

10 February 2021

C128077 & C128095

s9(2)(a)

Tēnā koe s9(2)(a)

Thank you for your email of 3 November 2020, requesting information about contraband in New Zealand prisons. Your request has been considered under the Official Information Act 1982 (OIA). I apologise for the delay in responding, and thank you for your patience.

Corrections is currently managing around 8,700 people in prison and safety is our top priority. Some people go to extreme lengths to introduce and distribute contraband in New Zealand prisons, which can pose a significant safety and security risk. Contraband includes alcohol, communication devices, drugs, drug paraphernalia, tattoo equipment, tobacco, tobacco paraphernalia, weapons and other miscellaneous items that could be used in inappropriate ways..

Corrections undertakes a considerable amount of work to prevent unauthorised items from entering prisons. We are regularly reviewing systems to ensure that new methods of introduction are prevented. Our intelligence staff constantly work to stay informed about new methods of concealment and identify and mitigate risk areas in the prison environments.

We have implemented a wide range of screening measures over the past decade to prevent contraband entering prisons. These include:

- extensive prison perimeter security and a limit to the number of entry points to prisons;
- increased camera surveillance in prison visit rooms, along the perimeter and at entry points;
- completing background checks on all potential prison visitors;
- searches of any vehicle and its occupants entering prison property;
- using scanners and x-ray machines at entry points;
- banning visitors who attempt to bring contraband into prisons;
- requiring people in prison to wear closed overalls when in visiting areas;
- monitoring mail and property for contraband;
- specialist detector dog teams that patrol prison perimeters, visiting areas and cells. These dogs detect a range of items including psychoactive substances, other drugs, cell phones, illicitly brewed alcohol and tobacco;
- identifying and analysing criminal activities in prisons through operational

- intelligence teams; and
- encouraging people to contact the Crimestoppers free telephone service (0800 555 111) that enables information about crime to be provided anonymously.

If any person in prison is found with contraband, either on their person or in their cell, they may be charged with a misconduct. Possession of any illegal item can also result in a referral to New Zealand Police, who are responsible for deciding whether to lay criminal charges. A detailed description and guidance on the full misconduct process can be found on our website, at:

[https://www.corrections.govt.nz/resources/policy\\_and\\_legislation/Prison-Operations-Manual/Misconduct](https://www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Misconduct)

You requested:

*Contraband found in the prisons broken down by month and prison from 2017-2020*

Contraband may be smuggled into prison by visitors, concealed on a person's body when they come into a prison, posted in with mail or property, or thrown over perimeter fencing. Certain types of contraband may also be made within a prison from everyday items, for example a pen that has been sharpened for use as a weapon.

Contraband may be found in a number of 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 vehicle.

Please refer to Appendix One for types of contraband found in prisons between the period 2017/18 and 2020/21 financial years up to 31 October 2020. We have provided this information by financial year rather than calendar year, in line with our usual reporting conventions. The spreadsheet provides the details of all incidents involving contraband found in prisons, by item category and prison. Definitions are included for a number of item categories in the second tab of the spreadsheet for your reference. Totals are provided each month of the financial year.

When analysing any fluctuations between months, it should also be noted that our incident reporting system doesn't report whether the contraband was found within the secure perimeter of the prison or outside of the prison (for example in the carpark). Prisoners may also conceal contraband within the prison for a period before it is found by staff, so it is not possible to draw conclusions about the amount of contraband that entered prisons each month from this data.

Each incident within the data provided is categorised by staff at the prison where contraband was found. When reviewing these figures, please also note that we rely on individual sites to enter information into a central system in an accurate and timely matter. We caution against drawing conclusions about the data provided as prisons have different populations and contraband incidents are therefore not comparable between sites.

*Contraband found on Corrections officers broken down by month and prison from 2017-2020*

*How many investigations have been done into Corrections officers relating to contraband, smuggling, drugs, money laundering or gang affiliations?*

These two parts of your request are answered together below.

Corrections expects the utmost professionalism from our employees, and any allegations of staff misconduct are taken very seriously. All employees are held to a high standard of integrity and professionalism and must act as role models for the people and the communities we work with. All staff are expected to work in line with Corrections' Code of Conduct and any behaviour which conflicts with the Code is not acceptable. Any employee who fails to comply with the provisions of these policies has failed to meet the expected standards under our Code of Conduct and may be subject to disciplinary action up to, and including, dismissal.

Please see the below table for details of completed Employment Investigations relating to unauthorised items in prisons.

<b>Prison</b>	<b>Month of the alleged incident</b>	<b>Outcome</b>
Hawkes Bay Prison	June 2017	Final Written Warning
Mt Eden Corrections Facility	April 2019	Caution
Rimutaka Prison	November 2019	Caution
Christchurch Women's Prison	December 2019	Caution
Rimutaka Prison	May 2020	Written Warning
Rimutaka Prison	September 2020	Caution

Please note:

- This information is based on a search of completed Employment Investigations at Corrections managed prisons, using the search category 'contraband'

Some of these cases relate to staff members inadvertently bringing an unauthorised item into a prison, rather than attempting to smuggle contraband.

In accordance with section 9(2)(a) of the OIA, which relates to information that is necessary to withhold to protect the privacy of natural persons, details of five further investigations have been excluded where there was found to be no evidence to support a breach or the investigation was withdrawn. Details of three further cases have been excluded where the staff member resigned or ceased employment prior to the outcome of the investigation.

As per section 9(1) of the OIA, we have also considered whether there are countervailing public interest considerations favouring the release of the requested information. We do not believe such considerations are present in this case.

*Contraband found on visitors on their person and in prison vicinities broken down by month and prison from 2017-2020*

As mentioned above, Corrections does not differentiate and collate data according to whether contraband was found on prisoner or visitor. Therefore, this part of your request is declined under section 18(g) of the OIA, as the information requested is not held by Corrections, and we have no grounds for believing that it is held by another agency or more closely connected with the functions of another agency.

*Any and all reports/ correspondence relating to the above investigations.*

As stated previously, some of these cases relate to staff members inadvertently bringing an unauthorised item into a prison, rather than attempting to smuggle contraband into a prison. The information within scope of your request will be held on individuals' employee files and would include some information that if released, could compromise the security of prisons. Your request for all reports on these investigations are therefore withheld in accordance with section 9(2)(a) of the OIA, in order to protect the privacy of natural persons and section 6(c) of the OIA as making the information available would likely prejudice the maintenance of the law, including the prevention, investigation and detection of offences.

As per section 9(1) of the OIA, we have also considered whether there are countervailing public interest considerations favouring the release of the requested information. We do not believe such considerations are present in this case.

*Details of the firearms, ammunition and explosives found in prisons from 2017-2020*

Please refer to Appendix One for this information.

*In the past three years how many cell phones – the size of a small USB stick – have been found inside prisons*

Corrections does not record information on the type or size of cellphone confiscated as contraband. This information does not currently exist in a form that can be readily supplied to you, and would instead require initiation of a project to extract, analyse and present the data in the form requested. Therefore, this part of your request is declined under section 18(g) of the OIA, as the information requested is not held by Corrections, and we have no grounds for believing that it is held by another agency or more closely connected with the functions of another agency.

Please note that the Ombudsman has advised that information is not considered to be held by an agency in instances where a request necessitates research or analysis of source data in order to generate fresh information in a form different from that in which the base data is held.

I trust the information provided is of assistance. Should you have any concerns with this response, I would encourage you to raise them 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 nui

A handwritten signature in blue ink, appearing to read 'Rachel Leota', with a stylized flourish at the end.

Rachel Leota  
National Commissioner