

19 November 2021

C142075

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Tēnā koe Ti

Thank you for your email of 30 September 2021, requesting various information about Corrections' response to COVID-19. Your request has been considered under the Official Information Act 1982 (OIA).

Corrections' top priorities are safety and wellbeing – of the public, our staff, visitors to our sites and the people we are managing in prisons and the community. Since March 2020 we have put in place extensive plans to manage any risk to our staff or the people we manage, and we have continued to refine these plans to do everything we can to keep our staff and the people we manage safe from COVID-19.

All prisons are currently operating with controls to minimise risks relating to the transmission of COVID-19. As we have seen in prisons internationally, the impact can be devastating. We have a duty of care to the people we manage in prisons, and to our staff, and everything we have put in place to manage the threat of COVID-19 has been based on prioritising their safety and wellbeing.

You requested:

- 1) How does release from prison differ at different COVID alert levels? Does the Department have different protocols for releasing people in its custody at alert level 4 compared to alert level 1? If so, please provide me with regulations, manuals or policy documents outlining these protocols.*

Corrections doesn't decide who is released from prison or when they are released. An individual may be released on bail, parole, on release conditions or at their statutory release date, and this is determined either by the Courts or the New Zealand Parole Board (NZPB). Individuals continue to be released from prison during all COVID-19 Alert Levels in accordance with Court and NZPB decisions.

Corrections will work with an individual to ensure they are aware of any conditions they may have upon release from prison, including an approved address they are required to reside at. As noted, these conditions are set by the Courts or the NZPB.

The Government recently introduced rules on how people in Auckland-based prisons are released into other parts of the country at current Alert Level settings. People being released or bailed from Auckland Prison, Mt Eden Corrections Facility,

Auckland South Corrections Facility and Auckland Region Women's Corrections Facility, to an address outside of Auckland need to comply with the requirements of the Alert Levels Requirements Order, including providing evidence of a negative COVID-19 test within 72 hours of crossing this boundary.

Corrections will proactively identify who will require a COVID-19 test before their release. Custodial staff, Case Managers and health teams then work together to arrange COVID-19 testing 72 hours prior to the person's scheduled release and boundary crossing. Corrections makes sure that affected people have all the right documentation they will need to successfully cross the Alert Level boundary.

Corrections also works with the person's lawyer and the courts and helps arrange transportation via First Security for the released person across the boundary to their family or release address.

If the person's test results are not received prior to their release, they will be supported to remain in Auckland until they can cross the border. If they refuse the test, they will not be able to leave Auckland, but will continue to be supported in the community in Auckland. Wherever possible people are being identified and transferred to a prison in the area they are being released to prior to their release.

This requirement to produce evidence of a negative COVID-19 test within 72 hours of crossing a boundary does not apply to people crossing boundaries outside of Auckland, and therefore does not affect people being released from prisons outside of Auckland, including Spring Hill Corrections Facility. While people in prison are offered a COVID-19 test prior to release, there is no obligation on the person to take one as there is no applicable Health Order in place.

2) How does the Department prepare prisoners for release during lockdowns (levels 3 and 4)?

As noted, Corrections will work with an individual to ensure they are aware of any conditions they may have upon release from prison, including an approved address they are required to reside at. As noted, these conditions are set by the Courts or the NZPB.

3) Does the Department provide prisoners with information about alert level rules before they are released? If so, please provide me with the information given to prisoners in this situation.

People in an Auckland who are being released are provided with an information sheet, which includes details about what takes place if the individual is being released to an address outside of Auckland. Please find this information sheet attached as Appendix One.

People in prison have access to T.V. and radio for information about Alert Level restrictions. Staff will also assist individuals if they have any questions.

- 4) *Does the Department ensure that prisoners have a place to stay if they are released during lockdown? If so, please explain how the Department ensures this.*

Not all individuals released from prison are required to have an address to reside at upon their release, and this has not changed with the COVID-19 pandemic. Many individuals released from prison, such as those being released on their statutory release date, will be released irrespective of whether they have an address to reside at. Often these individuals will make their own arrangements about where to live, such as returning to a family home. Others may require assistance with finding a place to live. Corrections contracts more than 1,000 supported and emergency accommodation places each year for offenders, delivered by contracted providers across New Zealand.

Other individuals are required to have an address to reside at prior to being released. Again, this has not changed with the COVID-19 pandemic. If an individual is to be released on parole, they are required to provide the New Zealand Parole Board with a release plan (including a proposed address) for consideration, prior to leaving prison. Other individuals, such as those who are subject to electronic monitoring, must have their address approved by Community Corrections. In this situation, the offender is tasked with providing an address, and Corrections will check its suitability. Individuals being released on conditions will also frequently have a condition to reside at a particular address.

- 5) *Does the Department ensure all prisoners have a mode of transportation to their place of accommodation on release from prison during lockdowns? If so, please explain how the Department ensures this.*

Corrections will work with an individual to ensure they are aware of any conditions they may have upon release from prison, including an approved address they are required to reside at. As noted, these conditions are set by the Courts or the NZPB.

As noted, if a person being released from prison is released from Auckland to another part of the country, Corrections helps arrange transportation via First Security for the released person across the boundary to their family or release address.

- 6) *How have lockdowns affected prisoners' access to a) counselling and other therapy, b) rehabilitative programmes, c) case management, and d) educational programs?*

The protocols in place in prisons during different Alert Levels are designed to adhere to the national guidelines and ensure the safety of both staff and people in prison. During Alert Levels 3 and 4, prisons limit physical interaction between people. This includes suspending guided and temporary release of prisoners (for example, reintegration activities outside prison), temporary removal, release to work activities and non-essential prison industries and face-to-face rehabilitation programmes and case management.

However, although face-to-face case management and rehabilitative activities are not available during Alert Levels 3 and 4, custodial and case management teams coordinate available resources to ensure that remote access for case management activities, including parole interviews, and individual rehabilitation can occur.

7) Please provide me with the total number of people released from prison per day, broken down by prison from July 1 2021, until Sept 31 2021. Please break this down further by remand or sentenced status.

7) Please provide me with the total number of people entering prison per day, broken down by prison from July 1 2021, until Sept 31 2021. Please break this down further by remand or sentenced status.

The spreadsheet attached as Appendix Two provides both the number of individuals released from prison, and the number of individuals entering prison, between 1 July 2021 and September 31 2021, broken down by day, prison and whether the individual was sentenced or on remand.

Note that Corrections is not responsible for deciding whether someone is in prison or in the community. This is the decision of the Courts or the NZPB.

8) Please provide me with the total number of prisoners and staff vaccinated per day since the vaccination program began. If possible, please indicate the cumulative total number of prisoners and staff vaccination, as a proportion of the total prison population or workforce per day.

Please break this down by first and second doses.

Please break this down by prison and prisoners' remand or sentenced status.

I would like staff numbers broken down by prison (or other worksite) as well, if possible, but I am happy with only prisoner numbers broken down by prison if staff data is not collected in that manner.

Since the launch of our vaccination programme in May 2021, Corrections has taken a proactive approach to strongly encourage everyone to be vaccinated against COVID-19. We have a dedicated national team overseeing our vaccination programme, and custodial and health COVID-19 vaccination leads at each prison. Comprehensive communications have been enacted throughout, which includes but is not limited to provision of information about vaccine safety and effectiveness via a dedicated page on our internal website (for staff), information and engaging material on prisoner kiosks, Prisoner TV, forums and conversations with health staff, posters, pamphlets and other materials, including in a range of languages.

On 11 June 2021, Corrections was advised that a decision had been made by the Ministry of Health to slow the roll-out of the COVID-19 vaccine to certain groups, including people in prison. This decision was made in order to manage stocks of the vaccine in the lead up to new vaccine deliveries. As a result, Corrections paused the roll-out of the COVID-19 vaccine to prisoners at all sites from Monday 14 June 2021. Our prisoner vaccination programme resumed in late July 2021. Where people in prisons have declined vaccinations previously, we continue to actively engage them and provide further information and opportunities to be vaccinated as a priority. All prison sites are also offering the vaccine to all prisoners newly received into prison,

and if they decline at that point, we continue to provide additional opportunities for them to take up the opportunity to be vaccinated.

Records of vaccinations for Corrections staff and people in prison are not recorded on a daily basis. Instead, Corrections' COVID-19 vaccination data is captured weekly. Accordingly, the information that you request does not currently exist in a form that can be readily supplied to you and would instead require initiation of a project to extract, analyse and present the data in the form requested.

Therefore, this your request for a daily breakdown of COVID-19 vaccinations for staff and people in prison is declined under section 18(g) of the OIA, as the information requested is not held by Corrections, and we have no grounds for believing that it is held by another agency or more closely connected with the functions of another agency.

However, the weekly vaccination data for prisoners and staff that Corrections has collated from May 2021 onwards with the data broken down by prison and first and second dose is attached as Appendix Three. Changes to the format of the tables reflect adaptations to reporting methods throughout this period. Note that vaccine figures for staff only include individuals who received their vaccination onsite at their place of work. Some Corrections staff have received their vaccination offsite through their District Health Board. The vaccination data was accurate and complete to the best of Corrections' knowledge at the time the data as extracted. However, the data may be subject to change over time as more detailed information becomes available.

As you may be aware, up-to-date COVID-19 vaccination numbers for Corrections staff and prisoners are also publicly available on Corrections' website. This information, broken down by prison and updated regularly, is available at the following link:

https://www.corrections.govt.nz/news/2021/update_on_covid-19_vaccination_programme.

Please note that this response may be published on Corrections' website. Typically, responses are published quarterly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

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



Rachel Leota
National Commissioner

