



11 March 2015

BA Ott

By email: fyi-request-2500-29f70f16@requests.fyi.org.nz

Dear BA Ott

Official Information Act Requests: George Charlie Baker and the Operation of the NZ Parole Board

I refer to your emailed request dated 15 February 2015 seeking certain information in respect of Mr Baker, and general information about how the NZ Parole Board ("the Board") operates. Your request was made under the Official Information Act 1982 ("OIA") via the Board's website.

Set out below are your requests and the Board's responses.

1. Request for all "parole hearing summaries" relating to Mr Baker from 2000 to 2007

The Board operates under the Parole Act 2002, which came into force on 30 June 2002. The Board does not maintain "parole hearing summaries" but does hold copies of its decisions about offenders. Please advise if you wish to obtain copies of the Board's decisions about Mr Baker from 2002 to 2007. It should be noted that copies of any of the Board's decisions may be edited for privacy reasons.

If you wish to obtain information about Mr Baker's hearings prior to 30 June 2002 you will need to request these from the Department of Corrections, which was responsible for managing parole hearings. The Department's contact person is:

Julie Miller
Manager Ministerial Services
Department of Corrections
PO Box 1206
Wellington 1640

2. The procedure and protocol which is followed when the Board makes decisions about releasing offenders on parole.

The Board's procedure is set out in Part 1 of the Parole Act 2002 ("the Act"), in particular sections 42 to 50B. The Act can be accessed at www.legislation.govt.nz.

The Board does not have any "protocols" as such, but does have a number of policies made under section 109(2)(a) of the Act. These can be accessed on the Board's website at www.paroleboard.govt.nz (see "Policies").

The Board's website also contains extensive information about the hearing process and what the Board takes into account when it is considering the release of an offender on parole; see "About Us", "Information for Offenders" and "Publications and Annual Reports" (which contains a link to Information Booklets).

The Ministry of Justice's website also contains information about parole (www.justice.govt.nz).

3. Who makes this decision, what is their job role and on what basis is parole granted?

The Board makes decisions about release on parole and generally sits in panels of 3 members; see the Act and the "About Us" section on the Board's website, which explains this in detail.

4. How are prisoners supported on their release?

The Board determines an offender's release conditions, and it is the responsibility of probation officers (who are employed by the Department of Corrections) to manage these conditions. See the "About Us" section on the Board's website, and the Department of Corrections' website (www.corrections.govt.nz) particularly the section entitled "Working with Offenders".

5. Do prisoners who re-offend on parole get another chance at parole?

If a prisoner is recalled they may potentially be released on parole again prior to their statutory release date. The decision is made by the Board, based on the offender's circumstances.

6. Who has the last say and finalises the granting of parole?

The Board makes decisions about release on parole; see the material referred to in the response to question 2 above.

7. Please confirm whether the process of considering/granting parole is any different for prisoners with a psychological/violent history.

The process for considering parole is the same. The Board may require an updated psychological report from the Department of Corrections for prisoners with a psychological/violent history.

To the limited extent that information has been refused, it has been refused under section 18(d) of the OIA, on the basis that the information requested is publicly available.

You have the right to make a complaint to an Ombudsman to seek an investigation and review of my refusal. The Ombudsman's address is PO Box 10-152, The Terrace, Wellington.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Kerry Te Nana', written over a faint, illegible printed name.

Kerry Te Nana
Manager Systems and Compliance
New Zealand Parole Board Administrative Support Service
Head Office