's 18 prisons at the time. As further contrast, the 'small' prisons or 'habilitation centres' envisioned by NZ prison reformers in the 1980s were intended to incarcerate 50–60 people (Roper et al., 1989), one-tenth of the size of Labour's future carceral infrastructure. Davis's distortion of the relative scale of prison expansion is attenuated by the fact that when the facility opened in 2025, the construction company described the 596 new high-security beds as *additional* capacity to the 460 preexisting beds still in operation at Waikeria (CIMIC, 2025). In turn, the expansion that Labour propelled forward with the promise of downsizing incarceration has actually made Waikeria one of the largest prisons in the country, with the further expansion expected to make it NZ's biggest (Blackwell, 2024).

As the Labour Party grappled with the embarrassment of overseeing the next wave of mass incarceration through continued investment in prison-building, they used the plans

for a mental health unit at Waikeria to discursively ‘offset’ the known harms of incarceration. In a speech, Prime Minister Jacinda Ardern lamented:

[W]e are defined by what we don’t believe ourselves to be – and we certainly don’t feel like the kind of place that would have one of the highest incarceration rates in the western world, and yet we do. [...] We may be replacing an aged Waikeria, but we are also building a mental health unit. (Ardern, 2018)

Ardern’s expressed shame at NZ’s carceral record while continuing to invest in new prison infrastructure highlights the cognitive dissonance embedded in carceral humanism and in NZ’s colonial self-imaginary. The conceit of claiming to offset 500 new high-security prison beds with 96 prison-based mental health beds (*we’re building new prison cells, but...*) alerts us to the latter’s function as a means to justify and rationalise the former, despite being one-fifth of the size. The confessional narrative of NZ’s penal excess reflects the historical self-image of settler NZ as remarkably ‘friendly’ and socially cohesive despite its unusually high rates of punishment (Pratt, 2006). Pratt (2006) explains this seeming contradiction as a colonial project of ‘guarding paradise’. Then, as here in Ardern’s speech, those that govern NZ may not *feel* carceral, but nonetheless they ensure the material infrastructure for continuing NZ’s trajectory of harsh, racialised punishment. As McIntosh and Workman (2017, p. 727) argue, ‘mass incarceration in New Zealand is Māori incarceration’.

As Labour marched forward with the Waikeria Prison expansion, the legitimisation deficit brought about by accelerating racial criminalisation in NZ was publicly managed through attempts at ‘indigenising’ corrections. For instance, at the August 2019 launch of Hōkai Rangi, a Corrections strategy to ‘address Māori reoffending and imprisonment’, Davis (2019) claimed that the 100-bed mental health facility to be built at Waikeria Prison would operate ‘a Māori model of care informed through co-design with Waikato DHB [District Health Board], whānau [family], hapū [kinship group/tribe], iwi [nation/people], and other DHBs and community services’. Later, he promoted the new Waikeria prison build by claiming: ‘More people from around the region will be able to serve their sentences closer to their whānau and support networks’ (Davis, 2021b), implying that this carceral expansion would enhance family relations, rather than strain and disrupt them, as incarceration is widely known to do (Gilmore, 2007; McIntosh and Workman, 2017; Lamusse and McIntosh, 2021).

The effort to reframe the Waikeria Prison build as a ‘caring’ project of holistic, culturally sensitive social service provision recalls critiques frequently levelled at ‘indigenisation’ projects: tokenism and co-option (Boyce, 2017; Norris et al., 2025). At core, this discourse ignores the fundamental irreconcilability of colonial carceralism with Indigenous lifeworlds. As Moana Jackson (2017) argued, ‘the idea of confining a wrongdoer in something like a prison would have been culturally incomprehensible’ to pre-colonial Māori. From a tikanga (Māori customs) perspective, prisons fundamentally cannot restore mana (status), protect tapu (what is sacred) and achieve utu (balance) (Mead, 2016). Although irreconcilable, ‘indigenisation’ projects see correctional agencies incorporate ‘acceptable’ elements of Māori culture ‘to deflect scrutiny’ and bolster their

legitimacy (Norris et al., 2025, p. 366). Yet in practice, the carceral system continues to disempower and hyper-incarcerate Māori communities (McIntosh and Workman, 2017). Indeed, 6 years on from the launch of Corrections Hōkai Rangi strategy, more Māori are imprisoned than at any previous time, making up 52.2% of the prison population in 2025 (Department of Corrections, 2026). The strategy's purported goal to 'humanise and heal' incarcerated people has also failed to eventuate, with prisoners continuing to endure harsh conditions, such as those exposed by the Waikeria Prison uprising (Boshier, 2020, 2023).

On 3 January 2021, 16 men imprisoned at Waikeria surrendered to the Department of Corrections after a 6-day standoff over inhumane prison conditions, including brown drinking water, dirty clothing and bed linen, and food only able to be consumed next to open, shared toilets (Martin & Norris, 2025; Rāketē and Lamusse, 2024). During the uprising, Davis refused to comment while protesters were denied food and water (Lamusse, 2021). When declaring 'the prisoner disorder event' over, with 'all remaining prisoners now safely and securely detained', Davis (2021a) reminded the public that 'a world-leading new high-security prison with a first-of-its-kind mental health facility is currently being built at Waikeria Prison.' In this media release, Labour's modernising prison-building project was directly counterposed with 'the arson, violence and destruction carried out by these men', deemed 'reckless criminal acts' (Davis, 2021a). The Waikeria uprising was further demeaned by Davis (2021a) pointing out the 'many legitimate avenues for prisoners to raise concerns', even though these processes are overseen by the very institution against which the grievance is made (Martin & Norris, 2025). In the face of unprecedented Māori-led resistance to the material conditions and colonial functions of incarceration, Davis insisted that imprisoned people should be grateful for Labour's penal policies:

Our Government is committed to improving the situation for prisoners in New Zealand, including investing \$98 million to work in partnership with whanau, hapū and iwi to reduce the rates of Māori reoffending; ditching the American-style mega prison planned by the previous National Government at Waikeria; giving mental health and addiction services for offenders a \$128 million boost and launching *Hōkai Rangi*, a new strategy designed to address the long-term challenge of Māori reoffending and imprisonment. (Davis, 2021a)

Cataloguing the humanist rationales for new prison development at Waikeria that we summarised above, here Davis makes clear that carceral humanism is a project of liberal counter-insurgency that can be wielded to delegitimise, dismiss and pacify uprisings against the carceral state (Rodríguez, 2021; O. Burton, 2023; Taylor, 2025). At a critical juncture and crisis point, this exposed the core function of carceral humanism.

In mid-2025, when the National-led government publicised the belated opening of the new Waikeria Prison facilities, Mitchell (2025) described them as 'modern and fit-for-purpose' and as enabling the government to 'safely manage the rising prison population' now that National had 'restored proper consequences for crime'. Here, the 'nebulous' concept of modernisation (Jones et al., 2024), just as smoothly conjured in the humanist arguments above, is remarried with punitive rationalities of prison expansion, reinforcing that the march of penal progress is discursively flexible enough to appease

populist concerns for swift and sure punishment, or reformist concerns about criminogenic prison conditions, and either way support the passage of prison-building policy. Tellingly, Mitchell (2025) also highlighted the dedicated mental health and addiction facility at Waikeria as a 'key feature' of this first phase of the expansion, neatly absorbing Labour's carceral humanist initiative into what was explicitly, once again, an explicitly punitive project of prison-building at Waikeria.

Conclusion

The expansion of Waikeria Prison has been sustained over more than a decade by NZ governments of different political stripes, mobilising different rationalisations of the prison in shifting political conditions. This is part of a longer arc of colonial dominance, the shift away from social democratic towards neoliberal governance, and the use of the carceral system to absorb economic shocks and social insecurities suffered by the population. When faced with legitimisation deficits – such as rapid prison population growth, worsening racial outcomes and the historic Waikeria uprising – governments adjust their language and policy frames in pursuit of public consent for penal policies geared towards carceral sustenance and expansion. Examining a corpus of official public statements about the Waikeria Prison expansion project between 2016 and 2025, we identified three types of ideological justification for the project's legitimisation: pragmatism, punitivism and humanism. These marketing techniques for carceral enlargement were refined, varied, fused and repeated over the decade examined, and emphasis shifted as certain defences of imprisonment appeared to gain or lose purchase in changing political conditions, such as following an election win or a rupture to the carceral status quo. As the spotlight shifted to growing public safety fears or the prison system's many degradations, prison construction remained a bipartisan governance tool to manage the crisis.

For several years under a centre-left Labour-led government, Waikeria became a prison building project supposedly underpinned by rehabilitative ideals, modernisation and culturally sensitive mental health care. Regardless of the justificatory logics, the construction of hundreds of new high-security cells has ultimately extended the carceral life-span of Waikeria, which dates back to the colonial landgrab and warfare in the 19th century. Contained within all the statements analysed above was the pre-supposition that the expansion of Waikeria Prison was inevitable. Even Labour's plans for a 'smaller' prison build took for granted the inevitability of prison expansion. Drawing upon the principles of critical discourse analysis, we sought to re-open the claims of governments to spotlight contradictions and allow space for alternative understandings of NZ's carceral crisis. Contrary to the bipartisan logics of carceral expansion espoused by both National- and Labour-led governments, prison development was not the only option available to decision-makers. NZ's growing prison system has been caused by specific policy decisions to incarcerate more people, which highlights the fundamental contradiction of responding to prison population growth by building new facilities that will accommodate and enable it. Instead of doubling-down on draconian bail, sentencing and parole legislation, decision-makers could propose alternatives and refuse to lock-in NZ's carceral future through prison-building in the present.

This analysis has several implications for a sociological research agenda concerned with discourses and infrastructures of punishment and their stunning growth in the past half-century. It highlights the need to challenge the uncritical acceptance of prison population forecasting and the naturalisation of carceral growth. Future research could trace cycles of forecasting, prison capacity expansion and incarceration rates to explore the co-productive relations between them, while continuing to demystify prison populations as a product of policymaking in conditions of socioeconomic precarity and structural inequality. Our findings reinforce prior research on punitivism in NZ that diagnoses it as an enduring colonial ideology that is attenuated under conditions of neo-liberal economics. We also extend this knowledge by demonstrating that punitivism does not operate in isolation in NZ to enlarge carceral capacities but is instead entangled with, and benefits from, other penal rationalities. Perhaps most importantly, our research contributes to a growing body of literature documenting how socially progressive actors can advance carceral statecraft. Our analysis attests to the role of carceral humanism in absorbing and pacifying concrete complaints, diffusing resistance efforts, and distracting from the expansion of methods of human caging. It also highlights the importance of attending to the specificities of carceral humanist discourses in different geographical contexts. As it threatens to instil carceral logics further into our collective imagination, carceral humanism requires continued scrutiny and challenge, as part of multi-pronged efforts towards a prison construction moratorium on the way to decarceral futures.

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All data used in this research is publicly available data.

Notes

1. Despite a decline in the prison population between 2018–2022 due to sentencing changes and the impacts of the COVID-19 pandemic, prison numbers resumed an upwards trajectory in

- 2023 and are predicted to climb to unprecedented levels over the next decade following the the National-led government's reinstatement of 'Three Strikes' laws in 2024, further sentencing reform in 2025, and the court's 'lower risk tolerance to grant bail' (Ministry of Justice, 2025, p. 6).
2. Administered by the NZ Department of Internal Affairs, the Beehive.govt.nz website hosts media releases and speeches from current and previous government ministers, as well as documents pertaining to major Government initiatives and policies.
 3. Paraphrasing the famous refrain of former National Party Prime Minister, Bill English.

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