

Anonymous
Fyi-request-4637-49e13a4b@requests.fyi.org.nz

Dear Anonymous

Official Information Act request regarding the risk of re-identification of data

I refer to your email of 22 September, seeking under the Official Information Act 1982 (the Act):

“any documents in your possession produced since 2013 related to the risk of re-identification of private individual’s data, especially documents related to the creation of an offence punishing illegitimate re-identification attempts”

The table included in Appendix A sets out my decision about whether to release these documents to you. Released documents are then provided separately. Some deletions have been made to these documents under section 9(2)(a) of the Official Information Act in order to protect the privacy of natural persons. Further deletions have been made where information was out of scope.

You will note that 11 of the 13 documents which come under the scope of your request have been withheld in full under section 9(2)(f)(iv) of the Act. This section provides that information can be withheld under the Act in order to protect the confidentiality of advice tendered by Ministers of the Crown and officials. As the Ministry of Justice is currently carrying out work in this area, there is a risk that the release of the advice would interfere with the ability of decision-makers to consider the advice tendered. Premature disclosure of advice might impact on the timeframes within which Ministers can or must act, may impact on the availability of options, or may impact on Ministers’ ability to seek further advice or to consult on proposals.

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 or freephone 0800 802 602.

If you wish to discuss this decision, please feel free to contact me at Anna.Johnston@justice.govt.nz.

Yours sincerely



Anna Johnston
Acting Policy Manager
Electoral and Constitutional

Appendix A :

Document number	Document	Decision
1	Aide Memoire: meeting with Prof. Joseph Cannataci, UN Special Rapporteur for the Right to Privacy	Excerpts deleted (out of scope) Excerpts withheld under s 9(2)(a) (privacy of natural persons).
2	<i>Name withheld</i>	Withheld in full under s9(2)(f)(iv) (confidentiality of advice tendered by Ministers and officials)
3	<i>Name withheld</i>	Withheld in full under s9(2)(f)(iv) (confidentiality of advice tendered by Ministers and officials)
4	<i>Name withheld</i>	Withheld in full under s9(2)(f)(iv) (confidentiality of advice tendered by Ministers and officials)
5	<i>Name withheld</i>	Withheld in full under s9(2)(f)(iv) (confidentiality of advice tendered by Ministers and officials)
6	<i>Name withheld</i>	Withheld in full under s9(2)(f)(iv) (confidentiality of advice tendered by Ministers and officials)
7	<i>Name withheld</i>	Withheld in full under s9(2)(f)(iv) (confidentiality of advice tendered by Ministers and officials)
8	<i>Name withheld</i>	Withheld in full under s9(2)(f)(iv) (confidentiality of advice tendered by Ministers and officials)
9	<i>Name withheld</i>	Withheld in full under s9(2)(f)(iv) (confidentiality of advice tendered by Ministers and officials)
10	<i>Name withheld</i>	Withheld in full under s9(2)(f)(iv) (confidentiality of advice tendered by Ministers and officials)
11	File Note	Excerpts deleted (out of scope) Excerpts withheld under s 9(2)(a) (privacy of natural persons).
12	<i>Name withheld</i>	Withheld in full under s9(2)(f)(iv) (confidentiality of advice tendered by Ministers and officials)
13	<i>Name withheld</i>	Withheld in full under s9(2)(f)(iv) (confidentiality of advice tendered by Ministers and officials)