



DOIA 1516-0709

10 December 2015

Mamerao David  
[fyi-request-3375-f4108230@requests.fyi.org.nz](mailto:fyi-request-3375-f4108230@requests.fyi.org.nz)

Dear Mamerao

Thank you for your email dated 16 December 2015 to the Minister of Workplace Relations and Safety requesting information relating to Pile vs Richmond Road School 2015. On 20 November 2015, your request was transferred to the Ministry of Business, Innovation and Employment under Section 14 of the Official Information Act 1985 (OIA).

You have requested the following information:

1. *"Am I able to have all affidavits relating to this case.*
2. *Other than the "Interim Reinstatement" order, there is No final outcome on public record for this case. Is this information available"*

Your requests are being responded to in terms of both the OIA and the Employment Relations Act 2002 (ERA). Under Section 18(c)(i) of the OIA, information cannot be released if the release is contrary to the provisions of other specified legislation, in this case the ERA.

Your request for affidavits is declined as it is contrary to the provisions of Section 222 of the ERA which states: *Nothing in the Official Information Act 1982 applies to any information held by the department or the Authority or the court in relation to any proceedings brought before the Authority or the court.*

Your request for information on a "final outcome" for this case is declined as it is contrary to the provisions of Section 148 of the ERA which states: *Nothing in the Official Information Act 1982 applies to any statement, admission document, or information disclosed or made in the course of the provision of mediation services to the person providing those services.*

You have the right under Section 28(3) of the OIA to ask the Ombudsman to investigate and review my decision to decline your request. The relevant contact details are:

The Ombudsman  
Office of the Ombudsman  
P O Box 10 152  
WELLINGTON 6143

Yours sincerely



Alan Galloway  
National Manager Case Management