



5 April 2022

Scott
fyi-request-16610-b34228f4@requests.fyi.org.nz

Ref: OIA-2021/22-0782

Dear Scott

Official Information Act request relating to the All-of-Government COVID-19 Situation reports

Thank you for your Official Information Act 1982 (the Act) request received on 20 December 2021. You requested:

“You seem to have changed your approach to redacting a certain part of these documents since your 1 November response to my initial request.

For instance, comparing page 41 of your first response document (3 September report "Protests and Disinformation" section) and page 12 of your second response (8 September report "Compliance" section) shows that the latter is much more heavily redacted, although clearly the two cover the same topic. This is the case for every section covering this topic in your second response.

Are you able to please advise me why your approach has changed? If not, I will refer this to the Ombudsman to check if the redactions in the latter documents are appropriate.

In the meantime, I would like to make a follow up request. I would like to request:

Copies of all COVID-19 Across Government Situation Reports, dated since the beginning of November.”

The timeframe for responding to your request was extended under section 15A of the Act by 40 working days due to a search through a large quantity of information being required, and consultations to be undertaken before a decision could be made on the request. Following this extension, I am now in a position to respond.

Before All-of-Government COVID-19 Situation Reports can be released, the Department of the Prime Minister and Cabinet (DPMC) undertakes consultations internally, and externally with a number of government agencies.

For example, in responding to your previous Official Information Act (OIA) requests for the COVID-19 Across Government Daily Situation Reports, DPMC consulted with the Ministry of Health, the Ministry for Business, Innovation, and Employment, the New Zealand Police, Fire and Emergency New Zealand, the Ministry for Social Development, New Zealand Customs Service, the Ministry for Pacific Peoples, the Ministry for Ethnic Communities, the Ministry of Transport, the Department of Internal Affairs, the Ministry for Primary Industries,

Waka Kotahi, the Ministry of Education, the Department of Corrections, and Te Puni Kōkiri before a response was provided to you.

I note there are instances in DPMC's response to your OIA request dated 1 November 2021 (our ref: OIA-2021/22-0531) where it would appear that the approach taken is different to that taken in our previous response to your OIA request dated 3 September 2021 (our ref: OIA-2021/22-0211). I can confirm however that DPMC was advised to redact the information which was released as part of OIA-2021/22-0531 in OIA-2021/22-0211 following consultation with other government agencies, as the release of the information would have prejudiced the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.

Please find attached a copy of the All-of-Government COVID-19 Situation Reports from 1 November 2021 to 20 December 2021.

Some information has been withheld under the following sections of the Act:

- section 6(c), as the release of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial;
- section 9(2)(a), to protect the privacy of natural persons, including that of deceased natural persons;
- section 9(2)(b)(ii), as the release of that information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- section 9(2)(ba)(ii), as the release of that information would be likely to damage the public interest; and
- section 9(2)(c), to avoid prejudice to measures protecting the health or safety of members of the public.

In making my decision, I have taken the public interest considerations in section 9(1) of the Act into account.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Cheryl Barnes
Deputy Chief Executive, COVID-19 Group