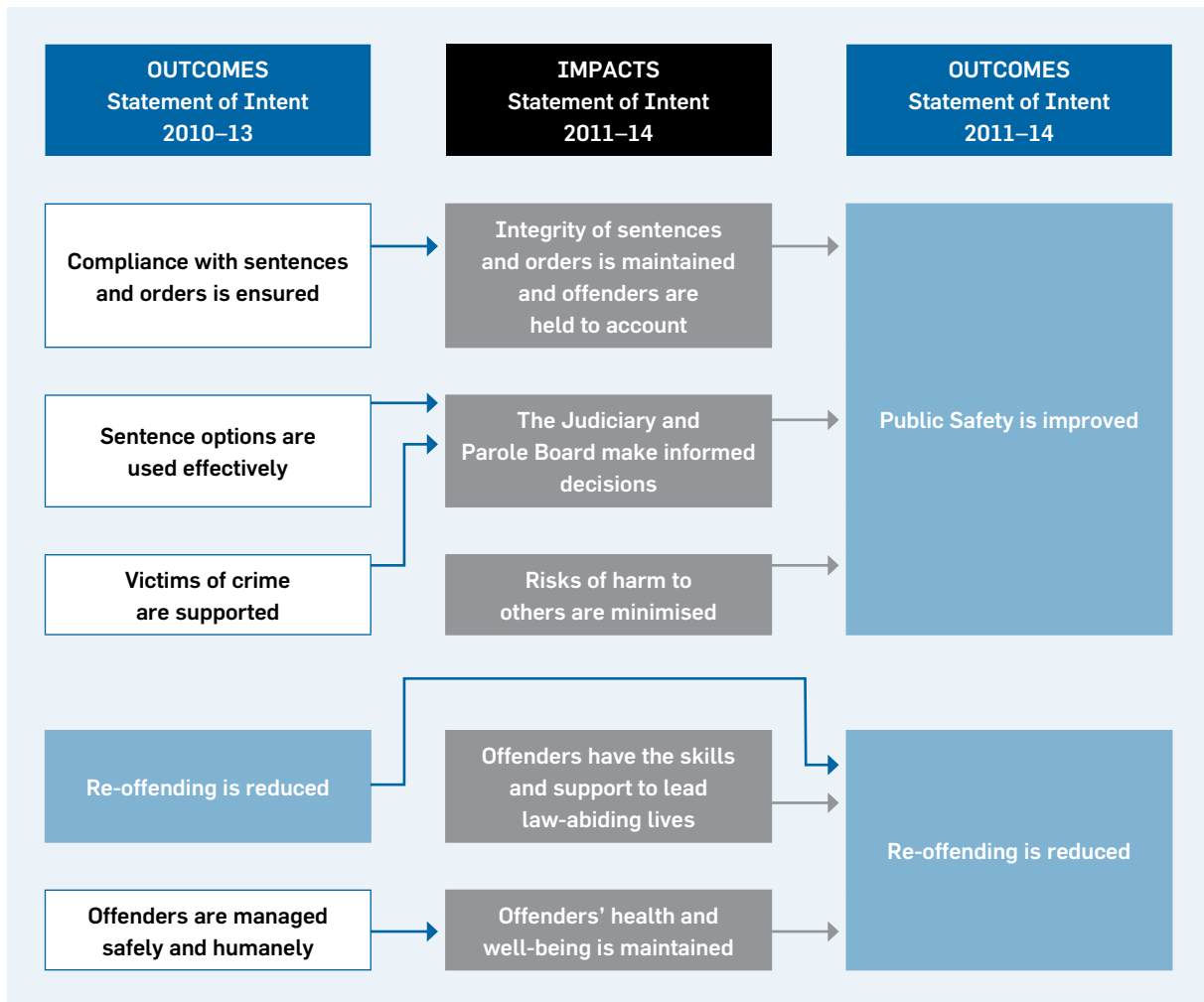


APPENDICES

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APPENDIX 1: OUTCOMES – IMPACTS MAPPING BETWEEN 2010–13 STATEMENT OF INTENT AND 2011–14 STATEMENT OF INTENT



In the 2011–14 Statement of Intent the Department changed its outcome framework and output measures. In this Annual Report we report against the new framework. Several of our previous outcomes are now impacts. This diagram illustrates the relationship between the old outcomes and the new outcomes and impacts.

APPENDIX 2: RECIDIVISM INDEX AND REHABILITATION OUTCOME RESULTS

Reducing Re-offending

Progress towards the achievement of the Departmental outcome of reducing re-offending is assessed through the use of two primary measurement approaches: the first approach measures re-offending rates across the entire population of offenders managed in a year. The second involves more sophisticated methods to measure the specific impact of rehabilitative interventions on re-offending.

The Recidivism Index (RI) measure gives the percentage of all offenders managed within a single year who are subsequently reconvicted or re-imprisoned.¹⁷

Rehabilitation outcomes

With respect to rehabilitation outcomes, the Department is now able to report results from a new rehabilitation evaluation methodology based on multivariate statistical techniques. This methodology is designed to capture the impacts of rehabilitation services which are widely experienced across the offender population, such as employment and training of prisoners. This methodology, developed in consultation with university-based statisticians and known as "regression matching", uses offender risk scores (derived from the Department's actuarial risk assessment methodology "RoC*RoI") to serve as an index measure of *expected* outcomes. From this, programme effect sizes can be calculated in terms of *actual* outcomes for participants' rehabilitation programmes, including employment and education.

While both approaches to outcome measurement provide insight into the Department's performance, it should always be kept in mind that reconviction rates are subject to a wide range of influences, many of which are outside the Department's direct control.

A range of programmes and services are delivered by the Department to enable offenders to lead law-abiding lives (programmes are listed in Part B). These programmes have been designed and implemented in ways consistent with internationally developed best practice principles. Research on outcomes from rehabilitative programmes also shows that significant reductions in reconviction and re-imprisonment can be achieved when well-designed interventions are delivered to appropriately selected offenders.

Results for the most recent annual cohort of offenders are given in Section A of the report. These outcome scores are calculated separately for individual programmes. The cohort of offenders analysed is restricted to offenders who were released within a 12-month period ending on 31 March 2010. The follow-up period, during which any new offending is counted, is 12 months from the date of the individual offender's prison release (unless otherwise stated).

Figures represent percentage-point changes in rates of either re-imprisonment or reconviction between "treated" and "untreated" offender groups. For example, a re-imprisonment score of 10 might indicate for example that the rate of re-imprisonment amongst untreated offenders was 35 percent, while the corresponding rate for the programme's "graduates" was 25 percent. Asterisks indicate that the difference between treated and untreated offenders was statistically significant.

Analysis of RI figures

Table 5 provides reconviction rates as recorded within 12 months, for those released from prison or commencing community-based sentences, during the 2009/10 (1 April – 31 March) year, and Table 6 provides the rates over 24 months for those released from prison or commencing community-based sentences, during the 2008/09 year. RI figures are reported for multiple categories of offenders with significant variation observed in reconviction rates between sentence types, offence types and demographic groups.

As noted in Part A of the report, overall RI figures for 2009/10, when compared to the result reported the previous year, indicate a modest decrease in reconvictions and re-imprisonments for offenders released from prison. A moderate fall is also recorded in reconvictions and imprisonment rates amongst offenders who commenced a community-based sentence.

¹⁷ A full explanation for the RI methodology can be found on pages 36 – 42 of the Department's 2004/05 Annual Report (see the link at http://www.corrections.govt.nz/_data/assets/pdf_file/0008/176228/ar2005-part1-strat-context.pdf).

RI sub-group comparisons

When examined by the sub-groupings for which RIs are calculated, notable features for those released from a custodial sentence (12-month follow-up) include the following:

Males are re-imprisoned at a significantly higher rate than females (28 percent and 17 percent respectively) and reconviction rates for male offenders released from prison are also higher than for female offenders (46 percent and 36 percent respectively).

Reconviction and re-imprisonment rates tend to be higher for Māori offenders than rates of New Zealand Europeans and Pacific offenders. This difference is likely to reflect a number of variables. For example, Māori offenders are on average younger than Europeans, their offences tend towards those with high recidivism rates (such as burglary), and gang membership, which is strongly associated with elevated rates of re-offending, is more common amongst Māori.

Re-imprisonment rates reduce sharply as offenders age (offenders under the age of 20 years are re-imprisoned at two and a half times the rate of those over 40), and vary markedly between offence classes (dishonesty offenders having the highest rates, and sex offenders the lowest).

Offenders who are gang-affiliated are shown to be at a substantially higher risk of re-offending. Released gang affiliated prisoners were found to have re-imprisonment rates (within 12 months) that were almost exactly twice that of non-affiliated offenders (41 percent vs 22 percent respectively). For community-sentenced offenders, the difference was even more marked – 18 percent of gang-affiliated offenders on community sentences were subsequently imprisoned, but only four percent of those not affiliated.

Re-imprisonment rates were higher for prisoners released from higher security classifications (34 percent to 47 percent) than those for prisoners released from minimum security classification (19 percent).

There is a tendency for shorter sentence length to be associated with higher rates of reconviction and re-imprisonment: the re-imprisonment rate for offenders serving short sentences (up to 12 months) is 29 percent, while the comparable rate for offenders with a sentence length over five years is 15 percent. This is in part a reflection of the offence types of prisoners who serve longer sentences (violent and sexual), offences which tend to be associated with lower rates of reconviction.

The tables also report recidivism rates for specific offence types, in addition to rates for the broader offence groupings. This reveals some interesting differences between offence types within an offence group. For example, there are very significant differences in recidivism rates for disqualified drivers vs drunk drivers, and amongst dishonesty offenders, car thieves have the most pronounced tendency to reoffend.

Offenders serving community-based sentences had significantly lower imprisonment and reconviction rates than offenders released from prison. In general, most of the trends noted for released prisoners above were evident for this population also.

For both prison releases and community sentence offenders, the 24-month RIs generally show a predictable pattern, in that the 24-month RI figures typically increase by between 30 percent and 50 percent over the 12-month rates.

These data are consistent with a great deal of research on recidivism which indicates that the highest rate of reconviction occurs within the first 12 months, with the proportion re-convicted in each successive year progressively smaller than in the previous year.

TABLE 5: RECIDIVISM INDEX – 12-MONTHS FOLLOW-UP (PERCENTAGES) FOR 2009/10

Category	Group	Released from prison		Beginning community sentence	
		Re-imprisoned	Reconvicted	Imprisoned	Reconvicted
All (2009/2010)		27.1	45.3	5.2	30.4
Gender	Female	17.2	36.4	2.8	23.1
	Male	28.1	46.2	5.8	32.7
Ethnicity	Māori	29.7	50.0	6.7	35.4
	European	24.7	41.4	4.4	29.5
	Pacific	23.5	36.9	3.9	27.0
	Other (incl. Asian)	10.8	18.3	3.1	22.4
Age (at prison release or start of community sentence)	<20 years	42.3	67.1	6.2	43.6
	20-24 years	31.8	54.7	5.5	34.2
	25-29 years	29.8	51.2	5.5	29.3
	30-39 years	25.6	44.5	5.5	27.3
	40 and above	16.1	28.4	3.1	19.2
Gang Affiliate	Yes	41.4	60.1	17.8	54.5
	No	22.3	40.4	4.1	26.7
Offence Group (Most serious for original sentence)	Dishonesty	39.9	59.2	8.1	39.7
	Property damage/Abuses	29.4	47.7	6.4	40.0
	Admin	35.6	56.3	11.7	34.4
	Violence	26.7	44.5	5.3	31.4
	Traffic	17.3	35.3	3.3	26.4
	Drug & Anti-social	16.1	32.9	5.2	29.8
	Sexual	10.1	16.6	2.5	11.5
	Other minor offences	(see note 1)	(see note 1)	3.4	24.4
Offence Type (Most serious for original sentence)	Car Conversion	46.1	65.3	10.6	48.6
	Theft	42.8	63.4	8.7	42.9
	Burglary	41.2	61.3	8.4	42.9
	Fraud	28.8	44.8	4.8	22.3
	Intimidation and Threats	37.2	53.5	7.7	39.3
	Robbery	23.0	41.2	6.5	28.9
	Assaults	27.0	45.6	4.9	26.4
	Homicide	11.9	16.9	(see note 1)	(see note 1)
	Disqualified Driving	26.5	48.0	6.2	34.3
	Drink Driving	10.2	25.7	2.3	22.5
	Family Offences	32.9	58.9	10.4	40.7
	Drugs (Not Cannabis)	6.5	19.4	7.9	31.9
	Drugs (Cannabis Only)	11.2	28.7	3.3	25.5

Category	Group	Released from prison		Beginning community sentence	
		Re-imprisoned	Reconvicted	Imprisoned	Reconvicted
	Sexual (Other)	16.4	26.0	3.2	13.2
	Sexual (Child Sex)	6.3	10.8	1.6	9.4
Community-Sentence	Community Work	n/a	n/a	5.2	31.6
	Supervision	n/a	n/a	5.9	29.2
	Intensive Supervision	n/a	n/a	6.9	36.4
	Community Detention	n/a	n/a	1.4	28.6
	Home Detention Sentence	n/a	n/a	5.9	22.6
Prisoner Security Classification (at Release)	Maximum	(see note 1)	(see note 1)	n/a	n/a
	High-medium	47.1	65.6	n/a	n/a
	Low-medium	33.7	52.7	n/a	n/a
	Minimum	18.5	35.5	n/a	n/a
Release Type	Parole	18.6	28.7	n/a	n/a
	Post-release Conditions	30.1	49.7	n/a	n/a
Sentence Length	6 mth or less	29.4	51.4	4.9	31.1
	> 6mth but <= 1yr	28.2	46.7	6.2	28.9
	>1 to 2 yr	30.0	46.3	6.7	32.6
	>2 to 3 yr	19.8	31.8	n/a	n/a
	>3 to 5 yr	16.5	27.5	n/a	n/a
	>5 yr	15.4	21.9	n/a	n/a
All (2008/09)		28.4	47.5	6.0	32.8

Note 1: No data is report because there are insufficient numbers to determine a meaningful percentage change.

Comment

Figures indicate rate of reconviction / re-imprisonment (within a subsequent 12-month period) amongst all offenders released from prison or commencing a new community sentence between 1 April 2009 and 31 March 2010.

Reconviction figures are inclusive of imprisonments.

Source is Case Management System conviction and sentencing data, as at 13 July 2011.

TABLE 6: RECIDIVISM INDEX – 24-MONTHS FOLLOW-UP (PERCENTAGES) FOR 2008/09

Category	Group	Released from prison		Beginning community sentence	
		Re-imprisoned	Reconvicted	Imprisoned	Reconvicted
All (2008/2009)		39.2	62.2	8.9	46.1
Gender	Female	23.2	49.4	4.7	34.8
	Male	40.8	63.5	9.9	48.8
Ethnicity	Māori	44.0	67.3	11.2	51.8
	European	34.7	58.0	7.8	44.7
	Pacific	31.9	54.0	7.2	40.4
	Other (incl. Asian)	17.6	32.6	4.6	34.8
Age (at prison release or start of community sentence)	<20 years	54.7	82.5	10.9	60.4
	20-24 years	46.3	73.8	9.6	50.7
	25-29 years	42.5	66.9	9.0	45.7
	30-39 years	37.4	59.9	9.1	43.3
	40 and above	24.9	40.8	5.8	27.8
Offence Group (Most serious for original sentence)	Dishonesty	52.4	75.8	12.2	54.8
	Property Damage/Abuses	39.8	63.9	11.4	54.9
	Admin	53.8	72.9	13.3	47.4
	Violence	40.3	64.4	9.3	47.5
	Traffic	31.1	55.1	6.3	40.3
	Drug & Anti-social	26.6	44.9	10.1	44.7
	Sexual	15.4	24.9	4.1	25.0
	Other minor offences	(see note 1)	(see note 1)	7.9	44.2
Offence Type (Most serious for original sentence)	Car Conversion	64.4	88.1	15.6	64.6
	Theft	51.5	77.6	11.4	55.4
	Burglary	53.8	77.7	14.1	61.3
	Fraud	35.4	48.3	6.7	32.4
	Intimidation and Threats	52.2	80.0	13.6	57.6
	Robbery	39.4	62.0	8.6	41.0
	Assaults	39.7	65.0	8.6	46.0
	Homicide	15.9	19.0	(see note 1)	(see note 1)
	Disqualified Driving	42.7	66.8	11.2	53.4
	Drink Driving	19.9	44.4	4.3	34.3
	Family Offences	52.5	76.2	15.8	58.8
	Drugs (Not Cannabis)	17.9	33.9	9.2	31.6
	Drugs (Cannabis Only)	20.4	40.9	7.7	38.2
	Sexual (Other)	23.6	33.3	4.8	31.1
	Sexual (Child Sex)	9.9	19.2	3.0	15.6

Category	Group	Released from prison		Beginning community sentence	
		Re-imprisoned	Reconvicted	Imprisoned	Reconvicted
Community – Sentence	Community Work	n/a	n/a	8.7	46.9
	Supervision	n/a	n/a	10.3	44.0
	Intensive Supervision	n/a	n/a	12.2	55.6
	Community Detention	n/a	n/a	2.7	44.2
	Home Detention Sentence	n/a	n/a	11.1	38.4
Prisoner Security Classification (at Release)	Maximum	(see note 1)	(see note 1)	n/a	n/a
	High-medium	65.1	84.4	n/a	n/a
	Low-medium	48.0	70.6	n/a	n/a
	Minimum	28.2	51.4	n/a	n/a
Release Type	Parole	30.8	46.2	n/a	n/a
	Post-release Conditions	42.2	67.3	n/a	n/a
Sentence Length	6 mth or less	41.6	67.5	8.5	46.3
	> 6mth but <= 1yr	42.3	66.9	10.7	44.9
	>1 to 2 yr	41.2	63.9	15.7	55.2
	>2 to 3 yr	31.8	50.6	n/a	n/a
	>3 to 5 yr	28.7	43.8	n/a	n/a
	>5 yr	27.3	38.9	n/a	n/a
All (2007/2008)		37.9	61.9	9.7	46.5

Note 1: No data is report because there are insufficient numbers to determine a meaningful percentage change.

Comment

Figures indicate rate of reconviction / re-imprisonment (within a subsequent 24-month period) amongst all offenders released from prison or commencing a new community sentence between 1 April 2008 and 31 March 2009.

Reconviction figures are inclusive of imprisonments.

Source is Case Management System conviction and sentencing data, as at 13 July 2011.

APPENDIX 3: AUDIT COMMITTEE REPORT

A new Audit and Risk Committee (short title Audit Committee) replaced the Department's Assurance Board from 1 February 2011. The Audit Committee commenced operation in April 2011 and meets quarterly. The purpose of the Audit Committee is to provide the Chief Executive with independent advice on the Department's:

- > risk framework and internal control including legislative compliance
- > internal and external audit functions
- > financial and other external reporting
- > governance framework and processes.

Risk, Assurance and Business Improvement

The Department's Risk, Assurance and Business Improvement functions have been augmented during 2010/11. These will now begin to more effectively monitor the control environment, provide assurance and make suggested improvements on its effectiveness. This will ensure that our key internal controls continue to be effective and that our risks are being actively managed based on principles of continuous business improvement. Within these functions, three elements provide interlinked parts of the wider total assurance picture.

Internal Audit undertake a range of planned and responsive activities to provide assurance that the Department's network of controls and governance is adequate and functioning effectively. The activities include planned audits across the Department's core systems, a programme of regular stock takes across business areas, and responsive reviews when there are changes that may have an impact on the control environment.

The risk management function acts as a centralised support function for the distributed network of risk management occurring throughout the Department. The unit provides the policy, systems and support to ensure a consistent and effective Risk Management approach occurs in all areas.

Business Continuity and Emergency Management prepares the Department's response to any form of emergency or serious incident, and helps co-ordinate the Department's response with that of the wider Government. All parts of the Department are required to have Business Continuity Plans and these are refreshed annually, learning from lessons of the previous year. In 2010 this response was thoroughly tested in the Christchurch earthquake responses and lessons incorporated from the September quakes were applied in February and June 2011 with good effect. This unit also monitors security policy within the Department.

The Department's risk management approach is based on ISO 31000¹⁸ and provides confidence that the Department's approach is based on best practice and continuous improvement.

¹⁸ Standards relating to risk management codified by the International Organisation for Standardisation. The purpose of ISO 31000 is to provide principles and generic guidelines on risk management.

APPENDIX 4: REPORT UNDER SECTION 190 OF THE CORRECTIONS ACT 2004

SECTION 190(1)(A)

Requires the Chief Executive to report how he has carried out his functions under section 8(1)(k). This section requires that processes are established and maintained to identify communities significantly affected by policies and practices in the corrections system give opportunities for those communities to offer their views on those policies and practices, and ensure those views are taken into account, together with information on how prison managers have carried out that responsibility.

As part of the development of policy and procedures, the Department identifies stakeholders and communities of interest; including the local community where a prison is situated, and provides opportunities for engagement and the expression of views about our operations.

This year consultation with community organisations and representative bodies concerned how the Department could contribute to the Christchurch community following the earthquakes, and the national implementation of the smoke free policy. With the transition to private management of the Auckland Central Remand Facility, closure of the old Mt Eden Prison, and the proposal for a new men's facility at Wiri; a significant amount of community engagement took place to consider the impact of prison operations on the surrounding communities. Throughout the country regular presentations occurred to build relationships and create community understanding of our operations. This involved providing information on prison activities and inviting communities to ask questions and share their views. Opportunities were made available for community involvement through public meetings, hui, and prison open days.

SECTION 190(1)(B)

Reports on the work undertaken by the inspectors of corrections, including statistical information about the disposition of complaints and comments on issues arising from complaints or visits.

Introduction

The Corrections Inspectorate is established under the provisions of section 28 of the Corrections Act 2004 as a dedicated complaints resolution, investigation and assurance function, reporting directly to the Chief Executive independently of operational line management. The legislation acknowledges the high level of risk attached to sentence management by providing an appropriate level of legislative prescription, protection and access for the agents of the Chief Executive in matters related to sentence management generally and the secure prison environment in particular.

Community-based sentences traditionally generate a very low volume of complaints to the Inspectors. Only six were received for the year, none of which were upheld, compared to two for the previous year. The reasons for the low volume are twofold. Firstly, Community Probation Services has traditionally had a robust internal complaints process in place for offenders. As a result, offender issues are effectively resolved at operational level. Secondly, community-based offenders are largely able to carry on with their normal lives while serving their sentences. They have ready access to their normal support networks, and therefore the impact of the State is significantly less than is the case for someone serving a sentence of imprisonment.

This report therefore deals primarily with prison related matters.

Complaints to the Inspectors of Corrections

The effective and timely resolution of prisoner complaints is a key area of the Inspector's work. For reasons of safety, security, fairness and the mitigation of risk the Department expects prisoner issues and concerns to be resolved as soon as practicable and at the lowest possible organisational level. In the normal course of events that is within the prison, at unit level. It is the responsibility of unit staff to resolve prisoner concerns by taking the appropriate action before they escalate into complaints or incidents. For those occasions where lower level resolution does not occur, or is not possible, the legislation provides the Department with a two-tiered system of internal complaints resolution. At prison site level, a robust, auditable internal complaints system exists so that prisoners can formally take matters for resolution to their Residential Manager or Prison Manager. This constitutes the first tier.

The Inspectorate is the Department's second tier of complaints resolution. As such it is effectively the Department's last opportunity to resolve a complaint before external agencies or Court action become involved. There were 2,768 formal complaints received for the year. This was an increase of approximately 13 percent on the 2009/10 year total of 2,452, but was a 2.9 percent decrease on the 2008/09 year total of 2,849.

Only 70 of the 2,768 complaints received in the 2010/11 year were found to be justified. At 2.52 percent of total complaints this is in my view a very low proportion of the thousands of interactions that occur between the Department and offenders every year. It is also a slight increase on the 2009/10 year which resulted in 2.36 percent of complaints justified (58 of 2,452).

The highest categories of justified complaints related mainly to the disciplinary process, staff conduct and attitude and the management of prisoner's personal property. A number of justified complaints under the category 'Staff Conduct and Attitude' related to issues around the timeliness in processing prisoner complaint forms. These were isolated incidents of individual staff non-compliance with the system requirements rather than any systemic issues.

Justified complaints in regard to the disciplinary process were generally prisoners seeking dismissal of misconduct charges due to timeframes being exceeded in laying the charge or conducting a hearing. Again these related to isolated cases where the required paperwork had not been processed within the timeframes by individual staff, or cases of an unreasonable delay in the hearing of the charge. It was not seen to be a fault with the system as such.

While there are no systemic issues of concern around the management of the disciplinary process or staff conduct and attitude, the management of prisoner's personal property leaves room for improvement. The Department has now commenced a comprehensive review of prisoner property. The project will be completed in two phases. Phase one focuses on analysis of the current issues and developing solutions for improving the management of prisoner property, including the possible introduction of new technology to support the process. Phase two involves the implementation of the solutions. It is expected that phase one will be completed by December 2011. Where possible, any identified problems that can be rectified quickly and are aligned with the overall objective of the work will be implemented during phase one.

0800 Complaints Line

Since 1997, the Inspectorate has operated a 0800 free-call phone line that offenders, and in particular prisoners and their families, can use to raise a complaint directly with an Inspector during normal business hours. In 2009/10 the total calls received was approximately 3,700. In 2010/11 there were a total of 3,160 calls received. Of these, 1,291 were seeking information or clarification of prison related matters and 1,869 generated a formal complaint.

Although there has been a slight decrease in call numbers this year, this facility still generates the vast majority of the contacts prisoners make with the Inspectors every year. While only 1,869 of these contacts resulted in formal complaints during 2010/11, the service is of considerable value as a "safety valve". Prisoner concerns are able to be de-escalated immediately, either by independent confirmation that the prison's decision was appropriate, or by the provision of sound, experienced-based advice to the prisoner. As stated above, 1,291 calls were related to the provision of advice or the supply of relevant information, often not related to the prison environment. The Inspector is also in a position to immediately highlight a concern to prison management regarding a prisoner's state of mind and potential risk to themselves, or others, as a result of these calls.

It was anticipated that there would be an increase in prisoner complaints, particularly around transfers and property management, following the Christchurch earthquake in September 2010 which necessitated the decanting of prisoners from both Christchurch Men's and Women's Prisons. However, there was no discernable increase in complaints from affected prisoners, which may be attributed to the extra effort of Prison Services staff in managing this stressful period. It was evident from contact with prisoners, on unrelated matters, that they should also be given some credit as in general they were accepting of the situation and acknowledged that staff were doing their best under the circumstances.

It was also anticipated that the introduction of the smoking ban in prisons, commencing 1 July 2011, would lead to an increase in complaints, either directly associated with the introduction of the policy or more general complaints as a consequence of heightened levels of agitation with nicotine withdrawal. Again there was no discernable increase in complaint levels of a general nature, and virtually none directly related to the policy. This may be as a result of the long lead-in time for the policy allowing prisoners to adapt to the policy, and also the high level of planning by Prison Services and level of communication and assistance given to prisoners regarding the policy.

Prison Visit Focus Reviews

The Inspectorate's prison visiting programme includes a number of system reviews which focus on those areas of prison activity that generate the greatest level of risk to safe, fair and humane treatment. The focus review areas undertaken during 2010/11 were:

- > the system for managing the directed segregation of prisoners,
- > the system for identifying and managing prisoners at risk to themselves,
- > the prisons' internal complaints system,
- > the arrangements prisons have in place to ensure that regular sanitation and hygiene inspections by an independent specialist are carried out and any issues arising are addressed.

The results of these reviews were as follows:

The Directed Segregation System

A reasonable level of assurance can be given that the required system for identifying and managing prisoners, who from time to time, because of their behaviour or other factors need to be segregated from others, is in place and being operated in practice. Some minor recording matters were drawn to management's attention at some sites but in general the need for segregation is well documented and the reasons for segregation are appropriate. The management of segregated prisoners was found to be largely within the requirements of both the overarching legislation and the Department's published standards.

At smaller prison sites, limited segregation facilities may at times result in reduced opportunities for directed segregation of prisoners in terms of unlock hours and access to some mainstream facilities. It is agreed, however, that the safety of staff and other prisoners is the overriding factor upon which a decision to segregate must be based. The reviews have shown that overall the system is being managed in a conscientious manner and no instances of overt abuse were noted. This was the third year this system has been the subject of focus reviews by the Inspectorate. It is considered to be critical to safe and secure custody and will remain on the focus review menu for 2011/12.

The System for Identifying and Managing Prisoners At Risk to Themselves

A reasonable level of assurance can be given that the system for identifying and managing prisoners at risk to themselves is in place and being operated in practice. It should be noted, however, that despite the overall results of the focus reviews in this area, isolated incidents will, when investigated, still highlight individual actions and decisions rather than any systemic issues being identified that fell short of the standards required. An area of concern in previous years was the lack of cross referencing of all available information when completing the risk assessment. This area has shown improvement with evidence of cross referencing being noted on many assessment reports. However, there is always the potential that individual staff may overlook this requirement which will reduce the effectiveness of the assessment process. This system is considered to be critical to safe and secure custody and will remain on the focus review menu for 2011/12.

The Prison's Internal Complaints System

A reasonable level of assurance can be given that the required system for managing prisoner complaints at prison site level is in place at most locations. However, as noted above, some ongoing but isolated shortcomings remain. Complaints received in regard to this system have generally been around processing issues and timeliness, rather than prison management failure to resolve complaints. While there is an expectation that prisoners will utilise the internal complaints process in the first instance, they retain the right to make contact directly with the Inspector or Office of the Ombudsmen, which can sometimes be seen as an attempt to circumvent the internal complaint process. Inspectors will generally refer the prisoner back to the internal process in the first instance, unless there is a need for urgent intervention related to the safety of the prisoner or other person. This system is considered to be critical to the safe, fair and humane treatment of prisoners and will remain on the focus review menu for 2011/12.

The System for Managing Independent Sanitation and Hygiene Inspections

A reasonable level of assurance can be given that there is a system in place at all prison sites to ensure that regular independent expert hygiene and sanitation checks of the prison are carried out. A reasonable level of assurance can also be given that any shortcomings noted by the hygiene and sanitation inspector's are recorded and addressed. The Inspectorate's ongoing review of this system is a policy requirement. It is also critical to safe custody and will remain on the focus review menu for 2011/12.

Investigations

In addition to the prison visiting and complaints resolution activities, the Inspectors completed 24 full investigations of significant prison incidents during 2010/2011, 23 of which related to deaths in custody (11 natural causes and 12 unnatural causes). This is an increase of 35 percent on the 17 deaths investigated for 2009/10. The conduct of these investigations has been monitored by Investigating Officers from the Office of the Ombudsmen who attended most scene examinations and interviews and were kept apprised of developments throughout.

In the interests of transparency, the Inspectors have also continued to monitor the conduct and outcome of a number of internal prison investigations into other prisoner related incidents and allegations. 59 such monitoring reviews were carried out during the year. This represents an increase of 16 percent on 2009/10 when 51 monitoring reviews were conducted.

The most consistent areas of concern arising out of the investigations and monitoring assignments carried out by the Inspectors during 2010/11 were:

- > the need for staff to carry out an adequate level of supervision, observation and routine security checking of prisoners
- > the need for managers to maintain an adequate level of monitoring to ensure that staff are supporting the Department's objectives and that their day-to-day work practices are in accordance with instructions
- > the need for assessing staff to carry out an adequate level of cross matching of information when completing prisoners' risk of self-harm assessments
- > the need for staff to report all incidents in a timely fashion, and for reports to be submitted by all staff who are involved in an incident.

As with the matters arising out of the Inspectors' complaints activities and routine visits, the areas of concern noted in most investigation reports are the subject of adequate and well-proven systems, instructions and procedural requirements. The issues identified continue to reflect isolated instances of non-compliance, usually on an individual basis rather than any wider systemic issues, in practice with those systems. That they remain of concern is indicative of a continuing need for refresher training and effective staff supervision rather than any major concerns with the systems themselves. The introduction of the Prison Services Operations Manual (PSOM) has improved clarity of systems for staff, has reinforced the key expectations of the Department and has also become a more 'user friendly' document.

Conclusion

The Inspectorate has reported progressively throughout the year on the matters arising out of their various activities to operational management, to the Chief Executive, and to the Department of Corrections Assurance Board, subsequently reformed as the Department of Corrections Audit Committee.

It cannot be stressed enough that Corrections is, and will remain, a difficult and potentially dangerous environment to manage and in which to work. Incidents are a fact of prison life in particular, and no jurisdiction in the world has developed an effective immunity to them. When they occur, incidents provide an easy target for criticism, generalisation and sensationalism.

Nonetheless, it remains the Inspectorate's view that the Department can be proud of the overall quality of its services and of the ongoing dedication and professionalism of the majority of its staff and managers. While isolated incidents will from time to time generate a disproportionate level of negative attention, the Inspectorate's overall view is derived from the largely positive findings arising out of the Inspectors visiting, investigation and review activities and the low level incidence of justified complaints to the Inspectorate throughout the year.

SECTION 190(1)(C)(D)(E)

Legislative authority for the Department to monitor prisoners' telephone calls is provided under sections 111 to 122 of the Corrections Act 2004. Call Monitoring is an important part of ensuring offenders are not committing or organising criminal activities from within prison.

Between 1 July 2010 and 30 June 2011, 1,401,696 calls were made from payphones in prison. Of this number, 43,912 (compared to 26,421 for 2009/10) or 3.1 percent of calls were monitored.

With respect to the calls that were monitored, 65 percent, which equates to over 28,500 calls, produced valuable information to support the prevention and reduction of crime. Information and intelligence from calls is used internally (around drugs, violence, escapes) and externally (Police, IRD, MSD among others). This demonstrates a strong commitment to community safety as well as prison safety.

There is no ability to capture the specific results from the disclosures; however the Department knows that they have led to a number of arrests (of prisoners, visitors, members of the community) for a variety of offences. They have resulted in exclusions of visitors and the discovery of drugs and other contraband.

SECTION 190(1)(F)

Reports on measures to reduce drug and alcohol use by prisoners and the effectiveness of those measures, random-testing programmes and the results of those programmes.

From June 2010 the public and prisoners were able to anonymously report information about crime in prisons to the Crime Stoppers 0800 service. This service supplements other crime prevention activities such as visitor check points, perimeter checks, random drug testing, sharing crime intelligence with external agencies and delivery of drug and alcohol treatment programmes to reduce the incidence of drugs in prisons and drug related re-offending. The number of prisoners with the opportunity to attend drug and alcohol treatment has doubled. These activities have contributed to the reduction in the demand and supply of drugs, and the increased rehabilitation of prisoners. Programme results show up to 30 percent reduction in re-offending for those who complete treatment. The year end general random drug testing result was seven percent positive, which is the lowest level recorded since the inception of testing (1998).

SECTION 190(1)(G)

Reports on the operation of every security contract in force for the whole, or any part, of the year to which the annual report relates, including:

- > a summary of reports forwarded to the Chief Executive under section 171(2) and (3)
- > a summary of reports made to the Chief Executive under section 172(2)(b)
- > a summary of actions taken in relation to the operation of security contracts as a result of matters raised in any report forwarded or made.

The new five year contract with First Security to provide Prisoner Escort and Courtroom Custodial Services (PECCS) in Auckland and Northland came into operation in February 2010. First Security has met its obligations in its contract with the Department and provided monthly reporting outlining performance measures such as task numbers, escapes, releases in error, prisoner deaths, prisoner injuries, complaints, staff personal grievances and disciplinary actions.

For the 2010/11 financial year PECCS undertook 32,470 court escorts and 12,308 court supervisions. Two escapes occurred while prisoners were in the custody of First Security which resulted in penalties, as provided for in the contract.

SECTION 190(1) (H)

Reports on the operation of any contract prison, including a summary of reports by the manager of the contract prison, including:

- > **a summary of reports forwarded to the Chief Executive under section 199D(2) and (3)**
- > **a summary of reports made to the Chief Executive under section 199E(3) (b)**
- > **a summary of actions taken in relation to the management of contract prisons as a result of matters raised in any report forwarded.**

On 1 February 2011, the Department signed a contract with Serco NZ Limited, for the management of the Mt Eden Corrections Facility.

On 1 May 2011, Serco took over operational management of the site.

A Monitor has been working on the site from 1 May 2011.

Prisoner build-up commenced in June 2011, populating the newly constructed facilities on the site.

The transition phase under the contract was completed by 1 August 2011.

Serco have provided monthly reporting outlining performance against the contract and other matters as required by the Act.

This contract is also a security contract under the Corrections Act 2004.

APPENDIX 5: REPORT UNDER SECTION 15A OF THE PAROLE ACT 2002

Section 15A (4) of the Parole Act 2002 requires the Department of Corrections to include in its Annual Report information about the use of electronic monitoring conditions as provided under section 15 (3) (f). The Department does not currently manage any offenders who are subject to an electronic monitoring condition outlined under Section 15 (3) (f). The Department does manage offenders on parole and extended supervision who are electronically monitored on a residential restrictions special condition under the provisions of section 15 (3) (ab). The following information relates to offenders subject to a residential restrictions special condition for the financial year to 30 June 2011.

For the financial year ending 30 June 2011 the number of offenders who were at any time subject to parole or extended supervision with a residential restriction special condition was 148. The average length of time they were subject to residential restrictions during the financial year was 4.89 months. The total number of offenders subject to parole or extended supervision with residential restrictions for the year ended 30 June 2011 was 478.

As at the year ending 30 June 2011, there were 23 offenders subject to extended supervision with electronic monitoring, and 10 of those had person to person monitoring. Of those 23 offenders:

- > 13 have been convicted of further breaches or other offending
- > one has an outstanding active charge for further sex offending while subject to extended supervision with electronic monitoring
- > two have an outstanding active charge for further violent offending and one has an outstanding active charge for robbery
- > six have an outstanding breach.

Offenders on parole and extended supervision can have a special condition of residential restriction imposed by the New Zealand Parole Board or Court. The Department of Corrections considers the suitability of the offender's proposed address for the New Zealand Parole Board or Court, and assesses the safety and welfare of any occupants proposing to reside with the offender. In all cases the other occupants in the premises must consent to having an offender with a residential restriction special condition residing with them.

Offenders subject to electronic monitoring are required to wear an electronic anklet at all times to allow the Department of Corrections to monitor their whereabouts. If the offender tries to remove the anklet or leaves the monitored address without permission, an alarm is triggered and a security guard is sent to the house.

Offenders subject to a residential restriction special condition on parole or extended supervision can work outside the address, but only if authorised by a probation officer. Offenders may also apply for approved absences to attend rehabilitation, study, or healthcare. Offender compliance with the direction of such absences is monitored.

APPENDIX 6: 2011/12 REHABILITATION AND REINTEGRATION OUTPUT PERFORMANCE MEASURES

Case Management Performance Measures	Budget Standard 2011/12
QUALITY	
The percentage of initial offender plans which meet the agreed quality standards:	100%
- Private prison	100%
- Rehabilitation and Reintegration Services	100%
TIMELINESS	
The percentage of initial offender plans which are completed to agreed timeframes:	≥85%
- Private prison	≥85%
- Rehabilitation and Reintegration Services	≥85%
QUANTITY	
The percentage of prisoners entitled to receive an offender plan that received one:	≥90%
- Private prison	≥90%
- Rehabilitation and Reintegration Services	≥90%

Interventions: Education and Skills Performance Measures	Budget Standard 2011/12
QUALITY	
The percentage of prisoners that start classroom based adult literacy and numeracy education who met the selection criteria:	100%
- Private prison	100%
- Rehabilitation and Reintegration Services	100%
The percentage of prisoners who started classroom based adult literacy and numeracy education who demonstrate measurable improvements in literacy and numeracy skills as measured by the Tertiary Education Commission Literacy and Numeracy for Adults Assessment Tool:	≥75%
- Private prison	≥75%
- Rehabilitation and Reintegration Services	≥75%
QUANTITY	
The number of qualifications achieved by prisoners through Corrections Inmate Employment	2,550
The average number of credits achieved by prisoners learning industry-based skills under the New Zealand Qualifications Framework through Corrections Inmate Employment	27

**Interventions: Prisoner Employment
Performance Measures**
**Budget
Standard
2011/12**
QUALITY

The percentage of prisoners who have participated in a Release to Work programme and who have secured employment with the Release to Work employer upon release: ≥50%

- Private prison ≥50%
- Rehabilitation and Reintegration Services ≥50%

Compliance with Health and Safety management: 100%

- Private prison 100%
- Rehabilitation and Reintegration Services 100%

QUANTITY

The total number of prisoners employed while in custody: 4,871

- Private prison Benchmark to be established during 2011/12
- Rehabilitation and Reintegration Services: 4,871
 - Prison-based work 1,725
 - Corrections Inmate Employment 3,078
 - Community Service activities 68

**Interventions: Rehabilitation
Performance Measures**
**Budget
Standard
2011/12**
QUALITY

The percentage of offenders who start and complete an offence focussed intervention:

- Prisoners: 70-95%
 - Private prison 70-95%
 - Rehabilitation and Reintegration Services 70-95%
- Community-based offenders ≥65%

The percentage of offenders on an offence focused intervention who met the selection criteria: ≥90%

- Private prison ≥90%
- Rehabilitation and Reintegration Services ≥90%

The percentage of offenders who start and complete other rehabilitative interventions:

- Prisoners: 70-95%
 - Private prison 70-95%
 - Rehabilitation and Reintegration Services 70-95%
- Community-based offenders ≥65%

QUALITY

The percentage of psychological reports provided to the agreed quality standard: 100%

- Private prison 100%
- Rehabilitation and Reintegration Services 100%

Interventions: Rehabilitation Performance Measures	Budget Standard 2011/12
TIMELINESS	
The percentage of psychological reports provided within the agreed timeframe:	≥95%
- Private prison	≥95%
- Rehabilitation and Reintegration Services	≥95%
QUANTITY	
The total number of offenders who start an offence focussed rehabilitation intervention:	4,444
- Prisoners:	1,255
- Private prison	Benchmark to be established during 2011/12
- Rehabilitation and Reintegration Services	1,255
- Community-based offenders	3,189
The total number of offenders who start other rehabilitative interventions:	3,874
- Prisoners:	2,501
- Private prison	Benchmark to be established during 2011/12
- Rehabilitation and Reintegration Services	2,501
- Community-based offenders	1,373
The total number of psychological hours provided:	36,140
- Private prison	Benchmark to be established during 2011/12
- Rehabilitation and Reintegration Services	36,140
The total number of psychological reports provided:	3,433
- Private prison	Benchmark to be established during 2011/12
- Rehabilitation and Reintegration Services	3,433



**Interventions: Reintegration
Performance Measures**
**Budget
Standard
2011/12**

QUALITY

The percentage of offenders who start and complete a reintegrative intervention:

- Prisoners:	≥90%
- Private prison	≥90%
- Rehabilitation and Reintegration Services	≥90%
- Community-based offenders	≥65%

QUANTITY

The total number of offenders who start a reintegrative intervention:

	13,140
- Prisoners:	12,940
- Private prison	Benchmark to be established during 2011/12
- Rehabilitation and Reintegration Services	12,940
- Community-based offenders	200
