

07 April 2021

C131079

s9(2)(a)



Tēnā koe s9(2)(a)

Thank you for your email of 27 January 2020, requesting information about assaults on prison staff. Your request has been considered under the Official Information Act 1982 (OIA). I apologise for the delay in responding to your request.

We have a zero-tolerance policy toward violence of any kind. As you will appreciate, we manage some of New Zealand's most complex people in an environment that can be challenging. Accordingly, Corrections invests significantly in the health and safety of our staff. We have processes in place to safeguard the welfare of staff and people in prison, and resources available for staff requiring additional support.

Our staff recognise the importance of knowing and understanding people in prison, and actively engage 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. Over 75 percent of the prison population have convictions for violence in their offending histories, and gang members are disproportionately identified as responsible for assaults in prison. Violence in prisons is reflective of what occurs in the community. Many people in prison have long histories of reacting with violence to situations they perceive as unfavourable or in attempt to get what they want. The reality is the threat of violence is something we cannot eliminate entirely, but we do everything possible to minimise this risk.

No assault, whatever level of injury, will be tolerated and we are constantly working to provide the safest possible environment for both staff and people in prison. Corrections continues to have 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 are able to respond where needed. We therefore expect the number of recorded assaults to increase due to this continued focus, but also recognise there are other factors including a rise in the number of people in prison with gang affiliations and a

greater number of violent offenders in prisons in recent years which may also contribute to these numbers.

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 staff, people in prison and the public safe.

You requested:

*For each of the past five financial years and so far in the current one, both nationally and for Manawatū Prison:*

*1): How many assaults on prison staff were there?*

*2): Can these be broken down according to how serious they were? (In the past I've had "serious", "non-serious" and "non-injury" assaults).*

Please find the requested information attached as Appendix One. Note that the statistics for the 2020/21 financial year are current as at 31 December 2020.

Please note that 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.

Caution is urged when comparing rates between prisons, due to their differences in size and operational requirements. Quarterly prison populations for each site can be found on our website, at: [www.corrections.govt.nz/resources/research\\_and\\_statistics/quarterly\\_prison\\_statistics](http://www.corrections.govt.nz/resources/research_and_statistics/quarterly_prison_statistics).

*3): Details of all serious assaults, both nationwide and at Manawatū Prison, and the outcomes for prisoners in these instances?*

A description of each of the serious assaults is attached as Appendix Two. Incidents for the 2020/21 financial year are current as at 31 December 2020. These centrally recorded descriptions are derived from reports for each incident and are dependent

on the quality of information recorded by front-line staff at different prisons across New Zealand at the time of each incident.

Cases are combined into one incident within the attached table in instances where a single assault incident involved more than one victim. As such, the information provided in Appendix Two may differ from figures previously published elsewhere where totals included the overall number of victims.

In accordance with section 9(2)(a) of the OIA, Corrections has statutory obligations to protect private information that we hold. The release or disclosure of health and medical information is subject to additional restrictions under the Health Information Privacy Code 2020. As per section 9(1) of the OIA, we have also considered whether there are countervailing public interest considerations favouring the release of the requested information. We do not believe such considerations are present in this case.

As such, we are not disclosing the specific prison alongside details of each case of serious assault, as doing so could reveal the identity of the staff members involved and could potentially lead to further emotional harm for those individuals. We have instead provided the region of the relevant prison: Northern, Central, Lower North or Southern. Manawatu Prison is in the Lower North Region.

The outcomes for prisoners as a result of the serious assaults, including whether a misconduct or external charges were laid, are held on the individual files of the individual(s) involved. In order to provide the outcomes of each incident, we would be required to manually review the files of the individuals involved and consult extensively across Corrections and potentially also New Zealand Police.

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 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.

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



Rachel Leota  
National Commissioner