

09 December 2021

C142188

Kirsten Gibson

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Tēnā koe Kirsten

Thank you for your request of 1 October 2021, requesting information about mask use for staff and people in prison as part of the COVID-19 response. Your request has been considered under the Official Information Act 1982 (OIA).

Throughout the COVID-19 pandemic, Corrections' top priority has been safety of the public, staff, visitors to Corrections sites and the people we manage in prisons and the community.

Our staff demonstrate exceptional professionalism, dedication, and commitment to keep people safe, both in custody and in the community. Their hard work has successfully prevented any COVID-19 outbreak in prisons, which obviously would have been devastating, as we have seen in overseas jurisdictions.

Careful planning was undertaken, alongside Justice sector partners and on the advice of Ministry of Health, to determine what operations could be safely resumed with each Alert Level and, more recently, the vaccination roll-out for all Corrections' staff and people in prisons.

As New Zealand moves to a minimisation and protection approach under the new Traffic Light System, Corrections will continue to maintain a zero-tolerance approach to COVID-19 in our prisons. As we have done since the start of the pandemic, we will continue to focus on reducing the risk of the virus entering our prisons. We will also continue to work to ensure that COVID-19 is not transmitted within prisons across quarantine and separation units and the main prison population. The measures we take under the Traffic Light System will therefore be very similar to what we have done so far, but work is underway on some changes to reflect the protection offered by vaccination, including the addition of a risk assessment process to ensure activities such as release to work can operate safely.

You have asked:

What is the Department's policy on the use of masks and other personal protective equipment for staff and prisoners at each COVID-19 Alert Level?

We have a duty of care to the people we manage in prisons, and to our staff. We are well prepared for this situation, having successfully managed other cases of COVID-19 with no transmission between prisoners or staff.

Since March 2020 we have put in place extensive plans to manage any risk to our staff or the people we manage, including robust infection prevention and control plans at all Alert Levels, with detailed record keeping for both staff and visitors to our sites to enable fast and thorough contact tracing.

Corrections has a number of controls in place to minimise risks relating to the transmission of COVID-19, including health screening for every person who enters a prison and temperature checks for every person who enters the prison and continuing our policy of separating people coming into custody for their first 14 days in prison. The secure and controlled nature of the prison environment means we are able to quickly separate or quarantine people as required and restrict their movements.

At Alert Levels 2, 3 and 4 all prison staff are required to wear masks at all times while on site. People in prison are also offered PPE and are encouraged to wear masks anytime they are outside of their cell. All new receptions into custody are transported in a secure vehicle and both people in prison and staff are required to wear PPE. Staff working in the receiving office, separation and quarantine units are required to wear four-point full PPE, including masks, gloves, gowns, and eye protection.

Is mask use mandated for staff or prisoners at any Alert Levels? If so, how is this mandate enforced?

The Government has imposed a requirement that a face covering is required, if you are an employee involving contact, at most businesses or services. The requirement states that a face covering must be worn if you work in a close contact service.

As a means of reducing COVID-19 transmission between staff and people in prison and vice versa, Corrections staff must wear PPE appropriate to the location they are working in, the activities they are undertaking and when moving prisoners between areas of the prison. With this requirement Corrections have applied this to our settings and it has been made a requirement of staff to wear a mask while undertaking their duties. This applies to Alert levels 2, 3, and 4.

To ensure everyone in prisons is protected from both spreading and catching the COVID-19, Corrections have made it a requirement that approved face masks, not face coverings are worn by all staff. This is because face coverings may assist with preventing someone who has COVID-19 from 'giving' it to another person, but face masks provide better protection for preventing both the transmitting and being infected with COVID-19.

At all Alert Levels excluding Alert Level 4, mask use for people in prison out of their cell is not mandatory but is encouraged. The exception to this occurs in quarantine or a separation unit or if a person is receiving a COVID-19 vaccination. Mask use is not applied as a lawful order and if a person in prison refuses to wear a mask no enforcement or other action is expected to occur.

Masks are mandatory for prisoners in these circumstances:

- If the person in prison refuses to wear a mask during a vaccination, they cannot receive the vaccine
- If the person in prison refuses to wear a mask in quarantine or separation, their minimum entitlement to exercise and/or phone calls can be denied due to the risk to the safety and welfare of other people in prison and staff.

Attached is a copy of the Complete PPE Guidance for Custody/Prison All Alert Levels as at 12 October 2021 and other internal guidance for Corrections staff of managing PPE at all alert levels. Some information is excluded as it is not considered in scope of your request.

Also, please tell me how many masks have been obtained by the Department, per month, since January 1, 2020?

See below the number all masks we have obtained since 1 January 2020. The figures below include mask stock on hand and the number used since 1 January 2020.

Month	Qty
Mar-20	2,256,000
Apr-20	131,500
May-20	2,750,000
Aug-20	0
Mar-21	170,070
Apr-21	153,700
Jun-21	153,700
Jul-21	0
Aug-21	0
Sep-21	453,600
Oct-21	0
Total Purchased	6,068,570
Donated	2,782,700
On Hand at 14 October 2021	2,013,893
Used	1,271,977

Previously all masks were purchased directly from PPE suppliers, however since March 2021, all masks have been supplied by the Ministry of Health (MoH).

Following revised specifications from MoH regarding masks suitable for protection in the workplace, all existing stocks of masks in prisons were replaced with N95 masks, also known as particulate respirators. Masks now determined as 'face coverings' were donated for use in community settings where face coverings are acceptable.

and how many masks have been used, per month, since January 1, 2020?

All PPE is delivered to regional hubs, who then deliver to their respective sites. We continue to monitor our stock on hand and our usage on a weekly basis to ensure we meet our operational needs. Corrections does not record data of monthly usage, and accordingly this part of your request is refused under section 18(g) of the OIA, as the information requested is not held by Corrections, and we have no grounds for believing it is to be held by, 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. 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 nui



Rachel Leota
National Commissioner