

Lon, Lana

From: Gael Wright <fyi-request-6100-b9693965@requests.fyi.org.nz>
Sent: Monday, 24 July 2017 6:47 PM
To: Lon, Lana
Subject: Re: FW: HRC OIA Request

Follow Up Flag: Follow up
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Dear HRC,

Each year HRC allocates approximately \$60 million in taxpayer money to Health Research in New Zealand. That is >\$300 million for the requested period. Yet, the HRC provides no information for the general public to assess whether the allocation of those funds has been made fairly (apart from outlining the process). If the HRC does not see that lack of transparency as an issue then that is telling in and of itself.

1. Has the HRC performed internal (statistical) audits of the scores and allocations?. Can they make those audits available ? The provision of such audits might satisfy this FYI request provided they have been performed to an adequate standard. If you are saying that you have not performed internal audits around the allocation of \$300 million of taxpayer money then it only increases the importance of making the requested information available or for the scores to be released so members of the general public can do it themselves. It is our intention to perform such an audit.
2. Perhaps the HRC could be more helpful and outline what electronic format the data are held in and explain why it would be so difficult to send data held in electronic format. The only reason I can see that the number of items of data for collation would be an issue would be if information were held only on paper (?).
3. From the first to second request the HRC has added extra stipulations around privacy that were not contained in the initial response (but are suspiciously similar to a parallel FOI request). Although parts of Statute are copied and pasted there is no explanation as to how the requested data would meet those particular guidelines - perhaps you can elaborate on how the requested information would impact on the privacy provisions quoted? Apart from names no personal information has been requested.

We are empowered to refer to this case to the ombudsman if necessary. We also note from the Ombudsman guidelines

"The fact that information will be published online is not a reason in itself for refusing a request for official information. Publication of information released in response to official information requests has always been a possibility. Agencies have never been able to control what a requester does with the information they receive (unless there is a valid basis for imposing conditions¹³). However, it may be one factor to take into account in considering whether or not there is good reason to withhold the information.

On the one hand, it is possible that online publication of the information may be more likely to cause prejudice to the interests protected by the withholding grounds. For instance, online publication may be more likely to impinge on the privacy of natural persons, or to unreasonably prejudice the commercial position of a third party, than release to a particular requester with conditions where necessary.

On the other hand, online publication may lend weight to the public interest in disclosure, because the information will become available to the general public and not just the requester. "

If the HRC is concerned about privacy they can potentially release information to just the requester.

We look forward to your reply and are willing to refer this issue to the ombudsman for arbitration. Given the request involves the audit of 100s of millions of taxpayer dollars we believe there is significant public interest and a strong case for making these data available.

Yours sincerely,

Gael Wright

-----Original Message-----

Dear Gael

Please find attached a letter in response to your email from Friday.

With kind regards

Lana Lon
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