



APPENDICES

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REHABILITATIVE AND REINTEGRATIVE PROGRAMMES AND SERVICES

Type	Output	Provider	Description	Target Audience	Location (capacity)
Responsivity / Motivational	7.1	Department	The Short Motivational Programmes are designed to help offenders enhance their motivation to identify and address their rehabilitation needs.	Prisoners, community-based offenders	Nationwide
	7.1	Department	Tikanga Māori Programmes are designed to develop a sense of awareness and responsibility for an offender's behaviour and its impact on themselves, their whānau, hapū and iwi, by focusing on regeneration of Māori identity and Māori practices.	Prisoners, community-based offenders	Nationwide
	7.1	Department/ External Service Provider	The Faith-Based Programme is a Christian-based programme that is available to lower security prisoners generally in the last 18 months of their sentence. It is provided in partnership with the Prison Fellowship New Zealand, and core modules include personal value and purpose, transformation, restoration and reintegration. These programmes are provided within the Faith-Based Unit.	Prisoners	Rimutaka
Rehabilitation	7.2	Department	The Violence Prevention Programme assists offenders to develop skills needed to live without violence, such as controlling violent impulses and conflict resolution. These programmes are provided within the Violence Prevention Unit.	Prisoners	Rimutaka
	7.2	Department/ External Service Provider	Drug Treatment Programmes are delivered to highly recidivist offenders with identified alcohol and drug-related needs. These programmes are provided within the Drug Treatment Unit.	Prisoners	Hawke's Bay, Rimutaka, Arohata, Christchurch, Waikeria, Spring Hill
	7.2	Department	Special Treatment Unit - Rehabilitative Programmes (STU-RP) are delivered in a dedicated prison unit for high-risk male offenders and are based on the principles of risk, needs and responsivity, cognitive behavioural, dialectical behaviour therapy and relapse prevention theories. Two units were operational during 2007/08; Karaka and Puna Tatari.	Prisoners	Waikeria (Karaka), Spring Hill (Puna Tatari)

Type	Output	Provider	Description	Target Audience	Location (capacity)
Rehabilitation	7.3	Department	The Kowhiritanga Programme for Women helps offenders examine the cause of their offending and develop specific skills to prevent them re-offending. It is co-facilitated by a psychologist and a programme facilitator.	Prisoners	Arohata, Christchurch Women's, ARWCF
	7.3	Department/ External Service Provider	Māori Therapeutic Programmes integrate cognitive behavioural therapy and Tikanga Māori concepts to facilitate change in the offending behaviour of Māori offenders. These programmes are delivered in Māori Focus Units and at Northland Prison.	Prisoners, community-based offenders	Northland, Tongariro/Rangipo, Waikeria, Wanganui, Hawke's Bay, Rimutaka
	7.3	Department	The Maintenance programme is for offenders who have completed either a high-intensity or a medium-intensity programme. It provides a forum for review of post-release developments and treatment maintenance.	Prisoners, community-based offenders	Nationwide
	7.3	Department	The Medium Intensity Rehabilitation Programme helps male offenders examine the cause of their offending and develop specific skills to prevent them re-offending.	Prisoners, community-based offenders	Nationwide
	7.3	Department	The Short Rehabilitation Programme is the condensed versions of either the Medium Intensity Rehabilitation Programme or Kowhiritanga, it helps offenders examine the cause of their offending and develop specific skills to prevent them re-offending. There are separate programmes available to male and female prisoners.	Prisoners, community-based offenders	Nationwide
	7.3	Department	The Saili Matagi Programme is a violence prevention programme specifically for Pacific adult male offenders. This programme is provided within the Pacific Focus Unit.	Prisoners	Spring Hill
	7.3	Department	The Focus Programme helps young offenders to acknowledge their offending, understand themselves better, learn how to break their offending cycle, learn how to cope with uncomfortable or negative feelings and practice using skills to get on better with others. The Programme is provided within the Youth Unit.	Prisoners, piloted in the community	Christchurch Men's, Hawke's Bay, Rimutaka, Waikeria

Type	Output	Provider	Description	Target Audience	Location (capacity)
Rehabilitation	7.4	Department	The Sex Offender Treatment Programme is provided within the Kia Marama and Te Piriti Special Treatment Units for prisoners convicted of sex offending against children.	Prisoners	Christchurch Men's (Kia Marama), Auckland (Te Piriti)
	7.4	Department/ External Service Provider	Domestic Violence Programmes teach offenders the skills needed to live without violence, such as controlling violent impulses and conflict resolution.	Community-based offenders	Nationwide
	7.4	Department/ External Service Provider	Alcohol and Drug Programmes are for offenders with a history of serious substance abuse identified as contributing to their offending.	Community-based offenders	Nationwide
Education	7.5	External Service Provider	The Foundation Skills Programme allows prisoners to develop their reading, writing and numeracy skills. It enables prisoners to become functionally literate and numerate thus increasing their employment opportunities or preparing them for participation in further education or training upon release.	Prisoners	Nationwide
	7.5	Department/ External Service Provider	Secondary Education is delivered according to the needs of the offender and is provided to all prisoners 18 years of age and under. Secondary Education is provided within the Youth Unit.	Prisoners	Nationwide
Reintegration	7.6	Department/ External Service Provider	The Parenting Skills course is an intervention designed to improve the ability of prisoners to safely and effectively parent their own children.	Prisoners	Nationwide
	7.6	Department/ External Service Provider	The Living Skills course addresses offenders' reintegrative problems and their practical skills for living. The programme targets the specific social or environmental problems they will face on release, which are likely to constitute obstacles to a non-offending lifestyle following release.	Prisoners	Nationwide

Type	Output	Provider	Description	Target Audience	Location (capacity)
Reintegration	7.6	Department/ NZPARS	Reintegrative Services provided by NZPARS cover the period from pre-sentence to post-release, and include the coordination and/or delivery of reintegrative services. Services may include information, advice and practical assistance, emotional support, development of self management skills, and coaching.	Community-based offenders	Nationwide
	7.6	Department/ External Service Provider	Supported Accommodation Services provide much needed accommodation and other reintegrative services to released prisoners and offenders on community-based sentences or orders.	Community-based offenders	Auckland, Wellington, Christchurch, Hamilton, Hawke's Bay
Community Residential Centres	7.7	Department/ External Service Provider	Montgomery House provides a residential treatment programme for men who have repeatedly committed serious violent offences.	Prisoners on temporary release, community-based offenders	Hamilton
	7.7	Department/ External Service Provider	Te Ihi Tu is a residential programme that provides rehabilitative and reintegrative services for male offenders. The programme is aimed at men who are committed to living crime-free, but who do not have the skills, knowledge, understanding or support to change their way of life.	Community-based offenders	New Plymouth
	7.7	Department/ External Service Provider	Salisbury Street Foundation provides a residential programme for men who have spent substantial time in the criminal justice system.	Community-based offenders	Christchurch
Psychological Services	7.8	Department	Specialist Psychologist Treatment Services are provided to offenders serving both custodial and community-based sentences. This is a special referral programme that primarily deals with high-risk offenders one-on-one.	Prisoners, community-based offenders	Nationwide

Type	Output	Provider	Description	Target Audience	Location (capacity)
Employment	6.1	Department	Prison-based work and training covers the provision of employment, on-the-job training and assessment of NZQA credits to prisoners working in Corrections Inmate Employment industries, and also self-sufficiency activities such as food preparation and laundry. Prisoner employment is also available through unit maintenance, administered by Prison Services.	Prisoners	Nationwide
	6.2	Department	Release to Work allows eligible prisoners to be released during the day to work for private sector employers as ordinary employees. This supports their reintegration back into the community.	Prisoners	Nationwide
	6.3	Department	Trade and Technical Training courses are provided in a limited number of locations where the Department has been able to access appropriate Polytechnic providers. It covers the provision of all employment-related training other than on-the-job training. Courses include Elementary Construction, Forestry, Horticulture and Elementary Engineering.	Prisoners	Northland, Rimutaka
	6.4	Department	Community Services allow prisoners to undertake work that benefits local communities. Prisoners nearing their release date who meet eligibility criteria work outside the prison boundaries during the day in supervised work parties.	Prisoners	Rimutaka, Rolleston, Tongariro/Rangipo, Waikeria, Hawke's Bay, New Plymouth, Wanganui
Units	N/A	Department	Māori Focus Units were developed to provide programmes in an environment that meets the specific needs of Māori prisoners, including preparation for their release. Māori Focus Units are constituted on Tikanga Māori principles and operate within a Tikanga Māori environment.	Prisoners	Hawke's Bay (60), Waikeria (60), Tongariro/Rangipo (60), Rimutaka (60), Wanganui (60)

Type	Output	Provider	Description	Target Audience	Location (capacity)
Units	N/A	Department/ External Service Provider	Drug Treatment Units aim to reduce an offender's risk of re-offending by treating alcohol and/or other drug addictions. The 24-week programme includes behavioural therapy, education on addiction and change, building new skills, group therapy and one-to-one therapy.	Prisoners	Waikeria (32), Christchurch Men's (60), Arohata (20), Hawke's Bay (60), Rimutaka (60), Spring Hill (80)
	N/A	Department	Special Treatment Units (STUs) at Rolleston Prison (Kia Marama) and Auckland Prison (Te Piriti) deliver group-based treatment within a therapeutic environment for prisoners with convictions for sexual offences against children. The STUs at Waikeria Prison (Karaka) and Spring Hill Corrections Facility (Puna Tatari) are for men who have repeatedly committed a range of serious crimes.	Prisoners	Auckland (60), Rolleston (60), Waikeria (40), Spring Hill (40)
	N/A	Department	The Violence Prevention Unit at Rimutaka Prison is the first of its kind in the world. In order to be accepted on to the programme prisoners must show a required level of motivation, and recognise that controlling the causes of their offending will reduce the likelihood of their re-offending in the future. Follow-up support on release into the community is an important aspect of the programme.	Prisoners	Rimutaka (30)
	N/A	Department	Self Care Units allow longer serving prisoners to spend time in a residential-style unit as they near their release. These units let the prisoners get used to living in a house or flat environment and give them the opportunity to learn and practice the skills they will need to live independently after their release. The Living Skills programme is also delivered in this Unit. Some prisoners with babies may be eligible to live in Self Care Units at Arohata, Auckland Women's and Christchurch Women's under the mother-child placement option.	Prisoners	Arohata (16), Auckland Women's (32), Christchurch Men's (20), Christchurch Women's (20), Hawke's Bay (40), Northland (48), Otago (20), Rimutaka (20), Wanganui (40), Spring Hill (80)

Type	Output	Provider	Description	Target Audience	Location (capacity)
Units	N/A	Department	Youth Units house male prisoners under the age of 18, or 18 and 19 year old males deemed vulnerable (using the Prison Youth Vulnerability Scale), in a manner appropriate to their age, level of maturity and statutory requirements. The Units provide a safe and secure development environment, away from the mainstream prison population and contribute to reducing re-offending by providing access to educational, vocational, psychological and recreational activities.	Prisoners	Christchurch Men's (40), Hawke's Bay (30), Rimutaka (40), Waikeria (35)
	N/A	Department	The Reintegration Unit houses male prisoners who are serving the final 12 months of their sentence and who would benefit from specialist support before they return to the community. These units accommodate prisoners with a low-medium or minimum security classification and provide a structured environment where Release to Work and vocational training opportunities can be maximised. Prisoners held in these units are assisted to find accommodation and employment, as well as assistance with practical life skills such as managing debt.	Prisoners	Rimutaka (30)
	N/A	Department/ External Service Provider	The Faith-Based Unit is aimed at reducing the risk of re-offending by providing a programme with a strong Christian emphasis. Within a supportive environment, prisoners are provided with an opportunity to explore the Christian faith and support leading up to and following their release.	Prisoners	Rimutaka (60)
	N/A	Department	The Pacific Focus Unit (or Vaka Fa'aola) at Spring Hill provides a therapeutic environment where prisoners are encouraged and supported to deal with their motivational barriers to addressing offending needs.	Prisoners	Spring Hill (44)

ASSURANCE BOARD REPORT

The purpose of the Assurance Board is to assist the Chief Executive in ensuring that the Department's Risk Management Framework is operating effectively and efficiently and in particular that:

- Internal controls and quality assurance environments are robust and enhanced where necessary.
- Operational, legal, financial, information technology, human resource management and security systems risks are identified and managed.
- Management of the offender environment is maintained with issues appropriately addressed when they arise.

The Department's Risk Management Framework is based on the Australian/New Zealand Standard AS/NZS 4360:2004.

During 2007/08 the Board received regular reports from Internal Audit, the Inspectorate and departmental management, including progress reports on key projects such as the Payroll Improvement Project and the Mt Eden Redevelopment Project. A continued focus for the Board is the effective implementation of the Department's reporting of non financial data. The Board maintains an oversight of the operations of the Department's Internal Audit, Inspectorate and Professional Standards Unit functions.

Since the last annual report the Chairmanship of the Board has moved to an external Board member, David Henry. There are a further three external members on the Board: Graeme Hall, Steve Ruru and Hamish Bowen. Board meetings are bi-monthly. During 2007/08, the Board reviewed and modernised its charter in line with established 'good practice'.

TABLE 1:**RECIDIVISM INDEX: 12-MONTHS FOLLOW-UP (PERCENTAGES) FOR 2006/07**

Category	Group	Released from prison		Beginning community sentence	
		Reimprisoned	Reconvicted	Imprisoned	Reconvicted
All		27.2	43.5	7.9	32.5
Gender	Female	18.4	35.4	3.8	22.9
	Male	28.0	44.2	8.9	34.8
Ethnicity	Māori	30.5	47.9	9.6	36.5
	European	23.3	38.3	6.7	30.6
	Pacific	23.0	38.3	6.7	27.4
	Other (incl. Asian)	12.8	21.3	3.5	19.0
Age (at prison release or start of community sentence)	<20 years	45.1	65.9	9.6	46.9
	20-24 years	32.6	52.2	8.7	35.9
	25-29 years	28.6	46.6	8.5	32.7
	30-39 years	26.3	42.3	7.7	28.1
	40 and above	14.3	24.5	4.5	17.5
Offence (most serious for original sentence)	Dishonesty	42.2	60.0	11.3	44.1
	Admin	35.6	50.7	10.8	29.2
	Violence	28.1	46.2	7.9	32.9
	Property Damage/Abuses	26.3	43.1	8.0	33.8
	Traffic	17.7	33.4	6.0	28.4
	Drug & Anti-social	16.1	29.2	7.4	29.1
	Sexual	7.5	12.1	3.6	17.9
	Other Minor offences*	(see note)	(see note)	4.7	20.4
Community- Sentence	Supervision	n/a	n/a	11.5	33.8
	Community Work	n/a	n/a	7.2	33.1
Inmate Security Classification (at release)	Maximum*	(see note)	(see note)	n/a	n/a
	High-medium	41.2	58.0	n/a	n/a
	Low-medium	39.3	55.4	n/a	n/a
	Minimum	23.4	39.7	n/a	n/a

Category	Group	Released from prison		Beginning community sentence	
		Reimprisoned	Reconvicted	Imprisoned	Reconvicted
Release Type	Parole	21.2	30.7	n/a	n/a
	Home Detention**	11.7	17.3	5.5	13.5
	Post-release Conditions***	28.4	45.8	n/a	n/a
Sentence Length	6 mth or less	27.2	44.6	7.3	32.6
	> 6mth but <= 1yr	29.7	48.8	11.6	32.5
	>1 to 2 yr	29.3	44.5	13.5	30.1
	>2 to 3 yr	22.7	35.4	n/a	n/a
	>3 to 5 yr	22.8	30.6	n/a	n/a
	>5 yr	15.7	21.6	n/a	n/a
All (2005/06)		27.6	42.3	8.6	31.8

Notes

Figures indicate rate of reconviction / re-imprisonment (within a subsequent 12-month period) amongst all offenders released from prison or commencing a new community sentence between 1 April 2006 and 31 March 2007. Source is CMS conviction and sentencing data, as at 15 August 2008.

* *Insufficient numbers to report*

** *"Front-end" Home Detention reported as Community Probation and Psychological Services new start, "back-end" Home Detention reported as Prison Services release*

*** *Post-release conditions was introduced by the Sentencing Act 2002; order imposed by judge at time of sentencing*

TABLE 2:**RECIDIVISM INDEX: 24-MONTHS FOLLOW-UP (PERCENTAGES) FOR 2005/06**

Category	Group	Released from prison		Beginning community sentence	
		Reimprisoned	Reconvicted	Imprisoned	Reconvicted
All		37.9	57.6	12.8	44.2
Gender	Female	23.9	44.2	6.1	31.6
	Male	39.1	58.8	14.4	47.3
Ethnicity	Māori	42.1	62.4	15.0	49.8
	European	33.5	53.0	11.2	40.9
	Pacific	30.9	49.1	10.9	37.0
	Other (incl. Asian)	28.2	39.1	6.6	28.7
Age (at prison release or start of community sentence)	<20 years	57.7	82.1	16.7	62.2
	20-24 years	46.3	69.7	13.9	50.3
	25-29 years	42.0	63.4	13.5	43.2
	30-39 years	35.5	54.8	11.9	37.9
	40 and above	19.9	32.7	7.5	26.0
Offence (most serious for original sentence)	Dishonesty	56.3	74.9	17.6	56.6
	Admin	51.3	66.1	13.2	33.6
	Violence	38.1	58.9	12.8	46.0
	Property Damage/Abuses	36.4	60.9	15.3	50.8
	Traffic	25.9	46.8	10.0	38.6
	Drug & Anti-social	25.5	40.6	11.7	40.3
	Sexual	15.6	25.7	6.7	24.3
	Other Minor offences*	(see note)	(see note)	8.2	30.7
Community- Sentence	Supervision	n/a	n/a	17.6	45.6
	Community Work	n/a	n/a	11.9	44.8
Inmate Security Classification (at release)	Maximum*	(see note)	(see note)	n/a	n/a
	High-medium	65.7	77.8	n/a	n/a
	Low-medium	53.1	73.2	n/a	n/a
	Minimum	33.8	53.3	n/a	n/a

Category	Group	Released from prison		Beginning community sentence	
		Reimprisoned	Reconvicted	Imprisoned	Reconvicted
Release Type	Parole	32.9	45.1	n/a	n/a
	Home Detention**	20.1	31.8	7.9	21.7
	Post-release Conditions***	38.8	59.8	n/a	n/a
Sentence Length	6 mth or less	37.3	58.8	12.0	44.1
	> 6mth but <= 1yr	38.6	60.1	17.6	44.7
	>1 to 2 yr	43.2	61.1	19.4	43.1
	>2 to 3 yr	38.1	50.4	n/a	n/a
	>3 to 5 yr	27.7	38.0	n/a	n/a
	>5 yr	26.8	38.1	n/a	n/a
All (2004/05)		38.8	55.4	12.7	41.9

Notes

Figures indicate rate of reconviction / re-imprisonment (within a subsequent 24-month period) amongst all offenders released from prison, or commencing a new community sentence, between 1 April 2005 and 31 March 2006. Source is CMS conviction and sentencing data, as at 15 August 2008.

* *Insufficient numbers to report*

** *"Front-end" Home Detention reported as Community Probation and Psychological Services new start, "back-end" Home Detention reported as Prison Services release*

*** *Post-release conditions was introduced by the Sentencing Act 2002; order imposed by judge at time of sentencing*

REPORT UNDER SECTION 190 OF THE CORRECTIONS ACT 2004

Section 190 of the Corrections Act 2004 prescribes particular issues that must be reported on in the Department's Annual Report. These issues and the Department's achievements in the period from 1 July 2007 to 30 June 2008 are detailed below.

S190(1)(A)

This aspect includes a report on the way in which the Chief Executive has carried out his functions under section 8(1)(k) and the way in which Prison Managers have undertaken their functions under section 12(d) during the year by ensuring that processes are established and maintained to identify communities significantly affected by policies and practices in the corrections system, and giving opportunities for those communities to give their views on those policies and practices, and ensured those views were taken into account, together with information on how Prison Managers have carried out this responsibility.

Regional Managers are required by the General Manager of Prison Services to engage with local communities on a regular basis. The processes established to assist engagement are described in the following publications:

- Prison Services manuals and guidelines.
- Release of Official Information: Guideline for Coordination.
- Consultation requirements as set by local authorities.
- Performance management system.

The major issues for Prison Services requiring consultation with community organisations during 2007/08 included:

- the construction and opening of new correctional facilities, and
- changes to existing operations and facilities.

Opportunities were made available for community involvement through staff and community networks, public meetings, hui, and the media. This involvement included identifying issues that could both positively and negatively impact on a community, providing opportunities for positive community contributions, and providing information on departmental and prison activities.

S190(1)(B)

This aspect includes a report on the work undertaken by Inspectors of the Department during the year including statistical information about the disposition of complaints made by persons under control or supervision during that period and comment on issues arising out of complaints or visits. This report is prepared by the Corrections Inspectorate.

Introduction

The Corrections Inspectorate is established under the provisions of section 28 of the Corrections Act 2004 as a dedicated complaints resolution, investigation and assurance function, reporting directly to the Chief Executive independently of operational line management. The legislation acknowledges the high level of risk attached to sentence management by providing a level of legislative prescription, protection and access for the agents of the Chief Executive in matters related to sentence management generally and the secure prison environment in particular.

Community-based sentences have continued to generate a very low volume of complaints to the Inspectors, with only four received in 2007/08. None of these complaints were upheld. The reasons for the low volume are twofold. Firstly, the Community Probation and Psychological Service has traditionally had a robust internal complaints process in place for offenders. As a result, offender issues are effectively resolved at operational level. Secondly, community-based offenders are largely able to carry on with their normal lives while serving their sentences. They therefore have ready access to their normal support networks, and the coercive power of the State is significantly less immediate than is the case for someone serving a sentence of imprisonment.

This report therefore deals primarily with prison related matters.

Complaints to the Inspectors of Corrections

The effective and timely resolution of prisoner complaints is a key area of the Inspectors' work. For reasons of safety, security, fairness and the mitigation of risk the Department expects prisoners' issues and concerns to be resolved as soon as practicable and at the lowest possible organisational level – in the normal course of events that is, within the prison, at unit floor level. It is the responsibility of unit staff to resolve prisoner concerns by taking the appropriate action before they escalate into complaints or incidents. For those occasions where lower level resolution does not occur, or is not possible, the legislation provides the Department with a two tiered system of internal complaints resolution. At prison site level, a robust, auditable internal complaints system is required so that prisoners can formally take matters for resolution to their Unit Manager or Prison Manager. This constitutes the first tier.

The Inspectorate constitutes the second tier of internal complaints resolution. As such it is effectively the Department's last opportunity to resolve a complaint before external agencies or Court action become involved. 2007/08 is the second year in succession where there has been a reduction in the number of prisoner complaints to the Inspectorate compared with the previous year. This combined with a comparable rise in matters dealt with through the prisons' internal complaints system is an encouraging confirmation that prisons are beginning to deal more effectively with prisoner concerns through their own internal complaints systems. This indication continues to be reinforced by the low incidence of justified complaints to the Inspectors. Only 84 complaints out of a total of 2,223 complaints to an Inspector, or 3.8 per cent, were deemed to be justified during 2007/08, which compares favourably with 121 from a total of 3,094 (3.9 per cent) in 2006/07.

There remains one matter of general concern arising from the complaints-related activity during the year. While there has been some improvement, residual concerns remain surrounding the approach of some unit staff to complaints. While they may be well intentioned, the efforts of some unit staff to ensure that issues are resolved at the lowest level can be counter-productive. Unit staff are required to offer to resolve an issue for a prisoner, but that is the most they can do. They must not, for example, insist that the prisoner disclose his or her concerns at unit officer level before being given access to the formal complaints system. Access to the system must be provided if that is what the prisoner seeks, and the necessary forms should be readily available in all units for the prisoners to use. Managers must remain vigilant in order to ensure that the correct perspective is maintained where complaints are concerned. Complaints are a normal part of prison life and a volume of complaints is not only to be expected, but in fact welcomed. A steady level of complaints is more generally an indicator of prison health than otherwise.

A number of specific areas of activity have been drawn to management's attention during the year, arising out of the Inspectors' complaints activity. As noted in the last two annual reports, the most significant of these remains prisoner property.

There is a continuing high incidence of complaints related to prisoners' property. During 2007/08, 357 property-related complaints were received of which 23 (6.1 per cent) were found to be justified; a higher rate than last year. The proposed comprehensive review of prisoner property has not yet taken place.

The rate of justified complaints related to staff conduct and attitude has dropped significantly from 13.9 per cent last year to 8.4 per cent in 2007/08. While this is still significantly more than the average rate of justified complaints across all complaint categories (3.8 per cent) the drop is encouraging and indicates an increasing level of experience and active management at unit level. It may also indicate that the recent lower prison musters have resulted in a less stressful environment for prisoners and staff alike.

Prison Visit Focus Reviews

The Inspectorate's prison visiting programme includes a number of system reviews which focus on those areas of prison activity that generate the greatest level of risk to safe, fair and humane treatment. The same four focus review areas undertaken last year were continued in 2007/08 because of their critical nature in terms of ensuring the safe, fair and humane treatment of prisoners. They were:

- the use of force system
- the system for identifying and managing prisoners at risk to themselves
- the prisons' internal complaints system
- the arrangements prisons have in place to ensure that regular sanitation and hygiene inspections by an independent specialist are carried out and any issues arising are addressed.

The results of these reviews were as follows:

The Use of Force System

A reasonable to high level of assurance can be given that the required system for managing the use of force is in place and being operated in practice. Some minor recording matters were drawn to management's attention at some sites but in general, use of force incidents were well documented. As noted in the last annual report there is ongoing evidence that prisoners were given every reasonable opportunity to comply with a lawful order before force was used. This system is considered sufficiently robust in operation in the meantime. It will be replaced on the Inspectorate's focus review menu for 2008/09 by a review of Directive Segregation.

The System for Identifying and Managing Prisoners At Risk to Themselves

A reasonable level of assurance can be given that the system for identifying and managing prisoners at risk to themselves is in place and being operated in practice. This system is, however, critical to safe and secure custody and will remain on the focus review menu for 2008/09.

The Prisons' Internal Complaints System

As was the case in 2006/07, a reasonable level of assurance can be given that the required system for managing prisoner complaints at prison site level is in place at most locations. However, as noted above, some ongoing but isolated shortcomings remain. This system will remain on the focus review menu for 2008/09.

The System for Managing Independent Sanitation and Hygiene Inspections

A reasonable level of assurance can be given that there is a system in place at all prison sites to ensure that regular independent expert health and sanitation checks of the prison are carried out. A reasonable level of assurance can also be given that any shortcomings noted by the health and sanitation inspectors are recorded and addressed. This system is also critical to safe custody and will remain on the focus review menu for 2008/09.

Investigations

In addition to their prison visiting and complaints resolution activities, the Inspectors completed 14 full investigations of significant prison incidents during 2007/08, most of which related to deaths in custody. In the interests of transparency, the Inspectors have also continued to monitor the conduct and outcome of a number of internal prison investigations into other prisoner related incidents and allegations.

The most consistent areas of concern arising out of the investigations and monitoring assignments carried out by the Inspectors during 2007/08 remain as reported last year:

- the need for staff to carry out an adequate level of supervision, observation and routine security checking of prisoners
- the need for assessing staff to carry out an adequate level of cross matching of information when completing prisoner self-harm risk assessments
- the need for staff to report all incidents in a timely fashion, and for reports to be submitted by all staff who are involved in an incident.

As with the matters arising out of the Inspectors' complaints activities and routine visits, these areas of concern are the subject of adequate and well-proven systems, instructions and procedural requirements. The issues identified are more about the compliance in practice with those systems. That they remain of concern is indicative of a need for a greater degree of in-service training and staff supervision rather than concerns regarding the systems themselves. In this regard it is encouraging to note that there is a major review proposed for the current Policy and Procedure Manual.

The Department of Corrections has come through a long period of change and development at the strategic level. Prison Services has recently completed a major review of its management structure. There is an ongoing emphasis on the basics of day to day operations, and while the full effects of the recent restructuring are yet to bed in, it is hoped that this will ensure that line managers are properly supported and have sufficient time and resource to effectively monitor and mentor their areas of responsibility.

Conclusion

The Inspectorate has reported progressively throughout the year on the matters arising out of their various activities to operational management to the Chief Executive and the Assurance Board. It is encouraging to note the ongoing positive response at all levels to the Inspectorate's findings, recommendations and observations, and the genuine desire for ongoing improvement.

It cannot be stressed enough that prisons are, and will remain difficult and dangerous places to manage and to work in. They provide an easy target for criticism, generalisation and sensationalism. The Inspectorate remains of the view, however, that the Department can be proud of the quality of its services and of the ongoing dedication and professionalism of its staff and managers. While isolated incidents will always generate a disproportionate level of interest and attention, their view is based on the largely positive findings arising out of the Inspectors' visiting, investigation and review activities, and the reducing incidence of justified complaints to the Inspectorate throughout the year.

SECTION 190(1)(C)(D)(E)

This aspect describes the processes and systems in place during the year to supervise and control the monitoring of prisoner calls under this Act; and gives an approximate proportion of the prisoner calls monitored (otherwise than merely recorded) and the number of calls disclosed under section 117(1) and (2) to any person other than an employee of the Chief Executive or a contractor. This aspect also reveals an approximate proportion of those prisoner calls disclosed, the number of proceedings against a prisoner for a disciplinary offence in which a recording of any of those calls was used in evidence.

Legislative authority for the Department to monitor prisoners' telephone calls is provided under sections 111 to 112 of the Corrections Act.

Monitoring prisoners' calls is a key step in maintaining a secure prison environment and preventing crime. The purpose of monitoring prisoners' telephone calls (other than exempt calls) is to increase public safety, making it easier to prevent, discourage, detect, investigate and prosecute the commission of offences which involve prisoners.

During 2007/08, the Department designed, developed and implemented appropriate systems and staff resources to monitor prisoners' telephone calls. Currently all prisons have prisoner phone call monitoring equipment and trained staff in place to implement the new system. The information gathered is being used to identify security risks and criminal activity within prisons, and is being shared and acted on with other agencies within the justice sector.

The Department's Prisoner Telephone Monitoring System (PTMS) commenced in November 2007 and was rolled out in April 2008. During 2007/08, the approximate proportion of prisoner calls monitored (otherwise than merely recorded) was 2.6 percent. The number of calls disclosed (internally and externally) was 121. There were no proceedings against a prisoner for a disciplinary offence in which a recording of any of those calls was used in evidence. On the occasions when PTMS disclosures were to be used as evidence in a court hearing, the prisoner pleaded guilty prior to the recording being used.

SECTION 190(1)(F)

This aspect provides a report on the measures taken to reduce drug and alcohol use by prisoners, the effectiveness of those measures and random-testing programmes, including a summary of results of those programmes;

The Department's progress in reducing drug and alcohol use by prisoners is reported on pages 12 and 17 of this Annual Report.

SECTION 190(1)(G)

This aspect provides a report on the operation of every security contract in force for the whole, or any part, of the year to which the annual report relates, including:

- a summary of reports forwarded to the Chief Executive under S171(2) and (3)
- a summary of reports made to the Chief Executive under S172(2)(b)
- a summary of actions taken in relation to the operation of security contracts as a result of matters raised in any report forwarded.

Chubb New Zealand Limited has met all the obligations in its contract with the Department and provides monthly reporting outlining performance measures such as task numbers, escapes, releases in error, prisoner deaths, prisoner injuries, complaints, staff personal grievances and disciplinary actions.

There have been two variations to the Department's contract with Chubb New Zealand Limited in 2007/08. Variation 4 allows Chubb to provide court escort duties at Papakura District Court for jury trials, and Variation 5 requires prisoners escorted by Chubb to wear waist restraints while being transported. Vehicles have been upgraded and staff trained to ensure compliance to the Department's policy and procedures manual.

SECTION 190(1)(H)

This aspect provides a report on the operation of every security contract that was in force for the whole, or any part, of the year to which the annual report relates; including a summary of reports by the manager of the contract prison, including:

- a summary of reports forwarded to the Chief Executive under S214(2) and (3)
- a summary of reports made to the Chief Executive under S215(2)(b)
- a summary of actions taken in relation to the management of contract prisons as a result of matters raised in any report forwarded.

No prisons were operated under contract during 2007/08.

REPORT UNDER SECTION 15A OF THE PAROLE ACT 2002

Section 15A(4) of the Parole Act 2002 requires the Department of Corrections to include in its Annual Report information about the use of electronic monitoring. The following information relates to the 2007/08 financial year:

- the number of offenders who were at any time subject to an electronic monitoring condition;
- the average number of offenders who were subject to an electronic monitoring condition and the average duration of the condition;
- the percentage of offenders who, while subject to an electronic monitoring condition attaching to an extended supervision order, were
 - convicted for a breach of the condition, or
 - convicted of any other offence.
- a description of processes and systems relating to electronic monitoring that were in place during the year reported on.

The number of offenders who were at any time during the 2007/08 financial year subject to electronic monitoring condition:

- Ten offenders were subject to electronic monitoring condition;
- One offender was electronically monitored as a special condition of parole, and nine offenders were electronically monitored as a condition of extended supervision.

The average number of offenders who were subject to an electronic monitoring condition and the average duration of the condition:

- The average number of offenders subject to electronic monitoring condition during 2007/08 was six offenders. The average duration of an electronic monitoring condition was six months.

The percentage of offenders who, while subject to an electronic monitoring condition attaching to an extended supervision order were convicted for a breach of the condition or convicted of any other offence:

- Four of the ten offenders subject to electronic monitoring during 2007/08 were convicted for a breach of the condition, or convicted of another offence.

A description of processes and systems relating to electronic monitoring that were in place during the year:

Following changes to the sentencing Act 2002 that took effect in October 2007, electronic monitoring is now used to ensure compliance with:

- the terms of a curfew imposed on an offender who is subject to a sentence of community detention;
- the terms of a curfew imposed on an offender who is subject to a Home Detention sentence or order imposed by the Courts;
- conditions imposed on a parolee by the New Zealand Parole Board.

Electronic monitoring equipment comprises a transmitter installed on the offender's ankle that communicates via a continuous radio signal with a base unit installed in the offender's residence. If the offender:

- leaves the confines of the premises;
- does not return to the property at times when he/she is required to be at the premises; or
- interferes with the equipment

the base unit transmits an alarm to a central monitoring centre. The monitoring centre then activates the appropriate response to the alarm including advising the offender's supervising Probation Officer.

Prior to recommending electronic monitoring, the Department considers the suitability of the offender's proposed address and assesses the safety and welfare of any occupants proposing to reside with the offender. In all cases the other occupants in the premises must consent to having an offender who is subject to electronic monitoring residing with them.

The Department has a contract with Chubb New Zealand Limited, for the provision of equipment (including installation), electronic monitoring services and a response service for offenders.

