



133 Molesworth Street  
PO Box 5013  
Wellington 6140  
New Zealand  
T+64 4 496 2000

17 October 2023

Eric Crampton

By email: [eric.crampton@nzinitiative.org.nz](mailto:eric.crampton@nzinitiative.org.nz)

Ref: H2023031477

Tēnā koe Eric

### **Response to your request for official information**

Thank you for your request under the Official Information Act 1982 (the Act) to Manatū Hauora (the Ministry of Health) on 6 September 2023 for information regarding the Independent Review of the Alcohol Levy. You requested:

*I was today pointed to the Independent Review of the Alcohol Levy Stage 1 Rapid Review, dated 27 April 2023. I was surprised at omissions in the discussion of the cost of alcohol literature. Paragraph 14 notes that NZIER undertook the analysis of existing data and evidence.*

*I consequently request:*

- 1. All early and working drafts produced by NZIER;*
- 2. Correspondence, as well as notes from any phone conversations or meetings, between the Ministry of Health, the Health Promotion Agency's staff (including but not limited to Amanda Jones) and both Allen + Clarke and NZIER regarding NZIER's analysis of the existing data and evidence. This should include all correspondence regarding initial scoping, direction or advice along the way, comments and review of early drafts, and comments on and review of NZIER's final draft;*
- 3. Any peer review of the report.*

On 15 September 2023, you were contacted by Manatū Hauora in accordance with section 18B of the Act to refine your request. You were advised that your request requires a search through a very large volume of information including email correspondence and that each piece of correspondence between the relevant team and NZIER would need to be individually reviewed to determine whether it falls within scope of your request. You were also advised that your request may be refused under section 18(f) of the Act as the information requested cannot be made available without substantial collation or research.

On the same day, you agreed to refine your request. Please find a response to each part of your refined request overleaf:

*Please prioritise delivery of early and working drafts requested in (1), and any peer review in (3).*

The early and working drafts and peer reviews you have requested are withheld under section 9(2)(g)(i) of the Act, to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers and officers and employees of any public service agency. I have considered the countervailing public interest in releasing information and consider that it does not outweigh the need to withhold at this time.

*If it's the correspondence with NZIER that's causing the current problem, please prioritise, in (2), correspondence and relevant notes from meetings between and among MoH, HPA, and Allen + Clarke regarding the NZIER report.*

Correspondence identified within scope of your request are withheld in their entirety pursuant to section 9(2)(g)(i) of the Act, to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers and officers and employees of any public service agency; however, it may be useful to note that majority of our written communications with NZIER are administrative in nature (for example, emails to set up meetings, or meeting invites). Please advise if you are interested in receiving this information.

I acknowledge your further correspondence to us on 5 October 2023, as below:

*I'm hoping that the early and working drafts requested twenty working days ago can be provided today; their production should be very straightforward and should not have required any extensive search.*

*My original request had these drafts as the first listed item, and I made no changes to my request for those drafts in response to your request for clarification, other than noting that they should be the priority. So the clarification should not have been treated as a new request and should not have triggered a new time limit.*

*I'm more than happy to receive those drafts today and separately from the correspondence, if time needs to be extended on correspondence.*

The Ministry acknowledges the importance of upholding the principles and purposes of the Act. Under section 15(1) of the Act, it notes that an agency must make and communicate a decision on a request for official information as soon as reasonably practicable and no later than 20 working days after it was received, unless that time limit is validly extended in accordance with section 15A. In instances where some or most of the decision on a request is straightforward and can be communicated to the requester earlier than the balance of the request, the Ministry endeavours to provide a staged reply. Under section 15 of the Act, any clarification or amendments made to a request within seven days after the date it is received, that request may be treated as a new request and the time limit for the response restarts. Therefore, the due date for this request was extended until 16 October 2023 due to the clarification of your request on 15 September 2023.

If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact the OIA Services Team on: [oiagr@health.govt.nz](mailto:oiagr@health.govt.nz).

Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Manatū Hauora website at: [www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests](http://www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests).

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Ross Bell', is written over a light blue horizontal line.

Ross Bell  
**Acting Deputy Director-General**  
**Public Health Agency | Te Pou Hauora Tūmatanui**