

8 September 2014

c67843

Lance-Desmond Lavery
fyi-request-1876-0a9921d0@requests.fyi.org.nz

Dear Mr Lavery

Thank you for your email of 8 August 2014, requesting information about 'Writ of Habeas Corpus and Subjiciendum'. Your request has been considered under the Official Information Act 1982 (OIA).

Firstly, you have requested details of the Department's policy regarding a Writ of Habeas Corpus ad Subjiciendum application. I can advise that the Department has no specific policy regarding habeas corpus applications. However, whenever such an application is submitted it will be managed on a case by case basis by our legal team.

Secondly, you have asked whether the Department has the "Lawful" authority to ignore the Habeas Corpus Act 2001, and whether we have the "Lawful" authority to ignore a Writ of Habeas Corpus ad Subjiciendum application. As mentioned above, our legal team manages these applications on a case by case basis.

I trust the information provided is of assistance. As you may be aware, you have the right to ask the Ombudsman to review this response. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Vincent Arbuckle
Deputy Chief Executive
Corporate Services