

# SSC REPORT



UNCLASSIFIED

## Expansion of State Services Commission Inquiry - Thompson & Clark

**Date:** 28 September 2018

**Report No:** SSC2018/935

**Contact:** Debbie Power, Deputy State Services Commissioner and Chief Executive

**Telephone:** 9(2)(a) privacy

	Action Sought	Deadline
Hon Megan Woods Minister for Research, Science and Innovation	For approval	

**Enclosure:** Yes – Letter to Peter Hughes, State Services Commissioner

### Minister's Office Comments

Comments:	
Date returned to SSC:	

## SSC Report: Expansion of State Services Commission Inquiry - Thompson & Clark

### Purpose of Report

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- a This memorandum advises you of the basis for including Crown Research Institutes in the current State Services Commission inquiry regarding agency engagement with Thompson & Clark.

### Background

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1. On 16 March 2018, the State Services Commissioner commenced an inquiry into the circumstances, reasons and outcome of Southern Response Earthquake Services Limited's engagement of external security consultants, including Thompson and Clark Investigations Ltd (TCIL). The inquiry terms of reference were amended soon after to also include the Ministry of Business, Innovation and Employment's relationship with TCIL.
2. The conduct of the inquiry identified additional information relating to other Government agencies. The Commissioner was concerned about the nature of engagement between TCIL and State sector agencies, and as a result directed that the terms of reference be widened to cover all State sector agencies. This was considered a necessary assurance that the use of external security resources are being procured, managed and applied in a manner that is consistent with the expectations of the public service, to maintain public trust and confidence in the activities of the State sector.
3. Given the nature of the information gained by the inquiry to date, we have identified that TCIL has been engaged by Crown Research Institutes (CRIs) in some capacity. As a result, we recommend that CRIs be included within the scope of the inquiry.
4. The Commissioner is only empowered to include these entities at your request as the Minister of Research, Science and Innovation, pursuant to section 11(4) of the State Sector Act 1988.
5. Should you request that the Commissioner include CRIs within the scope of the inquiry, we have included a letter for you to sign formalising this request. The State Services Commission will work with the inquiry team to ensure that CRIs are included in the appropriate manner to enable comment on their use of TCIL in the final inquiry report.

### Recommended Action

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We recommend that you:

- b **consider** issuing the request that the State Services Commissioner includes CRIs within the scope of the inquiry
- c **agree** to sign the attached letter, if you consider it appropriate to issue the request to include CRIS within the scope of the inquiry

Agree / Disagree

d **agree** that the SSC release this briefing in full once it has been considered by you

Agree/disagree.



Hon Megan Woods  
**Minister of Research, Science and Innovation**

Proactively released by  
the State Services Commission

# Hon Dr Megan Woods



## MP for Wigram

Minister of Energy and Resources

Minister Responsible for the Earthquake Commission

Minister for Greater Christchurch Regeneration

Minister of Research, Science and Innovation

Minister for Government Digital Services

1 October 2018

3 OCT 2018

Peter Hughes  
State Services Commissioner  
PO Box 329  
WELLINGTON 6150

Dear *Peter*

### State Services' Commission Inquiry – Thompson and Clark

I write to you regarding your inquiry into the engagement of Thompson and Clark by State sector agencies.

Pursuant to section 11(4) of the State Sector Act 1988, I request that you include Crown Research Institutes within the scope of the inquiry you are conducting into the circumstances, reasons and outcomes of State sector agencies engagement of external security consultants, with specific focus on the relationship between agencies and Thompson and Clark Investigations Ltd.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'M. Woods'.

Hon Dr Megan Woods  
Minister of Research, Science and Innovation

## Stephen Moore [SSC]

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**From:** Sarah Baddeley 9(2)(a) privacy  
**Sent:** Wednesday, 3 October 2018 6:49 PM  
**To:** Robert Liberona [SSC]  
**Cc:** Simon Mount; Doug Martin  
**Subject:** SSC Inquiry Weekly Report

Key activities this week:

The Inquiry team continued to progress analysis of information supplied by entities. This included a full re-check of each entity response to ensure all follow up action has been undertaken. There are a number of follow ups required that are of a minor nature and these are being progressed at pace. Outstanding interviews relate to NZ Customs (employee is overseas) and NZTA (scheduling challenges at their end).

The Inquiry team interviewed the Director of InfoLog – the main provider of Motor Vehicle Registry information to the state sector. An additional interview was conducted with Gavin Clark from TCIL relating to MPI.

The Inquiry team conducted its first structured deliberation meeting. The draft key findings were considered and the structure of the full report agreed. Drafting has now commenced as it relates to the Inquiry scope to date.

A letter to CRI's has been prepared to advance the Inquiry into these new entities. This will be circulated by SSC as soon as practicable.

The coming week will focus on preparation of a draft report in parallel with progressing the Inquiry with the new entities.

Kind regards


Sarah

**Sarah Baddeley**  
Manager, Consulting

9(2)(a) privacy

T 09 915 1360

9(2)(a) privacy

 [MartinJenkins](#)

 [Read our blog: From the Exosphere](#)

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IN-CONFIDENCE

## Inquiry into use of external security consultants - update

**Date:** 5 October 2018

**For:** Hon Dr Megan Woods, Acting Minister of State Services

**Report No:** SSC2018/966

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### Inquiry into use of external security consultants - update

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**Purpose** Oral item for Cabinet

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**Date of meeting** Monday, 7 October 2018

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**Proposal** To update Cabinet on progress with the inquiry into the use of external security consultants in State services agencies.

This update is for Cabinet's information only.

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**Background**

- The inquiry into use of external security consultants was initiated by the State Services Commissioner on 16 March 2018 to investigate the circumstances, reasons and outcome of Southern Response Earthquake Services Limited's engagement of external security consultants, including Thompson and Clark Investigations Ltd (TCIL).

- Since it commenced, due to new information coming to light, the inquiry's scope has twice been extended – it now covers all State services agencies.
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You will have seen the Police Commissioner's recent statement that NZ Police will be conducting their own internal investigation into their use of external security consultants. Due to the independence of NZ Police in operational (and constabulary) matters, the Commissioner is unable to include Police in the inquiry.

Given the nature of information received by the inquiry to date, the inquiry team has identified that TCIL has been engaged by Crown Research Institutes (CRIs) in some capacity. While part of the State services, the State Services Commissioner's powers to investigate do not extend to CRIs without the request of the responsible Minister or Prime Minister.

#### Inquiry update

On 1 October 2018, I wrote to the Commissioner to request that he use his powers under the State Sector Act to include CRIs within the scope of the inquiry. That is now underway.

Information received by the inquiry team also indicates that Tertiary Education Institutions (TEIs) may have used TCIL (and possibly other consultants) in some capacity. Neither the State Services Commission (SSC), or anyone else has the

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ability to investigate TEs in this matter. On advice of SSC and TEC, the Minister of Education will be writing to TEs strongly suggesting that they assure the Minister, through TEC, that any use of external security consultants has been undertaken in a manner consistent with public expectations of the State sector.

If the inquiry proceeds as expected, it is now likely to conclude by the end of November. The Commissioner will release the report, including a full press conference, and any supporting materials in November.

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We recommend that you:

- **agree** to release this aide-memoire in full once it has been considered by you, and following release of the final inquiry report by the State Services Commission.

*Agree / disagree*

**Proactive Release**

Hon Dr Megan Woods  
**Acting Minister of State Services**

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**Responsible Manager:** Catherine Williams, Deputy Commissioner, Integrity, Ethics, and Standards

Proactively released by  
the State Services Commission

5 October 2018

Chairs, Crown Research Institutes

Dear Chair

### State Services Commission Inquiry Into the Use of External Security Consultants

You may be aware, the State Services Commissioner has appointed me, together with Simon Mount QC, to undertake an Inquiry under the State Sector Act 1988 into the use of external security consultants by Crown agencies.

Pursuant to section 11(4) of the State Sector Act, the Minister of Research, Science and Innovation has now requested that this Inquiry be extended to include Crown Research Institutes (CRIs) as set out in Appendix 1.

The Inquiry is now progressing with urgency and we will require your assistance to satisfy our information requests.

Given the breadth of the terms of reference, as a first step we are inviting Chief Executives of CRI's to satisfy themselves, through self-evaluation, whether there are any matters that should be brought to the attention of the Inquiry.

As a result, I invite you to take appropriate steps in your context to assure yourself that:

- any use of external security consultants in general, and TCIL in particular, by your organisation is appropriate, well managed and there are appropriate controls and oversight in place;
- any interactions or relationships with external security consultants, including TCIL, are consistent with the professional expectations of the public service as expressed in the Code of Conduct for the State Services.

By "external security consultants", I mean any company or individual contracted to your organisation to provide specialist investigative or security services as further defined below. This includes services related to high-level security assessments and private investigation of individuals or groups. Within this context, it also includes engagement of third parties to gather intelligence from open source documents on security related issues; use of surveillance on individuals, groups or meetings; security or threat assessments of individuals or groups; and analysis of any information or intelligence gathered in the manner described above.

This definition **excludes** investigations related to information technology security (including forensic IT services); and investigations undertaken by auditors related to specific cases of fraud (but it includes private investigators engaged to detect fraud). It also excludes routine engagement of security guard services, alarm monitoring and general media and social monitoring undertaken by third party providers.



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info@martinjenkins.co.nz martinjenkins.co.nz



The initial period of interest is from 2008 to the present, but you are of course not precluded from looking beyond this period. We ask that you take all reasonable steps to achieve this assurance including accessing all financial records available and a thorough review of contract registries. The steps you take to assure yourself should include, at a minimum:

- Checking to determine whether your agency has or has had any relationship with any external security consultants (including private investigators) delivering the services outlined above. As well as looking in your contract system using key word search terms, we would suggest it would be appropriate to search financial and email systems in case there is a relationship outside of a formal contract. Please ensure your search includes any interaction with TCIL or an associated entity as listed in Appendix 2.
- Checking whether your organisation has used, or is using, platforms such as Wordpress or Slack to exchange information with external security consultants. If these platforms have been used, it is important to clarify the nature of information that has been provided or supplied and assess how that information has been stored and managed.
- Where there is a contract, you may wish to consider whether the services are reviewed regularly, whether the contract has ownership/oversight, whether the work procured matches the work delivered and whether the work delivered seems appropriate. You may also want to ensure that any providers have appropriate qualifications; for example, that they hold relevant licenses or certificates of approval for private security and investigation work under the Private Security Personnel Licensing Authority.
- Where there is not a contract, there may be value in considering whether the interaction seems appropriate. For example is the lack of contract explicable, do emails seem professional, is information exchanged consistent with what you would expect of state servants. We expect this will require a search of your email system.

If your organisation has been affected by restructure or merger, we would expect you take reasonable steps to provide the assurance for those organisations that predated establishment where those records are available.

We expect you should be able to undertake this assurance informed by seven years' worth of financial records and, on a best endeavors basis, to seek assurance for at least the last ten years.

Please could you report on the outcome of your internal review to Sarah Baddeley at MartinJenkins: 9(2)(a) privacy [REDACTED] In particular please advise whether:

- You identify any interactions with TCIL, its associated entities, or other providers, falling within the definition above, and whether
- In your view any of those interactions may give cause for concern.

If you have engaged security consultants in the general manner outlined in this letter it is likely that the Inquiry will request all relevant information. It is also likely that we will seek to interview employees with an involvement in that engagement. As such, we recommend you prepare the information in an organised manner with a view that it will likely be requested by the Inquiry team.

If you find no interactions and/or no cause for concern, please provide a short letter to that effect to Sarah Baddeley and also inform the State Services Commission, [commission@ssc.govt.nz](mailto:commission@ssc.govt.nz).



If you wish to discuss this letter or the process please feel free to telephone Ms Baddeley on 09915 1360 at your earliest opportunity. She will work with your organisation to make this process as efficient as possible.

To support the Inquiry to conclude within a reasonable timeframe, your full written response is required at your earliest convenience and no later than 5pm Friday 26 October 2018.

Yours sincerely



Doug Martin  
**Inquiry Head**



# APPENDIX 1:

## Hon Dr Megan Woods

MP for Wigram  
Minister of Energy and Resources  
Minister for Greater Christchurch Regeneration  
Minister of Research, Science and Innovation  
Minister for Government Digital Services



1 October 2018

3 OCT 2018

Peter Hughes  
State Services Commissioner  
PO Box 329  
WELLINGTON 6160


Dear *Pete*

### State Services' Commission Inquiry – Thompson and Clark

I write to you regarding your inquiry into the engagement of Thompson and Clark by State sector agencies.

Pursuant to section 11(4) of the State Sector Act 1988, I request that you include Crown Research Institutes within the scope of the inquiry you are conducting into the circumstances, reasons and outcomes of State sector agencies engagement of external security consultants, with specific focus on the relationship between agencies and Thompson and Clark Investigations Ltd.

Yours sincerely,

  
Hon Dr Megan Woods  
Minister of Research, Science and Innovation



# APPENDIX 2: THOMPSON AND CLARK AND ASSOCIATED COMPANIES

THOMPSON & CLARK INVESTIGATIONS LIMITED (1287169)

EYELA LIMITED (5679387)

CYCLOPS MONITORING LIMITED (4458600)

BIKINI RED LIMITED (2354132)

9(2)(b)(ii) prejudice commercial position

CLARK CAPITAL LIMITED (6276850)

9(2)(b)(ii) prejudice commercial position

THOMPSON CAPITAL LIMITED

THOMPSON TRUSTEE (2011) LIMITED (3430191)

Associated URLs

<http://www.tcil.co.nz/>

<http://www.cyclopsmonitoring.com/>

9(2)(b)(ii) prejudice commercial position

Copies to: Simon Mount QC  
Peter Hughes, State Services Commission  
Carolyn Tremain, Ministry of Business, Innovation and Employment





## Leanne Kelly [SSC]

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**From:** Robert Liberona [SSC]  
**Sent:** Wednesday, 10 October 2018 6:21 PM  
**To:** Catherine Williams [SSC]  
**Subject:** Fwd: SSC Inquiry weekly report

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Sarah Baddeley 9(2)(a) privacy  
**Date:** 10 October 2018 at 5:13:03 PM NZDT  
**To:** "Robert Liberona [SSC]" 9(2)(a) privacy  
**Cc:** Simon Mount 9(2)(a) privacy, Doug Martin  
9(2)(a) privacy  
**Subject:** SSC Inquiry weekly report

Key activities this week:

Guidance was prepared for CRIs to undertake their self-evaluation. We also liaised with the monitoring part of MBIE and were supplied a recent letter that went from their Minister to all Chairs regarding use of external security consultants. Note, only GNS has so far engaged with the Inquiry team (expected to be a nil response). This is a risk to the Inquiry and we intend to follow up with the MBIE monitoring team to get individual contacts within CRIs to touch base with them to ascertain their progress. If we wait until the end of October for their responses there is a material risk to the timeframe.

A number of follow ups occurred with agencies who undertook the self-evaluation and with those entities who have been at the centre of Inquiry efforts to date including MPI, MBIE, SIS and NZTA.

Progress was made on preparing the draft report following last week's deliberation session. A further deliberation is occurring this evening and tomorrow morning.

The coming week will focus on preparation of a draft report in parallel with progressing the Inquiry with the new entities.

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SSC also posed a number of questions to the Inquiry team to assist in media preparation. These questions will be canvassed in the report but interim answers are summarised in the paragraph below which should be treated as draft.

Refer to the final report and associated material



Refer to the final report and associated material

Regards

Sarah


**Sarah Baddeley**  
Manager, Consulting

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 [MartinJenkins](#)

 [Read our blog: From the Exosphere](#)

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the State Services Commission

# AIDE-MEMOIRE

STATE SERVICES COMMISSION  
TE Kaitiaki Take Kōwhiri



## Inquiry into use of external security consultants - agencies in scope of inquiry

**Date:** 11 October 2018  
**For:** Hon Chris Hipkins, Minister of State Services  
**Report No:** SSC2018/978

### Inquiry into use of external security consultants - agencies in scope of inquiry

<b>Purpose</b>	Cabinet oral item
<b>Date of meeting</b>	Monday, 15 October 2018
<b>Proposal</b>	<p>To provide clarification for Cabinet on agencies included within the scope of the inquiry into use of external security consultants, described in the updated terms of reference as "all State services agencies".</p> <p>This update is for Cabinet's information only.</p>
<b>Background</b>	<p>On 7 October, Acting Minister of State Services Hon Dr Megan Woods provided an update to Cabinet on progress with the inquiry, including the recent inclusion of Crown Research Institutes, and alternative measures taken to provide assurance over New Zealand Police and Tertiary Education Institutions.</p> <p>Cabinet requested clarification of agencies now included in the "all State services agencies" scope of the inquiry.</p>
<b>Agencies within scope</b>	<p>Since the inquiry was initiated by the State Services Commissioner on 16 March 2018, the scope of the inquiry has twice been extended due to new information coming to light.</p> <p>Agencies now include in scope of the inquiry are those that fall within the State Services Commissioner's powers under the State Sector Act to set standards of integrity and conduct. In summary these are:</p> <ul style="list-style-type: none"><li>• All core Public Service departments (the Ministries);</li><li>• Crown entities;</li><li>• Crown Entity Companies;</li><li>• Crown Entity Subsidiaries; and</li><li>• Public Finance Act Schedule 4A Companies.</li></ul> <p>In addition, the Minister for Research, Science and Innovation has written to the Commissioner requesting that Crown Research Institutes be included within scope of the inquiry using the Commissioner's statutory powers of inquiry under section 11(4) of the State Sector Act.</p>

[IN-CONFIDENCE]



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A comprehensive summary of all agencies is provided for Cabinet's information.

New Zealand Police and Tertiary Education Institutions are not able to be investigated by the Commissioner due to statutory independence (operational and constabulary independence, and academic independence respectively). However, there are processes in place to provide assurance to Ministers that any use of security consultants by these agencies has been undertaken in a manner consistent with public expectations of the State sector.

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We recommend that you:

- **agree** to release this aide-memoire in full once it has been considered by you, and following release of the final inquiry report by the State Services Commission.

 Agree / disagree

Proactive Release



Hon Chris Hipkins  
**Minister of State Services**

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**Author:** Alastair Hill, Deputy Director, Head of State Services

**Responsible Manager:** Catherine Williams, Deputy Commissioner, Integrity, Ethics & Standards

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the State Services Commission



## Agencies covered by the State Services Commissioner's Standards of Integrity and Conduct

### Public Service departments

Business, Innovation, and Employment, Ministry of  
Conservation, Department of  
Corrections, Department of  
Crown Law Office  
Culture and Heritage, Ministry for  
Defence, Ministry of  
Education, Ministry of  
Education Review Office  
Environment, Ministry for the  
Foreign Affairs and Trade, Ministry of  
Government Communications Security Bureau  
Health, Ministry of  
Inland Revenue Department  
Internal Affairs, Department of  
Justice, Ministry of  
Land Information New Zealand  
Māori Development, Ministry of  
New Zealand Customs Service  
New Zealand Security Intelligence Service  
Oranga Tamariki, Ministry for Children  
Pacific Peoples, Ministry for  
Primary Industries, Ministry for  
Prime Minister and Cabinet, Department of the  
Serious Fraud Office  
Social Development, Ministry of  
State Services Commission  
Statistics New Zealand  
Transport, Ministry of  
Treasury, The  
Te Kāhui Whakamana Rua Tekau mā Iwa—Pike River Recovery Agency  
Women, Ministry for

### Departmental Agency

Social Investment Agency

## **Non-Public Service departments**

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### **In the State Services**

Parliamentary Counsel Office

## **Crown Entities**

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### **Crown Agents**

Accident Compensation Corporation  
Callaghan Innovation  
Civil Aviation Authority  
District Health Boards (20)

- Auckland
- Bay of Plenty
- Canterbury
- Capital and Coast
- Counties Manukau
- Hawke's Bay
- Hutt Valley
- Lakes
- MidCentral
- Nelson-Marlborough
- Northland
- South Canterbury
- Southern District Health Board
- Tairāwhiti
- Taranaki
- Waikato
- Wairarapa
- Waitemata
- West Coast
- Whanganui

Earthquake Commission  
Education New Zealand  
Energy Efficiency and Conservation Authority  
Environmental Protection Authority  
Fire and Emergency New Zealand

Health Promotion Agency  
Health Quality and Safety Commission  
Health Research Council of New Zealand  
Housing New Zealand Corporation  
Maritime New Zealand  
New Zealand Antarctic Institute  
New Zealand Blood Service  
New Zealand Qualifications Authority  
New Zealand Tourism Board  
New Zealand Trade and Enterprise New Zealand  
New Zealand Transport Agency  
New Zealand Walking Access Commission  
Pharmaceutical Management Agency  
Real Estate Agents Authority  
Social Workers Registration Board  
Sport and Recreation New Zealand  
Tertiary Education Commission  
Worksafe New Zealand

#### **Autonomous Crown Entities (ACEs)**

Accreditation Council  
Arts Council of New Zealand Toi Aotearoa  
Broadcasting Commission  
Government Superannuation Fund Authority  
Guardians of New Zealand Superannuation  
Heritage New Zealand (Pouhere Tāonga)  
Museum of New Zealand Te Papa Tongarewa Board  
New Zealand Artificial Limb Service  
New Zealand Film Commission  
New Zealand Lotteries Commission  
New Zealand Symphony Orchestra  
Public Trust  
Retirement Commissioner  
Te Reo Whakapuaki Irirangi (Maori Broadcasting Funding Agency)  
Te Taura Whiri I Te Reo Maori (Maori Language Commission)

#### **Independent Crown Entities (ICEs)**

Broadcasting Standards Authority  
Children's Commissioner  
Commerce Commission  
Drug Free Sport New Zealand  
Electoral Commission  
Electricity Authority  
External Reporting Board  
Financial Markets Authority  
Health and Disability Commissioner  
Human Rights Commission  
Independent Police Conduct Authority



Law Commission  
New Zealand Productivity Commission  
Office of Film and Literature Classification  
Privacy Commissioner  
Takeovers Panel  
Transport Accident Investigation Commission

### **Crown Entity Companies**

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Crown Irrigation Investments Limited  
New Zealand Investment Venture Fund  
Radio New Zealand  
Television New Zealand

### **Crown Entity Subsidiaries**

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There are around 150 subsidiaries of TEIs, CRIs, DHBs, and other Crown entities. These are being included their parent company's process.

### **Public Finance Act Schedule 4A Companies**

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City Rail Link Ltd  
Crown Asset Management Limited  
Crown Infrastructure Partners Ltd  
Education Payroll Ltd  
Health Benefits Limited (*ceased operations*)  
The Network for Learning Limited  
Research and Education Advanced Network New Zealand Limited  
Southern Response Earthquake Services Limited  
Tāmaki Redevelopment Company Limited  
Ōtākaro Ltd  
Predator Free 2050 Ltd

**Agencies not covered by the State Services Commissioner's Standards of Integrity and Conduct but alternative arrangements in place to provide assurance to Ministers**

**Non-Public Service departments**

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**In the State Services**

New Zealand Police (internal review)

**Crown Entity Companies**

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**Crown Research Institutes (CRIs) (included in inquiry using the Commissioner's powers of inquiry)**

AgResearch Limited  
Institute of Environmental Science and Research Limited  
Institute of Geological and Nuclear Sciences Limited  
Landcare Research New Zealand Limited  
National Institute of Water and Atmospheric Research Limited  
New Zealand Forest Research Institute Limited  
The New Zealand Institute for Plant and Food Research Limited

**In the wider State sector**

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**Tertiary Education Institutions (requested to individually provide assurance to the Minister of Education)**

- **Universities**
  - Auckland University of Technology
  - Lincoln University
  - Massey University
  - University of Auckland
  - University of Canterbury
  - University of Otago
  - University of Waikato
  - Victoria University of Wellington
- **Polytechnics/Institutes of Technology**
  - Ara Institute of Canterbury
  - Eastern Institute of Technology
  - Manukau Institute of Technology
  - Nelson Marlborough Institute of Technology
  - Northland Polytechnic
  - Open Polytechnic of New Zealand
  - Otago Polytechnic
  - Southern Institute of Technology
  - Tai Poutini Polytechnic

- Toi Ohomai Institute of Technology
- Unitec Institute of Technology
- Universal College of Learning
- Waikato Institute of Technology
- Wellington Institute of Technology
- Western Institute of Technology
- Whitireia Community Polytechnic
- **Wananga**
  - Te Wānanga o Aotearoa (Te Awamutu)
  - Te Wānanga o Raukawa (Otaki)
  - Te Whare Wānanga o Awanuiāraangi (Whakatane)

Proactively released by  
the State Services Commission

**Agencies not covered by the State Services Commissioner's Standards of Integrity and Conduct**

**Non-Public Service departments**

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**In the State Services**

New Zealand Defence Force

**In the wider State sector**

Office of the Clerk of the House of Representatives  
Parliamentary Service

**Crown Entity Companies**

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**Crown Entity Subsidiaries**

Approx 150 Crown entity subsidiaries

**Also outside of scope of the inquiry**

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**Public Finance Act Schedule 4 Organisations**

Reserve Bank of New Zealand

Offices of Parliament

State-owned enterprises

Mixed Ownership Model companies

Proactively released by  
the State Services Commission





MP for Rimutaka

Minister of Education

Minister of State Services

Leader of the House

Minister Responsible for Ministerial Services

Nigel Gould  
Chair  
Tertiary Education Commission  
PO Box 27-048  
Wellington 6141

18 OCT 2018

Dear Mr Gould

## Engagement of external security providers

I write regarding the engagement of external security providers.

The State Services Commission (SSC) commenced an inquiry on 16 March 2018 into the circumstances, reasons and outcome of Southern Response Earthquake Services Limited's engagement of external security consultants, including Thompson and Clark Investigations Ltd (TCIL). The inquiry terms of reference were subsequently widened to cover all State sector agencies.

Unlawful or inappropriate intrusions into the activities of the public by providers that are engaged by agencies are serious allegations. Public assurance that external security resources are being used in a manner that is consistent with the expectations of the State services is required, to maintain public trust and confidence in the activities of the State sector.

Tertiary education institutes (TEIs) do not fall within the scope of the State Services Commissioner's powers of inquiry. This reflects the importance of avoiding any interference with academic freedom and autonomy. It is my view, however, that it is in the public interest that TEIs, as part of the wider State sector, are able to provide an assurance to me that the use of external security providers (if any) is both lawful and appropriate.

I have expressed my view in correspondence to all TEIs, and sought their assurance that their use, or that of their subsidiaries, of external security providers (if any) is consistent with public expectations of the State sector. I have also asked the TEIs to respond if they or their subsidiaries have not used any external security consultants. I have asked for their responses be provided to you, within the next month, to be passed on to me.

Your cooperation in providing any assistance requested by the TEIs in this matter and collating and forwarding responses to me would be appreciated. The SSC is in a position to provide you with any guidance you consider necessary.

Yours sincerely,

Chris Hipkins  
Minister of Education

CC: Tim Fowler, Chief Executive TEC  
Universities of New Zealand