



11 July 2016

C78619

Ti Lamusse
fyi-request-4174-f95e3290@requests.fyi.org.nz

Dear Ti

Thank you for your email dated 22 June 2016, requesting information about the Department's policies on transgender prisoners. Your request has been considered under the Official Information Act 1982 (OIA).

1. *All policy documents pertaining Department's current policies surrounding transgender prisoners.*

The Department of Corrections has one specific document relating to transgender prisoners, the *Transgender and Intersex Prisoner Policy*, which covers the guidelines and processes involved in the management of transgender and intersex prisoners. This is available on our public website for your reference.

http://www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Movement/M.03-Specified-gender-and-age-movements/M.03-4.html.

2. *All policy proposals made by Department of Corrections staff to the Chief Executive, Minister or any other person for approval;*

The Department is of the understanding that 'proposals' are comments and opinions that are discussed prior to the formation of concrete policies. Therefore, this part of your request is declined under section 9(2)(g)(i) of the OIA, to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any department or organisation in the course of their duty.

3. *All written contributions of Marcus Smith, policy adviser, to the development of transgender policy and policy documents*

The written contributions of Marcus Smith are withheld under section 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any department or organisation in the course of their duty. Mr Smith provided his free and frank comments on the development of a robust Departmental policy on transgender prisoners.

4. All advice to the Minister since 2008 pertaining to Lesbian, Gay and Bisexual prisoners;

This question was transferred to the Office of the Minister for Corrections on 5 July 2016 to respond to.

5. All advice to the Minister since 2008 pertaining to Transgender and Intersex prisoners;

This question was transferred to the Office of the Minister for Corrections on 5 July 2016 to respond to.

6. In other responses to OIA requests and to media, you have noted that Corrections is currently undertaking a "programme of work to support transgender prisoners". Please release all documentation of any proposed policy changes, any working documents pertaining to the review, and all advice given to the Minister or the Chief Executive pertaining to the review.

The 'programme of work' you refer to in your initial request is ongoing and yet to be finalised. As such, it is subject to constant review, change and comments as it progresses. Therefore, this part of your request is declined under section 9(2)(g)(i) of the OIA, to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any department or organisation in the course of their duty.

I trust the information provided is of assistance. Should you have any concerns with this response, I would encourage you to raise these with the Department. 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.

Yours sincerely



Rachel Leota
Deputy Chief Executive (Acting)
Corporate Services