



21 November 2018

Dear Chief Executive

Proactive release of material related to the Inquiry into the Use of External Security Consultants

As you are aware Doug Martin and Simon Mount QC, on behalf of the State Services Commissioner, are in the process of finalising the report on SSC's Inquiry into the Use of External Security Consultants (the Inquiry). This has been a significant inquiry covering all State services agencies. The final date for publication of the report is still to be confirmed. At this stage we anticipate it will be in early/mid December.

To support the release of the report, SSC is preparing to proactively release documents containing substantive advice and decisions relating to the Inquiry, subject to due diligence. The aim is to provide transparency around the process followed, and give the public confidence in the inquiry at a system level.

There are a number of actions required as a matter of urgency prior to the release of the report. Please read this letter carefully and forward immediately to the relevant people within your agency for actioning.

Actions required by your agency

Preparation of your agency's material related to the Inquiry for proactive release

In addition to the material SSC will publish, we expect agencies to publish their own material to support the release of the report and provide transparency at an agency or entity level. **We will advise you of the final publication date for the report**, and expect that your material will be published on your agency website at the same time as the report. You should have your material ready for release by Tuesday 4 December. One of my team will be in touch with you in the next few days to talk you through the process and any support you may need.

In addition to your initial letter of response to the Inquiry, we expect that the material your agency formally provided to the Inquiry will be published on your agency's website, except where it would be withheld under the Official Information Act 1982 (OIA) and subject to the normal due diligence around proactive release being undertaken. This release does not include correspondence of an administrative nature between your agency and the Inquiry Team.

In the first instance this due diligence would include, in addition to the application of OIA provisions, consideration of the Privacy Act 1993, as well as other legislative requirements, and any potential civil or criminal liability. The due diligence process is described in Cabinet Office Circular CO (18) 4 on the Proactive Release of Cabinet Material:

<https://dpmc.govt.nz/publications/co-18-4-proactive-release-cabinet-material-updated-requirements>.

If you intend to withhold information over and above OIA provisions, or wish to discuss the material you intend to release, please contact commission@ssc.govt.nz in the first instance. Your agency should also consider whether to publish any responses to requests for official information on the use of external security consultants that have been prepared by your agency (if you have not done so already).

Yours sincerely



Debbie Power
State Services Commission

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SOUTHERN RESPONSE EARTHQUAKE SERVICES LTD