



# **State Servants, Political Parties and Elections: Guidance for the 2005 Election Period**

**Issued by the State Services Commissioner**

**2005**



State Services Commission, March 2005. Much of this guidance relates to the relationships, expectations and interactions among State servants, Ministers, Members of Parliament and political parties that can take on particular significance prior to a general election. The latter part of the guidance covers matters following an election, including government formation and briefing new Ministers. This guidance identifies common principles and obligations for those who work in the State Services.

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## Introduction

This guide covers the main things employees in the “State Services”<sup>1</sup> need to know prior to and following a general election.

Much of the guide relates to the relationships, expectations and interactions amongst State servants, Ministers, Members of Parliament (MPs), and political parties that can take on particular significance prior to a general election. The latter part of this guide covers matters following an election, including government formation and briefing new Ministers.

The main message is that, if State servants are to be able to effectively serve successive Governments that may be drawn from different political parties, they must be, and be seen to be, politically neutral.

For this reason, in an election year the ordinary business of government should continue, although special care should be taken over media releases, advertising campaigns, handling of Official Information Act (OIA) requests, public speaking engagements, programme launches and release of discussion documents.

State servants who are unsure about how to deal with a particular matter should ensure they obtain advice from a senior manager in their agency.

For further guidance please email: [election@ssc.govt.nz](mailto:election@ssc.govt.nz).

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<sup>1</sup> “State Services” can be summarised to mean:

- (a) All instruments of the Crown in respect of the Government of New Zealand, whether Departments, corporations, agencies, or other instruments.
- (b) Includes the Education service, except for Tertiary Education Institutes.

## **Prior to a General Election**

With the exception of the guidance on *State Servants Standing for Election* and *Costing Parties' Policies* (see below), most of this section applies to State servants irrespective of the timing of an election. However, an election year creates an environment in which particular care is required from State servants in dealing with these matters.

### **Official Comment**

An election year increases media interest in the activities of government. Where media statements or other public comment are concerned, there should be a clear understanding of which matters are primarily political and which are operational, and which are to be handled by the Minister and which by the agency. It is important that those employees authorised to speak on behalf of an agency appreciate this and understand the environment in which they are operating.

### **Communication Campaigns**

In the run-up to an election, agencies should consider whether communication campaigns generally, and advertising specifically, could be seen as 'party political', even if they might be unexceptionable at other times. This does not mean that communication campaigns that inform people of their rights and obligations should stop. If there are any doubts about how an advertising or public information campaign might be perceived, consideration should be given to waiting until the new Government is formed, for advice contact the State Services Commission or the Office of the Auditor-General. The 'Guidelines for Government Advertising' in Appendix 2 of the Cabinet Manual 2001 contains some general guidance ([www.dPMC.govt.nz/cabinet/manual/appendix2.html](http://www.dPMC.govt.nz/cabinet/manual/appendix2.html)).

### **Programme Launches**

Similarly, the launch of a new programme or initiative may take on a 'party political' character in an election period. State servants should work with Ministers as usual, but take care to avoid association with the political aspects of any such event, or with the preparation of supporting material which has a political character.

### **Use of Agency Resources**

It is inappropriate for agency premises or other resources to be used for 'electioneering' (there is specific provision made, however, under the Electoral Act 1993<sup>2</sup> for political parties to use public schoolrooms for election meetings).

State servants should also be careful about providing their work place contact details to outside organisations. For instance, receiving party political material (for personal information) via agency fax or email may undermine the perception of political neutrality.

### **Contact with Members of Parliament and Political Parties**

Contact between State servants and MPs is always sensitive, but may become more so in an election year. That may particularly be the case in regional offices of agencies that may have routine contact with MPs in their capacity as electorate representatives acting on behalf of constituents. State servants should be sensitive to the fact that, in an election year, a MP will

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<sup>2</sup> Refer to section 154.

have the dual role of advocate for a constituent and a campaigner for re-election. Local managers should contact their head office if they are uncertain of how to handle a specific case.

Apart from responding to constituency concerns raised by a local MP, any contact between State servants and representatives of political parties within or outside the Government should take place only with prior Ministerial approval.

### **Official Information Requests**

It is particularly important that the Official Information Act works during the election period, as the Act exists to inform the public of the workings of government. To preserve the political neutrality of the State Sector, agencies must give effect to the statute in a timely fashion.

Requests for information from political parties should generally be treated in the same way as any other official information request. Where an official information request comes from a party or MP (including party research units) State servants should consult with their chief executive and Minister. Where there is any disagreement between the responsible Minister and the chief executive over whether information should be released, the request should be transferred to the Minister's office, because this

“...is the only way in which the department can meet its constitutional duty to follow Ministerial direction and the obligation to comply with the Official Information Act....Each case of this kind needs to be carefully handled at a senior level within the department, including reference back to the Minister for further consideration if necessary”.<sup>3</sup>

However, if the request relates to a function in which an official is required by statute to act independently, then no consultation is required with the Minister. This does not in any way diminish the responsibility to keep the Minister informed.

In a previous election period, the Ombudsmen reported that State servants exceeded their mandate and became involved in assessing the political consequences of release, rather than making the decision in a politically neutral manner. The Ombudsmen said “it is improper for State servants, expected by the public to be neutral, to use official authority or influence to attempt to interfere with, or affect, the result of a General Election”<sup>4</sup>. State servants must appreciate the need for speedy decisions on releasing, or not releasing, information.

State servants must not attempt to extend the timeframes specified in the OIA for the release of information on the basis of fallacious reasons, including the need to consult with Ministers. State servants should assess Official Information requests in the usual way, looking carefully at the grounds. The potential for released material to adversely affect the Government's electoral prospects is not a lawful reason for withholding it. Official Information requests need to be handled with care, at a senior level.

For more information on the Official Information Act 1982 see the Cabinet Manual 2001<sup>5</sup>.

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3 From Cabinet Manual 2001, 6.34

4 Report of the Ombudsmen for year ended 30 June 1991, pp 16-21

5 6.10-6.43

### ***Attendance at Caucus and Caucus Committees***

State servants are not usually expected to attend caucus meetings of the political parties represented in the House. However, if a State servant's attendance is requested, permission from their chief executive and/or direction from the Minister is required. State servants should not undertake work at the direction of caucuses, nor should they service caucuses or their committees. Any instructions, which might emerge from caucus discussions, should come from the Minister.

If a State servant is invited to attend a caucus committee meeting in a personal capacity, their chief executive's agreement should be obtained before attending.

### ***Pre-election Economic and Fiscal Update***

While usual processes apply, as the election draws closer, timing becomes important. Briefings to Ministers should be timed to ensure that significant decisions can be included in the Pre-election Economic and Fiscal Update (which the Treasury prepares under the Public Finance Amendment Act 2004). The Update is normally published four to six weeks before the election and must include 'to the fullest extent possible' information on all government decisions and other circumstances that may affect the fiscal and economic outlook.

### ***State Servants Standing for Election***

State servants are entitled to stand for election to Parliament but are subject to the provisions of the Electoral Act. They must notify their chief executive of their intention to stand. Candidates from the State Services must take leave from their job for a period before the election (at least between Nomination Day and the first working day after Polling Day, but sometimes for a longer period as determined by their chief executive after consultation with the State servant). Someone included on a party list becomes a candidate on Nomination Day when the list is lodged with the Chief Electoral Office. If declared elected, a State servant will immediately be deemed to have "vacated" their position. If unsuccessful they may resume work on the first working day after Polling Day.

State servants who are involved in political parties or who comment publicly on political matters need to be particularly careful that they do not abuse their position by:

- ?? revealing advice given to Ministers
- ?? disclosing information they are not authorised to disclose
- ?? criticising Ministerial policy with which they have been professionally involved, or
- ?? purporting to express a departmental view where they are giving their own view.

### ***Costing Parties' Policies***

It is the routine business of most agencies to cost policy options. However, agencies may be asked by their Minister to cost the policies of parties in government, or to cost other parties' policies where Ministers wish to use this information for partisan purposes (e.g. during election campaigns). Special rules have been designed to cover such situations to protect State Sector political neutrality while providing Ministers with the information they require. The rules require Ministers to specify the proposals to be costed where they are unclear. They prohibit State servants from making broad assumptions about policies or commenting on the merits of policies. These rules are attached as Appendix 1.

If State servants are uncertain over the application of these rules, they should seek advice from the Treasury and State Services Commission.

### ***Costing Parties' Policies - During Government Formation***

Agencies may be asked to cost policies as part of the information and advice they offer during the negotiations between political parties to form a government following an election. These costings should be dealt with in terms of the State Services Commission's circular ([www.ssc.govt.nz/negotiations](http://www.ssc.govt.nz/negotiations)) on the process for supporting negotiations between political parties to form a government.

### ***Significant Decision Making by the Government***

Unless a general election has resulted from the Government losing the support of the House, there is no caretaker convention which applies in the period immediately before an election.

However, governments have chosen to restrict their actions to some extent at this time recognising the potential for an imminent change of government. These actions include deferring significant appointments and government advertising that may be inappropriate during an election campaign – see Cabinet Circular (CO(05)2) [www.dPMC.govt.nz/cabinet/circulars/co05/2.html](http://www.dPMC.govt.nz/cabinet/circulars/co05/2.html).

In practice, the period of restraint extends from approximately three months before the general election is due.<sup>6</sup> The Secretary of the Cabinet is able to give advice on decision making during the pre-election period.

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<sup>6</sup> For detailed information regarding the invoking of the caretaker convention see Cabinet Manual 2001, 4.14.

## **Following a General Election**

### ***Caretaker Convention***

After an election, it may be necessary for the incumbent government to remain in office for a period until a new administration is sworn in or it becomes clear that the incumbent government continues to have the support of the House necessary to govern. During such periods, the incumbent government is still the lawful executive authority, with all the powers and responsibilities that go with executive office. Ministers are therefore entitled to receive the same level of support they normally receive from agencies, including being advised and getting information. Governments, however, have traditionally constrained their actions during this period, in accordance with what is known as the caretaker convention.

There are two arms to the caretaker convention:

- ?? where it is clear who will form the next government, but they have not taken office, and
- ?? where it is not clear who will form the next government.<sup>7</sup>

Detailed guidance on the application of the caretaker convention is set out in the Cabinet Manual, paragraphs 4.16-4.31 ([www.dpmc.govt.nz/cabinet/manual/4.html](http://www.dpmc.govt.nz/cabinet/manual/4.html)). The Secretary of the Cabinet is available to provide advice to Ministers and agencies about the application of the caretaker convention. Ultimately the Prime Minister will determine how a matter should be dealt with during this period.

### ***Forming a Government***

The formation of a Government is a political process, and the State Services Commission manages any involvement by State servants. If approached to provide information or advice, State servants should refer the request to the State Services Commissioner, through their chief executive.

Agency officials may provide information or technical support on specific questions to political parties for the purposes of government formation negotiations only when authorised by the Prime Minister to do so and must follow the relevant guidance.<sup>8</sup>

### ***Briefing a New Minister***

One of the duties of State servants following an election is to brief the incoming Government and new Ministers. These matters are discussed in more detail in the Cabinet Manual 2001 – paragraphs 4.46 and 4.48.<sup>9</sup>

The Department of the Prime Minister and Cabinet will advise agencies separately of any additional specifications or requirements over and above those in the Cabinet Manual 2001.

The briefing material should focus on the incoming Minister's needs. It should be modest in size reflecting the pressures on the incoming Ministers. The amount of detail included in the briefing will vary depending on whether the Minister concerned has had any prior involvement with the portfolio, and whether there has been a change of government. Agencies must be able to provide this sort of briefing at short notice.

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<sup>7</sup> For detailed information regarding the caretaker convention see the Cabinet Manual 2001, 4.16-4.24.

<sup>8</sup> See SSC CE Circular Negotiations Between Political Parties to Form a Government.

<sup>9</sup> 2.155-2.157, 4.46 and 4.48.

Any requests under the Official Information Act for the briefing material must be dealt with in terms of the criteria of the Act<sup>10</sup>. Because the public release of briefings is for individual Ministers to determine, a briefing for an incoming Minister is confidential until the Minister or the new Government decides to release it.

### ***Announcement of Portfolios***

Agencies should not assume that an Opposition spokesperson will necessarily become the Minister where there is a change of Government. Spokespersons should not be given any briefing material until the Prime Minister-designate formally announces portfolios. This announcement usually takes place shortly before Ministerial warrants are issued.

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10 See the Official Information Act 1982, Sections of 9 (2) (f) (iii) and (iv) and 9 (2) (g) which recognise the maintenance of constitutional conventions to protect the confidentiality of information provided to Ministers by officials, the political neutrality of the State Sector, and the importance of officials being able to give free and frank advice to Ministers, and also Section 15 (A) (i) (b) which provides that the normal time limit to reply to an Official Information request may be extended if consultations (for instance, with an incoming Minister) are necessary for a proper response to a request.

## **Where to get more information**

State servants who are unclear about how to deal with a particular matter should contact their senior management. The three central agencies may also be asked for advice:

- ?? State Services Commission – State services conduct and the process for providing information to political parties engaged in negotiations to form a government. Email: [election@ssc.govt.nz](mailto:election@ssc.govt.nz).
- ?? Secretary of the Cabinet – the operation of Government and constitutional matters.
- ?? Department of Prime Minister and Cabinet – briefings for incoming Ministers.
- ?? The Treasury – fiscal and budgetary matters.

Further sources of information are provided below, many of which can be accessed via the State Services Commission website: [www.ssc.govt.nz](http://www.ssc.govt.nz) and the Ombudsmen's Office [www.ombudsmen.govt.nz](http://www.ombudsmen.govt.nz).

### ***New Zealand Public Service Code of Conduct***

Issued by the State Services Commissioner (2001). The Code prescribes minimum standards of integrity and conduct for public servants and emphasises political neutrality.

This is available on the SSC website – [www.ssc.govt.nz/coc](http://www.ssc.govt.nz/coc)

### ***Political Neutrality Fact Sheets***

In September 2003, four question and answer fact sheets were produced by the State Services Commission on political neutrality:

- ?? What is 'political neutrality' and what does it mean in practice?
- ?? Political views and participation in political activities.
- ?? The relationship between the Public Service and Ministers.
- ?? The relationship between the Public Service and MPs.

As a follow-up, in June 2004, a fifth fact sheet was produced: Political neutrality for staff who interact with the public (front line staff). This fact sheet was a combination of the first four facts sheets put into an easy to read format and directly aimed at front line staff.

See SSC website – [www.ssc.govt.nz/political-neutrality](http://www.ssc.govt.nz/political-neutrality)

### ***Public Servants and Select Committees***

State Services Commission (2002). These guidelines cover the principles of the relationship between public servants and select committees; public servants as witnesses or advisers; attendance by Ministers at select committees; and attendance by a public servant in a private capacity.

See SSC website – [www.ssc.govt.nz/select-committees-guidelines](http://www.ssc.govt.nz/select-committees-guidelines)

### ***Cabinet Manual***

Cabinet Office (2001). This is the key guide to central government decision making, for those working within government. It is also a primary source of information on constitutional and procedural matters, for those outside government ([www.dpmc.govt.nz/cabinet/index.htm](http://www.dpmc.govt.nz/cabinet/index.htm)).

### ***Step by Step Guide***

Cabinet Office (2001). This guide sets out the processes approved by Cabinet for Cabinet and its committees. It helps departments and Ministers' offices meet Cabinet's requirements for developing and presenting proposals to Cabinet ([www.dpmc.govt.nz/cabinet/index.htm](http://www.dpmc.govt.nz/cabinet/index.htm)).

### ***Cabinet Office Circulars***

The Cabinet Office will also issue circulars from time to time throughout the election period, providing guidance on various procedural and constitutional issues. See [www.dpmc.govt.nz/cabinet/circulars/index.html](http://www.dpmc.govt.nz/cabinet/circulars/index.html)

### ***Parliamentary Practice in New Zealand***

D McGee, (2nd edition, 1995). This text provides a comprehensive description of the procedures of Parliament. It must be read in the context of the 1996 changes to the Standing Orders.

### ***The Standing Orders of the House of Representatives***

(1996). These are the rules used by the House of Representatives to govern its own procedures. New Standing Orders were adopted in late 1995 following the Report of the Standing Orders Committee.

### ***Voting Under MMP: Everything You Need to Know about New Zealand's Electoral System***

Electoral Commission (1996). This provides a general account of the MMP electoral system and the constitutional context within which it operates. It includes appendices on how boundaries are drawn, electoral history, and the St Lague formula, as well as a useful glossary of terms.

### ***Electoral Act 1993***

See [www.legislation.govt.nz](http://www.legislation.govt.nz)

## **Appendix 1: Guidelines for Costing Party Political Policies**

Requests for costings of policies of any political party should be provided only at the written request of the Minister of Finance or a Responsible Minister. A request from a member of a Minister's staff is not sufficient authority in itself.

The Chief Executive is responsible for receiving any request, assigning any tasks, and seeing that the costs and any accompanying material conform to the rules, and that any response is released in writing (under the signature of the chief executive, or appropriate, authorised senior officer) to the Minister who made the request.

If a request for costings is made to a government department other than the Treasury, the request is to be referred to the Office of the Minister of Finance in the first instance. In any event the departments concerned need to be absolutely clear about the allocation of tasks to co-ordinate effort and resources, and work in close co-operation with each other. The procedures to be followed should be conveyed in writing.

All requests for costings of policies or proposals of political parties are to be documented in full, and all workings, correspondence, sources, procedures, and decisions recorded. Agencies should keep a record of the resources used in preparing a political costing. Only those persons directly involved in the actual costings should be privy to the exercise.

Costings should be limited to factual data readily available in the Treasury or other agencies and should contain:

- ?? no additional commentary, such as the merits or otherwise of the policy proposal
- ?? no value judgements, or subjective assumptions
- ?? no unsubstantiated or unreasonable technical assumptions - it should be clearly stated if the assumptions could lead to more than one possible costing
- ?? a clear explanation of all sources, and of any assumptions used.

If there is any doubt as to the nature or basis of the request, clarification must be sought from the Minister of Finance or Responsible Minister concerned.

All responses should be drafted on the understanding that they may be requested and released under the Official Information Act 1982.

In some instances it may be appropriate to meet the Minister's request by having the costings done by a qualified expert outside the Public Service. If so, this should be made clear in reporting to the Minister concerned.

The convention between Ministers and agencies in these circumstances is that Ministers will not require or use information on costings in a way which might damage the neutrality of the Public Service, and hence its ability to serve successive Governments.

Note: These rules should not be applied where agencies are required to provide costings:

- ?? in order to assist Ministers to make a decision about whether or not to exercise the Financial Veto under Standing Orders 312-317, since these will be required as part of the normal business of government (CO (98) 15).

- ?? during a period of negotiations between political parties to form a government following an election. Requests for costings that occur as a result of this process should be dealt with in terms of Negotiations Between Political Parties to Form a Government: Guidelines on Support from the State Sector provided by the State Services Commission.

## **Appendix 2: Ombudsmen Report on Official Information Act Releases during an Election Period**

The following is an extract from the Report of The Ombudsmen/Te Kaitiaki Mana Tangata, for the year ended 30 June 1991, pp 16-19.

### ***Issues arising from investigations under the Official Information Legislation***

#### **Release of information prior to a General Election**

The Chief Ombudsman's investigation into the release of "Prime Ministerial Briefing Papers - Bank of New Zealand Data", (case W2733) which is the subject of a separate report to the House of Representatives, highlighted the need for access to reliable economic information prior to a general election.

A General Election is the central event in a constitutional democracy, and it is undeniably in the public interest that all political parties seeking electoral support be able to explain adequately how they intend to deal with issues arising from perceived advantages or disadvantages in the state of the economy, and design the policies which they hope will be supported when the electorate votes. The economy always will be of central importance in any election campaign. The Chief Ombudsman therefore suggested that Parliament consider a means by which an authenticated non-political survey of the state of the economy could be published for all to see and understand before a General Election. He highlighted four criteria which he considered to be critical to such a review:

- (i) There should be statutory authority for the review prescribing its independence and its funding.
- (ii) The publishing body should be part of the official machinery of government, having authority to access all relevant information in all departments of State.
- (iii) The publishing body should operate preferably out of the Department of Statistics which has a history of protected independence in publishing.
- (iv) The subject-matter to be covered in the assessment should be specified in the legislation.

The General Election also raised some other issues. For example, we [the two Ombudsmen] both experienced difficulties in getting officials to whom requests were made for information to co-operate in meeting time frames related to the date of the General Election. The maximum time frames of the Official Information Act were used extensively to avoid releasing politically sensitive information required by various individuals, Members of Parliament and special interest groups for the election campaign. This very undesirable practice failed to appreciate the constitutional importance of ensuring that the electorate was well informed before it committed itself to selecting the parliamentarians from whom a government would be formed. What concerned us was that officials with a duty under the Act to release all information unless there was good reason to withhold in terms of the legislative criteria, exceeded their mandate and became involved in assessing political consequences of release, rather than making the decision in a politically neutral manner.

While it is argued by some that the State Sector Act may have affected the constitutional notion of a politically neutral Public Service, we believe that it is improper for officials, expected by

the public to be neutral, to use official authority or influence to attempt to interfere with, or affect, the result of a General Election.

Regard was often had by officials to the likely political consequences of releasing the information held by the organisation when assessing the time frames imposed by the Act. Evidence was available to show that, notwithstanding that the information could not be withheld in terms of the provisions of the Act, its release could be delayed beyond the General Election date by invoking the full legal 20 working day time limit, and by attempting to use fallacious reasons for extending those time frames.

Two examples show the nature of the problem we faced.

The Chief Ombudsman received a request from an Opposition Member of Parliament for a review of a decision taken by a departmental official to extend the time frame for responding for a further 20 working days, to enable the official to consult with Ministers on the release of the information sought. The information was readily available. The Member's request to the department was made on 10 September and appeared to be passed around between officers for some days, eventually arriving with the officer authorised to release around 1 October. The request was then held by that officer until 10 October, when he notified to the Member of Parliament an extension of 20 working days to 7 November (the General Election took place on 27 October), ostensibly on the grounds of the need to consult with Ministers.

When the Chief Ombudsman reviewed the extension he considered it was unreasonable as there had clearly been sufficient time after initial receipt for the department to consult with Ministers. (It could not transfer the request to the Minister in terms of section 14(b) of the Act because it did not meet the test of being more closely connected with the functions of the Minister.) Apart from the need for consultation being questionable, the department was well aware from the nature of the information that the Member of Parliament required a response before the General Election. In attempting to justify the extension of time to the Chief Ombudsman, the Chief Executive said the matter was potentially quite sensitive and that it would be unfair not to consult. The Chief Ombudsman did not disagree with this (providing the Chief Executive made the final decision and not the Minister), but already plenty of time had elapsed during which consultation could have taken place. The Chief Executive then went on to say in justification of the need to consult, *The release of such information at this time could adversely affect the Government's electoral prospects*. Nowhere in the Act is this a withholding provision and, apart from the question of whether the Chief Executive as a non political official was entitled to make this assessment, it was not appropriate to use the pretence of needed consultation to extend the time for a reply well beyond the Election date when there had already been plenty of time for consultation to take place.

Believing that deliberate procrastination was taking place, the Chief Ombudsman held that the extension was unreasonable and that the decision on release should be given by 24 October. It is gratifying to report that the department met that date and released the information requested to the Member of Parliament with few deletions. However, it probably arrived too late to meet the objectives of the Member who requested it.

The Ombudsman had a similar example. An urgent request was made to the department on 17 September for statistical data required by a special interest group to test before the General Election whether an announced policy and expectations of the then government were achievable in practice. The department refused the request on 28 September and the Ombudsman received a letter asking for review on 2 October. On 19 October the Ombudsman

by fax, on grounds fully set out, expressed the opinion, subject to the Chief Executive's final comments, that the request for information should not have been refused. The department was urged to release the information straight away if the opinion was agreed to, and otherwise to advise the reasons for disagreement by 3pm on Wednesday, 24 October. By facsimile message dated 23 October, but not sent till 2.47pm on 24 October, the department stated it did not wish to disagree with the Ombudsman's opinion, but would prefer to release the information in response to a formal recommendation. The Ombudsman was told that on receipt of the formal recommendation the statistics would be released to the requestor.

A formal recommendation to release was faxed early on the morning of 25 October. The following day, the last working day before the General Election, the Ombudsman was made aware by the requestor that the Department was unlikely to release the information that day. Immediate inquiries established that, contrary to the undertaking given, the information had been sent to the Minister because it was regarded as protocol to get the Minister's approval for release of possibly sensitive information. There had been ample time when the department first received the request to consult the Minister. The Ombudsman pointed out that any consultation should have been carried out in accordance with section 15(5) of the Official Information Act in the course of making a decision on the release of the information. Furthermore, she pointed out that the Act did not provide for veto or approval by a Minister after a recommendation had been made, and that the way this matter had been handled by the Department could be seen to be unduly obstructive and to have frustrated the principles, purposes and procedures of the Official Information Act.

These examples were not unique in that difficult period. What surprised us was that officials appeared to not appreciate the significance of the need for speedy decisions, and the extreme importance of a well-informed electorate at the time of a General Election. While an inward looking perspective is understandable at such a time, we did think that professional public officials would recognise the importance of one of the purposes of the Official Information Act to the effectiveness of a General Election. That purpose bears repeating here because it is so relevant to a General Election:-

- 4(a) To increase progressively the availability of official information to the people of New Zealand in order-*
- (i) To enable their more effective participation in the making and administration of laws and policies; and*
  - (ii) To promote the accountability of Ministers of the Crown and officials,-*  
*and thereby to enhance respect for the law and to promote the good government of New Zealand.*