



Te Kawa Mataaho

Public Service Commission

20 February 2024

9(2)(a) privacy

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Official Information Request

Our Ref: OIA 2023-0329

I refer to your Official Information Request which the Ministry of Social Development partially transferred to Te Kawa Mataaho Public Service Commission on 23 January 2024 where you asked for:

“Our clients are raising claims in respect of the policies in the government’s 100-day plan and the coalition agreements between National/Act and National NZ First which they consider breach their rights under Te Tiriti o Waitangi. Such policies include, but are not limited to:

- *Issuing a Cabinet Office circular to all central government organisations that it is the Government’s expectation that public services should be prioritised on the basis of need, not race.*

For the avoidance of doubt, this request for information includes Correspondence, emails, memoranda, meeting minutes or notes, file notes (including handwritten notes); and Cabinet papers and associated minutes, discussion papers, policy documents, funding guidelines/requirements, working documents and briefing documents”.

Our response

We have identified two documents covered by your request that I have decided to withhold in full under section 9(2)(f)(iv) of the Official Information Act 1982 in order to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials.

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA.

If you wish to discuss this decision with us, please feel free to contact Ministerial.Services@publicservice.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 or freephone 0800 802 602.

Please note that we intend to publish this letter (with your personal details removed) on the Te Kawa Mataaho Public Service Commission’s website.

Yours sincerely

Nicky Dirks
Manager – Ministerial and Executive Services
Te Kawa Mataaho Public Service Commission