



Cabinet Social Outcomes Committee

Minute of Decision

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Proposed Amendments for the Management of Extreme Threat Prisoners

Portfolio **Corrections**

On 25 June 2025, the Cabinet Social Outcomes Committee (SOU):

- 1 **noted** that in February 2025, SOU agreed to public consultation on proposals for more transparent management of extreme threat prisoners [SOU-25-MIN-0001];
- 2 **agreed** to amend the Corrections Act 2004 and Corrections Regulations 2005 to:
 - 2.1 establish a statutory framework for the lawful, humane, and safe management of extreme threat prisoners at a higher level of custodial management;
 - 2.2 require the decision to designate a prisoner as an extreme threat prisoner to be made by the chief executive of Corrections, informed by a recommendation from an independent panel, with an option for the chief executive to make interim decisions on a short-term basis;
 - 2.3 allow the designation of a prisoner as an extreme threat prisoner to be made for up to two years, and that it can be renewed;
 - 2.4 create a process for an extreme threat prisoner designation to be reviewed, including a prisoner-initiated review;
 - 2.5 define an extreme threat prisoner as a prisoner who poses an extreme threat to prison or public safety, which includes prisoners who have committed, or pose a high risk of committing, the following:
 - 2.5.1 extreme incidents of violence within the prison system;
 - 2.5.2 incitement or conspiracy to kill or seriously injure staff or others inside or outside prison;
 - 2.5.3 an extreme threat to the good order or extreme disruption to the prison system;
 - 2.5.4 an extreme display of influence over other prisoners or the public to cause extreme harm; and
 - 2.5.5 terrorism or violent extremism;

- 2.6 require extreme threat prisoners to be managed in accordance with their designation as an extreme threat prisoner, as opposed to their security classification, which would be functionally overridden;
 - 2.7 allow prison managers to approve transitions between restricted and denied association within the same segregation direction for all prisoners who are segregated;
 - 2.8 agree that if a prisoner is removed from, and then returned to, segregation within a period of five days, this will be treated as a continuation of the same segregation direction, provided they are segregated under the same section of the Act;
 - 2.9 agree to broaden the criteria for the segregation of prisoners to recognise the emerging and increasingly complex risks that prisoners pose to public safety, due to their ability to influence others to commit crimes;
 - 2.10 define meaningful human contact for all prisoners, and take into account international and human rights obligations;
 - 2.11 prohibit prolonged solitary confinement;
 - 2.12 increase the below entitlements for extreme threat prisoners and prisoners who have been segregated for 90 days or more under section 58 or 59(1)(b) of the Corrections Act 2004:
 - 2.12.1 prisoners can make outgoing telephone calls for two hours per week; and
 - 2.12.2 prisoners are offered an additional hour of out-of-cell time per day to be used for their hobbies or other interests, subject to prison safety considerations;
 - 2.13 introduce a requirement that cells that accommodate extreme threat prisoners must have an adjacent yard that extreme threat prisoners must be given reasonable access to, subject to prison safety considerations;
 - 2.14 give Corrections the power to apply to the High Court for an order to destroy the property of a terrorist prisoner upon their death, if the High Court considers that the prisoner's property meets the threshold of likely to cause harm to the public;
 - 2.15 remove a technical requirement for a prisoner to be present for the destruction or disposal of their property;
- 3 **invited** the Minister of Corrections to issue drafting instructions to the Parliamentary Counsel Office to amend the Corrections Act 2004 and Corrections Regulations 2005 to give effect to the decisions under SOU-24-MIN-0070;
 - 4 **authorised** the Minister of Corrections to make further decisions on minor and technical matters, including any consequential amendments, in line with the decisions under SOU-25-MIN-0070;
 - 5 **noted** that the costs of the proposals will be met from the existing Vote Corrections baseline.

Jenny Vickers
Committee Secretary

Attendance: (see over)

Present:

Hon Nicola Willis
Hon Simeon Brown
Hon Erica Stanford
Hon Louise Upston (Chair)
Hon Dr Shane Reti
Hon Mark Mitchell
Hon Tama Potaka
Hon Matt Doocey
Hon Nicole McKee
Hon Casey Costello
Hon Penny Simmonds
Hon Karen Chhour

Officials present from:

Office of the Prime Minister
Officials Committee for SOU
Office of the Minister of Education
Office of the Minister for Vocational Education