



6 March 2019

[REDACTED]

Dear [REDACTED]

Official Information Request
Our Ref: 2018-0203

I refer to your official information request received on 18 December 2018 for:

- *Transcripts of any interviews the Inquiry conducted in relation to the use of Private Investigators by MSD/Crown Law.*

On 22 February 2019 you contacted us and advised that you were withdrawing the part of your request for information that related to [REDACTED]

In response to your revised request, we can advise that three interviews took place during the course of the Inquiry into the use of external securities consultants by government agencies (the Inquiry) that were in relation to the use of private investigators by MSD and Crown Law. Of those three interviews, only one was transcribed.

As noted in the Inquiry report, over 100 interviews were conducted by the Inquirers, including voluntarily, under compulsion and, in two instances, under summons. The ability of witnesses to speak freely and in confidence to an inquiry is essential to its success.

Therefore, we are withholding any witness statements or transcripts in full under the following section of the Official Information Act (OIA) 1982:

- 9(2)(ba)(i)– to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.

In making our decision, we have considered the public interest considerations in section 9(1) of the OIA. We believe that the information publicly available, namely a detailed Inquiry report and findings, as well as the extensive material released by SSC and by agencies that were subject of the Inquiry, meets the public interest in the matters that were the subject of the Inquiry. It is also in the public interest that SSC retains the ability to protect information provided by witnesses, and thereby provide assurance to witnesses for similar inquiries in the future.

If you wish to discuss this decision with us, please feel free to contact Ministerial.Services@ssc.govt.nz.

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.

Please note that we intend to publish this letter (with your personal details removed) on the State Services Commission's website.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nicky Dirks', written in a cursive style.

Nicky Dirks
Managing Principal – Ministerial Services
State Services Commission