

# 1. INTRODUCTION

In this Part of the Practice Guidelines, the Ombudsmen set out the current approach to the various reasons for refusal identified in the Official Information Act (OIA) and Local Government Official Information and Meetings Act (LGOIMA).

The experience of the Ombudsmen has been that certain reasons for refusal arise more than others. Some reasons for refusal rarely arise. As these Guidelines are intended to provide practical guidance, the focus has been on those provisions that arise most often and those topics that would seem to have caused more difficulties for users of the legislation. With this in mind, the chapters in this Part have been formatted by reference to topic (e.g. Administrative reasons for refusal) rather than going through the withholding provisions of the legislation section by section. Similarly, in respect of topics such as privacy, which in practice have given rise to recurring difficulties for staff of public sector agencies in properly applying the official information legislation, the Guidelines are more extensive.

The general approaches set out should not be seen as detracting from the need to consider each case on its own merits. While these Guidelines can give a measure of certainty about the current approach of the Ombudsmen, they should not be interpreted as reflecting *'binding precedent'*. In this regard, the Guidelines should be read in conjunction with relevant Case Notes published by the Ombudsmen in various compendia. The Case Notes allow the general approach to the application of reasons for refusal to be seen in the context of the circumstances of particular fact situations.