

20 May 2022

James Lee

fyi-request-17193-5ed7e05e@requests.fyi.org.nz

Our ref: OIA 91410 and 91446

Tēnā koe Mr Lee,

Complaint regarding response to your Official Information Act 1982 request

The Office of the Ombudsman has contacted the Ministry of Justice (the Ministry) regarding your complaint about the Ministry's response to your Official Information Act 1982 (OIA) requests. The Ministry has reviewed the two OIA requests you submitted, and our corresponding responses:

- First request received 12 October 2021: *"Please provide all documents and reports that relate to any inquiry that has been made into transferring District Court files from a paper-based system to an electronic-based system"*
 - Ministry responded 14 October 2021, declining the request under section 18(e) of the OIA.
- Second request received 14 October 2021: *"...any documents that relate to assessments that have been undertaken to identify business and/or legal risks associated with District Court files being paper-based."*
 - Ministry responded 27 January 2022. Four documents were found to be in scope and were provided to you. Information was also added to the letter of response advising, among other things, that *"An initiative is progressing to establish an online case management system with digital capabilities to improve the participant experience, the effectiveness of the court system and to digitise the official court record."*

You stated that you consider the response provided on 27 January 2022 contradictory to the outcome of your first request, and that the Ministry's response to your initial request was *"either misleading or the result of a very narrow interpretation of [your] request"*.

In respect of your first request, the Ministry has not conducted any inquiries into transferring District Court files from a paper-based to electronic system. The term 'inquiry' is commonly used to describe a formal, investigative process, and in the absence of any indication to the contrary, this is what the Ministry understood your request for information to be about. The request was therefore declined under section 18(e) of the OIA on the basis that the information did not exist.

Your second request made it clear that you were interested in further information outside of a formal inquiry. The Ministry undertook considerable effort to identify any documents within the scope of your second request. The deadline for the response to your request was extended under section 15(a) of the OIA, due to the large quantity of information which was searched. Information which identified or explained the business and/or legal risks associated with the District Court files being paper based was released to you (the four documents provided on 27 January 2022). This information represents all documents the Ministry holds which are in scope of your request of 14 October 2021.

I would like to advise you that there have been further developments regarding the initiative mentioned in our response of 27 January 2022. This information is still outside the scope of your original requests, however it aligns with the information you have been requesting and may be of assistance to you.

In a Beehive press release on 8 May 2022, and the Budget 2022 announcement on 19 May 2022, the government announced funding for a joined-up package of law and order measures. Part of this funding includes investment in digitising the court process to make it easier for all New Zealanders to interact with the court system. The intent of this initiative is much broader than solely digitising the official court record, in that it has a focus on improving the experience of all participants in the court process and the effectiveness of the court system overall by creating an online case management system. Please refer to the Beehive website for information on these announcements.

<https://www.beehive.govt.nz/>

In the future, more information about this initiative will be made publicly available. If you have further questions, the Ministry invites you to submit further OIA requests.

Nāku noa, nā



Carl Crafar

Chief Operating Officer, Operations and Service Delivery