Office of the Minister of Corrections

Cabinet Legislation Committee

Corrections Amendment Regulations 2026

Proposal

1 This paper seeks Cabinet's agreement to amendments to the Corrections Regulations 2005 (the Regulations) to give effect to Cabinet's July 2026 decisions relating to the use of 'drop-pins' and CCTV inside prisons, and the provision of privacy screens to certain prisoners [SOU-26-MIN-0056 refers].

Relation to government priorities

2 These regulatory amendments support the Government's commitment to restoring law and order, and my priority of improving frontline staff safety, with a focus on practical operational safety measures.

Policy

3 Since implementation commenced on 2025 changes to the principal Regulations [CAB-25-MIN-0296 refers], Corrections identified refinements to three areas to adapt to varying infrastructure and to ensure the intention of the Regulations is plainly represented and understood, for staff, prisoners and due to the high degree of scrutiny Corrections receives from the Courts and oversight entities. Cabinet agreed to those refinements in July 2026. At the same time, Cabinet also agreed to finalise a fourth set of amendments on the use of CCTV in prisons. CCTV is a critical safety feature used throughout the prison network to deter and identify safety risks, and its use should be clearly allowed for and regulated.

4 The four proposals Cabinet agreed to in July 2026 are:

4.2 progressing provisions that explicitly allow and regulate CCTV use in prisons, with refinements to the policy on CCTV in prison cells to ensure an appropriate balance between safety and privacy

4.3 ensuring that the Regulations do not overly restrict the use of drop pins with handcuffs in hatches in prison doors for certain prisoners

4.4 amending provisions relating to privacy screens in hygiene areas of cells to remove prescription, to improve clarity and accommodate flexibility in prison infrastructure and cell design, for prisoners at risk of self-harm and segregated for medical reasons, and

4.5 amending the cell confinement provisions to clarify Cabinet's March 2025 decision that privacy screens should be provided for prisoners on cell confinement unless infrastructure does not allow it.

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5 The draft Corrections Amendment Regulations 2026 (the Amendment Regulations) (**Appendix One**) give effect to these changes.

6 These amendments to the Regulations will help future proof for continued projected growth in the prison population, which places greater pressure on staff and infrastructure. Ensuring these provisions provide the full range of safety benefits supported by protections for prisoner privacy, particularly those relating to CCTV use, is essential for supporting safety in prisons for both staff and prisoners. The draft Corrections Amendment Regulations 2026 (the Amendment Regulations) (**Appendix One**) give effect to these changes.

How Cabinet's decisions are reflected in the draft Regulations

Allowing for and regulating use of CCTV in prisons

7 CCTV cameras are a critical safety tool used throughout the prison network for diverse reasons, including identifying risks to staff and others, monitoring the safety of prisoners at risk of self-harm, and recording evidence of offences committed inside of prison. Only CCTV recording of visits to prison is explicitly allowed in the principal Regulations. 9(2)(h) [redacted].

8 To address this, in March 2025 and July 2026, Cabinet agreed to amend the principal Regulations to introduce provisions explicitly enabling and restricting CCTV use in prisons [CAB-25-MIN-0065 and SOU-25-0056 refer]. The combined agreed policy from these two sets of decisions was to:

8.2 allow use of CCTV in prisons where necessary and justified for health,[1] safety, and security purposes, and as appropriate, intelligence purposes

8.2.1 prohibit the use of CCTV cameras in certain locations, including medical examination rooms, Mothers with Babies' Units, feeding and bonding rooms, and in view of strip searches

8.2.2 prohibit CCTV inside of cells, unless

8.2.2.1 the cell is being used to accommodate a prisoner at risk of self-harm or subject to medical segregation (e.g. cells in ISUs), or

8.2.2.2 the cell is used primarily to house prisoners segregated under section 58(1)(a) or (b) of the Corrections Act (for the purpose of security, good order, or safety) ('section 58 prisoners'')

[1] 'Health' in this respect refers to the health and safety of people in the prison.

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8.2.3 prohibit use of CCTV inside of cells (i.e. actually using the CCTV to record what is happening inside the cell) used primarily to house section 58 prisoners unless:

8.2.3.1 the cell is currently housing a section 58 prisoner, and

8.2.3.2 the use of CCTV in that moment is required to mitigate an immediate risk to safety to the prisoner or another person

8.3 require for CCTV cameras in prisons to have privacy features to limit the recording and monitoring of hygiene areas unless their removal is needed to prevent harm being caused to the prisoner or other person

8.4 delay the commencement of the CCTV approvals until the fifth anniversary of enactment, to provide Corrections with time to comply with the requirements [SOU-25-MIN-0018 refers].

9 9(2)(h) [redacted]

10 The Amendment Regulations introduce provisions which implement all of the above decisions [clause 12]. It also includes consequential changes such as requiring the prison manager to keep CCTV in working order.

11 For the purposes of the Amendment Regulations, the following interpretations and technical wording adjustments apply:

11.2 'Medical examination rooms' are referred to as 'clinical examination rooms.' 'Clinical examinations' for the purpose of CCTV includes any medical procedure, treatment, or examination, but does not include non-physical examinations such as mental health treatment, rehabilitation or psychological assessment. CCTV does not record sound, so no medical information is captured in these non-physical examinations, and CCTV is required in those rooms for safety reasons.

11.3 Clinical examination rooms include both rooms used primarily for that purpose, and areas of the prison, such as hospital wings, that have areas within them that can be partitioned to allow for examinations to take place. To give effect to Cabinet's approvals, installation of CCTV in rooms used primarily for individual clinical examinations is prohibited. CCTV is allowed in mixed-use partitionable spaces as there is a legitimate need to have CCTV coverage in the parts of those spaces not used for clinical examinations. However, a privacy feature such as a curtain must be used to obscure the clinical examination area while examinations take place unless it is standard clinical practice not to use privacy features for that type of clinical examination.

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11.4 CCTV being prohibited 'in view of strip searches' means it cannot be installed in areas used primarily for that purpose if it has the search itself in view. However, it is allowed to be installed in such spaces if there is a partition in place that obscures the prisoner's body from CCTV during the search as appropriate. CCTV use happens now, for example, in large rooms used to receive multiple prisoners into a prison, which have cubicles for strip searches with partial barriers. For various reasons, strip searches may take place in other areas of the prison, such as cells in Intervention and Support Units (ISUs), where CCTV may be installed. For these reasons, prohibiting CCTV in any place a strip search may take place is not feasible. The Amendment Regulations ensure that CCTV remains able to be placed and used in those locations if there is a reason to do so (for example, used for prisoners at risk of self-harm).

12 The Amendment Regulations also allow for digital privacy features (e.g. pixelation) that obscure part of the CCTV footage that would otherwise film hygiene areas such as toilets and showers. The prison manager may approve removal of these features from footage, including recorded footage, if the feature obscures harm done to a person and the footage is required for evidential purposes.

13 The Regulations also allow the prison manager to decide not to use digital or physical privacy features to obscure CCTV footage when the camera is located in a cell. This aligns with the privacy screens provisions also included in the Amendment Regulations. It means that digital privacy features are not required to be used if, for example, there has already been a decision that it is not consistent with safe custodial management to provide a screen because the prisoner is likely to self-harm behind it, and the digital feature poses the same risk.

Enabling the unplanned use of drop pins with handcuffs to secure prisoners to prison door hatches for all prisoners

14 The Regulations already allow the use of 'drop pins' to handcuff prisoners to cell doors when opening and closing the doors. Drop pins are bolts installed in door hatches which allow the prisoner to be secured with handcuffs and released from the door with handcuffs still in place. This is intended to reduce risk of assault to staff during unlocks. The current wording of the Regulations for use of drop pins unintentionally excludes unplanned use of drop pins for some prisoners.[2]

15 In the draft Amendment Regulations, this has been corrected so it is now clear that unplanned use of drop pins is allowed for any prisoner [clause 7]. This gives full effect to Cabinet's original 2025 policy intent when allowing drop pins to be used. The Amendment Regulations also clarify that where planned use of drop pins is carried out for prisoners at risk of self-harm or segregated under sections 58 or 60(1)(b) of the Corrections Act 2004 (the Corrections Act), this must be approved by the prison manager. The Regulations previously said that use must be 'approved' without specifying who by.

[2] Prisoners who are designated as at risk of self-harm, or segregated under section 58 (for security, good order or safety) or 60(1)(b) (for mental health reasons) of the Corrections Act 2004.

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16 In anticipation of the Amendment Regulations coming into in force, Corrections will make minor updates to operational guidance to ensure clarity for custodial staff and to support the continuing implementation of the use of this safety tool.

Allowing for flexibility in how prisons provide privacy screens for some prisoners

17 The Regulations enable the use of fixed or moveable privacy screens inside of cells to block the view of hygiene areas for prisoners at risk of self-harm or segregated for mental health purposes. For prisoners who are accommodated in ISUs,[3] privacy screens can pose risks if the prisoner self-harms behind them.

18 For those prisoners, the Regulations currently require the health centre manager to recommend to the prison manager whether it is safe for the prisoner to have privacy screening in their cell before the prisoner enters the cell with screening cell. However, prison infrastructure is varied and some sites use fixed privacy screens in ISUs which makes this process impractical if a recommendation cannot be obtained before the prisoner must be placed in a cell. Because of this variation in infrastructure, the approval process is better to be set out in operational guidance to enable necessary flexibility.

19 The Amendment Regulations remove the prescription around the process of deciding whether or not a prisoner who is at-risk of self-harm or segregated for mental health reasons should be provided with a privacy screen. This is in line with Cabinet's 2026 approvals [clauses 4 to 6, and 10]. The Regulations do so by changing the health centre manager's recommendation to a consultation requirement, which the prison manager must undertake with the health centre manager before or as soon as practicable after making a decision about whether to provide the prisoner with a privacy screen. The switch from recommendation to consultation supports the greater flexibility in the new decision-making process. The prison manager can remake this decision later and must consult again with the health centre manager if they do.

20 For the prison manager, the decision on whether the screen is 'safe' is replaced with a decision that it is in accordance with safe custodial practice for the prisoner to be provided with a screen. In making that decision, the prison manager is required to have regard to the dignity and welfare of the prisoner. This clarifies the intended threshold for placing a prisoner in a cell with a privacy screen with something that is practical but still emphasises the importance of welfare considerations. This replaces the wording in the 2025 Amendment Regulations that may imply an absolute safety threshold that is not possible to meet as staff cannot entirely predict a prisoner's future behaviour. This amendment was not specifically specified in Cabinet's July 2026 approvals but was captured by the broader changes to the decision-making process in recommendation 2.2. It does not have any consequential effect as it is only clarifies the meaning of the relevant regulations.

21 As an additional clarification, although the Cabinet approval from July 2026 referred to prisoners segregated for medical reasons under section 60(1)(a) and (b) of the Corrections Act, the privacy screen provisions only apply to prisoners segregated for mental health reasons (60(1)(b) as they require oversight for their safety. Prisoners

[3] Prisoners routinely in ISUs are those designated at risk of self-harm (at-risk prisoners), and prisoners segregated under section 60(1)(b) of the Corrections Act for mental health purposes.

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segregated under section 60(1)(a) can have privacy screening more readily as they are being managed for physical health purposes only and do not pose the same self-harm risks.

22 In place of the removed prescription in the Regulations, operational guidance will set the requirements for prison managers to approve the use of a privacy screen in ISUs across the prison network. The guidance will retain appropriate safeguards for prisoners and remain consistent with Cabinet's approvals.

Clarifying when privacy screens cannot be provided for prisoners on the punishment of cell confinement

23 The Regulations currently list privacy screening as a mandatory item for prisoners on the punishment of cell confinement. Some cells' infrastructure makes covering one or both hygiene areas with privacy screens in cells used for cell confinement impossible due to layout of hygiene areas or because screens block access for staff when custodial functions like use of force are required.

24 The Amendment Regulations amend the relevant provisions to require privacy screens to be provided for prisoners on cell confinement unless infrastructure does not allow for it [clauses 8 and 11]. This reflects the 2025 intent of Cabinet in agreeing to privacy screening in these cells [SOU-25-MIN-0018 refers].

25 For the purposes of the Regulations, 'where infrastructure does not allow for it' includes where placing a privacy screen inside the cell would severely impact key parts of custodial management: for example, if staff would be unable to use force if there was an incident requiring it.

Timing and 28-day rule

26 Subject to approval by Cabinet and the Executive Council, the Amendment Regulations will be notified in the *New Zealand Gazette* and will come into force 28 days later, noting that some provisions have delayed commencement or transitional arrangements. This is in accordance with the 28-day rule.

27 The drop pin amendment would come into force immediately. The two updates to privacy screens will come into force immediately with transitional provisions ending in July 2028. The CCTV amendments would come into force on the fifth anniversary of the Regulations passing into law to allow time for Corrections to comply with the Regulations within baseline funding.

Compliance

28 I consider that the Amendment Regulations have been drafted taking into consideration of the following:

28.2 the principles of the Treaty of Waitangi

28.3 the principles and guidelines set out in the Privacy Act 2020

28.4 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990

aovfqq2wo5 2026-09-30 16:39:12

28.5 relevant international standards and obligations including the Mandela Rules, Bangkok Rules, and the United Nations Convention on the Rights of the Child, and

28.6 the Legislation Guidelines (2021 edition).

Financial Implications

29 Some limited one-off costs may be incurred to remove CCTV cameras from locations where CCTV would no longer be permitted under the Regulations. Depending on operational decisions, some prisons may also choose to install CCTV in cells used for certain segregated prisoners. In addition, software updates will be required to enable cameras in affected cells to be turned on and off as required by the regulations.

30 Depending on how individual prisons respond to the need to adjust how they manage the impacted cells and prisoners (e.g. the need to do in-person checks rather than monitor through CCTV) the proposals may result staff having less visibility of prisoner activities across different parts of the prison environments. Some prisons may choose to allocate funding towards projects such as staff bases or extra staff if it is within their ability to do so to expand visibility of prisoners to compensate for the removal of some CCTV. These costs are expected to be manageable and will be met from Corrections' baseline funding.

31 The privacy screens infrastructure project is already funded. The drop pin correction has minimal financial implications for baselines as only procedures need updating.

Regulations Review Committee

32 No aspects of the Amendment Regulations are expected to give rise to particular consideration by the Regulations Review Committee.

Certification by Parliamentary Counsel

33 The Amendment Regulations are made under the Corrections Act. Parliamentary Counsel has certified them as being in order for submission to Cabinet.

Consultation

34 The following agencies were provided an opportunity to give feedback on the Cabinet paper during agency consultation: Ministry of Justice, Ministry of Social Development, Department of Internal Affairs, Oranga Tamariki, Ministry of Health, the Treasury, Crown Law Office, Ministry for Ethnic Communities, Ministry for Women, Ministry for Pacific Peoples, Te Puni Kōkiri, New Zealand Police.

35 The Department of Prime Minister and Cabinet (Policy Advisory Committee) was informed.

Publicity

36 The public will be notified of the Amendment Regulations in the *New Zealand Gazette.* Corrections will also add a link to the principal Regulations on its

aovfqq2wo5 2026-09-30 16:39:12

website when the changes come into force and distribute guidance to staff and prisoners.

Proactive Release

37 I intend to proactively release a copy of this paper within 30 business days of final decisions being made, subject to any redactions in accordance with the Official Information Act 1982.

Recommendations

I recommend that the Cabinet Legislation Committee:

1 **note** that the financial implications of the regulation changes summarised in this paper will be managed within baselines

2 **note** that in July 2026, Cabinet agreed to the Corrections Amendment Regulations 2026 that amend the Corrections Regulations 2005 to:

2.2 enable unplanned use of drop pins with handcuffs for all prisoners

2.3 update provisions relating to the approval of the privacy screens for at-risk prisoners and prisoners segregated under section 60(1)(a) and (b) of the Corrections Act 2004 to better enable flexibility in the process and operational feasibility for timing of recommendations and decisions by health and custodial staff

2.4 require privacy screening to be provided for prisoners subject to a penalty of cell confinement unless infrastructure does not allow for it, to better reflect the March 2025 Cabinet decision to that effect [SOU 25 MIN 0018]

2.5 amend the CCTV proposals agreed to by Cabinet in March 2025 to also prohibit the use of CCTV in cells, except where:

2.5.1 the cell is currently being used to accommodate a prisoner at risk of self-harm or subject to medical segregation, or

2.5.2 the cell is used primarily to house prisoners segregated under section 58(1)(a) or (b) of the Corrections Act 2004, the cell is currently housing a prisoner segregated under 58(1)(a) or (b), and the use of CCTV in that moment is required to mitigate an immediate risk to safety

2.6 implement the previously delayed CCTV recommendations agreed by Cabinet in March 2025, with the amendment in recommendation 2.5, which were:

2.6.1 allow use of CCTV in prisons where necessary and justified for health, safety, and security purposes, and as appropriate, intelligence purposes

aovfqq2wo5 2026-09-30 16:39:12

2.6.2 prohibit the use of CCTV cameras in certain locations, including medical examination rooms, Mothers with Babies' Units, feeding and bonding rooms, and in view of strip searches

2.6.3 require for CCTV cameras in prisons to have privacy features to limit the recording and monitoring of hygiene areas where this is appropriate and aligns with safe custodial management, and

2.6.4 delay the commencement of the CCTV approvals until the fifth anniversary of enactment, to provide Corrections with time to comply with the requirements

3 **agree**, in addition to recommendation 2.2 above, to amend the Regulations to specify that it is the prison manager who must approve planned use of drop pins for prisoners at risk of self-harm or segregated under sections 58 or 60(1)(b) of the Corrections Act

4 **note** that recommendation 2.3 only applies to at-risk prisoners or those segregated for mental health reasons under section 60(1)(b) of the Corrections Act and not also prisoners segregated for physical health under 60(1)(a) of the Act

5 **agree** to clarify recommendation 2.3 above by amending the Regulations to require the prison manager to consult with the health centre manager as to any clinical considerations regarding the provision of privacy screening to a prisoner who is at risk of self-harm or segregated for mental health reasons

6 **agree** to clarify recommendation 2.3 above by amending the Regulations so that the prison manager must make a decision about whether it is 'in accordance with safe custodial practice', having regard for the prisoner's 'dignity and welfare', to place a prisoner who is at risk of self-harm or segregated for mental health reasons in a cell with a privacy screen

7 **note** that if the prison manager remakes their decision on whether to provide the privacy screen, they must consult the health centre manager again

8 **note** that Parliamentary Counsel may make technical amendments to the draft Corrections Amendment Regulations between the lodgement of this paper and Cabinet approval

9 **authorise** the submission of the Corrections Amendment Regulations 2026 to the Executive Council.

Authorised for lodgement

Hon Mark Mitchell

Minister of Corrections

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