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New Zealand
**MINISTRY
OF DEFENCE**
Manatū Kaupapa Waonga

18 May 2017

2017-26

Simon Ewing-Jarvie
fyi-request-5662-5bebf321@requests.fyi.org.nz

Dear Mr Ewing-Jarvie

YOUR OFFICIAL INFORMATION ACT REQUEST

Thank you for your email of 2 April 2017, in which you requested, pursuant to the Official Information Act 1982 (the Act):

Copies of any correspondence sent to or received from or otherwise held in any form between the New Zealand Ministry of Defence and Rodney Hide.

On 1 May, I extended the timeframe for providing a response to your request to 19 May, in order to complete necessary consultations.

There are challenges responding to your request given the lack of a time period and given you have not provided a specific topic that you are interested in. Given Mr Hide served as a Member of Parliament from 1996, there is a long period in which he may have raised matters with the Ministry of Defence as a representative (in addition to any potential requests made in a personal capacity).

The age of some of the material makes it difficult to search, as it predates the regularised use of an electronic document and records management system, which would be easier to search.

A search of the Ministry's electronic filing system has identified responses to eight Official Information Act requests that fall within the scope of your request. Copies of the response letters to Mr Hide are provided, which generally summarise his original request. Also included are acknowledgement letters and, in one instance, a scanned copy of the original request. Please note the letter dated 19 December 2001 includes a typo whereby the numbers listing the documents released start from 15, instead of 1. Staff have checked and do not believe there was any other material released to Mr Hide in response to this particular request.

I have not included the associated attachments because of the difficulty accessing these, given the age. Doing so will necessitate manually searching a number of historic volumes. If you are interested in attachments to specific letters, please advise me of the relevant details and Ministry staff will be able to use this refinement to search for the material.

Please note that the electronic files that have been searched are limited to material from 2001 onward. As your request currently stands, searching all potential pre-2001 volumes for

any potential correspondence to or from Mr Hide would involve substantial collation and research. It would therefore be declined under section 18(f) of the Official Information. If you would like to refine your request to a particular type of correspondence – such as Official Information Act requests – and to a specific time period, I would be happy to reconsider this.

Under section 28(3) of the Act you have the right to request the Ombudsman to investigate and review this response.

Yours sincerely



Helene Quilter
Secretary of Defence

Encl: Ministry of Defence response letters to eight Official Information Act requests

Mr Rodney Hide, MP
ACT Finance Spokesman
Parliament Buildings
WELLINGTON

Dear Mr Hide

OFFICIAL INFORMATION ACT REQUEST

I refer to your letter dated 26 March 2001, in which you request under the Official Information Act 1982, "a copy of all material (including, without limitation, all analyses, reports, papers and records or verbal briefings) provided either to ministers of the present government or the above-mentioned Group of Officials by you or your staff in pursuance of your responsibility under the Defence Act as principal civilian advisor to the government on Defence matters".

A full reply will be sent to you within the statutory time limit (i.e. 26 April 2001).

Yours sincerely

Graham Fortune
Secretary of Defence

20 April 2001

Mr Rodney Hide, MP
ACT Finance Spokesperson
Parliament Buildings
WELLINGTON

Dear Mr Hide

OFFICIAL INFORMATION ACT REQUEST

I refer to your letters dated 26 March and 2 April 2001 in which you requested under the Official Information Act 1982 (the Act) "a copy of all material (including, without limitation, all analyses, reports, papers and records of verbal briefings) provided either to ministers of the present government or the above-mentioned Group of Officials by you or your staff in pursuance of your responsibility under the Defence Act as principal civilian advisor to the government on Defence matters".

Your request relates to the Department of Prime Minister and Cabinet's Maritime Patrol Review. The information associated with the Review is being withheld pursuant to section 9 of the Act because the withholding of this information is necessary:

- "to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials", (section 9(2)(f)(iv)); and
- "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 any organisation] or officers and employees of any Department or organisation in the course of their duty", (section 9(2)(g)(i)).

The government intends, however, to release publicly a number of documents relating to its decisions about defence capabilities at the time of their announcement in May.

You are advised that you may make a complaint in writing to the Ombudsman, pursuant to section 28(3) of the Act, in respect to the withholding of any official information.

Yours sincerely

Graham Fortune
Secretary of Defence

23 May 2001

Mr Rodney Hide MP
ACT Finance Spokesman
Parliament Buildings
WELLINGTON

Dear Mr Hide

OFFICIAL INFORMATION ACT REQUEST

I refer to your letter dated 10 May 2001, in which you ask that I reconsider my decision of 20 April, not to release information relating your original requests of 26 March and 2 April 2001 for material

“provided either to ministers of the present government or the above-mentioned Group of Officials by you or your staff in pursuance of your responsibility under the Defence Act as principal civilian advisor to the government on Defence matters”.

Because of the volume of material involved, and the amount of time required for interdepartmental consultation, it will not be possible to respond to you within the statutory time limit. I hope to send you a final, coordinated response to your request by 13 July 2001.

In accordance with section 28 (3) of the Official Information Act 1982, you are entitled to make a complaint in writing to the Ombudsman with respect to the withholding of the above information.

Yours sincerely

Graham Fortune
Secretary of Defence

OC003-1028

23 August 2001

Mr Rodney Hide, MP
ACT Finance Spokesperson
Parliament Buildings
WELLINGTON

Dear Mr Hide

OFFICIAL INFORMATION ACT REQUEST

I refer to Mary Anne Thompson's letter of 5 July 2001 to you transferring to me the responsibility for responding to your request of 26 June 2001 for information, under the Official Information Act, on the Government's defence announcements of 8 May 2001. I note that Ms Thompson stated that, as your request was similar in substance to another request by Hon Max Bradford, the most practical course would be to provide you with the same information.

Following Mr Bradford's discussion with officials from the Department of Prime Minister and Cabinet over the scope of his request, it was agreed that departments would provide the stream of advice that has gone from departments to Ministers and the key contributions to that advice. As a result of Ms Thompson's letter, we are providing you with the same advice, which answers your request for all material provided by the Secretary of Defence, the Chief of Defence Force or their staff.

I have enclosed with this letter a copy of all material produced by the Ministry of Defence that falls within the request. Information deemed relevant to the request by the Ministry of Foreign Affairs and Trade, New Zealand Defence Force, the Treasury, the State Services Commission and the Department of Prime Minister and Cabinet has also been included.

Annex A provides a list of the material we have released to you. The Ministry of Defence has drawn an administrative line and not provided working documents and communications or documents that did not contribute to the decisions released on 8 May 2001. As a result, some documents included in the release, covering notes in particular, refer to material that has not been included, as it did not have an impact on the stream of advice. Following advice from the Department of Prime Minister and Cabinet about the scope of Mr Bradford's request, we have also not included meeting reports and meeting minutes.

Annex B outlines the information that has been withheld by the Ministry of Defence and other agencies under the Official Information Act, as well as the grounds for withholding the information. You are advised that you may make a complaint in writing to the Ombudsman, pursuant to section 28(3) of the Act, in respect to the withholding of any official information.

Yours sincerely

Graham Fortune
Secretary of Defence

Released under the Official Information Act 1982

OC003-1028

4 October 2001

Mr Rodney Hide, MP
ACT Finance Spokesperson
Parliament Buildings
WELLINGTON

Dear Mr Hide

OFFICIAL INFORMATION ACT REQUEST

I refer to Mary Anne Thompson's letter of 5 July 2001 to you transferring to the Secretary of Defence the responsibility for responding to your request of 26 June 2001 for information, under the Official Information Act, on the Government's defence announcements of 8 May 2001. I note that Ms Thompson stated that, as your request was similar in substance to another request by Hon Max Bradford, the most practical course would be to provide you with the same information.

Following Mr Bradford's discussion with officials from the Department of Prime Minister and Cabinet over the scope of his request, it was agreed that departments would provide the stream of advice that has gone from departments to Ministers and the key contributions to that advice. As a result of Ms Thompson's letter, we are providing you with the same advice, which answers your request for all material provided by the Secretary of Defence, the Chief of Defence Force or their staff.

I have enclosed with this letter a copy of all material produced by the Ministry of Defence that falls within the request. Information deemed relevant to the request by the Ministry of Foreign Affairs and Trade, New Zealand Defence Force, the Treasury, the State Services Commission and the Department of Prime Minister and Cabinet has also been included.

Annex A provides a list of the material we have released to you. The Ministry of Defence has drawn an administrative line and not provided working documents and communications or documents that did not contribute to the decisions released on 8 May 2001. As a result, some documents included in the release, covering notes in particular, refer to material that has not been included, as it did not have an impact on the stream of advice. Following advice from the Department of Prime Minister and Cabinet about the scope of Mr Bradford's request, we have also not included meeting reports and meeting minutes.

Annex B outlines the information that has been withheld by the Ministry of Defence and other agencies under the Official Information Act, as well as the grounds for withholding the information. You are advised that you may make a complaint in writing to the Ombudsman, pursuant to section 28(3) of the Act, in respect to the withholding of any official information.

Yours sincerely

Mandy McDonald
Acting Secretary of Defence

Released under the Official Information Act 1982

OC003-1159

6 September 2001

Mr Rodney Hide, MP
ACT Finance Spokesperson
Parliament Buildings
WELLINGTON

Dear Mr Hide

OFFICIAL INFORMATION ACT REQUEST

I refer to your letter dated 5 September 2001, addressed to the Secretary of Defence, in which you request under the Official Information Act 1982:

The draft Cabinet paper prepared in July 2000 and described in paragraph 3.51, page 33, of the Auditor-General's report titled "Acquisition of Light Armoured Vehicles and Light Operational Vehicles".

A full reply will be sent to you within the statutory time limit (i.e. 4 October 2001).

Yours sincerely

Mandy McDonald
Acting Secretary of Defence

OC003-1159

4 October 2001

Mr Rodney Hide, MP
ACT Finance Spokesman
Parliament Buildings
WELLINGTON

Dear Mr Hide

I refer to your request of 5 September 2001 under the Official Information Act 1982 for "the draft Cabinet paper prepared in July 2000 and described in paragraph 3.51, page 33, of the Auditor-General's report titled *Acquisition of Light Armoured Vehicles and Light Operational Vehicles*".

Attached is the requested document.

Yours sincerely

Graham Fortune
Secretary of Defence

Released under the Official Information Act 1982

OC003-1252

15 October 2001

Mr Rodney Hide, MP
ACT Finance Spokesman
Parliament Buildings
WELLINGTON

Dear Mr Hide

I refer to your letter dated 12 October 2001 in which you request under the Official Information Act 1982 a copy of "the draft report/review of the Navy, as outlined in the Sunday Star Times of 7 October 2001.

A full reply will be sent to you within the statutory time limit (i.e., 13 November 2001).

Yours sincerely

Graham Fortune
Secretary of Defence

Released under the Official Information Act 1982

OC003-1252

25 October 2001

Mr Rodney Hide, MP
ACT Finance Spokesman
Parliament Buildings
WELLINGTON

Dear Mr Hide

OFFICIAL INFORMATION ACT REQUEST

I refer to your letter of 12 October 2001, in which you request under the Official Information Act 1982 a copy of the "draft report/review of the Navy as outlined in the Sunday Star Times of 7 October 2001."

The Ministry of Defence has prepared a draft report on the key findings of the Maritime Forces Review. However this draft is still being considered by ministers and for this reason, it is being withheld because the withholding of the information is necessary to

"maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials" (section 9(2)(f)(iv)).

You are advised that you may make a complaint in writing to the Ombudsman pursuant to section 28(3) of the Act with regard to the withholding of any official information.

Yours sincerely

Graham Fortune
Secretary of Defence

Parliament House
WELLINGTON 1.



was #1508
Telephone (04) 471 9999
now #1513

13 June 2002

Secretary of Defence
PO 5347
WELLINGTON

Dear Sir

OFFICIAL INFORMATION ACT REQUEST

Please provide me with all material, be it oral or written, in draft and final form, including all documents, records of meetings and diary notes of all communications from you to the Minister of Defence (or his representative) in the course of your preparation of the Defence Policy Framework that was released by the government in June 2000.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rodney Hide'.

Rodney Hide MP
ACT FINANCE SPOKESMAN

RODNEY HIDE MP
ACT New Zealand

PARLIAMENT BUILDINGS • WELLINGTON • TEL: (04) 470-6630 • FAX: (04) 473-3532 • 025 772 385

June13DefenceOIA

Released under the Official Information Act 1982

OC003-1508

19 June 2002

Mr Rodney Hide MP
ACT Finance Spokesman
Parliament Buildings
WELLINGTON

Dear Mr Hide

OFFICIAL INFORMATION ACT REQUEST

I refer to your letter dated 13 June 2002, requesting under the Official Information Act 1982 "all documents, records of meetings and diary notes of all communications from you to the Minister of Defence (or his representative) in the course of your preparation of the Defence Policy Framework that was released by the government in June 2000."

Under section 14 of the Official Information Act, I am transferring your request to the Minister of Defence for his action.

Yours sincerely

Graham Fortune
Secretary of Defence

copy: Major Duncan Ferner, Pte Sec Min Def: Referred as indicated.

OC003-1171

11 September 2001

Mr Rodney Hide, MP
ACT Finance Spokesman
Parliament Buildings
WELLINGTON

Dear Mr Hide

OFFICIAL INFORMATION ACT REQUEST

I refer to your letter dated 10 September 2001 addressed to the Secretary of Defence, requesting under the Official Information Act 1982:

All material, be it oral or written, in draft or in final form, including your personal recollections and diary notes of all communications that took place between you and the Minister of Defence (or his representative), concerning the above Centre and any of its staff.

A full reply will be sent to you by 9 October 2001.

Yours sincerely

Mandy McDonald
Acting Secretary of Defence

Released under the Official Information Act 1982

OC003-1171

2 November 2001

Mr Rodney Hide, MP
ACT Finance Spokesman
Parliament Buildings
WELLINGTON

Dear Mr Hide

OFFICIAL INFORMATION ACT REQUEST

Thank you for your letter of 26 October 2001.

I regret the delay in replying. As there are other parties involved, the material you requested requires consultation beyond the Ministry of Defence, and this consultation process is still continuing.

I will respond again as soon as this process is completed.

Yours sincerely

Graham Fortune
Secretary of Defence

Released under the Official Information Act 1982

[sent to the Minister's office 19 December 2001]
OC003-1171

19 December 2001

Mr Rodney Hide, MP
ACT Finance Spokesman
Parliament Buildings
WELLINGTON

Dear Mr Hide

I refer to your letter dated 10 September 2001 requesting under the Official Information Act 1982:

All material, be it oral or written, in draft or in final form, including your personal recollections and diary notes of all communications that took place between you and the Minister of Defence (or his representative), concerning the above Centre and any of its staff.

Extensive consultation was required because of the number of organisations involved. Enclosed is a copy of material relevant to your request. An outline of the material is as follows:

15. 20 April 2000, Hyndman Report on the optimal governance for the Centre for Strategic Studies.
16. 27 April 2000, internal NZDF minute commenting on the Hyndman Report.
17. 2 May 2000, note from Ministry of Defence to Minister of Defence on the progress by Treasury on the review of the structure and funding of the Centre for Strategic Studies.
18. 2 May 2000, email from Ministry of Defence to Treasury commenting on the Hyndman Report.
19. 3 May 2000, memo from Ministry of Foreign Affairs and Trade to Treasury commenting on the Hyndman Report.
20. 18 May 2000, memo from the Ministry of Defence to Treasury providing comments on the advantages, disadvantages, and value of the Centre for Strategic Studies.

21. 25 Sept 2000, letter from Ministry of Defence/NZDF/Ministry of Foreign Affairs and Trade/VUW to Treasury on Treasury's progress on a paper for Ministers.
22. 30 October 2000, reply from Treasury to item 7 above on Treasury's progress on a paper for Ministers.
23. 13 Dec 2000, email from Ministry of Defence to VUW on Treasury's progress on a paper for Ministers.
24. 20 Dec 2000, minute from NZDF to Secretary of Defence and CDF reporting on a Centre for Strategic Studies Management Committee Meeting. One sentence has been deleted on the grounds that it is necessary to protect the privacy of natural persons (section 9(2)(a) of the Official Information Act 1982).
25. 2 March 2001, memo from Ministry of Defence/NZDF to Secretary of Defence and CDF on the Ministry of Defence and NZDF funding of the Centre for Strategic Studies.
26. 7 March 2001, memo from Secretary of Defence to senior Ministry of Defence and NZDF officials on Treasury's progress on a paper for Ministers.
27. 29 March 2001, Treasury report on options for the CSS with covering email.
28. 3 August 2001, internal minute from the Secretary of Defence to a senior official in the Ministry of Defence on Treasury's progress on a paper for Ministers and the future funding of the Centre for Strategic Studies.

One email, dated 11 May 2000, from Treasury to the Ministry of Defence/Ministry of Foreign Affairs and Trade/NZDF has been withheld, at Treasury's request, because;

- c) "the withholding of 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" (section 9(2)(ba)(i) of the Official Information Act 1982).
- d) "the withholding of the information is necessary to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials" (section 9(2)(f)(iv) of the Official Information Act 1982).

In addition, names of Treasury junior officials have been blanked, as per their request, because "the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons" (section 9(2)(a) of the Official Information Act 1982).

You are advised that you may make a complaint in writing to the Ombudsman, pursuant to section 28(3) of the Act, in respect to the withholding of any official information.

Yours sincerely

Graham Fortune
Secretary of Defence

Released under the Official Information Act 1982

OC003-1171

20 December 2001

Mr Rodney Hide, MP
ACT Finance Spokesman
Parliament Buildings
WELLINGTON

Dear Mr Hide

I refer to your letter dated 10 September 2001 requesting under the Official Information Act 1982:

All material, be it oral or written, in draft or in final form, including your personal recollections and diary notes of all communications that took place between you and the Minister of Defence (or his representative), concerning the above Centre and any of its staff.

I am advised that the Minister is responding to you today.

Yours sincerely

Graham Fortune
Secretary of Defence