

18 October 2016

C80334

B E Goodsir
fyi-request-4620-91945752@requests.fyi.org.nz

Dear B E Goodsir

Thank you for your email of 18 September 2016, requesting information about the collection of data relating to assault incidents in prisons. Your request has been considered under the Official Information Act 1982 (OIA).

You have requested the following information, making reference to two previous responses provided by the Department (Refs C58464 and C72793):

1. *Why was the data for the number of sexual assaults in prison available in 2012 but not in 2015?*
2. *Did the Department of Corrections policy regarding the collection of data on serious and sexual assaults in prisons change between 2012 and 2015?*
3. *Please provide any information on any advice the Department has received on changing the way that sexual assaults are reported between 2010 and 2016*

I can advise that the Department's current reporting categories for assault incidents in prisons have not changed since 2012. Assault incidents are categorised as follows:

- **Serious assault** is 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 or bodily harm requiring extended periods of on-going medical intervention.
- **Non-serious assault** is an act of physical violence that resulted in physical injuries that may or may not have required medical attention, but not overnight hospitalisation or on-going medical treatment.
- **Assault no injury** is an act of physical violence that did not result in physical injuries or require any form of medical treatment. This can include behaviour such as spitting or pushing past a Corrections Officer.

Assaults against staff or prisoners can be referred to the Police for investigation, and criminal charges may be laid against the perpetrator/s.

Any sexual assault is categorised as serious and therefore included in 'serious assault' data. Sexual assault can be of any form and degree such as inappropriate touching, sexual violation, or any physical assault of a sexual nature. The Department does not break down these incidents into levels of seriousness, and the victim is able to pursue further investigation and involve Police facilitated by the Department.

As you are aware, the Department's correspondence to Alex Harris dated 26 July 2012 (ref C58464) included a table providing figures for 'alleged sexual assaults in prisons'. I can advise that these figures were extracted from a tertiary category of the Department's incident component structure, which is not utilised for reporting purposes.

Directly below the 'alleged sexual assaults in prisons' table provided in the Department's correspondence to Alex Harris dated 26 July 2012, we advised as follows:

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.

The Department is of the view that figures provided in 2012 on 'alleged sexual assaults in prison', being information that was considered 'often self reported and unverified', were therefore released to Alex Harris incorrectly.

Please note that the Department reports on assaults incidents in prisons in a consistent manner, via our Annual Report. The Department's most recent Annual Report from 2014/15 is publically available on our website, at the following link:

http://www.corrections.govt.nz/resources/strategic_reports/annual-reports.html

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



Vincent Arbuckle
Deputy Chief Executive
Corporate Services