

10 May 2019

C106874

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Tēnā koe Yu Le Kong-Lim

Thank you for your email of 5 April 2019, requesting information about searches in prisons. Your request has been considered under the Official Information Act 1982 (OIA).

The safety and security of prisoners and staff is paramount. We place considerable emphasis on preventing contraband from entering prisons, apprehending those who attempt to smuggle it in, and eliminating opportunities for organised crime. These measures all contribute toward our bottom line of improving public safety, and our ultimate goal of reducing re-offending.

Contraband in prisons includes alcohol, communication devices, drugs, drug paraphernalia, tattoo equipment, weapons and other items. Items that are prohibited may include everyday and seemingly innocent items that while not illegal, may be used inappropriately by prisoners.

Over the past decade, we have had a high success rate of detecting contraband. In 2017/18 Corrections conducted approximately 4,700 general random drug tests. Just 3.6% of the general random drug tests conducted nationally returned a positive result, compared to 2010/11 when the rate was 6.8%. More information on contraband finds is available in Corrections' Annual Report, available on our website at: https://www.corrections.govt.nz/resources/strategic_reports/annual-reports/annual_report_201718.html.

When determining the appropriate type of search to detect an unauthorised item staff always use the least intrusive search method that will be sufficient to retrieve the unauthorised item in each particular situation. Searches can be carried out by way of metal detector, x-ray machine, drug detection dog, rub-down search, or strip search.

There are generally three occasions where staff can consider strip searching a prisoner. Each occasion has different legislative standards that must be met before a prisoner is searched. These occasions are:

- Event based – mandatory (section 98(7) of the Act);
- Event based – specified (section 98(6) of the Act); or
- Reasonable grounds (section 98(3) of the Act).

Strip searches must be carried out when a prisoner is first admitted to a prison, when the prisoner is received in a prison on transfer from another prison, or returns to a prison for outside employment, court appearances, medical appointments, when initially segregated because of risk of self-harm and upon any return to the segregated area from any area frequented by other prisoners, or any other reason in accordance with the Corrections Act 2004 (the Act).

You requested the following information:

Please provide me with the following information, from as far back as records permit until the current date. Please provide this information for each prison, broken down by both fiscal year and purpose of the search (e.g. Section 98(7) of the Corrections Act 2004):

1. *The total number of searches carried out on prisoners*
2. *The total number of searches carried out on cells*

Please also explain any relevant caveats that should be kept in mind when analysing this information.

Corrections is not able to provide numbers on searches. We have consulted within Corrections to establish if there is any way for the requested data to be compiled and provided. Searches by way of metal detector, x-ray machine, rub-down and strip searches are all recorded in the strip search section of the Integrated Offenders Management System (IOMS), and we are unable to count these without reading the free text field of each record. Corrections is also unable to report on the number of searches undertaken in cells across the prison estate. At any one time, Corrections manages around 10,000 prisoners, in 18 prisons and corrections facilities across New Zealand.

For the reasons outlined above, we cannot readily extract the number of searches 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.

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

A handwritten signature in blue ink, consisting of a series of fluid, connected strokes that form a stylized, somewhat abstract shape.

Rachel Leota
National Commissioner