

21 July 2023

Requestor  
fyi-request-23223-ae2e182f@requests.fyi.org.nz

Our ref: OIA 105491

Tēnā koe

### **Official Information Act 1982 request: Data sharing agreements**

I refer to your email of 22 June 2023, under the Official Information Act 1982 (the Act). Your request is as follows:

*MOJ stores, processes, and shares the personal and historical information of New Zealand individuals/persons with other bodies. Does MOJ share said information with Lexisnexis NZ and/or their global affiliates (RELX Inc), and, if so:*

- for what purpose?*
- how is consent from a NZ person gained?*
- what is the storage duration thereof?*
- what is the formal arrangement therewith?*

*Please list all entities with whom MOJ shares the personal info of individuals.*

Your request has been referred to me for response, as it falls within my responsibilities as Deputy Secretary, Corporate & Digital Services.

On 10 July 2023, the Ministry of Justice contacted you to clarify the following part of your request under section 15 of the Act:

*Please list all entities with whom MOJ shares the personal info of individuals.*

On 12 July 2023, you confirmed that your request could be clarified to the following:

*Please list the NZ Government agencies and departments with whom MOJ shares the personal info of individuals and have also subscribed to LexisNexis' services.*

With regard to the clarified part of your request, the Ministry does not hold information about which other NZ Government agencies subscribe to LexisNexis' services. This part of your request is therefore declined under section 18(g)(i) of the Act, as the information requested is not held, and I have no reason to believe that the information is held by another department or agency.

I can confirm that LexisNexis is used by two departments within the Ministry. Each department has a separate contract with LexisNexis. I have attached a contract extract for each department to provide additional context for your information.

The Public Defence Service (PDS) uses LexisNexis via their 'Affinity' Practice Management System. Affinity makes up the majority of the Ministry's data and information sharing with

LexisNexis, and is hosted on-site by the Ministry, meaning that the Ministry has full control over Affinity information.

- The purpose of the PDS contract is for Software Provision, Configuration, Maintenance and Support Services for the Ministry's Practice Management System. This is further outlined in the attached PDS contract extract.
- Consent from a NZ citizen is gained only through prior written consent.
- The storage duration threat does not apply, as LexisNexis is not permitted to transfer or store data outside NZ, except with prior written consent from the Ministry.
- The name of the formal arrangement therewith is the 'Master Services Agreement (#0602136LSA) between Ministry of Justice and LexisNexis NZ Limited.'

Judicial Library Services (JLS) uses LexisNexis via the Lexis Advance website. The personal information shared with LexisNexis by JLS is limited to email and name information, i.e. website login information.

- The purpose of the JLS contract is to provide access to, deliver, and maintain and service the Products and Service, and for the purposes of carrying out activities in support of LexisNexis' obligations under the Agreement. This is further outlined in the attached JLS contract extract.
- Consent from a NZ citizen is gained only through obtaining all necessary consents or authorisation required under the New Zealand Privacy Act 2020 (Privacy Act) along with any further privacy laws applicable to Authorised Recipients under the Agreement.
- The storage duration threat does not apply, as the data shared with LexisNexis is limited to the names and email addresses (i.e., website logins) of Ministry staff who access the Lexis Advance website for legal research purposes.
- The name of the formal arrangement therewith is the 'Syndicate Agreement for the Provision of Legal Information between Ministry of Justice and LexisNexis NZ Limited.'

If you require any further information, please contact Media & Social Media Manager Joe Locke at [media@justice.govt.nz](mailto:media@justice.govt.nz)

Please note that this response, with your personal details removed, may be published on the Ministry website at: [justice.govt.nz/about/official-information-act-requests/oia-responses/](https://justice.govt.nz/about/official-information-act-requests/oia-responses/)

If you are not satisfied with this response, you have the right to make a complaint to the Office of the Ombudsman under section 28(3) of the Act. The Office of the Ombudsman may be contacted by email to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by phone on 0800 802 602.

Nāku noa, nā



Tina Wakefield  
**Deputy Secretary, Corporate & Digital Services**