

2 February 2021

C130318

s9(2)(a)

Tēnā koe s9(2)(a)

Thank you for your email of 5 January 2021, requesting information about the recent disorder event at Waikeria Prison. Your request has been considered under the Official Information Act 1982 (OIA).

Corrections is proud of the actions and bravery undertaken by our staff in responding to the incident at Waikeria Prison. This was a dangerous and volatile situation, and staff faced significant risk with the men lighting numerous fires, fashioning makeshift weapons, and throwing projectiles and other items off the roof and at staff.

The men's actions exposed them, other people in prison, our staff and emergency services to significant danger. It caused a huge amount of trauma for the approximately 200 prisoners that were evacuated from the top jail during the fires. It has also significantly impacted the 500 men that remain on site.

People who were accommodated in the facility have been moved to other prisons. We understand the distress this may cause for both the men and their families, and we are working to provide additional support for them so they can maintain contact and continue to access the programmes and services they need.

The other part of the prison housing low to medium security people in prison is functioning as normal although there has been damage to some infrastructure, including the prisoner payphone system. We are working urgently to resolve these issues, but can provide assurance that all people in prison in other units are safe and well. Staff are working hard to enable individuals to make calls from other phones on site, but there is a significant demand. Steps were taken as soon as possible following the conclusion of the incident to ease this demand and facilitate contact between the men and their whānau, including reinstating visits and installing additional phones.

A new 500 bed facility, with an extra 100 bed mental health facility, is currently being built at Waikeria and is due for completion in 2022. This construction is well underway as we had already recognised that the top jail facility at Waikeria, which was opened in 1911, was no longer able to meet the needs of people in prison or staff.

There are two reviews currently underway. The first, by our Chief Custodial Officer, should be completed by 31 March 2021 and the second, by the Chief Inspector, should be completed by 31 October 2021. While we understand the significant interest in these reviews, we must ensure these are completed with as little influence as possible. To avoid compromising the outcome of the reviews underway, the Police investigation, and the security of the prison, we are not able to provide further comment.

However, the Terms of Reference for both reviews are now publicly available at the following link: www.corrections.govt.nz/resources/policy_and_legislation/waikeria_prison_incident_inquiries.

You requested:

- *I would like all correspondence; emails, reports, memos, text messages, transcripts of phone calls, to and from Department of Corrections Chief Executive Jeremy Lightfoot in relation to the Waikeria Prison riot and subsequent stand-off between inmates and authorities from December 29 to January 5.*
- *I would like all correspondence; emails, reports, memos, text messages, transcripts of phone calls, to and from Department of Corrections Chief Custodial Officer Neil Beales in relation to the Waikeria Prison riot and subsequent stand-off between inmates and authorities from December 29 to January 5.*
- *I would like all correspondence; emails, reports, memos, text messages, transcripts of phone calls, to and from Prison Director James Watson in relation to the Waikeria Prison riot and subsequent stand-off between inmates and authorities from December 29 to January 5.*

As outlined above, there are currently two reviews underway into this event, as well as a Police investigation. We have consulted with New Zealand Police and the Office of the Inspectorate, who have both confirmed that the release of this information would prejudice their ability to carry out their investigations. Accordingly, your request is declined in full pursuant to section 6(c) of the OIA, as the release of this information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.

Further, Corrections does not routinely make transcripts of phone calls to and from staff. Therefore, the above notwithstanding, the parts of your request referring to transcripts of phone calls are refused under section 18(e) of the OIA, as the documents alleged to contain the information do not exist.

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.

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.

Ngā mihi

A handwritten signature in black ink, appearing to read 'Jones', written in a cursive style.

Robert Jones
Manager Ministerial Services
People and Capability