

15 December 2020

C126653

s9(2)(a)

Tēnā koe s9(2)(a)

Thank you for your email of 21 September 2020, requesting various information about escapes from custody. Your request has been considered under the Official Information Act 1982 (OIA). I apologise for the delay in responding to your request.

Public safety is our top priority. Every year we carry out tens of thousands of escorts between prisons, courts, medical facilities and rehabilitation providers. Robust security processes are in place for all prisoners who require assessment or treatment outside of the secure confines of a prison. Each time a prisoner is transported outside of the secure prison perimeter, we carry out a thorough risk assessment and put together a comprehensive plan to mitigate any risks identified. This includes specifying the number of escorting staff, whether the person will be GPS monitored, what type of restraints are to be used, and the transport method.

When a prisoner escapes from custody, we immediately contact New Zealand Police, who are responsible for locating and returning the individual to custody. A person who is convicted of escaping lawful custody can receive a maximum sentence of five years' imprisonment.

An incident of this type may lead to a review being undertaken to identify the circumstances that led to the incident and determine how we can enhance our systems and policies to prevent it from happening again. We are always looking to improve upon our high standard of prisoner management during escorts.

No prisoner has broken out of prison since 2014. This reflects our long-term, successful investment in security and the management of people in prison.

You requested:

I would like to know how many times someone has escaped custody over the past five years, broken down by date and location. I would also like to know whether these escapes occurred during transport, from prison or court, from hospital, or during any other time you can think to include.

I would like to know how many times someone has been hurt during one of these incidents – can this please specify who was hurt (eg Corrections officer, another inmate, member of the public, the escapee etc) and the level of injury they suffered (eg bumps/bruises, lacerations, broken bones) and whether they required medical treatment or had to be admitted to hospital. Can this please be broken down by date and location.

For each escape incident I would also like to know the length of time it took to recover the escapee, or whether they were caught at all.

Please find the requested information attached as Appendix One, provided for the past five full financial years. Information is provided by financial year as this is our standard reporting convention.

Note that all incidents of escape were classified as either an abscond or an escape from escort, which are defined as follows:

- An abscond is considered to have occurred when a person in prison leaves a designated area and is outside of custodial control;
- An escape from escort is considered to have occurred when a person in prison escapes from supervision while on an escorted outing (such as a hospital trip or court appearance).

Please note that incident reports for the escape of prisoners do not include information relating to injuries sustained by members of the public. 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.

Note that in all instances of an injury occurring, it was classified as either a non-serious prisoner-on-staff assault or a serious prisoner-on-staff assault, which are defined as follows:

- A non-serious assault is an incident where the individual is 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 on-going medical treatment (for example, cuts requiring minimal stitches, gouging, or bites);
- A serious assault is 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 and degree where Police charges are laid.

Incident reports for the escape of prisoners do not require detail be provided about whether medical treatment was provided to an individual or whether hospital admission occurred. 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.

Caution is urged when comparing rates between prisons, due to their differences in size and their operational requirements.

If it's possible to collate this information, I would like copies of any reports, documents, memos, and correspondence relating to these incidents and relating to anything to do with escapes from custody over that time frame. If privacy is an issue, can identifying information please be redacted so that the reports can still be released.

Corrections does not centrally collate documentation of this nature relating to the escape of prisoners from custody. Some information within scope of this part of your request would be held on individual prisoner files, by various prisons across New Zealand, and we would be required to manually review the file of each individual involved in an escape to obtain this documentation. Further information within scope of this part of your request would be held by staff across different business units at Corrections. In order to provide all information in scope of your request, we would need to manually review a large number of files and consult extensively across the organisation.

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. Therefore, this part of your request is declined under section 18(f) of the OIA, as the information cannot be made available without substantial collation or research.

If you are interested in a specific case and are able to refine your request, we would be in a position to reconsider this part of your request.

I am also keen to know how much each incident where a prisoner has escaped custody has cost Corrections, and would like any supporting documents that show costs to other organisations too.

Any costs incurred by Corrections when an individual escapes from custody are absorbed by Corrections' operational budget and are not individually recorded or able to be extracted. 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.

The search for individuals who escape from custody is undertaken by the New Zealand Police, who have responsibility for bringing the individual back into custody and will primarily incur any associated costs.

I trust the information provided is of assistance. Should you have any concerns with this response, I would encourage you to raise these 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, consisting of a series of fluid, connected strokes that form a stylized, somewhat abstract shape.

Rachel Leota
National Commissioner

Appendix One – breakdown of individuals escaping custody over the past five years.

Financial Year	Prison	Category	Whether an injury occurred, who was injured, and the level of injury	Number of days before prisoner was found and returned to prison
2015-16	Christchurch Men's Prison	ESCAPE - Escort	Non-serious assault on staff member	1
2015-16	Auckland Region Women's Corrections Facility	ESCAPE - Escort	No injury occurred	0
2016-17	Hawke's Bay Regional Prison	ESCAPE - Escort	No injury occurred	2
2016-17	Christchurch Men's Prison	ESCAPE - Escort	No injury occurred	0
2016-17	Hawke's Bay Regional Prison	ESCAPE - Escort	Non-serious assault on two staff members	3
2016-17	Mt Eden Corrections Facility	ESCAPE - Escort	Serious assault on staff member	2
2016-17	Spring Hill Corrections Facility	ESCAPE - Escort	Non-serious assault on staff member	53
2017-18	Auckland Region Women's Corrections Facility	ESCAPE - Escort	No injury occurred	0
2017-18	Auckland Region Women's Corrections Facility	ESCAPE - Escort	No injury occurred	16
2017-18	Mt Eden Corrections Facility	ESCAPE - Escort	No injury occurred	0
2017-18	Invercargill Prison	ESCAPE - Escort	No injury occurred	0
2017-18	Christchurch Men's Prison	ESCAPE - Abscond	No injury occurred	1
2018-19	Rimutaka Prison	ESCAPE - Escort	No injury occurred	4
2018-19	Mt Eden Corrections Facility	ESCAPE - Abscond	No injury occurred	2
2018-19	Auckland Region Women's Corrections Facility	ESCAPE - Abscond	No injury occurred	0
2018-19	Manawatu Prison	ESCAPE - Escort	No injury occurred	0
2019-20	Mt Eden Corrections Facility	ESCAPE - Escort	Non-serious assault on staff member	0
2019-20	Mt Eden Corrections Facility	ESCAPE - Escort	No injury occurred	0

Financial Year	Prison	Category	Whether an injury occurred, who was injured, and the level of injury	Number of days before prisoner was found and returned to prison
2019-20	Rimutaka Prison	ESCAPE - Escort	No injury occurred	78
2019-20	Auckland Region Women's Corrections Facility	ESCAPE - Abscond	No injury occurred	0
2019-20	Spring Hill Corrections Facility	ESCAPE - Escort	No injury occurred	2
2019-20	Mt Eden Corrections Facility	ESCAPE - Escort	No injury occurred	0
2019-20	Whanganui Prison	ESCAPE - Abscond	No injury occurred	0
2019-20	Rimutaka Prison	ESCAPE - Escort	No injury occurred	1