

05 SEP 2018

John Homer
fyi-request-8464-461d3035@requests.fyi.org.nz

Our ref: OIA 70201

Dear Mr Homer

Official Information Act request: Time taken for criminal record checks

Thank you for your email of 8 August 2018 requesting, under the Official Information Act 1982 (the Act), a reason as to why it takes more than 20 working days to complete a criminal record check, when the New Zealand Transport Agency (NZTA) can provide one within two working days.

Under the Privacy Act 1993, the Ministry is required to provide individuals with access to their criminal record information that is held by the Ministry, within 20 working days. The Ministry provides a criminal conviction history check for individuals and third parties, free of charge. The Ministry processes over 500,000 applications every year.

You have specifically asked why the Ministry checks take longer than the NZTA. The criminal conviction history check process starts with the individual completing a Request for Criminal History application form and sending it by post or email to the Ministry. We first review the application to ensure that it has been completed correctly and the ID is attached. Incomplete applications are sent back to the person to be completed.

The person's information is captured and entered into the Ministry computer systems, along with verification of the person's identity against the supplied evidence of identity. The thousands of applications entered into our computer systems each day are processed overnight. This involves checking Court records, searching for any conviction information and then applying the eligibility criteria of the Clean Slate Act to determine if the person is eligible or ineligible for clean slate. Our systems will provide more than one identity where the person has a reasonably common surname and other factors like date of birth and address. We carry out a manual check on these multiple identities to ensure the correct criminal conviction history information is matched to the correct person. We also perform quality assurance checking across the reports produced. Each person's criminal conviction history report is then printed and sent by post or emailed to them.

A full criminal conviction history check has a much broader scope than the information contained in the NZTA system. The NZTA do not complete criminal or traffic offence reports. If requested, the NZTA can provide a person's active demerit point summary or demerit and suspension history within four to six working days of receiving the request.

If you require any clarification of the information contained in this response please contact Antony Paltridge, Team Leader, Media and External Relations, at Antony.Paltridge@justice.govt.nz or call (04) 918 8980 or 027 689 0667.

Furthermore, if you are not satisfied with my response to your request, you have the right to complain to the Ombudsman under section 28(3) of the OIA. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Suzanne Stew', with a long horizontal flourish extending to the right.

Suzanne Stew

Deputy Secretary - Corporate and Governance