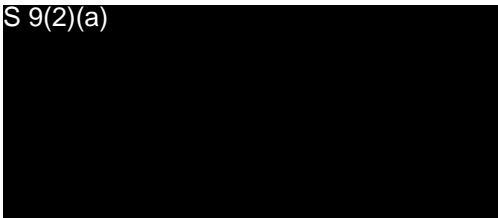


25 August 2022

C154565

S 9(2)(a)



Tēnā koe S 9(2)(a)



Thank you for your email of 12 July 2022 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about assaults on prison officers, including the number of assaults carried out by individuals with gang affiliations. Your request has been considered under the Official Information Act 1982 (OIA).

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, and many of the prisoners our staff work with can behave unpredictably and act without warning.

Every assault on a member of our staff is taken seriously and I expect any prisoner who resorts to violence to be held to account. This may be through internal misconduct charges, a change in security classification, or referral to Police for consideration of criminal prosecution.

A number of highly complex factors contribute to violence in prison. Over 80 percent of the prison population have convictions for violence in their offending histories and more than 90 percent have a lifetime diagnosis of a mental health or substance abuse disorder.

Additionally, 35 percent have a gang affiliation which is a known predictor of violence. In recent years, there has been an increase in the proportion of the prisoner population who are gang affiliated, which mirrors growth in gang membership in communities. Gang members are over-represented in acts of disorder and violence in prison. Gang members are also known to incite other people in prison to carry out violent acts on behalf of the gangs.

A growing proportion of the prisoner population are on remand, and there is a strong statistical association between remand status and incidents of assault within prison. In addition, a growing proportion of the prisoner population have histories of extensive methamphetamine use which is associated with significant and lasting impacts on mental and emotional functioning, including issues such as anger control.

The reality is the threat of violence is something we cannot eliminate entirely, but we are committed to doing everything possible to minimise this risk and 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. Prisons also regularly review assault incidents to determine whether similar occurrences can be prevented in future, and lessons learnt are relayed to staff.

We implemented further initiatives to improve safety in prisons in 2020/21. This includes reinforcing the use of tactical communications, implementing rostering guidelines to ensure an appropriate mix of staff experience during shifts, improving how training data is recorded, and establishing staff safety plans.

Last year we worked with the 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 the Prison Director in consultation with local site union delegates.

Some of the other actions achieved to date include:

- Working with Police to implement a nationally consistent approach to how assaults on our staff are reported and prosecuted. As a result, we have started piloting an online reporting tool to report all assaults, regardless of whether they result in injury, towards our staff.
- Implementing new body-worn cameras at all Corrections-Managed Facilities.
- Completing three pilots of in-person hostage/suicide refresher training at Auckland Prison and Rimutaka Prison. Feedback from these pilots has been incorporated into a hostage/suicide training package for national rollout.
- Rolling out updated Post Incident Response Team (PIRT) training. Ninety new Post Incident Response Team (PIRT) officers have now been through the enhanced recruitment and training process. PIRT officers attend incidents to provide immediate wellbeing support to their peers who have been involved in or exposed to an incident.
- Establishing the role of Principal Adviser Prosecutions and Adjudications and appointing a highly experienced and well-regarded staff member into that position. This has already had a positive impact.
- Providing prosecutors and adjudicators across all regions with enhanced prosecution training, which has led to a significant increase in the number of successful prosecutions of prisoners.
- Distributing a new sentencing framework for adjudicators that can help them to decide on appropriate penalties for offences.
- Providing train the trainer sessions to five Staff Welfare Coordinators. These are support and coordination roles to ensure staff have access to appropriate welfare services.

We are also designing a capability pathway for Principal Corrections Officers, Senior Corrections Officers and Corrections Officers to provide development and training specifically designed to support staff to deal with violence and aggression. This will be implemented as part of our recently settled frontline collective agreement with CANZ and the PSA.

In addition to this, a key focus for the next 12 months will be on building and maintaining resilience given the challenges of the COVID-19 pandemic and its impacts on staff mental wellbeing. We will also be looking to establish and maintain an enhanced level of psychological support for employees who have been involved in or impacted by violence and aggression in our workplaces.

Additional funding to invest in frontline safety for prison-based staff was also announced as part of Budget 2022. This includes \$51.4 million to increase workforce capability in response to operational complexity and violence by investing in an additional two training days for frontline staff, and \$23 million for additional frontline staff to strengthen operating models and safety settings at Auckland Prison, Mt Eden Corrections Facility and Christchurch Men's Prison.

We never underestimate the effect an assault can have on our staff. Staff who are the victim of an assault or have been involved in an incident involving the assault of one of their colleagues are supported in many ways. We have significantly invested in initiatives to support staff wellbeing such as an Employee Assistance Programme, critical incident support after a high intensity event or series of events, staff welfare coordinators, and Post Incident Response Teams.

You requested:

- *The number of serious assaults on prison officers in 2021.*
- *The number of non-serious assaults on prison officers in 2021.*
- *The number of serious assaults on prison officers in the first half of 2022.*
- *The number of non-serious assaults on prison officers in the first half of 2022.*
- *The number of serious assaults on prison officers in 2021 carried out by gang members or associates.*
- *The number of non-serious assaults on prison officers in 2021 carried out by gang members or associates.*
- *The number of serious assaults on prison officers in the first half of 2022 carried out by gang members or associates.*
- *The number of non-serious assaults on prison officers in the first half of 2022 carried out by gang members or associates.*
- *A breakdown of the specific gangs involved in the serious and non-serious assaults on prison officers in both 2021 and the first-half of 2022*

Please see attached as 'Appendix One' the number of prisoner-on-staff assaults for 2020/21 and 2021/22.

Please also see attached as 'Appendix Two' the number of prisoner-on-staff assaults for 2020/21 and 2021/22 that were committed by individuals in prison who are recorded as having a gang affiliation.

In line with Corrections' standard reporting conventions, data is being provided by financial year. The two closest financial years to your request are 2020/21 and 2021/22.

The serious assaults category in 'Appendix One' counts the number of assaults by counting the number of victims. The numbers relating to non-serious injuries or no injury assaults count the number of incidents.

All categories in 'Appendix Two' count the number of perpetrators, as the focus was to identify those with gang affiliations, in order to best respond to your request.

As such, the numbers in 'Appendix One' are not directly comparable to those reported in 'Appendix Two' as one perpetrator can have multiple victims, and vice-versa.

As 2021/22 has recently ended, the data captured for that year may be subject to change as investigations are completed.

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.

Caution is urged when comparing rates between prisons, due to their differences in size and security classifications.

When reviewing the figures provided above in response to your questions, note that Corrections' gang-affiliation figures represent any person with a known connection to a gang and this data does not differentiate between those who are confirmed patched members, associates or prospects.

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



Ben Clark
National Commissioner