



26 June 2012

C58464

Alex Harris  
Fyi.org.nz

Dear Alex Harris

Thank you for your email of 1 May 2012 in which you requested the following information under the Official Information Act 1982 (OIA):

- 1. The number of sexual assaults reported to prison staff in each of the previous five years?*
- 2. The number of those assaults which resulted in prosecution?*
- 3. The number of those cases which resulted in conviction?*

Questions 2 and 3 were transferred to the Ministry of Justice, which you were notified of by the Department on 2 May 2012.

The Department takes the issue of violence in prisons extremely seriously. For many prisoners, the only way they have ever solved problems is through violence, and this behaviour does not stop once they get to prison.

We have over 4000 frontline prison staff working with over 8500 prisoners on a daily basis. While acts of violence are never acceptable, the actual number of serious assaults between prisoners is low, and a testament to the skill and professionalism of staff to control the physical prison environment.

Staff know and understand prisoners and actively engage with them to reinforce positive behaviour. Staff anticipate and resolve problems early through the active management of prisoners, and are trained in de-escalation techniques, interpersonal skills and tactical communication.

Prisoners who are deemed to be at risk from other prisoners are segregated from the mainstream prison population for their own safety and security. Prisoners can also ask to be placed on voluntary segregation if they feel they are at risk from other prisoners.

The Department is committed to reducing the rates of serious assaults between prisoners and ensuring that staff have sufficient skills and resources to do this. In addition to any internal misconduct charges, all serious assaults are referred to the Police for investigation and formal charges may be laid against perpetrators.

The Department categorises incidents involving assault as follows:

- Serious Assault – 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
  - Bodily harm requiring extended periods of ongoing medical intervention.
- Non-Serious Assault – an act of physical violence that involves bodily harm requiring medical intervention beyond assessment by medical staff, but not requiring overnight hospitalisation or ongoing medical intervention.

The Department records and reports serious assaults on a financial year basis, being 1 July to 30 June. The Department's statistics on assaults are set out in the Annual Report each year, which is available on the Department's website at [www.corrections.govt.nz](http://www.corrections.govt.nz).

Under the Department's serious assault reporting category, sexual assault can be of any form and degree. This could mean any incident such as inappropriate touching to a more serious sexual violation, or physical assault of a sexual nature.

The table below provides the numbers of alleged sexual assaults in prison:

Financial Year	Alleged 'sexual assaults' prisoner/prisoner incidents	Sexual assault - rate per 100 prisoners
2010/11	5	0.06
2009/10	8	0.09
2008/09	7	0.09
2007/08	11	0.14
2006/07	0	0

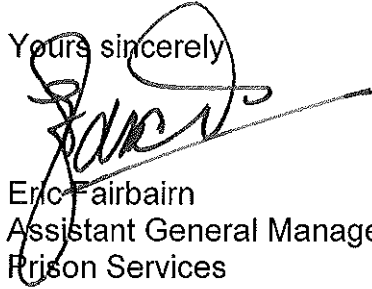
Please note the figures represented in the data above are often self reported and unverified. As such it cannot be seen as an accurate representation of the number of sexual assaults that have occurred within prison. The Department does not break down the incidents into categories of seriousness, the victim is able to pursue further investigation and involve Police in the matter.

As discussed above, if these alleged incidents were taken to the prosecution and conviction stage, the Ministry of Justice will provide you with this information.

I trust this information is of use to you. You are welcome to contact the Department for clarification of any of the information contained in this response.

Should you not be satisfied with my response you have the right under section 28(3) of the OIA to ask an Ombudsman to investigate the Department's response to your information request. The Ombudsman's address is: Office of the Ombudsman, PO Box 10152, Wellington.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Eric Fairbairn', with a long horizontal line extending to the right from the end of the signature.

Eric Fairbairn  
Assistant General Manager  
Prison Services