



20 March 2017

Mark Hanna

By email to: [fyi-request-5553-056db5f1@requests.fyi.org.nz](mailto:fyi-request-5553-056db5f1@requests.fyi.org.nz)

Dear Mr Hanna

### OFFICIAL INFORMATION ACT REQUEST

I refer to your 16 March email, received at 09:53, in which you draw attention to difficulties experienced by fellow users of the [fyi.org.nz](http://fyi.org.nz) website when seeking to make requests of Police under the Official Information Act 1982 (OIA). You also offer comment on what you perceive as ambiguous features of Police's internal guidance for staff on how to process OIA requests, which you believe "may be interpreted in a way that is inconsistent with the law".

Specifically, however, you have requested information on: (1) why Police does not record how many times we have refused OIA requests due to the manner in which the requests were submitted; (2) what plans there are for Police to start identifying and recording these events; (3) what action is taken by Police in response to such events – with several possible examples volunteered, including further OIA training; and (4), what actions will Police be taking to ensure no more of these events occur in future.

In response, and on Police's behalf, I accept that our management of a certain number of requests made via the [fyi.org.nz](http://fyi.org.nz) website could have been handled better. We will endeavour to put matters right, and to ensure appropriate adherence with our obligations under the OIA.

As to your listed questions, the nature of Police's legacy information request system is such that it does not allow for the reason(s) behind refusals of OIA requests to be easily captured in a consistent way. While there are no current plans to retrofit this legacy system to enable such data capture, we are intending to replace Police's present information request system with a new OIA management platform. The ability to provide more comprehensive 'back end' reporting is an element of the design work which is going into planning for the new platform.

Regarding action taken when apparent missteps in the handling of particular OIA requests come to light, the general approach is to make contact with the person or team where the miscommunication or divergence from policy has occurred. For instance, our Team Leader who coordinates OIA processing at Police National Headquarters (PNHQ) in Wellington recently engaged with the management of a small group of telephone call-takers in Auckland, regarding the fact that some call-takers have apparently been providing inaccurate responses to incoming calls or email requests which seek official information.

Such one-to-one follow up conversations hold the promise of reducing the number of cases in which any mistaken advice or inappropriate responses are provided to future OIA requesters. We also invest in more broadly-directly awareness raising; for example, making use of national and local Intranet *Bulletin Board* messages, and reinforcing email communications to Police's senior leaders (including the network of District Commanders based throughout the country).

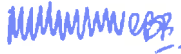
From time to time, we also invest in targeted OIA training initiatives. For instance, during the middle of last year, we hosted a briefing and Q&A session for PNHQ personnel delivered by senior Office of the Ombudsman staff.

For completeness, I would add that in late 2016 we formally launched a *Public Engagement: OIA Action Plan*. This programme is aimed at changing the mind-set of our staff around OIAs from one which narrowly emphasises compliance, to one which highlights the public engagement benefits which can come from living up to our OIA obligations. As well as looking to update Police's OIA system and processes (as noted earlier, in relation to the successor to the legacy information request system), the programme of work continues the drive to offer updated training and support to ensure we respond efficiently and effectively to all requests.

Finally, it is worth noting that the percentage of complaints to the Ombudsman about Police's handling of OIAs is quite small when considered as a proportion of the total volume of OIA requests Police manages every year. For the last six months of 2016, for example, only 75 (or 1.4%) of the more than 11,000 OIAs received by Police resulted in complaints being filed with the Ombudsman's Office; and only one-in-five of those complaints were ultimately upheld. That said, we do seek to learn from any OIA complaints, so we can continue to improve the way we process future information requests. Cases involving misunderstandings by a small number of our staff, as noted in your email, offer a similar opportunity to learn and improve.

While the information you requested has been provided, it is appropriate to note in closing that if you are dissatisfied with this response, then as you may know, you can approach the Office of the Ombudsman to seek an investigation and review of my handling of your OIA request.

Respectfully



**Mike Webb**  
National Manager  
Assurance Group