



Prime Minister

13 APR 2021

Lobby New Zealand

By email: fyi-request-15178-2cf903ab@requests.fyi.org.nz

Ref: PMO 2021-084

Dear Lobby New Zealand

Official Information Act request relating to COVID-19 testing of border worker

Thank you for your Official Information Act 1982 (the Act) request, received on 14 April 2021. I am responding on the Prime Minister's behalf as my official duties involve responding to requests made under the Act to the Prime Minister. You requested:

"In regards to Case B in the most recent cluster of COVID-19, we are requesting for all information provided to Jacinda Ardern's office that would support a claim that Jacinda Ardern made in the House of Representatives.

Comments from Prime Minister Jacinda Ardern: 'The individual was lying to their employer. Ultimately though, that employer needed to have checks and balances in place to make sure they were still doing what was required,' Ardern said, on the way into the House on Wednesday afternoon.

Specifically, we are requesting for Information provided that would solidify this comment made - information of which is objective rather than subjective."

We have interpreted your request to be seeking official reports received by this Office, rather than any subjective advice generated by this Office.

A number of reports were provided by the Ministry of Health in confidence to this Office that included information relevant to your request. I have decided to withhold this information in full under the following sections of the Act:

- section 9(2)(a) as withholding the information is necessary "to protect the privacy of natural persons, including that of deceased natural persons".
- section 9(2)(ba)(i) as withholding the information is necessary 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 this decision, no public interest in releasing the withheld information has been identified that would be sufficient to override the reasons for withholding it.

Recently, Hon Chris Hipkins as Minister for COVID-19 response set out a summary of the information that was provided in relation to this case, which may be useful in addressing your query. This has been reported on in the media here:

<https://www.rnz.co.nz/news/national/442291/govt-waited-for-investigation-before-revealing-miq-worker-hadn-t-been-tested-for-five-months>.

You are entitled to ask the Ombudsman to review this response under section 28(3) of the Act. You can contact the Ombudsman online via the Ombudsman website, by email (info@ombudsman.parliament.nz) or by post to The Ombudsman, PO Box 10152, Wellington 6143. Further details can be found on the Ombudsman website at: www.ombudsman.parliament.nz.

Yours sincerely

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

Raj Nahna
Chief of Staff