

15 March 2019

C103493

Will Howard
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Tēnā koe Mr Howard

Thank you for your email of 20 December 2019, requesting information about prisoner employment and incentives. Your request has been considered under the Official Information Act 1982 (OIA).

Please note that we have answered the majority of your questions based on the 2017/18 financial year. Corrections 2017/18 financial year ended on 30 June 2018 as opposed to March 2018. Where we have answered a question based on another time period this is noted.

Public safety and reducing re-offending are the ultimate goals for the Corrections. In accordance with the Corrections Act 2004, we must make public safety paramount when managing offenders, and administer all sentences in a safe, secure, humane and effective manner. All prisons are operated in accordance with New Zealand legislation and having regard for other agreements, such as the United Nations Standard Minimum Rules for the Treatment of Prisoners.

The majority of prisoners have no formal qualifications and limited education or work experience prior to coming to prison. We know that helping prisoners gain education, qualification, or employment skills increases their likelihood of finding employment when they are released. It reduces their likelihood of re-offending and keeps our communities safe.

Corrections provides an array of educational and industry training programmes to prisoners. For example, prisoners learn skills such as dairy and pig farming, beekeeping, construction, painting, graphic design, cooking and commercial printing. All our prisons are working prisons and, in 2017/18, were achieving 93 percent prisoner engagement. This is based on 40 hours of constructive activity such as industry, treatment and learning in a week.

The Prisoner Incentive Framework (PIF) is run to improve the employment potential of people who pass through our prisons each year. The PIF offers incentives to improve prisoners' work habits, to attend vocational training and to attend criminogenic programmes as detailed in their individual sentence management plans. The PIF provides for six levels of allowance of up to \$0.60 per hour, and prisoners are encouraged to partake in 40 hours of engagement per week.

Please note that Corrections does not 'employ' prisoners. However, prisoners are still subject to the Health and Safety in Employment Act 1992. Therefore, Corrections has the same basic responsibilities in terms of health and safety towards prisoners as it has towards its employees.

The Release to Work Programme (RTW) allows minimum security prisoners, who are assessed as suitable, to engage in paid employment in the community where they can gain experience, employment skills and job stability to support them into work and to live crime-free on release. Prisoners employed on RTW are paid at a full market rate, and have previously taken part in unit and prison-based activities and education to ensure they are well-prepared for community-based employment and that the public are safe.

Corrections may make necessary deductions from RTW prisoners prison trust accounts. Deductions may include board payments to Corrections, payments to maintain any of the prisoner's dependents, including child support payments to Inland Revenue, and expenses incidental to the prisoner's employment outside the prison. Each deduction from a prisoner's trust account is authorised by him/her in writing.

The PIF and RTW, are hugely beneficial avenues for prisoners to gain real work experience and employment skills, making it easier for them to find work on release. Having a job helps people to provide for themselves and their family, connect with pro-social support and often gives them a sense of pride.

In addition to the training opportunities in prison, we operate our own recruitment service where specialised recruitment consultants help place offenders into jobs in preparation for their release from prison.

We also have an employment support service, which includes a more intensive support package for prisoners due for release and for offenders on community sentences. This includes case management and six months of in-work support, in addition to job placement.

More information regarding Corrections' employment and training programmes is available at: www.corrections.govt.nz/working_with_offenders/prison_sentences/employment_and_support_programmes/employment_activities.html.

Non-government agencies such as the Salvation Army and PARS also deliver reintegration services that assist prisoners. Upon release, prisoners can access assistance with accommodation, employment, education and training, living skills and community support.

You have requested:

1.i) How many prisoners are currently working within prisons?

1.ii) How many prisoners are involved in a release to work programme?

As at 31 January 2018, 1,158 prisoners were participating in the PIF. A total of 3,342 prisoners participated in the PIF during the 2017/18 financial year. This excludes those on the sick or unemployed rate, as explained in response to questions 6 to 12.

Additionally, 270 prisoners participated in RTW during the 2017/18 financial year.

2.i) What is the average number of hours worked by prisoners?

For the 2017/18 financial year, the average number of hours that prisoners participated in the prisoner incentive scheme was 658.

2.ii) What is the average number of hours worked by prisoners on release to work programmes?

For the 2017/2018 financial year, the average number of hours that prisoners participated in the prisoner incentive scheme was 608.

3.i) Of those who are not involved in release to work programmes but who still work in prisons, what is the average rate of pay?

Please refer to Appendix One for the requested information. Note that this table shows the average rate of pay, per prison, for those who were participating in the PIF for the period of four weeks in November 2018. We are unable to provide you with the information for the period of the 2017/18 financial year, as this would require substantial collation and research.

Please note that the average rate of pay has been calculated excluding prisoners who are paid the unemployment rate of \$0.09 cents per hour. This rate is paid to prisoners who are available and willing to attend either work or programmes, but due to poor health, or unavailability of work or programmes are unable to participate.

3.ii) Of those involved in release to work programmes, what is the average rate of pay?

Prisoners who participate in RTW are employed by employers outside of prison. As mentioned above, they are paid by their employer at a market rate.

Corrections does not record information regarding their remuneration in a centralised way. Therefore, we cannot readily extract the requested information from our electronic records.

In accordance with the OIA, we have considered whether to affix a charge or extend the time limit for responding. However, given the scale of the request we do not consider that this would be an appropriate use of our publicly funded resources. 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.

4.i) Are there any deductions made from wages given to prisoners who work in prisons, but are not involved in release to work programmes?

5.i) What is the average amount of deductions per prisoner, if any are made, for prisoners who work in prisons but are not involved in release to work programmes?

No deductions are made from any payments paid to prisoners from Corrections as part of the PIF.

As you may be aware, the cost to the taxpayer to house a prisoner is approximately \$100,000 per year. This provides for the safe and secure operation of our prisons to ensure the approximately 9,000 staff we employ, as well as prisoners and the public, are kept safe. It also covers a prisoner's meals, electricity, clothing and other amenities, as well as GP, nursing and basic dental services, and mental health support. Prisoners receiving the Prisoner Incentive Allowance use this money to purchase items from the prison canteen (which can include snack food, phone cards and selected toiletries), and to rent a television.

4.ii) Are there any deductions made from wages involved in release to work programmes?

5.ii) What is the average amount of deductions per prisoner, if any are made, for prisoners who involved in release to work programmes?

As previously mentioned, for prisoners who participate in RTW, Corrections may make any necessary deductions from their prison trust accounts. Deductions can include board payments to Corrections, payments to maintain any of the prisoner's dependents, including child support payments to Inland Revenue, and expenses incidental to the prisoner's employment outside the prison. Each deduction from a prisoner's trust account is authorised by him/her in writing.

For a full list of deductions that can be made, please see our policy M.04.07.10 available on our public website at: www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Movement/M.04-External-movement-transportation-of-prisoners/M.04-7.html.

Information on the amount of deductions made from the trust accounts of RTW prisoners is not recorded in a centralised format. Therefore, we cannot readily extract the information you have requested from our electronic records. In order to identify this type of specific information, we would be required to manually review a large number of files.

In accordance with the OIA, we have considered whether to affix a charge or extend the time limit for responding. However, given the scale of the request we do not consider that this would be an appropriate use of our publicly funded resources. 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.

6) *How many prisoners received no financial compensation for their work?*

7) *How many prisoners received between 0-20c per hour for their work?*

8) *How many prisoners received between 21-40c per hour for their work?*

9) *How many prisoners received between 41-60c per hour for their work?*

10) *How many prisoners received between 61-80c per hour for their work?*

11) *How many prisoners received between 81c-\$1.00 per hour for their work?*

12) *How many prisoners receive more than \$1.00 per hour for their work?*

The PIF does not provide for any participating prisoner to be paid more than \$0.60, or less than \$0.20 cents per hour, unless they are paid at the \$0.09 per hour rate which only occurs in the case of being too unwell to work, or when there is no work available but the prisoner is willing to work.

We are unable to provide you with the requested information for the period of the 2017/18 financial year, as this would require substantial collation and research.

However, refer to Appendix One for a table which shows how many prisoners earned \$0.20, \$0.30, \$0.40, \$0.50 and \$0.60 per hour for the snapshot of four weeks in November 2018.

Please note this information excludes Auckland South Corrections Facility, which is operated by SERCO. Corrections does not hold the requested information for this prison.

13) Are prisoners allowed to take toilet breaks during work hours?

14) Are prisoners provided with meal breaks during work hours?

As previously mentioned, all prisons are operated in accordance with New Zealand legislation and with regard for other agreements, such as the United Nations Standard Minimum Rules for the Treatment of Prisoners. Prisoners are entitled to take toilet breaks and meal breaks.

15) Can prisoners call in sick to work?

Prisoners are not made to work if they are unwell. Prison staff will advise the prisoner's instructor that the prisoner will not be working due to sickness. Prisoners are still paid an incentive allowance of \$0.09 per hour for up to five days if they are temporarily sick.

16) What are the consequences if a prisoner chooses not to work?

The PIF is designed to encourage prisoners to participate. However, they will not receive an allowance under the PIF if they refuse to work when there is work available.

17) The total number of prisoners who are housed in each prison.

Please see Appendix Two for this information. Please note that we have provided the average number of prisoners housed in each prison for the 2017/18 financial year, as this provides a representation of how many prisoners are generally housed in each prison.

18) The total number of prisoners who work in prisons but are not involved in release to work programmes, per prison.

Please see Appendix Three for this information.

19) The total number of prisoners who are involved in release to work programmes, per prison.

Please see attached Appendix Four for this information. Please note that some of the prisoners recorded here have also participated in the PIF and will have also been counted in the question 18.

20) The total number of prisoners who have refused to work, for each prison.

21) The total number of prisoners who have received some form of sanction for refusal to work, for each prison.

Unfortunately, we cannot readily extract the requested information from our electronic records. In order to identify this type of specific information, we would be required to manually review a large number of files, as this type of information is kept on individual prisoner's files.

In accordance with the OIA, we have considered whether to affix a charge or extend the time limit for responding. However, given the scale of the request we do not consider that this would be an appropriate use of our publicly funded resources. 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.

22) The average rate of pay for prisoners, for each prison.

Please refer to our response to questions 3.i and 3ii.

I trust the information provided is of assistance. Should you have any concerns with this response, I would encourage you to raise these with Corrections 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.

Ngā mihi nui



Rachel Leota
National Commissioner

Appendix One – The average rate of pay per hour, by prison, for prisoners who participated in the PIF during November 2018 (excluding the sick and unemployed rate)

Prison	Rate of Pay per hour					
	\$0.20	\$0.30	\$0.40	\$0.50	\$0.60	Average
Northland Region Corrections Facility	157	21	170	0	14	0.315193
Auckland Prison	20	1	256	0	32	0.407443
Mount Eden	400	3	42	0	25	0.239787
Auckland Women's' Corrections Facility	150	14	47	0	57	0.325373
Spring Hill Corrections Facility	161	12	317	8	7	0.338218
Waikeria Prison	157	6	296	0	43	0.353386
Tongariro Prison	4	10	211	0	17	0.406612
Hawkes Bay Prison	152	0	259	0	62	0.361945
Whanganui Prison	75	0	117	10	171	0.454155
Manawatu Prison	83	0	48	0	26	0.327389
Arohata Prison	29	2	77	0	8	0.362069
Rimutaka Prison	121	8	351	1	49	0.371509
Christchurch Prison	155	3	329	0	67	0.367690
Christchurch Women's Prison	17	0	56	0	7	0.375000
Rolleston Prison	8	5	200	1	16	0.405217
Otago Corrections Facility	28	0	129	1	51	0.422488
Invercargill Prison	33	2	53	0	36	0.403226

Appendix Two – Average number of prisoners housed in each prison for the 2017/18 Financial Year

Prison	Average number of prisoners housed
Arohata Prison	107
Auckland Region Women's Corrections Facility	461
Auckland South Corrections Facility	953
Auckland Prison	625
Christchurch Prison	918
Christchurch Women's Prison	125
Hawkes Bay Prison	665
Invercargill Prison	164
Manawatu Prison	283
Mount Eden Corrections Facility	1035
Northland Region Corrections Facility	513
Otago Corrections Facility	459
Rimutaka Corrections Facility	1003
Rolleston Prison	258
Spring Hill Corrections Facility	921
Tongariro Prison	295
Waikeria Prison	648
Whanganui Prison	529

Appendix Three – The total number of prisoners who participated in the PIF for the 2017-2018 Financial Year (excluding the sick and unemployed rate)

Prison	Number of prisoners
Arohata Prison	78
Auckland Regional Women's Corrections Facility	232
Auckland Prison	176
Christchurch Prison	275
Christchurch Women's Prison	43
Hawkes Bay Prison	80
Invercargill Prison	118
Manawatu Prison	140
Mount Eden Corrections Facility	569
Northland Region Corrections Facility	276
Otago Corrections Facility	194
Rimutaka Prison	178
Rolleston Prison	129
Spring Hill Corrections Facility	193
Tongariro Prison	74
Waikeria Prison	303
Whanganui Prison	187

Appendix Four – The total number of prisoners who participated in RTW for the 2017/18 financial year.

Prison	Number of offenders in RTW
Arohata Prison	11
Auckland Region Women's Corrections Facility	34
Auckland South Corrections Facility	12
Auckland Prison	1
Christchurch Prison	3
Christchurch Women's Prison	0
Hawkes Bay Prison	56
Invercargill Prison	2
Manawatu Prison	3
Northland Region Corrections Facility	6
Otago Corrections Facility	11
Rimutaka Prison	35
Rolleston Prison	4
Spring Hill Corrections Facility	32
Tongariro Prison	8
Waikeria Prison	20
Whanganui Prison	22