

14 June 2023

C167034

[REDACTED]

Tēnā koe [REDACTED]

Thank you for your email of 31 March 2023 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about personal protective equipment (PPE) that Corrections Officers have access to. Your request has been considered under the Official Information Act 1982 (OIA).

Firstly, I would like to apologise for the delay in responding to you. Unfortunately, it took us additional time to collate and assure the information from when we were last in touch which has meant we did not meet the date we expected.

As you will appreciate, we manage some of New Zealand's most difficult people in an environment that can be complex and challenging. Accordingly, Corrections invests significantly in the health and safety of our staff. We have a number of processes in place to safeguard the welfare of staff and people in prison, and resources available for staff requiring additional support. We have a zero-tolerance policy toward violence of any kind.

Our staff recognise the importance of knowing and understanding people in prison, and actively engage with them to reinforce positive behaviour. Staff anticipate and attempt to resolve problems through the active management of people in prison, and are trained in de-escalation techniques, and interpersonal and tactical communication skills. The goal is always to manage a potentially volatile situation in a manner that minimises the likelihood of violent behaviour.

The reality is the threat of violence is something we cannot eliminate entirely, but we do everything possible to minimise this risk. We have invested significantly in training and tools to keep our staff safe. This includes tactical skills, such as de-escalation, through to the introduction of stab resistant body armour, on body cameras and the expanded deployment of pepper spray.

In accordance with section 83 of the Corrections Act 2004 (the Act), the use of physical force is limited to the minimum degree reasonable and necessary to resolve a situation as promptly and as safely as possible. It can only be used if there are reasonable grounds to

believe the use of force is necessary. Examples of this include: in self-defence, in the case of an escape, to prevent property damage, or in response to resistance to a lawful order.

Whenever practical before the use of force, approval from the Prison Director or an authorised manager must be given. Force is not used as a means of punishment and can only be used once prison staff have exhausted every effort to communicate with the person to diffuse a situation. The use of force is only considered when all other reasonable alternatives have been attempted or, in extreme circumstances, when all other reasonable alternatives are considered inappropriate due to the nature of the situation. Force must be discontinued at the first safe opportunity once control is regained.

Control and Restraint is the intervention strategy used to bring a person under control. Control and Restraint involves the use of approved techniques to bring a person under control and will only be utilised in situations consistent with the Act.

All custodial staff are trained in the use of physical holds to restrain offenders. Physical holds can only be used by staff members with adequate training in the use of that hold. All staff must undergo refresher courses at least every 12 months. Each of these training sessions reinforces legal requirements and principles underpinning the use of force.

Every opportunity must be taken to de-escalate the situation and control and restraint techniques are only used a last resort. The use of force must be proportionate to the circumstances and the degree of resistance given by the person.

Prisons are a dynamic environment and many incidents that occur in prisons are spontaneous. These can happen when staff answer personal alarms, radio messages or staff shouting for assistance. Types of spontaneous incidents include assaults by prisoners (either on staff or prisoners) or escape attempts. Spontaneous use of force may be utilised by an officer where it is determined that it is necessary in the situation to not wait to have the Control and Restraint team deployed and it is evaluated to be the most appropriate tactical option. The use of force can also include the use of pepper spray. Pepper spray can be the least harmful way of responding, by temporarily incapacitating the prisoner, making it easier and safer to restrain and relocate them.

Pepper spray may be issued only to an officer who has received adequate training in its use. Officers trained in the use of pepper spray must undergo refresher courses at least once a year.

The officer must use the pepper spray in a way that minimises pain or injury to the prisoner, so far as that is consistent with protecting prison security or the safety of any person. Once compliant, the prisoner is relocated, decontaminated, and assessed by health staff for any unexpected reaction.

Pepper spray has proven to be an effective tactical tool to protect the safety of staff and prisoners. Individually carried pepper spray (ICP) is used to de-escalate situations such as prisoners fighting in the yard and refusing to stop, prisoners refusing to return to their cells

and displaying aggressive behaviour towards staff, and prisoners damaging property and using broken glass as a weapon.

You requested:

1. *Please supply all gear correctional officer carry on them such as handcuffs, panic button, mace etc.*
2. *Please also include other things they are able to carry or certain ranks can carry.*
3. *Please also attach photos for each of the items.*
4. *Please supply a list of all tactical gear corrections have such as cell buster, riot shields, body armour etc. also attach photos for these.*

Please find enclosed Appendix One – Corrections Officer Personal Protective Equipment. This document lists what PPE is supplied to Corrections Officers to carry out their normal duties, when responding to an incident or issued to specialist Advanced Control and Restraint Teams.

This PPE is not issued depending on rank, it is issued where a Corrections Officer has received the appropriate training on the PPE and situations where they can be used.

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



Leigh Marsh
National Commissioner