



Office of Hon Nikki Kaye

MP for Auckland Central

Minister for ACC

Minister of Civil Defence

Minister for Youth

Associate Minister of Education

14 DEC 2015

Lee M

Sent via email: fyi-request-3461-b24825be@requests.fyi.org.nz

Dear Lee M

On behalf of Hon Nikki Kaye, Minister for ACC, I acknowledge receipt of your email dated 10 December 2015 requesting the following:

1. *Whether or not Fairway Resolution Limited has any legal right or entitlement to be provided with confidential information - verbal or written - about mediation hearings, and in particular to be copied any written notes made by the mediator and/or agreement that the parties may have reached between them?*

2. *Does the fact that there is a connection between the ACC and Fairway Resolution Limited - by way of a contract/service agreement that provides for mediation services - give rise to an expectation that Fairway Resolution Limited may and will receive information as to the outcome of mediated disputes, and, that that information will become part of Fairway Resolution Limited's corporate record? If so, what legislation provides for both of the aforementioned circumstances? And, if no legislation provides for either or both of the aforementioned circumstances, please provide a copy of the relevant policy, procedure or guideline that does.*

3. *Is there any provision - legislation, policy, procedure or guideline - that requires copies of written mediated agreements, signed by the disputing parties before mediation concludes, to be copied to Fairway Resolution Limited by mediators whose services they use? If so, please advise what the relevant legislation is or provide a copy of the relevant policy, procedure or guideline.*

4. *Is there any provision - legislation, policy, procedure or guideline - that requires a Mediation Report to be written by a mediator after a mediation has concluded, and regardless of whether or not agreement has been reached between the disputing parties? If so, what would such a report ordinarily look like and can you please provide a copy of an example with identifying information redacted.*

5. *Is Fairway Resolution Limited, and/or mediators whose services are utilized by Fairway Resolution Limited, paid any form of incentive income where settlement agreements are reached between disputing parties at mediation, or, is this recognized or compensated in any other way? If so, please provide a copy of the relevant policy, procedure or guideline.*

Pursuant to s14(b)(ii) of the Official Information Act I am transferring your information request to Fairway Resolution Limited as it is more closely connected with the functions of Fairway.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Roseveare', with a long horizontal stroke extending to the right.

John Roseveare
Private Secretary