

20 July 2023

Luke
fyi-request-22990-f14d1fc3@requests.fyi.org.nz

Ref: OIA 105468

Tēnā koe Luke

Official Information Act request: Correspondence relating to OIA 105079

Thank you for your emails of 20 June and 22 June 2023, with follow-up questions about the Ministry's response to your request under the Official Information Act 1982 of 3 June 2023. I have provided answers to each of your follow-up questions below.

Q7: As you are aware, Cabinet has decided that all government departments are required to develop a Māori Language Plan by 30 June 2021. See CAB MCR-18-MIN-0012 for more detail. Can you confirm that at no point has the Ministry of Justice, the COO, the Secretary for Justice, the DMPC nor any other person I mentioned in my prior email considered the need to update the Ministry of Justice's name in light of Cabinet requirements? If they have, then I require you to review your answers to questions 4-6 of my prior request.

This question was addressed in our response to questions 4 and 5 of your original request, to which the Ministry responded on 19 June (ref: OIA 105079), and there has been no change. As there is no information within the scope of this part of your request, I must refuse it under section 18(e) of the Act.

Q8: When did the Ministry start using "Te Tahu o te Ture" interchangeably with the "Ministry of Justice"? How did this happen without any email directions from senior officials at the Ministry?

As we advised in the initial response, the name Te Tāhū o te Ture was bestowed on the Ministry by its kaumātua at the time, Tā John Clarke, after discussions and deliberation with other kaumātua. (Tāhū is the ridge pole that is the main support structure of a whareniui or house. Ture is the law.) The name was adopted by the Ministry in 2003, following its merger with the former Department of Courts.

As the information dates back to 2003 and possibly earlier, it cannot be made available without substantial collation or research, I must refuse this part of your request under section 18(f) of the Act.

Q9: Regarding question 5, I did not ask for plans to rename the courts in the future. I asked for email correspondence on renaming the courts and tribunals. As you mention, some courts have started using te reo names on their websites, such as "Te

Koti Mana Nui" for the Supreme Court. Almost certainly, that was made with directions from either the Ministry of Justice or Court officials. Likewise, in early 2023, the Tenancy Tribunal started referring to Auckland, Wellington and Napier (along with others) tribunal locations as "Auckland | Tamaki Makaurau" etc. Almost certainly, that too was made with directions from either the Ministry of Justice or Court officials. So again, I ask for email correspondence, not plans.

This is the same information that was requested in questions 4 and 5 of your original request, to which the Ministry responded on 19 June (our ref: OIA 105079), and there has been no change. As there is no information within the scope of your request, I must refuse this part of your request under section 18(e) of the Act on the grounds that the information sought does not exist.

Please also note that, while the Ministry provides administrative support to the judicial arm of government, courts and tribunals are separate and independent from the Executive (Ministers and government agencies) and the Legislature (Parliament and MPs). This is recognised by sections 2(6)(a) and (b) of the Act, which states that courts, and tribunals (in their judicial functions), are not agencies for the purposes of the Act.

Q10: If any OIA request from questions 1-9 were to be refused, then please also give the grounds in support of its refusal.

Refusal grounds have been provided for all the questions listed.

Turning to your request of 22 June 2023, you sought the following information:

Please release all email correspondence that was generated as a result of responding to the following OIA request: (OIA 105079).

Please find the emails and attachments within the scope of your request enclosed with this letter, as listed in table 1. Some information in these emails has been withheld under section 9(2)(a) of the Act to protect privacy of natural persons. In all cases, this is mobile phone numbers.

Where information has been withheld under section 9(2), I have considered the public interest in making that information available and consider that it does not outweigh the interest in withholding the information at this time.

Document 4 had two attachments with answers to questions from Parliament's Justice Committee for the 2023/24 Estimates Examination process. These documents are published on Parliament's website at:

- parliament.nz/en/pb/sc/submissions-and-advice/document/53SCJU_EVI_0496a59e-6c5a-402d-da34-08db57de42b0_JU235820/minister-of-justice-2023-24-estimates-vote-justice-pre-hearing; and
- parliament.nz/en/pb/sc/submissions-and-advice/document/53SCJU_EVI_f18ac38a-4510-40d8-da37-08db57de42b0_JU235825/minister-for-courts-2023-24-estimates-vote-courts-pre-hearing.

As these documents are publicly available, I must refuse releasing them under section 18(d) of the Act.

If you require any further information, please contact Media & Social Media Manager Joe Locke at media@justice.govt.nz.

Please note that this response, with your personal details removed, may be published on the Ministry website at: justice.govt.nz/about/official-information-act-requests/oia-responses.

You have the right to make a complaint to the Ombudsman under section 28(3) of the Act. The Office of the Ombudsman may be contacted by email at info@ombudsman.parliament.nz or by phone on 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Anouk Alexander', written over a horizontal line.

Anouk Alexander

Deputy Secretary, Strategy, Governance & Finance

Table 1: Emails and attachments in scope

No#	Date	Subject	Decision on release
1	6/6/23	Media OIA 105079 – Luke – Due 03/7/2023 rebranding	Released in full
2	7/6/23	RE: Media OIA 105079 – Luke – Due 03/7/2023 rebranding	Some information withheld under s9(2)(a)
3	7/6/23	RE: Media OIA 105079 – Luke – Due 03/7/2023 rebranding	Some information withheld under s9(2)(a)
4	7/6/23	RE: Media OIA 105079 – Luke – Due 03/7/2023 rebranding Attachments: Estimates examination – 2023/24 – VOTE JUSTICE Attachments: Estimates examination – 2023/24 – VOTE JUSTICE	Some information withheld under s9(2)(a) Refused under section 18(d) Refused under section 18(d)
5	7/6/23	RE: Media OIA 105079 – Luke – Due 03/7/2023 rebranding	Some information withheld under section 9(2)(a)
6	7/7/23	MOJ Te Reo name	Released in full
7	9/6/23	Media OIA 105079 – Luke – Due 03/7/2023 rebranding	Some information withheld under s(9)(2)(a)
8	12/6/23	RE: OIA 105079 - Luke - on rebranding - due back to me 12pm 13/06/23 please :) Attachment: OIA 105079 – Luke -response_ap review [This document included two electronic comments, which have been noted in red.]	Some information withheld under s(9)(2)(a) Released in full
9	13/6/23	RE: Media OIA 105079 - Luke - Due 3/07/2023 rebranding	Some information withheld under s(9)(2)(a)
10	19/6/23	FW: OIA 105079 - Luke - Due 3/07/2023 rebranding Attachment: OIA 105079 – response v2	Some information withheld under s(9)(2)(a) Released in full
11	19/6/23	RE: OIA 105079 - Luke - Due 3/07/2023 rebranding	Some information withheld under s(9)(2)(a)
12	19/6/23	OIA 105079 – Luke – response v2	Released in full

		Attachment: OIA 105079 – Luke – response v2	Released in full
13	19/6/23	RE: Media OIA 105079 – Luke – Due 3/7/2023 rebranding Attachment: OIA 105079 – info sheet v2 Attachment: OIA 105079 – response v3	Released in full Released in full Released in full
14	19/6/23	Message from "PM-WLGKS-0611" Attachment: 20230619141625582.pdf	Released in full Released in full
15	19/6/23	FW: OIA 105079 - Luke - please send by COP today and confirm Attachment: OIA 105079 Luke - signed response.pdf	Released in full See attachment to document 14
16	19/06/23	OIA Response Attachment: OIA 105079 Luke – signed response	Released in full
17	21/6/23	RE: OIA 105079 - Luke - on rebranding/renaming - due 3/7/23	Some information withheld under s(9)(2)(a)

