- Does the **request need to be transferred or partially transferred** and has the accepting agency/agencies accepted the request? This should be undertaken by **no later than day ten**.
- **Does the request need to be extended?** If so, can this be done early? The request **cannot be extended after day twenty**.
- If the request represents **reputational risk,** have you advised the Office of the Chief Executive and discussed with the Team Leader or Principal?
- **Does the request involve Court records?** If so, is consultation required with the Judicial Office for Senior Courts.

Comments

Roles and responsibilities

- **Who is compiling the information within scope** and by what date do they need to provide the information to the Advisor?
- Have **standard lines** previously been prepared on this topic?
- If **new lines need to be prepared,** who will commission these and from whom?
- **Who is identifying what information needs to be redacted** and who is checking this assessment? Who is responsible for confirming the order of the documents for release?
- **Who will undertake the redactions** and who will check they are accurate?
- **Is data included in the response** and who will check the data is current and/or accurate?
- When do **Legal and/or Media/Communications** need to be consulted?
- **Does the request involve Court records?** If so, is consultation required with the Judicial Office for Senior Courts
- **What level of sign out** is appropriate for the response? Does the sign out manager have any stylistic requirements that differ from the Style Guide?
- **Does the sign out manager need to be consulted** on the draft response and/or redactions before formal sign out?
- **Do the GM, Deputy Secretary or Chief Executive need to be given a heads up** and who will do this?

Comments

OIAs requesting a list of docs and/or copies of docs

General overview

This process is for when we receive an OIA which requests a specific list of documents and/or copies of specific documents. The requester will often be an opposition MP be asking for a list for a certain time period and this type of request often covers several business units across the Ministry.

First we need to assess what information we need to collect for the request. E.g. do we just need to provide a **list** of documents or do we also need to provide **copies** of documents? Often these are combined into one OIA request.

- *A **list** of all briefings, reports, aide memoirs and memos produced or received by the Minister in his capacity as Minister of Justice between June 1, 2021 and June 30, 2021.*
- *A **copy** of the documents referred to in WPQ response 27314 (2021).*

Once we have established what information we need to look for, we can search through JAX to see if we have any recent WPQs which cover the request for titles (this request is a common WPQ question) and any recent OIAs which have released the copies of documents requested.

JAX doesn't record whether documents have been released under OIA requests before, and what redactions have been made. The spreadsheet can record the details of a document within scope of an OIA, and the decision on release and redactions. If used correctly, this spreadsheet can then be searched in the future to find out what has previously been done with a document, and which OIA(s) it has previously been released under. This is kept in the Workflow tracker folder See Appendix B

Process for list part of the OIA

1. In the Correspondence 20XX folder, there is a folder called WPQ's. In this you will find a sub-folder for each current Minister, that covers the Justice sector including the Attorney-General.
2. In it there are a set of folders, labelled by month, of a) the response to the WPQ asked and b) a list of briefings the Minister has received within that month. We can use this list as a base, to start
3. If there is a recent WPQ containing the titles for the specified date range, we can ask the Minister's Office if they would like to refer the requester to the publicly available WPQ response.
4. If the requestor does not want to refer to the publicly available WPQ response, we'll need to go out to business units and check whether titles which were previously withheld in the WPQ response can be released or not.

5. WPQ responses are made public and can be found on the Parliament website parliament.nz/en/pb/order-paper-questions/written-questions/. Please check this against the response in the WPQ folder/ I Drive . The public list is what should be used in our final response[1]

6. The ones which were already released in the WPQ response can be released and we don't need to check those with business units.

7. If there isn't a recent WPQ containing the information, we will need to run a couple of different reports on JAX to see what documents (briefings, reports, aides memoire (AMs) and memos) went to the Minister's Office during the specified time period. See Appendix A for instructions on how to filter JAX and run reports.

8. In order to check with the business units whether titles that were previously withheld can now be released, create a spreadsheet which lists the titles and a column for whether they can now be released or not. You can use the WPQ spreadsheet as a starting point. See Appendix B for example. The desk-file contains a template spreadsheet that can be used.

9. Once you have all the titles required, you can send a commissioning email out with the spreadsheet attached to the relevant business units (see who to send to below) to check whether the titles can be released or not. See Appendix C for an example of a commissioning email.

10. Create a set of folders in your allocation, for each of the business units. Once a response has been received by them file the response in each folder. See Appendix E for the business unit folders

11. Then add the approved titles into table 1. See Appendix D for an example of a table for the list of titles.

12. Note: briefings/advice to the Attorney General are not covered by the OIA. It is likely that most titles will be deemed out of scope of the request.

Process for documents part of the OIA

1. If there is a recent OIA which contains all or some of the same documents that are being requested, then we may be able to refer to that response for the redactions. However, we will still need to check this approach with the business group as things may have changed e.g. an announcement has now been made about that topic so we can now release certain information.

2. The next step is to go out to the relevant business units to check if the document should be withheld, released, released in part

3. If you are unsure which business unit a document belongs to, you can search for the document in JAX using the filters and searching by keywords. JAX will specify which business unit the document came from and who the author was.

4. if documents have been released, for example under previous OIAs, then you to complete this part of the spreadsheet note this for the business unit. See Appendix B

5. Add a new tab to the spreadsheet created (when doing the list part of the OIA), for the documents to be released..

6. You can now send your commissioning email to the relevant business units (see below) with the spreadsheet attached. See Appendix C for email template.

7. Once you have received the responses back from each business unit, you can add the approved titles into table 2. See Appendix D for an example of a table for the copies of documents.

Note :In some situations a WPQ will be incorrectly named. Your SME team should try and locate the correctly named document. Then you need to call the Press Secretary and advise them. They will advise of the preferred next step.

Who to send commissioning emails to:

- If the request only covers one or two teams, you can contact the Policy Managers directly.
- Requests covering several teams across OSD, contact: COOOffice@justice.govt.nz. If the request only covers one team, you can contact the team directly but copy COOO in.
- If the request covers any teams in CDS, contact: CDSOffice@justice.govt.nz
- If the request covers any teams in SGF, you can generally go to the team directly but you can copy in: SGFoffice@justice.govt.nz
- If requests include BORA (Bill of Rights Act) documents, then contact Hannah.Gray@justice.govt.nz orElspeth.Knewstubb@justice.govt.nz
- If the request includes documents from OLC, then contact: General.OLC@justice.govt.nz and Lai Yin Wong.
- Any request for Sector should go to SectorBST@justice.govt.nz

Once each business unit has sent you their fully approved content:

If it is a MOIA (Minister's OIA) then the response needs to be sent to the appropriate press secretary for review and sign-out.

You will need to provide them with:

- The original request
- The final draft response including the tables
- An information sheet – it is helpful to note here the titles being withheld and if any docs have been previously released

Appendix A: Filtering JAX results

1. In order to filter JAX, select the 'Actions' drop down and from there select 'Filter':

2. The first filter to apply is 'Date Sent' OR 'Date Received', make sure the operator drop down is set to 'between' and then add in the date range in the 'Expression' drop downs. Click Apply.

3. The second filter to apply is 'Type'. The operator drop down should be set to '=' and then select a type of correspondence e.g. Aide memoire. Click Apply. *Note that you cannot filter by aide memoire, briefing and report all in the same JAX report. You need to do each report one at a time.*

4. The third filter to apply is the Minister. Select the Minister that you're doing the OIA for and also filter by portfolio if they have more than one. Click Apply.

5. Once you've applied the relevant filters, JAX will generate the results that fall within the scope you've specified.

6. You now need to download the report by selecting 'Download' from the 'Actions' drop down:

7. Once you've gone through this process for all types of correspondence and downloaded the reports, collate them together in your own spreadsheet which will be used to send out to the business units (see from step 6). There will be some columns you can delete from the JAX report as you won't need these.

Appendix B: Spreadsheet

For list part of OIA:

	A	B	C	D	E	F	G	H	I	J	K
1	ID	Type	Subject	Vote	Minister	Date Sent	Date Received	Business Unit	Team	Released? Y/N	Withholding ground
2	89760	Briefing	Authorisation of Issuing Officers - Search and Surveillance Act 2012	Attorney-General	Parker	2/08/2021	2/08/2021	OLC - Office of Legal Counsel	Statutory & Judicial Appointments	Y	

For documents part of OIA:

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
	JAX ref	Type	Date sent	Vote	Title	Team	Business unit	Request ref	Date requested	Title status	Document status	Notes	Requires	JAX update (Y/N)	
	JAX reference number for the document itself (not the OIA request)	What type of document? E.g. briefing note, Cabinet paper, advice, aide memoire	What date was the document sent to the Minister?	Which portfolio does the document sit under?	Please add the title of the document - the title should be copied exactly from the document itself	The team that wrote (or owns) the document	The business unit of the team that wrote the document	JAX reference number for the OIA request for this document or title	Date of the OIA request for this document or title	Please pick from the dropdown options for whether the title was released in full, released in part, or withheld in full. Please explain in notes section where it was not released in full.	Please pick from the dropdown options for whether the document content was released in full, released in part, or withheld in full. Please explain in notes section where it was not released	Please add any relevant notes about the releasing or withholding of this document or title. This includes the sections of the OIA under which information was withheld or redacted.			

Appendix C: Commissioning emails

For list part of OIA:
*Subject line: (**OIA reference + name of requester+ Due date**)*

Kia ora koutou

Hon '**Minister**' has received an OIA request for the following information:

- *a **list** of all briefings, reports, aide memoirs and memos produced or received by the Minister in his capacity as (**Add correct title**) between XXX, 2022 and XXX, 2022*

I have identified items that fall under your teams. Kindly forward this to the appropriate persons as required.

I have attached the following two documents
1. *The OIA request*
2. *The spreadsheet listing the titles*

What I need from you
- confirm whether there are additional items in scope that MRS may have missed or not received a copy of (or any items below that may be out of scope)
- confirm whether the **titles** attached in the spreadsheet are to be released or withheld including the withholding grounds (where I have indicated the decision to release because the title has already been released, this email is FYI only, unless you have reasons to withhold)
- obtain approval at the appropriate level (this will be for your business group or unit to determine)
- confirm your decisions on the release **by no later than 5pm on 'date'.**

Thanks all!

For documents part of OIA:
*Subject line: **(OIA reference + name of requester+ due Date))***

Kia ora koutou

Hon '**Minister**' has received an OIA request for the following information:

I have attached the following documents

1. The OIA request

2. Copies of the documents where we have them. If a copy is not attached, MRS do not hold on – could you please send one through along with your feedback.

- *the November 19, 2021 **document** "Options to progress the Search and Surveillance Act review"*
- *the December 1, 2021 **document** "Review of the Search and Surveillance Act 2012"*

What I need from you

- *Note whether the documents should be released, withheld in part or withheld in full. If anything needs to be **withheld**:*
    - *mark up the document to show what needs to be withheld and under what section.*

- obtain approval at the appropriate level (this will be for your business group or unit to determine)
- confirm your decisions on the release **by no later than 5pm on 'date'.**

Thanks all!

Appendix D: Tables for list of documents received

Table 1: List of documents received by the Minister of Justice

No.	Date sent	Document type	Document title*
1	01/03/2021	Briefing	
2	02/03/2021	Aide memoire	
3	03/03/2021	Aide memoire	
4	03/03/2021	Briefing	
5	03/03/2021	Briefing	

Table 2: Specific documents requested

No.	Date	Document type	Document title*	Decisions on release
1	10/03/21	Briefing		Some information withheld under ss 9(2)(a), 9(2)(g)(i) and 9(2)(h)
2	11/03/21	Q+A		Some information withheld under ss 6(c) and 9(2)(f)(iv)
3	11/03/21	Aide memoire		Some information withheld under s9(2)(f)(iv)
4	15/03/21	Advice		Withheld in full under s9(2)(g)(i)
5	19/03/21	Aide memoire		Some information withheld under s9(2)(a)

* Enter the document titles in this column.

If a title is to be withheld then note this. E.g. [title withheld under s9(2)(f)(iv)]

Appendix D: Folders for each business unit

Name

- Ātea a Rangi
- New folder
- OCE
- OCOO
- OLC
- Policy Civil & Constitutional
- Policy CLAW
- Policy Courts & Tribunals
- Policy Family Law
- Policy Harm Reduction & Public Safety
- Policy S&R
- Policy TaLES

OIA ref number and requestor name

OIA REQUEST – INFORMATION SHEET

Due date to requestor:	
Date received:	*This is the date received by MOJ, rather than by MRS or the advisor*
Due date to Minister's Office: *(if applicable)*	
Has this been extended? **Reason for extension:**	
OIA type and ref number:	*Ministry or Minister's?*
Requester:	*Including information about them if applicable, e.g. works for … MP, reporter for Stuff*
Subject of request:	*Your summary of request*
MRS contact:	*drafter*
Subject Matter Expert:	*if required*
Status of information and Recommendation:	• *This part of the sheet is crucial. The purpose of this section is to give the approver/sign out manager absolute trust and confidence in the process* • *Note any major decisions and reasons behind releasing or withholding information. This includes the section of the OIA used* • *Note the assessment against the public interest test* • *If this is a list of briefings MOIA, note which business group has approved what* • *If you are cloning off a previous release to another requester, say so* • *Note if particular direction has been provided around withholding staff names or final drafts.* • *Is the information public/to be published?* • *Has it been released before? If yes, to whom, when and do you recommend releasing it in the same form now? If previously withheld, explain why and whether you recommend the same approach now?* • *For example:* **Document 1: has been released previously (note when and which OIA)** **Document 2: has not been released previously [insert advice from the appropriate team if it should/shouldn't be released]**
Risks/Issues:	• *Outline any risks or issues that anyone signing out or the Minister's office need to be aware of.* • *If the information highlights a problem, what are we doing to address that problem?* • *What are risks with releasing or withholding this information? Is this a media OIA?*

Signatures

	Name and date	Signature
Subject matter expert		
Manager		
General Manager		

ADDITIONAL INFORMATION

Exact wording of request:	*Detail and date of the correspondence/email received* *No need to copy and paste the whole email – just the relevant parts*
Scope interpretation:	*How has the request been interpreted? If this is relevant – ie if the request is not completely clear*
Process followed:	Received: Original due date: Extended: *OIA Decision to be issued (if applicable)* *Any other information required about the process, e.g. was this transferred from the Minister's Office to the Ministry* *Was it transferred from another agency to Justice?* *Was this transferred from Justice to the Minister?* *Was this clarified?*
Consultation:	• *Was anyone consulted? (internal and external to MOJ, for example, OLC, CE's office, Te Arawhiti)* • *If yes, when and what were their views and what is the Ministry's response?* • *Has the consultation been saved into the folder – you don't need to copy and paste what was said, but summarise* • *If a Ministry OIA, has this been reviewed by the Minister's office before sign out?*
Proactive release	Yes/No? *Was the sign out manager asked if this OIA could be proactively released? What was their response?*