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C142527

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Tēnā koe Mackenzie

Thank you for your request of 11 October 2021, to the Department of Corrections – (Corrections), requesting information about Waikeria Prison and lockdown levels. Your request has been considered under the Official Information Act 1982 (OIA).

Throughout the challenges that COVID-19 presents, we are committed to continuing our work to keep New Zealanders safe. As we have seen in prisons internationally, the impact of COVID-19 can be devastating. Corrections has taken a deliberately cautious approach. Since March 2020, we have put in place extensive plans to manage any risk to our staff or the people we manage. We are also absolutely committed to ensuring that we're operating safely, lawfully and humanely.

You requested:

- 1- *Is Waikeria Prison included in the Alert Level 3 boundaries that came in place at 11:59pm on October 3?*
- 2- *If not, what was the rationale for moving Waikeria Prison to a level 3 lockdown?*

Waikeria Prison was not included in the Alert Level 3 boundaries that came into effect at 11:59pm on 3 October 2021. On 3 October 2021, Waikeria Prison was operating at Alert Level 2. Given the site's proximity to the Waikato boundary and the volume of staff who travel from Waikato to Waikeria Prison every day, extra precautions were put in place.

Waikeria Prison was moved to Alert Level 3 at 11:59pm on 7 October 2021, when the Waikato Alert Level 3 boundary was extended to include the Ōtorohanga District.

- 3- *How did this decision impact on the day-to-day lives of people in Corrections' custody at Waikeria?*

Corrections have a duty of care to people in prison. All controls Corrections has put in place are to manage the threat of COVID-19 and prioritise their safety and wellbeing, as well as the wellbeing of staff, whanau, agency partners and the New Zealand public.

These controls to reduce the risk of COVID-19 coming into the prison include:

- health screening for every person who enters the prison.
- Policy of separating people coming into custody for the first 14 days, from those who have been in prison for longer.
- All prison staff are always required to wear masks while on site, and staff interacting with prisoners are wearing Personal Protective Equipment (PPE) to prevent transmission.
- Thermal cameras to check the temperatures of everyone who comes to Waikeria – staff, people in prison and visitors.
- Men in Waikeria Prison are provided with PPE and encouraged to wear a mask outside of their cell, but this is not mandatory.
- Under Alert Level 3 settings, a hot meal is served in the middle of the day and meals are consumed in cells rather than dining rooms. This allows for a different staffing regime that keeps staff in “bubbles” to minimise the risk of transmission.
- Guided and temporary release, temporary removal, release to work activities, face-to-face rehabilitation programmes and non-essential prison industries are temporarily suspended.
- Personal visits are unable to take place under Alert Level 3. However, face-to-face statutory visits (including Ombudsman and Inspectorate visits) will continue with appropriate health and safety protocols in place, including mask wearing. All other face-to-face visits, including Parole Board and legal visits will be undertaken via other means such as phone or Audio-Visual Link (AVL).
- Low risk prisoner employment activities that can safely operate with controls, such as physical distancing and PPE in place, to enable prisoners employed in these areas to return to their work inside the prison environment are explored.

4- – How did this decision impact on hours of unlock for people at people in Corrections’ custody at Waikeria?

Unlock hours vary between units, but all people in prison are provided with their minimum entitlements and increased unlock hours and recreational activities where possible. At Waikeria Prison, minimum rolling unlock regimes include a limit of 40 people to a bubble.

There are a limited number of secure spaces at each prison that can be safely used for recreation. With smaller groups of people using them, and enhanced cleaning measures taking place, these spaces are being used more frequently, impacting their availability. In addition, staff must assess and manage a range of operational requirements on a daily basis relating to people that can be unlocked together, including whether they are on remand or sentenced, whether they are segregated or mainstream, their security classification and other dynamic issues such as gang tensions and the association of co-offenders.

In accordance with section 69 of the Corrections Act 2004, every person in prison is afforded minimum entitlements, including the provision of at least one hour of physical exercise on a daily basis. However, this minimum entitlement may be

denied if there is an emergency in the prison, the security of the prison is threatened or if the health or safety of any person is threatened. For example, people separated during their first 14 days in prison were managed in small groups and only permitted to mix within those groups to prevent the potential for COVID-19 transmission if someone was unwell.

5- How did this decision impact on visitation for whānau of people in Corrections' custody at Waikeria?

As previously mentioned, face-to-face visits are suspended under Alert Level 3. We acknowledge how difficult it has been for some people in prison to not be able to see their whānau over the past few months due to our alert level settings. In the same way that a person in Alert Level 3 cannot visit another person's house, we cannot facilitate visits to people in prison due to the potential risk of transmission. Visiting people in prison would effectively break the visitor's household 'bubble' as well. People in prison that are at Alert Level 3 can continue to receive emails and send and receive letters. Every person in prison also has access to pay phones.

We know how important it is for people in prison to stay in touch with friends and whanau. Last year we installed over 200 additional phones across our prisons. While visits are suspended, we are providing every person in prison with one \$5 phone card each week, which provides 1 hour and 15 minutes of local call time. In addition, video calling is available for certain people at some prisons, subject to availability, through AVL facilities.

6- What measures has Corrections taken to address the emotional and mental health toll of lockdown and lack of visitors on people in its custody at Waikeria?

Despite the difficulties these settings present, the people in Waikeria prison are largely understanding of the unique circumstances and challenges involved in our response. Each business area completes regular health and safety walkabouts and the site is running smoothly.

The efforts of Corrections staff throughout Alert Levels were recognised by the Ombudsman. He noted in his [OPCAT COVID-19 report](#) on inspections of prisons that the majority of interactions between staff and prisoners were "dignified, respectful, and compassionate", that "staff and prisoners were respectful, empathetic, and positive about each other" and that at some prisons, "staff were working overtime to manage complex unlock and sanitisation regimes and ensure all prisoners received their minimum daily entitlements".

I trust this 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