

19 SEP 2018

Lance O'Riley
fyi-request-8500-2fb94c1c@requests.fyi.org.nz

Dear Mr O'Riley

Official Information Act 1982 request

Thank you for your Official Information Act 1982 (OIA) request made to the New Zealand Police on 14 August 2018 regarding three strike convictions. On 24 August 2018, the New Zealand Police transferred your request to the Ministry of Justice under section 14 of the OIA. Specifically, your request was for:

1. *Average sentence for all offenders who have been convicted and sentenced for their first eligible offence under the sentencing and parole reform act 2010.*
2. *Average sentence for all offenders who have been convicted and sentenced for their second eligible offence under the sentencing and parole reform act 2010.*
3. *Average sentence for all offenders who have been convicted and sentenced for their third eligible offence under the sentencing and parole reform act 2010.*

The OIA enables people to request official information from Ministers and agencies, including the Ministry of Justice (the Ministry). However, the OIA only applies to information that is already held, and the Ministry is not required to create information in order to respond to a request. The information you are seeking in this case is not held by the Ministry but would need to be created in order to respond to your request.

The information may be held by the courts which are excluded from the operation of the OIA under section 2(6)(a). Therefore, I am refusing your request under section 18(g)(i) of the OIA as there are no grounds for believing that the information is held by another department, Minister of the Crown, organisation, or local authority.

If you require any clarification of the information contained in this response please contact Antony Paltridge, Team Leader, Media and External Relations, by calling (04) 918 8980; or emailing media@justice.govt.nz

If you are not satisfied with this response, you have the right to complain to the Ombudsman under section 28(3) of the OIA. You can contact the Office of the Ombudsman by writing to PO Box 10152, Wellington 6143; calling 0800 802 602; or emailing info@ombudsman.parliament.nz

Yours sincerely



Renee Smith
Group Manager (Acting), Courts and Tribunals, Regional Service Delivery

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