



11 March 2019

Mr Gregory Soar  
[fyi-request-9557-b9dd645c@requests.fyi.org.nz](mailto:fyi-request-9557-b9dd645c@requests.fyi.org.nz)

Dear Mr Soar

**Official Information Request**  
**Our Ref: 2019-0023**

I refer to your official information request received on 11 February 2019 where you have asked:

- *What is the name of the current State Services Commissioner*
- *What date did the current State Services Commissioner take up his current role?*
- *Did the current State Services Commissioner ever hold the position of head of MSD? The position recently vacated by Brendon Boyle?*
- *If the current State Services Commissioner did hold Boyle's previous position as head of MSD on what date did he commence that duty and on what date did he cease that duty please?*

In response to questions 1,2,3 and 4, Peter Hughes is the current New Zealand's State Services Commissioner and Head of State Services. He commenced in this role in July 2016. Mr Hughes was the Chief Executive of the Ministry of Social Development for the period October 2001 – September 2011.

- *On what date was false names in relation protecting staff introduced at MSD please?*
- *What is the name of the head of MSD who introduced the use of false names on documents to protect staff?*

In response to questions 5 and 6, the information you have requested is more closely connected with the functions the Ministry of Social Development. On receipt of your request, we contacted them with a view to transfer these two questions to them. They confirmed that they had also received a request from you asking the same questions, and they will be responding to you on these matters.

- *It seems to me the SS Commissioner has breached legal responsibility and therefore breached required employment duties and protections put in place to protect clients of MSD by failing to ensure respected lawful operations within MSD. If the current head of SSC was head of MSD at the time false names were used on documents he too is caught in the net of the Crimes Act 1961 ss66. That would also explain why as SS Commissioner he has permitted clearly defined criminal acts to continue unchecked before the Social Security Appeal Authority ruling (the Crimes Act spoke loudly before that ruling), and between the Social Security Appeal Authority ruling and the High Court ruling that was finally accepted by MSD.*

- *What a very poor performance all round that has caused extreme health issues for some clients, all veiled in criminal activity and what appears to be failure at both MSD and SSC and those affected are still being ignored, have received no apologies or compensation or any advice as to how the MSD and SSC will rectify such gross failings leading to harm to citizens.*
- *Is the SSC intending to take any actions that would now uphold public confidence and trust in both MSD and SSC and if so what please?*

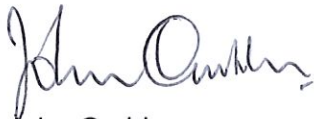
As we have advised in previous responses to you, in the *L* case, upon receiving the Authority's decision regarding the use of pseudonyms, MSD sought to clarify the law through an appeal. Upon receiving the High Court's decision – which does have precedential effect outside the *L* case – MSD adjusted its practices to ensure consistency with the Court's decision. The State Services Commissioner is satisfied that this is an appropriate and adequate response to the Courts decision.

If you wish to discuss this decision with us, please feel free to contact [Ministerial.Services@ssc.govt.nz](mailto:Ministerial.Services@ssc.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.

Please note that we do not intend to publish our response to your request.

Yours sincerely



John Ombler  
**Deputy State Services Commissioner**  
**State Services Commission**