



APPENDICES

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APPENDIX 1: RECIDIVISM INDEX AND REHABILITATION QUOTIENT RESULTS

Reducing Re-offending

Progress towards the achievement of the departmental outcome of 'reducing re-offending' is assessed through the use of two primary measures, the Recidivism Index (RI) and the Rehabilitation Quotient (RQ). The RI measures the Department's performance in reducing re-offending as a whole, whereas the RQ measures the impact of a specific intervention on re-offending. While these indicators provide some insights into the Department's performance, it should always be kept in mind however that reconviction rates are subject to a wide range of influences, many of which are outside the Department's direct control.

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

Analysis of reported RI figures

Table 2 provides reconviction rates as recorded over 12 months, for those released from prison, or commencing community-based sentences, during the 2008/09 (1 April – 31 March) year, and Table 3 provides the rates over 24 months for those released from prison, or commencing community-based sentences, during the 2007/08 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.

The overall RI figures for 2008/09, when compared to the result reported the previous year, indicate a slight increase in reconvictions and re-imprisonments for offenders released from prison. This change may reflect a continuing impact from sentencing law changes introduced in October 2007. This had the effect of diverting a proportion of lower-risk offenders from prison, with the result that average risk levels of the prison population increased.

For the second year in a row a moderate fall is recorded in imprisonment rates amongst offenders who commenced a community-based sentence. This is understood also to be a consequence of judges making extensive use of the new community sentences of home detention, intensive supervision and community detention, in place of imprisonment. Introduction of these sentences has been associated with a significant increase in the population of offenders managed in the community in the last two years.

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 (30 percent and 16 percent respectively) and reconviction rates for male offenders released from prison are also higher than for female offenders (49 percent and 37 percent respectively).

Re-imprisonment and reconviction rates for Māori offenders are higher than those of NZ Europeans and Pacific offenders. This difference is likely to be a reflection of a number of variables. Māori offenders as a group tend on average to be younger than Europeans.

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).

Re-imprisonment rates were higher for prisoners released from higher security classifications (35 percent to 53 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 twelve months) is 31 percent, while the comparable rate for offenders with a sentence length over five years is 20 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.

Reported in the tables also are 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 versus drunk drivers, and amongst dishonesty offenders, car thieves have the most pronounced tendency to re-offend.

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 twelve months, with the proportion re-convicted in each successive year progressively smaller than in the previous year.

Rehabilitation Quotient

Programmes delivered by the Department to enable offenders to lead law-abiding lives are discussed 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 has shown that significant reductions in reconviction and re-imprisonment can be achieved when well-designed interventions are delivered to appropriately selected offenders.

The Department uses a methodology known as the "Rehabilitation Quotient" (RQ) to assess the impact of its major rehabilitative programmes. RQ gauges the extent to which re-offending is reduced, by comparing rates of reconviction and re-imprisonment amongst offenders who received a rehabilitative intervention, with the rates observed amongst similar offenders (matched according to risk of re-offending) who had no such exposure (a full description of the methodology, including guidance on how scores for individual programmes are interpreted, is given in the 2004/05 Annual Report, available on the Department's website; see especially pages 36 – 42, at http://www.corrections.govt.nz/__data/assets/pdf_file/0008/176228/ar2005-part1-strat-context.pdf).

A new indicator of impact is reported this year for the first time, and involves a measure of relative difference in the average *seriousness* of the new offending committed by "treated" offenders, as compared to that of the matched comparison group. An individual offender's seriousness score is based on an aggregation of all convictions and sentences for new offending during the follow-up period. Each individual score reflects the type and seriousness of individual offences, the sentence(s) imposed and, if imprisonment occurs, the length of sentence(s). The overall seriousness scores reported here (see Table 1 over page) express the difference in average seriousness of offending by the treatment group relative to the matched comparison group. Changes in seriousness offer a more subtle measure of rehabilitation impact, especially where no differences are found in re-imprisonment or reconviction rates, but where offences for which the treated offenders were reconvicted may be on average of significantly lower seriousness.

RQ scores are calculated separately for programmes delivered in prison and in the community. If undertaken in prison, the cohort of offenders analysed is restricted to offenders who were released within a 12-month period ending on 31 March 2009. If undertaken in the community, it includes offenders who *commenced* a community sentence within the same 12-month period (ending on 31 March 2009). The follow-up period, during which any new offending is counted, is 12 months from the date of the individual offender's prison release, or 12 months from the date of an individual's programme completion, if on a community sentence. An exception to this is for the child sex offender programme, where the follow-up period is of five years' duration.

Results for the most recent annual cohort of offenders is included in the table below. Figures in the first two columns represent percentage-point changes in rates of either re-imprisonment or reconviction. The figure in the third column represents the percentage difference, in average seriousness of new offending. Re-imprisonment and reconviction RQ scores indicate percentage-point differences between treated and untreated offender groups; thus, an RQ (re-imprisonment) score of 10.0 might indicate for example that the rate of re-imprisonment amongst untreated offenders was 35 percent, and the corresponding rate for the programme "graduates" was 25 percent. Seriousness scores are the percentage reduction in average re-offence seriousness by the comparison group relative to the matched comparison group; the first seriousness score (below) indicates that, for example, if the average seriousness score of re-offending amongst untreated offenders was 100, the corresponding rate for the programme "graduates" was 69.0, represented as a 31 percent reduction. Asterisks indicate that the difference between treated and untreated offenders was statistically significant.

TABLE 1:
REHABILITATION QUOTIENT SCORES FOR MAJOR REHABILITATION PROGRAMMES

Intervention	Re-imprisonment	Reconviction	Seriousness
Drug Treatment Units (prison)	10 *	12 *	31% *
Drug Treatment Units (prison) – NZ Māori participants	17 *	16 *	33% *
Medium-intensity programme (prison)	2	9 *	16%
Medium-intensity programme (community)	2	– 2	17%
Māori Therapeutic Programme (prison)	6	14	**
Child sex offender special treatment unit (prison) (60 months follow-up)	2	11	7%

* Statistically significant at level of 5 percent

** Insufficient sample size for this indicator

A number of conclusions can be drawn from the figures in this table:

- the results for the drug treatment units are particularly favourable, indicating impacts on recidivism that are equivalent to best-practice achievements internationally in correctional rehabilitation
- Māori offenders achieved particularly good outcomes through DTU participation, which is encouraging given the longstanding need to address the problem of Māori over-representation in the offender population
- it is noted that the programme provider for the DTUs (Care NZ) has worked hard over recent years to build and maintain high standards of quality of delivery
- the positive results for the prison medium-intensity programmes in terms of reduced rates of reconviction and the seriousness of any subsequent convictions are very promising; though slightly less pronounced than those of the DTUs, the results reflect a period of delivery (2008–09) during which this programme was rapidly expanded across the country, involving considerable training and support provided to the programme delivery workforce, which suggests that, once fully bedded in, these programmes will reliably produce significantly positive outcomes
- similarly, the clear reduction in reconviction rates and re-imprisonment amongst participants of the Māori Therapeutic Programmes is a good result for a programme that is of relatively lower intensity; due to low sample size the results are not statistically significant
- very low rates of new offending were found amongst both the treated child sex offenders and the matched offenders; this makes it more difficult to conclusively demonstrate the beneficial impact of this particular programme.

No results are reported this year for the Special Treatment Unit Rehabilitation Programmes. This relatively new and intensive intervention for high risk prisoners has yet to produce a sufficient number of “graduates” to allow analysis of outcomes; it is anticipated that an adequate sample for analysis will be available at this time next year. Results for a number of other rehabilitation services are similarly not reported here because of low sample sizes.

A number of caveat on the interpretation of RQ results are noted. Firstly, whereas the methodology involves careful matching of offenders in terms of age, gender, ethnicity, sentence length, sentence type, risk score (RoC*RoI) and sentence start or end dates, there is no ability to randomly assign offenders to treated and untreated groups; consequently, potential for selection bias exists which can influence scores. Further, it must be pointed out that offenders managed by the Department, particularly prisoners, have access to a range of services such as educational, employment and general living skills training, as well as supports to assist with reintegration to the community. Offenders engage in these services to varying degrees in addition to, or instead of, participating in the core rehabilitative interventions. At this stage the RQ methodology does not specifically measure the impacts from these ancillary services in terms of recidivism outcomes, despite the fact that education, training and reintegrative services have known benefits in reducing rates of future offending.

Overall however these results are positive, indicating measurable reductions in re-offending amongst offenders who completed rehabilitation interventions during 2008/09.

TABLE 2:**RECIDIVISM INDEX – 12-MONTHS FOLLOW-UP (PERCENTAGES) FOR 2008/09**

Category	Group	Released from prison		Beginning community sentence	
		Reimprisoned	Reconvicted	Imprisoned	Reconvicted
All (2008/2009)		28.4	47.5	6.0	32.8
Gender	Female	15.9	36.6	3.1	24.1
	Male	29.7	48.6	6.6	34.9
Ethnicity	Māori	32.6	52.2	7.5	37.2
	European	24.3	43.4	5.1	31.7
	Pacific	22.3	40.0	5.0	28.1
	Other (incl. Asian)	13.6	25.2	3.7	26.2
Age (at PPS release or start of CPS sentence)	<20 years	42.2	70.9	7.8	46.7
	20-24 years	34.8	59.0	6.9	36.2
	25-29 years	30.3	50.6	6.9	32.4
	30-39 years	26.9	44.3	6.4	29.3
	40 and above	16.6	27.5	3.7	19.2
Offence Group (Most serious for original sentence)	Dishonesty	40.4	61.5	8.6	41.0
	Property Damage/Abuses	28.7	46.3	8.4	41.8
	Admin	39.2	56.0	10.0	35.2
	Violence	29.7	49.4	6.0	33.0
	Traffic	19.8	39.7	3.9	27.8
	Drug & Anti-social	17.4	30.7	7.2	32.5
	Sexual	10.4	15.4	2.5	15.1
	Other Minor offences*	(see note)	(see note)	5.0	30.9
Offence Type (Most serious for original sentence)	Car Conversion	50.6	74.4	11.4	50.4
	Theft	40.9	63.3	8.2	42.1
	Burglary	41.3	62.6	10.0	45.4
	Fraud	25.2	36.1	4.5	22.4
	Intimidation and Threats	40.6	62.2	9.0	41.7
	Robbery	29.5	43.9	3.9	21.1
	Assaults	29.3	50.8	5.6	32.2
	Homicide*	12.7	15.9	(see note)	(see note)
	Disqualified Driving	30.0	51.2	7.2	38.5
	Drink Driving	10.5	28.4	6.9	22.5
	Family Offences	42.6	65.3	11.8	44.4
	Drugs (Not Cannabis)	7.1	14.3	6.6	25.0
	Drugs (Cannabis Only)	12.2	26.1	5.3	26.3
	Sexual (Other)	15.2	20.7	3.5	19.8
	Sexual (Child Sex)	7.1	11.8	1.0	7.6

Category	Group	Released from prison		Beginning community sentence	
		Reimprisoned	Reconvicted	Imprisoned	Reconvicted
Community-Sentence	Community Work	n/a	n/a	5.8	33.8
	Supervision	n/a	n/a	6.9	31.4
	Intensive Supervision***	n/a	n/a	8.2	39.0
	Community Detention***	n/a	n/a	1.6	29.5
	Home Detention Sentence***	n/a	n/a	6.6	23.0
Prisoner Security Classification (at Release)	Maximum*	(see note)	(see note)	n/a	n/a
	High-medium	52.8	70.7	n/a	n/a
	Low-medium	35.1	56.0	n/a	n/a
	Minimum	18.8	36.4	n/a	n/a
Release Type	Parole	21.2	32.1	n/a	n/a
	Post-release Conditions**	31.4	52.6	n/a	n/a
Sentence Length	6 mth or less	31.1	53.0	5.7	33.1
	> 6mth but <= 1yr	30.7	52.3	7.1	31.1
	>1 to 2 yr	28.9	47.9	10.6	39.2
	>2 to 3 yr	20.5	35.2	n/a	n/a
	>3 to 5 yr	21.4	29.3	n/a	n/a
	>5 yr	19.6	27.4	n/a	n/a
All (2007/2008)		27.6	47.6	6.3	32.5

Notes

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 2008 and 31 March 2009.

Reconviction figures are inclusive of imprisonments.

Source is CMS conviction and sentencing data, as at 30 June 2010.

* *Insufficient numbers to report*

** *Post-release conditions was introduced by the Sentencing Act 2002; order imposed by the Judge at time of sentencing.*

*** *Introduction of new community sentences as a result of Effective Interventions since October 2007.*

TABLE 3:**RECIDIVISM INDEX – 24-MONTHS FOLLOW-UP (PERCENTAGES) FOR 2007/08**

Category	Group	Released from prison		Beginning community sentence	
		Reimprisoned	Reconvicted	Imprisoned	Reconvicted
All (2007/2008)		37.9	61.9	9.7	46.5
Gender	Female	23.4	55.0	4.8	34.3
	Male	40.4	64.1	10.9	49.4
Ethnicity	Māori	43.3	68.2	12.2	51.5
	European	34.0	57.2	8.1	44.5
	Pacific	34.5	61.0	8.1	40.9
	Other (incl. Asian)	22.5	42.2	5.5	32.8
Age (at PPS release or start of CPS sentence)	<20 years	58.9	85.5	11.9	62.4
	20-24 years	46.0	75.5	10.6	52.1
	25-29 years	42.0	68.4	10.6	47.0
	30-39 years	36.1	60.1	9.7	41.1
	40 and above	24.4	40.9	5.9	29.6
Offence Group (Most serious for original sentence)	Dishonesty	54.4	79.6	13.8	55.1
	Property Damage/Abuses	45.9	71.0	11.6	55.9
	Admin	47.8	72.4	15.0	42.7
	Violence	41.8	65.3	10.2	48.1
	Traffic	29.0	55.0	6.9	41.2
	Drug & Anti-social	23.3	43.9	9.8	42.7
	Sexual	17.1	30.2	6.5	27.8
	Other Minor offences*	(see note)	(see note)	7.8	44.3
Offence Type (Most serious for original sentence)	Car Conversion	62.7	83.0	17.3	64.8
	Theft	54.1	75.1	13.3	56.5
	Burglary	55.2	82.6	16.8	63.8
	Fraud	37.9	57.5	7.0	28.1
	Intimidation and Threats	48.5	77.2	12.2	52.7
	Robbery	41.6	62.0	13.7	48.9
	Assaults	41.9	65.7	9.7	47.3
	Homicide*	12.1	21.2	(see note)	(see note)
	Disqualified Driving	40.1	69.1	12.6	55.0
	Drink Driving	18.3	41.4	4.6	34.1
	Family Offences	40.2	66.1	17.5	54.6
	Drugs (Not Cannabis)	19.2	40.4	7.1	37.5
	Drugs (Cannabis Only)	18.5	36.9	6.5	36.8
	Sexual (Other)	25.4	41.3	6.8	30.8
	Sexual (Child Sex)	11.6	22.8	6.2	24.2

Category	Group	Released from prison		Beginning community sentence	
		Reimprisoned	Reconvicted	Imprisoned	Reconvicted
Community-Sentence	Community Work	n/a	n/a	9.0	47.1
	Supervision	n/a	n/a	12.5	46.6
	Home Detention Order	n/a	n/a	13.1	29.4
	Intensive Supervision***	n/a	n/a	13.1	54.9
	Community Detention***	n/a	n/a	3.5	49.7
	Home Detention Sentence***	n/a	n/a	12.5	37.6
Prisoner Security Classification (at Release)	Maximum*	(see note)	(see note)	n/a	n/a
	High-medium	62.9	79.8	n/a	n/a
	Low-medium	48.2	73.3	n/a	n/a
	Minimum	31.3	56.1	n/a	n/a
Release Type	Parole	29.1	45.2	n/a	n/a
	Post-release Conditions**	40.6	66.4	n/a	n/a
Sentence Length	6 mth or less	38.4	65.2	9.1	46.6
	> 6mth but <= 1yr	40.5	65.8	13.0	45.6
	>1 to 2 yr	43.3	64.9	15.4	48.9
	>2 to 3 yr	35.8	55.8	n/a	n/a
	>3 to 5 yr	35.2	52.7	n/a	n/a
	>5 yr	25.0	39.5	n/a	n/a
All (2006/2007)		36.8	58.7	11.4	46.0

Notes

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 2007 and 31 March 2008.

Reconviction figures are inclusive of imprisonments.

Source is CMS conviction and sentencing data, as at 30 June 2010.

* *Insufficient numbers to report*

** *Post-release conditions was introduced by the Sentencing Act 2002; order imposed by judge at time of sentencing.*

*** *Introduction of new community sentences as a results of Effective Intervention since October 2007.*

APPENDIX 2: ASSURANCE BOARD REPORT

The purpose of the Assurance Board is to assist the Chief Executive in ensuring that the Department's Risk Management Framework (based on the Australian/New Zealand Standard AS/NZS 4360:2004) is operating effectively and efficiently and in particular it helps to ensure that:

- internal controls and quality assurance environments are robust and improved;
- operational, legal, financial, information technology, human resource management and security systems risks are identified and managed; and
- management of the offender environment is maintained with issues appropriately addressed.

During the year the Board met every two months and received regular updates and reports from the Department's Independent Assurance Units, External Audit and Management. The Board also reviews reports from other external parties such as the Coroner in relation to deaths in custody.

The Assurance Board also assists the Chief Executive by maintaining an oversight of the operations of the Department's Independent Assurance units (Internal Audit, the Inspectorate, and the Professional Standards Unit).

During the year the Board had a change of Chairman. David Henry completed his term in December and the role of chair was assumed by Rebecca Boyack. Other members are Hamish Bowen, Howard Fancy and Steve Ruru.

In the past year the Assurance Board focused on the Martin Jenkins report on the Value for Money review of the Department. From this review a new Risk and Assurance operating Principles and Framework has been developed.

APPENDIX 3: REPORT UNDER SECTION 190 OF THE CORRECTIONS ACT 2004

Section 190 of the Corrections Act 2004 prescribes particular issues that must be reported in the Department's Annual Report. These issues and the Department's achievements in the period from 1 July 2009 to 30 June 2010 are detailed below.

SECTION 190(1) (A)

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

Regional Managers are required by the General Manager of Prison Services to engage with local communities on a regular basis. The processes established to assist engagement are described in the following resources:

- Prison Services manuals and guidelines;
- Consultation requirements as set by local authorities; and
- Performance management system.

The primary focus of consultation with community organisations and representative bodies related to prison developments, particularly regarding new or additional facilities. However, regular presentations and engagement occurred throughout the country to build relationships and create community understanding of our operations. This involvement included identifying issues that could both positively and negatively impact on a community, providing opportunities for positive community contributions, and providing information on prison activities. Opportunities were made available for community involvement through public meetings, hui, and the media. Examples of this include speaking engagements by Corrections staff and managers with community groups, prison open days, and reinvigoration of Iwi and Pacific Island relationships.

SECTION 190(1) (B)

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

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 two were received for the year, none of which were upheld, compared to six for the previous year. The reasons for the low volume are twofold. Firstly, the Community Probation Service 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 therefore have ready access to their normal support networks, and the coercive power of the State is significantly less immediate 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 prisoners' 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 floor 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 is required so that prisoners can formally take matters for resolution to their unit 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 was a decrease of 13 percent in the number of formal complaints made to an Inspector during the year. At 2,440 the total is significantly less than the figures noted prior to the introduction and bedding-in of a more robust internal prisoner complaints system by Prison Services since 2005. It is also a decrease on the previous year's formal complaint total of 2,799.

Only 57 of the 2,440 complaints received were found to be justified. At 2.3 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 day. It is also an improvement on the 3.3 percent noted last year. The subject matter of justified complaints related mainly to the timeliness of disciplinary charges and the management of prisoners' personal property. While there are no issues of concern around the management of the disciplinary process, the management of prisoners' personal property still leaves room for improvement. This has been an ongoing subject of concern and is likely to remain so until there is a significant overhaul of the way the Department approaches and manages prisoner property.

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 complain directly to an Inspector during normal business hours. In the year 2008/09 this service took approximately 4,000 calls. In the year 2009/10 the total calls received was approximately 3,700.

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 2,440 of these contacts resulted in formal complaints during 2009/10, the service is of considerable value as a "safety valve". Prisoners' 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. Approximately 1,400 calls were related to the provision of advice or the supply of relevant information, often not related to the prison environment. The Inspector also is in a position to highlight a concern to prison management regarding a prisoner's state of mind and potential risk as a result of these calls.

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 2009/10 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 the 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 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 second 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 2010/11.

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 reduces 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 2010/11.

The Prisons' 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 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. 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 2010/11.

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 health and sanitation checks of the prison are carried out. A reasonable level of assurance can also be given that any shortcomings noted by the health and sanitation inspectors 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 2010/11.

Investigations

In addition to their prison visiting and complaints resolution activities, the Inspectors completed 16 full investigations of significant prison incidents during 2009/10, all of which related to deaths in custody. 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. Fifty-one such monitoring reviews were completed during the year. This represents a decrease of 38 percent in this area of work.

The most consistent areas of concern arising out of the investigations and monitoring assignments carried out by the Inspectors during 2009/10 remain as reported last year. They 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 Prison Services' Policy and Procedure Manual has undergone a full review this year and has been replaced by the Prison Services Operations Manual (PSOM) in order to improve clarity and reinforce key expectations and also to be 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.

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. It is tempting for operational management under these conditions to develop a resistance to negative review findings.

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 reducing incidence of justified complaints to the Inspectorate throughout the year.

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

Reports on the processes and systems in place to supervise and control the monitoring of prisoner phone calls, including statistics on the proportion of prisoner calls monitored and the number and percentage of calls disclosed under section 117(1) and (2):

- to any person other than an employee of the Chief Executive or a contractor
- to an employee of the Chief Executive or a contractor, and
- of those disclosed, the number of proceedings against a person for a disciplinary offence in which a recording of any of those calls was used in evidence.

Legislative authority for the Department to monitor prisoners' telephone calls is provided under section 113 of the Corrections Act 2004.

Monitoring prisoners' telephone calls is a key step in preventing crime. Legislative authority for the Department to monitor prisoners' telephone calls is provided under sections 111 to 113 of the Corrections Act 2004. The Prisoner Telephone Monitoring System was first introduced in 2007 with the purpose of increasing public safety by making it easier to prevent, discourage, detect, investigate and prosecute offences that involve prisoners. It is an important part of ensuring prisoners are not committing or organising criminal activities from within prison.

During 2009/10, the Department completed implementation of all systems across all prisons and recruited staff to monitor prisoners' telephone calls and collect information/intelligence so that appropriate action could be taken. Between 1 July 2009 and 30 June 2010, 1,774,922 (compared to 1,318,041 during the financial year 2008/09) calls were made by payphones in prison. Of this number 26,421 (compared to 18,477 during the financial year 2008/09) calls were monitored, or 1.5 percent (compared to 1.4 percent during the financial year 2008/09). This figure can include repeats of the same call which is often the case due to the difficulty in hearing/understanding the call content during monitoring, the requirement to transcribe the calls and for peer reviews.

During the financial year 2009/10, 419 (compared with 356 for 2008/09) internal and external disclosure reports were completed and entered into the Secure Intelligence Database. This information is shared with the New Zealand Police and has contributed to a number of arrests (of prisoners, visitors, members of the community) for a variety of offences. It has also resulted in several 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 Crimestoppers 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 delivering drug and alcohol treatment programmes to reduce the incidence of drugs in prisons and drug related re-offending. These have contributed to the continuing reduction in the number of prisoners identified as drug users in the prison population since October 2007. The percentage of positive general random drug tests for the 2009/10 financial year was 10 percent, based on a total of 3,828 resulted tests. The percentage of positive general random drug testing for the 2008/09 financial year was 11 percent.

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) services in Auckland and Northland came into operation on 1 February 2010. First Security has met all the obligations in its contract with the Department (through to 30 March 2010) 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 2009/10 year PECCS undertook 36,520 court escorts and 11,876 court supervisions.

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 S214(2) and (3);
- a summary of reports made to the Chief Executive under S215(2)(b); and
- a summary of actions taken in relation to the management of contract prisons as a result of matters raised in any report forwarded.

No prisons were operated under contract during 2009/10.

APPENDIX 4: REPORT UNDER SECTION 15A OF THE PAROLE ACT 2002

Section 15A(4) of the Parole Act 2002 specifically requires the Department of Corrections to include in its Annual Report the following information about the use of electronic monitoring. The information required covers:

- the number of offenders who were at any time subject to an electronic monitoring condition

For the financial year ending 30 June 2010, the average number of offenders who were subject to parole with electronic monitoring was 129.

- the average number of offenders who were subject to an electronic monitoring condition and the average duration of the condition

As per above, as at the financial year ending 30 June 2010 the average number of offenders who were subject to parole with electronic monitoring was 129. The average duration of the monitoring was 4.64 months

- the percentage of offenders who, while subject to an electronic monitoring condition attaching to an extended supervision order, were convicted for a breach of the condition, or convicted of any other offence

By the end of 2009/10, there were 19 offenders subject to electronically monitored residential restrictions with 10 of them with person to person monitoring. Of those:

- Four have been convicted of further breaches or other offending.
- One has an outstanding active charge for further sex offending while on RoC (released on conditions) just before becoming subject to ES (extended supervision) with EM (electronic monitoring).
- One has an outstanding active charge for further violent offending.
- One has an outstanding breach.
- a description of processes and systems relating to electronic monitoring that were in place during the year reported on.

Offenders on residential restrictions (RR) must wear an electronic anklet at all times 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 on RR at all times can work outside the address, but only if authorised by the probation officer. They may also apply for approved absences to attend rehabilitation, study, or healthcare. These absences are also monitored.