

23 May 2023

C167433

[REDACTED]

Tēnā koe [REDACTED]

Thank you for your Official Information Act 1982 (OIA) request of 9 April 2023 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about Indians in New Zealand prisons.

There are two ways that a person's identity as an Indian may be noted on their Corrections records. If Corrections staff become aware that a person is a citizen of India, their citizenship status will be recorded as "India". People are also given the opportunity to advise their ethnicity. For the purposes of this request, people are included as being of Indian ethnicity if their reported ethnicity is Indian, Punjabi and Sikh. Please note that a number of people identifying with one of these ethnicities are likely to be New Zealand citizens of Indian descent.

People are not required to provide their citizenship or ethnicity when they enter prison. People have the opportunity to provide this information. When Corrections staff become aware of an individual's citizenship or nationality, the information is recorded on the individual's Corrections file, but not verified by Corrections staff.

When a prisoner identifies as a foreign national, or where staff believe that they could be, they are advised of their rights under the Corrections Act 2004. They are also advised of their rights under the Vienna Convention on Consular Relations to have the diplomatic representative of their country advised of their imprisonment and to have access to a consular representative.

You have requested:

1. *How Many Indians are in New Zealand jails in Current date?*

As at 31 March 2023, 11 people in New Zealand prisons are recorded as having Indian citizenship, 63 people are recorded as having Indian ethnicity, and 44 as having Fijian Indian ethnicity.

2. *How Many Indians Got Life imprisonment? and still in Jail?*

The following table shows people serving an indeterminate prison sentence, which includes life imprisonment and preventive detention.

	Indian citizenship	Indian ethnicity	Fijian Indian ethnicity
Life Imprisonment	2	10	8
Preventive Detention	0	0	1

3. *How old are these Indians?*

The following table shows people in prison with Indian citizenship or ethnicity by age group.

	Indian citizenship	Indian ethnicity	Fijian Indian ethnicity
Under 20	0	1	1
20 – 24	0	3	2
25 – 29	1	7	9
30 – 39	4	24	8
40 – 49	5	13	17
50 – 59	1	13	5
60 and over	0	2	2

4. *How many Indian women are in New Zealand jail?*

The following table shows people in prison with Indian citizenship or ethnicity by gender.

	Indian citizenship	Indian ethnicity	Fijian Indian ethnicity
Female	1	3	1
Male	10	60	43

5. *What types of crime did they commit? like Killing, Traffic and home violence.*

People may be convicted of offences across multiple categories. The following table provides this information based on the most serious offence a person is serving a sentence for.

	Indian citizenship	Indian ethnicity	Fijian Indian ethnicity
Violence	5	27	19
Sexual	3	15	12
Burglary	0	4	2
Traffic	1	3	2
Dishonesty	1	2	2
Weapons	0	2	1
Property	0	1	0
Drugs	0	0	4
Other	1	7	2

6. *When was the first Indian to get a jail sentence in New Zealand?*

As we advised in our response to you on 16 May 2019, the first record we have of a person identified as an Indian citizen being sentenced to prison in New Zealand was in September 1972.

8. *Is there any separate data for Fiji Indians?*

Data for people with Fijian Indian ethnicity is included in our other responses. Please note that some people recorded as "Indian" may also have Fijian Indian heritage. The way their ethnicity is recorded may differ depending on how they have identified themselves to Corrections staff, and how individual staff members have recorded the information.

9. *How many last or surnames SINGH and Kaur?*

The table below shows people in prison with Indian ethnicity or citizenship, and the surname Singh.

Fewer than five people in each of these categories have the surname Kaur, and it is possible that releasing exact numbers may lead to identification of information about individuals. Therefore, your request for the number of people with the surname Kaur is refused under section 9(2)(a) of the OIA, to protect the privacy of natural persons.

In accordance with section 9(1) have considered whether there is a public interest reason to release this information, but we do not consider one exists which outweighs the privacy of these individuals.

	Indian citizenship	Indian ethnicity	Fijian Indian ethnicity
Singh	5	27	19

Please be advised that should you have any concerns regarding this response you have the right to ask the Ombudsman to investigate our decision to extend the timeframe. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi

A handwritten signature in black ink that reads "David Baird". The signature is written in a cursive style with a period at the end.

David Baird
Principal Adviser
Ministerial Services, People & Capability