

15 May 2024

C180744

[REDACTED]

Tēnā koe [REDACTED]

Thank you for your email of 17 April 2024 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about Electronically Monitored bail (EM bail). Your request has been considered under the Official Information Act 1982 (OIA).

Public safety is our top priority. Corrections manages people at the direction of the Courts and the New Zealand Parole Board and does not determine who is in prison and who is in the community. Corrections carries out an assessment for the court about the suitability of a defendant, their address and other occupants for EM bail orders. A judge in court decides whether to grant EM bail, informed by our assessment and information from Police, including victims' views. A person's compliance with any previous periods of EM bail or prior community-based sentences and orders and their likelihood of non-compliance are key considerations in the advice we provide to the court.

EM bail is jointly managed under a shared service model between Corrections and Police and requires a person to be electronically monitored 24 hours a day, seven days a week. Corrections carries out the electronic monitoring of people subject to EM bail. Police are responsible for responding to any instances of non-compliance with EM bail (i.e. breaches) and undertaking all enforcement action. Being electronically monitored is only one bail condition that can be imposed by the court, and Police are responsible for managing all other non-electronically monitored bail conditions. Other conditions could include non-association with co-offenders or a directive not to consume alcohol. Every instance of non-compliance with EM bail is referred to Police, including when a defendant is a few minutes late home from an approved absence.

You requested:

Number of people who have absconded from electronically monitored bail in Otago and Southland from January 2022 - April 1 2024.

Can the length of time it took to locate them, or if they are still unaccounted for also please be included.

Can you also include a gender breakdown as well.

Can we also get included what policies and procedures are in place to prevent EM absconding, and what the procedure is when someone does abscond from EM bail.

A person is considered to have absconded from EM bail if they fail to submit to electronic monitoring without the prior approval of Corrections' electronic monitoring teams or where someone removes their EM device and their whereabouts are unknown.

Corrections continuously takes steps to address instances of absconding, which includes ensuring that people on EM bail are aware of the importance of adhering to their EM bail conditions, reporting instances of absconding to Police, ongoing improvement of guidance and processes for staff and the introduction of Bail Support Services in more locations to support people on bail.

If a person absconds, this will be referred to Police, with Police responsible for locating people who have absconded from the conditions of their EM bail order.

The table below provides the number of people who absconded from EM bail between 1 January 2022 to 1 April 2024, broken down by gender. Please note, Corrections manually collates data on the number of people on EM bail who have absconded, however our records do not break this information down by region. Therefore, the information provided below is for the Southern Police District.

Gender	Current	Located	Total
Female	1	5	6
Male	0	25	25
Total	1	30	31

Table notes:

- Current = Count of people on EM bail that are still currently absconded as at 30 April 2024.
- Located = Count of people on EM bail that absconded but have since been located.
- Total = Count of people on EM bail that absconded, which includes those currently absconded and found.
- Note that the data is sourced from a manually updated spreadsheet, and may be subject to change as investigations are completed.

Information on the length of time it took to locate each person does not currently exist in a form that can be readily supplied to you, and would instead require us to conduct a manual review of all individual files. In accordance with section 18A and 18B of the OIA, we have considered whether fixing a charge, extending the time limit or asking you to refine or amend your request would enable us to provide a response. However, given the scale of the request we do not consider this would be an appropriate use of our publicly funded resources. Therefore, this part of your request is refused under section 18(f) of the OIA, as the information requested cannot be made available without substantial collation or research.

Please note that this response may be published on Corrections' website. Typically, responses are published quarterly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

I trust the information provided is of assistance. I encourage you to raise any concerns about this response with Corrections. 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.

Ngā mihi

A handwritten signature in black ink, appearing to read 'Sean Mason', with a stylized flourish at the end.

Sean Mason
Deputy Chief Executive
Communities Partnerships and Pathways