



25 August 2021

John Luke

By email: <mailto:fyi-request-16471-d5626bea@requests.fyi.org.nz>

Tēnā koe John

### Your Official Information Act request – Reference HQSC161-2021

1. Thank you for your email of 22 August 2021 to the Family Violence Death Review Committee (the **Committee**) requesting the following information under the Official Information Act 1982 (**OIA**):

*May I kindly request the full meeting minute of this Committee from 1st Jan 2020 to now. Also, May I kindly request the pay rate of each members (how much they been paid per day or is it a hourly rate?) and any other expense reimbursements that each member received since 1st Jan 2020.*

2. The Committee is declining the first part of your request to provide full meeting minutes from 1 January 2020 because of the personally identifiable, confidential nature of the information that it collates; and therefore may be contained in the minutes.
3. For your information, the Committee is not subject to the OIA. That is provided for in paragraph (a) of the definition of "organisation" in section 2 of the OIA, the relevant part of which states that an organisation means "*an organisation named in Part 2 of Schedule 1 of the Ombudsmen Act 1975 (other than mortality review committees)...*".
4. The Committee is also prevented by law from disclosing personal information, which may be held within what you have requested. Section 59E and Schedule 5 of the New Zealand Public Health and Disability Act 2000 sets out strict requirements as to the use and disclosure of personal information held by a mortality review committee. In particular, clause 4 of Schedule 5 prohibits members, executive officers, and agents of a mortality review committee from producing or disclosing personal information to another person, unless an exception applies. Under section 59E(6) and (7) of the Act, individuals can be fined up to \$10,000 and be subject to professional disciplinary proceedings if they produce or disclose personal information held by a mortality review committee other than in accordance with the requirements of the NZPHD Act. Accordingly, the MRC cannot provide you with the information you have requested.

5. In regards to the second part of your request concerning the pay rate of each member, the Committee member's fees are set with reference to the Cabinet Fees Framework<sup>1</sup>, as outlined in the Committee's Terms of Reference. These and other reimbursements are paid by the Health Quality and Safety Commission. The Committee is unable to respond further to this request.
6. You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Nāku noa, nā



Dr Fiona Cram  
**Chair, Family Violence Death Review Committee**

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<sup>1</sup> Cabinet Fees Framework [https://www.publicservice.govt.nz/our-work/fees/#:~:text=Guidance%20on%20fees%20paid%20to,Fees%20Framework%20\(the%20Framework\)](https://www.publicservice.govt.nz/our-work/fees/#:~:text=Guidance%20on%20fees%20paid%20to,Fees%20Framework%20(the%20Framework))