

Ref. 179558

**INVESTIGATION BY DAVID MCGEE, OMBUDSMAN,
OF THE
DEPARTMENT OF CORRECTIONS
IN RELATION TO
AN INCIDENT OF SELF-HARM AT
CHRISTCHURCH WOMEN'S PRISON
AND
THE ISSUING OF STRIP GOWNS TO PRISONERS
AT-RISK OF SELF HARM**

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ABBREVIATIONS

ACRP	Auckland Central Remand Prison
ARU	At-Risk Unit
CIE	Corrections Inmate Employment
CHCH	Christchurch Men's Prison
CHWO	Christchurch Women's Prison
Department	Department of Corrections
DIC	Death In Custody
IACSP	Inter-Agency Committee on Suicide Prevention
National Office	Department of Corrections National Head Office
PPM	Policy and Procedures Manual
Protocol	Agreement between the Chief Ombudsman and the Chief Executive of the Department of Corrections made pursuant to section 160 of the Corrections Act 2004

EXECUTIVE SUMMARY

In July 2009, in accordance with the Protocol made pursuant to section 160 of the Corrections Act, I received notification from the Department of Corrections of an incident of prisoner self-harm that had occurred in the At-Risk Unit (ARU) of Christchurch Women's Prison (CHWO).

Incident

It was reported that Corrections Officers observed a prisoner wrap a piece of cloth around her neck that she had ripped from a strip gown. Officers entered her cell and removed the cloth and ripped gown. A second strip gown was issued to the prisoner. A short time after, staff had to re-enter her cell again to remove the second gown from which she had ripped a similar piece of cloth and was trying to place around her neck as a ligature.

At-risk units

I understand that the Department At-Risk Units are dedicated purpose built facilities inside its prisons, in which prisoners who are considered potentially at-risk to themselves, are placed, to assess and ensure their physical health are kept safe.

The prisoner on this occasion had been placed in the dedicated ARU at CHWO to assess and ensure her physical health at that particular time.

Safe cell

A prisoner considered as a high risk of self-harm is placed into a safe cell within the ARU and provided with prison issued clothing and bedding designed to limit the opportunities for self-harm.

The prisoner on this occasion was found to have been placed into a safe cell.

Strip gowns

Clothing issued to prisoners in the ARU is variously referred to as strip gowns, anti-suicide gowns, at-risk gowns, stitch gowns, stitch nighties, stitch gear or rip-proof gowns. The gowns are supposedly made of rip-resistant fabric and material.

The prisoner on this occasion was issued with two strip gowns, which she ripped.

Own motion investigation

I was concerned that this prisoner, who had been assessed at-risk of self-harm, had been able to rip two issued prison stripped gowns in a short period of time in attempts to cause self-harm.

I was also aware of an on-going investigation by an Inspector of Corrections into the death in custody of another prisoner in February 2009 that had given rise to a

concern about the adequacy of clothing and bedding issued to prisoners considered to be at-risk of self-harm.

I decided to carry out an own motion investigation into the occurrence and the Department's policies, procedures and practices in relation to the issuing of strip gowns to prisoners.

The principal objectives of the investigation were:

- to establish the circumstances and events surrounding the incident at CHWO;
- to examine the Department's relevant procedures, policy, standards, work practice and risk controls that were in place at the time of the incident regarding the issuing of strip gowns to prisoners considered to be at-risk of self-harm;
- to identify the specifications and preferred supplier of strip gowns to the Department;
- to consider and report on any systemic failings or concerns that are identified;
- to provide comment, recommendations and or a view as to my findings.

My investigation included inquiries at Christchurch Women's Prison regarding the self-harm incident; interviews with relevant departmental staff; viewing documentation relating to the issuing of at-risk clothing and bedding to prisoners; enquiries at other Prisons, concerning procedures, policy, work practice and risk controls in place for prisoners at-risk of self-harm.

I identified:

- no concerns as to the immediate actions carried out by the department's staff in response to the incident of self-harm in the ARU at CHWO;
- concerns as to the policy, procedures, practice, standards and risk controls relating to the supply and issue of strip gowns.

I found that:

- that staff at CHWO, responded swiftly and appropriately to the self-harm incident;
- that there is no national policy for the issuing of strip gowns;
- that the two strip gowns provided to the prisoner in the ARU at CHWO and a third ripped gown, ripped by the same prisoner on another occasion were in poor condition and should not have been provided to the prisoner;

- that the two strip gowns and the third ripped gown apparently did not meet the current specifications for Correction Inmate Employment (CIE) Textile produced gowns, which has been the Department's preferred supplier since 2005;
- that these ripped gowns had no visible identifying markings to identify the manufacturer, the supplier, the age or if they complied with any specified standards;
- that differing variations of strip gowns were held at CHWO and other Prisons;
- that there were inadequate recording practices at CHWO, regarding the issuing and inspection of strip gowns to prisoners;
- that there is no national or observed local auditing of the issuing, replacing and inspection of at-risk clothing; There was little evidence of adequate inspections and checks being carried out at CHWO.
- that Christchurch Men's Prison (CHCH) visited, had sourced its own supply of strip gowns for its ARU because it was apparently not satisfied with the quality of the product provided by the Department's preferred supplier CIE Textiles. This was despite being contrary to directions from The Department of Corrections National Head Office (National Office) which, in 2005, had given instructions that CIE was the preferred supplier of strip gowns and had reinforced this instruction in an email on 11 February 2009 to prison management.
- that the National Office of the Department was unaware of CHCH practices in sourcing its own supply of strip gowns;
- that although the Department is one of the government agencies on the New Zealand Suicide Prevention Action Plan, does not have a current specific Suicide Prevention Plan in name. Any suicide prevention initiatives fall under its policies and procedures for prisoners at-risk;
- that incidents of prisoners ripping strip gowns regularly occur.

The Department advised me during my investigation, that:

- it currently has a project underway looking at how it can better manage the at-risk process;
- it currently has a project underway trialling new strip gowns.

Procedural considerations

Section 22(3) of the *Ombudsman Act 1975* provides that, when conducting an investigation, the Ombudsman shall report his opinion, and his reasons therefore, to the appropriate Department or organisation, and may make recommendations as he thinks fit. In any such case he may request the Department or organisation to notify him, within a specified time, of the steps (if any) that it proposes to take to give effect to his recommendations.

The Department in a letter dated 30 July 2010 accepted that the current process regarding the issuing of strip gowns to prisoners at-risk of self harm can be improved.

Having been advised that the Department currently has projects underway:

- (i) examining the at-risk process; and
- (ii) examining at-risk clothing.

I now make five recommendations to the Department for progressive action as part of its advised projects.

Recommendations

- (i) the Department, as part of its project examining the at-risk process, consider adopting a National Suicide Prevention Plan in name for its suicide prevention and awareness planned policies, procedures and initiatives, in line with the New Zealand Suicide Prevention Strategy 2006-2012; and the New Zealand Suicide Prevention Action Plan 2008 -2012;
- (ii) the Department standardise procedures for the ordering, issuing, replacing and inspection of suicide prevention clothing and bedding as part of its at-risk clothing project;
- (iii) the Department, in the course of standardising procedures, implement effective procedures for the maintenance and replacement of at-risk clothing and bedding;
- (iv) the Department, as part of its at-risk clothing project introduce effective regular safety audit practices for suicide prevention clothing and bedding that are issued to at-risk prisoners;
- (v) the Department, as part of its at-risk clothing project ensure that there are suitable specified designed, tear resistant gowns made available for prisoners at-risk of self-harm.

1. INTRODUCTION

- 1.1 In 2007 the Government requested that the Ombudsmen enhance their presence in the prison sector. The Ombudsmen agreed to do so.
- 1.2 Pursuant to section 160 of the Corrections Act 2004, an agreement dated 6 May 2009 has been entered into between the Chief Executive of the Department of Corrections (the Department) and the Chief Ombudsman. Clause 6 of the Protocol records that the Ombudsmen will investigate "*Selected Serious Incidents*" in the prison sector. The agreement is subject to the Ombudsmen Act 1975, the Corrections Act 2004, and the Corrections Regulations 2005.
- 1.3 "*Serious Incident or matter*" under the Protocol "*means an incident or matter notified to an Ombudsman by the Department, or of which an Ombudsman becomes aware by another means, that an Ombudsman determines is sufficiently serious to warrant investigation by the Ombudsman.*"
- 1.4 Under the Protocol, the Department has agreed to notify the Ombudsmen of potentially serious incidents that occur in prisons. In July 2009, I received notification of an incident of prisoner self-harm that had occurred a day earlier in the At-Risk Unit (ARU) of Christchurch Women's Prison (CHWO).

Serious incident

- 1.5 It was reported that Corrections Officers observed a prisoner (referred to as Prisoner 'A') wrap a piece of cloth around her neck that she had ripped from a strip gown. Officers entered her cell and removed the cloth and ripped gown. A second strip gown was issued to Prisoner 'A'. A short time after, staff had to re-enter her cell again to remove the second gown from which she had ripped a similar piece of cloth and was trying to place around her neck as a ligature.
- 1.6 Prisoner 'A' had been placed in the dedicated ARU to assess and ensure her physical health because she was considered at-risk of self-harm.
- 1.7 Prisoners considered at a high risk of self-harm are placed in a safe cell and provided with prison issued clothing and bedding designed to limit the opportunities for self-harm by strangulation or other means.
- 1.8 Such clothing is variously referred to as strip gowns, anti-suicide gowns, at-risk gowns, stitch gowns, stitch nighties, stitch gear or rip-proof gowns. For the purpose of this report the gowns will be generally referred to as "strip gowns".
- 1.9 Strip gowns and blankets issued to prisoners placed in an ARU are supposedly made of rip-resistant fabric and material. I was concerned that a prisoner, who had been assessed at-risk of self-harm, had been able to rip two issued prison strip gowns in a short period of time in an attempt to cause self-harm.

1.10 I was aware that an on-going investigation by an Inspector of Corrections into the death in custody of another prisoner in February 2009 had given rise to a concern about the adequacy of clothing and bedding issued to prisoners considered to be at-risk of self-harm.

Own motion

1.11 In the circumstances, I decided pursuant to section 13(3) of the Ombudsmen Act to undertake an “own motion” investigation of the incident and the Department’s current policies, procedures and practices in relation to the issuing of strip gowns to prisoners.

Objectives

1.12 The objectives for my investigation were:

- to establish the circumstances and events surrounding the incident at CHWO;
- to examine the Department’s relevant procedures, policy, standards, work practice and risk controls that were in place at the time of the incident regarding the issuing of strip gowns to prisoners considered to be at-risk of self-harm;
- to identify the specifications and preferred supplier of strip gowns to the Department;
- to consider and report on any systemic failings or concerns that are identified;
- to provide comment, recommendations and or a view as to my findings.

Summary of findings

1.13 My investigation has found no concerns as to the immediate actions carried out by the Department’s staff in response to the incident of self-harm at CHWO.

1.14 However, my investigation did find concerns as to the policy, procedures, practice, standards and risk controls relating to the supply and issue of strip gowns to Prisons and prisoners considered to be at-risk of self-harm.

1.15 The Department has accepted that the current processes can be improved. It has advised that there are currently projects underway examining the at-risk process, and at-risk clothing.

1.16 I record that all departmental staff co-operated fully with my investigating officer, Anthony Martin, who assisted me with this investigation and undertook various inquiries on my behalf. I am grateful for the frankness of those staff.

2. METHODOLOGY

- 2.1 I notified the Department, after being advised of the reported self-harm incident, of my decision to investigate the matter as a selected serious incident.
- 2.2 Inquiries at CHWO regarding the reported self-harm incident were carried out.
- 2.3 The ARU at CHWO was inspected.
- 2.4 Departmental staff involved in responding to the self-harm incident, were interviewed with regard to the occurrence and general interviews were also undertaken with other staff at managerial and lower levels.
- 2.5 The strip gowns that were ripped by Prisoner 'A', involved in the reported incident were inspected.
- 2.6 Prisoner 'A' was not interviewed. I did not consider it necessary for the purposes of my investigation, and I did not want to risk causing the prisoner any further emotional disturbance.
- 2.7 Inquiries were carried out with regard to the Department's relevant at-risk policies, procedures, standards, practices and risk controls.
- 2.8 Inquiries were carried out regarding the specification standards and types of strip gowns to be issued to at-risk prisoners.
- 2.9 For the purpose of comparison, inquiries were also made at Christchurch Men's Prison (CHCH) and other randomly selected prisons. These included Manawatu, Auckland Central Remand, Mt Eden and Waikeria Prisons.
- 2.10 The Department responded to a number of written questions pertaining to my investigation.
- 2.11 A meeting was held between my investigator and senior departmental management staff in February 2010 where the Department provided additional responses and comments pertaining to my investigation.
- 2.12 The Department provided a response to my provisional findings in a letter dated 30 July 2010.

3. BACKGROUND

- 3.1 Prisoner 'A' was found to have a number of previous reported self harm incidents.

- 3.2 In a previous incident reported, Prisoner 'A' had been placed into the ARU and was observed tearing the strip gown that she had been provided to wear. Staff entered her cell and removed the length of ripped gown from around her neck.
- 3.3 In another previous reported incident, she was again situated in the ARU when she was observed with a piece of ripped item from a gown around her neck where staff had to enter her cell and remove the item from around her neck.

4. SELF-HARM INCIDENT AT CHRISTCHURCH WOMEN'S PRISON

- 4.1 Prisoner 'A' was situated in the ARU due to her observed behaviour. She had been confined to Cell One where she was under constant observation by a camera monitored by Control Room staff and under 30 minute physical observation checks by staff.
- 4.2 The safe cell in which she was confined had been stripped of all but a mattress, and she had been provided with an ARU blanket and a strip gown, which she was wearing.
- 4.3 Practice at that time was for CHWO ARU to be locked down between 5pm – 8am, during which period the unit is not staffed. Staff stationed in nearby Units, were required to carry out any necessary physical observation checks of prisoners in the ARU and attend to incidents. Such staff had been assigned to carry out the periodic physical 30 minute observation checks on Prisoner 'A'. Checks were carried out by physically sighting the prisoner.
- 4.4 Control room staff, who were monitoring the prisoners cell remotely by camera called for staff to attend the ARU.
- 4.5 Prisoner 'A' was observed removing and ripping a strip gown (lined) that she was wearing and tearing a piece of cloth from the gown. She then tied the piece of cloth around her neck, attempting self-harm.
- 4.6 There is a requirement to have at least three staff members present before entering an unlocking and entering an ARU cell. It was found that staff responded, entered the cell, and removed the cloth Prisoner 'A' had tied around her neck. Upon directions by the on-duty Principal Corrections Officer (PCO), Prisoner 'A' was provided another strip gown from the ARU office.
- 4.7 Within 15 minutes she had removed the second strip gown (unlined), which she again ripped. Staff responded to the second incident where they entered the cell and removed the ripped gown, a piece of which she had again placed around her neck.
- 4.8 I record that staff responded in a quick and timely manner to both reported incidents, and I commend them for that.

Digital recording of incident

4.9 The digitally recorded events were viewed for the purpose of my investigation. The times, set out in minutes past the hour, demonstrate the speed with which Prisoner 'A' was able to destroy the garments.

-.34:06 – Prisoner 'A' observed removing strip gown and commencing to rip and tear it. She tears a cord of cloth from the gown. She appeared to be using her teeth to assist the tearing of the fabric.

-.35:01 – Prisoner 'A' had successfully completed ripping a piece of cloth from the strip gown, and wrapped a piece around her neck. It took less than one minute for her to complete this action.

Three Corrections Officers are seen to arrive shortly after and observed entering the cell and removing the cloth from around her neck. Staff, are seen to remove the ripped gown from the cell and Prisoner 'A' is then observed to be issued with another strip gown (plain white unlined gown).

-.50:34 – Prisoner 'A' is observed removing the second strip gown. She commences to rip and tear at the second gown.

-.52:13 – Prisoner 'A' has completed ripping the gown as staff re-enter the cell. The second ripped gown is removed together with a piece that she had been able to place around her neck.

Strip gowns retained

4.10 The two ripped gowns were retained at my request.

4.11 When the strip gowns were inspected during the course of the investigation, there were three ripped strip gowns produced. I am told that the third ripped gown was another gown issued to Prisoner 'A' on another occasion which she had also ripped. These gowns were photographed.

4.12 Of the two strip gowns that Prisoner 'A' ripped in the reported incident, one was a plain issued canvas unlined gown and the other was a lined heavy duty canvas gown. Both gowns were identified by staff as CIE issued gowns with the lined gown identified as being obtained from one of the local Men's Prisons, either CHCH or Rolleston.

4.13 The third strip gown was a CIE issued heavy duty canvas lined gown also identified as being obtained from either one of the local Men's Prisons. Correction Officers were not able to advise exactly when Prisoner 'A' had ripped this particular third gown.

4.14 The ages of the gowns were not able to be determined. However it became apparent that the ripped strip gowns were likely produced by CIE Textile prior to 2005.

5. DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURES RELATING TO SUICIDE PREVENTION BEDDING AND CLOTHING: POLICIES – PROCEDURE MANUAL

5.1 The Department advised that:

Maintenance of at-risk clothing

5.2 The Maintenance of at-risk clothing and bedding is covered by section B.14.01.R1 of the Departments Policy and Procedure Manual (PPM).

5.3 The standard requirements for prisoner clothing is covered by section B.01.02.R1 'Standards of Prisoner Clothing'. The requirements under B.01.02.R1 are apparently not specific to at-risk clothing that is issued to prisoners. However, I note that the procedural standards do state that:

- All clothing is to be maintained in a good state of repair;
- All prison-issue clothing is to be replaced in a fair wear and tear basis.

Suicide prevention bedding and clothing.

5.4 B.14.01.R1 'Observing an At-Risk prisoner (National Requirement) reads;

"Staff managing areas of the prison site that have bedding and clothing designed to assist with suicide prevention, including Special Needs Units, Dedicated Care Units, At-risk Units etc..., must:

- *Check the bedding and clothing daily for signs of damage and deterioration in the fabric.*
- *Act on any suspicion of tampering by prisoners by taking closer inspection, and if need be, removing and replacing the damaged item".*

5.5 The Department has said that there is no national policy for the issuing of at-risk clothing.

5.6 The Department has said that there is no national audit of the ordering, issuing, replacing and inspection of at-risk clothing.

Management of prisoners at-risk

5.7 The Department's PPM, B.14 'Prisoners At-Risk to themselves' requires; *"Every effort is to be made to identify prisoners at-risk, and manage them to minimize their risk of self-harm."*

5.8 I am satisfied that Prisoner 'A' was being managed to the best capabilities of the Correction Officers on the floor at CHWO at the time of the incident.

- 5.9 However the Department's National Policy includes the requirement that, *"Suitable resources are provided for managing at-risk prisoners, including bedding and clothing designed to assist with suicide prevention."*
- 5.10 I am not satisfied that this was the case.

Prisoner clothing and bedding performance standards

- 5.11 The Department's PPM, B.01 Prisoner Clothing & Bedding performance standards requires;

"Each prison has in place a documented procedure that records the loan, issue and return of clothing, footwear and bedding.

Each Prison has in place a procedure for the laundering, drying, storage and maintenance of clothing, footwear and bedding.

Mattresses, clothing and footwear issued are durable, and meet health and safety requirements."

- 5.12 I investigated the recording procedures in place to discover if adequate records were being kept and maintained regarding the issue and return of at-risk clothing and bedding.
- 5.13 It became apparent that National Standard B.01 was not being applied to at-risk clothing and bedding that are issued to prisoners in ARUs. There was no documentation to support evidence of any regular safety practices regarding the issuing and maintenance of at-risk clothing to prisoners at CHWO.

6. STRIP GOWNS AT CHRISTCHURCH WOMEN'S PRISON

- 6.1 My investigation of the ARU at CHWO revealed that the strip gowns provided to Prisoner 'A' were at least several years old. It was indicated that two of the ripped gowns had either been acquired second-hand from Rolleston or CHCH Men's Prisons. Some of the damaged gowns viewed in stock, during the course of our investigation had signs of deterioration.
- 6.2 Several strip gowns inspected by my investigator in the ARU clothing stock at CHWO were found to be showing signs of wear and tear and minor deliberate damage. It is questionable whether the gowns were suitable to be issued to prisoners at-risk of self-harm.
- 6.3 I am told that prisoners, who tear a strip gown, often do so with the intention of using a torn piece of ligature to tie around their neck to form a noose. Prisoners will pick away at loose threads to tear the fabric.

Strip gown variations

- 6.4 Inquiries at the At-Risk Unit at CHWO in August 2009 found four types of strip gowns in stock that are issued to prisoners:

- A white plain canvas gown;
 - A white plain canvas gown with a blanket type lining;
 - A green heavy duty canvas gown;
 - A tartan type lined heavy duty gown (said to have been acquired from CHCH).
- 6.5 Some of the gowns inspected were found to have deteriorated through general wear and tear. A comment made was *“We should chuck them out but we can’t. Have been promised that new ones have been ordered”*.
- 6.6 There were approximately 11 gowns ready for use at that current time and two gowns were in the laundry. Upon inspection of the gowns in the CHWO ARU store room by my investigator, there were at least three gowns not suitable for being issued to prisoners due to wear and tear. An inspection of gowns laid out in the cells ready to be issued to prisoners considered at-risk found two of three gowns showing signs of deterioration through wear and tear.
- 6.7 It was reported by staff spoken to that a number of gowns had been ripped and damaged by prisoners over the years. One long serving staff member, advised that there had been at least 30 incidents to his knowledge within CHWO in the last four years, where prisoners had ripped and damaged strip gowns issued to prisoners in the ARU.

Departmental staff comments – strip gowns

- 6.8 Comments by Corrections’ Officers and other departmental staff interviewed at CHWO included:
- *“Gowns not suitable”;*
 - *“Need to invent another type of fabric for use”;*
 - *“Not suitable because they noticeably wear and tear after washing and laundry”;*
 - *“Current new gowns should be replaced more often as they only have a life cycle of about one year”;*
 - *“The fact a gown is in storage does not mean it is OK”;*
 - *“They do not do the job”;*
 - *“Replacement of gowns could be an issue”;*
 - *“I do not think we can give them anything which they can’t rip up when they get going”;*
 - *“It does not matter whether they are brand new or had them for over a year, they still get ripped up”.*
- 6.9 It appeared that staff at CHWO, were unaware of any departmental standards specified for at-risk strip gowns.
- 6.10 I was told that although CIE was the preferred supplier of anti-suicide clothing, some prisons sourced their own suppliers of at-risk clothing and bedding externally. I understand that CHCH was one of these prisons. I was told that CHWO ordered their replacement gowns from CIE.
- 6.11 Staff at CHWO ARU, however, said that they were given some strip gowns by CHCH.

- 6.12 Two of the three strip gowns found to have been ripped by Prisoner 'A', were found to have come from one of the local Men's Prisons.
- 6.13 Certain departmental staff considered that the strip gowns and bedding provided by the Department to assist with suicide prevention in ARUs were not suitable for the requirements for managing prisoners at-risk of self-harm.
- 6.14 A typical comment was, "*CIE gowns are not always the best*".
- 6.15 Irrespective of wear and tear issues, strip gowns viewed during the course of my investigation showed varying standards and quality of gowns in the CHWO ARU.
- 6.16 Strip gowns viewed at CHWO were not able to be identified as to where and when they were made. This was a concern as there was the possibility that the ARU was holding strip gowns in stock that, through age, were unsuitable to be issued to prisoners at-risk of self-harm.

CIE – preferred supplier

- 6.17 I am told that in 2006, CHWO ARU Unit Manager was approached by a company that wished to supply the prison ARU with strip gowns and blankets. I was advised that the same company had recently supplied the ARU at CHCH.
- 6.18 The CHWO ARU Unit Manager then sought clarification from National Office of the Department, requesting information regarding any purchase contract with CIE for supplying these items, and asked if it was permissible to go to an outside supplier.
- 6.19 In an email January 2006, the Unit Manager was advised:

"Last year PPS National Office ... carried out a review of anti-suicide gowns and anti-suicide blankets. As part of the review CIE developed two new product types to meet specifications required for use in Special Needs Units. One is the heavy green canvas product for use in extreme cases and the second product is a white/cream cotton canvas product.

CIE products are the only products approved by PPS National Office for use in prisons.

Should a heavier cotton canvas blanket be required then this would need to be approved and included in the national specifications before CIE can supply. CIE is able to manufacture a heavier duty product, but this was rejected as all safe cell areas have effective heating."

- 6.20 As a result, the CHWO ARU Unit Manager continued to order replacement gowns and blankets from CIE.

Ripped gown incidents at CHWO ARU

6.21 An email from the CHWO ARU Unit Manager to the CHWO Prison Manager in September 2009 noted that within the last two preceding years that records showed:

- *“11 incidents where prisoners have torn blankets*
- *25 incidents where prisoners have torn gowns*
- *4 incidents where prisoners have torn both*
- *1 incident where a prisoner tore a mattress”*

It was advised in the same email:

“Three quarters of the gowns in stock would have required some form of repairs over the last two years. Repairing frayed stitching, bindings repaired or small rips tears overstitched.”

7. AT-RISK PROCEDURES AT CHRISTCHURCH WOMEN’S PRISON REGARDING SUICIDE PREVENTION CLOTHING AND BEDDING

7.1 A number of departmental staff at CHWO, were interviewed regarding the procedures carried out in the ARU regarding the issuing of anti-suicide clothing and bedding to prisoners considered at-risk of self-harm.

7.2 At the time of the reported incident, there were no recorded checking procedures being carried out on bedding or clothing, issued to prisoners in the ARU at CHWO. It appeared that there was no requirement to keep or maintain any such records.

ARU – documentation

7.3 A check was carried out on documentation maintained in the ARU. Standard documented records are kept namely:

- Management Plan for prisoner;
- Observation Sheet for prisoner;
- ARU daily assessment sheet;
- ARU diary notes; (These record daily notes covering the management of the unit and prisoners. It was noted that the ARU diary record book had only been maintaining a log record of gowns issued to prisoners and gowns sent to the laundry since 27 July 2009. It was found that prior to that date, no records were being kept.)
- Clinical health notes;

- Incident reports; (I am advised that incidents that occur in the ARU will be reported on an Incident Report. If an incident occurs it may not necessarily be recorded on the Observation Form or the ARU Daily Assessment Sheet or in the Unit Diary Notes. I am told that the Incident Report is the correct line of reporting for such events that occur.)
- B14; (I am told that when a prisoner is placed in the ARU, a B14 assessment is carried out as to the prisoners assessed risk.)
- CHWO ARU Procedures and Daily Routine Guidelines.

Comment:

- There was no record on the Observation Sheet relating to Prisoner 'A' for the incident that occurred in July 2009.
- There were no records maintained in the CHWO ARU of strip gowns issued to or damaged by prisoners.

ARU cell procedures

- 7.4 When a prisoner who is at-risk of self-harm is received into the ARU, the standard procedure is for the prisoner to be placed into an at-risk cell containing a mattress and be issued with anti-suicide gear consisting of a strip gown and blanket. The cell is monitored by camera by control room staff, with constant or regular physical observation checks carried out by staff on the floor depending on the type of assessed risk.
- 7.5 Departmental staff interviewed advised that any damaged gowns would be put aside. If the garments could be repaired they would be sent to the sewing room. Common sense and discretion would apply when checking gowns.
- 7.6 The Corrections Officer who attended the first reported incident commented that after removal of the ripped gown, he obtained a second gown out of the kit room. He advised that the first gown that was picked out of the kit room stock had loose threads. He decided the gown was not suitable, so he replaced this and chose the next best gown that was available at the time. This was then provided to Prisoner 'A'. It was commented, *"There are gowns that have loose threads that stay in stock but would be considered suitable for low medium risks such as prisoners in the ARU who are detoxing."*
- 7.7 Departmental staff said, that when staff, in consultation with the Unit Manager and PCO, consider it is no longer safe to repair the strip gown or blanket, it is discarded.

Departmental procedures in place for the issuing of strip gowns to prisoners in At-Risk Units.

7.8 The Department has said: *“If a prisoner is deemed to be at risk of self-harm, an at-risk management plan is developed by custodial staff and overseen by the Unit Manager, in consultation with appropriate personal and support people including Health Services medical staff, cultural advisors and whanau. The plan includes the frequency of observations (or the decision to place the prisoner under continuous observation). There is no national policy for the issuing of anti-suicide clothing. This decision is made as part of the individual management plan. At some sites the decision to use anti-suicide clothing is made in connection with the frequency of observations, for example those on 15 minute or fewer observations are placed in suicide gowns”.*

8. CHECKING, RECORDING AND AUDITING PROCESSES – CHWO ARU:

8.1 At the time of the incident, CHWO had no recording system in place to record the number of gowns issued, damaged, repaired or disposed of. There were no inventory records available to be produced.

8.2 It was found that staff in the ARU did not keep a record of checks carried out on gowns before issuing them.

8.3 I was told that, every time a gown was sent and returned from the laundry or issued, staff in the ARU would visually check the condition of the gown for signs of wear and tear or damage.

8.4 Nevertheless, on another occasion when Prisoner ‘A’ was placed in the CHWO ARU, it was reported that she discovered staples in the seam of the strip gown with which she was provided. It was said that she had been wondering what kept digging into her. The staples had apparently been placed there maliciously. The strip gown had recently been returned from the laundry. A Corrections Officer commented, *“I am grateful that Ms... was not in a self harming frame of mind as she had the gown overnight”.* This incident emphasises the dangers of inadequate checks of strip gowns.

8.5 I am told that if a strip gown required repairing, a request would be forwarded to CIE for the gown to be repaired.

8.6 Departmental staff indicated that some strip gowns were retained in ARU stock which, were in too poor a condition for issue to prisoners at high risk of self-harm. Nevertheless, it was considered by staff that these gowns could still be suitable to be issued to prisoners who were viewed at a lower risk of self-harm; e.g. prisoners placed into the ARU because they were suffering from drug or alcohol withdrawal symptoms and there was no evidence of self-harm intentions. I do not consider this is logical. Either a

prisoner is at risk of self-harm and thus requires anti-suicide gear, or the prisoner is not. There should be no half-way compromise.

- 8.7 An inspection of gowns in the ARU stock at CHWO found gowns with visual signs of wear and tear.
- 8.8 There was no requirement to keep any records relating to the issue of strip gowns.
- 8.9 I am told that there was no requirement for an auditing of the ordering, issuing, replacing and inspection of at-risk clothing.
- 8.10 I am advised that after I notified the Department of my intention to investigate the self-harm incident at CHWO, the ARU changed its procedures so that staff now record in the ARU daily diary that a gown has been issued to a prisoner.

9. INQUIRIES - CORRECTIONS INMATE EMPLOYMENT (CIE) – SUPPLIER OF STRIP GOWNS

- 9.1 During the course of my enquiries, senior CIE Textile staff were interviewed regarding the supply of strip gowns to CHWO, and Prisons in general.
- 9.2 I was advised that CIE Textile was named by the Department as the preferred supplier of strip gowns.
- 9.3 However, it was apparent that some Prisons were ordering strip gowns from other suppliers they had sourced.
- 9.4 I was advised that some Unit Managers of ARUs had their own views and ideas of what particular gowns they should have in their units for prisoners at-risk.
- 9.5 I was told that ARU managers carry out the ordering of at-risk clothing that is required for their units.
- 9.6 I am advised that there was no actual policy set down in writing, specifying or agreeing what type of gowns should be used.

CIE Textile staff comments – strip gowns

- 9.7 Comments pertaining to gowns supplied and held in stock at ARU included:
 - *“There does not appear to be enough replacing of the gowns that are issued”;*
 - *“They should be looking at replacing the gowns every year”;*
 - *“The gowns have about a one year life cycle”;*
 - *“Fabric becomes rotten through time as a result of laundering and being repaired so often”;*
 - *“Gowns are not being chucked out”;*

- *“Lining of gowns is not recommended”.*
- 9.8 I was told that gowns have been repaired numerous times at CHWO.
- 9.9 CIE Textile staff spoken to expressed a concern as to the apparent lack of communication over the standards and quality of strip gowns within the Department.
- 9.10 I was told that CIE Textile Staff have no available information as to how many gowns have deteriorated or been damaged beyond satisfactory repair.
- 9.11 It was further commented by CIE Textile staff :
- *“Gowns need to be tested. Need to have gowns go through laundry process to ascertain how many times they can be laundered before being considered for replacement”*
 - *“Need to have a date stamped on garment when made as there is no identifying marks on the garment as to when made and when despatched”*
 - *“Should be standards for manufacture, material and type of garment”*
 - *“Needs to be a specification”*
 - *“Needs to be a directive to prison sites that they are required to purchase from one source”*
 - *“CIE needs a mandate to purchase fabric”*
 - *“Need strongest fabric on the market”*
 - *“Specifications and standards need to be constantly reviewed”*

CIE Textile staff comments – strip gowns

- 9.12 The three damaged gowns that were ripped by Prisoner ‘A’ in the CHWO ARU were inspected by experienced CIE Textile staff at the request of my investigator.
- 9.13 I was told that the plain white canvas gown that was issued to Prisoner ‘A’ on the second occasion showed signs of deterioration and the material was considered to be rotten. CIE Textile staff commented, *“This gown should not have been issued to a prisoner with a high risk of self-harm”.*
- 9.14 The two other gowns were white canvas gowns with an inner lining with a binding around the necks. These two gowns were identified as having been acquired as second-hand gowns from the local Men’s Prisons. CIE Textile staff spoken to considered the fabric from both lined gowns to be rotten, and not suitable for medium or high risk prisoners at-risk of self harm.
- 9.15 I was told that the fabric deteriorates not merely as a result of general wear and tear and age, but the regular process of laundry in water.
- 9.16 There were no visible markings on the gowns to identify where the gowns had been manufactured or the age of the gowns.

- 9.17 I was advised that gowns with bindings around the neck were not recommended as the binding can be pulled apart and used to tie around a person's neck.
- 9.18 It is obviously unwise and unsatisfactory to give a gown to someone at risk of self harm that can be ripped if the person chooses to attempt it.
- 9.19 I was advised that, in 2004, CIE produced two styles of suicide gowns, a white lightweight canvas, and a heavy green canvas option. I am told the intention was that staff would determine whether a heavier gown was required. It was said; *"The gowns were tested for durability and suitability at Christchurch Women's Prison and accepted by Prison Services"*.
- 9.20 I was advised that; *"In 2005, Prison Services directed that all sites should use the gowns manufactured by Corrections Inmate Employment (CIE). Over time some prisons have sourced gowns from elsewhere"*.
- 9.21 However, I was told that some staff involved in managing ARUs were not happy with the quality and standards of the strip gowns being manufactured and supplied by the Department through CIE Textile. Department Staff at CHCH took matters into their own hands to source their own supplies.

10. COMPARISON - CHRISTCHURCH MEN'S PRISON ARU.

- 10.1 Inquiries were carried out at CHCH as to the ARU procedures regarding the issuing and maintenance of strip gowns in comparison with CHWO.
- 10.2 I was advised that no records were kept regarding gowns that are issued, damaged, repaired or disposed of.
- 10.3 I am told that strip gowns are visually inspected in much the same way as they are at CHWO.
- 10.4 I am told that any damaged gear is removed.

Strip gowns in use at CHCH ARU

- 10.5 The strip gowns used at CHCH are sourced and supplied by a local saddlery which produces heavy duty gowns with a blanket type lining.
- 10.6 The decision by CHCH ARU to source strip gowns from the saddlery went against a direction by National Office that CIE was to be the preferred supplier.

Reasons for different strip gowns at CHCH ARU

- 10.7 Staff involved in sourcing the gowns from the saddlery, advised that they considered the produced gowns superior to the CIE gowns because of their strength and quality. I was advised that the ARU had not needed to replace any gowns within the last 12 months. It was commented by a

Senior Corrections Officer; *“I have seen gowns damaged by women in the ARU (Christchurch Women’s Prison). The CIE gowns do not look anywhere near the strength or quality and do not have the backing or extra stitching...the CIE gowns do look dry and material a lot coarser”.*

- 10.8 The Assistant Prison Manager at CHCH, in an email July 2009, commented:

“CIE apparently conducted some field trials on the make up of stitch gowns and blankets. From the results of those trials and I don’t think they included consulting with CMP (Christchurch Men’s Prison) ARU management or staff, gowns and blankets were manufactured.

At the time I ordered \$5K worth of the product. On arrival staff in ARU were quick to point out that the product would easily be pulled apart by male prisoners and could become a self harm hazard. I tried to return the products and obtain a credit. I was informed by CIE management that rigorous trials and research had been conducted and the product supplied had been signed off as fit for purpose and there would be no credit or return of products authorised.

I actually side lined all this gear at the time as I was concerned we may have a death from it. I then in conjunction with ... conducted our own research with development of prototype sample from a local business known as ... here in Christchurch. From this research we purchased on going gowns and blankets which I believe have performed well. However as we know they do wear quite quickly with continual washing and have to be inspected weekly for signs of threads...”

- 10.9 CHCH ARU Correction Officers interviewed were not aware of any specified standards for strip gowns issued to prisoners in the ARU.
- 10.10 I was advised that if a prisoner damages a strip gown, it will not necessarily be recorded as an incident.
- 10.11 A senior CHCH ARU Corrections Officer commented; *“I can see the need to have a central supplier but it would be nice to know it is an appropriate standard item”.*
- 10.12 A *“Dummy”* At Risk file was received from the CHCH ARU in order to demonstrate what documentation is compiled in the ARU for a prisoner. It was observed that if a prisoner is issued with a strip gown, this is recorded on the daily assessment sheet.

Inspection of strip gowns at CHCH ARU

- 10.13 The strip gowns held in stock and issued to prisoners in the ARU at CHCH were inspected by my investigator, and appeared to be of more durable quality than the CIE strip gowns that were found to have been worn and damaged by Prisoner ‘A’ in the CHWO ARU. The strip gowns in the ARU at CHCH appeared to have been kept and maintained in very good

condition, compared to the strip gowns that were inspected at CHWO ARU.

Ripped gown incidents at CHCH

- 10.14 In a response to questions regarding the number of incidents where strip gowns have been damaged, torn, repaired, or ordered for replacement within the last two years, the Department advised (as at 6 October 2009) that CHCH had reported there had been no incidents and no record of replacement of strip gowns within the last year.
- 10.15 However, I later received notification of an incident that occurred at CHCH ARU, where a prisoner who had been placed into a safe cell was observed ripping a mattress and strip gown with which he had been provided. The prisoner was reported to have fashioned a noose from the material and attempted to tie it to the cell door flap before staff intervened.

11. INVESTIGATION INTO THE DEATH IN CUSTODY OF A PRISONER AT AUCKLAND PRISON.

- 11.1 I refer to an investigation by an Inspector of Corrections that is currently being monitored by the Chief Ombudsman of the reported death of a prisoner resulting from an incident that occurred in an at-risk cell at ACRP.
- 11.2 It was reported that this prisoner, who was considered to be at-risk of self-harm at the time, was discovered with a piece of torn strip of cloth around his neck in the cell.
- 11.3 A visual check on strip gowns that are issued to prisoners at ACRP Prison was undertaken by one of my investigators involved in the monitoring.
- 11.4 Three different styles of gowns were observed in stock at ACRP at that time. My investigator considered some to be in poor condition. It was discovered that there did not appear to be a regular audit process of the gowns.

12. ENQUIRIES AT OTHER PRISONS – STRIP GOWNS

- 12.1 Enquiries were made at other randomly selected prisons regarding the issuing of strip gowns to prisoners at-risk of self harm.

Waikeria Prison

- 12.2 In September 2009, inquiries were carried out at Waikeria Prison. I am advised that there were no records as to how long a strip gown has been used or kept in circulation.
- 12.3 It was advised that strip gowns that are issued to prisoners are checked each day and if there are any signs of wear or tear staff would issue the prisoner with another gown.

- 12.4 Staff spoken to in the ARU considered that the strip gowns were satisfactory and durable. I was advised that ARU records held at Waikeria Prison showed that 16 strip gowns had been damaged within the last two years, and 12 of these were in the last 12 months.
- 12.5 I am told that staff would intervene if a prisoner attempted to rip a strip gown.
- 12.6 I am advised that the process in the ARU at Waikeria Prison is that every at-risk prisoner is placed in a strip gown. There are 3 levels of at-risk. Level 1 are prisoners who are high risk of self-harm. Level 2 are prisoners who have not had an at-risk assessment. Level 3 are prisoners who are maintained in the ARU because the prisoner requested to be there, or has been deemed to pose at-risk behavioural issues as opposed to at-risk psychiatric issues.

Mt Eden Prison (Now part of Auckland Central Remand Prison)

- 12.7 In September 2009, an inspection was carried out on strip gowns held in store at the Prison Site formally known as Mt Eden Prison, which is now part of ACRP. The prison did not have a dedicated ARU. It did, however, have strip gowns in stock for issuing to prisoners considered at-risk. Prisoners who were considered at-risk of self-harm would normally be transferred to a suitable prison with a dedicated ARU where they could be cared for.
- 12.8 It was observed that there was no system in place for monitoring the age of the garments in stock, although each gown is inspected for damage before use.
- 12.9 The gowns were of a single canvas thickness. The prison had a stock of new gowns for issue. The Unit Manager was not aware of any general problem with the gowns.

Manawatu Prison

- 12.10 In September 2009, an inspection was carried out on strip gowns available to prisoners at Manawatu Prison.
- 12.11 Manawatu Prison does not have a dedicated ARU. Any prisoners that are deemed to be at-risk of self-harm will be moved at the earliest opportunity to the dedicated ARU at Wanganui Prison.
- 12.12 Manawatu Prison however, does stock strip gowns for prisoners considered at-risk of self-harm. The gowns are a heavy duty canvas tear resistant gown.
- 12.13 I was told that some gowns viewed at Manawatu appeared to be durable. One of the gowns viewed was a white plain canvas gown showing visible signs of deterioration down the seam under the armpit area. It was

considered that it would have been possible for the seam to have been pulled apart without using exceptional strength.

- 12.14 Staff at Manawatu Prison, were unaware of any specification standards for strip gowns.
- 12.15 There was no record for maintenance checks on gowns issued to prisoners at risk of self harm.
- 12.16 I am told that there were variations at to the quality and standards of gowns that were viewed during the course of enquiries.
- 12.17 My investigator revisited Manawatu Prison again in February 2010, where he requested to be shown an at-risk strip gown that would be provided to a prisoner considered to be at-risk of self-harm. He was surprised to be shown a single white plain canvas gown that appeared to be the same gown that was viewed in September 2009 and considered defective. I was told that the gown still showed visible signs of deterioration down the seam under the armpit area. The material was tested and was able to be pulled and ripped apart with little strength being applied.
- 12.18 I am most concerned that this gown, which was showing visible signs of deterioration, was available to be issued to a prisoner considered to be at-risk of self-harm. It was apparent that adequate checks were not being carried out.

Auckland Central Remand Prison

- 12.19 In September 2009, a further inspection was carried out on the strip gowns at Auckland Central Remand Prison (ACRP) by one of my investigators.
- 12.20 There was no change found since the inspection that was carried out in relation to the death in custody investigation.
- 12.21 It was observed that there was no system in place for monitoring the age of the garments.
- 12.22 There were two types of strip gowns sighted: -one of single canvas thickness and the other with a thick cloth (tartan) lining. There was a comment by staff that gowns were now made at Waikeria Prison (CIE), and were better quality than earlier types

13. NEW ZEALAND SUICIDE PREVENTION ACTION PLAN 2008-2012

- 13.1 In September 2009 a Report on Progress: Year One; "*New Zealand Suicide Prevention Action Plan*", was published by the Ministry of Health.
- 13.2 A reported statistic by the Ministry of Health was that every year approximately 500 New Zealanders die by suicide, and there are more than 2500 admissions to hospital for intentional self-harm.

- 13.3 It is reported that males have a higher rate of suicide than females. Conversely, females have a higher rate of hospitalisation for intentional self-harm.
- 13.4 It was reported that hanging is the most common method of suicide in New Zealand, accounting for more than half of all suicide deaths for both females and males.

Implementing the action plan

- 13.5 The Ministry of Health is responsible for leading and facilitating a whole-of-government approach to suicide prevention. An Inter-Agency Committee on Suicide Prevention (IACSP) was established to provide advice on suicide prevention at government agency level. It is reported that the Department of Corrections is one of the representatives from 13 government agencies involved to ensure effective, linked-up suicide prevention services across different sectors. It is reported; *“This is done by regularly exchanging information about emerging issues and progress on initiatives, putting in place solutions to any identified gaps or problems with service delivery, and communicating best practice information about suicide prevention”*.
- 13.6 I am advised that the IACSP reports to the Ministerial Committee on Suicide Prevention.

Reduce access to the means of suicide

- 13.7 One of the reported goals included in the Suicide Prevention Action Plan is to, *“Reduce access to the means of suicide”*
- 13.8 It was reported that, *“evidence shows that restricting access to a specific method of suicide frequently results in reduced rates of mortality and morbidity by that method”*.

Goal

- 13.9 It is reported, *“The purpose of this goal is to reduce access to, and the lethality of, the means of suicide, in order to reduce rates of suicide and suicide attempt. ‘Means of suicide’ are objects, substances or locations that are used by a person attempting suicide.”*

Hanging

- 13.10 It is reported, *“To reduce the risk of suicide by hanging, the Action Plan states that a review will be undertaken of institutional policies for preventing and responding to suicide attempts by hanging to ensure they meet international evidence-based best-practice guidelines...”*

Reviews of suicide risk assessment and management have commenced in a number of settings (Department of Corrections). These reviews are

expected to consider the safety of the physical environment, including measures to prevent suicide by hanging”.

3.11 The Department, I observe, does not appear to have a current Suicide Prevention Plan of its own in existence. The Department’s policy and procedures in this area focus on:

- Staff awareness of prisoners at-risk to themselves;
- Identifying a prisoner at-risk;
- Managing a prisoner at-risk.

14. DEPARTMENT’S RESPONSE

14.1 In October 2009 the Department responded to a number of questions I had asked pertaining to at-risk clothing, namely strip gowns.

No national audit

14.2 The Department advised, *“There is no national audit of the ordering, replacing and inspection of at-risk clothing”.*

14.3 My inquiries had already indicated that there were no auditing processes in place at the prisons that were visited.

Prisoners who self-harm

14.4 The Department commented, *“Determined prisoners will attempt and sometimes achieve a level of self-harm, no matter what environment they are placed in”.*

14.5 While this is true, it is my understanding that ARUs are supposed to be dedicated purpose built facilities designed to protect prisoners from self-harm. The aim should therefore be to minimise the risk of self-harm while recognising that it can never be entirely eliminated.

14.6 It is my view that strip gowns provided to prisoners at-risk of self-harm should be designed to be tear-resistant to prevent a person from ripping them to use with the intention to self harm.

14.7 It is my view that when an at-risk prisoner is placed into an ARU safe cell, the prisoner should as far as reasonably practicable be in a safe environment to prevent any self-harm occurring. A suitable specified strip gown is reasonably practicable, and should be part of that environment.

ARU strip gown incident numbers

14.8 The Department provided a table at my request showing responses from 13 Prisons that have an ARU to report on the number of incidents where

strip gowns have been damaged, torn, repaired or replaced within the past two years.

- 14.9 It was reported that 130 strip gowns have been damaged or torn by prisoners in ARUs within the last two years.
- 14.10 It was reported that 27 strip gowns have been repaired as a result of damage by prisoners within ARUs within the last two years
- 14.11 It was reported that 159 strip gowns have been ordered for replacement within the prisons within the last two years.
- 14.12 CHWO had reported 25 incidents where strip gowns were damaged or torn and 16 strip gowns ordered for replacement. It was unable to provide any figures of the number of strip gowns that have been repaired in the table that was provided.
- 14.13 However, as explained previously, records are not kept or maintained at all prisons and thus the accuracy of the figures provided, is questionable. Not every occasion where a prisoner damages an at-risk strip gown would necessarily be reported as an incident.
- 14.14 CHCH and Wanganui Prison did not supply any figures to be compiled for the table.

Prison Services review of ARU and suicide clothing

- 14.15 The Department has said that:

“Prison Services, within the Department of Corrections, are undertaking a full review of the policy and operating procedures for the management of prisoners who may be at risk of suicide. The objective of the project is to identify, evaluate and recommend a best practice model for the operating and management requirements of at-risk units of prisons, including training and management of staff”.

- 14.16 It has further explained that there is a project underway looking at how it can better manage the at-risk process. It has said:

“The Department is committed to obtaining the most durable and safe anti-suicide clothing we can source...Work has already commenced toward trialling new suicide prevention clothing – both for safety and dignity- and to make sure effective audit and quality control processes are in place”.

15. DEPARTMENT’S ADDITIONAL COMMENTS – February 2010

- 15.1 Additional comments were sought at a meeting attended by my Investigator Anthony Martin, and senior departmental management staff in February 2010.

15.2 In summary:

Department directions

The Department stated:

- National Office had not given permission for its Prisons to source strip gowns from other sources apart from CIE;
- sourcing gowns from other suppliers was contrary to departmental instructions;
- original instructions issued in 2005 directed that all Prisons should use gowns manufactured by CIE;
- original instructions and directions issued may not have been descriptive enough;
- National Office was not aware that some prisons were sourcing their own gowns, and not complying with its directions;
- original instructions were reinforced to prison managers in an email February 2009, resulting from an incident involving the death in custody of a prisoner at ACRP. The email stated; *“In light of at risk clothing having been damaged in a couple of recent incidents, please with urgency check the condition of your risk clothing and withdraw any torn or worn garments and /or blankets from use immediately”*.

Department concerns

The Department stated:

- it would be concerned if its original instructions had not been followed if that was the case;
- that was not to say that the garments that these prisons were sourcing were not up to a suitable standard;
- failings to follow departmental instructions highlight the need for consistency in management;
- managers of units should be complying with departmental directions and instructions;
- if the manager had the best of intentions to ensure that he or she was following standards and that the gowns being sourced were durable and suitable for the purpose then this might be acceptable to the Department.

Reviews and projects

The Department stated:

- the Department is currently reviewing at-risk procedures. A new trial of at-risk assessment procedures commenced in the CHCH and CHWO on 8 March 2010;
- the main role of an ARU, should be about the management and interaction of prisoners;
- a project is underway looking at suicide preventing clothing. The project is looking at durable and suitable at-risk clothing to be issued to prisoners at risk of self-harm to reduce the risk of self harm and suicide and attempting to normalise the design wear as much as possible having regard to the need to provide humane and decent conditions.

Strip gown specifications

The Department stated:

- gowns that are ripped or need to be replaced, should be replaced through CIE. The only gowns in use should be the CIE standard specification issued gowns. The only source of supply should be CIE;
- just because garments in appearance look different from some others, the specifications standards are still complied with.

Several gowns of durable quality were presented for viewing at the meeting. Photos of the ripped strip gowns retained after the CHWO incident were viewed at the meeting, where it was indicated by an experienced departmental staff member that the ripped gowns appeared to be a different model or make of gown from the standard specified gowns produced by CIE. It was indicated that the CHWO ripped gowns were possibly acquired before 2005, when the original directions were issued instructing that CIE Textile was the preferred supplier.

Risk control inspections

The Department stated:

- staff should be physically checking and throwing out items that are deemed unsuitable. There should not be a casual attitude and general good housekeeping rules should apply;
- the Department's policy does require checks and inspections to be carried out but does not require documentation of checks;

- it did not want to add an extra documenting form or check boxes as a task for staff for checking gowns, but staff should be aware that at-risk clothing should be checked regularly. This is a requirement under PPM;
- it is each Prison's or unit management's responsibility to ensure that any departmental instruction, direction or policy is being carried out, and it is the Department's responsibility to ensure that that is being done;
- it is always concerned when at-risk strip gowns issued to prisoners at-risk of self-harm are ripped. The aim however is not to provide a totally rip-proof item of clothing, but a garment that can reduce an incident of self-harm or suicide, taking into account the decency and humane factor for the prisoner (At-risk clothing can be degrading and uncomfortable for a prisoner because of its designed purpose);
- it does not consider it to be a safe practice to have labels attached to at-risk clothing, and this is the reason that garments have no markings to identify where and when the gowns were manufactured or their age;
- There should be no need for one Prison to obtain replacement gowns from another Prison unless there is an urgent need for replacement.

Table of figures

National Office considered that Wanganui Prison has good management of its ARU facilities. It suggested a likely reason why Wanganui Prison provided no figures for the compiled Table, may be because it has good management in place and a lower ratio of use of at-risk clothing and therefore very little need to replace at-risk clothing. The Prison ARU Unit Managers would have been supplying information relating to CIE issued at-risk clothing and not necessarily figures for at-risk clothing sourced from other suppliers.

National Office was unaware if Wanganui Prison and CHCH sourced their ARU at-risk clothing from elsewhere than CIE. It was unable to comment on any reasons why CHCH did not provide any figures for the compiled Table.

16. ESSENTIAL FINDINGS

- 16.1 That staff of CHWO, responded swiftly and appropriately to the self-harm incident.
- 16.2 That there is no national policy for the issuing of strip gowns (anti-suicide clothing).

- 16.3 That the two strip gowns provided to and ripped by Prisoner 'A' and a third ripped gown were in poor condition and should not have been provided to the prisoner.
- 16.4 That the two strip gowns ripped by Prisoner 'A', and a third strip gown ripped by the same prisoner, were gowns likely produced prior to 2005, and that they apparently did not meet the current specifications for CIE Textile produced gowns which has been the Department's preferred supplier since 2005.
- 16.5 That these ripped strip gowns had no visible identifying markings to identify the manufacturer, the supplier, the age or if they complied with any specified standards.
- 16.6 That differing variations of strip gowns were held at CHWO and other Prisons.
- 16.7 That there were inadequate recording practices at CHWO, regarding the issuing and inspection of strip gowns to prisoners.
- 16.8 That there is no national or observed local auditing of the issuing, replacing and inspection of at-risk clothing.
- 16.9 That CHCH had sourced its own supply of strip gowns for its ARU from an external local provider because it was apparently not satisfied with the quality of the product provided by the Department's preferred supplier, CIE Textiles. This was despite being contrary to directions from National Office which, in 2005, had given instructions that CIE was the preferred supplier of strip gowns and had reinforced this instruction in an email February 2009 to prison management.
- 16.10 That National Office was unaware of CHCH practices. Consequently, this indicated that National Office had no audit controls in place to ensure that its directions were being complied with.
- 16.11 That the Department, although it is one of the government agencies on IACSP, does not have a current specific Suicide Prevention Plan in name. Any suicide prevention initiatives fall under its policies and procedures for prisoners at-risk.
- 16.12 That the Department currently has a project underway looking at how it can better manage the at-risk process.
- 16.13 That the Department currently has a project underway trialling new strip gowns.
- 16.14 That, incidents of prisoners ripping strip gowns regularly occur.

17. DEPARTMENTS RESPONSE TO ESSENTIAL FINDINGS

17.1 In response to my essential findings (which appear unaltered in this report), the Department said: (letter dated 30 July 2010)

“The Department accepts that the current process can be improved. As earlier advised, there are currently projects underway examining the at-risk process, and at-risk clothing.

The objective of the project concerning clothing is to determine how prisoners are using at-risk clothing and bedding to attempt self-harm and to present options to reduce the ability of prisoners to self harm. Your draft report has been referred to staff working on this project for their consideration.

Testing of a range of at-risk clothing and bedding is also being undertaken to ensure that the optimal product addressing safety, comfort, dignity and durability, is procured from a single supplier. This process will be completed by the end of this year and has included engagement with the Mason Clinic, Kenepuru and Hillmorton Hospital. This has revealed that there is no national policy and procedure or primary provider in relation to at-risk clothing and bedding for mental health facilities.

Following revision of the design and manufacture specifications, further quality control guidance will be developed and implemented by June 2011. This will set out how to maintain stock and assure safety and consistency, including laundry methods, gown life (replacement) and the option of labelling the gown to indicate its production date.

As part of the project, evidence-based guidelines have been referenced — specifically ‘The Assessment and Management of People At Risk of Suicide’ developed by the Ministry of Health; best practice from the New Zealand Suicide Prevention Strategy 2006 — 2016; the New Zealand Suicide Prevention Action Plan 2008 —2012 with which the Department is actively engaged at a policy level; and practice models from the World Health Organisation (WHO) and English and Scottish prison services. The Department’s work in minimising self harm and suicide is closely aligned with the National Strategy.

The broader at-risk project has thus far been focused on the at-risk assessment process. In the future the overall management of at-risk prisoners, including the use of at-risk bedding and clothing will be further considered.”

17.2 From the above comments, I accept these as an assurance, that the Department is currently taking steps to address the issues and concerns of my reported essential findings, which appear unaltered in this report. I gratefully acknowledge the consideration that is being given by the Department to my findings.

17.3 I have noted the two projects currently underway by the Department, to improve the at-risk process and at-risk clothing.

17.4 The Department has also advised:

“There has been a steady decline in the number of unnatural deaths from 0.14 unnatural deaths per 100 prisoners in 1998/99 to 0.06 unnatural deaths per 100 prisoners in 2007/08. This compares to other jurisdictions and has occurred in a time of significant prisoner population increases. Nevertheless, the Department is committed to a continual process of improvement, to keep at risk prisoners safe from self harm or suicide”

18. RECOMMENDATIONS

18.1 In the light of the essential findings and the response of the Department I recommend that:

- (i) the Department, as part of its project examining the at-risk process, consider adopting a National Suicide Prevention Plan in name for its suicide prevention and awareness planned policies, procedures and initiatives, in line with the New Zealand Suicide Prevention Strategy 2006-2012; and the New Zealand Suicide Prevention Action Plan 2008 -2012;
- (ii) the Department standardise procedures for the ordering, issuing, replacing and inspection of suicide prevention clothing and bedding as part of its at-risk clothing project;
- (iii) the Department, in the course of standardising procedures, implement effective procedures for the maintenance and replacement of at-risk clothing and bedding;
- (iv) the Department, as part of its at-risk clothing project introduce effective regular safety audit practices for suicide prevention clothing and bedding that are issued to at-risk prisoners;
- (v) the Department, as part of its at-risk clothing project ensure that there are suitable specified designed, tear resistant gowns made available for prisoners at-risk of self-harm;

David McGee
Ombudsman

13 August 2010