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| Request for documentation relating to resignation of West Coast Regional Conservator |
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| Legislation Official Information Act 1982, s 9(2)(a)  Agency Department of Conservation  Ombudsman Sir Brian Elwood  Case number(s) W35667  Date February 1997 |

*Section 9(2)(a) applied to the detailed information requested—public interest considerations under s 9(1) required disclosure of general level of financial settlement and provision for contingent liabilities*

This was one of a number of requests arising from the Cave Creek Inquiry and was made by a Member of Parliament for all documentation held by the Department of Conservation relating to the resignation of the West Coast Regional Conservator following the Cave Creek tragedy.

After considering the information at issue and consulting the Privacy Commissioner, the view was formed that section 9(2)(a) of the OIA applied to the detailed information requested. In reaching this view, regard was had to the views of the former Conservator and to the fact that the parties had expressly agreed that the terms of settlement would remain confidential. However, notwithstanding the strong privacy interest attaching to the detailed information requested, in terms of section 9(1) of the OIA there were also strong public interest considerations favouring disclosure of some information. Apart from general accountability considerations for the expenditure of public money, in this case the nature of the tragedy, the role of the Regional Conservator, and the high profile of his resignation, called for added transparency. To meet these public interest considerations, the Department agreed to make available to the requester information showing the general level of financial settlement and the provision made for contingent liabilities.

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