

Defence House  
34 Bowen Street  
Wellington, New Zealand

PO Box 12703  
Molesworth Street  
Wellington 6144, New Zealand

P +64 (04) 496 0999  
E [info@defence.govt.nz](mailto:info@defence.govt.nz)

[www.defence.govt.nz](http://www.defence.govt.nz)



**MANATŪ KAUPAPA  
WAONGA**  
NEW ZEALAND  
MINISTRY OF DEFENCE

4 December 2024

Rodney Parsons  
[fyi-request-28866-f8d43041@requests.fyi.org.nz](mailto:fyi-request-28866-f8d43041@requests.fyi.org.nz)

Dear Rodney

## RESPONSE TO YOUR CORRESPONDENCE

Thank you for your follow-up email of 18 November 2024, in which you asked a number of further questions, in response to my letter of 18 November 2024:

*The Burnham Inquiry reported that a range of concerns, including allegations of war crimes, were raised with them but were found to be outside of the scope of the inquiry and proposed to be dealt with by other processes.*

*Based on your feedback, it would appear that no further reviews have been undertaken to investigate these concerns. If not, please confirm this. If there have been reviews, including courts of inquiry, please provide those reviews.*

*The Report of the Government Inquiry into Operation Burnham and Related Matters (the Inquiry) made four recommendations, which were all accepted in-principle by the Government.*

The Inquiry's four recommendations were:

- An expert review group should look at the NZDF's organisational structure, record-keeping and retrieval processes to assure the Defence Minister they meet international best practice
- An office of the Independent Inspector-General of Defence (located outside the NZDF organisational structure) should be established to facilitate independent oversight of NZDF and enhance its democratic accountability
- A Defence Force Order should be promulgated setting out how allegations of civilian casualties should be dealt with in-theatre and in New Zealand
- The Government should set effective detention policies and procedures in relation to people detained by, or with the involvement of, New Zealand forces overseas and how allegations of torture by such persons are treated

Further information on the implementation of the Inquiry's recommendations can be found via the links below:

- Expert Review Group: <https://www.defence.govt.nz/publications/operation-burnham-inquiry-terms-of-reference-review-of-organisational-structure-and-record-keeping-and-retrieval-processes/>
- Inspector General of Defence: <https://www.defence.govt.nz/news/establishing-an-independent-inspector-general-of-defence/>
- Defence Force Order 35: <https://www.nzdf.mil.nz/media-centre/news/nzdf-enacts-rules-around-civilian-harm-reports/>
- New Zealand Policy Framework for the humane treatment of detainees in offshore deployments: <https://www.mfat.govt.nz/en/media-and-resources/new-zealand-policy-framework-for-the-humane-treatment-of-detainees-in-offshore-deployments>

Yours sincerely

A handwritten signature in black ink, appearing to read 'Richard Schmidt', written in a cursive style.

Richard Schmidt  
**Deputy Secretary, Defence Policy and Planning**