

23 May 2024

C180743

[REDACTED]

Tēnā koe [REDACTED]

Thank you for your email of 16 April 2024 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about assaults at Otago Corrections Facility. Your request has been considered under the Official Information Act 1982 (OIA).

You requested:

- *The incident report into the assault of two corrections officers at the Otago Correctional Facility in Milburn on 15 April 2024.*

We have identified 10 Incident Reports that fall within scope of your request. As investigations into the assault are ongoing, we have decided to refuse this part of your request under section 6(c) of the OIA, as releasing this information is likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial. Once investigations have concluded and section 6(c) of the OIA no longer applies, Corrections can consider the public release of these reports.

- *The number of staff assaults that have occurred at the Otago Correctional Facility since January 1 2023 to 16 April 2024.*

All assaults on our staff are unacceptable. Corrections staff come to work every day to keep New Zealanders safe. They deal with some of New Zealand's most challenging people, and do an exceptional and brave job in often very difficult circumstances.

Prisons can be volatile environments. Many of the prisoners our staff work with can behave unpredictably and act without warning. Over 80 percent of the prison population have had convictions for violence in their offending histories and more than 90 percent have had a lifetime diagnosis of a mental health or substance abuse disorder. Additionally, 37 percent have a gang affiliation which is a known predictor of violence.

The reality is the threat of violence is something we cannot eliminate entirely, but we are constantly working to ensure our prisons provide the safest environment possible for staff and prisoners.

We have invested in training and tools to keep our people safe. This includes training in de-escalation techniques and interpersonal and tactical communication skills, through to stab resistant vests, body worn cameras, and pepper spray.

We also worked with Corrections Association of New Zealand (CANZ) and the Public Service Association (PSA) to develop the Violence and Aggression Joint Action Plan, and all prison sites now have an individual site safety plan to address violence and aggression. These plans are led by each prison's General Manager in consultation with local site union delegates. Some of the actions achieved to date through the Violence and Aggression Joint Action Plan include:

- Corrections working alongside Police to use the 105 online reporting tool to report staff assaults. The 105 online reporting tool enables our staff to report assaults directly to Police through an online form, allowing Police to take action in a consistent and transparent way.
- the delivery of capability uplift training. Up to 20 March 2024, 3,377 frontline custodial staff have now been trained in the Tactical Communication course offered by CERT. This is 90 percent of the eligible cohort.
- continuing the delivery of hostage and suicide training across all prison sites.
- reviewing the Personal Protective Equipment available to staff, which is considered fit for purpose. New Body Worn Cameras have been rolled out to all staff.
- embedding the Post Incident Response Team (PIRT) training. There is an ongoing process to deliver training as more PIRT officers are freed up for training or recruited.
- securing a post-incident psychological support service which is available to staff.

Please refer to the table below for the number of staff assaults that have occurred at Otago Corrections Facility between 1 January 2023 to 16 April 2024.

The count of serious assaults is based on the number of victims assaulted that sustain serious injury, not the number of assault incidents. For example, an assault by two prisoners on one member of staff is counted as one assault, whereas an incident in which one prisoner assaults three staff members but only two staff sustain serious injuries would be counted as two assaults. Also, the count of non-serious and no injury assaults is based on a count of incident events.

Prison-based assault incidents are categorised as follows:

- No injury – victim subjected to physical violence that did not result in physical injuries or require any form of medical treatment (e.g. kicking, shoving, jostling, striking, or punching that did not result in injury);
- Non-serious – victim subjected to physical violence that resulted in physical injuries that may have required medical treatment, and/or overnight hospitalisation as part of initial assessment or medical observation but not on-going medical treatment (e.g. blood nose, x-ray required, cuts requiring minimal stitches, gouging, or bites);
- Serious – an act of physical violence that involves one or more of the following: bodily harm requiring medical intervention by medical staff followed by overnight hospitalisation (beyond initial assessment or medical observation) in a medical

facility; bodily harm requiring extended periods of ongoing medical intervention; or sexual assault of any form where Police charges have been laid.

Assault category / Month ¹	Serious assault	Non-serious assault	No injury assault
January 2023	0	6	7
February 2023	0	4	2
March 2023	0	1	0
April 2023	0	2	0
May 2023	0	1	3
June 2023	0	4	0
July 2023	0	2	5
August 2023	0	3	0
September 2023	0	3	2
October 2023	0	3	0
November 2023	0	2	3
December 23	0	3	1
January 2024	0	1	2
February 2024	0	2	7
March 2024	0	2	3
1 to 16 April 2024	2	1	1
Total	2	40	36

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



Leigh Marsh
Commissioner Custodial Services

¹ Year-to-date numbers in the current financial year 2023/24 are subject to change until the full year process has been completed.