

Agency could provide summary of AI chat logs

Legislation	Official Information Act 1982, s 16
Agency	Parliamentary Under Secretary for Infrastructure and RMA Reform
Ombudsman	John Allen
Case number(s)	036006
Date	July 2026

Request for Under Secretary's AI chat logs—request created an administrative burden due to the large volume of information and the time and effort required to identify, review and assemble information in scope—consideration given to ways to reduce the administrative burden—Ombudsman of the opinion it was reasonable for the Under Secretary to provide a summary of the information requested, as providing a full copy would impair efficient administration and the summary would allow the requester to make further, more specific requests

Background

An information request was made to Simon Court, the Parliamentary Under Secretary for Infrastructure and RMA Reform. The request was for:

All of Simon Court's chat logs with generative AI tools, including but not limited to ChatGPT, Copilot, Claude, etc.

This includes the minister's chat logs on personal or non-official accounts, where they were acting in an official capacity. Signs of acting in an official capacity could include information relating to social media posts, press releases or other public statements, or information relating to the policies or actions of the Government, of public service agencies or of Ministers.

In response, the Under Secretary provided the requester with a summary of the information requested, under section 16(2) of the Official Information Act 1982 (OIA).

The Under Secretary advised the request raised an administrative burden due to the large volume of information potentially within scope. The time commitment needed to find, assess,

and extract the information was high. Extraction alone would require extensive manual collation as the full logs were not readily extractable. He advised that due to the nature of the information requested, much of the work would need to be done by himself and limited staffing resources in his office. This would impair the efficient administration of his office given the other responsibilities and work of these people.

The requester made a complaint to Chief Ombudsman John Allen about the decision to release the information by way of a summary. The requester considered there was a high public interest in transparency around the ways Artificial Intelligence (AI) is used to inform and assist policy development.

Investigation

Section 16—how information may be released

Section 16(1) of the OIA says information may be released to the requester in one or more of the following ways:

- providing an opportunity for them to inspect the document;
- providing a copy;
- making arrangements for them to hear or view sound or visual recordings;
- providing a transcript;
- giving an excerpt or summary of the contents; or
- providing an oral briefing.

Often, agencies choose to release information by providing a copy. However, if the requester does not express a preference for a particular format, then the agency may release information in any of the ways listed above. This can be particularly helpful, for example, both to address administrative issues and also as a way to make some information available when there is an identified prejudice in release.

If the requester does express a preference for a particular format, then section 16(2) of the OIA says the agency must make the information available in the way preferred, unless that would:

- impair efficient administration;
- be contrary to a legal duty; or
- cause a prejudice protected by the withholding grounds in the OIA (ie sections 6 and 9).¹

¹ For an example of a case where information was not made available in the way preferred by the requester, on the basis that would cause a prejudice protected by the withholding grounds in section 9, see this [opinion](#).

The issue in this case, therefore, was whether it was open to the Under Secretary to provide the information in the form of a summary, on the basis that providing a full copy would *‘impair efficient administration’*.

In deciding whether providing a full copy of the information requested would impair efficient administration, agencies should consider both the administrative difficulties involved and whether there are other mechanisms available to manage those difficulties. For example, charging the requester, asking the requester to refine their request, or extending the timeframe for making a decision on the request. Overall, the Ombudsman on review will consider whether it was reasonable for the agency to rely on section 16 to provide the information by way of a summary.

Comments from the Under Secretary

In this case, the Under Secretary explained that providing a full copy of all his AI chat logs would have a significant impact on his office’s ability to carry out operations. This was because of the large volume of information (over 50 chat logs) and the time and effort required to manually work through each individual chat log to identify information within scope, review for any need to withhold, and assemble the requested information (estimated to take approximately 60 hours).

The Under Secretary’s office explored whether the information could be exported, but determined that extracting data and assembling the information was not readily doable. Although the logs were mostly kept in folders that indicated relevance to portfolios, a search would still be required within each log to review and identify any official information within scope and consider whether it could be released.²

Charging or extending the time frame for decision would not have materially changed the administrative impact, in particular given the limited staff resourcing available in the Under Secretary’s office. It was also considered whether information could be provided that would enable the requester to refine their request, such as providing the chat subject lines or the history sidebar, so the requester might be able to make a subsequent targeted request about a particular chat. However, the titles of the chats were auto populated and not necessarily representative of the full log, especially in the context of some long, iterative chats and chats without timestamp information.

The Under Secretary decided creating a summary of his AI chat logs that explained the volume, subject matter and nature of how he had used AI in his official capacity as a Minister would be more accurate, representative and informative, and would enable the requester to follow up with a more targeted request.

² Only information held by Ministers in their official capacity is official information subject to the OIA. Information held in their private capacity, or in their capacity as a Member of Parliament or a member of a party caucus is not official information.

The summary

The Under Secretary used ChatGPT to help in development of the summary. However, the final summary was manually validated and adjusted to ensure accuracy.

The summary identified the AI tools used by the Under Secretary in his official capacity. It also advised the number of chat logs relating to each of the Under Secretary's portfolios (Infrastructure and RMA Reform) which were likely to contain some official information within scope, and identified the specific subject areas covered.

The summary also explained how AI was used by the Under Secretary in relation to these matters, essentially as a productivity aid to help structure thinking and accelerate routine policy work. This included:

- assisting turning complex topics into clear, decision-neutral summaries;
- mapping key concepts and lines of inquiry;
- producing first-draft notes;
- options framing;
- Q&A/talking points;
- questions for agencies; and
- draft correspondence for refinement.

The summary explained the material was used to inform, and any relevant outputs were treated as draft material.

Comments from the requester

The requester noted that the use of AI in generating official information is a relatively new development. The requester was concerned that a low threshold for permitting summaries to be provided, due to the potential of a request to impair efficient administration, could create a double standard when requests are made for official information generated by AI tools as compared to requests for other official information.

The requester also considered the summary provided by the Under Secretary was not specific enough to allow for further, more targeted requests.

Analysis

The Ombudsman agreed with the requester that AI should be treated like other forms of communication or technology and that there is significant public interest in transparency around how AI is used to inform and assist the business of government. The Ombudsman also agreed the summary of the AI chat logs was high level in this case.

However, the Ombudsman considered the summary provided enough information to enable the requester to make subsequent, more targeted requests by topic or specific policy, while removing the administrative burden on the Under Secretary's office of manually assessing all his AI chat logs.

If further refinement was needed in relation to any subsequent, more targeted requests, the Ombudsman indicated that he expected the Under Secretary's office to consult with the requester in that respect.

Outcome

The Ombudsman formed the opinion that providing a full copy of the requested information would impair the efficient administration of the Under Secretary's office. Providing a summary of the AI chat logs, which removed the burden of extracting, reviewing and redacting the information, was reasonable in the circumstances and enabled the requester to make a subsequent request for further, more specific information.

It was therefore open to the Under Secretary to respond to the request for his AI chat logs by providing a summary, under section 16 of the OIA.

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