



1 May 2024

9(2)a

Dear 9(2)a

Thank you for your email of 03 April 2024 requesting the following under the Official Information Act 1982 (the Act):

...please would you provide at your earliest convenience any reports or materials held by your organisation:

- 1. setting out and/or summarising how and when your organisation has met, or intends to meet, the commitments to transparency and partnership set out in the Algorithm Charter for Aotearoa|New Zealand;*
- 2. setting out or explaining how decisions made by the organisation are informed by algorithms. This may include without limitation "plain English" documentation of the algorithm/s, information about the data and processes involved, or published information about how data is collected, secured, and stored;*
- 3. that demonstrate or detail how your organisation is delivering clear public benefits through Treaty of Waitangi commitments by embedding a te ao Maaori perspective in the organisation's development and use of algorithms consistent with the Treaty of Waitangi;*
- 4. that demonstrate or detail how your organisation has, or intends to, identify and consult with people, communities and groups who have an interest in algorithms, including Maaori;*
- 5. that describe how your organisation makes sure data is fit for purpose by identifying and managing bias;*
- 6. showing how privacy, ethics, and human rights are safeguarded by regular peer reviews of algorithms to assess for unintended consequences, and how the organisation acts on this information; and*
- 7. setting out the nominated point of contact for public inquiries about algorithms - together with any internal policies, principles, rules, or guidelines that relate to the above matters.*

The Ministry for the Environment has not identified any documents in scope of your request. Therefore, we are refusing your request in full under section 18(g) of the Act as no information requested is held by the Ministry, and we have no grounds to believe it is held by any other agency. That being said, we have addressed each point of your request in the breakdown, below.

1. setting out and/or summarising how and when your organisation has met, or intends to meet, the commitments to transparency and partnership set out in the Algorithm Charter for Aotearoa|New Zealand;

The Ministry is early in its Algorithm Charter maturity journey. We are using the Algorithm Charter maturity model and, through our membership in the Steering Group, are supporting multiple agencies, including ourselves, to develop a plan to lift our maturity within that model. The first step on that journey is to develop an action plan (which is underway) and catalogue our algorithms.

This work is expected to commence in May 2024. We intend to publish this catalogue and any associated policies on our website at <https://environment.govt.nz/> and also link them from the AoG Algorithm Charter portal at <https://www.data.govt.nz/toolkit/data-ethics/government-algorithm-transparency-and-accountability/algorithm-charter/>.

2. setting out or explaining how decisions made by the organisation are informed by algorithms. This may include without limitation "plain English" documentation of the algorithm/s, information about the data and processes involved, or published information about how data is collected, secured, and stored;

The Ministry has yet to compile a formal catalogue of the algorithms in use within the Ministry, so we are not able to share more detail of individual algorithms until that work is well under way.

3. that demonstrate or detail how your organisation is delivering clear public benefits through Treaty of Waitangi commitments by embedding a te ao Māori perspective in the organisation's development and use of algorithms consistent with the Treaty of Waitangi;

All staff within the Ministry are aware of our Treaty commitments and we consider them in all our work. Our Chief Science Advisor Māori has worked alongside Ministry staff in drafting the Māori Research and Mātauranga Strategy which outlines the Ministry's aspirations in supporting Māori data initiatives most noticeably in the Mātauranga Māori Policy (also in draft).

In this Policy, the Ministry seeks to actively protect mātauranga as it is shared and use and interpret mātauranga in ways that sustain the integrity of the mātauranga. This will naturally extend to include Algorithms used by the Ministry. More information on the Ministry's Te Ao Māori approach is available at: <https://environment.govt.nz/te-ao-maori/>.

4. that demonstrate or detail how your organisation has, or intends to, identify and consult with people, communities and groups who have an interest in algorithms, including Māori.

The Algorithm Charter sets out the requirement for a detailed engagement plan for each identified algorithm, which includes identification of and consultation with any interested parties (including Māori). The Ministry already engages with identified stakeholders in the process of defining our algorithms, and our consultation processes include opportunities for explicit feedback on the underlying models and assumptions from all identified stakeholders.

5. that describe how your organisation makes sure data is fit for purpose by identifying and managing bias;

Our data management model includes identification of stewards and custodians for each data set. Those individuals are subject matter experts in the relevant domain and content. We explicitly attempt to identify anywhere the data contains gaps or omissions, particularly where this could lead to regional or local bias. If any bias is identified, it is managed on a case-by-case basis.

6. showing how privacy, ethics, and human rights are safeguarded by regular peer reviews of algorithms to assess for unintended consequences, and how the organisation acts on this information; and

Of those algorithms identified to date, none are focused on individuals. Given this fact, and that our processes are already subject to review and oversight, we have not yet identified any issues likely to result in privacy, ethics, or human rights issues.

By way of example, although not yet formally documented, we know that we are stewards for several algorithmically derived models which are used by Territorial Authorities to make zoning decisions. We consider individual and human rights impacts as we produce, document, maintain and share these models.

7. setting out the nominated point of contact for public inquiries about algorithms - together with any internal policies, principles, rules, or guidelines that relate to the above matters.

The work to implement and comply with the Charter is ongoing, including identification of the final location of the function which will host the work. As soon as this is known, we will publish a contact email address, catalogue, and collateral material on the relevant part of our public website at: <https://environment.govt.nz/>

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team: ministerials@mfe.govt.nz.

Yours sincerely

Electronically approved by Elias Wyber

Elias Wyber

Programme Director – Data Management and Reporting
Ministry for the Environment | Manatū Mō Te Taiao