

12 November 2021

C142687

S 9(2)(a)

Tēnā koe S 9(2)(a)

Thank you for your email dated 14 October 2021 to the Department of Corrections – Ara Poutama Aotearoa (Corrections), requesting information on prisoner statistics. Your request has been considered under the Official Information Act 1982 (OIA).

Preventive detention is an indeterminate prison sentence. An individual sentenced to preventive detention may be released on parole but remain managed by Corrections for the rest of their life and can be recalled to prison at any time. Preventive detention is usually reserved for people convicted of serious sexual or violent offending.

The decision to sentence a person to preventive detention rests with the sentencing judge. The decision to grant release from prison is the responsibility of the New Zealand Parole Board, which is an independent statutory body.

Preventive detention is separate to life imprisonment, which is a sentence type usually reserved for people convicted of murder. Individuals sentenced to life imprisonment must serve a minimum of 10 years imprisonment before they are eligible for parole, although the sentencing judge may set a longer minimum period or decline to set a minimum period at all (meaning the individual will spend the rest of their life in prison). Released individuals remain on parole and are subject to electronic tagging for the rest of their life

For ease of response, I will respond to your questions in groups. Please see the table below for the requested information in questions a-h as follows:

Question	Total
a) <i>Number of prisoners currently (as on 30 Sep 2021) serving Preventive Detention (PD) sentences.</i>	288
b) <i>Number of prisoners current (same date) serving life sentences.</i>	542
c) <i>Number of PD prisoners released per year during 2019/20.</i>	10
(i) <i>Number of PD prisoners released per year during 2020/21.</i>	10

d) Number of prisoners serving life sentences released per year during 2019/20.	16 26
(i) Number of prisoners serving life sentences released per year during 2020/21	
e) Number of prisoners currently serving PD sentences who have reached their Parole Eligibility Dates (PED) and have not previously been released.	189
f) Number of prisoners currently serving life sentences who have reached their PED date and have not previously been released.	120
g) Number of PD prisoners who are still in prison 3 years or longer after having reached their PED dates and have not previously been released.	154
h) Number of prisoners currently serving life sentences who are still in prison 3 years or longer after having reached their PED dates and have not previously been released	64

In response to part (i) of your request:

- i) Does the Department have a particular plan or strategy to enhance the release of prisoners in categories e-h above?*

Hōkai Rangi 2019-2024 is Corrections' five-year strategy that expresses our commitment to delivering great outcomes with and for Māori under our management and their whānau, so that we can begin to address the significant over-representation of Māori in the corrections system. This strategy therefore ultimately aims to lower the proportion of Māori under our management, to a level that matches the Māori share of the general population.

The purpose of Hōkai Rangi is to outline our commitment to do better for the people we manage, identify our long-term vision, and define our plan for the next five years. We are focussed on prioritising the wellbeing of both the people who come into our management and of their whānau. Through this approach, and working with Māori under our management, their whānau, and all of our partners, we expect to improve wellbeing outcomes for the people we manage. A consequence of this will be a reduction in the current disproportionate recidivism rates. Further information on this strategy is publicly available [here](#):

As noted above, it is the decision of the New Zealand Parole Board to determine whether an individual is released, however, our practice is designed to support Release Plans which provide a level of assurance for public and victim safety. Release Plans for people who have a preventive detention or life sentence should be managed in the same way as any other. These are done in collaboration with the individual and their support people, and also taking into consideration the risk and supporting needs of an individual.

Our Standards of Practice do not differentiate by sentence type; however, practitioners are aware of the level of harm created when a sentence of preventive detention or life sentence is considered. This will factor into the decision making and discussions with these individuals.

We understand the impact of imprisonment and work to ensure the earliest release of any person in prison is achieved, through rehabilitation and reintegration activities as well as collaboration with Probation Services. It is worth noting that the individual themselves must work with their case manager, future probation officer and support group to acknowledge their risks and needs and work toward understanding; and if possible, control or eliminate these in order to provide the New Zealand Psychologists Board with the information they need to consider release. As per the remainder of your request:

- j) *Does the Department consider the support by volunteers from the community to prisoners in categories e-h prior to and after their release as:*
- a. *Feasible and / or*
 - b. *A priority?*
 - c. *How could this be facilitated within Corrections' Frontline Operational Policy if regarded as feasible and/or a priority?*

Corrections' overarching goals are to protect the public and reduce re-offending. However, one government agency alone cannot help people who offend successfully rehabilitate and reintegrate back into the community. We can only create lasting change when all New Zealanders step forward and claim these people as their own, recognising the part they play in improving their lives, reducing their risk of re-offending, and making New Zealand a better place to live. Corrections' Volunteer Service is an existing vehicle to influence public opinion on the restorative role of rehabilitation. When New Zealanders volunteer with Corrections, they:

- step forward and directly contribute to helping people who have offended rehabilitate and transition back into the community;
- increase their empathy for the needs of people who offend, and better understand barriers they face in trying to change their lives; and
- communicate the importance of rehabilitation to other members of the public, particularly whānau, hapu and iwi.

More information about processes and expectations regarding volunteering in prisons is available here:
https://www.corrections.govt.nz/resources/information_brochures/thank_you_for_volunteering_with_corrections

Please note that while the OIA enables people to request official information from government agencies, including Corrections, it only applies to information that is already held by the agency. There is no obligation on Corrections under the OIA to create information in order to respond to a request. We consider that to provide a response to this part of your request would require Corrections to form an opinion in response to this part of your request. This part of your request is therefore refused under section 18(g) of the OIA, because Corrections does not hold any official information to answer it.

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.

I trust the information provided is of assistance.

Ngā mihi

A handwritten signature in black ink, appearing to read 'Brydie Raethel', written over a horizontal line.

Brydie Raethel
Principal Adviser Ministerial Services
People and Capability