

19 FEB 2016

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R Smyther

By email: fyi-request-3243-095fee75@requests.fyi.org.nz

Dear R Smyther

Response to your request for official information: Refs: OIA H201600178

Thank you for your emailed request under the Official Information Act 1982, received by the Ministry of Health on 21 January 2016. Your request is:

I have noted the very high number of hours the Ministry of Health has contracted John Markland for. Under the Official Information Act please provide the total number of hours Mr Markland has been contracted for by the Ministry in the Gambling Harm area in the past 5 years. Please provide the response in a spreadsheet organised according to the financial year and the reason/s for this contracting.

I have also noted the hours contracted for Mr Markland covered a Judicial Review. Please provide the total amount the Ministry spent on this Judicial Review. Please provide this information in a spreadsheet indicating what items or activities these costs relate to, and including the costs associated with contracting Mr Markland. Please note this request is for the total amount of money spent by the Ministry on the Judicial Review, which includes the amount associated with Mr Markland but not limited to this expenditure.

We have interpreted your request to be for the following information:

- the total number of hours Mr Markland has worked for the Ministry over the last 5 years;
- the services Mr Markland provided during that time;
- the total amount the Ministry has paid to Crown Law, to date, on defending the Judicial Review with the Problem Gambling Foundation (including, within that total, the amount paid to Crown Law for early work on appealing the decision of the High Court, and the amount paid to Mr Markland); and
- the items or activities comprising the Judicial Review (being Crown Law costs and disbursements).

We have not interpreted your request as being for the hourly charge rate that Mr Markland and the Ministry have agreed for his services. Privacy and commercial issues would be relevant, and therefore need to be carefully considered, if your request is for that information. They would also need to be weighed against the public interest.

You have also requested that the information be provided in a spreadsheet. The spreadsheet is **attached**. Please note that the Ministry of Health does not require staff to apportion time worked

to particular tasks. Therefore the Ministry is unable to provide the cost to the Ministry for any staff time (including that of Mr Markland) for the Judicial Review.
I trust this information fulfils your request.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Cathy O'Malley'.

Cathy O'Malley
Deputy Director-General
Sector Capability and Implementation

John Markland - Hours of Work and Service Provided

Financial year	Total hours worked	Services provided
2011/12 (from 5 February 2012)	585	Development, consultation and cross-agency liaison for the Strategy to Prevent and Minimise Gambling Harm 2013/14 to 2015/16 Other incidental work as required.
2012/13	1414	Development, consultation and cross-agency liaison for the Strategy to Prevent and Minimise Gambling Harm 2013/14 to 2015/16 Other work as required.
2013/14	1061	Preparation of affidavits and review of material for Clubs NZ Judicial Review Other incidental work as required.
2014/15	1307.25	Processing and responding to numerous Official Information Act requests on the Request for Proposals for Regional and National Services to Prevent and Minimise Gambling Harm Preparation of affidavits and review of material for Problem Gambling Foundation Judicial Review Other incidental work as required.
2015/16 (year to 5 February 2016)	862.5	Development, consultation and cross-agency liaison for the Strategy to Prevent and Minimise Gambling Harm 2016/17 to 2018/19 Other incidental work as required.

Cost of Judicial Review

\$159,207.01

Comprising Crown Law costs and disbursements.