

08 March 2023

C164336

[REDACTED]

Tēnā koe [REDACTED]

Thank you for your email of 25 January 2023 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about assaults on Corrections Officers. Your request has been considered under the Official Information Act 1982 (OIA).

Assaults on our staff are unacceptable. Corrections staff come to work every day to keep New Zealanders safe. They deal with some of New Zealand's most challenging people, and do an exceptional and brave job in often very difficult circumstances. Prisons can be volatile environments, and many of the prisoners our staff work with can behave unpredictably and act without warning.

Every assault on a member of our staff is taken seriously and Corrections expects any prisoner who resorts to violence to be held accountable for their actions. This may be through internal misconduct charges, a change in security classification, or referral to Police for consideration of criminal prosecution.

A number of highly complex factors contribute to violence in prison. Over 80 percent of the prison population have convictions for violence in their offending histories and more than 90 percent have a lifetime diagnosis of a mental health or substance abuse disorder.

Additionally, 35 percent have a gang affiliation which is a known predictor of violence. In recent years, there has been an increase in the proportion of the prisoner population who are gang affiliated, which mirrors growth in gang membership in communities. Gang members are over-represented in acts of disorder and violence in prison. Gang members are also known to incite other people in prison to carry out violent acts on behalf of the gangs.

A growing proportion of the prisoner population are on remand, and there is a strong statistical association between remand status and incidents of assault within prison. In addition, a growing proportion of the prisoner population have histories of extensive methamphetamine use which is associated with significant and lasting impacts on mental and emotional functioning, including issues such as anger control.

You requested:

1. *How many corrections officers have been injured, attacked, or assaulted by an offender or alleged offender in 2022? Could you please advise based on data from each specific region.*

The number of prisoner-on staff assaults in 2022, broken down by assault category and prison, is attached as Appendix One.

Corrections' centralised records do not further breakdown assaults data on prison staff by their position, such as whether they were a Corrections Officer. To determine whether it was a Corrections Officer that was assaulted, Corrections would need to manually review each incident file. 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. Accordingly, your request as it relates to assaults specifically on Corrections Officers is refused 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 enable the request to be made in a form that would remove the reason for the refusal. However, we do not consider that the request can be refined in this instance.

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 on-going 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.

In recent years we have put a strong focus on ensuring that all incidents of assault, regardless of whether they result in injury, are recorded.

Caution is urged when comparing rates between prisons, due to their differences in size and security classifications.

2. *Within this, how many corrections officers have been taken to hospital for their injuries? Could you please advise based on data from each specific region.*

Corrections' centralised records of assault data provided in Appendix One is not further broken down by whether the individual was taken to hospital. To determine this, Corrections would need to manually investigate each incident. 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. Accordingly, your request as it relates to assaults specifically on Corrections Officers is refused 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 enable the request to be made in a form that would remove the reason for the refusal. However, we do not consider that the request can be refined in this instance.

However, Corrections keeps a separate database that tracks hospitalisation of staff as a result of violence and aggression. Across 51 incidents, a total of 54 Corrections Officers were identified as being taken to hospital for their injuries in 2022. This includes 19 Corrections Officers from the Northern Region, 14 from the Central Region, 12 from the Lower North Region, and nine from the Southern Region.

3. What safety measures are in place?

Corrections understands that the threat of violence is something we cannot eliminate entirely, but we are committed to doing everything possible to minimise this risk and provide the safest environment possible for staff and prisoners.

We have invested in training and tools to keep our people safe. This includes training in de-escalation techniques and interpersonal and tactical communication skills, through to stab resistant vests, body worn cameras, and pepper spray. Prisons also regularly review assault incidents to determine whether similar occurrences can be prevented in future, and lessons learnt are relayed to staff.

We implemented further initiatives to improve safety in prisons in 2020/21. This includes reinforcing the use of tactical communications, implementing rostering guidelines to ensure an appropriate mix of staff experience during shifts, improving how training data is recorded, and establishing staff safety plans.

In 2021 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.

Some of the other actions achieved to date include:

- Working with Police to implement a nationally consistent approach to how assaults on our staff are reported and prosecuted. As a result, we have piloted an online reporting tool to report all assaults, regardless of whether they result in injury, towards our staff.
- Implementing new body-worn cameras at all Corrections-Managed Facilities.
- Completing three pilots of in-person hostage/suicide refresher training at Auckland Prison and Rimutaka Prison. Feedback from these pilots has been incorporated into a

hostage/suicide training package for national rollout.

- Rolling out updated Post Incident Response Team (PIRT) training. Ninety new Post Incident Response Team (PIRT) officers have now been through the enhanced recruitment and training process. PIRT officers attend incidents to provide immediate wellbeing support to their peers who have been involved in or exposed to an incident.
- Establishing the role of Principal Adviser Prosecutions and Adjudications and appointing a highly experienced and well-regarded staff member into that position. This has already had a positive impact.
- Providing prosecutors and adjudicators across all regions with enhanced prosecution training, which has led to a significant increase in the number of successful prosecutions of prisoners.
- Distributing a new sentencing framework for adjudicators that can help them to decide on appropriate penalties for offences.
- Providing 'train the trainer' sessions to five Staff Welfare Coordinators. These are support and coordination roles to ensure staff have access to appropriate welfare services.

We are also designing a capability pathway for Principal Corrections Officers, Senior Corrections Officers and Corrections Officers to provide development and training specifically designed to support staff to deal with violence and aggression. This will be implemented as part of our frontline collective agreement with CANZ and the PSA.

Additional funding to invest in frontline safety for prison-based staff was also announced as part of Budget 2022. This includes \$51.4 million to increase workforce capability in response to operational complexity and violence by investing in an additional two training days for frontline staff, and \$23 million for additional frontline staff to strengthen operating models and safety settings at Auckland Prison, Mt Eden Corrections Facility and Christchurch Men's Prison.

We never underestimate the effect an assault can have on our staff. Staff who are the victim of an assault or have been involved in an incident involving the assault of one of their colleagues are supported in many ways. We have significantly invested in initiatives to support staff wellbeing such as an Employee Assistance Programme, critical incident support after a high intensity event or series of events, staff welfare coordinators, and Post Incident Response Teams. We will also be looking to establish and maintain an enhanced level of psychological support for employees who have been involved in or impacted by violence and aggression in our workplaces.

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

A handwritten signature in blue ink, consisting of a stylized, cursive 'L' followed by a series of loops and a final flourish.

Leigh Marsh
National Commissioner