

Hon Kelvin Davis

MP for Te Tai Tokerau

Minister for Māori Crown Relations: Te Arawhiti

Minister for Children

Minister of Corrections

Associate Minister of Education (Māori Education)



Terry Thomas

fyi-request-15935-6a522d81@requests.fyi.org.nz

Tēnā koe Terry

Thank you for your email of 30 June 2021, requesting information about advice provided to other government agencies regarding the proposed changes to the Births, Deaths, Marriages and Relationships Registration Bill. Your request has been considered under the Official Information Act 1982 (OIA).

As you are aware, part of your request was transferred to my office for response in accordance with section 14 of the OIA, as it relates more closely to the functions of my office. I am advised that in a letter dated 26 July 2021, Corrections advised you that part of your request was transferred to my office.

You requested:

all advice provided to the Ministry of Internal Affairs or any other ministry, agency or minister on the impact proposed changes to the Births Deaths Marriages and Relationships Act regarding birth certificates, and their impact on operations in prisons and the Corrections Regulations 2005

I have interpreted your request for advice to include all reports and briefings I have received from officials.

I have identified eight updates I received via my weekly report from Corrections in scope of your request:

- *Minister's Weekly Report extracts dated 18 March, 25 March, 1 April, 8 April, 15 April, 22 April, 29 April and 6 May 2021*

These updates are attached as Appendix One. As you may be aware, the Births, Deaths, Marriages, and Relationships Registration Bill is still before Parliament. I am advised that this legislation is likely to impact Corrections and potential subsequent changes to Corrections' policy and consideration of those changes remains under development by officials. As such, some information in has been withheld under section 9(2)(f)(iv) of the OIA, to maintain the constitutional conventions which for time being protect the confidentiality of advice tendered by Ministers and officials.

Furthermore, I have identified email correspondence between Corrections officials and my office dated 26 February 2021. This information is attached as Appendix Two. Some information has been withheld under section 9(2)(a), to protect the privacy of natural persons, including deceased natural persons.

Additionally, in November 2018, a joint briefing relating to this matter was provided to myself and the Minister of Internal Affairs. The briefing, titled *Joint Internal Affairs and Corrections Briefing B3782*, is attached as Appendix Three.

Some information has been withheld from the briefing under the following sections of the OIA:

- 9(2)(a), to protect the privacy of natural persons, including deceased natural persons;
- 9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any department or organisation in the course of their duty; and
- 9(2)(h), to maintain legal professional privilege.

I do not believe there are any considerations under section 9(1) of the OIA rendering it desirable in the public interest to make the information available which outweigh the reasons for withholding.

I trust the information provided is of assistance. If you have any concerns with this response you may raise them with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Kelvin Davis', written in a cursive style.

Hon Kelvin Davis
Minister of Corrections