

6 November 2023

Bruce
fyi-request-24205-0e2f7d9a@requests.fyi.org.nz

Our ref: OIA 107472

Tēnā koe Bruce

Official Information Act request

Thank you for your request to the Ministry of Justice (the Ministry) of 22 September 2023, under the Official Information Act 1982 (the Act). Specifically, you requested*:

I would like any documents that outline the various costs to the Ministry of Justice that resulted from the physical occupation by protestors of the streets around Parliament in February and March 2022.

These might include (but not be limited to):

- 1. contracting additional security staff, and*
- 2. temporary relocation of Ministry employees from the Aitken Street building, and*
- 3. costs associated with enabling the judges from the Supreme Court, the High Court in Wellington, and the Court of Appeal to work remotely, and*
- 4. cleaning of the exterior of the three courts, repair of any damage to the courts and the Ministry building, and*
- 5. counselling and support for Ministry employees and contractors after the protest was over, and*
- 6. the times and dates when the various courts were closed, and*
- 7. any internal and external documents regarding the decision to do so, and*
- 8. could you comment on whether any security footage from the various court buildings was either provided live to NZ Police while the protest was still in progress, or recorded and provided to NZ Police or the IPCA at the conclusion of the protest?*

In response to question 1, please refer to Table 1 of the attached appendix.

In response to questions 2 and 3, Ministry and court staff were already capable of working remotely prior to the protest. Therefore, no significant additional costs were incurred when staff were required to work remotely during the protest.

In response to question 4, please refer to Table 2 of the attached appendix. There was no repair or cleaning costs incurred by the Ministry for the National Office building.

* Please note that your request has been reformatted for ease of response.

In response to question 5, counselling services are contracted with and run by EAP Services Ltd. As this service is confidential, the topics discussed during counselling sessions are not tracked by the Ministry. Therefore, this part of your request is refused under section 18(g) of the Act, as the information requested is not held by the Ministry and there are no grounds for believing it is held by another agency subject to the Act.

In response to question 6, the Supreme Court, Court of Appeal and Wellington High Court continued operating remotely throughout the course of the protest, but their buildings were closed to the public on the following dates:

- the Supreme Court closed an hour early on the afternoon of 2 March 2022 due to an evacuation direction given by court security. The court resumed operations on 3 March and reopened to the public on 7 March 2022.
- A trial due to start on 21 February 2022 was adjourned at the Wellington High Court because the defendant was not able to be brought in as there was no vehicular access to the court. It remained closed to the public from 22 February 2022 and reopened on 7 March 2022 in accordance with judicial directions.
- the Court of Appeal was closed from 14 February 2022 and reopened on 7 March 2022 in accordance with judicial directions.

In response to question 7, the month-long protest and physical occupation of the Parliament grounds and surrounding areas affected the ability of participants, the public, judges, and staff to get safe physical access to the Wellington High Court and Court of Appeal. It coincided with work to implement new judicial protocols governing the operation of the courts (including physical access) under the COVID-19 Protection Framework, and the response to the increasing community spread of the omicron variant.

The protest evolved considerably over time and its impact on operations had to be monitored and reassessed from day to day. That work was intertwined with the broader response to the pandemic, and the omicron variant in particular, which reduced the availability of court registry staff and court security officers.

As a result, the approach to supporting court operations and access, including public access, was reviewed on a day-to-day basis with input from a number of individuals and teams across the Ministry. To search for that information would be a significant task, particularly as much of the information would likely touch on security settings. I am, therefore, refusing your request for documents under section 18(f) of the Act on the grounds that the information requested cannot be made available without substantial collation or research.

In response to question 8, I can confirm that some CCTV footage was provided to the NZ Police at the conclusion of the protest.

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/.

If you are not satisfied with this response, you have the right to make a complaint to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by phone on 0800 802 602 or by email to info@ombudsman.parliament.nz

Thank you for writing.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Kel-Watson', is centered on a light yellow rectangular background.

Kelvin Watson
Deputy Secretary, Corporate and Digital Services

Appendix

Table 1: Cost of security personnel during 2022 protest (excluding GST)

Task	Cost
Meals, car rental, and accommodation for security personnel	\$8,076.72
Private security guard hire (including backfill for Court Security Officers redeployed to Wellington)	\$22,126.90

Table 2: Wellington senior courts 2022 protest clean-up costs (excluding GST)

Wellington High Court	Cost
Clean up after protest	\$6,383.74
Court of Appeal	Cost
Clean up and repairs after protest	\$7,906.62
Supreme Court	Cost
Clean up and repairs after protest	\$1,704.19