



13 April 2016

C76817

Chelsea D

fyi-request-3751-a7d4c33a@requests.fyi.org.nz

Dear Chelsea

Thank you for your email dated 14 March 2016, requesting information about child abuse prisoners serving time in Canterbury. Your request has been considered under the Official Information Act 1982 (OIA).

You have asked three questions regarding prisoners in the Canterbury region. Please note the Department interpreted your request as prisoners serving time in prisons within the Canterbury region. This region includes three prisons, Christchurch Men's, Christchurch Women's and Rolleston Prisons.

1. *How many child abuse prisoners are currently serving time in Canterbury?*

For your reference, the Department does not record prisoners under the heading of child abuse, and your request as it stands does not contain due particularity as required by section 12(2) of the OIA. It is unclear whether you are requesting prisoners serving time for any offences against children, or specific types of offences. Therefore, your request is declined under section 18(f) of the OIA, as the information cannot be made available without substantial collation or research. Should you wish to provide further specific detail regarding the information you require, such as offenders who are serving sentences for sexual offending against children for example, we will then be able to consider your request further.

2. *How many are set to be released this year?*
3. *How many have the opportunity to be released this year? (eligible for parole)*

Prisoners sentenced to imprisonment for a period of over two years, will be subject to parole on their release. Those sentenced to imprisonment for a period less than two years follow a different process and may not be subject to any conditions on release.

The Department does not decide whether a prisoner can be released from prison on parole. When an offender becomes eligible, the New Zealand Parole

Board considers their case and decides whether they are released into the community under the supervision of a probation officer. The Board is an independent statutory body.

When assessing an offender for release, the paramount consideration for the Board is the safety of the community. To assist the Board in making a decision about an offender's suitability for release, the Department provides information including a parole assessment report. This report includes steps taken by an offender to address the causes of their offending, comment on an offender's behaviour in prison and a detailed release proposal.

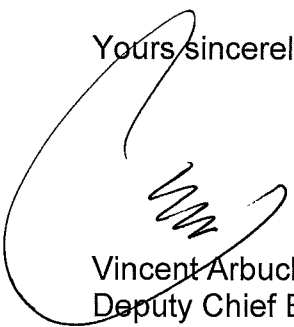
Release on parole is a privilege and not a right. Although the Board must assess an offender's suitability for release, they are under no obligation to approve any proposal. No offender can be released on parole until the Board is satisfied that the offender no longer poses an undue threat to the safety of the community.

The Department is statutorily obligated to protect all private information that we hold, including information relating to offenders. We would therefore be unable to release details regarding the release of prisoners as doing so would contravene our obligations under the OIA and the Privacy Act. Therefore, this part of your request is withheld under section 9(2)(a) of the OIA, to protect the privacy of natural persons, including that of deceased natural persons.

As per section 9(1) of the OIA, we have also considered whether there are countervailing public interest considerations favouring the release of the requested information. We do not believe such considerations are present in this case.

Should you have any concerns with this response, I would encourage you to raise these with the Department. 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



Vincent Arbuckle
Deputy Chief Executive
Corporate Services