

14 March 2024

M Bell

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Tēnā koe

### Your request for official information, reference: HNZ00039166

Thank you for your email on 22 February 2024, asking Health New Zealand | Te Whatu Ora for the following under the Official Information Act 1982 (the Act):

*That response still does not begin to answer my actual request.  
If I assume there is no further information to come, in your response you have essentially told me that there is no supporting evidence for Margie's public statements apart from the existing official government messaging admitting only 4 deaths.  
Due to the fact that HNZ have admitted in another OIA that they have not actually rebutted or debunked the analysis of the whistleblower data at all, then perhaps this is correct that there is no supporting evidence. If so however this would amount to a classic example of the begging the question fallacy. Just assume that the whistleblower information is wrong without examining it, and then conclude that the whistleblower information is wrong.  
Obviously 100% circular reasoning. What I do not know is whether this is just poor reasoning and confirmation bias on the part of HNZ, or whether the reply is for the for the purpose of attempting to avoid an embarrassing answer.  
If you can please confirm that there is truly no further information available I will withdraw the complaint to the ombudsman and mark this FYI request as "information not held".  
Please advise*

### Response

In our previous responses dated 25 January and 23 February 2024 we have referred you to the body of expert scientific knowledge and expertise which is available to Margie Apa and HNZ regarding Covid-19 vaccination and deaths linked to the vaccine and to data regarding Covid-19 vaccinations. You are, at this point, clearly alleging that HNZ has no supporting evidence to make public statements that the former HNZ staff member's claims about excess mortality due to the vaccine are untrue. However, the Act does not support requests where an opinion, comment, argument, or hypothetical statement is put to HNZ for response, couched as a request for information.

We also note that HNZ is not required – nor would it be appropriate for it to – analyse the data unlawfully obtained from the National Vaccination Database by the former staff member and made available on overseas websites. That information is the subject of restraining orders made by the Employment Relations Authority (ERA) on 1 December 2023 which prevent all use, disclosure and publication of information held by HNZ on the National Vaccination Database.

Your request is therefore refused under section 18(g) of the Act on the grounds that the information you have requested is not held by HNZ.

## How to get in touch

If you have any questions, you can contact us at [h.nzOIA@health.govt.nz](mailto:h.nzOIA@health.govt.nz).

The correct approach if you remain unhappy with this position is to make a complaint to the Ombudsman. Information about how to do this is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or by phoning 0800 802 602.

Nāku iti noa, nā



PP

**Danielle Coe**

**Manager (OIA) Government Services  
Office of the Chief Executive**