

04 November 2021

[REDACTED]
[REDACTED]
[REDACTED]

Re Official Information Act Request 1026 for ARPHS information

I refer to your official information request dated 28 September 2021 for the following information:

Please find below a set of requests for information from the ARPHS (Auckland Regional Public Health Service)

All of these requests relate to claims made by Warren Flaunty in his capacity as an elected member of the Waitakere Licencing Trust (WLT). The claims were made during the WLT Annual Meeting of Electors 2021 held on the 21st of September 2021. A recording has been published by the WLT here: https://youtu.be/9CzwWC_lgaY. The related claims can be found at 52:28.

Below a transcript of the section in question:

"... I've been a member of the WDHB for 21 years, and I know I have the support of my other directors and we have requested ARPHS to work on calculating statistics of alcohol harm in Waitakere city in the Waitakere area, that alcohol harm includes that's not limited to family violence and traffic accidents etc. ARPHS are supportive of the licensing trust model and they have actually stated that in their paper on alcohol harm and mainly because of the limited number of off-premise licences so I'll be keen to get to get those statistics and get them to the trusts because I think they would be a great benefit to the public to understand the licensing trust model. "

Thanks in advance,
Johan Schuld
johan.schuld@gmail.com
021 506817

I am interested in any requests made by the WDHB (or others) to the ARPHS regarding statistics on alcohol related harm in the districts of the West Auckland licensing trusts.

1: Can you please provide any information held (including but not limited to internal/external correspondence, meeting notes, project documentation) that relate to the collation of alcohol related harm statistics specifically for West Auckland. Please include any information generated since March 2018. I am interested in whether the ARPHS supports the "alcohol licencing trusts model" in West

Auckland (i.e. the "monopoly") and if so, whether they have made any statements (private or public) about this in the past (e.g. in the "paper" that Warren refers to).

2: Please provide any information (including but not limited to: papers, reports, meeting notes, e-mails or other media) which declare (or infer) support for the licensing trust monopoly system of alcohol licensing. Please include any information generated since March 2018.

I am interested in the activities (and any planned activities) of ARPHS more generally regarding the current political movement in West Auckland to remove the licensing trust monopoly.

3: Please provide any information (including but not limited to: internal/external correspondence, meeting notes, project documentation) that relates to a petition, referendum or campaign (or any other terms to that effect) in West Auckland to remove the licensing trust monopoly. Please include any information generated since March 2018.

Our Official Information Act Manager Mark Fenwick contacted you on 13 October to discuss narrowing this request. He suggested examining the Community and Public Health Advisory Committee (CPHAC) minutes and noted these were publicly available.

Please see:

- 1) [CPHAC Minutes](#)

Mr Fenwick suggested narrowing the time series to a six or 12 month period on the basis that the committee minutes could likely give a time period on which to focus. He also suggested that the thrust of your request seemed to be evidence of ARPHS' work on alcohol harm reduction and that the request might be narrowed by asking for a report on that subject. Mr Fenwick suggested in this conversation of 13 October that the third part of your request could be similarly narrowed to asking for a report on the subject of the licensing trust monopoly.

You asked that Mr Fenwick email a summary of your discussion, which he did on 17 October. Your response to this was a refined request, on 23 October, for the following information:

Information generated longer than 6 months will be recent enough to be relevant to my request. Having said that, I can understand that the last 3 years is a lot of ground to cover and I'm happy to change the request to go back until 1st Jan 2021. So the request will cover all of 2021 to date

My request is to get an understanding on what position ARPHS holds relating to supporting the alcohol licencing trust in west auckland. Just reports and project plans do not suffice for this. As such I will not change the scope of the request. I will leave point 2 as is.

We acknowledge the narrowed time span of your request. We also note the second and third parts of your 28 September request are essentially unchanged. We have discussed your response with the Auckland Regional Public Health Service (ARPHS).

ARPHS supports a lower density of alcohol outlets as a key part of our health system support for the reduction of alcohol-related harm in New Zealand. There is publicly available information on this position on the ARPHS website. Please see:

- 2) [ARPHS Does Auckland Need More Alcohol Outlets Information](#)
- 3) [ARPHS Alcohol Harm Prevention Public Health Promotion Information](#)

Please note that none of this information is a position in support of or in opposition to the licensing trust model as described in parts one and two of your request.

There are other agencies that collate and present alcohol-harm data, as described in part two of your request. Puna Ora – healthspace is an example. Please see:

- 4) [Interactive Data for Alcohol Harm in Auckland by Territorial Authority](#)

Similarly there is other publicly available information about managing change to the licensing trust model. In Auckland, Auckland Council has responsibility for this, as provided for under Section 349 of the Sale and Supply of Liquor Act 2012. Please see:

- 5) [Licensing Trusts in West Auckland \(Auckland Council Website\)](#)

After discussing this clarified request with ARPHS, we have considered whether charging or extending the timeframe for responding to your request would help, as required by section 18A of the Official Information Act. However, you made it clear to Mr Fenwick in your conversation of 13 October that you would not accept charges.

While we have consulted with you, as required by section 18B of the Official Information Act, the response you offered Mr Fenwick on 23 October has not resolved the difficulty.

We have decided to decline parts 1 and 3 of your request due to the substantial amount of work that would still be required to research and, if it exists, collate the information you have requested. This is declined under section 18(f) of the Official Information Act. Searching for information we do not believe we hold would take the frontline staff away from their public health work and prejudice our ability to provide core services during this COVID-19 response time.

We have also decided to partially decline part 2 of your request under section 18(f). As you clarified on 24 October your request: "... is to get an understanding on what position ARPHS holds relating to supporting the alcohol licencing trust in west Auckland". As noted above, ARPHS does not take a position supporting or opposing the alcohol licensing trust in West Auckland. ARPHS does support reduction in alcohol density to reduce availability and the harm from alcohol. It follows that we do not hold the information you have requested.

The links to information we have supplied above are offered in response to that part of your third request which we believe we can address. But we also take the view that we should not devote resource searching for information for which we believe there is already publicly available information and which others likely hold. As noted, there are other agencies which have responsibility for licensing trusts and the sample of Auckland Council's public information is offered in support of this.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602. If you wish to discuss this decision with us, please feel free to contact Mr Fenwick. He is able to provide further assistance should you be willing to change or refine your request as clarified 23 October.

Yours sincerely,



Ailsa Claire, OBE
Chief Executive