



29 April 2016

C76665

Sam Vella
FYI website
fyi-request-3703-2932782a@requests.fyi.org.nz

Dear Sam Vella

Thank you for your email dated 2 March 2016, requesting information about "gender-affirming options for transgender prisoners." Your request has been considered under the Official Information Act 1982 (OIA).

You have asked two questions which are addressed individually below.

1. *Are transgender women in men's prisons, and/or transgender men in women's prisons able to have access to gender-affirming clothing?*

Without further defining "gender-affirming clothing", we have interpreted your question as whether prisoners are allowed to wear their own clothing in custody.

You may be aware that this information is publically available on our website at www.corrections.govt.nz

Some relevant information is copied for you below in this instance.

As per the Prison Operations Manual (POM), 'P.04 Standard prison issue property', "[a]ll sentenced prisoners will be issued the items listed in Schedule 2 of the Rules on authorised property made under section 45A unless the prison director determines that issuing the item will interfere with the effective management, security, and good order of the prison."

In addition, remand prisoners may be permitted to wear their own clothing.

There are also other circumstances when prisoners may be able to wear their own clothing:

4. *The prison director may allow prisoners to wear their own clothing or footwear when on:*
 - a. *transfer*
 - b. *temporary release*
 - c. *Court appearances*
 - d. *appearances before the New Zealand Parole Board*
 - e. *any other occasion the prison director deems appropriate, e.g. in self care units.*

You can find more information at the links below:

http://www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Property/P-5.html

http://www.corrections.govt.nz/working_with_offenders/prison_sentences/being_in_prison/personal_possessions.html

2. *Do transgender women in men's prisons have access to maintaining hairstyles, makeup, and personal grooming however they wish and in ways that affirm their gender (i.e. growing out hair, and access to shaving razors)?*

On arrival personal hygiene and grooming products will be checked for contraband and whether they are allowed. If the products are approved they are returned to the prisoner.

People in prison are allowed a small amount of personal toiletries provided they meet certain criteria.

For safety and security reasons, some items are not allowed in prison:

- aerosols
- sprays
- glass containers
- products containing alcohol
- nail polish/remover

Personal hygiene and grooming products can only be replaced through the prison's weekly shopping system. They cannot be sent by family and friends.

Facilities are provided for hair cutting, but remand prisoners are not permitted to significantly change their appearance prior to trial or the completion of court proceedings.

Razors are available for purchase through the P119 canteen system in both male and female prisons, or issued by the Prison along with soap, shampoo, toothpaste and toothbrushes, although they are not available in high security units.

Prisoners in a male prison can purchase such items as:

- Soap
- Body wash
- Toothpaste
- Deodorant
- Toothbrush
- Dental floss
- Denture paste
- Shampoo
- Conditioner
- Shaving cream
- Shaving brush
- Comb
- Hair brush
- Tissues
- Moisturiser
- Sunscreen.

You can find more information at the links below:

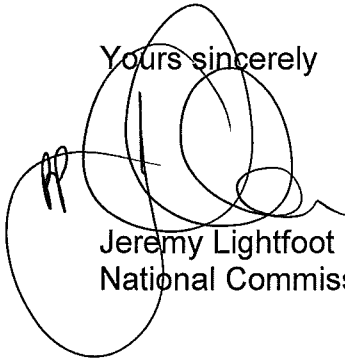
http://www.corrections.govt.nz/working_with_offenders/prison_sentences/being_in_prison/weekly_shopping_system.html

http://www.corrections.govt.nz/working_with_offenders/prison_sentences/being_in_prison/personal_possessions.html

At this time, there are some differences in the items that can be purchased through the P119 system in male and female prisons. This is currently under review as part of the Department's programme of work to support transgender prisoners.

I trust the information provided is of assistance. 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

A handwritten signature in black ink, appearing to be 'JL', written over a large, circular scribble.

Jeremy Lightfoot
National Commissioner