

[In Confidence]

Office of the Minister of Corrections

Cabinet Social Outcomes Committee

The Minister of Corrections' priorities

Proposal

- 1 This paper asks you to note my priorities for the Corrections Portfolio and how the Department of Corrections' (Corrections) work will support Government priorities in the 54th New Zealand Parliament.

Relation to government priorities

- 2 The work outlined in this paper will support the Government's target to reduce violent crime and has links to several commitments in the two coalition agreements. Work to increase prison capacity also has connections to sentencing reform, including limiting sentence discounts and restoring the Three Strikes regime. In addition, this work relates to Government priorities that have already been achieved, such as introducing legislation to extend the eligibility of remand convicted prisoners to access offence focused rehabilitation programmes.

Executive summary

- 3 Corrections is one of New Zealand's largest core government agencies, employing nearly 10,000 staff, with the overwhelming majority working on the frontline. Corrections is responsible for the safe and effective management of people in prisons and in the community on sentences and orders. Corrections manages people at the direction of the courts and the New Zealand Parole Board and does not determine who is in prison or who is in the community. The Judiciary is responsible for imposing sentences to hold people accountable for their offending.
- 4 Corrections manages a growing population of around 9,600 people in prison and around 26,000 people serving a sentence or order in the community. The prison population is becoming more violent and challenging to manage. This requires a large workforce with specialist capabilities, including corrections officers, nurses and instructors, and fit-for-purpose physical and digital infrastructure.
- 5 Sentencing reform and other justice sector changes are expected to further increase the prison population and create greater demand for prison capacity.
- 6 An effective corrections system will help support the Government to restore law and order, by managing people in prison safely and delivering better rehabilitation and reintegration outcomes. Better rehabilitation and reintegration outcomes ultimately lead to reduced reoffending and crime, thereby increasing public safety.

- 7 This paper outlines my priorities for the Corrections portfolio during this parliamentary term, which are:
- 7.1 Ensuring prison capacity
 - 7.2 Improving staffing levels
 - 7.3 Increasing staff safety
 - 7.4 Reducing reoffending through effective rehabilitation
- 8 These priority areas need to remain a core focus given the increases to the prison population. In the last 12 months, the population has increased by 12 percent from 8,542 to 9,601.¹ Projections in late 2023 also estimated an increase to approximately 11,500 prisoners within five years. However, there is a high level of uncertainty and projections range from as low as 10,600 to as high as 13,600.²
- 9 The Government's law and order priorities will also be supported by Corrections' work to review its rehabilitative and reintegration services and to progress legislative changes, including to achieve its 100-day commitment to improve remand prisoners' access to services and programmes.
- 10 I will report back to Cabinet in 2025 on the progress made in these four priority areas.

Key priorities to support Corrections to manage a growing prison population safely and effectively

- 11 My Corrections' portfolio priorities for the parliamentary term will increase the safety of frontline staff, ensure the corrections system is appropriately resourced to safely and effectively accommodate a growing prison population, and support reduced violent crime.
- 12 Ensuring prison capacity, sufficient staffing levels, and a safe and well workforce will lead to a better environment to deliver effective rehabilitation and reintegration services. In turn, this will support the Government to achieve its target of reduced violent crime and its priority of restoring law and order.

Priority one: Ensuring prison capacity

- 13 I expect Corrections to manage the increasing prison population safely, securely and effectively. This means ensuring there is sufficient capacity in our prisons to keep the New Zealand public safe. Our prison network will need to accommodate an increasing prison population and ageing infrastructure will need to be replaced over time to ensure sufficient and fit-for-purpose prison capacity.

¹ Prison population as of 17 April 2023 and 17 April 2024.

² This is based on the extrapolation of current trends and moderated by consultation with analytic functions within Police and Corrections. Specific changes proposed by the incoming Government have also been included, largely based on modelling by the Ministry of Justice and Corrections.

14 As the Government, we have committed to limiting sentence discounts and restoring the Three Strikes regime to ensure appropriate consequences for crime. In Coalition agreements with New Zealand First and ACT, we have also committed to:

- amending the Sentencing Act 2002 and associated legislation to ensure appropriate consequences for criminals, including removing concurrent sentences for those who commit offences while on parole, on bail, or whilst in custody
- where appropriate, requiring prisoners to work, including in the construction of new accommodation in prisons or pest control
- increasing funding for Corrections to ensure there is sufficient prison capacity.

15 Corrections has a range of existing and planned initiatives to increase and manage prison capacity while balancing staffing pressures. These include:

- opening the new modular units at Rimutaka Prison and increasing capacity at other men's prisons, including Mt Eden Corrections Facility, Hawke's Bay Regional Prison, Otago Corrections Facility, and Christchurch Men's Prison
- increasing the number of beds in use across the women's sites to reduce the number of inter-prison transfers between the three sites
- the development of an integrated long-term network configuration plan to inform all infrastructure and capacity investment decisions for the prison network
- increasing the number of beds at Waikeria Prison in addition to the current development.
- 9(2)(f)(iv) [REDACTED]

16 Corrections and their unions have also agreed a 'Prison Capacity: Union Engagement Framework' to address capacity issues at local and system wide levels. The initial focus is on site staffing levels, prison site capacity, and nationwide recruitment and retention.

17 Corrections report to me weekly on the prison population and prison capacity. Officials also report to me monthly on the delivery and collective impact of work to increase and sustain the overall prison network capacity.

Priority two: Improving staffing levels

18 A critical element to staff safety is ensuring Corrections has sufficient staffing levels that are responsive and proportional to a growing prison population which is more

IN CONFIDENCE

challenging and violent. Current prison population forecasts show that staffing levels need to increase to continue operating the prison network safely and effectively, and in line with agreements with unions.

- 19 Staffing levels also impact prisoners' rehabilitation and reintegration outcomes, as they affect Corrections' ability to provide and deliver programmes. In addition, low staffing levels may mean prisoners need to be moved to sites further from their support networks and the community they will be released into, which can have a negative impact on reintegration outcomes.
- 20 As well as corrections officers, Corrections is finding it challenging to retain frontline health staff, such as nurses, psychologists, and mental health staff. This has led to a critical shortage at some sites.
- 21 Corrections is making a concerted effort to recruit, retain and train staff. A refreshed recruitment campaign commenced in February 2024, resulting in an increase in applications and an overall increase in prison staffing. The recently settled prisons-based collective agreement and equalisation between community nurse and corrections nurse remuneration will support ongoing retention and make employment in prisons more competitive in a tight labour market.
- 22 In addition to these measures, Corrections is focused on:
 - attracting and recruiting the right people, proportional to the increasing prison population
 - building clear career development pathways for frontline employees, including the ability to specialise
 - investing in the capability and training of frontline staff to support retention and staff safety
 - improving staff experience of working for Corrections to encourage retention
 - improving rosters to enable a better work life balance
 - continuing to work constructively with unions.
- 23 Corrections is reporting to me monthly on the delivery and collective impact of this work, including on staffing levels, the number of frontline appointments, and retention rates.

Priority three: Increasing staff safety

- 24 Due to the nature of the prison environment, violence toward staff is a real risk and must be actively managed and mitigated. No assault on any staff member is acceptable and Corrections has a range of existing initiatives underway to support staff safety. These include:
 - providing staff with appropriate personal protective equipment (PPE)

IN CONFIDENCE

- improving Corrections' specialist tactical capability and capacity
- providing additional training to post-incident response staff to better support staff wellbeing
- introducing a Critical Control Protocol to reduce the risk of violence and aggression toward staff and to document the controls in place
- working with unions CANZ (Corrections Association of New Zealand) and the PSA (Public Service Association) to increase the safety of prisons.

25 Improving safety in prisons also creates an environment that better supports rehabilitation to happen. There is growing evidence in international studies of a correlation between improved prison safety and better rehabilitative outcomes for prisoners.

26 Further to these, we have committed to additional measures to support staff safety in the Coalition agreement with New Zealand First. These are:

- introducing the Protection for First Responders and Prison Officers legislation which will create a specific offence for assaults on first responders, which includes minimum mandatory prison sentences
- equipping corrections officers with body cameras and protective equipment, where appropriate.

27 These measures will further demonstrate a zero tolerance for any prisoner violence toward staff and provide a clear mechanism for holding prisoners who assault staff to account.

28 The impact of these initiatives and legislative changes will be measured through the rate of serious prisoner-on-staff assaults per 100 prisoners. I expect a reduction in the rate of staff assaults to be an indication of the effectiveness of staff safety initiatives.

29 Corrections is reporting to me biannually on the implementation and strengthening of staff safety initiatives. Alongside this, they are providing me monthly data on serious staff assaults. This will allow me to see any trends in the data and how it coincides with progress of staff safety initiatives.

Priority four: Reducing reoffending through effective rehabilitation

30 Rehabilitation services support people to address the causes of their offending and help to break the cycle of reoffending. As the prison population grows and continues to become more complex, it is important that these services are kept fit for purpose. Changes are also needed to ensure services meet the needs of the remand population, which has grown substantially in volume and proportion, over the last 10 years.

31 Corrections is developing a better understanding of the complex needs of the prisoner and offender populations they manage, optimising the services they deliver to meet those needs, developing an integrated service pathway for people in prison, and simplifying their approaches to support safer and more effective operations.

- 32 Corrections' key initiative *Optimising our Services* will make changes to Corrections' services and service delivery approach, to better connect people to the right services, at the right time, and to deliver better rehabilitation and reintegration outcomes. This will support the Government to achieve its target of reduced violent crime as these services address some of the known drivers of violent crime.
- 33 The initiative will examine the effectiveness and efficiency of all Corrections' rehabilitation and reintegration services and their delivery approach. It will also include a particular focus on delivering services to the remand population.
- 34 Another Corrections' initiative is *Integrated Pathways*, which will make changes to Corrections' operational approaches to deliver a more seamless experience for, and with, the people it manages. This will make it easier for people to navigate the corrections system and reintegrate into the community. It will also provide better and more timely access to services.
- 35 Officials have been cognisant of the current focus on cost savings across the public sector, and I note that changes are being enabled by reconfiguration, redeployment and the reprioritisation of resources. These initiatives will also be supported by the Government's recently announced \$1.9 billion investment in the corrections system. This includes funding for 685 new frontline staff and \$78 million for the delivery of services to people on remand.

Corrections has other work underway to support Government priorities

- 36 On 1 April 2024, Corrections implemented its new organisational structure 'The Pathway Forward – Te Ara Whakamua' to enable it to be more efficient and effective in delivering on its core services. These changes will enhance Corrections' organisational capability, particularly at frontline leadership levels, and support improved outcomes for the people it manages. Improving outcomes for the people Corrections manages will translate to improved public safety.
- 37 Corrections has been and will continue to support cross-sector initiatives to improve District Court timeliness. This has a significant impact on Corrections, due to its impact on the remand population.
- 38 Work to ensure the corrections system is operating safely and effectively also includes legislative changes. Cabinet has already agreed to progress the current Corrections Amendment Bill [LEG-24-MIN-0038 refers], which would:
- create new intelligence powers for Corrections to monitor, collect, use, and disclose information from prisoner communications
 - make changes to ensure prison disciplinary processes are timely and incentivise good behaviour
 - enable the limited mixing of remand accused and convicted prisoners for non-offence-based programmes
 - strengthen the process for the authorisation and use of non-lethal weapons.

9(2)(f)(iv)

9(2)(f)(iv)

Cost-of-living Implications

41 There are no cost-of-living implications associated with this work programme.

9(2)(f)(iv)

Legislative Implications

43 There are no legislative implications associated with this paper. 9(2)(f)(iv)

Impact Analysis

Regulatory Impact Statement

44 This proposal does not require a regulatory impact analysis.

Population Implications

45 My four portfolio priorities will help the corrections system to provide more effective rehabilitation services that are better tailored to the needs of prisoners. This is a significant consideration as the prison population is diverse and has diverse needs.

46 The priorities will also help us to provide services that meet the diverse needs of different ethnic groups. Māori make up approximately 52 percent of the prison population, Europeans approximately 30 percent and Pacific peoples approximately 12 percent.

- 47 These priorities will support better rehabilitation and reintegration outcomes, which will help reduce violent crime. Māori and other groups already experiencing disadvantage are disproportionately impacted by violent crime.

Human Rights

- 48 This proposal is consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act.

Use of external Resources

- 49 External resources have not been used in the development of the proposals in this paper. Any use of external resource for future work, including any external advisory groups, will be consistent with the Government's ongoing fiscal sustainability programme.

Consultation

- 50 The following agencies have been consulted: Ministry of Justice, Oranga Tamariki, New Zealand Police.

Proactive Release

- 51 The Minister of Corrections intends to proactively release the Cabinet paper within 30 business days of decisions being informed by Cabinet.

Recommendations

The Minister of Corrections recommends that the Committee:

- 1 note that a safe and effective corrections system will support the Government to deliver on its law and order priorities
- 2 note that the following are the Minister's priorities for the Corrections portfolio:
 - 2.1 ensuring prison capacity
 - 2.2 improving staffing levels
 - 2.3 increasing staff safety
 - 2.4 reducing reoffending through effective rehabilitation.

Hon Mark Mitchell

Minister of Corrections