



3 March 2021

Amy S Van Wey Lovatt  
[fyi-request-14602-e6715a91@requests.fyi.org.nz](mailto:fyi-request-14602-e6715a91@requests.fyi.org.nz)

Our ref: IR-01-21-3628

Dear Ms Van Wey Lovatt

I refer to your email dated 1 March 2021 in which you have asked for Police to clarify the response to your Official Information Act request.

You requested -“the documents which inform the NZ Police as to the definition of “intended recipient”. Which Police refused pursuant to section 18 (e), as the information does not exist.

Police maintain the position that was detailed in our correspondence to you dated 10 February 2021. The reason being that an agency is not obliged to form an opinion or create information to answer an official information request. It's important to note that information must be held, i.e. in existence, when it is requested.

There is a difference between:

- questions which can be answered by providing information already known to and held by the agency (*official information*); and
- questions which require the agency to form an opinion or provide an explanation and so create new information to answer the request (*not official information*).

If you are not satisfied with my response to your request, you have the right to complain to the Ombudsman.

Yours sincerely

Lee Hodgson  
Director, Ministerial Services  
New Zealand Police