

14 February 2017

C82913

Ti Lamusse  
fyi-request-5084-1dfa2ad7@requests.fyi.org.nz

Dear Ti Lamusse

Thank you for your email of 16 January 2017, requesting information about Crimes of Torture Act (COTA) reports for the past ten years. Your request has been considered under the Official Information Act 1982 (OIA).

You requested the following information:

1. Please detail the name of prison, the date(s) the investigation(s) were conducted, and the date of publication of the report for each of the "more than 50 reports" conducted by the Ombudsmen under its COTA authority.
2. Please release the executive summary of each of those reports.
3. Please release the findings of the "prisoner questionnaire" for each of those reports.

As per our previous correspondence to you, there were 33 COTA reports produced following prison inspections from 2011 to the present. Your request covers an additional four years. There were 32 prison inspections conducted by the Office of the Ombudsman under its COTA authority during this time. Accepting that not every inspection results in the production of a report, the Department conservatively estimates an additional 15 reports fall within the scope of your request, the resulting total being 48 reports, of which four have already been released by the Department.

The Department estimates that collation and editing of the sections you requested from the forty-four remaining reports, including departmental consultation would equate to three hours of labour, per report. Based on this, the Department estimates your request would require 132 hours of staff's time.

Accordingly, the Department declines your request pursuant to section 18(f) of the OIA as the information requested cannot be made available without substantial collation or research.

However, in accordance with the OIA, we have considered whether to affix a charge for the information and we have determined that your request may be facilitated if reasonable costs are paid to recoup, in part, the expense to the Department to provide the information you requested.

Guidelines produced by the Office of the Ombudsman indicate a reasonable chargeable cost of \$38.00 per half-hour of staff time in excess of one hour's labour. Accordingly, the Department advises that the requested information can be provided to you at a cost of \$9,956.00, which the Department would require to be paid in advance.

Please advise the Department if you wish to pursue your request on this basis.

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



Vincent Arbuckle  
Deputy Chief Executive  
Corporate Services