

25 May 2021

C133838

s9(2)(a)

Tēnā koe s9(2)(a)

Thank you for your email of 29 March 2021 requesting various information, including information relating to Corrections' contract with Serco, assaults in prison and contraband. Your request has been considered under the Official Information Act 1982 (OIA).

You requested:

- 1. A list of the top 20 contracts by financial value that Corrections holds with private companies and contractors and how much is spent on each annually*
- 2. How much does the Department of Corrections spend on its Serco contract annually*

The top 20 contracts Corrections holds with private companies and contractors, as at 8 April 2021, is attached as Appendix One. All values are excluding GST.

- 3. All communications, cabinet papers and memos relating to the Serco contract from this term*

No cabinet papers falling within scope of your request have been identified. Accordingly, this part of your request is declined under section 18(e) of the OIA, as the document alleged to contain the information requested does not exist or cannot be found.

OIA requests for briefings provided to the Minister of Corrections are best directed to the Office of the Minister of Corrections. However, Aides Memoire relating to Corrections' contract with SecureFuture are produced quarterly as updates of performance and the information contained in these Aides Memoire is summarised in Corrections' Annual Reports, which are publicly available on Corrections' website. Corrections' 2019/20 Annual Report contains this information on page 188, and is available at the following link:

[www.corrections.govt.nz/ data/assets/pdf file/0018/42273/Annual_Report_2019_2020.pdf](http://www.corrections.govt.nz/data/assets/pdf_file/0018/42273/Annual_Report_2019_2020.pdf).

In accordance with section 16(e) of the OIA, where the information requested by any person is comprised in a document, that information may be made available by giving an excerpt or summary of the contents, which in this case is publicly available online.

Your request for all other communications and memos relating to the contract between Corrections and SecureFuture, which provides for the finance, operation and maintenance of Auckland South Corrections Facility, is wide-ranging and the information is held by various teams across Corrections and cannot be located without extensive consultations and collation across multiple business units. Accordingly, your request is declined under section 18(f) of the OIA, as the information cannot be made available without substantial collation or research.

We have considered whether to affix a charge or extend the time limit for responding. However, given the scale of the request we do not consider that this would be an appropriate use of our limited publicly funded resources.

As per section 18B of the OIA, we have considered whether consulting you would assist to make the request in a form that would remove the reason for the refusal. However, we do not consider that the request could be appropriately refined in this instance.

You may, however, find that you can refine your request following a review of the publicly available information.

As you may be aware, parts of the contract between Corrections and SecureFuture are also publicly available on Corrections' website at the following link: [www.corrections.govt.nz/about us/getting in touch/our locations/auckland south corrections facility/contract](http://www.corrections.govt.nz/about-us/getting-in-touch/our-locations/auckland-south-corrections-facility/contract).

4. How many complaints have been made by prisoners to corrections officers, prison management and the inspector of prisons from January 2017 to date, with details of the nature of the complaints

The number of PC.01 complaints made by people in prison between 2016/17 and 2020/21, broken down by financial year and complaint category are provided as Appendix Two. The information has been provided by financial year, consistent with our standard reporting conventions. Categories of recording complaints changed after 2016/17, with some categories no longer being used.

These figures represent those that Corrections can readily extract, which includes complaints made through the established prisoner complaints (PC.01) process. More information about complaints about prisons and the PC.01 process is available at the following links:

[https://www.corrections.govt.nz/about us/getting in touch/making a complaint/complaints about prisons](https://www.corrections.govt.nz/about-us/getting-in-touch/making-a-complaint/complaints-about-prisons)

[https://www.corrections.govt.nz/resources/policy and legislation/Prison-Operations-Manual/Prisoner-complaints](https://www.corrections.govt.nz/resources/policy-and-legislation/Prison-Operations-Manual/Prisoner-complaints)

While people in prison are encouraged to resolve complaints at the lowest possible level via the PC.01 process, there are also various other avenues to which they might choose to refer concerns directly. These include the independent Office of the Inspectorate, the Office of the Ombudsman or a number of other external monitoring agencies such as the Office of the Privacy Commissioner or Health and Disability Commissioner. People in prison might also choose to refer concerns directly to other senior Corrections staff, the Minister of Corrections or other MPs. As you will appreciate, it is not possible to centrally record every concern or potential complaint raised by people in prison across all these avenues.

Accordingly, your request as it pertains to complaints outside the PC.01 complaints process are declined under section 18(f) of the OIA, as the information cannot be made available without substantial collation or research. In accordance with the OIA, we have considered whether to affix a charge or extend the time limit for responding. However, given the scale of the request we do not consider that this would be an appropriate use of our publicly funded resources.

As you may be aware, the complaints process for people in prison is currently being reviewed by Corrections. This review will seek input from a variety of groups including prison advocates, prisoners and Corrections Officers.

5. How many suicide attempts have been reported in NZ prisons from January 2017 to date

Any death by suicide is tragic and has a lasting impact on the person's whānau and staff who have worked with them. Corrections acknowledges that people who self-harm need extra support, and prison staff devote significant time and resources to caring for those vulnerable to self-harm or suicide.

Our research shows that people in prison have higher rates of personality disorder, mental health and substance use disorders than the general population. It is estimated that 62 percent of people in prison would have met the diagnostic criteria for either a mental health or substance abuse disorder within the 12 months prior to imprisonment, 91 percent of people in prison also had a lifetime diagnosis of a mental health or substance use disorder. The disorders however often went undetected and were not treated prior to prison.

We recognise the demand for mental health services across New Zealand and have seen our role expand as we try to deliver the best possible results in changing people's lives and keeping our communities safe.

We are doing more than ever to improve mental health outcomes and are being proactive in ensuring people in prison receive the support they need and that our staff have the tools and resources they require to keep everyone safe.

Our role has expanded in recent years as we find ourselves managing people with significant mental health issues. We make every effort to ensure their mental wellbeing and physical safety during their time in custody. This can be very

challenging for our frontline staff who do a great job working with often complex, volatile people.

When a person enters prison, our immediate priority is to ensure their mental and physical health needs are met. People in prison undergo an induction process, where health staff assess their health needs, including any mental health needs, to determine whether they may be at risk of self-harm or suicide and whether they require a referral to a prison doctor, or a mental health provider.

People in prison who are identified as being vulnerable to self-harm or suicide may reside in an Intervention and Support Unit (ISU), a therapeutic environment with multidisciplinary teams, including Forensic Services, trained to help people through periods of crisis. Here people are monitored by custodial staff 24/7 as per their management plan. People in an ISU have access to specialised care and have unique care plans to help them to return to a sense of wellbeing.

The Intervention and Support Project (ISP) was established in 2017, to develop and implement initiatives for people in prison who are vulnerable to self-harm and suicide.

Corrections has invested \$11.6 million over four years to develop and implement a model of care to transform the way we support those who are vulnerable to self-harm or suicide. The three sites which took part in the initial pilot of specialist mental health teams providing intensive support were: Auckland Prison, Auckland Region Women's Corrections Facility, and Christchurch Men's Prison. The teams at these sites are now operating as 'business as usual'. Corrections is expanding this service to three additional sites - Mt Eden Corrections Facility, Rimutaka Prison, and Spring Hill Corrections Facility.

The ISP model provides the opportunity for staff to receive foundational mental health training, assisting them to recognise, relate and respond to people experiencing mental illness or distress, and how to build their own resilience. Training has been tailored to the Corrections environment and provides awareness of how common mental health issues are, and a better understanding of behaviour indicative of mental health disorders or personality disorders and how to best support people who are mentally unwell or distressed.

In addition to this, specialist multi-disciplinary teams have been established, who work closely with custody colleagues involving assessment, therapy and mental health promotion.

The project has also introduced a supported decision framework to help staff in the ISU to make the right decision every time with every person. The framework is for all custodial staff who may be rostered into the ISU and aims to embed a more therapeutic approach for people in our care vulnerable to suicide and self-harm.

Alongside this programme of work, in 2016 Corrections launched an Improving Mental Health and Reintegration Services pilot, to improve and expand the level of mental health support people can access in prison and in the community.

Through Budget 2019, a total of \$128.3 million over four years was allocated for mental health and alcohol and drug services for people in prison and on community-based sentences. This funding enabled Corrections to embed and expand the 2016 pilot service.

Please find the requested information in the table below, broken down by financial year, consistent with our standard reporting conventions. These figures represent incidents categorised as 'self-harm, threat to life', defined as intentional acts of self-harm that likely would have resulted in the individual's death had there not been immediate intervention. Figures provided for 2020/21 are be subject to change in cases where incidents are reclassified as investigations are completed.

	2020/21 ¹	2019/20	2018/19	2017/18	2016/17
Self-harm causing threat to life	51	83	54	30	16

6. How many assaults have been reported in NZ prisons from January 2017 to date - please specify those involved eg whether the alleged victim was staff or offender

Corrections manages some of New Zealand's most complex and challenging people. We have a zero-tolerance policy toward violence of any kind. Our staff recognise the importance of knowing and understanding people we manage, and actively engaging 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.

While Corrections considers no assault to be acceptable, we acknowledge the reality that these incidents do occur and that prisons can be difficult environments. We are constantly working to provide the safest possible environment for both staff and people in prison. This includes encouraging people in prison and staff to report all assaults regardless of whether they result in injury. Any person in prison who resorts to this behaviour will be held to account. This may be through internal misconduct charges, a change in security classification, or referral to Police for consideration of criminal prosecution.

Prisons regularly review assault incidents to determine whether similar occurrences can be prevented in future. If there are lessons to be learned these are relayed to staff as part of Corrections' commitment to keep our staff, the people we manage and the public safe.

A number of factors contribute to violence in prison, including:

- an increase in the proportion of the prison population who are gang affiliated, which mirrors growth in gang membership in communities. Gang members are over-represented in acts of disorder and violence in prison. Gang

¹ As at 28 February 2021.

members also are known to incite other people in prison to carry out violent acts on behalf of the gangs;

- a growing proportion of the prison population who are on remand; there is a strong statistical association between remand status and incidents of disorder within prison, including assaults; and,
- a growing proportion of the prison population who have extensive methamphetamine use/abuse habits. Methamphetamine abuse is associated with significant and lasting impacts on mental and emotional functioning, including issues such as anger control.

In recent years, we have also put a strong focus on ensuring that all incidents of assault, no matter how minor, are recorded. We continue to encourage all staff to report any incident to ensure we have a full understanding of our prison environments and can respond where needed. We need our staff to recognise that these incidents have a potential for escalating behaviour. By recording all assaults which occur in prison, there is a greater chance that we can address the causes of this violent and/or aggressive behaviour at an earlier stage, rather than seeing it amount to something more serious in the long term.

The number of prisoner-on-prisoner and prisoner-on-staff assaults between 2016/17 and 2020/21, broken down by assault type and financial year is attached as Appendix Three. Information has been broken down by financial year, consistent with our standard reporting conventions. Figures provided for 2020/21 are subject to change in cases where incidents are reclassified as investigations are completed.

Prison-based assault incidents are categorised as follows:

- No injury – victim subjected to physical violence that did not result in physical injuries or require any form of medical treatment (e.g. kicking, shoving, jostling, striking, or punching that did not result in injury);
- Non-serious – victim subjected to physical violence that resulted in physical injuries that may have required medical treatment, and/or overnight hospitalisation as part of initial assessment or medical observation but not ongoing medical treatment (e.g. blood nose, x-ray required, cuts requiring minimal stitches, gouging, or bites);
- Serious – an act of physical violence that involves one or more of the following: bodily harm requiring medical intervention by medical staff followed by overnight hospitalisation (beyond initial assessment or medical observation) in a medical facility; bodily harm requiring extended periods of ongoing medical intervention; or sexual assault of any form where Police charges have been laid.

7. How many contraband, including, drug seizures have been made in NZ prisons between January 2020 to date and what was confiscated in each case?

Corrections is currently managing around 8,600 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:

www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Misconduct.

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.

The number of contraband items found in prisons between 2019/20 and 2020/21, broken down by contraband item is attached as Appendix Four. Information has been broken down by financial year, consistent with our standard reporting conventions. Figures provided for 2020/21 are subject to change in cases where incidents are reclassified as investigations are completed.

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

A handwritten signature in blue ink, consisting of a series of connected loops and a long horizontal tail.

Rachel Leota
National Commissioner