

08 May 2019

C106397

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Tēnā koe Ms Gibson

Thank you for your email of 25 March 2019, requesting information about the Te Uru Rākau/Department of Corrections pilot tree planting programme. Your request has been considered under the Official Information Act 1982 (OIA).

Corrections partners with employers in the community to increase the likelihood of prisoners finding work upon release. We have memorandums of understanding with 165 employers, who have provided more than 1,500 job placements in the past two years. We have also provided assistance to another 245 employers to help purchase equipment, training and work clothing for offenders they have employed.

Te Uru Rākau (Forestry New Zealand) and Corrections have jointly developed a training and workplace pilot which will provide eligible prisoners with forestry training and work experience. The pilot's objectives are to support the integration of prisoners into work and to assist the government to meet its One Billion Trees target. The pilot will take the form of a Release to Work (RtW) initiative.

Ten to fifteen prisoners will be selected for the programme. Prisoners are selected based on whether RtW is beneficial to their rehabilitation, and eligibility criteria. Corrections' RtW programme involves certain low-risk, minimum security prisoners working in regular paid jobs. The prisoners involved in this pilot are targeted to participate in the RtW programme.

Participants will be trained to meet industry standards through a combination of pre-work health, safety units and on-the-job training. This will lead to a level 2 New Zealand Certificate in Forest Industry Foundation Skills qualification.

Further information about the RtW initiative is available of Corrections website: [www.corrections.govt.nz/working\\_with\\_offenders/prison\\_sentences/employment\\_and\\_support\\_programmes/employment\\_activities/release\\_to\\_work.html](http://www.corrections.govt.nz/working_with_offenders/prison_sentences/employment_and_support_programmes/employment_activities/release_to_work.html)

You have requested:

*1. Is the work mandated? ie will prisoners have a choice to work?*

RtW is not mandatory. If a prisoner does not wish to partake in this RtW employment programme, they will not be required to. Prisoners apply to take part in RtW near the end of their sentences as it is an effective reintegration programme that allow prisoners to gain employable skills and potentially secure a job upon their release.

RtW is a form of temporary release, and its purpose is to assist prisoners in their reintegration by maintaining, developing or re-establishing work skills and habits, providing contact with the wider community, and providing the opportunity to save money for re-establishment on release.

Prisoners engaged in RtW are employed by private individuals or companies in the community, and they are paid a full market rate. Wages earned are placed into a savings trust account to assist with the prisoner's transition back into the community on their release.

A comprehensive assessment process occurs when assessing whether a prisoner is suitable for RtW. When considering applications for RtW, the prison must also consider various factors including, but not limited to, public safety, impact on victims, risk of escape, contraband introduction, and the nature of previous offending. Alongside criteria relating to their security classification and sentence length or parole eligibility, applicant prisoners must be trusted, highly motivated and have shown an eagerness to work.

The type of work that a prisoner may undertake on RtW is determined on a case by case basis. Prisoners participating in RtW may be employed across a range of industries, but are commonly engaged in fields such as manufacturing, construction, and horticulture.

Further information about RtW is available on our website, at:  
[http://www.corrections.govt.nz/working\\_with\\_offenders/prison\\_sentences/employment\\_and\\_support\\_programmes/employment\\_activities/release\\_to\\_work.html](http://www.corrections.govt.nz/working_with_offenders/prison_sentences/employment_and_support_programmes/employment_activities/release_to_work.html)

*2. How much will prisoners get paid per hour? and does this include travel time to the work site?*

Prisoners will receive the market rate for a typical private sector employee in the forest planting industry. This is usually based on a combination of a basic wage and a 'per piece' planting rate. The matter of payment for travel is still to be determined. With RtW programmes, prisoners are generally paid only for time on site, but this will be subject to final agreement in this case.



3. *Will Corrections be receiving payment for providing prisoners to work in this programme?*

Corrections does not receive payment for a RtW programme. Prisoners who are engaged in a RtW programme use their wages to pay board to Corrections. Board payments reflect real world scenario where expenses such as rent need to be paid on a weekly basis. This board payment is capped at a maximum of \$273 per week or 30% of their take home pay, whichever is less. Corrections policy for RtW is available on its website:

[https://www.corrections.govt.nz/resources/policy\\_and\\_legislation/Prison-Operations-Manual/Movement/M.04-External-movement-transportation-of-prisoners/M.04-7.html](https://www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Movement/M.04-External-movement-transportation-of-prisoners/M.04-7.html)

4. *What kind of work will the prisoners be doing? How many hours will the prisoners be expected to work?*

Prisoners will be planting pine seedlings over the 2019 winter planting season on sites in the vicinity of Northland Region Corrections Facility (NRCF).

An average working day for a prisoner engaged in this activity includes participating in daily planning meetings, loading and unloading tools and seedling boxes, and walking up, down, and across slopes planting seedlings with a spade at a predetermined spacing.

5. *What kind of employment contract will the prisoners have?*

The employment contract is similar to that of other employees and includes the same rights and entitlements, such as breaks. Contracts for each prisoner contain documents that are specific to the RtW framework as outlined in the Prison Operations Manual:

[www.corrections.govt.nz/resources/policy\\_and\\_legislation/Prison-Operations-Manual/Movement/M.04-External-movement-transportation-of-prisoners/M.04-7.html](http://www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Movement/M.04-External-movement-transportation-of-prisoners/M.04-7.html)

The employment contract is formed by a number of documents: employer security checklist, authority for RtW, agreed employer responsibility and a covering letter to the employer, summarising the sponsorship and clarifying the obligation on the employer to treat the participating prisoner in the same manner as other employees.

Rates of pay and other financial commitments are specifically referenced in the authority for RtW document.

6. *What opportunities will be provided for people to complete the relevant NCEA qualification and to have employment in forestry industry?*

The prisoners will work towards an NCEA Level 2 New Zealand Certificate in Forest Industry Foundation Skills qualification while participating in the pilot, supporting their reintegration and providing potential employment opportunities once released.

7. *How many trees is the programme expected to plant and over how long?*

The amount of trees planted will depend on soils, slope, ground preparation, worker motivation and fitness. At the end of planting, Te Uru Rākau will evaluate the effectiveness of this pilot. Tree numbers will be an important part of this evaluation. The work experience portion of the pilot will run for the duration of the 2019 planting season (approximately May through to August).

For more information on offender employment, visit our website at the following link: [www.corrections.govt.nz/working\\_with\\_offenders/community\\_sentences/employment\\_and\\_support\\_programmes.html](http://www.corrections.govt.nz/working_with_offenders/community_sentences/employment_and_support_programmes.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 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