



Office of the Leader of the Opposition
House of Representatives
Wellington

23 December 2002

Andrew Lockhart
General Manager
NZ Immigration Service
PO Box 3705
WELLINGTON

RECEIVED
24 DEC 2002

Dear Mr Lockhart

I request under section 12 of the Official Information Act a copy of all communications relating to the detention of Ahmed Zaoui in December 2002. Please note that I am also interested in all information received by the Immigration Service from any other party prior to Mr Zaoui's detention.

I note that Immigration Service spokesperson Ian Smith is quoted in the media as stating that he had no knowledge of Mr Zaoui's presence in New Zealand. He is reported as saying: "*Normally if there was anything untoward they would let me know and I haven't heard anything.*"

I would like copies of all letters, memoranda, emails and other communications, including internal communications, between Immigration officials and any other person in relation to this case.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Boyle'.

Sarah Boyle
Political Advisor

The logo for the National Party, consisting of a stylized 'N' with a flag-like element, and the word 'National' written below it.

National

Parliament Buildings, Wellington, New Zealand
Telephone 64 4 471 9838 Facsimile 64 4 472 2075



**New Zealand
Immigration Service**
Te Ratonga Manene

22 January 2003

Sarah Boyle
Political Advisor
Office of the Leader of the Opposition
House of Representatives
Parliament Buildings
WELLINGTON


**RE: OFFICIAL INFORMATION ACT REQUEST CONCERNING MR
AHMED ZAOU**

I refer to your letter of 23 December 2002 requesting under section 12 of the Official Information Act, copies of all communications held by the New Zealand Immigration Service (NZIS) relating to Ahmed Zaoui.

As you are aware Mr Zaoui is currently in detention. In the circumstances I am unable to provide you with any of the information requested as all information held by the NZIS with regard to Mr Zaoui is withheld under section 18(a) of the Official Information Act 1982 by virtue of section 6(a) and section 6(d). In addition I believe that under section 18(c) the provision of any of the relevant material would be in breach of section 129T of the Immigration Act 1987, for whilst it is public knowledge that Mr Zaoui has lodged a claim for refugee status in New Zealand, the circumstances and details of his claim are not and I am required to maintain his confidentiality with regard to these matters.

Please note that you have the right to have this decision reviewed by the Ombudsman pursuant to section 28 of the Official Information Act 1982.

Yours sincerely


Andrew Lockhart
General Manager

Office of the  Ombudsmen
Nga Kaitiaki Mana Tangata

RECEIVED
12 MAR 2003

Ref: W49819
Our Contact: Andrew McCaw

Received

10 March 2003

13 MAR 2003

Reception

The Secretary of Labour
P O Box 3705
WELLINGTON

Dear Mr Chetwin

**OFFICIAL INFORMATION ACT COMPLAINT
OFFICE OF THE LEADER OF THE OPPOSITION/BOYLE**

I have received a complaint from Sarah Boyle of the Office of the Leader of the Opposition about the decision of the New Zealand Immigration Service not to provide her with certain information. Ms Boyle has asked me to investigate and review this decision under the Official Information Act.

Briefly I understand the background to be as follows. On 23 December 2002, Ms Boyle wrote to Andrew Lockhart, General Manager of the New Zealand Immigration Service, requesting a copy of all communications relating to the detention of Ahmed Zaoui in December 2002.

Mr Lockhart responded by letter dated 22 January 2003 refusing to release this information under sections 6(a), 6(c) and 18(c) of the Official Information Act.

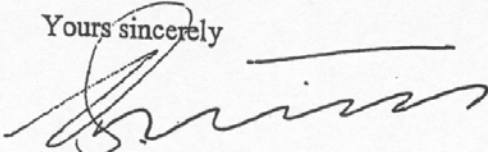
It is this decision which I have been asked to investigate.

As a first step in my investigation and review, I would be grateful if you would provide me with copies of the information at issue, any papers relevant to the New Zealand Immigration Service's consideration of the request, and a report on the essential concerns with release of the information.

Following receipt and preliminary consideration of the information, the investigating officer assisting me with this matter, Andrew McCaw, will be in touch with your contact officer to arrange a time, if necessary, to discuss the issues.

As usual this request is made pursuant to section 19(1) of the Ombudsmen Act and section 29A of the Official Information Act.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Mel Smith', written in dark ink.

Mel Smith
Ombudsman

Encl: Acknowledgement form