

23 May 2017

C85224

Ti Lamusse
fyi-request-5599-99fabd18@requests.fyi.org.nz

Dear Ti Lamusse

Thank you for your email of 23 April 2017, requesting information about the Department's review of directed segregation. Your request has been considered under the Official Information Act 1982 (OIA).

You have requested information for the purpose of clarifying the Department's response to a previous request on this matter. That request was for a copy of the review that took place, in response to a Death in Custody Report, into the use of directed segregation. Your questions and the Department's responses have been included below.

- *'Did the Department establish whether the practice of full 14 day segregation for prisoners on initial segregation is widespread?'*
- *'Did the Department establish whether the practice of denying association for prisoners on initial segregation is widespread?'*

As you will be aware, the referenced Death in Custody Report included recommendations to establish whether the practice of full 14 day segregation for prisoners on initial segregation is widespread and to establish whether the practice of denying association for prisoners on initial segregation is widespread. The Department accepted these recommendations.

It was accepted from the outset that 14 days should not be the default length of time that a prisoner on initial segregation is segregated and that prisoners on initial segregation should not, by default, be denied association. Accordingly, the Department considered that it could most effectively address the recommendations of the death in custody report, by reviewing and clarifying existing policy, and where appropriate, creating new policy.

Therefore, rather than establish whether or not the practices mentioned in the report were widespread, the review instead focused on ensuring that operational policy did not encourage the use of 14 days segregation for prisoners on initial segregation as a default, and clarifying the appropriate use of denying association for these prisoners.

- *'Please release the data used to determine [whether these practices are widespread].'*

As advised above, the Department's review did not establish whether these practices were widespread. As we had already accepted that these practices should not be used by prison staff as a default, and had identified how best to address these issues, it was not considered necessary to determine how widespread these practices were.

This part of your request is, therefore, declined under section 18(e) of the OIA as the document alleged to contain the information requested does not exist or, despite reasonable efforts, cannot be found.

- *'Was a policy document created that contained the words "Directed Segregation Review"? Was this document approved by the Chief Executive of Corrections and/or the Minister?'*

No policy document containing the words 'Directed Segregation Review' was created.

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



Jeremy Lightfoot
National Commissioner