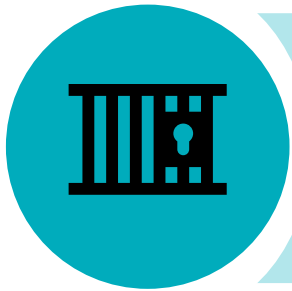




Summary of consultation document: Options to improve safety within prisons

Public consultation is open from 19 August 2024 to 30 September 2024.
Please click [here](#) to access the full consultation document and our optional
submission form.

Please see below for an overview of each proposed change that we are consulting on



Introduce additional or new cell features to support the safety of Corrections officers when opening and closing cell doors of higher-risk prisoners

This proposal tests options including adding more visual aids such as windows, mirrors and cameras to cells, and introducing drop pins as new mechanical restraints to cell doors to secure prisoners and lower the risk they attack staff entering cells.

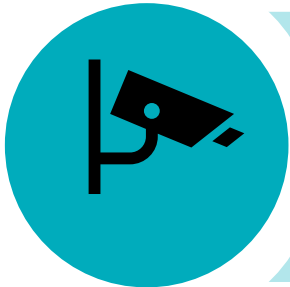
1



Increase the use of security classifications for remand prisoners to determine management, where practicable, to efficiently use prison resources

Assigning security classifications to remand prisoners means low and high security environments are used more efficiently and better ensures remand prisoners are managed no more restrictively than needed. This should improve prison safety and may increase access to rehabilitation if lower security environments are more readily used.

4



Provide greater transparency and clarity to Corrections' use of cameras to monitor and record prisoner activities

Cameras are used extensively across prisons and are a critical tool for maintaining the safety and wellbeing of prisoners, staff, visitors, and the public. We want to give assurance that cameras are only used when necessary for the safety of prisoners, the prison, and staff and that their use upholds reasonable prisoner privacy.

2



Update provisions relating to prisoner haircuts and the growth and removal of facial hair to remove redundant requirements

Existing requirements are no longer used by courts or Police for offender identification. We can replace them with provisions that are not overly restrictive and include cultural considerations. These changes may help improve prisoner wellbeing and lower prison tensions.

5



Improve prison safety by increasing and clarifying Corrections' powers to manage funds held by prisoners in trust accounts

These changes update prisoner trust account processes to respond to modern banking practices, enable Corrections to reduce the risk of prisoners being threatened by others, while ensuring have access to funds held in their trust accounts in a way that supports prison safety.

3



Ensure that clothing and footwear worn by remand accused prisoners prioritises prison safety

Wearing personal clothing and footwear, especially luxury items, can expose prisoners to intimidation from other prisoners. Yet in keeping with international guidance, regulations enable remand accused prisoners to wear their own clothing and footwear. We are exploring options to make safety the priority.

6

You can make a submission on any of these topics, please click [here](#) to make a submission using our optional submission form or email LegislativeAmendments@corrections.govt.nz.

Further information on each topic is available in the full discussion document on the Corrections website.

Topic 1: Introduce additional or new cell features to support the safety of Corrections officers when opening and closing cell doors for higher-risk prisoners



ARA POUTAMA AOTEAROA
DEPARTMENT OF CORRECTIONS

Problem

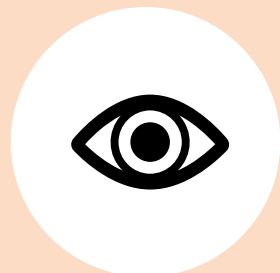
Despite existing safety measures, staff are still vulnerable to assault from prisoners when opening a prison cell door and there is an opportunity to reduce the risk to staff by introducing new tactical options or cell features.

Options are targeted to prison cells where higher-risk prisoners with histories of violence are housed.

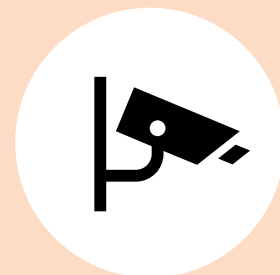
Goal

We seek to reduce staff assaults and choose options that minimise the risk of injury to prisoners and reduce the need for use of force.

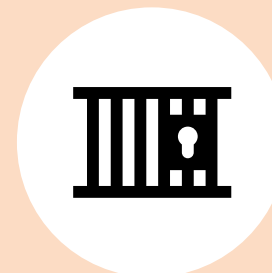
Our consultation document proposes three options for change:



1. Install further **visual aids** such as **bubble mirrors** or **larger viewing windows** in some cells to enable staff to determine a prisoner's whereabouts in a cell before opening the cell door.



2. Install **cameras** in more cells to enable staff to determine a prisoner's whereabouts in a cell before opening the cell door.



3. Use **prisoner restraints that secure the prisoner to the door** prior to cell door being opened to lower the risk of staff assault. This could be a **drop pin**, which handcuffs the prisoner to a bolt in the cell door.

We are evaluating the options using the following criteria:

- Contributes to the good order and safety of prisoners and the prison
- Practical to implement and responsive
- Transparency and accountability
- Complies with human rights standards
- Promotes better outcomes for prisoners
- Addresses Māori needs and cultural perspectives

Topic 2: Provide greater transparency and clarity to Corrections use of cameras to monitor and record prisoner activities



Problem

Camera placement and usage across the prison network is inconsistent.

This can impact prisoner privacy. It also creates a lack of transparency as to what is being recorded, when, and how footage will be used.

Goal

We seek to give transparency and clarity as to where and when cameras may be used, while ensuring the dignity and respect of prisoners.

Our consultation document proposes four options for change:



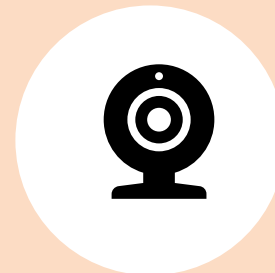
1. Introduce specific provisions about where CCTV cameras *cannot* be used (e.g.: inside a medical examination room, in view of a strip search)



3. Develop a criteria to ensure CCTV cameras are only placed where necessary and justified to ensure the health, safety, and security of people in prison.



2. Introduce specific provisions about where CCTV cameras *can* be used (e.g.: inside exercise yards, communal areas, perimeters, cells with at-risk prisoners)



4. Clarify in the Regulations that **body-worn cameras** can be used by authorised staff where there is a need to capture footage of an incident

We are evaluating the options using the following criteria:

- Contributes to the good order and safety of prisoners and the prison
- Practical to implement and responsive
- Transparency and accountability
- Complies with human rights standards
- Promotes better outcomes for prisoners
- Addresses Māori needs and cultural perspectives

Topic 3: Improve prison safety by increasing Corrections' powers to manage funds held in prisoner trust accounts

- ❖ Uncertainty as to Corrections' ability to stop withdrawals is one factor that has the potential to be used to cause harm as we are not able to stop transactions where we see it may be the result intimidation tactics.
- ❖ Corrections lack powers to adequately manage risks associated with large PTA balances and we propose to separate prisoner funds that are over a set limit so they are not visible on prison kiosks to other prisoners.

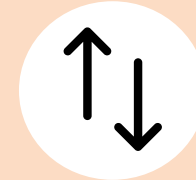
Our consultation document proposes four options for change:



1. Clarify **prison manager powers** to **regulate prisoner withdrawals**.



2. **Consistent standards and procedures** for the management of PTAs are set by the **Chief Executive**.



3. Clarify the powers Corrections has to **stop or return** deposits in certain situations.



4. Funds that bring a prisoner's PTA **balance over the set limit** are kept in a **separate account**.

We are evaluating the options using the following criteria:

- Contributes to the good order and safety of prisoners and the prison
- Practical to implement and responsive
- Transparency and accountability
- Complies with human rights standards
- Promotes better outcomes for prisoners
- Addresses Māori needs and cultural perspectives

Problem

The regulatory framework for PTAS is outdated and does not reflect modern banking practices. Corrections only has limited powers and tools to manage funds coming into and out of PTAs.

This leaves some prisoners vulnerable to exploitation, and the PTA system open to unlawful activities.

Goal

We seek to ensure that PTA practices meet prisoners' needs, while not compromising their safety. We also want PTAs to be used consistently, and accessible for prisoners, families and friends, and staff.

Topic 4: Increasing the use of security classifications for remand prisoners to determine their management, where practicable



ARA POUTAMA AOTEAROA
DEPARTMENT OF CORRECTIONS

Problem

Assigning security classifications to remand prisoners is currently optional. This results in many remand prisoners not being assigned a classification and consequently managed, as a default, in high security environments, when they could safely be managed as low security.

Goal

We seek to manage remand prisoners no more restrictively than necessary to manage prison and public safety, and allowing for engagement with programmes and services.

- ❖ Prisoners in high security have fewer hours out of their cells compared to those in low security. This can impact, for example, connections with whānau and access to rehabilitation and education programmes and activities
- ❖ Corrections has an obligation to not manage prisoners more restrictively than necessary. This means prisoners should be managed as low risk where appropriate.

Our consultation document proposes two options for change:



1. Introduce **new Regulations** to *require* Corrections to give all remand prisoners a security classification within a certain timeframe

OR



2. Introduce **operational procedures** recommending that prisons assess the security classifications of all remand prisoners

We are evaluating the options using the following criteria:

- Contributes to the good order and safety of prisoners and the prison
- Practical to implement and responsive
- Transparency and accountability
- Complies with human rights standards
- Promotes better outcomes for prisoners
- Addresses Māori needs and cultural perspectives

Topic 5: updating provisions relating to prisoner haircuts and the growth and removal of facial hair to remove redundant requirements



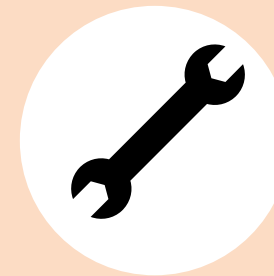
ARA POUTAMA AOTEAROA
DEPARTMENT OF CORRECTIONS

- ❖ Provisions may unnecessarily limit bodily autonomy and restrict the rights to freedom of expression for some prisoners and increase the risk of tensions in prisons.
- ❖ Some cultures and religions consider hair to be sacred, and do not cut or shave it. Current Regulations may not support prisoners who identify with these cultures or religions.

Our consultation document proposes two options for change:



1. Remove all prescriptive regulations that place restrictions on hair and facial hair. For example, the restriction requiring a prisoner to seek prison manager approval to grow a beard. **Replace** these with operational rules.



2. Remove regulations that require remand accused prisoners to maintain their appearance for trial. However, **keep health and safety requirements, and add cultural and wellbeing requirements.**

We are evaluating the options using the following criteria:

- Contributes to the good order and safety of prisoners and the prison
- Practical to implement and responsive
- Transparency and accountability
- Complies with human rights standards
- Promotes better outcomes for prisoners
- Addresses Māori needs and cultural perspectives

Problem

Changes to evidential identification processes mean that current haircut regulatory settings that require remand prisoners to maintain their face and hair for witness identification are outdated.

Goal

We seek to have requirements that fit Corrections' operational realities and support the needs of prisoners.

Problem

When determining if a remand accused prisoner can wear their own clothes, a prison manager must consider if their clothing (including footwear) is sufficient and fit for use.

There are no specific requirements for prisoner safety and wellbeing, or prison safety and security to be considered. As such, the current framework may not provide adequate protections for remand accused prisoners who wear their own clothing.

Goal

We seek to ensure that remand accused prisoners are managed in a way appropriate to their status, and to the safety of themselves and the prison.

Topic 6: Ensuring that clothing worn by remand accused prisoners prioritises prison safety



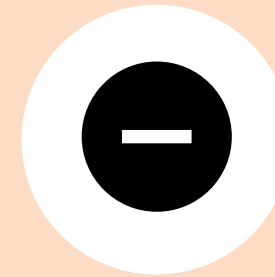
ARA POUTAMA AOTEAROA
DEPARTMENT OF CORRECTIONS

- ❖ Allowing remand accused prisoners to wear their own clothing and footwear can lead to prisoners using exploitation or intimidation tactics to coerce others to give away their clothing or footwear.

Our consultation document proposes three options for change:



1. Amend the Regulations so that remand accused prisoners **must** wear prison issued clothing if their own clothing may impact their **safety or wellbeing, or prison safety or security.**



2. Introduce new operational procedures for when property may be withheld, including operational guidance on prisoner safety and wellbeing.



3. Amend regulations so that a remand accused prisoner must wear prison issued clothing in the first instance and only be enabled to wear their own clothing if it is assessed as safe and fit for use.

We are evaluating the options using the following criteria:

- Contributes to the good order and safety of prisoners and the prison
- Practical to implement and responsive
- Transparency and accountability
- Complies with human rights standards
- Promotes better outcomes for prisoners
- Addresses Māori needs and cultural perspectives



Next steps

❖ If you would like to provide feedback:

- you can send written submissions to LegislationAmendments@corrections.govt.nz or post them to the Legislative Policy Team, Department of Corrections, 44 The Terrace, Wellington
- you may wish to use our optional submission form
- please email us if you wish to provide verbal feedback, or call us on (04) 460 3000, and ask to talk to a team member about the public consultation on regulatory changes.