

**From:** [Emily Robins](#)  
**To:** [Kate Satterthwaite](#)  
**Subject:** RE: Preliminary inquiry - OIA delay (NZCL) REF:579248  
**Date:** Wednesday, 13 April 2022 10:16:06 am  
**Attachments:** [image001.jpg](#)

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Kia ora Kate,

Acknowledging receipt, thank you.

## Emily Robins

Assistant Investigator

Office of the Ombudsman | Tari o te Kaitiaki Mana Tangata

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PO Box 10152, Level 7, SolNet House, 70 The Terrace, Wellington



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**From:** Kate Satterthwaite <[xxxx.xxxxxxxxxxxxxx@xxxxx.xxxx.xx](mailto:xxxx.xxxxxxxxxxxxxx@xxxxx.xxxx.xx)>  
**Sent:** Tuesday, 12 April 2022 4:44 pm  
**To:** Emily Robins <[xxxxx.xxxxxx@xxxxxxxxx.xxxxxxxxxx.xx](mailto:xxxxx.xxxxxx@xxxxxxxxx.xxxxxxxxxx.xx)>  
**Subject:** RE: Preliminary inquiry - OIA delay (NZCL) REF:579248

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Hi Emily, thank you for your email.

Unfortunately, I have identified that there was an administrative error and the OIA request from the New Zealand Council for Civil Liberties, received by Stats NZ on 8 February 2022, was not correctly logged by the responsible Senior Advisor.

As a result of this error the OIA was not progressed, and this was only identified on receipt of your email.

Today we have responded to the request made by the New Zealand Council for Civil Liberties – a copy of our response, which includes an apology and acknowledgment of the delay, is attached for your records.

I acknowledge that this response did not meet timeliness requirements.

I am undertaking a programme of work to lift the performance and capability of the Stats NZ Executive and Governance function, which includes the centralised OIA support function.

As part of this work, in mid-February I implemented a new tracker for OIAs. The OIA tracker is updated weekly – it lists all OIAs on hand and provides better visibility and oversight of how Stats NZ is managing and progressing each OIA. The tracker is utilised by the team that manage OIA responses and is also circulated to Stats NZ leadership to ensure better visibility, accountability and timeliness for OIAs.

The tracker should prevent errors, such as that which occurred with the request from the New Zealand Council for Civil Liberties, from happening.

Please let me know if you require any further information.

While I'm emailing - if possible, would you please be able to provide the contact details for the best person in your Office to speak to about possible OIA training/upskilling for staff.

Many thanks, Kate

**Kate Satterthwaite** (she/her and Ms)

Senior Manager - Executive and Government Relations, Office of the Chief Executive  
Kaiwhakahaere Matua, Rautaki me te Mahi Haumi  
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**From:** Emily Robins <[xxxxx.xxxxxx@xxxxxxxxx.xxxxxxxxxx.xx](mailto:xxxxx.xxxxxx@xxxxxxxxx.xxxxxxxxxx.xx)>

**Sent:** Friday, 8 April 2022 2:21 PM

**To:** Info Mailin - Shared Mailbox <[info\\_xxxxxx@xxxxx.xxxx.xx](mailto:info_xxxxxx@xxxxx.xxxx.xx)>

**Subject:** Preliminary inquiry - OIA delay (NZCL) REF:579248

**Importance:** High

Tēnā koe,

This Office has received a complaint from the New Zealand Council for Civil Liberties (NZCL) about a delay by stats NZ in responding to an OIA request.

The request was made on 8 February 2022 via FYI (attached) seeking a discussion paper regarding the dimensions of security vs. transparency.

I understand that stats NZ has not made a decision on the request.

In accordance with the current approach of the Ombudsman to delay issues, please respond to the following questions:

1. When was the request received by stats NZ?
2. Was the timeframe for making a decision and communicating it to the requester ever extended? If so, please provide copies of any correspondence with NZCL.

3. Was the request ever amended or clarified? If so, please provide copies of any relevant correspondence.
4. Does stats NZ accept that there has been a delay in making and communicating a decision?
5. Has stats NZ now made and communicated a decision on the request? If so please provide a copy of the decision to the Ombudsman. If not, please advise when stats NZ expects to be able to make and communicate a decision.

I would be grateful if you could please respond to these questions by **Thursday 21 April 2022**.

**Please note:** if you accept that there was a delay (ie., a failure to meet the timeliness requirements imposed by the OIA) and confirm that decisions on the requests have been made and communicated to the requester (and provide copies) by **21 April 2022**, the Ombudsman will likely decline to investigate the complaints on the basis that investigations are *'unnecessary'*. However, if we do not receive a response from you by the above date, or if decisions are not made on the requests and communicated to NZCL by that date, it is likely that formal investigations will be commenced.

Ngā mihi

### **Emily Robins**

Assistant Investigator

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