



Te Kawa Mataaho

Public Service Commission

23 May 2022

9(2)(a)
privacy

Dear 9(2)(a)

Official Information Request Our Ref: 2022-0064

I refer to your official information request received on 25 April 2022 where you asked:

- *The terms of reference for the Treasury’s Budget leak exclude “the following actions that were taken by the Secretary of the Treasury in responding to this incident and explaining its causes: the advice given to the Minister of Finance at the time; the Secretary’s decision to refer the matter to the Police; and the public statements about the causes of the incident. The State Services Commissioner is assessing the appropriateness of those actions in a separate investigation. In addition, the inquiry will not make findings on whether there should be further steps taken to initiate disciplinary, civil or criminal proceedings in relation to any individual.”*
- *What assessment did the Commissioner make, and what actions if any did he take, on the first three matters? (I have seen the Ombler report <https://www.publicservice.govt.nz/resources/investigation-statements-made-and-actions-taken-secretary-treasury/> but I do not see info on whether the Commissioner accepted the findings and/or took any further action.)*
- *Were any “further steps taken” on disciplinary, civil or criminal proceedings?*
- *On the above topics, please provide all relevant documentation, including but not limited to reports to Ministers, to the Treasury and to any individuals implicated or affected.*
- *Has any of the information refused in the 11 December 2019 Official Information response (attached) been released subsequently? If so, can you please provide that information (link or whatever)? If the Ombudsman has made any rulings on this or related requests (I have seen at least one similar), can you please provide a copy of such decision(s)?*

On 2 May 2022 following your discussion with Grahame Armstrong, he provided you with links to the publicly available information relating to the investigations that were undertaken by the Commission in relation to the Treasury Budget leak. You advised that you would consider the information and come back to us to confirm if you would be withdrawing your OIA request.

On 18 May 2022 you advised that you were still interested in knowing the answer to your final question re: the 11 Dec 2019 OIA response and would consider your request satisfactorily answered if the final point is addressed.

Our Response

In response to your question, we can confirm that the information that we refused to release in our OIA response dated 11 December 2019, Reference 2019-0258, has not been subsequently released.

We did not receive any notification of an investigation from the Ombudsman in relation to our response to the OIA request referenced above.

If you wish to discuss this decision with us, please feel free to contact Ministerial.Services@publicservice.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 Te Kawa Mataaho Public Service Commission's website.

Yours sincerely



Nicky Dirks
Manager – Ministerial and Executive Services
Te Kawa Mataaho Public Service Commission