



23 December 2024

Chris Johnston
fyi-request-29412-cfb2aadb@requests.fyi.org.nz

Ref: OIA-2024/25-0521

Tēnā koe Chris,

Official Information Act request: Information relating to the Prime Minister's meetings during March 2020

Thank you for your request made under the Official Information Act (the Act), received on 9 December 2024. You requested:

"...1) Outgoing call logs from the Prime Minister's government provided mobile and desk phones [for the period 9-19 March 2020]. Phone numbers can be redacted At least the date, time, duration need to be provided. An extract from the corporate bill to Parliamentary Services might suffice but I leave it to you to decide the best source.

2) Agenda and Minutes/Actions from the following meetings - please provide what you can based on what exists (eg formal Minutes may not exist in every instance, but a follow up email by an official in the PMO may detail Actions):

- 3 March 2020 12:00 - 12:30 CEO, Chair and Head of Corporate Affairs of Air New Zealand*
- 9 March 2020 11:30 -12:00 COVID-19 Update*
- 9 March 2020 14:45 - 14:50 Phone Call: Newly appointed Commissioner of Police*
- 10 March 2020 17:00 - 18:00 External Relations and Security Cabinet Committee*
- 11 March 2020 15:15 - 15:45 Chief Executive and General Manager of Business New Zealand*
- 11 March 2020 16:00 - 16:30 Council of Trade Unions*
- 11 March 2020 16:30 - 17:30 Cabinet Committee on COVID-19*
- 12 March 2020 22:00 - 22:45 Teleconference: Ministerial Meeting - COVID-19 Ministers*
- 14 March 2020 13:00 - 14:00 Teleconference: Cabinet*
- 15 March 2020 11:30 - 12:00 Phone Call: Deputy Prime Minister and Minister Robertson*
- 16 March 2020 12:00 - 12:30 COVID-19 Update*
- 16 March 2020 13:00 - 15:00 Cabinet Meeting*
- 17 March 2020 09:00 - 09:15 Phone: Ulu o Tokelau*
- 17 March 2020 16:00 - 16:30 Meet: Prime Ministers Office Staff*
- 18 March 2020 08:30 - 08:45 Fonterra CE and Chair*
- 18 March 2020 09:30 - 10:15 Cabinet Social Wellbeing Committee*
- 18 March 2020 10:15 - 10:30 Dr Siouxie Wiles and Dr Michelle Dickinson*
- 18 March 2020 11:00 - 11:45 Local Government New Zealand*
- 18 March 2020 16:30 - 17:30 Cabinet Committee on COVID-19*
- 19 March 2020 16:00 - 17:00 Cabinet*

3) The following meeting titles are withheld in accordance with s9(2)(f)(iv) of the Official Information Act –

- 3 March 2020 12:30 - 13:00
- 10 March 2020 15:00 - 15:30
- 18 March 2020 12:00 - 13:00

That section says: "this section applies if, and only if, the withholding of the information is necessary to (f) maintain the constitutional conventions for the time being which protect (iv) the confidentiality of advice tendered by Ministers of the Crown and officials"

Section 9(1) says "Where this section applies, good reason for withholding official information exists, for the purpose of section 5, unless, in the circumstances of the particular case, the withholding of that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available."

With the passage of time, and in light of the recent Phase 1 of the Royal Commission Report in COVID-19 - could you please review whether:

- *This classification was applied correctly for these meetings in the past*
- *Publishing the titles of these meetings is now assessed differently (i.e. the balance between confidentiality, public interest and other factors has now changed).*

Even if the meeting titles continue to be withheld, can you please confirm whether the meetings relate to COVID-19 and/or the government's response?

4) All correspondence by letter or email between the PMO and the following people/organisations for the month of March 2020:

- *CEO, Chair and Head of Corporate Affairs of Air New Zealand*
- *Fonterra CE and Chair*
- *Council of Trade Unions*
- *Commissioner of Police*
- *Chief Executive and General Manager of Business New Zealand*
- *Ulu Ō Tokelau*
- *Dr Siouxie Wiles or Dr Michelle Dickinson*
- *Local Government New Zealand*

All the requests above are separate and severable - so please fulfil what you can."

On 20 December 2024, we advised you that parts two and four of your request had been transferred to the Department of Internal Affairs (DIA) under section 14(b)(i) of the Act. The reason for this transfer was that the Department of the Prime Minister and Cabinet (DPMC) does not hold all the information relating to these parts of your request, and we believe that most of the information relating to these parts of your request is held by DIA.

I am now in a position to respond to parts one and three of your request, insofar as these concern information held by DPMC. This response also includes any information held by this Department in scope of parts two and four that is not held by DIA.

Information to be refused

I am refusing parts one and three of your request in full under section 18(g) of the Act as the DPMC does not hold the requested information. We have confirmed that DIA does not hold it either and we have no grounds for believing that it is held by another department or Minister of the Crown or organisation, or by a local authority subject to Act. Nor is the information

requested more closely connected with the functions of another department or Minister of the Crown or organisation or of a local authority that is subject to the Act.

Part One

In the case of part one for outgoing call logs from the Prime Minister's government provided mobile and desk phone, it is possible that the information requested may be held by the Parliamentary Service. However, they are not subject to the Act and I am therefore unable to transfer your request to them.

Part Three

In the case of part three, I am likewise unable to transfer your request. The diaries are published by the Prime Minister's Office (PMO), and withholding decisions are made by their staff. As the PMO from the previous administration no longer exists, I cannot transfer your request to them for consideration, and despite best endeavours, have been unable to identify a relevant agency who may hold this information.

Part Two

Two Cabinet Minutes from 18 March 2020 have been proactively released on DPMC's website:

- <https://www.dPMC.govt.nz/sites/default/files/2023-03/cvd-20-min-0013-covid-19-noting-items.pdf>
- <https://www.dPMC.govt.nz/sites/default/files/2023-03/cvd-20-min-0018-additional-item-covid-19-strengthening-border-measures.pdf>

I am therefore refusing these documents under section 18(d) as the information requested is already publicly available.

A search of DPMC's information management systems has not returned any other agenda, minutes, or actions documents related to or arising from the meetings referenced in part two of your request. We note that not all meetings have agenda, minutes, or actions. Moreover, where such documents do exist, these would likely have been prepared by the agency whose functions are most closely aligned to the subject matter of the meeting. For COVID-19 meetings, this is likely to have been the Ministry of Health. However based on the limited information about these meetings from the diaries, as provided in your request, I have been unable to determine which Ministry or Department is the lead agency for the meetings in which you are interested.

I am therefore refusing the remainder of this part of your request under section 18(g) of the Act as the DPMC does not hold the requested information, we have already transferred this part of your request to DIA for information they may hold in scope of it, and we have been unable to identify whether this information is held by another department or Minister of the Crown or organisation, or by a local authority subject to Act, despite reasonable effort.

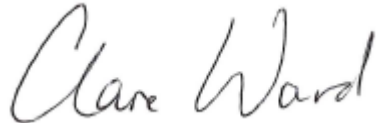
Part Four

DPMC does not hold correspondence between the previous administration's PMO and any of organisations named in part four of your request. Therefore, I refer you to DIA's response to this part of your request for any information they may hold.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on DPMC's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Nāku noa, nā,

A handwritten signature in black ink that reads "Clare Ward". The signature is written in a cursive, flowing style.

Clare Ward
Executive Director
Strategy, Governance and Engagement