

30 March 2016

C76664

Tim Lamusse  
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Dear Tim Lamusse

Thank you for your email dated 2 March 2016, requesting information about "*the conditions and numbers of LGBTIQ prisoners in New Zealand Prisons*". Your request has been considered under the Official Information Act 1982 (OIA).

You have asked four questions and these have been addressed individually below.

1. *Does the Department of Corrections keep records of the number of LGBTIQ prisoners, beyond just transgender prisoners?*

The Department does not keep records of the number of Lesbian, Gay, Bisexual, Intersex or Questioning/Queer prisoners. Records of Transgender prisoners are maintained through the Integrated Offender Management System (IOMS).

2. *Are there any policies in place to specifically ensure the safety of LGBTIQ prisoners?*

An amendment to the Corrections Regulations 2005 came into effect on 10 February 2014. The amendment puts in place new requirements for determining whether Transgender and Intersex prisoners should be accommodated in either a male or female prison. This information is publicly available at the link below:

[http://www.corrections.govt.nz/resources/policy\\_and\\_legislation/Prison-Operations-Manual/Movement/M.03-Specified-gender-and-age-movements/M.03-4.html](http://www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Movement/M.03-Specified-gender-and-age-movements/M.03-4.html)

Corrections has a duty of care to all prisoners and works to ensure every prisoner is placed in a safe environment. Corrections assesses each prisoner individually to ensure the most appropriate placements for them.

Corrections is undertaking a comprehensive programme of work to help support transgender prisoners. This will cover accessibility to support services, appropriate healthcare, appropriate rehabilitation and safety plans for vulnerable prisoners.

Links to multiple management practices to ensure safety, such as voluntary segregation and at-risk assessments, are publicly available at the links below:

<http://www.corrections.govt.nz/utility/search.html?q=segregation#gsc.tab=0&gsc.q=segregation&gsc.page=1>

[http://www.corrections.govt.nz/working\\_with\\_offenders/prison\\_sentences/employment\\_and\\_support\\_programmes/rehabilitation\\_programmes/specialist\\_units.html](http://www.corrections.govt.nz/working_with_offenders/prison_sentences/employment_and_support_programmes/rehabilitation_programmes/specialist_units.html)

<http://www.corrections.govt.nz/utility/search.html?q=at+risk+assessments#gsc.tab=0&gsc.q=at%20risk%20assessments&gsc.page=1>

3. *If these policies exist, how many times have they been applied to LGBTIQ prisoners?*

From November 2014 to 10 March 2016, all 10 applications of transgender prisoners to transfer prison have been successful.

4. *If these policies do not exist, why not and what steps is the Department taking to ensure the safety of LGBTIQ prisoners?*

Regarding your queries about why the Department does not have policies regarding LGBTIQ prisoners. As noted above, the Transgender and Intersex policy is publicly available. Regarding sexual orientation, it is important to note that we only obtain personal information to help meet our legal functions to improve public safety and reduce re-offending by 25 percent by 2017. We are accountable for the collection, use, storage and distribution of information about individuals and organisations pursuant to the Privacy Act 1993.

We ensure:

- privacy by collecting only the information we need and using it only for legitimate purposes
- security by keeping data safe from unauthorised access and use
- confidentiality by only releasing identified personal information where there is a lawful purpose.

Should you have any concerns with this response, I would encourage you to raise these with the Department. 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.

Yours sincerely



Vincent Arbuckle  
Deputy Chief Executive  
Corporate Services