

05 May 2023

C167096

[REDACTED]

Tēnā koe [REDACTED]

Thank you for your email of 4 April 2023 to the Department of Corrections – Ara Poutama Aotearoa, requesting information about people remanded on bail in Rotorua. Your request has been considered under the Official Information Act 1982 (OIA).

Public safety is Corrections' top priority. We manage offenders at the direction of the Courts and the New Zealand Parole Board. The decision to grant a defendant Electronically Monitored (EM) Bail is made by a judge, and the person is required to comply with any bail conditions imposed on them by the Court. Corrections is not party to the proceedings, and any opposition to bail is made by the New Zealand Police (Police).

EM Bail is jointly managed under a shared service model between Corrections and Police and requires a person to remain at an approved address at all times and be subject to GPS monitoring 24 hours a day, seven days a week. The court may impose other bail conditions allowing a defendant to leave for approved reasons, such as to attend government agency appointments, medical appointments and in some cases, employment or education opportunities. Corrections carries out the monitoring of defendants on EM Bail, while Police are responsible for taking action regarding any instances of non-compliance with EM conditions.

Further information regarding EM Bail can be found on our website here:
https://www.corrections.govt.nz/our_work/courts_and_pre-sentencing/em_bail

You requested:

- *The number of people remanded on bail in Rotorua, who were bailed to an emergency housing motel in each year for the last 5 years*
- *The number of people remanded on bail in Rotorua, who were bailed to a motel or other temporary housing in each year for the last 5 years*

As you are aware, Corrections does not manage people on bail who are not electronically monitored. Therefore, we have interpreted your question to refer to people on EM Bail.

Corrections does not approve EM Bail addresses. Any decision to allow someone on EM Bail to live at a particular address is made by the courts.

When a person is being considered for EM Bail they must give the courts a proposed address to live at.

Corrections are then required to do an EM Bail suitability report for the court. In this report we provide factual information about the safety and suitability of an address to assist the judge in determining whether to bail a person to that address or not.

To provide the information you requested would require substantial collation as it is not centrally collated. Addresses are entered manually by staff directly into individual files. To be certain that we were answering the request accurately we would need to manually review the files of all people who have been subject to EM Bail for the last five years. Accordingly, your request is refused in accordance with section 18(f) of the OIA, as it would require substantial collation or research.

In accordance with sections 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 that this would be an appropriate use of our publicly funded resources. Refining your request to a shorter time period would still require us to manually review a large number of files, so we do not consider that inviting you to do so would assist us to provide a useful response.

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



Jeremy Lythgoe
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People and Capability