

19 May 2022

C149512

S 9(2)(a)

Tēnā koe S 9(2)(a)

Thank you for your email of 21 March 2022 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about dyslexia in prisons. Your request has been considered under the Official Information Act 1982 (OIA).

Corrections has a duty of care to people in prison, not only to keep them safe and well, but also to give them opportunities to rehabilitate and prepare themselves for reintegration into the community.

Every person in prison has a case manager who works directly with them to develop a plan for their time in custody. A case manager ensures they have access to the right rehabilitation programmes, education and employment opportunities at the right time. Education Tutors also have specific learning conversations with people under our management to understand their strengths and aspirations.

Education Tutors establish if the person would like literacy and numeracy support, or to engage in other education programmes such as vocational training or higher learning via correspondence. This information is then passed on to the case manager for their consideration. Any educational opportunities a learner engages in must all fit around their rehabilitative needs and any programmes that they are directed to attend by the New Zealand Parole Board.

You requested:

*Where can I find statistics about the amount of people in prison with dyslexia?*

Corrections does not hold information on those diagnosed with dyslexia relating to the full prison population. As at 16 May 2022 the total prison population was 7,719. However, the prison population fluctuates on a daily basis due to sentencing outcomes, Court decisions and scheduled sentence end dates. This type of information, where recorded, is held within people's individual medical or custodial files.

Accordingly, your request for the number of people in prison with dyslexia is refused under section 18(g) of the OIA, as the information requested is not held by Corrections, and we have no grounds for believing that it is held by another agency or more closely connected with the functions of another agency.

Please note that the Ombudsman has advised that information is not considered to be held by an agency in instances where a request necessitates research or analysis of source data in order to generate fresh information in a form different from that in which the base data is held.

In accordance with our duty under the OIA to provide assistance, we are however releasing an internal memorandum to you, which was provided to Corrections Services Senior Leadership Team in September 2021. This provides information about Dyslexia Screening and is attached as Appendix One.

Although we do not have a complete number of people currently in prison who have been diagnosed as dyslexic, Corrections does use a screening tool to look for potential dyslexia. As part of the learning conversations that Education Tutors have with people in prison, they complete a checklist to determine whether the person might benefit from a dyslexia screening. Corrections staff who interact regularly with a person, such as an industry instructor, case manager or custodial staff member can also refer a person for screening, and the person themselves can request to be screened.

During the 2020/21 financial year, which runs from 1 July to 30 June, 195 people were screened for dyslexia. Around 60 percent of the 195 individuals returned a result that indicated they had a moderate or high probability of being dyslexic.

As noted in the document attached as Appendix One, the screening programme was rolled out in March 2020, which was only a few weeks before the first COVID-19 Lockdowns commenced. Screenings can only be carried out by trained education tutors in a face to face 1-1 setting with the person in prison. These staff have not been able to carry out face to face screenings during some periods of the COVID-19 pandemic in accordance with Government settings and Corrections' response to managing COVID-19 within prisons.

Details of Corrections' contract with Lucid LADS Plus software are commercially sensitive. Therefore, this information is withheld from the attached report under section 9(2)(b)(ii) of the OIA, to protect information that would be likely to prejudice the commercial position of the person who supplied or who is the subject of the information.

As per section 9(1) of the OIA, we have considered whether there are countervailing public interest considerations favouring the release of the requested information. We do not believe any such considerations outweigh the affected people's right to privacy, in this case. A small amount of information is withheld under section 9(2)(g)(i) of the OIA, to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any department or organisation in the course of their duty.

Please note that this response may be published on Corrections' website. Typically, responses are published quarterly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

I trust the information provided is of assistance. I encourage you to raise any concerns about this response with Corrections. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi

A handwritten signature in blue ink, consisting of a series of connected loops and a long horizontal stroke.

Rachel Leota  
National Commissioner