

Request for draft press releases

Legislation	Official Information Act 1982, s 9(2)(g)(i)
Agency	Auckland District Health Board
Ombudsman	Beverley Wakem
Case number(s)	318463
Date	March 2012

Release would impact on the effectiveness of the process of drafting press releases in future, because officials would be reluctant to be candid or to openly express their initial thoughts in writing—s 9(2)(g)(i) applies

Auckland District Health Board (ADHB) issued a press release in response to a journalist's request for information about assaults at Te Whetu Tarewa mental health unit. The journalist then sought information about the handling of his request, including drafts of the press release. The ADHB released a range of information, but withheld the draft press release on the basis that it was 'a working document'. The journalist complained to the Ombudsman.

The information at issue was two versions of the press release. ADHB explained that press releases are an important mechanism for communicating with its patients, staff, and the wider public. Such statements have the capacity to influence public expectations and behaviour, as well as damage the confidence those parties have in the ADHB. This means that the wording of the statements is very important, and often involves rigorous debate and multiple drafts of the language to be used.

As a result, the ADHB stated that it was essential that accurate and effective media statements are carefully prepared through discussion and consultation. The ADHB said that it is through this process of sharing advice and opinions that media releases are created. In addition, the ADHB advised that drafts are always subject to approval and sign off by the responsible ADHB manager.

The ADHB noted that it receives enquiries from the media several times a day, and therefore, media statements are drafted on a daily basis. This often requires statements to be prepared quickly, and at short notice, by busy professionals who may have to liaise with staff across different sites.

The ADHB stated that staff involved in the process of drafting media statements expect discussions surrounding the organisation's response to be confidential, and would be cautious about participating if they were aware that their views (whether or not they were adopted) could be released to the media. This would undermine the purpose of consulting, the quality of the press releases would suffer, and the ADHB's ability to respond to the media in a timely manner would be impaired.

The ADHB also submitted that the public interest in release had been met by the disclosure of other information about its handling of the request.

The Ombudsman agreed that releasing the draft material would impact on the effectiveness of the process of drafting press releases in future, because officials would be reluctant to be candid or to openly express their initial thoughts in writing. The effective conduct of public affairs is promoted when officials can discuss, accept and/or reject particular approaches in a free and frank manner, without being concerned that their preliminary opinions and ideas could be made publicly available.

While there was an accountability interest in the disclosure of information about the safety of the ADHB's mental health unit, this did not require disclosure of the draft press releases. The public interest had been met through the information already provided by the ADHB.

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