

4 February 2020

Gerard Byrne
fyi-request-11981-8de72d61@requests.fyi.org.nz
fyi-request-11980-3044bca9@requests.fyi.org.nz

REF: OIA-6254

Dear Gerard

Request made under the Official Information Act 1982

Thank you for your two emails of 6 January 2020 requesting information under the Official Information Act 1982 (the Act). Your requests and our responses are outlined below.

Email 1:

Can you please provide a copy of the peoples group files on the Byrne vs NZTA employment court hearing in Nov, 2019.

I am withholding information requested under section 9(2)(h) of the Act to maintain legal professional privilege. Any information not covered under legal professional privilege has already been provided to Veronica Byrne's legal professional or is publicly available.

The information has also been withheld under section 9(2)(a) of the Act to protect the privacy of natural persons, including that of deceased natural persons.

Email 2:

can you please provide a copy of all receipts from Kensington Swan, in relation to the Byrne vs NZTA employment court hearing in Nov, 2019.

The negotiations between Kensington Swan and opposing counsel are still ongoing and have not yet been finalised. Therefore, I am refusing your request under section 18(e) of the Act because the information requested does not exist at this time.

With respect to the information that has been withheld, I do not consider there are any other factors which would render it desirable, in the public interest, to make the information available.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to withhold some information and to refuse a part of this request. The contact details for the Ombudsman can be located at www.ombudsman.parliament.nz.

If you would like to discuss this reply with the NZ Transport Agency, please contact Linda Bird, Manager Employment Relations, by email to linda.bird@nzta.govt.nz or by phone on 04 894 5400.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris Lokum', with a long horizontal flourish extending to the right.

Chris Lokum
General Manager, People