

01 November 2022

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S 9(2)(a)

Tēnā koe S 9(2)(a)

Thank you for your emails of 29 September 2022 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about contraband, gang affiliations and assaults at Invercargill Prison and Otago Corrections Facility. Your request has been considered under the Official Information Act 1982 (OIA). Your requests have been answered in turn.

Contraband

The safety and security of our sites, staff, visitors, and the people we manage is our top priority. Contraband can create significant safety risks in prisons. We place significant emphasis on the prevention and detection of contraband introduction in prisons and we are constantly working to stay one step ahead of new methods used to introduce contraband.

Contraband includes alcohol, communication devices, drugs, drug paraphernalia, tattoo equipment, tobacco, tobacco paraphernalia, weapons, and other miscellaneous items that people in prison could use in inappropriate ways.

Some people go to extreme and elaborate lengths to introduce contraband into prison. Contraband may be concealed on a person's body when they come into the prison, posted in with mail or property, thrown over perimeter fencing, or smuggled into the prison by visitors. Sometimes the people we manage place a significant amount of pressure on their partners, friends, or associates to risk attempting to bring contraband into prison for them.

Methods we use to prevent contraband from entering our prisons include:

- searches of vehicles and people entering prisons
- using scanners and x-ray machines at entry points
- extensive prison perimeter security
- camera surveillance in prison visit rooms, along perimeter fences and at entry points
- requiring people in prison to wear closed overalls when in visiting areas to prevent contraband being hidden on them
- checking prisoner mail and property for contraband
- random and targeted monitoring of prisoner telephone calls

- specialist detector dog teams that patrol prison perimeters, visitor areas and cells
- prohibiting visitors who attempt to bring contraband into prisons.

We were also the first agency in New Zealand to train our detector dogs to detect new psychoactive substances, including synthetic cannabis. Our detector dog teams have a range of searching capabilities and can also detect drugs, mobile phones, tobacco, and illicitly brewed alcohol.

When a person in prison is found to be in possession of contraband they are charged with an internal misconduct and depending on the type of the item found, they are referred to the New Zealand Police who are responsible for laying criminal charges. If a visitor is found to be in possession of contraband they are issued a prohibition notice that prohibits the person from entering prison grounds for a specific timeframe.

1. *How many contraband items were found at Invercargill Prison and Otago Corrections facility respectively, broken down by item type, annually from 2019 to present?*

Appendix One (tab titled 'Contraband') provides the total number of contraband items found at Invercargill Prison and Otago Corrections Facility for each financial year from 2018/19 to 2022/23 as at 6 October 2022. This information is provided by financial year in line with our standard reporting conventions.

A table (tab titled 'Contraband Categories') outlining definitions of Corrections' standard primary, secondary and tertiary contraband categories has been included in Appendix One for your reference. The tertiary category 'Other' is used when all other categories do not apply. This category could include items such as lengths of wire, hair clips or articles of clothing that are prohibited.

When analysing any fluctuations over time, note that our incident reporting system does not report whether the contraband was found within the secure perimeter of the prison or outside of the prison (for example in the carpark). Corrections' prisons also have varied prison populations, security classifications and physical layouts. We caution against drawing conclusions about the data provided as contraband incidents are therefore not comparable between sites.

Each incident within the data provided is categorised by staff at the prison where contraband was found. When reviewing these figures, note that we rely on individual sites to enter information into a central system in an accurate and timely matter.

2. *How many throw overs (over the fence) were discovered at each prison by year and what were they?*

Please see the tab in Appendix One, titled 'Contraband'. Throwovers are recorded under the 'Other' category. You may be aware that Invercargill Prison is situated in the city, with residential streets running alongside it. This means it is easier for the public to throw items over the fence than it would be at other prison sites around the country. CCTV has been installed along the fence to deter this activity and record evidence for any Police investigation should people attempt to throw over items.

Please see the below table for the contents of the 27 throwovers.

Financial year	Contents of throwover
2018/19	Habitrol Patches, Lighter, Yellow Zigzag papers and tobacco
	Cell phones and phone charger
	Contents not recorded
	Cigarettes and tobacco
	Orange taped to a rock
	No item located
	Lighters and organic substance
2019/20	Tobacco
	Stones
	Contents not recorded
	Contents not recorded
	Tobacco, Cannabis
	Cell phones and phone chargers
	Cell phones, phone chargers, vaping device and organic substance
	Cell phone, phone charger, pills, screwdriver and fork
	Contents not recorded
	Bar of soap
	Contents not recorded
	Packet of biscuits, coffee sachet, bag of skittles, tobacco and a lighter
	Cannabis leaf, Tobacco and pills
2020/21	Tobacco, lighter, zigzag papers
	Tobacco, zigzag papers, matches and cannabis
	Tobacco
	Lighter
	Tobacco
2021/22	Lighters and smoking pipe
	Tobacco

3. *What are some of the other ways contraband entered the prisons?*

Corrections does not categorise contraband finds according to whether the item(s) were located on a person in prison, a visitor, a member of staff or the way it may have entered

the prison. Contraband may enter a prison via mail, on a visitor, on a staff member, on a prisoner's person, in a vehicle, be found in numerous locations within or around a prison, including in prison cells, or during perimeter searches.

Gang affiliations

Gangs in various forms have existed in New Zealand communities and prisons for several decades and are heavily embedded in parts of the community. Gang violence and other anti-social activity is not something Corrections can resolve or manage alone. Social and welfare issues, employment, education, health and mental health services, and support for families and communities all need to combine to reduce the impact of gangs. As it has in the community, the proportion of people in prison identified as gang members has steadily increased over the last thirty years, where approximately 35% of the prison population has gang affiliations.

We take all reasonable steps to discourage prisoners from gang membership by providing programmes and opportunities to support prisoners disassociating themselves from gangs and gang related activities. This can involve moving to new areas, building alternative support networks, or accessing services such as tattoo removal. Pathways to exit gangs can also form part of a broader suite of rehabilitation programmes, which support people to build sustainable and law-abiding lifestyles.

Corrections also takes steps through individual gang management plans at prison sites, to reduce the risk present in any unit with gang members present. This can include, for instance, operational responses to moderate contact between gang members within a unit during unlock times.

4. *How many prisoners in Invercargill Prison have known gang affiliations and what portion (percentage) of the prison population do they represent?*
5. *What are the names of the gangs to which the prisoners with known gang affiliations at Invercargill Prison belong to and how many prisoners identify with each gang? (I will post an example below of how this information was provided to us the last time we asked).*

There are 31 people in prison at Invercargill Prison with known gang affiliations, which represents 27% of the prison population. The following table shows the number of recorded gang members at Invercargill prison on 31/09/2022.

Gang name	Invercargill Prison
Bandenkrieg	1
Bandidos MC	1
Black Power	2
Bloods	1
Crips	2
Killer Beez	4
Mongols MC	1
Mongrel Mob	10
Nga Toa 64 Aotearoa	1

Gang name	Invercargill Prison
Road Knights MC	2
Southern Vikings MC	1
Tribesmen MC	2
White Power	3

6. *How many prisoners in Otago Corrections Facility have known gang affiliations and what portion (percentage) of the prison population do they represent?*
7. *What are the names of the gangs to which the prisoners with known gang affiliations at Otago Corrections facility belong to and how many prisoners identify with each gang?*

There are 141 people in prison at Otago Corrections Facility with known gang affiliations which represents 36% of the prison population. The following table shows the number of recorded gang members at OCF on 31/09/2022.

Gang name	OCF
Black Power	11
Bloods	7
Comanchero MC	1
Crips	17
Finks MC	4
Head Hunters MC	3
Killer Beez	14
King Cobra	7
Mongols MC	5
Mongrel Mob	48
Nomads	5
Pirates	1
Rebels MC	1
Tribesmen MC	14
White Power	2
Who Fucken Kares	1

Assaults

Our staff manage some of New Zealand's most dangerous people in an extremely complex and challenging environment. Prisons can be volatile environments and many of the prisoners our staff work with can behave unpredictably and act without warning. We have a number of processes in place to safeguard the welfare of staff and people in prison, and resources available for staff requiring additional support. We have a zero-tolerance policy toward violence of any kind.

The reality is the threat of violence is something we cannot eliminate entirely, but we do everything possible to minimise this risk. We have invested significantly in training and tools

to keep our staff safe. This includes tactical skills, such as de-escalation, through to the provision of stab resistant body armour, on body cameras and the expanded deployment of pepper spray.

Last year we worked with the Corrections Association of New Zealand (CANZ) and the Public Service Association (PSA) to develop the Violence and Aggression Joint Action Plan and all prison sites now have an individual site safety plan to address violence and aggression. These plans are led by the Prison Director in consultation with local site union delegates.

8. *How many incidents of prisoners assaulting corrections staff were reported at Invercargill Prison and Otago Corrections facility respectively, broken down by item type, annually from 2019 to present?*
9. *Could we please ask for a breakdown of the seriousness/injuries of these incidents?*

Please see the tab titled 'Assaults' in Appendix One for the number of assaults at Invercargill Prison and OCF from 2018/19 to 2022/23 as at 30 September 2022. In recent years we have put a strong focus on ensuring that all incidents of assault are recorded. Assaults are categorised as the following:

- 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 hospitalization as part of initial assessment or medical observation but not ongoing medical treatment (e.g. bloody 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.

10. *What action was taken (repercussions) against the offending prisoner in each incident?*

Any person in prison who assaults another may be held to account by way of an internal misconduct that may result in a loss of privileges. Where appropriate, the assault is referred to the New Zealand Police who are responsible for laying criminal charges. The outcomes of internal misconducts are held on the individual's file and not collated centrally. To provide the repercussion of the 194 assaults within scope would require substantial collation and research as every misconduct will need to be checked and verified manually. Therefore, this request is refused in accordance with section 18(f) of the OIA, substantial collation and research.

As per Section 18B we have considered whether consulting the requestor 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 refined in this instance. We have also 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.

11. For the cases classified as assaults resulting in serious injuries, could we please ask what happened?

Please see the tab titled 'Injuries sustained – serious' in Appendix One for anonymised details of injuries sustained from a serious assault that took place at Invercargill Prison and OCF from 2018/19 to 2022/23 as at 30 September 2022.

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



Ben Clark
National Commissioner