



Practical advice on AI for complainants

How to use Artificial Intelligence responsibly when making an official information complaint to the Ombudsman

New Zealand's official information legislation is a powerful tool for people to access government information and participate in our democracy. People can request information from Ministers and government agencies under the Official Information Act (OIA) and Local Government Official Information and Meetings Act (LGOIMA). When requested, information must be provided unless there is good reason not to.

If you are unhappy with the processing or final response on your request, including any delay, you can complain to the Ombudsman. You can contact us through our [online complaint form](#).

Some people are choosing to use Artificial Intelligence (AI) to help them draft complaints to us. There are risks in using AI when making complaints. It must be used responsibly.

AI can help to summarise, organise and refine information. However, AI does not get it right all the time. If you want to use AI in making a complaint, we have some practical advice to help you get the most out of AI while also avoiding some common problems.

AI is a developing area, and we will update this guide from time to time.

Remember—you don't need to use AI to make a complaint to us. Please see our [guidance on making complaints](#) for further information.

Please also see our guide [Practical advice on AI for requesters](#).

Contents

What is AI?	2
What we need from you	3
Things to consider if you are using AI to make a complaint	3
Keep in mind AI doesn't know you or your situation	4
Keep your complaint clear and concise	4
Be aware AI can make mistakes	4
Protect your personal, sensitive and confidential information	5
Ensure your complaint clearly says what you are concerned about	5
Consider the tone	6
What to expect from us if there are problems	6
Checklist for preparing your complaint	7

Important note—you don't need to use AI to complain to us

You don't need to use AI to make a good complaint which we can consider quickly and effectively. We have found that in most cases, complaints are clearer when they are in your own words. When it comes to official information complaints, we just need to know:

- the request you made, when you made it, and the response you received;
- which Minister or government agency (agency) was involved; and
- why you are unhappy and what you want the Ombudsman to look at.

It's as simple as that. We are not looking for legal arguments from you. Quite the opposite. A short, clear description of what you are unhappy about is usually best. If we need you to explain anything or we need more information, we will ask you.

The best thing you can do in making a complaint is to use the [online complaint form](#) on our website. This form sets out the information we need from you to make a complaint. That's usually all we need to decide what we can do and how we can help you.

What is AI?

Generative AI (Gen AI) recognises patterns in large datasets to create new content, such as text and images. Commonly used tools include ChatGPT, Claude, Microsoft 365 Copilot and Google Gemini.

Agentic AI can act independently, make decisions, and carry out multi-step plans to achieve broad goals with minimal human oversight.

A **prompt** is the instruction, question, or input you give an AI tool to tell it what to do or how to respond.

What we need from you

When you make an official information complaint to us, we need:

- a copy of the request you made and the agency's response;
- a brief and clear explanation of what you are concerned about—such as that there has been a delay in the agency responding, or the information you requested has been refused; and
- if information has been refused, why you think it should be released.

The best thing you can do in making a complaint is to use the [online complaint form](#) on our website. This form sets out the information we need from you to make a complaint. Using the form will help us to process your complaint more quickly.

We also need you to be open to discussing your complaint with us. If we need you to explain anything or need more information we will ask you.

Things to consider if you are using AI to make a complaint

If you would like to use a Gen AI tool to help you make your official information complaint, it is important to understand the risks and your responsibilities. Complaints drafted by AI can sometimes cause problems which can delay our assessment or compromise the help we can provide you. But once you are aware of these problems, you can easily avoid them.

If you choose to use a Gen AI tool to help prepare your complaint, it is important to understand that AI:

- does not understand the unique facts of your individual situation;
- may not understand the broader New Zealand social, cultural and legal context;
- cannot always provide information that is relevant, accurate, complete, current or unbiased;
- may store, reuse or share the information you provide, without you knowing and for purposes you can't control;
- can refer to laws or precedent cases that either do not exist or do not apply in New Zealand;

- may give you a response that overlooks essential information or focuses on things that are not important or not relevant to your circumstances and your complaint; and
- may give you wrong advice about what outcomes you can expect from our complaint process.

Keep in mind AI doesn't know you or your situation

If you use a Gen AI tool to draft your complaint, carefully review what it is proposing you tell us. Check that it still sounds like you and accurately describes what happened.

Gen AI is a technology that generates responses based on patterns of words, not the facts of your case and what actually happened to you. It can also have difficulty understanding what matters in New Zealand, including how we view the public interest in access to official information.

Gen AI tools can sometimes re-draft factual information in a way that makes it no longer correct. It might suggest including additional information which is not applicable to your complaint. This can be misleading and confusing for our staff.

A good tip is to try reading your complaint out loud or ask someone you trust to check it. If it doesn't make sense to you, it probably won't make sense to our staff. Remember, your own words will usually be good enough for us to understand your complaint.

Keep your complaint clear and concise

Complaints which are complex or many pages long are not helpful or necessary. AI can produce long and complicated drafts. If a complaint is long or complex, the issues can be hard for us to find and we may need to contact you to better understand what you want us to look at. It could also take us longer to process your complaint.

If your Gen AI tool suggests sending us a significant amount of material, you can always ask it to assist with specifying the key issue of most concern to you and shortening or summarising your complaint to no more than a few pages.

We recommend you review the draft before sending your complaint to us. Short, clear complaints in your own words are best as they will help us to understand your issue more quickly.

Be aware AI can make mistakes

AI may generate information that sounds correct but is wrong. This can include references to laws or policies that do not exist or don't apply to your complaint. It can make mistakes by raising something that didn't actually happen when you made your request to the agency. It can also give incorrect advice or information about likely complaint outcomes, and it can make up or 'hallucinate' previous cases. It can over-simplify or misinterpret policy and legislation,

miss key information, or rely on overseas approaches and decisions that don't apply in New Zealand.

If that happens and your complaint includes incorrect, unclear or misleading information, we may not be able to consider it properly and we may need to contact you to clarify your complaint. This can cause delays.

Generally, you don't need to reference a law, guide or policy when making a complaint to us. The key thing is to be clear what you are concerned about.

We recommend you ask the Gen AI tool you are using to **not** add legal language or references to any draft complaint. In addition, check that the information is correct before sending your complaint to us. Be especially suspicious if the Gen AI tool is the only source telling you that a previous case or precedent exists. You will not be alone in thinking material produced by AI is genuine and relevant to your complaint. It can be so convincing that lawyers and litigants have been fooled into [presenting fake cases](#) in their own research both [here](#) and [overseas](#).

Our [website](#) is a good place to start if you want to find reliable information about the requirements of the OIA or LGOIMA, our view on specific provisions, and past cases. See in particular our guide [Making official information requests: A guide for requesters](#). You can also review the OIA and LGOIMA law on the [New Zealand Legislation website](#). You can call us on 0800 802 602 and speak to one of our staff if you have any queries.

To check on any information or cases AI may have suggested or referenced, search for it through an internet search engine and look for other references beyond that which the Gen AI tool is suggesting.

Protect your personal, sensitive and confidential information

Some Gen AI tools may store, reuse or share information you have entered into them with others, without you knowing and for purposes you can't control. This can include personal, sensitive or confidential information about yourself and other people. Once you share information with an AI tool, you may not be able to get it back or have it deleted.

We recommend you don't include personal, sensitive or confidential information in your AI prompt.

Correspondence you receive from us about your complaint may contain confidential information. Please don't include this information in your AI prompts. If you need help understanding our correspondence, please contact our nominated staff member who will be happy to assist you.

Ensure your complaint clearly says what you are concerned about

If you're asking AI to assist you to draft your complaint to us, review what it suggests to ensure your complaint reflects exactly why you are unhappy. A Gen AI tool might suggest various reasons why you might be unhappy, but they may not be your own views.

Think about why you are dissatisfied with the processing or decision made on your request—and make sure this is the focus of your complaint. It will enable us to focus on, and try and resolve, the specific matters you are concerned about. It will also help us to respond to you, and to other people who approach us for assistance, in a timely way.

Consider the tone

Gen AI tools are technology. They can sometimes produce robotic, abrupt and discourteous draft communications. The tone may not at all reflect what you intended. If you are not happy with the tone, you can change some of the words to ensure it comes across more constructively.

What to expect from us if there are problems

As discussed above, when you use AI to help draft a complaint, there is a risk the material produced may be long, complex or inaccurate.

If your complaint is long, complex or unclear, or appears to contain false or misleading information, we may need to contact you directly. We may ask you to explain your complaint and seek further clarification.

Be open to constructively engaging and discussing your complaint with us if we need to talk to you. Our staff may contact you by phone or email to progress the complaint and understand your concerns.

We may disregard or not respond to any irrelevant, incorrect, discourteous, out-of-date or false information or submissions you give us. We will explain why we did this.

We may need you to write your complaint again and resubmit it to us.

These extra steps will likely delay our ability to process and consider your complaint.

Checklist for preparing your complaint

Final checklist

Use our [online complaint form](#) to submit your complaint and make sure you provide:

- ☒ a copy of the request you made and the agency's response;
- ☒ a brief and clear explanation of what you are concerned about—such as that there has been a delay in the agency responding, or the information you requested has been refused; and
- ☒ if information has been refused, why you think it should be released.

If you decide to use AI to assist with preparing your official information complaint or engaging with us during our complaint handling process, make sure you:

- ☒ are careful about sharing personal, sensitive or confidential information with AI
- ☒ check that all the information generated by AI which you want to rely on is clear, focused and accurate
- ☒ add your own words, reasons and explanations as to what really matters to you
- ☒ check all references to policies and laws you want to rely on to make sure they exist and are relevant in New Zealand
- ☒ remove any material or references that you don't need or don't understand
- ☒ check the final wording of your complaint makes sense and is focused on the issues you are concerned about
- ☒ check the tone is appropriate coming from you

Once you submit your complaint to us, you will be responsible for the accuracy, relevance and truthfulness of what is included. If you don't fully understand the complaint you are about to submit, there's a very good chance that our staff receiving it won't either. Your careful review before submitting will go a long way to reduce the chance of delay, misunderstanding or confusion.

Please double-check and trust your own judgement before submitting any AI-generated content in your complaint.