

28 July 2022

9(2)(a)



**Official Information Act request ChChD (Canterbury District) 10917**

I refer to your email dated 29 June 2022 requesting the following information under the Official Information Act from Waitaha Canterbury regarding the forensic secure unit. Specifically:

- 1. How many patients from the same secure unit where the man accused of murder on Saturday (25/6/2022) are/have been granted community leave?**

We are declining a response to this question pursuant to Section 9(2)(a) of the Official Information Act i.e. “...to protect the privacy of natural persons, including those deceased.”

- 2. and what assessment is done before this kind of leave is granted?**

There are two stages to granting leave from an inpatient unit for a consumer who is a patient under the Mental Health (Compulsory Assessment and Treatment) (MH(CA&T)) Act 1992:

1. Approval of leave is a team decision. The multi- disciplinary team decides on the types of leave available to a consumer which takes into account clinical factors and any conditions regarding the leave.
2. At the point a consumer takes leave from an inpatient unit a clinical assessment is conducted by the staff member assigned to the consumer. That assessment takes into account the person’s mental state before granting the leave.

For individuals who have the legal status of Special Patient under the MH(CA&T) Act there are added layers of approval and leave categories to be worked through which require initial approvals from the Ministry of Health. Information outlining this process can be found on the Ministry of Health website:

<https://www.health.govt.nz/system/files/documents/publications/special-patients-restricted-patients-guidelines-oct17.pdf>

I trust that this satisfies your interest in this matter.

You may, under section 28(3) of the Official Information Act, seek a review of our decision to withhold information by the Ombudsman. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz); or Freephone 0800 802 602.

Please note that this response, or an edited version of this response, may be published on the Waitaha Canterbury website after your receipt of this response.

Ngā mihi / Yours sincerely,



Ralph La Salle  
**Senior Manager, OIAs**  
**Waitaha Canterbury / Te Tai o Poutini West Coast.**

[TeWhatuOra.govt.nz](http://TeWhatuOra.govt.nz)

PO Box 1600, Christchurch,  
Postcode 8011