

26 April 2019

C105504

Charlie Montague
fyi-request-9721-e9a518f3@requests.fyi.org.nz

Dear Charlie Montague

Thank you for your email of 28 February 2019, requesting information about transgender prisoners, assault incidents in prisons, and prisoners' mental health needs. Your request has been considered under the Official Information Act 1982 (OIA).

all OIA requests you have had about transgender prisoners from 1 January 2018 until today, including your responses to them in full.

Please find this information attached as Appendix One. Please note that a small amount of information, including the names and email addresses of people who submitted the OIA requests, has been withheld in accordance with section 9(2)(a) of the OIA, to protect the privacy of natural persons.

I would also like to know the number of prisoners with a transgender alert currently in a female prison, the number currently in a male prison and the total number of prisoners with a transgender alert at present.

If it is established that a prisoner identifies as transgender during their initial reception process, or at any other point of their management, an alert is placed on their electronic prisoner file.

As at 1 March 2019, there were 6 prisoners with a transgender alert housed in a women's prison, and 38 in a men's prison, giving a total of 44 prisoners. On this date the total prison population was 10,013.

Following the introduction of strengthened policy in March 2018, each transgender prisoner now has an individualised support plan and is able to choose the gender of staff who conduct searches of them. The provision of an individual support plan does not depend on whether the transgender prisoner has legal recognition of their gender identity, or whether they have undergone medical or surgical steps.

Custodial staff have also been provided with training material to develop an understanding of gender diversity, with a focus on the use of correct pronouns and appropriate language.

These guidelines align Corrections' approach with comparable jurisdictions internationally, as well as other New Zealand agencies such as New Zealand Police and Customs.

Our policy regarding the management of transgender prisoners is publicly available at:

www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Induction/I-10.html.

Our policy regarding the placement of transgender and intersex prisoners in a male or female prison, including the process for a review of initial determination of placement, is publicly available at:

www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Movement/M.03-Specified-gender-and-age-movements/M.03-4.html

I would like to know the number of physical assaults by male guards towards female prisoners reported from 1 January 2018 until 1 January 2019. I would like to know the number of sexual assaults by male guards towards female prisoners reported from 1 January 2018 until 1 January 2019.

How many male guards have been fired for assault or sexual assault of female prisoners from 1 January 2017 to 1 January 2019?

Corrections expects a high standard of conduct from all employees, and no staff on prisoner assault is acceptable. All staff are expected to carry out their roles and responsibilities with high standards of integrity and commitment, in what is often a high pressure and challenging environment.

A review of all Corrections' employment investigations undertaken within the specified period that involved a male staff member working in a women's prison found no cases where a male staff member was found to have assaulted a female prisoner. Therefore, there are no cases where male staff working in a women's prison had their employment terminated as a result of this type of incident.

I would like to know what number or percentage of female prisoners in New Zealand prisons have a diagnosed mental health issue, and if possible what number or percentage have PTSD.

In 2017, Corrections developed a Women's Strategy to set out a new approach for we manage women offenders.

Research undertaken for the Women's Strategy found that 52 percent of women in prison have post-traumatic stress disorder (compared to 22 percent of male prisoners), and that three-quarters of women in prison have diagnosed mental health problems.

More information about *Wahine e rere ana ki te pae hou –Women’s Strategy 2017-2021* is available on our website at:

www.corrections.govt.nz/resources/newsletters_and_brochures/corrections_works/2017/corrections_works_sept_2018/wahine_e_rere_ana_ki_te_pae_hou_womens_strategy_2017-2021.html

Corrections does extensive work in the mental health area and our staff work with some of the most complex, challenging and dangerous people every day.

Research has shown that the overall prison population has much higher rates of personality disorder, mental health and substance use disorders than the general population. 62 percent of prisoners had some form of mental health or substance abuse disorder in the last 12 months, and 91 percent have had a lifetime diagnosis. The disorders often went undetected or were not treated prior to prison.

We recognise the demand for mental health services across New Zealand, and are doing more than ever in this area. We are fully committed to improving prisoners’ mental health, helping them better engage in the education, rehabilitation and employment programmes we know will help them to live crime free on release from prison.

In recent years, our increased focus on offenders’ mental health has resulted in a Mental Health and Reintegration Services pilot, which has expanded the level of mental health support available to offenders, both in prison and in the community. There were 4,623 prisoner referrals to these services between its commencement in April 2017 and the end of April 2018. Additionally, there were 18,191 face to face mental health delivery hours in prisons during this timeframe. The pilot has been extended to June 2019.

In addition to the Women’s Strategy, Corrections launched a Mental Health Strategy in 2018. This sets out our commitment to investing in and improving the way we work with people affected by mental health disorders. Information is available on our website at:

www.corrections.govt.nz/resources/strategic_reports/investing_in_better_mental_health_for_offenders.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.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andy Milne', written in a cursive style.

Andy Milne
Acting National Commissioner