

7 November 2022

C159362

Mohammed Khan

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Tēnā koe Mohammed

Thank you for your Official Information Act 1982 (OIA) request of [Date] to the Department of Corrections – Ara Poutama Aotearoa, requesting the following information:

*My inquiry was prompted by statements made to a reporter by "Department of Corrections acting probation general manager Caroline Palmer". She stated that if a prisoner did not find long term accommodation themselves, or accept what was provided (usually in Rotorua, as we've seen), "Corrections could apply to court to vary a sentence".*

*To MAKE MYSELF ENTIRELY CLEAR, when you say that "Corrections does not decide who is in prison", you are asserting that Corrections will not apply to a court to vary a sentence, and that Palmer was lying?*

*If you are, in an attempt to avoid admitting to some very simple facts, duplicitously suggesting that making an application to vary a sentence- an application which will STOP A PRISONER FROM BEING RELEASED, is not covered by my original request, I am instead asking the following, so you cannot pretend that it isn't covered:*

*"According to this article in the Rotorua Daily Post, if a prisoner would be released but cannot establish their own arrangements as to where they reside, and if they reject being sent to emergency housing, say, in Rotorua, Corrections could apply to vary their sentence.*

<https://www.nzherald.co.nz/rotorua-daily-post/news/rotorua-emergency-housing-motels-ben-sandford-claims-recently-released-prisoners-sent-to-city-motels/BK5KUP3LMSH5AT4MZAEDU36RLE/>

*1) I assume that means that you would MAKE APPLICATIONS TO hold them in prison for a longer period if they refused to be sent to somewhere where emergency housing is systematically available, for example, in Rotorua?*

*2) If the assumption in (1) is correct, how many persons who would otherwise be released refused to be dumped in emergency housing each year for the past five years?*

*3) If the assumption in (1) is correct, how much longer are such persons held? A defined period? Until the end of their sentence? Until it is possible for them to either make other arrangements or access emergency housing in their actual community?"*

Corrections needs to extend the timeframe of our response to your request by 10 working days, pursuant to section 15A(1)(b) of the OIA, as consultations necessary to make a decision on the request are such that a proper response to the request cannot reasonably be made within the original time limit. Therefore, you can expect to receive a response to your request by 22 November 2022. If you no longer require this information, please let us know as soon as possible.

Please be advised that should you have any concerns regarding this response you have the right to ask the Ombudsman to investigate our decision to extend the timeframe. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi



Matt Huddleston  
Manager Ministerial Services (acting)  
People and Capability