

Office of the Prime Minister

Prime Minister

Minister for National Security and Intelligence

Minister for Child Poverty Reduction

Minister Responsible for Ministerial Services

Associate Minister for Arts, Culture and Heritage



Mr Jones

fyi-request-16513-f58baf8b@requests.fyi.org.nz

Ref: PMO 2021-196

Dear Mr Jones

Official Information Act request relating to Criminal Investigations or Proceedings

Thank you for your Official Information Act 1982 (the Act) request, received on 26 August 2021. You requested:

"all information and correspondence including advice, letters, minutes, emails and calls regarding any outstanding/existing or previous warrants, subpoenas, calls to stand trial, notice of litigation, notices of legal/criminal investigation/proceedings, indictments, notice of criminal court hearing/attendance, notice to attend a police interview for the purposes of a criminal investigation, notices of detention/bail/remand, notice of court summons, notice of court order and notices to cease and desist or to provide legal witness in a criminal investigation that has been communicated to your office or yourself personally from any national/foreign or international organisation/political leader/dignatary/representative. National/foreign or international court/justice/committee. National/foreign or international administration/agency/police force/task force. Any national/foreign or international official/state service/ambassador/dignatary/country or embassy recognised or unrecognised regarding yourself at any point of time but especially during your tenure as Prime Minister and any replies/further communications that resulted."

On 2 September 2021, we contacted you to ask if you would consider refining the scope of your request as providing a response to your request as it currently stands requires manually searching and cross-referencing a large volume of information. It also involves searching through multiple pieces of correspondence that have been sent to this Office to determine whether each piece of information is within scope of your request.

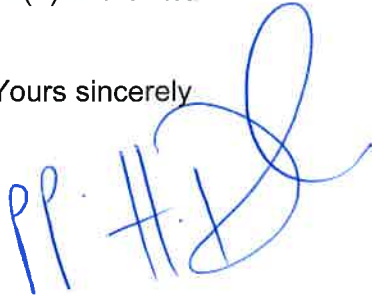
In your reply of 2 September 2021, you asked how much it would cost for us to charge you for the information under the Act. We advised that while agencies are authorised to impose reasonable charges for the costs of making information available, this is only when a decision has been made to release the information requested. The Ombudsman's guidance is that agencies are unable to charge for the time spent deciding whether or not to release information therefore, it is not the potential cost that would be incurred by the collating of the information that is prohibitive, but how difficult it is to locate all of the information you have requested. Therefore, as our preference was to respond to your request free of charge, we asked that you refine or clarify the scope of your request by 24 September 2021.

As we have not received a response from you by this date, we are refusing your request as it is currently framed pursuant to section 18(f) of the Act, as the information requested cannot be made available without substantial collation or research. If you do still wish to submit a refined or clarified request on this subject, please contact us at j.ardern@ministers.govt.nz and we will treat this as a new request.

Alternatively, I suggest that you also get in touch with the Ministry of Justice, the New Zealand Police, and the Department of Corrections as the responsible government agencies on this topic.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Raj Nahna', written in a cursive style.

Raj Nahna
Chief of Staff