

27 May 2014

Joshua Grainger
fyi-request-1503-ae30e282@requests.fyi.org.nz

Dear Mr Grainger

Thank you for your email dated 3 March 2014 in which you request under the Official Information Act 1982 (OIA) copies of the Department of Corrections' Memoranda of Understanding (MoU) and other similar documents.

I also refer to my letter dated 31 March 2014 in which we advise that the scope of your original request has been refined to include copies of the Department's current, working MoU, with government agencies.

The following documents are within scope:

- Service Level Agreement with Housing NZ dated December 2012
- Memoranda of Understanding (two) between the Ministry of Health and the Department of Corrections dated December 2011 and December 2012
- Memorandum of Understanding in relation to the Reallocation of Property for Management and then Disposal between the Land Information New Zealand and the Department of Corrections dated February 2013
- Relationship Agreement between the Ministry of Social Development and the Department of Corrections dated August 2013
- Memorandum, of Understanding between Tertiary Education Commission and Department of Corrections dated February 2014
- Protocol between the Ombudsman and the Department of Corrections dated 15 March 2012
- Memorandum of Understanding between the New Zealand Parole Board and the Department of Corrections dated December 2012

- Memorandum of Understanding between the Department of Corrections and the New Zealand Police dated December 2009
- Memorandum of Understanding with the Ministry of Economic Development and Department of Corrections dated January 2012.

I am releasing in their entirety the Department's Memoranda of Understanding with the Ministry of Health, Land Information New Zealand, and the New Zealand Parole Board.

I am partially releasing the Department's Service Level Agreement with Housing NZ. I am withholding the names and contact details of the Department and Housing NZ employees identified in the document. The information is withheld under section 9(2)(a) of the OIA that protects the privacy of natural persons.

I am partially releasing the Department's Memorandum of Understanding with the New Zealand Police. I am withholding the information set out in the schedules pursuant to section 6(c) of the OIA that relates to the maintenance of the law.

The information set out in the schedules relates to operational matters. I believe that the making available of that information is likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.

I am declining to release the Department's following Memoranda of Understanding and Protocol pursuant to section 18(e) of the OIA, which provides that the information requested is publically available is or will soon be publicly available:

- Tertiary Education Commission - available on their website:
<http://www.tec.govt.nz/Documents/Reports%20and%20other%20documents/TEC%20Corrections%20MOU%20SIGNED%20final%20version%207%20Feb%202014>
- Office of the Chief Ombudsman - available on their website
http://www.ombudsman.parliament.nz/system/paperclip/document_files/document_files/456/original/own_motion_prisoner_health.pdf?1349735789
- Ministry of Social Development – this will be available shortly on the Ministry's website.

I am declining to release the Department's Memorandum of Understanding with the Ministry of Economic Development pursuant to section 9(2)(b)(ii) of the OIA. The Memorandum of Understanding contains sensitive commercial information relating to the procurement of services.

I have considered whether there are countervailing public interest considerations favouring the immediate release of this information, and do not believe that such considerations are present in this case.

In regard to your request for the names of each organisation that the Department Corrections has a Memorandum of Understanding with The Department has a record of Memorandum of Understanding with the following agencies: NZ Council of Victim Support Groups, Salvation Army, Combined Law Agency Group, Department of Internal Affairs, NZ Fire Service and Vodafone.

I trust the information provided is of assistance. If you are dissatisfied with this response, you have the right to ask the Ombudsman to investigate and review my refusal to provide the information requested. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

I trust the information provided is of assistance to you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Vincent Arbuckle', written over a large, light-colored circular scribble.

Vincent Arbuckle
General Manager
Corporate Services