

2 September 2022

Section (9) (2) (a)

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Our ref: OIA 98286

Tēnā koe Section (9) (2) (a)

Official Information Act 1982 request: Advice provided to Tenancy Tribunal Adjudicators

Thank you for your email of 11 August 2022, requesting information on any advice provided to Tenancy Tribunal (the Tribunal) adjudicators with respect to handling meth related claims under the Official Information Act 1982 (the Act). You have specifically requested:

I would seek details of the advice the adjudicators has receive from Department of Justice/Tenancy Lead Adjudicator with respect to handling meth related claims, which they have relied on/referenced when publishing their orders. This will provide insights into Tenancy Tribunal thinking.

The Ministry of Justice (the Ministry) has not provided any advice to the Principal Tenancy Adjudicator or Tenancy adjudicators relating to decision making on meth related claims. It would be inappropriate for the Ministry of Justice to provide decision making advice to Tenancy Adjudicators because, as judicial officers, they are independent in their decision-making powers.

Anu guidance prepared by the Principal Tenancy Adjudicator for Tribunal adjudicators is held by the Tribunal. Tribunals are excluded from the operation of the Act under section 2(6)(b). I am therefore refusing your request under section 18(g)(i) of the Act as the information is not held by the Ministry of Justice, nor any other agency subject to the Act.

Should you have any concerns with this response, I would encourage you to raise these with the Ministry of Justice. Alternatively, you are advised of your right under section 28(3) of the Act to also raise any concerns with the Office of the Ombudsman. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz.

Nāku noa, nā



Jacquelyn Shannon
Group Manager, Courts and Tribunals Regional Service Delivery