

16 JUL 2019

Andrew Ecclestone  
fyi-request-10553-96376640@requests.fyi.org.nz

Our ref: OIA 75977

Dear Mr Ecclestone

**Official Information Act request: Review of the Official Information Act 1982**

Thank you for your correspondence of 18 June 2019 requesting, under the Official Information Act 1982 (the Act), information on the review of the Act. You specifically requested:

*“(i) a copy of all the submissions made to the Ministry of Justice in response to its consultation on whether to advise the Minister of Justice to initiate a review of the Official Information Act, where the submitter did not request that their submission not be published; and*

*(ii) a copy of the records made by Ministry officials of their meetings with any person (external to the Ministry) that they interviewed or met with in the context of this consultation; and*

*(iii) the names and organisational affiliation (if any) of any submitters that requested confidentiality for their submissions; and*

*(iv) any project plan or other information describing the Ministry's intentions for organisation and delivery of commitment 7 in the New Zealand Open Government Partnership National Action Plan for 2018-20 (<http://www.ogp.org.nz/new-zealands-plan/third-national-action-plan-2018-2020/>), and*

*(v) a copy of all unpublished progress reports to senior officials and/or Ministers and/or the State Services Commission on progress with delivery of commitment 7, and*

*(vi) information which explains why the consultation exercise on commitment 7, conducted between March and April 2019 is not listed on the Ministry's web pages for previous (<https://www.justice.govt.nz/justice-sector-policy/have-your-say/previous-consultations/>) or closed*

*([https://consultations.justice.govt.nz/consultation\\_finder/?sort\\_on=iconsultable\\_enddate&sort\\_order=descending&advanced=1&st=closed#cs-finder-results-container](https://consultations.justice.govt.nz/consultation_finder/?sort_on=iconsultable_enddate&sort_order=descending&advanced=1&st=closed#cs-finder-results-container)) consultations, and*

*(vii) a copy of any Ministry policy on proactive publication of information (in reference to this SSC guidance on proactive publication which 'encourages' agencies to create such a policy - <https://www.ssc.govt.nz/sites/all/files/oia-proactive-release-dec2017.pdf>).*”

Annexed to this letter is a table outlining the documents that are being provided to you. This includes copies of all submissions and records made from interviews, as requested. No individuals requested confidentiality for their submissions, so all submissions have been provided. As you will see in the table, some information has been withheld under section 9(2)(a), to protect the privacy of individuals. I am satisfied that there are no other public interest considerations that render it desirable to make the information withheld under section 9 available.

I have also provided the stakeholder engagement plan, which describes the Ministry's intention to undertake targeted engagement to inform a decision on whether to progress a formal review of the Act. It details how this specifically relates to the Open Government Partnership Commitment. While consultation was taking place, information was available on the Ministry's website at: <https://consultations.justice.govt.nz/policy/access-to-official-information/>. If a formal review of the Act is undertaken, wider public consultation will take place and will include promotion through the Ministry's website.

There have been two progress reports that reference the Open Government Partnership Commitment. Copies of these reports are provided.

The Ministry's Official Information Act Policy includes a section on the proactive publication of responses. A copy of this policy is included in the documents being provided to you.

The documents are being provided in a text-searchable PDF format, as requested. While you noted that there is no legal requirement for the Ministry to watermark documents released under the Act, the Ministry's usual practice is to watermark information being released so that it is clear the information has been authorised for release. This is consistent with the State Services Commission's guidance for processing an Official Information Act request.

If you are not satisfied with my response to your request, you have the right to complain to the Office of the Ombudsman under section 28(3) of the Act. Any complaints must be in writing. The contact details for the Office of the Ombudsman are [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz), or:

Office of the Ombudsman  
PO Box 10152  
Wellington

Yours sincerely



Caroline Greaney  
**General Manager, Civil and Constitutional, Policy**

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<i>Submissions received through the 'Have your say' website</i>				
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3	11/04/2019	response-ANON-E8XQ-FT4C-Q	Released in full	3
4	13/04/2019	response-ANON-E8XQ-FT4E-S	Released in full	4
5	05/04/2019	response-ANON-E8XQ-FT4J-X	Released in full	5
6	12/04/2019	response-ANON-E8XQ-FT4K-Y	Released in full	6
7	11/04/2019	response-ANON-E8XQ-FT4M-1	Released in full	7
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11	15/04/2019	response-ANON-E8XQ-FT4T-8	Released in full	11
12	16/04/2019	response-ANON-E8XQ-FT4U-9	Released in full	12
13	14/04/2019	response-ANON-E8XQ-FT4W-B	Released in full	13
14	12/04/2019	response-ANON-E8XQ-FT4X-C	Released in full	15
15	05/04/2019	response-ANON-E8XQ-FT41-5	Released in full	16
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17	16/04/2019	response-ANON-E8XQ-FT43-7	Released in full	19
18	05/04/2019	response-ANON-E8XQ-FT44-8	Released in full	20
19	09/04/2019	response-ANON-E8XQ-FT45-9	Released in full	21
20	08/04/2019	response-ANON-E8XQ-FT47-B	Released in full	22
21	10/04/2019	response-ANON-E8XQ-FT48-C	Released in full	23
22	17/04/2019	response-ANON-E8XQ-FTA2-K	Released in full	24
23	18/03/2019	response-ANON-E8XQ-FTA3-M	Released in full	25
24	15/03/2019	response-ANON-E8XQ-FTA6-Q	Released in full	26
25	15/03/2019	response-ANON-E8XQ-FTA8-S	Released in full	27

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29	14/03/2019	response-ANON-E8XQ-FTAJ-B	Released in full	31
30	15/03/2019	response-ANON-E8XQ-FTAK-C	Released in full	32
31	15/03/2019	response-ANON-E8XQ-FTAM-E	Released in full	33
32	14/03/2019	response-ANON-E8XQ-FTAP-H	Released in full	34
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55	20/03/2019	response-ANON-E8XQ-FTBR-M	Released in full	57
56	22/03/2019	response-ANON-E8XQ-FTBS-N	Released in full	58
57	24/03/2019	response-ANON-E8XQ-FTBU-Q	Released in full	59
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219	18/04/2019	response-ANON-E8XQ-FTZV-G	Released in full	228
220	18/04/2019	response-ANON-E8XQ-FTZW-H	Released in full	229
221	18/04/2019	response-ANON-E8XQ-FTZX-J	Released in full	230
222	18/04/2019	response-ANON-E8XQ-FTZY-K	Released in full	231
<b>Submissions received via email</b>				
223	18/04/2019	Some thoughts for the review of the OIA	Some information withheld under s9(2)(a)	232
224	31/03/2019	Submission on the Review of the Official Information Act 1982 (OIA) <ul style="list-style-type: none"> <li>Attachment 1: Review of the Official Information Act</li> </ul>	Some information withheld under s9(2)(a)	234
225	18/04/2019	OIA submission	Released in full	239
226	18/04/2019	OIA feedback	Some information withheld under s9(2)(a)	241
227	18/04/2019	AE Submission on OIA Review FINAL – 18-04-19	Released in full	242
228	18/04/2019	Submission on the Review of the Official Information Act 1982	Released in full	278

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229	04/04/2019	Submission on the OIA Overview <ul style="list-style-type: none"> <li>Attachment 1: NZT-3649 Acknowledgement</li> <li>Attachment 2: Signed response to Bevan Woodward</li> <li>Attachment 3: Bevan Woodward Response 21 December 2019</li> <li>Attachment 4: Further email</li> </ul>	Some information withheld under s9(2)(a)	280
230	18/04/2019	OIA feedback <ul style="list-style-type: none"> <li>Attachment: OIA 18199 supplementary response 15 April 2019</li> </ul>	Some information withheld under s9(2)(a)	294
231	20/03/2019	Access to official information	Some information withheld under s9(2)(a)	301
232	17/04/2019	CCC submission MOJ official information 17 April 2019	Some information withheld under s9(2)(a)	302
233	06/05/2019	Ltr to MoJ OIA re OIA reform 06052019	Released in full	305
234	18/04/2019	CFF OIA Submission April 2019	Some information withheld under s9(2)(a)	310
235	28/03/2019	OIA feedback	Some information withheld under s9(2)(a)	317
236	24/04/2019	OIA Submission Clemens 2019	Released in full	319
237	14/03/2019	Suggestions for amendments to OIA act <ul style="list-style-type: none"> <li>Attachment 1: First OIA request March 2018</li> <li>Attachment 2: ECAN response to OIA request March</li> <li>Attachment 3: 2<sup>nd</sup> OIA request June 2018</li> <li>Attachment 4: ECAN response to OIA request July</li> </ul>	Some information withheld under s9(2)(a)	322
238	18/04/2019	MOJ feedback 18.04.2019	Released in full	332
239	08/03/2019	OIA feedback submission	Released in full	336
240	25/04/2019	Official Information Act: Review of the Act or of Practice? <ul style="list-style-type: none"> <li>Attachment 1: Open Government Survey – Draft Qualitative and Quantitative Results and Preliminary Discussion</li> <li>Attachment 2: Qualitative Suggestions on proposal for Actions for Open government from ECO's survey of civil society in 2016 on views for the Open government Partnership Action Plan</li> </ul>	Released in full	342

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241	18/04/2019	OIA Feedback	Some information withheld under s9(2)(a)	409
242	18/04/2019	Feedback	Some information withheld under s9(2)(a)	410
243	08/04/2019	FMC OIA review feedback	Released in full	411
244	18/04/2019	Feedback from Fire and Emergency	Released in full	419
245	18/04/2019	Feedback fro Forest & Bird on the function of the OIA	Some information withheld under s9(2)(a)	424
246	18/04/2019	Submission: The merits of a review of the Official Information Act	Released in full	426
247	26/04/2019	Feedback on the operation of the Official Information Act 1982 (OIA).	Some information withheld under s9(2)(a)	432
248	18/04/2019	OIA	Some information withheld under s9(2)(a)	434
249	18/04/2019	OIA reform consultation: <a href="https://consultations.justice.govt.nz/policy/access-toofficial-information/">https://consultations.justice.govt.nz/policy/access-toofficial-information/</a>	Some information withheld under s9(2)(a)	435
250	17/04/2019	Submission	Some information withheld under s9(2)(a)	442
251	18/04/2019	Review of the Official Information Act (OIA): Green Party submission (below and attached) <ul style="list-style-type: none"> <li>Attachment 1: Green Party submission: Review of the Official Information Act (OIA)</li> </ul>	Some information withheld under s9(2)(a)	443
252	23/04/2019	FW: OIA-4933 RESPONSE <ul style="list-style-type: none"> <li>Attachment 1: OIA 4933 Hamish Peters Final</li> <li>Attachment 2: Further email</li> <li>Attachment 3: OIA 4933 Hamish Peters Final</li> </ul>	Some information withheld under s9(2)(a)	447
253	27/03/2019	OIA feedback	Some information withheld under s9(2)(a)	451
254	18/04/2019	OIA Submission	Some information withheld under s9(2)(a)	454
255	18/04/2019	OIA public consultation : feedback to the Ministry of Justice	Some information withheld under s9(2)(a)	455

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256	26/04/2019	Review of the OIA	Some information withheld under s9(2)(a)	456
257	11/04/2019	OIA review feedback	Some information withheld under s9(2)(a)	457
258	27/03/2019	OIA / LGOIMA	Some information withheld under s9(2)(a)	460
259	18/04/2019	Feedback <ul style="list-style-type: none"> <li>Attachment 1: Further email</li> </ul>	Some information withheld under s9(2)(a)	461
260	18/04/2019	OIA recommendations in Open Government Partnership's reports on NZ's OGP National Action Plans	Some information withheld under s9(2)(a)	463
261	19/04/2019	Official Information Act feedback	Some information withheld under s9(2)(a)	464
262	18/04/2019	Submission on access to official information	Released in full	467
263	14/04/2019	OIA feedback – Mark Hanna	Some information withheld under s9(2)(a)	469
264	18/04/2019	Submission to OIA consultation	Some information withheld under s9(2)(a)	476
265	14/03/2019	Response to OIA requests	Some information withheld under s9(2)(a)	478
266	18/04/2019	OIA submission	Released in full	479
267	11/04/2019	Submission to the Ministry of Justice public consultation on the Official Information Act 1982	Released in full	481
268	18/04/2019	Submissions on Official Information Survey	Some information withheld under s9(2)(a)	485
269	03/05/2019	SUBMISSION: FROM NEW ZEALAND BEEKEEPING INCORPORATED. TO THE CONSULTATION: MINISTRY OF JUSTICE - OFFICIAL INFORMATION ACT REVIEW	Released in full	487
270	17/04/2019	The Case for a Full Review of the Official Information Act	Released in full	489
271	18/04/2019	Submission of the New Zealand Council of Trade Unions Te Kauae Kaimahi	Released in full	492
272	24/04/2019	Re: Access to official information – consultation	Released in full	496

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273	17/04/2019	NZNO response to MOJ review of the OIA	Some information withheld under s9(2)(a)	503
274	01/05/2019	SUBMISSION ON THE REVIEW OF THE OFFICIAL INFORMATION ACT	Some information withheld under s9(2)(a)	505
275	23/05/2019	Submission by Department of Internal Affairs on the Reform of the Official Information Act 1982	Released in full	519
276	18/04/2019	Stuff – Patrick Crewsdon – OIA review submission	Released in full	531
277	18/04/2019	OIA feedback	Some information withheld under s9(2)(a)	534
278	10/04/2019	Consultation on the Official Information Act (OIA)	Released in full	535
279	02/05/2019	Feedback to Ministry of Justice consultation on access to official information	Released in full	545
280	26/04/2019	OIA REVIEW – FEEDBACK TO MOJ COMMENTS FROM NZ POLICE LEGAL	Released in full	547
281	14/03/2019	OIA feedback	Some information withheld under s9(2)(a)	555
282	18/04/2019	An old article <ul style="list-style-type: none"> <li>Attachment 1: The public's right to public information</li> </ul>	Some information withheld under s9(2)(a)	556
283	07/05/2019	Submission on the need for a review of the Official Information Act 1982	Released in full	559
284	15/04/2019	Submission on the Official Information Act 1982	Some information withheld under s9(2)(a)	562
285	10/05/2019	RE: Your enquiry about our consultation on access to official information	Some information withheld under s9(2)(a)	569
286	18/04/2019	Experience	Some information withheld under s9(2)(a)	573
287	26/04/2019	Feedback on the operation of the Official Information Act 1982	Released in full	574
288	24/04/2019	Official Information Act Review Questions April 2019	Some information withheld under s9(2)(a)	578
289	18/04/2019	OIA Feedback	Some information withheld under s9(2)(a)	580
290	18/04/2019	Submission by Warren Forster to the Official Information Act Review	Released in full	581
291	18/04/2019	Proposed Official Information (OIA) Act Review	Released in full	599

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<b>Notes made from interviews</b>				
292	08/03/2019	Meeting notes – Andrew Ecclestone	Released in full	602
293	02/04/2019	Meeting notes – John Edwards	Released in full	603
294	15/04/2019	Meeting notes – Peter Boshier	Released in full	604
295	01/04/2019	Meeting notes – Sir Douglas White	Released in full	605
296	29/03/2019	Meeting notes – Sir Geoffrey Palmer	Released in full	606
297	18/04/2019	Meeting notes – Sir Kenneth Keith	Released in full	607
298	10/04/2019	Phone call notes – Dr Gavin Ellis	Released in full	608
299	11/04/2019	Phone call notes – Professor Burrows	Released in full	609
<b>Other documents</b>				
300	01/03/2019	Stakeholder Engagement Plan: case for a review of the Official Information Act 1982	Some information withheld under s9(2)(a)	610
301	22/03/2019	Weekly Report for the Minister of Justice and Minister for Courts	Some information out of scope and some information withheld under s9(2)(a)	618
302	07/05/2019	Open Government Partnership New Zealand National Action Plan 2018-2020 Progress report	Released in full	619
303	July 2018	Official Information Act Policy	Released in full	621