

14 October 2022

C156852

S 9(2)(a)

Tēnā koe S 9(2)(a)

Thank you for your email of 25 August 2022 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about contraband found at prisons. Your request has been considered under the Official Information Act 1982 (OIA).

The safety and security of our sites, staff, visitors and the people we manage is our top priority. Contraband can create significant safety risks in prisons. We place significant emphasis on the prevention and detection of contraband introduction in prisons and we are constantly working to stay one step ahead of new methods used to introduce contraband.

Contraband includes alcohol, communication devices, drugs, drug paraphernalia, tattoo equipment, tobacco, tobacco paraphernalia, weapons, and other miscellaneous items that people in prison could use in inappropriate ways.

Some people go to extreme and elaborate lengths to introduce contraband into prison. Contraband may be concealed on a person's body when they come into the prison, posted in with mail or property, thrown over perimeter fencing, or smuggled into the prison by visitors. Sometimes the people we manage place a significant amount of pressure on their partners, friends, or associates to risk attempting to bring contraband into prison for them.

Methods we use to prevent contraband from entering our prisons include:

- searches of vehicles and people entering prisons
- using scanners and x-ray machines at entry points
- extensive prison perimeter security
- camera surveillance in prison visit rooms, along perimeter fences and at entry points
- requiring people in prison to wear closed overalls when in visiting areas to prevent contraband being hidden on them
- checking prisoner mail and property for contraband
- random and targeted monitoring of prisoner telephone calls
- specialist detector dog teams that patrol prison perimeters, visitor areas and cells
- prohibiting visitors who attempt to bring contraband into prisons.

We were also the first agency in New Zealand to train our detector dogs to detect new psychoactive substances, including synthetic cannabis. Our detector dog teams have a range of searching capabilities and can also detect drugs, mobile phones, tobacco and illicitly brewed alcohol.

When a person in prison is found to be in possession of contraband they will be placed on internal misconduct and depending on the type of the item found, they will be referred to the New Zealand Police who are responsible for laying criminal charges. If a visitor is found to be in possession of contraband they will be issued a prohibition notice that prohibits the person from entering prison grounds for a specific time.

You requested:

1. *A detailed list of contraband confiscated from prison visitors. In the past three years. Broken down by:*
 - a. *Location*
 - b. *Type of contraband*
 - c. *Relationship to prisoner*
 - d. *A copy of any and all photos and videos of contraband*

2. *A detailed list of contraband confiscated from prisoners in prison. In the past three years. Broken down by:*
 - a. *Location*
 - b. *Type of contraband*
 - c. *A copy of any and all photos and videos of contraband*

Appendix One provides the total number of contraband items found in New Zealand prisons broken down by prison for each financial year from 2019/20 to 2021/22. This information is provided by financial year in line with our standard reporting conventions.

A table outlining definitions of Corrections' standard primary, secondary and tertiary contraband categories has been included in Appendix One for your reference. The tertiary category "Other" is used when all other categories do not apply. This category could include items such as lengths of wire, hair clips or articles of clothing that are prohibited.

When analysing any fluctuations over time, note that our incident reporting system does not report whether the contraband was found within the secure perimeter of the prison or outside of the prison (for example in the carpark). Corrections' prisons also have varied prison populations, security classifications and physical layouts. We caution against drawing conclusions about the data provided as prisons have different populations and contraband incidents are therefore not comparable between sites.

Each incident within the data provided is categorised by staff at the prison where contraband was found. When reviewing these figures, note that we rely on individual sites to enter information into a central system in an accurate and timely matter.

Corrections does not categorise contraband finds according to whether the item(s) were located on a person in prison, a visitor or a member of staff. Contraband may be found in numerous locations within or around a prison, including in prison cells, during perimeter searches, or on a prisoner's person. Contraband can also be found on a visitor's person or in their vehicles. Therefore, we have decided to refuse your request for specific information on contraband found on visitors and staff under section 18(f) of the OIA, as to provide the requested information would require substantial collation and research. To provide this information would require manually reviewing all contraband incidents and/or misconduct reports, which as demonstrated in the following appendices is a significant number of files.

In accordance with sections 18A and 18B of the OIA, we have considered whether to affix a charge or consult with you to enable the request to be made in a form that would remove the reason for refusal. However, given the scale of the request, we do not consider that this would be an appropriate use of our publicly funded resources.

In reference to photos of contraband found, it is not a requirement for every item of contraband to be photographed. However, an item may be photographed if it is perishable or is of significant interest to Corrections or the New Zealand Police. We collated some examples of photos of contraband to assess whether these could be released under the OIA; however, we believe that releasing these photos would prejudice the maintenance of the law, including the prevention, investigation and detection of offences. These photos can reveal details of how people can make weapons and the methods used to hide contraband. Therefore, your request for photos of contraband and weapons is refused in accordance with section 6(c) of the OIA. Additionally the photos of weapons are refused in accordance with section 6(d) of the OIA as releasing the photos would be likely to endanger the safety of any person.

Furthermore, as we have not collated all photos that may exist, we are declining this request in accordance with section 18(f) of the OIA as it would require substantial collation or research.

In accordance with sections 18A and 18B of the OIA, we have considered whether to affix a charge or consult with you to enable the request to be made in a form that would remove the reason for refusal. However, given the scale of the request, we do not consider that this would be an appropriate use of our publicly funded resources.

3. *A detailed list of Corrections staff under investigation for involvement in the supply of confiscated goods. In the past three years. Broken down by:*
 - a. *Location*
 - b. *Type of contraband and investigation outcome*
 - c. *A copy of any and all photos and videos of contraband*

As previously mentioned, Corrections does not categorise contraband finds according to where the item was found or the manner in which it was located. The information contained within Appendix One will contain incidents where contraband was found on Corrections staff members.

We employ around 10,000 staff in prisons and the community. The overwhelming majority of our people act with integrity, honesty and professionalism and those who don't place their colleagues' safety at risk, damage trust in their profession and undermine the integrity of the prison system. We demand a high standard of conduct and integrity from all employees and expect staff to uphold the standards of behaviour in our Code of Conduct and comply with the law.

When staff do not meet the standards required of them, we take appropriate action. This may involve further development or support to bring the staff member's performance up to the standard required. More serious behaviour may result in disciplinary action, including the termination of employment and referral to the New Zealand Police who are responsible for laying criminal charges.

Corrections can report on these matters as they relate to internal employment investigations. The table below provides the number of Corrections' staff who were investigated for bringing contraband into prison.

Site	2019/2020	2020/2021	2021/2022
Arohata Prison	-	-	1
Auckland Region Women's Corrections Facility	-	1	-
Christchurch Women's Prison	1	-	-
Hawke's Bay Regional Prison	-	1	-
Manawatu Prison	-	-	2
Otago Corrections Facility	-	1	-
Rimutaka Prison	2	2	3
Total	3	5	6

The below table provides the outcome of the investigations of Corrections staff.

Outcomes	2019/2020	2020/2021	2021/2022
Caution	2	3	4
Resigned during investigation	-	1	1
Written Warning	1	-	-
Dismissal	-	1	1
Total	3	5	6

As previously noted, information relating to contraband finds can be referred to New Zealand Police who are responsible for deciding whether to lay criminal charges.

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 (Acting)