

16 December 2024

Janis Adair
Chief Inspector
Department of Corrections

By email: janis.adair@corrections.govt.nz

Tēnā koe Janis

Separation and Isolation Thematic Report

We are writing to provide you with an update on the Department of Corrections (Corrections) progress towards addressing the seven overarching recommendations made in the above report. These were accepted in full at the time of your report's publication. We would also like to acknowledge the impact prolonged isolation has on people and reiterate our commitment to reducing its impact on people in prison.

As noted in our last update, responsibility for addressing the report's overarching recommendations has now transferred from the Review Response Team to tier three owners across the business.¹ An Action Owner Working Group was established in June 2024, to ensure a business wide approach is taken to delivery. The group meets monthly to discuss progress, plan next steps and identify opportunities for collaboration. It was established with the intention of ensuring Corrections takes a more coordinated and integrated response to your report.

A Separation and Isolation Delivery Plan (the Delivery Plan) has been developed which outlines current work programmes and future initiatives against the recommendations. Progress will be achieved through business-as-usual functions, with responsibility for delivery shared across the business. It is updated regularly and tracks our progress against short-, medium- and long-term work programmes.

The Working Group has appreciated the opportunity to meet with you and your team on a two-monthly basis. It has provided them with an important forum to verbally update you on progress and discuss future work as our Delivery Plan has continued to develop. They look forward to this continuing in the new year.

¹Director Integrated Systems, Director Office of the Deputy Chief Executive Pae Ora, Chief Mental Health and Addictions Officer, Director Office of Commissioner Custodial Services, Director Policy, Research and Performance and Director Organisational Resilience

Progress update on the report recommendations

Recommendation One: Corrections must recognize the profound isolation experienced by segregated and at-risk prisoners

The Report has identified the key remedial actions that Corrections must take to improve the experiences of segregated or at-risk prisoners. The Chief Mental Health and Addictions Officer will oversee progress made towards delivery of the other six recommendations and is responsible for continually scanning across the organisation to identify if there are further service gaps or initiatives that will further enhance our segregation and at risk practices. Relevant gaps of initiatives identified will subsequently be built into our Delivery Plan.

Recommendation Two: Mitigating the extent of isolation, and increasing opportunities for meaningful human interaction

Physical Education Activities

We are currently in the scoping stages of a piece of work which will support our staff to have meaningful human contact with people in prison through their everyday interactions. At Springhill Corrections Facility, the Organisational Resilience and Strategy (OR&S) Physical Education (PE) team trained three staff members from the Prisoners of Extreme Risk Unit in Auckland Prison (PERU) as specialised Unit Activity Officers. The training occurred on the 7th and 8th of November 2024. The Unit Activity Officers will now be qualified to organise and run regular exercise sessions in their units. They can engage with individuals or small groups and assist them to achieve their personal fitness goals. The Director PERD will now work with the OR&S team to determine a model to ensure the Unit Activity Officers gain regular access to the men in PERU. The OR&S PE team will develop personal training programmes for the men in PERU to complete in their own individual yards or, depending on risk, in the central yard. Following that, the PE team will conduct a re-evaluation and update programmes 6 to 8 weeks later. Currently three PE Officers spend approximately two hours of the week with the men in PERU.

The ORS PE team are also currently scoping a pilot of PE Instructors in other prison locations. These instructors would support people to uplift their physical and mental wellbeing while also providing them with meaningful human interaction.

Mental Health Operations Manual

Opportunities to improve our management of Intervention and Support Units (ISUs) was identified in your report. The Mental Health Quality and Practice team (MHQPT) have developed a Mental Health Operations Manual (the Operations Manual). The Operations Manual was published on 2 December 2024 and is currently in use. It aims to provide mental health clinicians with a standardised operational framework and ensure consistent practice across our sites. The Operations Manual clarifies the roles and responsibilities of staff within ISUs as well as providing procedural guidance for the general operations of Intervention and Support Practice Teams (ISPTs) across the prison estate.

As part of Operations Manual, the MHQPT have developed an ISU Placement Review Process. This process ensures that people's placement in the ISU is reviewed daily and that those who no longer require ISU placement are moved back to a mainstream unit as quickly as is safe to do so. The process also ensures that formal escalation steps are in place where a person remains in ISU for prescribed periods of time without evidence that they are progressing toward being transferred out of the unit. The ISU Placement Review process is finalised and came into effect on 1 October 2024.

The Operations Manual also provides guidance for staff on how to utilise the Mental Health (Compulsory Assessment and Treatment) Act 1992 to facilitate the process of applying for people with acute mental health needs to be assessed for admission to specialist inpatient care. It is hoped that this guidance will result in those requiring inpatient admission being able to access this support more quickly, and reduce their time spent waiting in ISUs.

The Operations Manual also provides clear guidance about the service delivery model and eligibility criteria for ISPTs. This service delivery model includes the provision of support for those who have recently been released from, or are at-risk of needing to be accommodated in, ISUs. It is envisioned that this model of service delivery will result in fewer people needing to be placed in ISUs.

Sites have completed a self-assessment tool to gauge their readiness to embed the procedures contained in the Operations Manual. Results from the self-assessment will be used to identify sites that may need additional support to embed the new processes.

Young Adult Placement Assessments

The Young Adult Assessments review was completed in 2023. Forms have now been refreshed and are out for consultation. Adequate assessment of young people will ensure they are appropriately placed in a unit that best meets their developmental and emotional needs and reduce the likelihood they are inappropriately being placed in ISUs for prolonged periods of time. In the new year, these will be finalised and included in Prison Operational Manual. Education and support will be provided to sites during the roll out of the new forms. This work aligns with findings made in the Young People and Young Adult's Thematic report, released by your office this year.

Recommendation Three: Collecting better data on segregated people

IOMS Upgrades

The project introducing recording of segregation, at risk and uses of force into the Integrated Offender Management System (IOMS) continues to progress well. The first phase of the project is due for completion in June 2025 and is focused on amending IOMS to incorporate the data capture function and business process management capability. The second phase of the project is scheduled for completion in December 2025 and will see the data included in a data warehouse, where it will be used for reporting and analysis.

The data from this project will be used to fulfil our reporting obligations in Recommendation Five.

Care Plans

Care plans have been incorporated into the IOMS project, with rollout planned for May to June 2025. Additionally, elements of the care plan will be utilised in the management plans for individuals on other forms of segregation.

The care plan aims to reduce the impact and instances of segregation by promoting proactive management strategies that support individuals to remain in their regular regime wherever safe and possible. By emphasising health-informed practices and alternatives to segregation, it seeks to minimise reliance on restrictive measures while ensuring the wellbeing of those requiring oversight.

The care plan is guided by the following principles:

- Least Restrictive Healthcare: People should be managed according to their regular regime wherever it is safe and possible to do so, with segregation used only when absolutely necessary
- Section 60 Compliance: Individuals under a Section 60 segregation direction must be maintained under conditions as close as possible to those they would experience if not subject to segregation, with any restrictions applied only to the extent required to achieve the purpose of the direction.

Recommendation Four: Development and implementation of an assurance framework for people who are segregated or assessed as at risk of self-harm

Senior Responsible Officer

In November 2024, the Chief of Mental Health and Addictions Officer was identified and confirmed as the Senior Responsible Officer for the assurance framework. They will work with people from across Corrections with relevant expertise and skill to ensure an assurance framework specific to segregation is developed and implemented. The development and testing of this framework is expected to take place in the first half of 2025. We note you were supportive of this approach and look forward to updating you in the future as this work progresses.

Interim Assurance Tool

An interim assurance tool has been developed to provide better monitoring and oversight of segregation directions. Previously, all segregation direction endorsements were sent to the Director Office of the Commissioner Custodial Services (DOCCS). The Organisational Resilience and Safety team (ORS) worked with the Office of the Commissioner Custodial Services to review the existing assurance approach and trial a new approach that provides an appropriate level of assurance and is focused on outcomes and improved practice.

The interim segregation assurance tool will cover all stages of the segregation process and will be used to review required documentation, decision making points and ensure adequate evidence is referenced. It will ensure a person-centric approach is taken to decision-making and are able to demonstrate a pathway for the person back to their mainstream unit.

First-line assurance now sits with the Prison General Managers and second-line assurance is completed by the ORS Business Partnering teams. A second line segregation assurance tool is in development that can be used across sites. The final tool, frequency of assurance activity and reporting mechanisms to the DOCCS are nearing completion for early use and testing.

This interim assurance tool will provide the platform for building the Separation and Isolation assurance framework that will be implemented and overseen by the Independent SRO. It will be built in alignment with the Organisational Assurance Framework, which was endorsed by the Organisational Systems Committee in early December. Separation and Isolation has been identified as an initial focus area for the implementation of this Framework.

Updates to the Prison Operations Manual

Following the introduction of Te Ara Whakamua, the Director Office of the Custodial Commissioner (DOCC) has a role in ensuring segregation directions are carefully reviewed. In October 2024, there was an update to the Prison Operating Manual which removed the need for the DOCC to review and support all initial segregation directions. Instead, a summary of all initial Segregation Directions would continue to be sent to the Director Office of Commissioner Custodial Services, to ensure they are informed of each segregation and are given the opportunity to challenge decision making. All extensions to directed segregation will still be provided to the DOCC for approval. The General Manager Custody will be the decision maker for initial Segregation Directions.

This change has made the Directed Segregation process more efficient and increased the level of scrutiny over decisions. The DOCC has shifted their focus from approving large volumes of initial directed segregations to ensuring good evidence is provided to justify the decision making.

Recommendation Five: Corrections will report segregation information publicly in its Annual Report

A placeholder for segregation has been created under the new Performance Framework. It will be reported under the 'humane treatment of people in our care' section. The Action Owner Working Group will work with members of the Performance Analytics Team to identify existing performance measures which can be used for reporting. A new performance measure may also be developed.

The data to deliver this action will be sourced through the IOMS upgrades being made under Recommendation Three.

Recommendation Six: Corrections will ensure COVID-19 learnings are incorporated into planning for future events where people may experience prolonged restrictions and access to family.

As mentioned in our last update, the internal lessons learned component of this recommendation has been completed and documented in the following documents: The Recovery Plan (July 2020), the National Command Centre Closure Report and Transition to Resilience, and the COVID-19 Omicron Response (April 2022).

We will also be reviewing the New Zealand Royal Commission's Covid-19 Lessons Learned Report, given the impact infection control measures had on the prison population. While the report highlights that these measures were successful in keeping people physically safe, particularly when compared to the impact Covid-19 had on prisons overseas, it also rightfully calls out the high cost these measures had on the mental wellbeing of people in prison and their whānau.

Work will now focus on ensuring learnings and insights from the above documents are embedded in Corrections Business Continuity Plans (BCP). The Business Continuity team will work with Pae Ora initially, and other key stakeholders next year, to ensure both internal

and external health learnings from the Pandemic are incorporated into a Pandemic BCP. The well-being of people in prison has already been included under the Pandemic BCP and outlines Corrections' responsibility to manage the impacts of isolation, limited family contact, and reduced access to meaningful and constructive activities. Concurrent to this, BCPs connected to the Pandemic Plan will also continue to be developed and reviewed to ensure they are up to date and relevant.

Once the above work is complete, an assurance plan will be developed to ensure learnings have been adequately incorporated into all relevant BCPs. We hope these BCPs will enable us to better manage future events, where our population may experience increased restrictions and reduced access to their whānau.

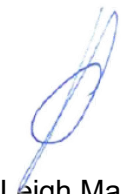
Recommendation Seven: Report back on progress

The Delivery Plan reports to several internal forums within Corrections to ensure appropriate executive governance oversight. Previously updates on the Delivery Plan were reported through the Organisational Performance Committee, however, going forward it will be a regular agenda item at the Organisational Systems Committee.

The Office of the DCE Pae Ora is acting as a coordination point for the work, ensuring the Delivery Plan is regularly monitored and updated. The Office of the DCE Pae Ora is also responsible for coordinating the working group's monthly meetings, check-ins and six-monthly written updates with your office.

We would like to thank you and your team for your continued engagement with us as we progress this important work. We look forward to providing you with another written update in June 2025. Please contact Juanita Ryan in the first instance if you have any questions or concerns with the information provided in this response.

Nāku noa, nā



Leigh Marsh
Commissioner Custodial Services



Dr Juanita Ryan
Deputy Chief Executive Pae Ora