

30 August 2017

C88232

Ti Lamusse
No Pride in Prison
fyi-request-6424-03e84d33@requests.fyi.org.nz

Dear Ti

Thank you for your email of 16 August 2016, requesting information about prisoners voting in the 2017 General Election. Your request has been considered under the Official Information Act 1982 (OIA).

When the Electoral Act 1993 was first enacted, section 80(1)(d) prohibited prisoners who were sentenced to life imprisonment, preventive detention or imprisonment for a term of three years or more from voting. However in 2010, the Electoral Act was amended to extend this prohibition on voting to all prisoners by disqualifying any person detained in prison pursuant to a sentence of imprisonment from registering as an elector.

You may be aware that the 2010 amendment was challenged in New Zealand courts with the Court of Appeal recently dismissing the case:
<https://www.courtsofnz.govt.nz/cases/ngaronoa-v-the-attorney-general-of-new-zealand/@@images/fileDecision?r=75.4804503538>

You have requested the following information:

1. *Please provide me with the projected sentenced prisoner muster for September 2017.*
 - a. *Please break this down by ethnicity and gender, if possible.*
2. *Please provide me with the projected sentenced prisoner muster for specifically September 23, 2017 (if such a projection exists)*
 - a. *Please break this down by ethnicity and gender, if possible.*

The Department of Corrections does not project what the prison population will be at a certain date or period. The Department publishes population statistics on its website on a quarterly basis. This request is declined under section 18(e) of the OIA as the information requested does not exist.

I understand that although sentenced prisoners are prevented from voting, remand prisoners are entitled to vote.

- 3. What policies and procedures are put in place to ensure that remand prisoners can vote?*
- 4. Can remand prisoners early vote?*
- 5. Are remand prisoners given information about various parties and candidates prior to the election?*

Your request for the above information is declined under section 18(d) of the OIA as the information requested is publicly available.

The Department's policy on prisoner voting is on its website:
http://www.corrections.govt.nz/resources/policy_and_legislation/Prison-Operations-Manual/Prisoner-finance-activities/F-3.html

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



Richard Waggott
Deputy Chief Executive (Acting)
Corporate Services