

Contact Antonia Di Maio
5 July 2019



Elizabeth Hampton
Acting Australian Information
Commissioner
By email to: foidr@oaic.gov.au

Dear Elizabeth

Public consultation—Disclosure of public servants' names and contact details

Thank you for your invitation to comment on this discussion paper.

Your letter comes at a timely moment, as my office is currently in the process of developing a new guide on the names and contact details of public sector employees. This is a very topical issue in New Zealand, where the Department of Conservation recently received a \$10.7 million funding boost to deal with threats and violence directed against staff by anti-1080 protesters.¹

Although our legislation is different, the approach reflected in the discussion paper appears to align very closely with my own. Generally speaking, there is no basis for withholding staff names if all that would be revealed is what they did in their official capacity. However, there are exceptions where the withholding grounds relating to safety, improper pressure or harassment, or privacy are properly engaged.

I note that Appendix B of the discussion paper includes reference to case 320402 of the Ombudsman. Another relevant case is [295849](#), where the Ombudsman accepted that there was good reason to withhold the names of staff involved in vaccine approvals and immunisation programmes in order to maintain the effective conduct of public affairs through the protection of staff from improper pressure or harassment.

If you are interested in seeing our draft guide on names and contact details of public sector employees, please feel free to email Antonia.DiMaio@ombudsman.parliament.nz. I will watch with interest where you get to on this issue. My best wishes for a fruitful public consultation process.

Yours sincerely

A handwritten signature in black ink, appearing to read "Peter Boshier".

Peter Boshier
Chief Ombudsman

¹ See, for example, 'Department of Conservation gets \$11m to protect staff from anti-1080 protesters', *Radio New Zealand*, at <https://www.rnz.co.nz/news/national/391220/department-of-conservation-gets-11m-to-protect-staff-from-anti-1080-protesters>, accessed 4 July 2019.