

25 October 2019

C111366

E.T Pattillo  
[fyi-request-10983-22b70ed6@requests.fyi.org.nz](mailto:fyi-request-10983-22b70ed6@requests.fyi.org.nz)

Tēnā koe E.T. Pattillo

Thank you for your email of 15 August 2019, requesting information about mail to and from the prisoner accused of the Christchurch mosque shooting. Your request has been considered under the Official Information Act 1982 (OIA).

First, I want to reiterate Corrections unreserved apology for the distress caused to those impacted by the tragic events of 15 March following mail sent by this prisoner which should have been withheld. We take our responsibility for safety and security very seriously and, on this occasion, we have not met our own high standards.

A strengthened process has been implemented for the management of mail sent by the Christchurch accused. All correspondence will be reviewed by a Multi Disciplinary Team of Corrections staff, partner agencies with specialist knowledge and our Chief Custodial Officer. The final decision with regard to withholding this prisoner's correspondence is now made by the Chief Executive.

Corrections manages prisoners in accordance with the provisions set out in the Corrections Act 2004 (the Act) and our international obligations for the treatment of all prisoners.

Section 69 of the Act states that every prisoner has legislatively prescribed minimum entitlements. One of these minimum entitlements is to send and receive mail.

You have requested the following:

- 1. Was the decision to allow the letter that has been circulated widely online to be sent made by one individual staff member or was the decision made by multiple staff members?*

Corrections has acknowledged that this letter should not have been sent, and that appropriate judgment was not used. Section 107 of the Act states that an authorised person may read correspondence between a prisoner and another person for the purpose of ascertaining whether it may be withheld under section 108 of the Act. Section 108 states that a Prison Manager may withhold mail for

a range of reasons. Prison Managers may and do delegate this authority to an authorised person.

Your request is declined under section 6(c) of the OIA as making the information available would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial. It is also declined under section 9(2)(a) of the OIA as withholding of the information is necessary to protect the privacy of natural persons.

2. *Does Corrections work with other agencies to censor letters to and from the accused? If so what agencies?*
3. *Do the Corrections staff that censor letters from the accused have any other interaction with him (the accused) as part of their duties?*
4. *How many people do Corrections employ whose duties include censoring letters from the accused?*

As earlier stated, Corrections has implemented a significantly strengthened process for the management of this prisoner's mail. This request is declined under the following sections of the OIA:

6(c) – making the information available would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial.

5. *What is the total cost of censoring the mail received and sent by the accused since his imprisonment?*

The requested information is unable to be extracted from Corrections' budget, therefore this request is declined under section 18(e) of the OIA as the information requested does not exist.

Should you have any concerns with this response, I would encourage you to raise these 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 nui

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke.

Rachel Leota  
National Commissioner