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Scott

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Tēnā koe Scott

## Official information request

Thank you for your Official Information Act 1982 (OIA) request of 7 April 2022 to the New Zealand Security Intelligence Service (NZSIS) seeking records of engagement with the Office of the Privacy Commissioner (OPC) and the Office of the Inspector-General of Intelligence and Security (IGIS) regarding data ethics.

On 9 May 2022 you were advised of an extension to the time limit for responding to this request, to 16 June 2022, due to the consultations necessary to make a decision. Unfortunately, due to the impact of staff absences on our operations we were unable to meet the deadline. I apologise for the delay and thank you for your patience while we prepared a response.

## Response

The NZSIS holds information that falls within scope of your request. That information has been assessed for release to you, subject to the following provisions of the OIA:

- S6(a), where the making available of the information would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand;
- S9(2)(a), withholding the information is necessary to protect the privacy of natural persons;
- S9(2)(ba)(i), withholding the information is necessary to protect information which is subject to an obligation of confidence, as release 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;
- S9(2)(ba)(ii), withholding the information is necessary to protect information which is subject to an obligation of confidence, as release would be likely to otherwise damage the public interest; and
- S9(2)(g)(i), withholding the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.

Where information has been withheld under section 9 grounds I do not consider that the need to withhold this information is outweighed by other considerations which render it desirable in the public interest, to make that information available.

### **Meetings**

A meeting was held between representatives from the Office of the IGIS and NZSIS staff on 13 August 2020. No written record of the meeting was made. By way of summary, staff who attended this meeting have confirmed it was a high-level discussion and broadly covered the NZSIS's intention to improve its ability to access, manage and use data with a focus on early and ongoing discussion with oversight bodies as NZSIS's further thinking on data evolves.

On 7 April 2021, NZSIS staff hosted a meeting with John Edwards, then Privacy Commissioner, and Liz MacPherson, Assistant Privacy Commissioner. The purpose of this meeting was to brief the OPC regarding the NZSIS's data transformation work.

Please find a record of this meeting attached. Please note, this document was written by NZSIS staff as an internal record of meeting for NZSIS purposes, and does not capture the full discussion. Internal records of meetings such as these are not reviewed by the other agencies who attended, and should not be considered official minutes.

Some information has been withheld under sections 6(a), 9(2)(a) and 9(2)(ba)(i-ii), of the OIA.

### **Review**

If you wish to discuss this decision with us, please feel free to contact [oa.privacy@nzsis.govt.nz](mailto:oa.privacy@nzsis.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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Ngā mihi



### **Rebecca Kitteridge**

Te Tumu Whakarae mō Te Pā Whakamarumarū  
Director-General of Security