

16 December 2022

C161193

S 9(2)(a)

Tēnā koe S 9(2)(a)

Thank you for your email of 15 November 2022 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about escape and abscond statistics. Your request has been considered under the Official Information Act 1982 (OIA).

Public safety is our top priority and no escape is acceptable. Any time a prisoner is required to be escorted outside of a prison, our focus is on safety, security and minimising risk to the public, our staff and prisoners.

Every year we carry out tens of thousands of escorts between prisons, courts, medical facilities and rehabilitation providers. The overwhelming majority of escorts occur without incident.

Any time a person is escorted 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.

The overwhelming majority of escorts occur without incident. When an escape event does occur, Corrections, following the immediate actions to locate the person, makes every effort to understand the event and how to prevent it from happening again in the future.

This can include analysing the behaviour of the person leading up to the escape, working with the New Zealand Police to bring charges against the individual, reviewing and implementing stronger escort guidelines and in some cases considering disciplinary action against the staff involved.

When a prisoner escapes from custody, we immediately contact New Zealand Police, who are responsible for locating and returning the individual to custody. We work with Police to ensure this person is located as soon as possible. Please be aware that people who have escaped from custody will be doing all they can to avoid Police detection and will often go to extreme lengths to avoid being caught. Any prisoner who resorts to this behaviour will be

held to account for their actions. A person who is convicted of escaping lawful custody can receive a maximum sentence of five years' imprisonment.

You requested:

I would like to request the following information for the last five calendar years including 2022 up until November 15 please.

- 1. The number of prison inmates who escaped custody broken down by age, gender, what facility and in what month?*
- 2. What was the average time it took to find these individuals?*
- 3. How long was the average time it took to relocate these escapees?*

Corrections categorises escapes as:

- Breakout - prisoner has left the area contained by the outermost perimeter security fence, or, if there is no such fence, from the prison building.
- From escort - prisoner escaped from escort while under supervision, including from escorted outings and court escorts.
- Breach of temporary release order - prisoner breached a condition of their temporary release, including failing to return within reasonable time without reasonable cause.
- Absconding - prisoner has left a designated area and is away from direct custodial control, including walking away from work parties.

In the past five financial years, there has only been one breakout escape from Rimutaka Prison. The majority of escapes occur during an escort, notably a medical escort. This information is reported in Corrections' [Annual Reports](#). Please see Appendix One for information on escapes from 1 July 2017 to 15 November 2022.

Over recent years we have made improvements to our systems, processes, and staff training to ensure the security of our prisons and escorts. Since many of these incidents occurred, wider policy changes have been implemented to both Corrections' Custodial Practice Manual and the Prison Operations Manual (POM). These include the following:

- Amendment of the standardised briefing sheet for the application of handcuffs, including high security inserts, including the addition of photos.
- Updated information clarifying when various types of handcuffs should be used, including long chain handcuffs.
- Updated information regarding the removal of mechanical restraints during escorts.

Under the POM Temporary Removals policy, a Corrections' Officer who has achieved *National Certificate of Offender Management Level Three NZQA Unit Standard Escort* Prisoners must be assigned as the 'Officer in Charge' of the escort. As part of our efforts to upskill our staff, Corrections is also currently developing a new NZQA unit standard assessment that Corrections' Officers will need to pass to escort people outside of prisons. We have also increased the use of GPS monitoring for hospital escorts and expanded on the

use of telehealth services, thereby avoiding the need to move people in prison outside the secure perimeter of the prison, where clinically appropriate

4. *How many of these escapees, if any, remain on the run? Are any of them still on the run?*

As at 15 November 2022, there are no individuals who escaped custody, still at large.

5. *The number of prisoners who fled from courthouses, broken down by age, gender, which courthouse and when?*

Please see Appendix One for information on escapes from a courthouse while on escort from a prison between 1 July 2017 and 15 November 2022.

New Plymouth Remand Centre has been included under '24-hour court cell centres'. The New Plymouth Remand Centre is located within New Plymouth Police Station and used to house people who are due to appear in the New Plymouth Court for short periods of time as well as those awaiting transport to a prison. The New Plymouth Remand Centre is managed by Whanganui Prison.

6. *What happened to allow them to flee?*
7. *Do any of these individuals remain at large?*

None of the individuals who escaped from escort to a courthouse remain at large. Please see below for a summary of each incident.

Date	Prison	Summary
7 August 2018	Mt Eden Corrections Facility	Person swapped documents with another person who was being released on bail and impersonated them. They were subsequently released on bail. Person was returned to custody two days later by Police
2 January 2020	Auckland Region Women's Corrections Facility	Person escaped from prisoner escort vehicle when returning to prison. A Security Officer saw the person before they left and immediately apprehended the person.
12 February 2020	Mt Eden Corrections Facility	Person escaped from the dock in the courtroom and was apprehended outside of the courthouse and was arrested by the Police.
2 March 2020	Whanganui Prison	While a person was being received at New Plymouth Remand Centre, the person escaped through an exit door. The person was pursued and apprehended, and was returned to custody with the assistance of the Police.

8. *What steps does the department have to go through after an escape to ensure the method used can be repeated?*

Corrections completes a review of any escape to understand the event and identify what improvements can be made to prevent a similar incident happening again. This may result in changes to policy, process, additional training for staff or changes to fixed fittings in a building or vehicle.

Electronic Monitoring

Again, public safety is our top priority. Corrections manages people at the direction of the Courts and the New Zealand Parole Board. We do not determine who is in prison and who is in the community. Where a person is sentenced by the Courts, including to home detention, Corrections is responsible for managing their compliance with any conditions imposed.

Electronically Monitored (EM) Bail is jointly managed under a shared service model between Corrections and the Police and requires a person to remain at an approved address at all times and be subject to GPS monitoring 24 hours a day, seven days a week. The Court may impose other bail conditions allowing a defendant to leave for approved reasons, such as to attend government agency appointments, medical appointments and in some cases, employment or education opportunities. Corrections carries out the monitoring of defendants on EM Bail, while the Police are responsible for taking action regarding any instances of non-compliance with EM conditions.

9. *How many people serving electronically monitored sentences including home detention and EM-bail absconded from the address they were at, broken down by age, gender, geographical location and month please?*

When an EM anklet is damaged, tampered with, or the person leaves their approved address (with anklet still working) at a time they did not have approved, an alert is generated.

Corrections has a team available twenty-four hours a day, seven days a week, to respond to potential non-compliance with electronic monitoring. How Corrections responds differs depending on the seriousness of the case and can include contacting the individual or their whānau by phone, sending a field officer to check in with the individual or contacting Police. Corrections works closely with Police to respond to incidents of non-compliance.

For people who are subject to EM bail, please see Appendix Two for the number of absconds, broken down by age and gender. Geographical location is not recorded centrally and to provide this information we would need to manually review each incident. 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.

As per section 18B of the OIA, we have considered whether consulting with you 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.

Regarding people on a community-based sentence, to provide accurate information on alerts that pertain to people on community-based sentences such as home detention leaving their address without approval would require manually verifying each alert to ensure it resulted from an actual incident of non-compliance. Therefore, this part of your request is declined under 18(f) of the OIA, as the information cannot be made available without substantial collation or research.

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10. How long, on average, did it take to find these offenders?

When it has been confirmed that a person has absconded, Corrections' staff contact the Police who are the responsible agency for locating the person.

Corrections is unable to extract the average time it has taken to locate offenders who have absconded. We have consulted with Police, who have advised they are unable to answer this request as well.

Consequently, the information that you have requested does not currently exist in a form that can be readily supplied to you and would instead require Corrections to initiate a project to extract, analyse and present the data in the form requested. 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.

11. Obviously cutting off or smashing an EM bracelet is difficult to prevent but what measures are in place to make it as difficult as possible for this to be done?

Electronic Monitoring bracelets have the following features:

- The strap has a high yield stainless steel internal band, of variable thickness for cut resistance, which also prevents stretching.
- The strap and tag are designed so weight is evenly distributed, this provides security as a correctly sized and fitted strap reduces the ability for it to be slipped over the ankle and removed.
- The strap is fitted with a single strand fibre optic mechanism for high-quality tamper alerts.

- The strap integral robust locking mechanism has a tight fit to the tag and few moving parts to minimise debris such as grit and sand entering the locking mechanism.
- The bracelet is comfortable to wear and easy to fit. The fact that it is comfortable to wear significantly reduces tamper attempts.

12. How costly are these escapes, both financially and in time and resources, for the department?

Corrections is unable to extract the direct costs associated with escapes from the wider Corrections' budget.

Consequently, the information that you have requested does not currently exist in a form that can be readily supplied to you and would instead require Corrections to initiate a project to extract, analyse and present the data in the form requested. 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.

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



Leigh Marsh
Acting National Commissioner