

10 April 2019

C105213

Kate McIntyre
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Tēnā koe Ms McIntyre

Thank you for your email of 22 February, requesting further information about pregnant women in prison. Your request has been considered under the Official Information Act 1982 (OIA).

You have requested:

- *What is the process for a pregnant prisoner to access an abortion?*

I refer you to Corrections' response to your previous OIA request, dated 21 February 2019, our reference C102483.

Under the Corrections Act 2004, Corrections has an obligation to provide a primary health service to prisoners reasonably equivalent to that found in the community. Primary health care is provided within prison health centres by over 200 full time equivalent registered nurses. Specialised medical professionals such as Medical Officers and Dentists are contracted to provide basic and necessary services.

The Ministry of Health (or ACC) is responsible for funding and administering secondary health and tertiary health care services for prisoners. Secondary and tertiary health care refers to specialist and hospital services, which include pregnancy terminations. Prisoners are referred to secondary and tertiary health care services on the same basis as any person in the community.

- *Have restraints been used on prisoners who are giving birth within the last year, either in prison or in the hospital environment?*
- *Have restraints been used on prisoners who are giving birth within the last three years, either in prison or in the hospital environment?*

A risk assessment is conducted for all temporary removals from prison, including for those who are escorted from prison to hospital to give birth. Health staff are consulted, and their advice is taken into account when preparing the temporary removal instructions for staff. A condition that the prisoner be restrained during escort can be included in these instructions, and has been for multiple prisoners during the last three years.

However, our policy is that if during a visit, a pregnant prisoner is diagnosed to be in labour by a health professional, any mechanical restraints must be removed. Please refer to the Prison Operations Manual policy M.03.02.06 which is publicly available on our website at: www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Movement/M.03-Specified-gender-and-age-movements/M.03-2.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 the 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