

19 December 2022

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Tēnā koe P Taylor

Official Information Act 1982 (OIA) request dated 31 October 2022 (ref OIA22/23 0345)

Thank you for your OIA request dated 31 October 2022 to the Department of Internal Affairs (Department). You asked for the following information –

“Under the Official Information Act 1982, I would like to request all communications between any member of the Department of Internal Affairs Digital Safety Team and the Disinformation Assessment and Response Team (DART) during the period of 01 August 2022 and 30 September 2022.”

On 28 November 2022, we informed you of our decision to extend the time to respond to your OIA request by 15 working days. This made the new due date for your OIA response to be on 19 December 2022.

Principle of availability

The guiding principle for considering your request for official information is the principle of availability (section 5 of the OIA). That is, information must be made available on request unless there is good reason for withholding it. “Good reason” for withholding is provided for in the OIA and it is against this framework that we considered whether to withhold official information in this case.

Response to your request

We have located **16 documents** within scope of your request. Documents 3,5,7 and 11 are withheld in full under section 18(d) of the OIA as these reports have been released and are publicly available. You can refer to these documents using the following link:
<https://fyi.org.nz/request/20989/response/79850/attach/4/H2022015932%20Response.pdf>

Therefore, we are releasing **11 documents** to you under the OIA. These documents are listed in the table below and attached to this letter as **Appendix A**.

Withholding ground applicable under section 9

Where it is necessary, we are relying on section 9(2)(g)(ii) of the OIA which allows us to withhold information where it is necessary to protect officers and employees from improper pressure or harassment. This ground is subject to the public interest test in section 9(1).

Under section 9(2)(g)(ii), we are withholding the contact details (names, roles, phone numbers and email addresses) of officials and information that would reveal the identities of the staff in documents 1,2,4,6,8,9,10,12,13,14,15 and 16 to protect them from improper pressure or harassment in order to maintain the effective conduct of public affairs.

The withholding of this information is not outweighed by other public interest considerations which render it desirable to make this information available. Therefore, section 9(2)(g)(ii) constitutes a good reason for withholding in this particular case.

Withholding grounds applicable under section 6 of the OIA

We have considered the conclusive reasons for withholding information that are not subject to the public interest test, listed in section 6 of the OIA. The particular grounds in question are as follows:

- Section 6(a) – where the making available of the information would be likely to prejudice the security or defence of New Zealand, or the international relations of the Government of New Zealand; and
- Section 6(c) – where the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.

The release of the redacted information in documents 1,2,4,6,10 and 12 would likely prejudice the security of New Zealand under section 6(a) of the OIA. In particular, the release of this information would be likely to undermine the Department's operations and, in turn, detrimentally impact on the nation's security.

In addition, the release of the redacted information in documents 1,2,4,6,8,10 and 12 would likely prejudice the maintenance of the law under section 6(c) of the OIA. In particular, it would jeopardise our ability to gather relevant information for future operations.

Access to the Ombudsman

If you are dissatisfied with our decision on your request for information, you have the right, under section 28 of the OIA, to make a complaint to the Office of the Ombudsman. The Office of the Ombudsman can be contacted by phone on 0800 802 602, via post at PO Box 10152 Wellington, or via email to info@ombudsman.parliament.nz.

Ngā mihi



Jared Mullen
Director Digital Safety

Appendix A

Document number	Title	Date	Comments
1.	Email correspondence between DIA and Ministry of Health regarding additional comments on DART monthly report	16/09/2022 – 27/09/2022	Released, but with some information withheld under sections 9(2)(g)(ii), 6(a) and 6(c) of the OIA
2.	Email from DIA to Ministry of Health providing additional comments on DART report (1 attachment)	16/09/2022 – 23/09/2022	Released, but with some information withheld under sections 9(2)(g)(ii), 6(a) and 6(c) of the OIA
3.	<i>Attachment: Draft DART report with DIA comments</i>	September 2022	Withheld in full under section 18(d) of the OIA
4.	Email from DIA providing feedback on DART monthly report (1 attachment)	16/09/2022 – 19/09/2022	Released, but with some information withheld under sections 9(2)(g)(ii), 6(a) and 6(c) of the OIA
5.	<i>Attachment: Draft DART report with DIA comments</i>	September 2022	Withheld in full under section 18(d) of the OIA
6.	Email from Ministry of Health requesting feedback on DART monthly report (1 attachment)	16/09/2022 – 19/09/2022	Released, but with some information withheld under sections 9(2)(g)(ii), 6(a) and 6(c) of the OIA
7.	<i>Attachment: Draft DART report</i>	September 2022	Withheld in full under section 18(d) of the OIA
8.	Email correspondence between DIA and Ministry of Health regarding Digital Safety Quarterly Report	31/08/2022 – 2/09/2022	Released, but with some information withheld under section 9(2)(g)(ii) and 6(c) of the OIA
9.	Email from Ministry of Health advising of decisions relating to DART system	21/09/2022	Released, but with some information withheld under section 9(2)(g)(ii) of the OIA
10.	Email from Ministry of Health attaching draft copy of DART monthly report and requesting feedback (1 attachment)	16/09/2022	Released, but with some information withheld under sections 9(2)(g)(ii), 6(a) and 6(c) of the OIA
11.	<i>Attachment: Draft DART report</i>	September 2022	Withheld in full under section 18(d) of the OIA
12.	Email from Ministry of Health notifying DART references to publications	9/09/2022	Released, but with some information withheld under sections 9(2)(g)(ii), 6(a) and 6(c) of the OIA
13.	Email from Ministry of Health notifying DIA on article	5/09/2022	Released, but with some information withheld under section 9(2)(g)(ii) of the OIA
14.	Email correspondence between DIA and Ministry of Health regarding VR input into report	2/09/2022	Released, but with some information withheld under section 9(2)(g)(ii) of the OIA
15.	Email from DIA to Ministry of Health providing a letter noting the cessation of DIA support for DART system (1 attachment)	24/08/2022	Released, but with some information withheld under section 9(2)(g)(ii) of the OIA
16.	<i>Attachment: Letter from DIA to Ministry of Health to notify of cessation of DIA support for DIA system</i>	24/08/2022	Released, but with some information withheld under section 9(2)(g)(ii) of the OIA