

4 September 2019

Gerard Byrne
fyi-request-10921-98b0b567@requests.fyi.org.nz

REF: OIA-5575

Dear Gerard

Request made under the Official Information Act 1982

Thank you for your email of 8 August 2019 requesting the following information under the Official Information Act 1982 (the Act):

'can you please provide all receipts for legal representation from the Johnson VS Byrne Harassment hearing in Whangarei, June 19, 2019. CIV 2019-088-113 and 2019-088-114 Johnson v Byrne, also all emails, memos and reports relating to the above hearing. Please redact all names and any sensitive information for your upcoming appeal hearing in the employment court involving the same parties, on 4-6 november, 2019 in the Whangarei District Court'.

The NZ Transport Agency did not contribute financially to this litigation. I am therefore refusing this part of your request under section 18(e) of the Act because the document(s) alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

I am also refusing the part of your request for "emails, memos and reports relating to the above hearing" under section 27(1)(g) of the Act because the disclosure of this information would breach legal professional privilege.

I do not consider that it is in the public interest to make this information available.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to refuse your request. You can find the contact details for the Ombudsman at www.ombudsman.parliament.nz.

If you would like to discuss this reply with the NZ Transport Agency, please contact Linda Bird, Lead Advisor Employment Relations, by email to Linda.Bird@nzta.govt.nz or by phone on 04 894 5400.

Yours sincerely



Chris Lokum
General Manager, People