



MP for Palmerston North

Minister for Workplace Relations and Safety Deputy Leader of the House

Minister of Immigration

Minister for ACC

MOIA 211

10 DEC 2018

Matthew Hooton

[fyi-request-9037-e932537a@requests.fyi.org.nz](mailto:fyi-request-9037-e932537a@requests.fyi.org.nz)

Dear Matthew

I refer to your request received by my office on 12 November 2018 in which you requested the following information under the Official Information Act 1982 (the Act):

*My OIA request refers to the meeting you are reported to have held about Karel Sroubek at which you told media you asked lots of questions. See*

*[https://www.nzherald.co.nz/nz/news/article.cfm?c\\_id=1&objectid=12157560](https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12157560)*

*Under the OIA I request the following information:*

- 1) What were all these questions?*
- 2) What were the answers?*
- 3) All notes taken by officials and/or your office staff at this meeting.*

In relation to points 1 and 2, Ministers' decisions in relation to deportation cases are made using absolute discretion. Section 11 of the Immigration Act 2009 provides that the Minister is not obliged to give reasons for such decisions other than the reason that this section applies. To disclose all questions and answers from my 19 September 2018 meeting about Mr Sroubek's case would indicate the reasons for my decision. This part of your request is refused under section 18(c)(i) of the Act, because to provide reasons would be contrary to the provisions of the Immigration Act 2009. However, I have spoken publicly about how I asked the Immigration New Zealand (INZ) official who briefed me whether more information was available regarding Mr Sroubek's travel out of New Zealand. I was told that information was unlikely to be accessible to INZ.

In relation to point 3, no notes were taken during the meeting of 19 September 2018, including by officials or staff. This part of your request is refused under section 18(g) of the Act, because information you have requested is not held by my office or the Ministry of Business, Innovation and Employment, and I have no grounds to believe it is held by another department, Minister or Crown organisation.

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', with a large, stylized flourish at the end.

Hon Iain Lees-Galloway  
**Minister of Immigration**