



08 December 2016

C81699

Scott Dee
fyi-request-5002-f5f6fb16@requests.fyi.org.nz

Dear Mr Dee

Thank you for your email of 22 November 2016, requesting information about a prisoner housed at Spring Hill Corrections Facility. This prisoner was the subject of a statement made by the Department of Corrections Central Regional Commissioner, Terry Buffery, on the same date. Your request has been considered under the Official Information Act 1982 (OIA).

You have asked the following questions:

- 1) *Is the prisoner in question currently a direction for Protective Custody as per M.01.04.05 (section 59(1)(b)), or under a direction for Medical oversight (M.01.04.06 /section 60)?*
- 2) *If the prisoner was placed under a direction for either derivative of Protective Custody as mentioned above, was it made while the prisoner was being held among the general prison population, or from the prisoner being detained in a Protective Custody Unit (M.01.04.03/section 59)?*
- 3) *Has the prisoner, to this date, requested M.01.04.09 Request for revocation of directed segregation under M.01.04.09/Section 58 3 (b)?*
- 4) *Has the prisoner made a formal request under M.03.05 to transfer to another prison, and if so has there been a resolution to this request?*

The Department is statutorily obligated to protect all private information that we hold, including information relating to offenders. You have not provided a waiver from the prisoner to share their personal information with you, therefore we are unable to release the details you have requested as doing so would contravene our obligations under the OIA and the Privacy Act. Accordingly, this part of your request is withheld under section 9(2)(a) of the OIA, to protect the privacy of natural persons, including that of deceased natural persons.

As per section 9(1) of the OIA, we have also considered whether there are countervailing public interest considerations favouring the release of the requested information. We do not believe such considerations are present in this case.

You also asked:

- 5) *Has Corrections received formal notification from the Ombudsman that this is matter under purview?*

The Department has received no formal notifications from the Office of the Ombudsman in relation to the placement of this prisoner.

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