



1 September 2023

C170366



Tēnā koe

Thank you for your email of 6 July 2023 to the Department of Corrections – Ara Poutama Aotearoa, requesting updated data on Corrections' use of restraints. Your request has been considered under the Official Information Act 1982 (OIA).

You requested:

*I am seeking updated data on the use of restraints please. In 2017 you provide data on restraints that was helpful in this OIA request.*

<https://fyi.org.nz/request/6745/response/23037/attach/html/7/C90080%20Response.pdf.html>

*I request the same data, broken down and presented the same way for the past five years.*

Safety and wellbeing are Corrections' top priorities. Corrections staff are trained to work with some of New Zealand's most dangerous and volatile people in a complex and challenging environment where assaults by people in prison are often spontaneous and come without any warning.

Despite the prison population declining from the peak of 10,820 in 2018, the proportion of those in prison with a tendency to commit violence has increased. 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.

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 impact of assaults on our staff, and the worry it creates for their families and colleagues cannot be downplayed. We have an obligation to provide our staff with the best tools to ensure their safety, and the safety of the people we manage.

Mechanical restraints include handcuffs, head protectors, and spit hoods. It has previously included tie-down beds which have not been used since the end of 2016. Handcuffs are primarily used for escort or movement purposes, or as an incident response tool when other de-escalation techniques have not been successful. A head protector is designed to prevent a prisoner from injuring themselves by hitting their head on the wall or other hard surface.

When a person in prison is spitting, or has a known history of spitting, staff can place a spit hood on the person to mitigate any risk they may pose to staff safety or the safety of other people in prison when physically or mechanically restraining them. A spit hood is a breathable bag that reduces the risk of staff and people in our care being exposed to potentially dangerous pathogens.

The use of a spit hood must be approved by the Prison Director. However, in circumstances that require immediate action, a Corrections Officer may use a spit hood without prior approval from the Prison Director. Staff are then required to report the use of a spit hood as soon as possible following the incident. Spit hoods must not be used for any disciplinary reasons, and only used in a manner that minimises discomfort and harm to the prisoner. If a prisoner is wearing a spit hood then the use of pepper spray is not permitted

As noted above, tie-down beds have not been used since the end of 2016, with their use formally ceased in 2019.

Please see attached Appendix One, which shows the number of times mechanical restraints have been used on people in prison for the last five financial years, broken down by the type of restraint used. As our data has been subject to review and recategorisation, we have also provided updated figures dating back to the 2009/2010 financial year.

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