



16 September 2016

C80218

Trevor Harkness  
[fyi-request-4589-1ad8f07b@requests.fyi.org.nz](mailto:fyi-request-4589-1ad8f07b@requests.fyi.org.nz)

Dear Mr Harkness

Thank you for your email dated 12 September 2016, requesting information about a historical prison file. Your request has been considered under the Official Information Act 1982 (OIA).

Unfortunately we cannot proceed any further with your request until we have received evidence of your right to this information. Once we have received such authority we would then be in a position to facilitate your request further.

The Department of Corrections (the Department) is statutorily obligated to protect all private information that we hold, including information relating to offenders. However please note that given the historical nature of your request, any offender prior to the Department's creation in 1995 came under the care of the Ministry of Justice, who may be the primary agency to handle your request. This may be another avenue for you to pursue.

However section 25(c) of the OIA states that where a request is made under section 24(1), the Department or Minister of the Crown or organisation shall ensure that, where the request is made by an agent of the person, the agent has the written authority of that person to obtain the information or is otherwise properly authorised by that person to obtain the information.

I understand that, given the circumstances you describe, that this may be difficult to obtain, however I hope you appreciate that privacy of offenders has to be maintained, and for us to release documents to you without such consent would be illegal under New Zealand law.

If you are able to provide such an authority, please provide a copy to the Department via the [info@corrections.govt.nz](mailto:info@corrections.govt.nz) email address.

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



Julie Miller  
Manager Ministerial Services  
Corporate Services