

Hon Julie Anne Genter

Minister for Women

Associate Minister of Transport

Associate Minister of Health

Minita mō ngā Wāhine

Minita Tuarua mō ngā Take Waka

Minita Tuarua mō te Manatū Hauora



Dear Lance

I understand that you made a complaint to the Office of the Ombudsman regarding the response to your request dated 13 August 2019, pursuant to the Official Information Act 1982. You queried why no further communication was found to be within scope of your request.

No information was found to be in scope of your original request because it was interpreted as asking for correspondence directly between myself and Phil Twyford regarding the “Let’s Get Wellington Moving letter”.

Your complaint suggests you may have expected a broader interpretation of your request. In response to your recent complaint, I have reassessed your request with a broader interpretation that includes correspondence between staff in my office and Minister Twyford’s office.

The following correspondence between our offices falls within this broader interpretation of your request:

1. emails discussing responses to media enquiries about the letter
2. emails discussing responses to written and oral parliamentary questions about the letter
3. emails discussing responses to Official Information Act requests about the letter
4. emails discussing the Ombudsman’s investigation of complaints about the non-release of the letter.

This information is being withheld in full under sections 9(2)(g)(i) and 9(2)(f)(iv) in order to:

- maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or offices and employees of any department or organisation in the course of their duty; and
- maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

In addition, some of the emails that fall under point four are also withheld under section 9(2)(h) of the Act, as they contain advice from Cabinet Office that is subject to legal professional privilege.

I note the final responses for Parliamentary Questions are publicly available on the Parliament website at: www.parliament.nz/en-nz/pb/business.

In making my decision, I have considered the public interest considerations in section 9(1) of the Act.

You have the right under section 28(3) of the Act 1982 to make a complaint about the withholding of information to the Ombudsman. You can contact the Office of the Ombudsman at info@ombudsmand.parliament.nz.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Julie Anne Genter', written in a cursive style.

Hon Julie Anne Genter
Associate Minister of Transport