

5 January 2017

Ross Francis

fyi-request-4871-0d2c64a8@requests.fyi.org.nz

Dear Mr Francis

Official Information Act request: responses to Official Information Act requests

I refer to your request under the Official Information Act 1982 for information relating to the timeliness of the Ministry of Justice's responses to Official Information Act requests. Your request appears to have been lodged through www.fyi.org.nz on 31 October 2016. As an advisor in our Official Correspondence and Media Team explained via the fyi.org.nz website on 1 December, we cannot find any record of having been notified of your request at the time and did not become aware of it until 1 December. We are looking into what caused this problem, and the problems with your earlier requests. I am sorry that these issues have caused a delay in responding to your request.

I have responded to your specific requests below.

1. *Between 1 October 2015 and 1 October 2016 during which information requests were made and the requested information received, what was the average length of time taken by the Justice Ministry to provide the information to requesters?*

The Ministry works to a standard annual reporting period of 1 July to 30 June. The Ministry took an average of 18 working days to respond to the 886 Official Information Act requests it received in the period from 1 July 2015 to 30 June 2016. Please note that some of the requests received *during* that period may have been responded to *after* 30 June 2016.

2. *How many times did requesters wait three months or longer to receive the information requested from the Justice Ministry between 1 October 2015 and 1 October 2016?*

During the period from 1 July 2015 to 30 June 2016, the Ministry took more than 60 work days (which equates to approximately 3 calendar months) to respond to 6 of the 886 OIA requests it received during that period.

3. *During the above period, has the Office of the Ombudsman raised any concerns with the Justice Ministry about the Ministry not meeting its statutory obligations re official information requests? If so, please send me all communication the Ministry has received from the Office of the Ombudsman about this question.*

In the period from 1 July 2015 to 30 June 2016, the Ministry was notified of 14 investigations by the Office of the Ombudsman into how the Ministry had dealt with Official Information Act requests. As

at 30 June 2016, 3 of those had been dismissed, 6 had been resolved and 5 were still under investigation.

I am declining your request for "all communication the Ministry has received from the Office of the Ombudsman" on the grounds that this information is not official information that can be requested under the Official Information Act. Section 2(1) of the Official Information Act specifically excludes correspondence and communications between the Office of the Ombudsman and a department in relation to an investigation under the Official Information Act from the definition of "official information". Please note, however, that the Office of the Ombudsman does publish some of its decisions, on its website (www.ombudsman.parliament.nz).

You have the right to complain to the Ombudsman under section 28(3) of the Act if you are not satisfied with my response to your request. The Ombudsman may be contacted by emailing info@ombudsman.parliament.nz.

I trust this satisfies your request.

Yours sincerely



Suzanne Stew

Deputy Secretary Corporate