



1 August 2024

Joe
fyi-request-27520-938c7730@requests.fyi.org.nz

Kia ora

Your Official Information Act request, reference: GOV-033563

Thank you for your email of 6 July 2024, asking for the following information under the Official Information Act 1982 (the Act):

This is a request under section 2(5) and 12 of the OIA for information about ACC's funded Navigation Service Providers and Advocates.

Request 1: Please provide the name of all ACC funded advocates and navigation service providers, who were contracted to ACC from 2018 to present.

Request 2: For each of the named ACC funded advocates and navigation services providers, please provide:

- (a) the dates in which they were contracted to ACC; and*
- (b) a copy of their contract with ACC which includes, service agreements, and the fee and payment structure; and*
- (c) the number of reviews in which the ACC funded service provider represented a claimant in a review as the claimant's advocate; and*
- (d) the number of District Court appeals in which the ACC funded service provider represented a claimant in a District Court appeal as the claimant's advocate; and*
- (e) the number of High Court appeals in which the ACC funded service provider represented a claimant in a High Court appeal as the claimant's advocate; and*
- (e) the number of appeals to the Court of Appeals in which the ACC funded service provider represented a claimant in a High Court appeal as the claimant's advocate.*

Request 3: In the event that the answers to Request 2(b)-2(e) are non-zero, I request:

- (a) the number of reviews found in favour of the claimant when the ACC funded service provider acted as the claimant's advocate; and*
- (b) the number of District Court appeals found in favour of the claimant when the ACC funded service provider acted as the claimant's advocate; and*
- (c) the number of High Court appeals found in favour of the claimant when the ACC funded service provider acted as the claimant's advocate; and*
- (d) the number of decisions by the Court of Appeal that were found in favour of the claimant when the ACC funded service provider acted as the claimant's advocate*

If ACC does not hold the requested information in a readily accessible manner, please obtain the information directly from your service providers (ACC funded Advocates, ACC funded Navigation Service Providers, FairWay, and/or the ICRA). Please refer to sections 2(5), 12 and 14 of the OIA.

I refer to ACC's letter to you of 12 July 2024 asking you for information about yourself and the reasons for this official information request. To date, you have not provided the information sought. We have decided to decline your request for the reasons set out below.

ACC's reasons now to decline your request are that:

- ACC has recently received a large number of apparently closely related official information requests that also appear to be made by or on behalf of the same person. There have been at least 40 requests over the past two months.
- These information requests require considerable expense and effort for ACC to respond to. ACC estimates that it is currently allocating more than the equivalent of one full time employee to respond to each of these requests separately, despite the fact that they seem closely related. It would likely require even more expense and effort to produce all of the information sought in each of these requests.
- ACC has determined that these related requests appear to have been made by or for the same person. The person concerned had already been making many requests for a large amount of detailed information and ACC had written to them advising them how to make a high volume of official information requests in order to allow ACC to consider and respond to them as required by the Act, without undue confusion, expense or delay.
- The 40 or more requests over the past two months appear to have been made by the same person, except that the requests have been made anonymously, in modified forms of the requestor's name, in other names or, potentially, by other people acting with or for the high volume requestor. The requests have not been made in the way that ACC requested.
- Unfortunately, your request seems to be associated with these 40 related requests. There are significant features of your requests that are consistent with the other requests, including your refusal to respond to ACC's questions about who you are and why you are making the requests.
- ACC has concluded that you, or people acting with or for you, have made all of these many requests; and that you are also probably the person that ACC wrote to advising you to make your requests in a way that reduced the administrative burden on ACC of responding to them. The five requests made by you from the one fyi.org.nz account, including this request, do not follow ACC's advice.
- The way that you, or people acting for you, appear to have asked for a wide range of information in many separate requests rather than include all questions in one request, interferes with ACC's ability to determine whether and how it might be able to apply various provisions of the Official Information Act to deal with your request. Those provisions relate to whether the requests taken as a whole require substantial collation or research so as to:
 - allow ACC to decline some or all of the requests under s18(f) of the Act;
 - consider combining your request with any other requests made by you under s18A(2) of the Act;
 - fully to consider fixing a charge for providing the documents concerned under s15 and s18A(1) of the Act.
- Your request appears to be part of a wider course of conduct making numerous official information requests in a way that prevents ACC from applying the parts of the Official Information Act that protect agencies from being put to unreasonable effort and expense in responding to official

information requests, ACC considers that your request is frivolous or vexatious in terms of s18(h) of the Act.

- Your request also appears to be made so as to avoid the reasonable requirements that ACC asked made so as to minimise the burden on ACC of responding to your requests. There is no reason that ACC is aware of for you making numerous, detailed and onerous requests that incur unreasonable effort and expense for ACC that could be avoided.
- Your entire request is therefore refused.

If ACC is wrong and your request is not one among many related requests then please let me know urgently, or if you prefer, take the issue to the Ombudsman via info@ombudsman.parliament.nz or by phoning 0800 802 602. Information about how to make a complaint is available at www.ombudsman.parliament.nz.

Ngā mihi



Christopher Johnston
Manager Official Information Act Services
Government Engagement