

07 March 2023

C164843

Michael Birchall

fyi-request-21761-0195c597@requests.fyi.org.nz

Tēnā koe Michael

Thank you for your request of 8 February 2022 to the Department of Corrections – Ara Poutama Aotearoa, made through the FYI website, requesting information about Eli Epiha. Your request has been considered under the Official Information Act 1982 (OIA).

You requested:

all the information held about convicted murderer Eli Epiha including any psychological, cultural, or pre-sentence reports.

Corrections is statutorily obligated to protect all personal information that we hold, including information relating to offenders, and we must consider any request to release information in accordance with our legislative obligations under the OIA and the Privacy Act 2020.

Without a privacy waiver from Mr Epiha, we are unable to provide the information you have requested. Accordingly, it is necessary to withhold this information under section 9(2)(a) of the OIA, as the release of this information would significantly impact Mr Epiha's privacy. In coming to this decision, we have considered the Ombudsman's guide to section 9(2)(a) of the OIA, which is available here:

<https://www.ombudsman.parliament.nz/resources/privacy-guide-section-92a-oia-and-section-72a-lgoima>

In accordance with section 9(1) of the OIA, we have also considered whether there is countervailing public interest in the information being requested, such as transparency and the administration of justice. However, we are satisfied that in this case, public interest considerations do not outweigh the withholding reasons outlined above. In coming to this decision, Corrections has considered the information currently in the public domain, including the sentence that Mr Epiha received and his minimum non-parole period, and we consider that the public interest in this matter has been addressed through the release of this information.

Please note that this response may be published on Corrections' website. Typically, responses are published quarterly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

I trust the information provided is of assistance. I encourage you to raise any concerns about this response with Corrections. 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.

Ngā mihi

A handwritten signature in black ink, appearing to be 'MH' followed by a horizontal line.

Matt Huddleston
Manager Ministerial Services
People and Capability