



OIA20-0076

6 MAR 2020

Grace Haden
fyi-request-12228-89cad142@requests.fyi.org.nz

Dear Grace Haden

OFFICIAL INFORMATION ACT REQUEST

Thank you for your FYI request of 13 February 2020 relating to the Animal Welfare Institute of New Zealand (AWINZ), in which you stated the following.

'I have been told that I have all the documents and know that AWINZ was not incorporated because our trusts successful incorporation in 2006 proved that no other legal person by that name existed.

AWINZ enforced the law on the public for 10 years yet had no accountability to the public, this has been brought to the attention of the Ministry for Primary Industries (MPI) and I cannot believe that this has simply been covered up.

Please provide all documentation which MPI relied upon for a legal existence of AWINZ. I am aware that you were provided with a trust deed in 2006 which differed from the deed which was produced in court and would like to know what MPI has ever done with regards to the fraudulent application for approved status and the supply of a fraudulent trust deed'.

All information held by MPI regarding AWINZ has already been released to you. As noted on many occasions previously, MPI considers matters relating to AWINZ to be closed, and as such, any future requests for information regarding AWINZ will be refused pursuant to section 18(h) of the Official Information Act 1982 (OIA) - *the request is frivolous or vexatious.*

MPI have not reached this decision lightly, however we have detailed our reasons for this decision below. These reasons have all been communicated in previous OIA responses, to repeat requests for information relating to AWINZ.

1. MPI has advised that a request for comment is not a request for official information covered by the OIA. There is no obligation on an agency to form an opinion or create information in order to answer a request in the form of questions or interrogatory.¹
2. MPI released a large amount of information regarding AWINZ in response to your official information requests from 2006-2015.
3. In 2009, MPI also provided you with access, over two days, to examine and select copies of all relevant documentation held by MPI.
4. In response to your more recent OIA requests (*OIA18-0827*, *OIA18-0860* & *OIA19-0004*), MPI reiterated that it does not hold any additional information to that which has already been provided to you.²

You have the right under section 28(3) of the OIA to seek an investigation and review by the Ombudsman of this decision.

Yours sincerely



Michelle Morehu

Director Government Services

¹ The OIA for Ministers and agencies: A guide to processing official information requests - <https://www.ombudsman.parliament.nz/resources/oia-ministers-and-agencies-guide-processing-official-information-requests>

² A list of all previous correspondence between yourself and MPI regarding AWINZ, is listed in the attachment.

Type	Reference	Subject	Reply Sent
Ministerial	Bio 06-197	Regarding the Animal Welfare Institute of NZ	28/11/2006
Official Information Act Request	OIA94	Requesting information concerning the Animal Welfare Institute of NZ	27/02/2007
Ministerial	Bio 06-354	Regarding fraud awareness week	30/03/2007
Official Information Act Request	OIA157	Regarding AWINZ	26/04/2007
Official Information Act Request	OIA199	Regarding AWINZ	18/06/2007
Ministerial	Bio 06-430	Regarding AWINZ	8/06/2007
Minister OIA	BOIA7	Request for information regarding AWINZ	31/07/2007
Minister OIA	Bio 07-11	Regarding the animal Welfare Institute of NZ	
Ministerial	Bio07-46	Information requested under the OIA about AWINZ	28/08/2007
Official Information Act Request	OIA251	Request for documents regarding a court case	5/10/2007
Ministerial	Bio 07-257	Regarding a complaint to AWINZ	18/01/2008
Ministerial	Bio 07-341	Regarding AWINZ	14/03/2008
Ministerial	Bio 07-349	Regarding AWINZ and Neil Wells	14/03/2008
Minister OIA	BOIA16	Regarding AWINZ	16/04/2008
Ministerial	Bio 07-425	Regarding Neil Wells and the AWINZ	5/05/2008
Ministerial	Bio 07-481	Regarding AWINZ	16/06/2008
Ministerial	Bio08-25	Regarding investigations conducted by MAF	2/09/2008
08-09 Official Information Act Request	OIA08-24	Regarding AWINZ OIA request - transitional facility not named Saiaid Foods	2/09/2008
08-09 Official Information Act Request	OIA08-96	AWINZ	24/12/2008
08-09 Official Information Act Request	OIA08-151	AWINZ and MOUs	25/03/2009
08-09 Official Information Act Request	OIA08-152	re: YOUR OIA request concerning the Animal Welfare Institute of New Zealand	
08-09 Official Information Act Request	OIA08-149	Allegedly Corrupt Establishment of AWINZ	
08-09 Official Information Act Request	OIA08-170	meeting which was held between Neil Wells Bruce Ross, Larry Fergusson and Bany O'Neil It is referred to in an email of Neil wells on 17 September 2000 (document number 20) It refers to the meeting having been possibly 12 September 2000. Please	16/04/2009
08-09 Official Information Act Request	OIA08-175	re: AWINZ no standing as an approved organisation why are they allowed to continue in a law enforcement role.	29/04/2009
08-09 Official Information Act Request	OIA08-176	Passing Self off as a MAF Officer	16/04/2009
09-10 Official Information Act Request	OIA09-65	Copy of review of AWINZ undertaken by MAF	13/10/2009
09-10 Official Information Act Request	OIA09-92	Further regarding the status of AWINZ as an accredited organisation	2/12/2009
09-10 Minister OIA	MinOIA09-18	Revocation of AWINZ's status	10/12/2009
09-10 Official Information Act Request	OIA09-116	Further on Animal Welfare Institute of NZ	27/01/2010
09-10 Official Information Act Request	OIA09-168	Further on AWINZ	25/03/2010
09-10 Official Information Act Request	OIA09-204	SPCA inspectors and structure	20/05/2010
09-10 Official Information Act Request	OIA09-228	Questions around animal welfare	16/07/2010
10-11 Official Information Act Request	OIA10-15	Copy of report on animal welfare inspectors	19/08/2010
10-11 Official Information Act Request	OIA10-18	Lack of transparency RNZSPCA welfare information act request	
10-11 Official Information Act Request	OIA10-75	Further regarding AWINZ	30/11/2010
10-11 Official Information Act Request	OIA10-85	Further regarding AWINZ and approved officers under AWA.	30/11/2010
10-11 Official Information Act Request	OIA10-98	Further regarding AWINZ	18/01/2011
10-11 Official Information Act Request	OIA10-119	Animal Welfare Act and corruption	14/02/2011
11-12 Official Information Act Request	OIA11-187	Reports on investigations into AWINZ	29/11/2011
	Min11-030	AWINZ	
	Min11-073	Animal Welfare	
	Min11-0443	Concerns about AWINZ	
	Min11-0657	Concerns about AWINZ	
	Min11-1351	Concerns about AWINZ	
	Inf011-56	Further regarding AWINZ	
11-12 Official Information Act Request	OIA11-257	Background provided by MAF to SSC, relating to investigation	26/01/2012
11-12 Privacy Act Inquiry	Prv11-8	Background relating to Grace Haden (Sensitive)	8/02/2012
11-12 Official Information Act Request	OIA11-251	Information Re: AWINZ	26/01/2012
11-12 Official Information Act Request	OIA11-331	Corrections to Privacy Act release (Sensitive)	24/02/2012
11-12 Official Information Act Request	OIA11-468	Information regarding MPI's assistance to Mr Wells and the signatures of current AWINZ trustees.	11/06/2012
11-12 Official Information Act Request	OIA11-505	Further regarding AWINZ.	13/07/2012
12-13 Official Information Act Request	OIA12-16	Further regarding AWINZ.	7/08/2012
12-13 Official Information Act Request	OIA12-29	Further regarding AWINZ.	16/08/2012
12-13 Official Information Act Request	OIA12-67	Further regarding AWINZ.	21/08/2012
11-12 Official Information Act Request	OIA11-443	Further regarding AWINZ.	5/06/2012
11-12 Official Information Act Request	OIA11-276	Information regarding Auckland SPCA and appointment of inspectors (Sensitive)	18/01/2012
12-13 Official Information Act Request	OIA12-161	Application by International League of Horses for Approved Status under the Animal Welfare Act 1999	19/11/2012
12-13 Official Information Act Request	OIA12-159	Further regarding AWINZ	14/11/2012
12-13 Privacy Act Enquiry	Prv12-5	All communications regarding the correspondent, including OIA requests.	26/11/2012
11-12 Official Information Act Request	OIA11-282	Auckland SPCA Inspectors - Grace Haden (Sensitive)	26/01/2012
11-12 Official Information Act Request	OIA11-492	Further regarding AWINZ.	18/06/2012
	Min12-0049	Concerns about AWINZ	
	Min12-0072	Concerns about AWINZ	
	Min12-0118	Concerns about AWINZ	
	Min12-0121	Concerns about AWINZ	
	Min12-0190	Concerns about AWINZ	
	Min12-0207	Further Regarding AWINZ	
	Min12-0491	Concerns regarding AWINZ	
	Min12-0708	Concerns regarding AWINZ	
12-13 Official Information Act Request	OIA12-430	Information regarding the establishment of MAF as a legal entity and the name change to MPI	25/06/2013
13-14 Official Information Act Request	OIA13-333	Information regarding consultants drafting/advising on legislation for the Animal Welfare Amendment Bill.	24/09/2013
13-14 Official Information Act Request	OIA13-136	Information regarding RNZSPCA inspectors and auxiliary officers.	5/11/2013
13-14 Official Information Act Request	OIA13-204	Further information regarding RNZSPCA inspectors and auxiliary officers.	25/11/2013
13-14 Official Information Act Request	OIA13-209	Information regarding animal welfare inspectors and privacy.	4/12/2013
13-14 Official Information Act Request	OIA13-285	Further regarding AWINZ.	7/02/2014
13-14 Official Information Act Request	OIA13-357	Further regarding AWINZ.	4/04/2014
13-14 Official Information Act Request	OIA13-377	Further regarding AWINZ.	22/04/2014
13-14 Official Information Act Request	OIA13-389	Further regarding AWINZ.	22/04/2014
13-14 Official Information Act Request	OIA13-411	Further regarding AWINZ.	19/05/2014
13-14 Official Information Act Request	OIA13-450	Further regarding AWINZ.	13/06/2014
	Min13-0898	Concerns regarding AWINZ	
	Min13-0968	Concerns about AWINZ	
	Min13-1061	Concerns about AWINZ	
	Min13-1140	Animal Welfare Bill and AWINZ	
14-15 Official Information Act Request	OIA14-381	Information relating to warrants or appointments granting inspector status	16/04/2015
14-15 Official Information Act Request	OIA14-437	Information regarding AWINZ	15/05/2015
14-15 Official Information Act Request	OIA14-450	Information regarding the Animal Welfare Institute of New Zealand (AWINZ)	15/06/2015
14-15 Official Information Act Request	OIA14-530	Information regarding the Animal Welfare Institute of New Zealand (AWINZ)	10/07/2015
2015 Official Information Act Request	OIA15-42	Further information regarding the Animal Welfare Institute of New Zealand (AWINZ)	10/08/2015
2015 Official Information Act Request	OIA15-127	Further about AWINZ and Fraud Policy	29/09/2015
2015 Official Information Act Request	OIA15-128	Further to AWINZ, fraud investigation	29/09/2015
2015 Official Information Act Request	OIA15-129	Further re AWINZ, requested previous responses	29/09/2015
2015 Official Information Act Request	OIA15-181	Further Regarding AWINZ	19/10/2015
Official Information Act Request	OIA18-0827	Correspondence relating to the appointment of trustees for an organization	17/01/2019
Official Information Act Request	OIA18-0860	Copy of correspondence relating to an investigation & a certain application	17/01/2019
Official Information Act Request	OIA19-0004	Copy of audit & Discussion papers	18/02/2019
Official Information Act Request	OIA19-0607	MOU between MPI and RSPCANZ	19/09/2019
Ministerial	Min19-0010	Concerns regarding Animal Welfare	18/03/2019
Official Information Act Request	OIA20-0076	Information related to AWINZ	NA
Official Information Act Request	OIA20-0077	RSPCANZ Inspector Powers	N/A
Total number of requests	100		