



MP for Palmerston North

Minister for Workplace Relations and Safety Deputy Leader of the House

Minister of Immigration

Minister for ACC

12 December 2018

MOIA 205

Matthew Hooton

fyi-request-8981-67202166@requests.fyi.org.nz

Dear Matthew

I refer to your official information request received by my office on 2 November 2018, in which you request the following information under the Official Information Act 1982 (the Act):

All information and advice you have received as Minister of Immigration on Karel Sroubek (including on his safety) from any source whatsoever, including but not limited to people who may also be your constituents or officials of the New Zealand Labour Party, and officials of the Czech Republic and European Union.

I am now releasing the following information which comes within the scope of your request:

- The Deportation Liability Assessment (DLA) which I considered on 19 September 2018.
- The remainder of the deportation file which included the DLA referred to above; this includes draft unsigned letters, tagged material, and a section of untagged material.

Please note that certain information has been withheld under the following sections of the Act:

- section 6(b)(ii) which relates to prejudice to the confidential entrusting of information to the New Zealand Government by international organisations
- section 6(c) which relates to prejudice to the maintenance of the law; this includes material that may prejudice any appeal Mr Sroubek may wish to make. Mr Sroubek's lawyer has asked that information which may prejudice his case be withheld
- section 9(2)(a) to protect the privacy of natural persons
- section 9(2)(h) which relates to the maintenance of legal professional privilege
- section 18(c)(ii) where releasing the information would constitute contempt of court.

In accordance with section 9(1) of the Act, I have considered whether there are any factors that make it desirable, in the public interest, to release information to which section 9 of the Act applies. I consider that the following factors outweigh the need to withhold some information to which section 9(2)(a) of the Act applies:

- 1) Providing transparency as to the information I had before me when I made my decision of 19 September 2018
- 2) Providing transparency as to the process INZ followed in preparing the file for consideration.

Where I do not consider that public interest considerations outweigh the need to withhold information, that information has been withheld under the relevant ground in section 9 of the Act.

The bundle of material you are receiving specifically indicates which parts of the documentation are being withheld on which grounds. The bundle does not include documents where everything has been withheld under one of the provisions in the Act listed above.

You have the right under section 28(3) of the Act to ask the Ombudsman to investigate and review my decision to withhold material from the released information. The relevant contact details are as follows:

Office of the Ombudsman
PO Box 10152
WELLINGTON 6143
Ph. 0800 802 602

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Iain Lees-Galloway', is written over a faint, circular watermark or stamp.

Hon Iain Lees-Galloway
Minister of Immigration