



14 July 2016

C78693

S Curtis

fyi-request-3879-39254634@requests.fyi.org.nz

Dear S Curtis

I refer to your email dated 28 June 2016, requesting further information relating to Members of Parliament (MP) visits to New Zealand prisons pursuant to section 161 of the Corrections Act 2004. Your request has been considered under the Official Information Act 1982 (OIA).

As stated in the Corrections Act 2004, section 161, any MP may, whenever the member considers it appropriate, enter a prison and examine it and the condition of the prisoners, and may inform the Prison Director of his or her observations.

In your email, you have asked for the following points to be clarified:

1. *'The number of MP's visiting under section 161 hasn't been supplied'.*
2. *'Regarding the observations that are required to be kept by the prison manager of the MP's visiting under S161, and supplied by the prison to the Minister or their office, this question has not been answered. You have answered a question I did not ask, information supplied by MP's themselves'.*

As advised in the Department's earlier response to you dated 10 June 2016, you were provided as Appendix One, information that the Department holds on MP visits since 2014. This list was not exhaustive as the Department does not centrally record this information in the form you have requested (e.g. as 'Section 161'). Therefore, and for the sake of clarity, this part of your request is declined under section 18(e) of the OIA, as the document alleged to contain the information requested does not exist.

Further, you state that the Department has failed to respond to a question you have asked, this being question two as above. The Department provided you with the following response in our letter dated 10 June 2016 *'Regarding the second and third parts of your request, I can advise that no New Zealand MP who exercised their right to visit a prison pursuant to section 161 of the Corrections Act has informed the Prison Director of his or her observations. Therefore no permanent records of any observations are held at a prison and*

no observations have been provided to the Office of the Minister of Corrections. These parts of your request are declined under section 18(e) of the OIA as the information requested does not exist or cannot be found'.

The Department continues to decline the abovementioned information in accordance with Section 18(e) of the OIA, as the information requested does not exist. The Department does not have any recorded 'observations' made by MP's in accordance with Section 161 (2) of the Corrections Act 2004, and therefore no observations have been subsequently provided to the office of the Minister of Corrections.

I trust this information provides you with the clarity you have sought. Should you have any concerns with this response, you are advised of your right to raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rachel Leota', with a long horizontal flourish extending to the right.

Rachel Leota
Deputy Chief Executive (Acting)
Corporate Services