

Ross Francis
fyi-request-7198-ccc083d7@requests.fyi.org.nz

Dear Mr Francis

Official Information Act 1982 Request

I refer to your correspondence of 31 January 2018, seeking the following information under the Official Information Act 1982 (the Act):

... all records/information that the Ministry sent the New Zealand Herald in regards to any briefing given to the Minister including relevant records/information imparted about a Criminal Cases Review Commission. This includes records/information about the functions of a CCRC that apparently are carried out by Ministry staff.

You also request any information where the Ministry has informed Hon Andrew Little, or the current Government, of “any benefits that might emanate from a CCRC” including “any information about possible benefits that is held in the minds of officials”.

I am releasing the following documents to you under the Act:

- Briefing to the Minister – *Establishing a Criminal Cases Review Commission* – 9 November 2017, and
- Briefing to the Minister – *Proposed model for establishing a Criminal Cases Review Commission* – 11 December 2017.

The personal information of some individuals has been withheld under section 9(2)(a) of the Act in order to protect the privacy of natural persons.

Certain information has been withheld from these documents under section 9(2)(f)(iv) of the Act in order to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials. The information withheld is considered advisory in nature and has been tendered to the Minister of Justice. Releasing the information at present would prejudice the Minister’s ability to receive and consider the advice in an effective and orderly manner.

Some information has also been withheld under section 9(2)(g)(i), in order to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any Department or organisation in the course of their duty.

One further document falls within the scope of your request. However, I am withholding this document in full, including the title, under section 9(2)(f)(iv) of the Act. The information relates to matters under active consideration by the Government, and its release would prejudice the Government's ability to receive and consider the advice in an effective and orderly manner.

I am satisfied that there are no other public interest considerations that render it desirable to make the information available.

If you are dissatisfied with this response, you may complain to the Ombudsman under section 28(3) of the Act. The contact details for the Office of the Ombudsman are:

Office of the Ombudsman
PO Box 10152
Wellington 6143
Phone: 0800 802 602
Email: info@ombudsman.parliament.nz

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stuart McGilvray', written in a cursive style.

Stuart McGilvray
Policy Manager, Criminal Law
Ministry of Justice