

29 January 2014

C65047

Charles Jordan
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Dear Mr Jordan

Thank you for your email of 22 December 2013, in which you request information relating to young prisoners. Your request has been considered under the Official Information Act 1982 (OIA).

The Department's overarching vision is to create lasting change by breaking the cycle of re-offending. In order to support this goal we provide young prisoners with a wide range of rehabilitation and reintegration initiatives aimed at assisting them to lead an offence free life on release from prison.

Young prisoners require a different level of management and accommodation than adult offenders. Corrections Regulations require that all prisoners under the age of 18 years must be kept apart from mainstream adult prisoners. As a result, we have three Youth Units that provide safe, secure environments for these offenders. These units are located within main compounds at Waikeria, Christchurch Men's and Hawke's Bay Prisons, but are entirely separate from the adult population. Young people placed in the units are provided with a structured and active daily routine, including approximately 30 hours of rehabilitative programmes, vocational training and education each week.

While in the Youth Units, young prisoners receive intensive, youth-specific interventions designed to address the nature of their offending. For example, they are required to take part in the Focus programme which helps them to acknowledge and address their offending, plan for the future to stop the cycle of offending and practice using pro-social skills in their interaction with others.

You have requested statistical information about the Christchurch Prison Youth Unit for the period June 2010 to November 2013. I have addressed each of your questions below in the order they were raised.

1. The number of prisoner on prisoner assaults.

The Department has a zero tolerance policy towards assaults. No assault is acceptable; however, it is an unfortunate reality that from time to time this will occur. We manage some of New Zealand's most difficult and challenging young people. Therefore, violence can be a risk they may resort to this behaviour as a

means of resolving issues and expressing themselves. Understanding and managing this risk is a challenge common to all correctional jurisdictions.

We aim to run prisons that are safe for prisoners, staff, visitors and the general public. Our staff recognise the importance of knowing and understanding prisoners, and actively engage with them to reinforce positive behaviour. Staff anticipate and attempt to resolve problems through the active management of prisoners, and are trained in de-escalation techniques, interpersonal and tactical communication skills. The goal is always to manage a potentially volatile situation in a manner that minimises the likelihood of provoking an aggressive response.

Every assault incident that is identified, no matter how minor, is recorded and reported. All prisoners involved in an altercation are interviewed by prison staff, and prisoners may be charged with an internal misconduct charge if it is warranted. The misconduct system ensures that prisoners who are subject to disciplinary action have their charges heard by a hearing adjudicator or by a Visiting Justice in accordance with legislation.

If a prisoner is found guilty of non-compliance with the rules and regulations of the prison, they are disciplined in a fair, just and humane manner. If the prisoner pleads or is found guilty, the hearing adjudicator or Visiting Justice determines the appropriate sanction, which can include loss of privileges, forfeiture of earnings, or cell confinement. Assault incidents are categorised as follows:

- **Serious assault** is an act of physical violence that involves one or more of the following: sexual assault of any form and degree; bodily harm requiring medical intervention (assessment including ,medical treatment) by medical staff followed by overnight hospitalisation in a medical facility or bodily harm requiring extended periods of on-going medical intervention
- **Non-serious assault** is an act of physical violence that resulted in physical injuries that may or may not have required medical attention, but not overnight hospitalisation or on-going medical treatment
- **No-injury assault** is an act of physical violence that did not result in physical injuries or require any form of medical treatment. This can include behaviour such as spitting or pushing past a Corrections Officer.

I can advise that there were 15 no-injury, 13 non-serious and two serious prisoner on prisoner assaults in the Christchurch Prison Youth Unit from June 2010 to November 2013.

2. The number of prisoner on staff assaults.

Staff safety is of paramount importance for the Department. As a result, we have developed a comprehensive Staff Safety Plan to help us achieve our goal of a 50 percent reduction in prisoner on staff assaults by 2015. The plan focuses on five priority areas including Visible Leadership, Our Staff, Effective Communication, Enhanced Resources and Improved Processes.

In addition to the projects that form part of the Staff Safety Plan, we have a number of other initiatives underway to support safer working environments. These include tactical exit training designed to help staff when a situation has gone beyond verbal resolution, and refreshing training in tactical communication which focuses on de-escalating situations verbally. All prison-based staff will complete this training. We have also introduced additional safety equipment, including stab-resistant vests and spit hoods which shield staff from blood and saliva.

Pepper spray has also been implemented in all prisons from November 2012. The spray can be the least harmful way of responding to a situation when the use of force against a prisoner is required.

Staff are actively encouraged to report every occasion where a prisoner acts inappropriately, including any physical contact. As mentioned above, prisoners are held responsible for their behaviour, either through referral of the incident to Police, or the internal misconduct mechanism.

I can advise that there was one no-injury and one non-serious prisoner on staff assaults in the Christchurch Prison Youth Unit from June 2010 to November 2013.

3. The number and type of injuries sustained by staff and prisoners.

If our staff are injured in the course of their work we appoint a case manager through a third party administrator called Gallagher Bassett Care Advantage, to ensure all medical treatment is received. Case managers work with staff to ensure that a staff member's return to work is planned and safe. All staff also have access to the Employee Assistance Programme service which includes counselling. When prisoners are injured staff ensure that they have access to the appropriate level of medical attention.

Please refer to the enclosed Appendix One for a summary of all injuries sustained during the 13 non-serious and two serious prisoner on prisoner assault incidents, and the non-serious prisoner on staff assault incident that occurred in the Christchurch Prison Youth Unit from June 2010 to November 2013. Please note that some injuries were not detailed in the incident summary reports and are unknown. Therefore, these parts of your request are declined under section 18(e) of the OIA as the document alleged to contain the information requested does not exist or cannot be found.

4. The number of prisoner escapes and attempted escapes.

As you may be aware, escapes from New Zealand prisons have fallen to an all-time low and have remained relatively consistent over the recent years. There was only one escape from escort over the 2012/13 period and this is the lowest number of escapes from custody in a given year over the past decade. All prisoners who have escaped over this period have been recaptured and returned

to custodial control. This is a significant achievement given the continued rise in the prison population.

We have invested in a range of security improvements to sites across the country during the last decade, including enhanced perimeter fencing, installation of detection and surveillance systems, and the introduction of single point-of-entry into prisons. Even with the best practices in place, there will always be the risk that a prisoner will behave in an unpredictable way, such as attempting to escape. We are continually striving to improve public safety and this will always be our bottom line.

I can advise that there was one attempted escape in the Christchurch Prison Youth Unit from June 2010 to November 2013.

5. The number of staff that have been the subject of disciplinary proceedings and the type of misconduct alleged (specifically staff assigned to work in the Youth Unit).

I can advise that no staff members were subject to disciplinary action in the Christchurch Prison Youth Unit from June 2010 to November 2013.

6. The number of Administrative Segregation Admissions and average length of stay in Administrative Segregation.

The Department cannot readily extract statistics about administrative segregation admissions from our electronic records database. In order to identify this type of specific information, we would be required to manually review a large number of files.

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.

7. The costs incurred as a result of property damaged by prisoners.

As mentioned above, our staff actively engage with prisoners to reinforce positive behaviour. However, despite their best efforts prisoners will occasionally exhibit violent and destructive behaviour, and our facilities sometimes bear the brunt of their frustration through vandalism. When a prisoner is found to have deliberately vandalised prison property, they will face internal misconduct charges and may also face criminal charges laid by Police.

The safety of the public is the Department's number one priority. Therefore, remedial action to address instances of vandalism is undertaken quickly, and to a high standard. Although remedial action can be costly, it is essential to maintaining the security of prisons and ensuring public safety. In order to reduce costs, we

employ prisoners through the Offender Employment programme to carry out some remedial work such as painting, cleaning and grounds maintenance. In addition to reducing costs, this initiative also provides prisoners with valuable skills and experience that improves their prospects of employment on release from prison.

In order to limit the opportunity for prisoners to engage in vandalism, we regularly implement design improvements to lighting, fencing, security cameras, and tamper-proof materials and fittings.

I can advise that the cost of vandalism at the Christchurch Prison Youth Unit for the period July 2010 to November 2013 was approximately \$66,000. Please note that the Department contracted repairs and maintenance services to an external provider called Spotless from the 2010/11 financial year onwards. As a result, we are unable to provide the cost of vandalism for June 2010. Therefore, this part of your request is declined under section 18(e) of the OIA, as the document alleged to contain the information requested does not exist or cannot be found.

8. Any statistical information concerning theft and or loss of Corrections property.

The Department is not aware of any incident involving the theft or loss of our property in the Christchurch Prison Youth Unit from June 2010 to November 2013. Therefore, this part of your request is declined under section 18(e) of the OIA as the document alleged to contain the information requested does not exist or cannot be found.

9. The number of incidents involving prisoners possessing illegal substances and the type substances alleged.

We place considerable emphasis on preventing contraband from entering prisons, apprehending those who attempt to smuggle it in, and stamping out opportunities for organised crime. These measures all contribute toward our bottom line of improving public safety, and our ultimate goal of reducing re-offending.

Contraband in prisons includes alcohol, communication devices, drugs, drug paraphernalia, tattoo equipment, weapons and other items. Items that are prohibited may include everyday and seemingly innocent items that while not illegal, may be used inappropriately by prisoners. On 1 July 2011 smoking was banned in all prisons and all tobacco and smoking equipment (e.g. lighters) are considered contraband from this date.

There are differences in contraband finds between prisons. Factors affecting this include prisoner numbers; the volumes of new arrivals and transits from courts; the profile of the prisoners and their visitors; and the design and layout of the prison and grounds. For example, some prison perimeter fences are close to public roads and prisoners' associates may attempt "throw-overs".

Our intelligence staff are constantly working to identify and mitigate risk areas in the physical environment and to stay informed about new methods of

concealment. The Department currently employs a range of screening methods to prevent contraband from entering prisons. These measures include:

- prison perimeter security and limiting the number of entry points to prisons
- camera surveillance in prison visit rooms, perimeter and entry points
- completing background checks on all potential prison visitors
- searches of any vehicle and its occupants entering prison property
- using scanners and x-ray machines at entry points
- banning visitors who attempt to bring contraband into prisons
- requiring prisoners to wear closed overalls when in visiting areas, to prevent the smuggling of contraband
- prisoner mail and property being subject to checks for contraband
- specialist detector dog teams patrolling prison perimeters, visitor areas, and cells
- identifying and analysing criminal activities in prisons through operational intelligence teams, and
- the Crimestoppers free telephone service (0800 555 111) that enables information about crime to be provided anonymously by offenders, staff, or members of the public.

I can advise that there has been one incident where a prisoner was found to possess drug contraband in the Christchurch Prison Youth Unit from June 2012 to November 2013. The contraband was a small amount of cannabis and the prisoner was subject to internal disciplinary action.

I trust the information provided is of assistance. If you are dissatisfied with this response, you have the right to ask the Ombudsman to investigate and review my refusal to provide the information requested. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Jeremy Lightfoot
National Commissioner
Corrections Services

Appendix One -- A summary of all injuries sustained during all prisoner on prisoner and prisoner on staff assault incidents that occurred in the Christchurch Prison Youth Unit from June 2012 to November 2013.

Assault Type	Assault Category	Summary of injuries
Prisoner On Prisoner Assault	Non-Serious Assault	A blood nose.
Prisoner On Prisoner Assault	Non-Serious Assault	Minor facial injuries.
Prisoner On Prisoner Assault	Non-Serious Assault	Unknown
Prisoner On Prisoner Assault	Non-Serious Assault	Unknown.
Prisoner On Prisoner Assault	Non-Serious Assault	Minor bruising
Prisoner On Prisoner Assault	Non-Serious Assault	Minor bruising.
Prisoner On Prisoner Assault	Serious Assault	Broken nose, broken cheekbone and fractured jaw.
Prisoner On Prisoner Assault	Non-Serious Assault	Unknown.
Prisoner On Prisoner Assault	Non-Serious Assault	Bleeding ear.
Prisoner On Prisoner Assault	Non-Serious Assault	Minor bruising.
Prisoner On Prisoner Assault	Serious Assault	A broken nose.
Prisoner On Prisoner Assault	Non-Serious Assault	Minor bruising.
Prisoner On Prisoner Assault	Non-Serious Assault	Swelling around left eye.
Prisoner On Prisoner Assault	Non-Serious Assault	Unknown.
Prisoner On Prisoner Assault	Non-Serious Assault	A Black eye.
Prisoner On Staff Assault	Non-Serious Assault	A lump on the back of the head.