

ENQ-39518-B0H9L6

18 August 2020

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Research Director

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## Official Information Act Request

Tēnā koe ██████████

Thank you for your feedback about the launch of the EPA's mātauranga framework, and for forwarding the comments of your colleague.

At the webinar, Erica Gregory, Principal Advisor Kaupapa Kura Taiao, mentioned the case law review that was put together to support the development of the framework. In your email of 17 July you asked if it was possible to receive a copy.

Your request has been treated as a request for information under the Official Information Act 1982 (OIA).

I attach a copy of the spreadsheet for your information. I thought it would be helpful to provide some context for the review.

This piece of work was effectively treated as a literature review and included other material that seemed relevant at the time. By the time the review was finished, it was evident that some cases weren't as helpful to our understanding of how the courts had considered mātauranga as evidence on environmental matters. On the spreadsheet, those cases have been struck through. I have added another version without strikethrough if they are of interest for your work.

Column G of item 19 is being withheld under section 9(2)(h) of the Official Information Act 1984 to maintain legal professional privilege. In the circumstances of the particular case, we do not consider the withholding of that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available.

Please also bear in mind that the comments section highlight the things that appeared relevant at the time, and may not be an accurate assessment of all aspects of the cases. You will see that a small number of cases are referenced in the guide that accompanied the framework. Most, however, provided context and helped shape our general thinking of how we might do things differently.

I hope the spreadsheet is helpful, despite its limitations.

You have the right to seek an investigation and review of this decision by the Ombudsman. You can contact the Ombudsman on 0800 802 602, or by email at [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz).

If you have any further queries, please do not hesitate to contact Erica Gregory directly or via [ministerials@epa.govt.nz](mailto:ministerials@epa.govt.nz).

We will publish your request and our response on our website, [www.epa.govt.nz](http://www.epa.govt.nz), within 10 working days from today. We make OIA responses available so others can read more about the work we do and the questions we are asked. Any information that might identify you will be removed to protect your privacy.

Nāku noa, nā



Dr Allan Freeth  
Chief Executive  
**Environmental Protection Authority**