

Request for list of reports received by Minister

Legislation	Official Information Act 1982, s 18(f)
Agency	Minister of Immigration
Ombudsman	Beverley Wakem
Case number(s)	174397
Date	March 2007

Request for four months worth of dates, titles and reference numbers of reports—decision making and quality assurance did not constitute ‘collation’ or ‘research’—release with caveat would address issues around reliability of data—s 18(f) did not apply, particularly in light of ability to extend time to respond

The Minister of Immigration refused a request for four months’ worth of dates, titles and reference numbers of reports received from Immigration New Zealand (INZ), and the requester complained to the Ombudsman.

INZ explained that the raw data to compile the list was sourced from its electronic document and records management system (EDRMS). However, this data was not reliable because some reports were not logged in the system, some reports were not recorded as ‘*completed*’ when they should have been, and some reports were sent to the Minister without going through the correct channels. To produce an accurate list, INZ said that it would have to:

1. enter the data into a spreadsheet;
2. review the data to remove duplicate titles, identify missing titles, and check the accuracy of the titles;
3. consider the titles for withholding or release, in consultation with legal services; and
4. put this information and the proposed response through INZ’s internal quality assurance process.

INZ estimated this would take approximately 46 hours.

The Ombudsman found that steps 3 (decision making) and 4 (quality assurance) did not constitute ‘*collation*’ or ‘*research*’. Both of these tasks necessarily occur after the information has already been found and brought together.

The Ombudsman also thought there were ways of minimising the administrative burden of responding to the request which had been overlooked. For instance, it wasn’t strictly necessary to compile a spreadsheet. The information, in its most readily retrievable form, was found in the EDRMS printouts, which could have been provided to the requester in their existing form. Because each report had a tracking number, the requester would be just as able to identify and remove duplicate titles as INZ.

The Ombudsman acknowledged concerns about the reliability of the data. However, it is only necessary to take all reasonable steps to ensure the accuracy of information released in response to a request. The information can be released with a caveat that some reports may inadvertently have been missed. The Ombudsman also queried whether it was reasonable to rely on section 18(f) when the fundamental difficulty in processing the request was down to INZ’s own administrative lapses (though she credited recent steps to improve processes for tracking the flow of information).

The Ombudsman concluded that the ‘*collation*’ and ‘*research*’ required in this case was not ‘*substantial*’, particularly in light of the Minister’s ability to extend the maximum 20 working day timeframe for responding to the request.

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