

22 December 2017

C90080

Ti Lamusse
fyi-request-6745-35998049@requests.fyi.org.nz

Dear Ti

Thank you for your correspondence of 23 October 2017 requesting the number of times mechanical restraints have been used by Corrections, as far back as records permit. Your request has been considered under the Official Information Act 1982 (OIA).

Mechanical restraints are used when it is deemed necessary to ensure the safety of staff, other prisoners or the public.

Mechanical restraints include handcuffs, head protectors, spit hoods and tie down beds. Handcuffs are primarily used for escort or movement purposes, or as an incident response tool when other de-escalation techniques have not been successful. Spit hoods are a breathable head cover used to reduce the risk of pathogens, such as Hepatitis B, by acting as a barrier to prevent prisoners spitting at staff. A head protector is designed to prevent a prisoner from injuring themselves by hitting their head on the wall or other hard surface.

Tie-down beds are a last resort used to manage prisoners who are determined at risk of harming themselves but don't qualify to be admitted to a forensic mental health unit. This level of self-harming can include people tearing open stitches, putting objects or faeces inside their wounds, and attempting to inflict serious physical injuries on themselves.

As requested, the table in Appendix One provides the number of times mechanical restraints have been used, starting from the 2009/10 financial year. We cannot report on the number of times mechanical restraints were used prior to 2009/10, as this information was recorded manually and is not held in a central database.

In accordance with regulation 127 of the Corrections Regulations 2005, we are not required to report on the use of handcuffs or a waist restraint used in conjunction with handcuffs while escorting a prisoner, whether inside or outside a prison. If we use restraints when escorting prisoners, the information will be recorded on individuals' files rather than held in a central database. Therefore, this part of your request is declined under section 18(f) of the OIA, as the information cannot be made available without substantial collation or research.

As the table illustrates, there has been a rise in incidents where handcuffs have been used not for escort purposes on one or more prisoners. There has been substantial growth in the prison population, as well as an increase in the number of violent offenders in prison. Corrections foremost priority is the safety of the public, our staff, and prisoners, and it is important our staff are well equipped to respond to incidents and maintain a safe environment.

Tie-down beds may only be used in conjunction with torso restraints and/or wrist bed restraints. As such, we currently report the latter two restraints under the use of tie-down beds. This is reflected in the data in Appendix One.

Please note, there have been no incidents where tie-down beds have been used in over 12 months.

As you may be aware, following this case, the policy and practice governing the use of tie down beds was reviewed and the Chief Inspector was commissioned to investigate the circumstances surrounding this case. A summary of this review is available on our website –

http://corrections.govt.nz/resources/strategic_reports/summary_of_a_case_review_of_the_management_of_a_prisoner_at_auckland_prison.html.

If you have any further queries or concerns with this response, please contact us again. Alternatively you can also contact the Office of the Ombudsman, PO Box 10152, Wellington 6143.

I hope the information provided is helpful.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Rachel Leota', with a long horizontal stroke extending to the right.

Rachel Leota
National Commissioner

Appendix One – Number of times mechanical restraints have been used, recorded by financial year

Year	Incidents where handcuffs were used*	Head protector	Spit hood	Tie down bed	Total use of mechanical restraints	Total prison population
2009/10	183	11	0	10	204	8650
2010/11	341	11	3	7	362	8549
2011/12	424	1	2	13	440	8566
2012/13	412	1	5	13	431	8565
2013/14	426	0	11	13	450	8534
2014/15	586	3	16	2	607	8799
2015/16	784	4	3	50**	841	9495
2016/17	962	1	16	1	980	10230

* Only includes the number of incidents, not number of prisoners subject to handcuffs. In some incidents more than one prisoner was involved and subsequently handcuffed.

** The increase in use of tie-down beds in 2015/16 is due to an individual prisoner with extreme and prolific self harming behaviour who was placed on the tie down bed 39 times during this period to prevent him from further harming himself.