

Have your say on options to improve rehabilitation, reintegration, and safety outcomes in the corrections system

Corrections is consulting on a package of options to provide improved rehabilitation, reintegration, and safety outcomes for the people we manage

- Corrections is consulting on three groups of options
 1. some propose amending legislation to enable changes in operating practice
 2. some would help support the strategic shift we are making under *Hōkai Rangi*, aimed at improving outcomes for all people in prison using te ao Māori approaches
 3. some are more technical changes to support day-to-day operations of our prisons.

The issues and our direction for change are summarised below.

We are consulting now to seek feedback on our draft proposals

- To date, we have developed our options with input from some experts and tested them with central government agencies.
- Now that we have some options for change, we want to hear from you. What you tell us will feed into any final proposals for change.

We want to hear what you think about our proposals

- We want to hear from you about whether you think we are describing the problems accurately, what options for change we should consider, and what the impacts of our proposals are likely to be.
- A discussion document outlining the proposals in more detail is available at www.corrections.govt.nz.
- A survey on the proposals is available on the Corrections website and you are also welcome to submit written feedback to LegislationAmendments@corrections.govt.nz.

Advice will be provided to Ministers later this year

- We are aiming to provide final advice to Ministers on these proposals later in the year. That advice will have been adapted in response to input from partners and feedback from public consultation.

We are consulting on a range of different proposals in three themes

- Firstly, amendments to enable changes in Corrections' operating practice:
 1. monitoring and gathering information on prisoner activity and communications for intelligence purposes to improve prison safety,
 2. ensuring people are assigned to male and female prisons by considering a range of factors,
 3. increasing access to privacy and control over lighting in prison cells, and
 4. refining disciplinary processes in prisons.
- Secondly, supporting strategic shifts that are taking place under *Hōkai Rangi* by:
 5. supporting improved rehabilitation and reintegration outcomes for Māori, and
 6. providing remand accused people with greater access to key non-offence focused programmes and services.
- Thirdly, a series of miscellaneous amendments that will assist day-to-day operations



1. Monitoring and gathering information on prisoner activity and communications for intelligence purposes to improve safety

- We are proposing options to enable Corrections to increase the monitoring of some prisoner communications to gather information on harmful and covert activity taking place in prisons. These options would support Corrections to assess and respond to risks from changing technology and evolving criminal patterns, to support the safety, security and good order of prisons.
- If these proposals are pursued, there would be specific provisions in the Act on different communication and information sources (such as phone calls, mail and in person visits) that will provide clear guidance, safeguards, and restrictions about how such information can be used. This includes who can assess information, how long information is retained for and when it can be shared with external agencies (for example, to decode different or cryptic language, or to build a wider picture of risk).
- These proposals are designed to enable Corrections to assess and respond to risks from changing technology and evolving criminal activity and prevent harm, while being transparent and accountable around the use of our information gathering powers.

2. Ensuring people are assigned to male or female prisons by considering a range of factors

- Currently, the Regulations require that where a person provides a birth certificate to secure a prison placement in a male or female prison, Corrections must place that person in the prison corresponding with the sex on the certificate (the birth certificate rule).
- We are exploring two options to ensure people in prison have their gender identity recognised in prison placements, while supporting the safety and wellbeing of all people in prison. The first option is to amend the Regulations so that birth certificates are just one of several factors considered for a placement decision. The second option is to keep the birth certificate rule in place, and use an operational response to manage people when required if there is a possibility of harm to or from other people due to their placement.

3. Increasing access to privacy and control over lighting in prison cells

- We are considering options to give greater access to privacy screens and control over light switches for people on the punishment of cell confinement or those who are segregated for mental health purposes. Currently, the Regulations prevent privacy and light switches in cells used for these people. While these people are segregated for very different reasons, we consider these proposals could improve wellbeing for both groups, while still enabling staff to consider safety needs at an individual level and remove these privacy and lighting features if necessary.

4. Refining disciplinary processes in prisons

- To ensure Corrections' disciplinary processes run effectively we are consulting on options to extend the limited powers of adjudicators, adjust hearing requirements, provide greater flexibility in the offences and penalties available, and ensure consistent training for prosecutors. These options are designed to maintain safety and wellbeing for staff and people in prison in a way that supports people to comply in the future, while upholding their rights.

5. Supporting improved rehabilitation and reintegration outcomes for Māori in the corrections system

- Since the launch of *Hōkai Rangī* in 2019, Corrections has initiated a range of operational changes that improve rehabilitation and reintegration outcomes for Māori in the corrections system. We are seeking your feedback on what other changes could further improve outcomes for Māori, including in relation to:
 - working with Māori at a strategic and operational level to improve outcomes,
 - increased access to culture and involvement of whānau,
 - improving health outcomes for Māori in prison, and
 - improving education outcomes for Māori in prison.
- We also want to hear from you about how Corrections can best consider the principles in the Corrections Act and Public Service Act alongside the Treaty.

6. Providing more remand accused people with greater access to key non-offence focused programmes

- Corrections provides a range of different programmes and services for all people in prison to help assist rehabilitation and improve outcomes. This includes programmes designed to improve health, education, and cultural outcomes. The Regulations require remand accused and convicted people to be separated in prison.
- To create more opportunities for remand accused people in prison to access some critical programmes and services sometimes only available to convicted people, we are proposing two courses of action – allow limited mixing for kaupapa Māori, education, and therapeutic programmes (with the consent of the remand accused person) or provide a greater number of parallel programmes for remand accused people.

7. Making a series of miscellaneous amendments to the Act to solve a range of technical issues that will assist day-to-day operations

7.1 Body temperature scanners

- Corrections has used body temperature scanners on prisoners and staff during the COVID-19 pandemic to reduce the chance of disease being transmitted into a prison environment. This can only be justified in emergency situations under current provisions, and we are considering options to allow us to continue to use body temperature scanners to keep people in prison safe in the future.

7.2 Enabling the use of imaging technology to replace strip searches

- We are proposing options to clarify and enable imaging technology searches to be used as a replacement for any strip search used in a prison, to reduce the number of strip searches conducted.

7.3 Case management plans

- We are proposing a series of options to change prisoner case management plans to improve operational efficiency and ensure these plans can respond to improvements in best practice over time.
- Our first range of proposals would either amend the requirement for when case management plans must be developed, to allow greater flexibility to address the needs of the prisoner when it is most appropriate, or split case management plans into release plans and offender plans that must be developed within different timeframes.
- The second range of proposals are designed to address inconsistencies and the unnecessary administrative load caused by case management plan review timings.

7.4 Information sharing with Inland Revenue

- We are exploring whether to introduce an information sharing power in the Act to allow for a Memorandum of Understanding to be developed with Inland Revenue, or whether to develop an Approved Information Sharing Agreement with Inland Revenue. These proposals are important because Inland Revenue requires ongoing access to information held by Corrections.

7.5 Mixing of young people and adults

- We are proposing to implement an amendment to the Regulations governing the mixing of young people (aged 18 years or under) and adults in prison, to clarify that mixing can only occur when it is in the best interests of the young person. This was the original policy intent of the regulation, but the Regulations currently require the best interests of all people to be considered.

Contact us

Please submit written feedback to LegislationAmendments@corrections.govt.nz.

