



26 January 2018

C90082

Ti Lamusse
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Dear Ti

Thank you for your email of 23 October 2017, requesting information about the length of time spent by prisoners in At Risk Units or subject to directed segregation. Your request has been considered under the Official Information Act 1982 (OIA).

Firstly, I sincerely apologise for the delay in responding to your request. A significant amount of consultation was required, and regrettably took longer than the original extended timeframe.

The safety of prisoners in our custody is paramount. As previously stated in the response you received on 15 September 2017, in accordance with sections 58 to 60 of the Corrections Act 2004, prisoners can be lawfully denied association with other prisoners if their behaviour presents a risk to the security of the prison, the safety of others, the prison's Health Centre Manager considers that it is necessary to assess or ensure their mental or physical health, or if the Prison Director feels it is the only reasonable way to keep the prisoner safe from themselves.

At all times segregated prisoners continue to be provided opportunities for exercise, access to visitors, mail, telephone calls and other entitlements set out in the Corrections Act. They also have regular and ongoing contact with Corrections staff, including our health services staff and mental health professionals as required.

While subject to segregation, their progress is reviewed daily by a senior staff member and they are removed from segregation at the earliest opportunity. All prisoners newly received into a prison (including from bail or recalled from parole) are assessed for risk of self-harm. Their At Risk status is also reviewed frequently in response to events including new charges being laid against them, following transfer between prisons, when parole is deferred for more than two years, or following a change in family circumstances. Information regarding the reception risk assessment is outlined in the Prison Operations Manual and is available on our website at http://www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Movement/M.05-Prisoners-at-risk-of-self-harm/M.05.html.

With regard to directed segregation, Corrections operates prisons that are safe for prisoners, staff, visitors and the general public. Corrections has policies and operational procedures in place to support all prisoners and segregation is one of many mechanisms available to manage safety for all.

When prisoners are segregated, a segregation management plan will be developed to reflect and to identify any special needs that may be relevant due to the segregation. This ensures that prisoners are not impeded in any way by their segregation. A plan may include ways in which the prisoner can address their behaviour or concerns that have led to the segregation, and the measures that will be undertaken by the prison to assist with their return to the general prison population. A copy of the segregation management plan is provided to the prisoner.

Further information regarding the segregation of prisoners as contained within the Prison Operations Manual, and can be found on our website at <http://www.corrections.govt.nz/resources/Prison-Operations-Manual/Movement/M.01-Movements-internal,-directed-and-specified/M.01-3.html> You have requested:

The number of stays in ARUs that (a) lasted fewer than 7 days (b) lasted between 8-15 days and (c) lasted longer than 15 days, broken down by financial year as far back as records permit. In the event that you cannot provide me with the data in the form I have requested (7, 8-15 and 15 days), please provide the data broken down by 7 days or fewer, 8-20 days and longer than 20 days.

In addition, please provide me with the number segregation directives (stays in directed segregation) that (a) lasted fewer than 7 days (b) lasted between 8-15 days and (c) longer greater than 15 days. Please break this down by financial year as far back as records permit.

Please find this information in Appendix One and Two respectively. We have provided this data in the form of stays in an At Risk Unit and directed segregation period that, (a) lasted fewer than 7 days (b) lasted between 8-15 days and (c) lasted longer than 15 days. I have also included a break down of the number of stays in an At Risk Unit that lasted one day through seven days which shows the overwhelming majority of stays in at At Risk Unit are for one day.

You will also note that the figures in Appendix One differ from those quoted in the recent OIA response you refer to dated 14 September 2017, concerning stays in at risk units. The previous OIA you referred to counted individual's consecutive periods in an At Risk Unit that lasted more than 48 hours. The figures provided to you in this response count every period of time started in an At Risk Unit.

Please also note than an individual may enter an At Risk Unit or period of directed segregation multiple times in a single year. Each time an individual enters an At Risk Unit or period of directed segregation is counted separately.

Increases in the use of directed segregation reflect the increase in the prison population, the increase in violent offenders and a zero tolerance for violent behaviour within prisons.

I hope you will find this information helpful. Please let us know if you have any concerns this response. Alternatively you can contact the Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely

A handwritten signature in black ink, appearing to read 'JEB', with a long horizontal flourish extending to the right.

Jeanette Burns
Acting National Commissioner

Appendix One: Periods started in an At Risk Unit (ARU)

Length of period	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
a) 7 and fewer days	3971 (83.2%)	4214 (81.7%)	3709 (82.4%)	3632 (79.0%)	3322 (78.2%)	3374 (79.0%)	4131 (81.5%)	4555 (80.6%)
i) 1 day	1676 (35.1%)	1777 (35.1%)	1467 (32.6%)	1363 (29.6%)	1188 (28.0%)	1226 (28.7%)	1643 (32.4%)	1772 (31.4%)
ii) 2 days	696 (14.6%)	744 (14.4%)	707 (15.7%)	666 (14.5%)	632 (14.9%)	623 (14.6%)	717 (14.2%)	888 (15.7%)
iii) 3 days	527 (11.0%)	548 (10.6%)	529 (11.8%)	507 (11.0%)	495 (11.7%)	532 (12.5%)	608 (12.0%)	690 (12.2%)
iv) 4 days	382 (8.0%)	413 (8.0%)	361 (8.0%)	400 (8.7%)	341 (8.0%)	363 (8.5%)	433 (8.5%)	439 (7.8%)
v) 5 days	274 (5.7%)	265 (5.1%)	246 (5.5%)	266 (5.8%)	261 (6.1%)	250 (5.9%)	291 (5.7%)	299 (5.3%)
vi) 6 days	214 (4.5%)	245 (4.7%)	201 (4.5%)	231 (5.0%)	205 (4.8%)	215 (5.0%)	239 (4.7%)	266 (4.7%)
vii) 7 days	202 (4.2%)	222(4.3%)	198 (4.4%)	199 (4.3%)	200 (4.7%)	165 (3.9%)	200 (3.9%)	201 (3.6%)
b) between 8-15 days	503 (10.5%)	529 (10.3%)	417 (9.3%)	523 (11.4%)	534 (12.6%)	490 (11.5%)	529 (10.4%)	603 (10.7%)
c) greater than 16 days	298 (6.2%)	417 (8.1%)	376 (8.4%)	445 (9.7%)	392 (9.2%)	407 (9.5%)	407 (8.0%)	490 (8.7%)
Total	4772	5160	4502	4600	4248	4271	5067	5648
Prison population throughput	16110	15790	14749	14149	13304	14029	15719	17651

Appendix Two: Directed Segregation periods started ¹

Length of period	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
a) 7 and fewer days	483	640	668	687	1001	1358
b) between 8-15 days	388	491	496	532	897	1163
c) greater than 16 days	360	361	373	377	448	603
Prison population throughput	14749	14149	13304	14029	15719	17651

¹ These include directed segregation for the security and good order of the prison (S58 1A), for the safety of others (S58 1B), for the safety of the prisoner (S59 1B), for the prisoner's physical health (S60 1A), and the prisoner's mental health (S60 1B).