

What happens when you make your complaint?

It will be acknowledged promptly.

On receiving your complaint, an Ombudsman will decide whether or not it can be investigated. If your complaint cannot be investigated, we will tell you why and may direct you to other options or agencies.

If your complaint can be investigated, we will:

- ▶ contact the prison to see if the matter can be dealt with informally; or
- ▶ discuss your complaint with you; or
- ▶ conduct a formal investigation and seek information from the Department of Corrections.

Where a formal investigation is conducted, an Ombudsman will reach a view on whether the prison acted unreasonably or unfairly towards you. Where appropriate, an Ombudsman may recommend a remedy for your complaint.

Contacting the Ombudsmen

Complaints free phone: 0800 662 837

Email: complaint@ombudsmen.govt.nz

Website: www.ombudsmen.govt.nz

Office enquiries: 8.30am to 5.00 pm Monday to Friday

AUCKLAND

Level 10, 55-65 Shortland Street

PO Box 1960

AUCKLAND

Phone: (09) 379 6102

Fax: (09) 377 6537

WELLINGTON

Level 14, 70 The Terrace

PO Box 10152

WELLINGTON

Phone: (04) 473 9533

Fax: (04) 471 2254

CHRISTCHURCH

Level 6, 764 Colombo Street

PO Box 13482

CHRISTCHURCH

Phone: (03) 366 8556

Fax: (03) 365 7935

This pamphlet is available in Maori, Samoan and Mandarin Chinese.

Other Ombudsmen pamphlets cover making complaints about tertiary education institutions, central and local government agencies, requests for official information and the Protected Disclosures Act.

Making complaints about the Prison Service

OFFICE OF THE OMBUDSMEN

Nga Kaitiaki Mana Tangata

A guide for prison inmates

making a complaint to

the Ombudsmen

**FREE
IMPARTIAL
INDEPENDENT**

What can an Ombudsman do for you?

Ombudsmen investigate complaints about administrative acts and decisions of government agencies, including prisons.

An Ombudsman:

- ▶ is an independent investigator
- ▶ will give your complaint careful and just consideration
- ▶ will decide whether the prison's or Department of Corrections' acts or decisions were unreasonable, unfair or wrong
- ▶ will recommend a remedy if a complaint is found to be justified.

What can an Ombudsman investigate?

If you believe that you have been treated unfairly or that a decision made by prison staff is unreasonable or wrong, you can complain to an Ombudsman.

If you have requested official information from prison management and you are unhappy with the response, you can complain to an Ombudsman.

If you have asked for personal information about yourself, this is covered by the Privacy Act. Enquiries about such requests should be made to the Privacy Commissioner.

An Ombudsman **cannot** investigate complaints about:

- ▶ decisions made by Courts or the Parole Board
- ▶ Visiting Justices and their decisions
- ▶ the Police (unless your complaint relates to a request for official information). Complaints about the actions of the Police are investigated by the Police Complaints Authority
- ▶ private individuals, companies or lawyers.

Ombudsmen **do not** provide legal advice, award compensation or act as your advocate.

An Ombudsman's investigation is free and is conducted in private.

The complaints process

What should you do first?

All prisons have internal processes for dealing with inmates' complaints.

Before you make a complaint to an Ombudsman, try to resolve it using the internal complaints processes available to you at the prison.

An Ombudsman will usually not agree to investigate a complaint unless you have first attempted to do this.

How to make a complaint

You can make your complaint by:

- ▶ letter (place your letter in a sealed envelope - letters to the Ombudsmen are not opened by prison staff)
- ▶ interview with our prison investigating staff who visit prisons on a regular basis - notices are placed in each unit advising when these visits are to take place
- ▶ phoning the Office to discuss your complaint with our prison investigating staff (see the contact details on the back of this pamphlet).

Tips on making your complaint

- ▶ Do not delay in putting your complaint to an Ombudsman.
- ▶ Provide as much information as possible, including the outcome of the prison's internal complaints process.
- ▶ Clearly describe the decision or act that you wish to complain about.

Our prison investigating staff visit prisons on a regular basis. If you want an interview, fill out a request form and give it to unit staff.