



21 November 2018



Dear 

Official Information Request

Our Ref: 2018/171

I refer to your official information request received on 3 October 2018 for:

“All correspondence, reports and papers received or sent by Debbie Powers, Deputy State Services Commissioner, in relation to the planned Chief Technology Officer appointment process not already proactively released”

On 25 October 2018, we advised you that we were extending the timeframe to make our decision on your request until 16 November 2018.

On 16 November 2018, we advised that we had identified 28 documents within scope of your request. We also advised we were finalising our external consultation and would be providing the documents to you on 21 November 2018.

Information being released

Please find enclosed 27 documents listed in the table below, that we have decided to release, subject to information being withheld under one or more of the following sections of the Official Information Act 1982 (OIA), as applicable:

- section 9(2)(a) – to protect the privacy of natural persons, including deceased people
- section 9(2)(f)(iv) – to maintain the current constitutional conventions protecting the confidentiality of advice tendered by Ministers and officials
- section 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions
- out of scope

Following our external consultation, we identified that one of the 28 documents had already been released therefore the number of documents being released to you today has been reduced to 27.

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

Item	Date	Document Description	Decision
1	17 August 2018	Email titled: Urgent advice requested – will need some help on Monday	Released in part
2	17 August 2018	Email titled: RE: Urgent advice requested – will need some help on Monday	Released in part

3	17 August 2018	Email titled: Re: Urgent advice requested – will need some help on Monday	Released in part
4	20 August 2018	Email titled: RE: Conflict of Interests	Released in part
5	20 August 2018	Email titled: FW: Conflict of Interests	Released in part
6	20 August 2018	Letter addressed to Peter Murray	Released in part
7	21 August 2018	Email titled: RE: Letter	Released in part
8	22 August 2018	Email titled: FW: CTO Potential Conflicts of Interest management Plan	Released in part
9	23 August 2018	Email titled: FW: Signed Briefing to MoSS: Process to appoint the Chief Technology Officer	Released in part
10	24 August 2018	Email titled: CTO	Released in part
11	24 August 2018	Letter addressed to Karl Le Quesne	Released in part
12	27 August 2018	Email titled: Follow up on Friday's discussion	Released in part
13	28 August 2018	Email titled: Note in confidence – conversation with Karl	Released in part
14	28 August 2018	Email titled: 2342237_Report_Government Chief Technology Officer (002).docx	Released in part
15	28 August 2018	Email titled: FW: Derek Handley	Released in part
16	29 August 2018	Email titled: Paper as discussed	Released in part
17	30 August 2018	Email titled: In confidence – update re CTO as at close of play yesterday	Released in part
18	31 August 2018	Email titled: RE: In confidence – update re CTO as at close of play today	Released in part
19	3 September 2018	Email titled: In confidence – update re CTO	Released in part
20	7 September 2018	Email titled: Update CTO	Released in part
21	7 September 2018	Email titled: Re: Update CTO	Released in part
22	10 September 2018	Email titled: Fwd: Briefing [SEEMAIL] [IN CONFIDENCE]	Released in part
23	11 September 2018	Email titled: CTO Update	Released in part
24	11 September 2018	Email titled: CTO Legal Advice	Released in full
25	12 September 2018	Email titled: FW: documents	Released in part
26	12 September 2018	Email titled: FW: Opinion on the appointment process for CTO	Released in part
27	12 September 2018	Email titled: Update CTO	Released in part

Information being withheld

There are additional documents listed in the table below, covered by your request, that we have decided to withhold in full under the following sections of the OIA, as applicable:

- section 9(2)(a) – to protect the privacy of natural persons, including deceased people
- section 9(2)(h) – to maintain legal professional privilege

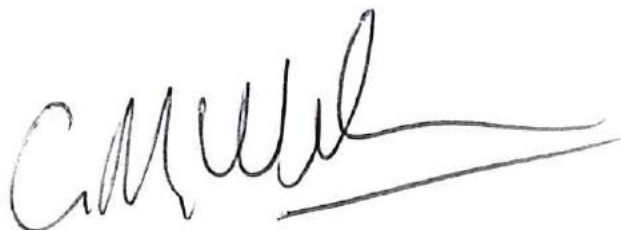
28	30 August 2018	Email titled: In confidence – notes from XXXXXX	Withheld in full
29	12 September 2018	Email titled: Opinion on the appointment process for CTO	Withheld in full
30	13 September 2018	Email titled: DH Signed.pdf ATT00001.htm	Withheld in full

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

Please note that we intend to publish this letter (with your personal details removed) and enclosed documents on the State Services Commission's website.

Yours sincerely



Catherine Williams
Deputy Commissioner
State Services Commission

Catherine Williams [SSC]

From: Catherine Williams [SSC]
Sent: Friday, 17 August 2018 3:42 PM
To: Heather Baggott; Ken Stephen [SSC]; Debbie Power [SSC]
Cc: Greg Nicholls [SSC]
Subject: Urgent advice requested - will need some help on Monday

[SEEMAIL][SENSITIVE]

Hi,
Please note the need for care with this information.

Peter Murray has asked us to peer review the conflicts of interest declaration for the possible CTO appointment. The approach I'm suggesting is that:

1. Greg has first look, including against our conflict of interest model standards and the OAG guidance <http://www.ssc.govt.nz/sites/all/files/conflicts-of-interest-model-standards.pdf> and <https://www.oag.govt.nz/2007/conflicts-public-entities>
2. Greg, Ken, Heather and I meet to discuss on Monday morning.
3. We put a recommended approach to Debbie on Monday, ideally no later than midday.
4. We finalise a response to Peter for mid afternoon. If we have any concerns then we give him a call as soon as we've spoken to Debbie.

I've spoken to Greg and he'll get underway this afternoon. He has asked that the information be shared only with me and one other (Greg) at the moment, we can revisit that if needed later.

Thanks,
Catherine

Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards

State Services Commission | Te Kawa Mataaho

mobile: 9(2)(a) privacy

email: 9(2)(a) privacy

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Debbie Power [SSC]

From: Heather Baggott
Sent: Friday, 17 August 2018 4:39 PM
To: Catherine Williams [SSC]; Ken Stephen [SSC]; Debbie Power [SSC]
Cc: Greg Nicholls [SSC]
Subject: RE: Urgent advice requested - will need some help on Monday

Thanks Catherine – really appreciate your and Greg’s support at short notice. The appointee was approved at APH this week and is being considered at Cabinet on Monday. DIA’s advice on conflict management is to give greater assurance to Minister Curran prior to her making the announcement next Thursday. It is due with her cop Monday.

9(2)(g)(i) free and frank

While I think Peter was going to remove the name from the material he sent to you Catherine, he is aware there is information about their associations/interests which could reveal the person’s identity – but which you would need to know in order to provide an adequate peer review.

Kind regards

Heather Baggott

Assistant Commissioner | M: 9(2)(a) privacy
Te Kawa Mataaho | State Services Commission

From: Catherine Williams [SSC]
Sent: Friday, 17 August 2018 3:42 PM
To: Heather Baggott 9(2)(a) privacy; Ken Stephen [SSC] 9(2)(a) privacy; Debbie Power [SSC] 9(2)(a) privacy
Cc: Greg Nicholls [SSC] 9(2)(a) privacy
Subject: Urgent advice requested - will need some help on Monday

[SEEMAIL][SENSITIVE]

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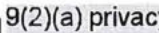
Thanks,
Catherine

Debbie Power [SSC]

From: Debbie Power [SSC]
Sent: Friday, 17 August 2018 4:15 PM
To: Catherine Williams [SSC]
Cc: Heather Baggott; Ken Stephen [SSC]; Greg Nicholls [SSC]
Subject: Re: Urgent advice requested - will need some help on Monday

Ok

Sent from my iPhone

On 17/08/2018, at 3:42 PM, Catherine Williams [SSC]  wrote:

[SEEMAIL][SENSITIVE]

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Peter Murray has asked us to peer review the conflicts of interest declaration for the possible CTO appointment.

The approach I'm suggesting is that:

1. Greg has first look, including against our conflict of interest model standards and the OAG guidance <http://www.ssc.govt.nz/sites/all/files/conflicts-of-interest-model-standards.pdf> and <https://www.oag.govt.nz/2007/conflicts-public-entities>
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Thanks,
Catherine




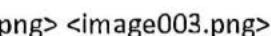
Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards

State Services Commission | Te Kawa Mataaho

mobile: 9(2)(a) privacy

email: 9(2)(a) privacy

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Catherine Williams [SSC]

From: Debbie Power [SSC]
Sent: Monday, 20 August 2018 12:21 PM
To: Peter Murray
Cc: Catherine Williams [SSC]
Subject: RE: Conflict of Interests

[UNCLASSIFIED]

I think this wise – and Catherine will be in touch to talk to your team about next steps

From: Peter Murray 9(2)(a) privacy
Sent: Monday, 20 August 2018 10:28 AM
To: Debbie Power 9(2)(a) privacy
Subject: Conflict of Interests

Debbie thanks for the conversations
I have spoken with Minister Curran
She understands the request, is disappointed. She is off to pre Cab now and will talk this through with the Prime Minister. I advised Minister Hipkin's view
I advised that SSC recommend defer paper, I suggested there is another option of disclosing this issue and seek power to act with senior Ministers given it is recess period
Regards
Peter

Peter Murray | Acting Chief Executive Te Tari Taiwhenua
Direct Dial: 9(2)(a) privacy
45 Pipitea Street Wellington | www.dia.govt.nz



Te Tari Taiwhenua
Internal Affairs



Catherine Williams [SSC]

From: Debbie Power [SSC]
Sent: Monday, 20 August 2018 10:29 AM
To: ^Parliament: Christina Connolly
Cc: Catherine Williams [SSC]; Greg Nicholls [SSC]
Subject: FW: Conflict of Interests

[UNCLASSIFIED]

fyi

From: Peter Murray 9(2)(a) privacy
Sent: Monday, 20 August 2018 10:28 AM
To: Debbie Power [SSC] 9(2)(a) privacy
Subject: Conflict of Interests

Debbie thanks for the conversations
I have spoken with Minister Curran
She understands the request, is disappointed. She is off to pre Cab now and will talk this through with the Prime Minister. I advised Minister Hipkin's view
I advised that SSC recommend defer paper, I suggested there is another option of disclosing this issue and seek power to act with senior Ministers given it is recess period
Regards
Peter

Peter Murray | Acting Chief Executive Te Tari Taiwhenua
Direct Dial: 9(2)(a) privacy
45 Pipitea Street Wellington | www.dia.govt.nz



Te Tari Taiwhenua
Internal Affairs





20 August 2018

Mr Peter Murray
Acting Chief Executive
Department of Internal Affairs
WELLINGTON

Dear Peter,

We understand that the Department of Internal Affairs has been supporting Minister Curran with the appointment of the Chief Technology Officer. As part of this process, we understand that Minister Curran has asked for your advice on whether there are any key risks she should consider before making the appointment.

You approached us on Friday afternoon, to request that we undertake a peer review of the candidate's possible conflicts of interest and provide you with some input to support you in preparing advice for Minister Curran as to whether the residual possible conflicts (once mitigated) are acceptable or not.

Further to our conversation with relevant members of your team, we understand that there are still some additional details being provided over and above what you provided to us on Friday. To allow us to undertake a peer review for you, could you please provide, when available:

- A brief description of the CTO's areas of influence, decision making powers and delegations
- A list of potential conflicts (real or perceived) and their proposed mitigations. These will include commercial and pecuniary interests as relevant.
- Your team's assessment of those mitigations, including where you think that there might be a need for a different or additional mitigation.
- Your team's assessment of the overall position with regards to residual possible conflicts.

We will then review that work and provide you with our view.

I'm sure your team are across this already, but you might find some of the attached links relating to conflict of interest helpful (recognising that this position is not a chief executive or board appointment) <http://www.ssc.govt.nz/sites/all/files/conflicts-of-interest-model-standards.pdf>; <http://www.ssc.govt.nz/board-appointment-guidelines>, <https://www.oag.govt.nz/2007/conflicts-public-entities>.

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Fax +64-4-495 6686
www.ssc.govt.nz

I would also suggest that you assure yourself that the appointment process that has been undertaken to date has covered such matters as referee reports, criminal history and qualification checks, that security clearance requirements can be met, and that assurance has been sought from the candidate that there are no known matters that would impact probity, integrity and reputation.

Kind regards

Catherine Williams
Deputy Commissioner, Integrity, Ethics and Standards

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Debbie Power [SSC]

From: Heather Baggott
Sent: Tuesday, 21 August 2018 8:12 PM
To: Catherine Williams [SSC]
Cc: Debbie Power [SSC]
Subject: Re: Letter

FYI - I had a good catchup with Mr Murray today at which we discussed the process (how did we get into this situation) and where things currently stand. He's keen to do a review once this is done to draw out lessons and learnings. 9(2)(g)(i) free and frank out of scope

The final check on pecuniary interests will be done by the independent Barrister who will give DIA assurance there are no conflicts there, while protecting against unnecessary disclosure of the appointee's commercial interests.

Cheers

Heather Baggott
Assistant Commissioner | M 9(2)(a) privacy
Te Komihana O Ngā Tari Kāwanatanga | State Services Commission

Already Released

Debbie Power [SSC]

From: Catherine Williams [SSC]
Sent: Wednesday, 22 August 2018 5:04 PM
To: Debbie Power [SSC]; Greg Nicholls [SSC]
Subject: FW: CTO Potential Conflicts of Interest management Plan

Hi,
See below which came through while I was typing a reply to your email Greg!

Looks like you can stand down until late morning/tomorrow afternoon depending on how they go and how long it takes them to work through the report.

Kind regards,
Catherine


Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards
State Services Commission | Te Kawa Mataaho
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email: 9(2)(a) privacy
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From: Catherine Williams [SSC]
Sent: Wednesday, 22 August 2018 5:01 PM
To: 'Peter Murray' 9(2)(a) privacy
Cc: Heather Baggott 9(2)(a) privacy; Karl Le Quesne 9(2)(a) privacy
Subject: RE: CTO Potential Conflicts of Interest management Plan

[IN-CONFIDENCE]

Thanks for the update, this work needs to be done well so take the time you need.

We'll pick it up when you're ready for us.

Safe travels,
Kind regards,
Catherine


Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards
State Services Commission | Te Kawa Mataaho
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email: 9(2)(a) privacy
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Catherine Williams [SSC]

From: Catherine Williams [SSC]
Sent: Thursday, 23 August 2018 4:06 PM
To: Debbie Power [SSC]
Subject: FW: Signed Briefing to MoSS : Process to appoint the Chief Technology Officer
Attachments: Briefing for MoSS Process to appoint the Chief Technology Officer.pdf

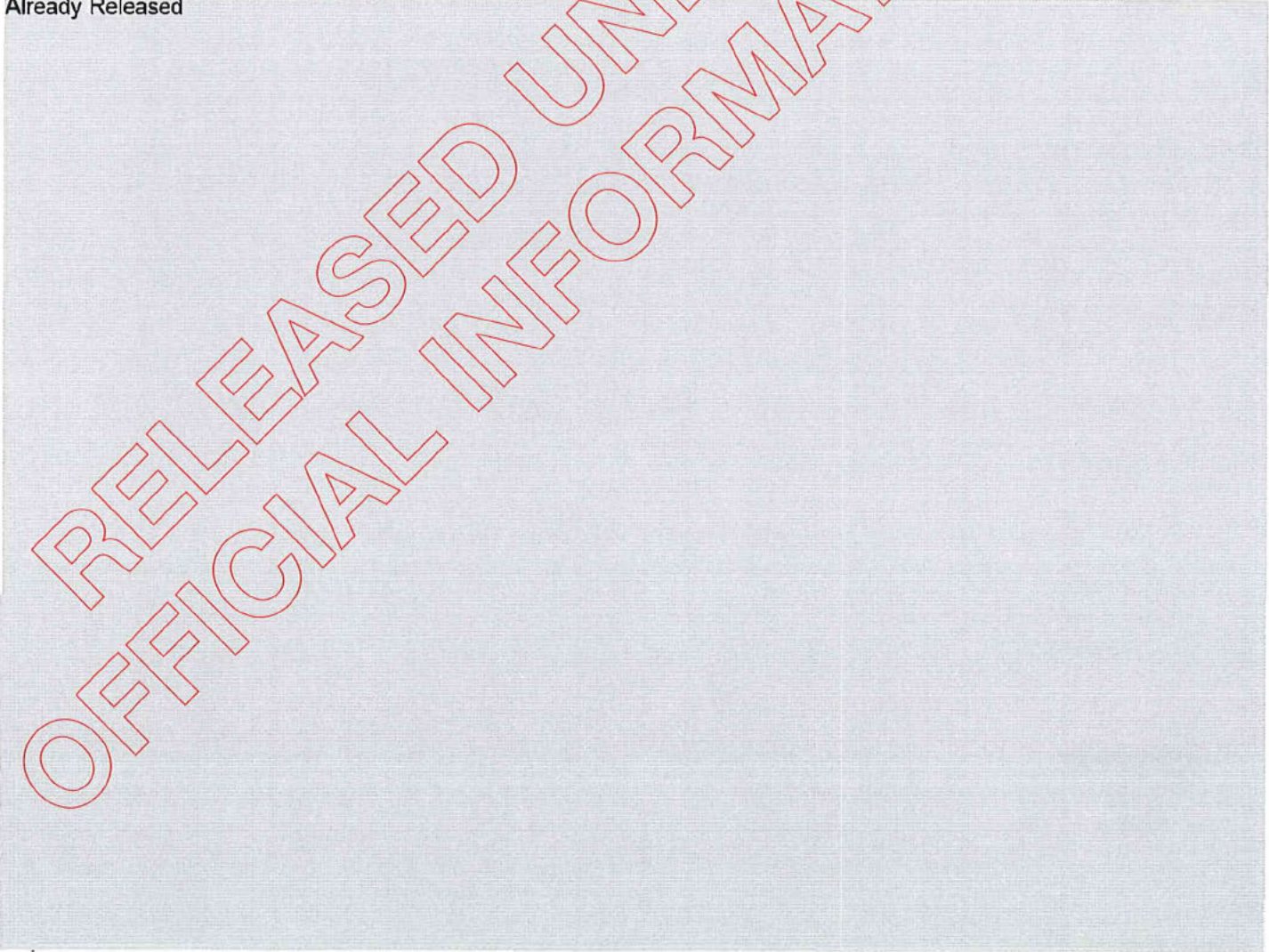
[IN-CONFIDENCE]

Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards
State Services Commission | Te Kawa Mataaho
mobile:9(2)(a) privacy
email:9(2)(a) privacy
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Already Released



Catherine Williams [SSC]

From: Catherine Williams [SSC]
Sent: Friday, 24 August 2018 11:06 AM
To: 'Karl.LeQuesne' 9(2)(a) privacy
Cc: Debbie Power [SSC]
Subject: CTO
Attachments: CTO - DIA dated 24 August 2018 (002).pdf

[SEEMAIL][SENSITIVE]

Hi Karl,
Please see our letter attached regarding conflicts of interest, I'd be happy to discuss it once you've had a chance to work through it, if that would be helpful.
Thanks,
Catherine

Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards



State Services Commission | Te Kawa Mataaho

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24 August 2018

Mr Karl Le Quesne,
Acting Chief Executive
The Department of Internal Affairs, Te Tari Taiwhenua
PO Box 805
WELLINGTON 6140

Dear Karl,

Thank you for providing material relating to potential conflicts of interest in relation to an independent role supported by the Department of Internal Affairs. For the avoidance of doubt, the State Services Commission is providing peer review on this matter not concurrence. Our review is provided given our experience in setting standards for public servants on the consideration and management of conflicts of interest. The role you are supporting is a Ministerial appointment and is not within our jurisdiction.

The Chief Technology Officer is intended to be the government's advisor and strategist, working across Ministers, the public and private sectors in New Zealand and overseas. The CTO will play an important role in shaping the environment in which public and private organisations operate through the development of the digital strategy. It is a part time role and has a fixed term of a year, with the possibility of extension.

The role is structured as a Ministerial Advisory Committee of one. The appointee has the ability to recommend decisions to the Minister responsible for Government Digital Services and Broadcasting, Communications and Digital Media and the Prime Minister. The role holder is not a public servant and therefore outside of the State Services Commissioner's jurisdiction, meaning that the State Sector code of conduct does not apply to any appointee. Equally, the role is not a board member, so legislation relating to directors does not apply. The job description (<http://www.mbie.govt.nz/info-services/digital-economy/cto>) notes that "it is likely that the influence of the Chief Technology Officer will be greatest if the successful applicant remains outside the technology industry for the duration of their term of appointment."

Ministers need no legislative authority to set up such a role. The Minister sought Cabinet agreement before establishing the role, which is consistent with usual practice. The Cabinet paper <http://www.mbie.govt.nz/publications-research/publications/telecommunications/cabinet-paper-chief-technology-officer.pdf> authorising the creation of the role notes that the candidate sought will be someone 'who can both advise us on digital strategy and bring their reputation and high level of expertise to bear on building understanding across industry and community, stimulate debate, and get things moving in the right direction'.

9(2)(f)(iv) confidentiality of advice

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[IN CONFIDENCE]

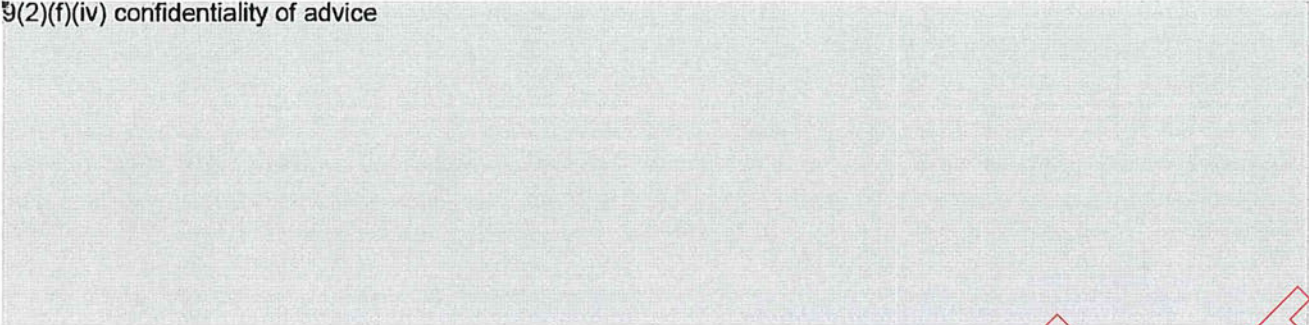
9(2)(f)(iv) confidentiality of advice

It is important to note that we are not making any judgment about the integrity of the candidate or making any comment on their ability to identify and manage conflicts of interest. We have considered the material provided to form a view on the risks and mitigations proposed.

9(2)(f)(iv) confidentiality of advice

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§(2)(f)(iv) confidentiality of advice



We'd be happy to meet with you and/or your team to discuss this further if that would be helpful.

Yours sincerely

Catherine Williams
Deputy Commissioner, Integrity, Ethics and Standards

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Jordan Whitley [SSC]

From: Catherine Williams [SSC]
Sent: Monday, 27 August 2018 1:51 PM
To: Hiranthi.Abeygoonesekera 9(2)(a) Helen.Jamison 9(2)(a) privacy
Cc: Ken Stephen [SSC]; Greg Nicholls [SSC]; Debbie Power [SSC]
Subject: Follow up on Friday's discussion

[SEEMAIL][SENSITIVE]

Hi,

Just following up on the discussion on Friday:

- DIA had reviewed SSC's letter of 24/8 regarding conflicts of interest
- DIA asked whether it was necessary to require all shareholdings and interests to be declared.
- SSC confirmed that this was important, because otherwise we are reliant on the judgment of the candidate as to what might present a conflict and that is insufficient for a role with this risk profile.

Subsequent to this discussion, Peter Hughes has been updated this morning on that point. Peter is very clear that the candidate must declare a full record of all his interests (including but not restricted to shareholdings) in order that a view can be formed about possible conflicts.

For clarity, this email is **not** intended to initiate any actions at this point. Next steps will be advised by Debbie/Karl in due course.

Thanks,
Catherine

Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards

State Services Commission | Te Kawa Mataaho

mobile: 9(2)(a) privacy

email: 9(2)(a) privacy

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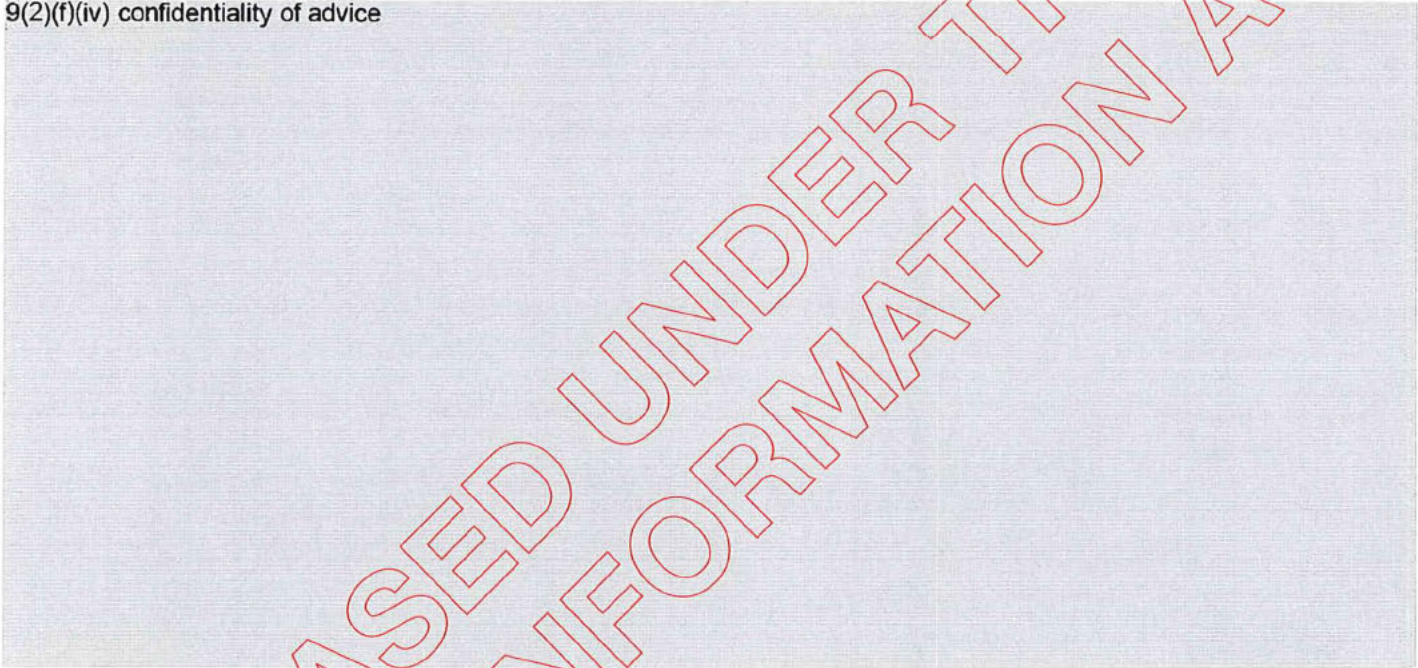
Rachel Pugh [SSC]

From: Catherine Williams [SSC]
Sent: Tuesday, 28 August 2018 1:01 PM
To: Debbie Power [SSC]
Cc: Heather Baggott; Dallas Welch [SSC]; Kellie Coombes [SSC]; Andrew Gane [SSC]
Subject: Note in confidence - conversation with Karl

[IN-CONFIDENCE]

Hi,
Karl was in the building this morning so had a chat with me.

9(2)(f)(iv) confidentiality of advice



Thanks
Catherine

Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards

State Services Commission | Te Kawa Mataaho

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email: 9(2)(a) privacy

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Catherine Williams [SSC]

From: Neha Pawar [SSC]
Sent: Tuesday, 28 August 2018 2:56 PM
To: ^Parliament: Christina Connolly
Cc: Kellie Coombes [SSC]; Catherine Williams [SSC]; Debbie Power [SSC]
Subject: 2342237_Report_Government Chief Technology Officer (002).docx
Attachments: 2342237_Report_Government Chief Technology Officer (002).docx

[IN-CONFIDENCE]

Hi Christina,

Please find attached report.

Thanks
Neha



9(2)(a) [redacted] | Ministerial Co-ordinator, Ministerial Services
State Services Commission | Te Kawa Mataaho
mobile: 9(2)(a) privacy [redacted]
email: 9(2)(a) privacy [redacted]
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Kim O'Keeffe [SSC]

From: Christina Connolly 9(2)(a) privacy
Sent: Tuesday, 28 August 2018 3:14 PM
To: Kellie Coombes [SSC]; Debbie Power [SSC]
Subject: FW: Derek Handley

See the email that came in this afternoon.

-----Original Message-----

From: Angelique Kerr
Sent: Tuesday, 28 August 2018 3:10 PM
To: Christina Connolly 9(2)(a) privacy
Subject: FW: Derek Handley

For SSC.
Thanks,

Angelique Kerr | Private Secretary | Executive Support Office of Hon Chris Hipkins MP for Rimutaka Leader of the House Minister for Education, State Services and Ministerial Services

9(2)(a) privacy

Authorised by Hon Chris Hipkins MP, Parliament Buildings, Wellington

-----Original Message-----

9(2)(a) privacy
Sent: Tuesday, 28 August 2018 2:07 PM
To: C Hipkins (MIN) <c.hipkins@ministers.govt.nz>
Subject: Derek Handley

Dear Minister,

9(2)(a) privacy

9(2)(a) privacy

Jordan Whitley [SSC]

From: Catherine Williams [SSC]
Sent: Wednesday, 29 August 2018 9:18 AM
To: Debbie Power [SSC]
Subject: Paper as discussed.

[UNCLASSIFIED]

Hi,
Original cab paper below.
Rec 4 is the one I was talking about. I haven't checked to see if there were any subsequent changes.

<http://www.mbie.govt.nz/publications-research/publications/telecommunications/cabinet-paper-chief-technology-officer.pdf>

thanks,
Catherine



Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards
State Services Commission | Te Kawa Mataaho
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Catherine Williams [SSC]

From: Catherine Williams [SSC]
Sent: Thursday, 30 August 2018 2:30 PM
To: Catherine Williams [SSC]; Andrew Gane [SSC]; Peter Hughes [SSC]; Debbie Power [SSC]; Ken Stephen [SSC]
Subject: In confidence - update re CTO as at close of play yesterday

[IN-CONFIDENCE]

Hi,
Just a quick update.

Letters

Following the approval of the briefing by the Minister yesterday, letters have been sent to DIA and Crown Law.

Crown Law have confirmed receipt and made contact with DIA.

DIA (Karl) called late yesterday to discuss the letter. Greg, Andrew, Dallas and I sat in on the call. We covered:

- Who is providing the advice to Minister that flows from Crown Law's work (answer, SSC, Crown Law are supporting us to answer the Minister's question)

9(2)(f)(iv) confidentiality of advice

Additional information:

9(2)(f)(iv) confidentiality of advice

Thanks,
Catherine

Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards

State Services Commission | Te Kawa Mataaho

mobile: 9(2)(a) privacy

email: 9(2)(a) privacy

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Catherine Williams [SSC]

From: Catherine Williams [SSC]
Sent: Friday, 31 August 2018 6:08 PM
To: Andrew Gane [SSC]; Peter Hughes [SSC]; Debbie Power [SSC]; Ken Stephen [SSC]
Subject: RE: In confidence - update re CTO as at close of play today

[UNCLASSIFIED]

Hi,
I've spoken with Karl this afternoon, he is initiating the process of getting the candidate's full disclosure. He understands that DIA will need to look at it, as will SSC in due course to provide peer review.
Thanks,
Catherine



Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards
State Services Commission | Te Kawa Mataaho
mobile: 9(2)(a) privacy
email: 9(2)(a) privacy
www.ssc.govt.nz | www.govt.nz



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Catherine Williams [SSC]

From: Catherine Williams [SSC]
Sent: Monday, 3 September 2018 12:41 PM
To: Andrew Gane [SSC]; Peter Hughes [SSC]; Debbie Power [SSC]; Ken Stephen [SSC]
Subject: In confidence - update re CTO

[IN-CONFIDENCE]

Hi,
Christina has advised that Min Hipkins has not had a chance to speak with Min Curran over the weekend. I've confirmed to Christina that we are proceeding as planned ie DIA are speaking with the candidate about conflicts of interest and we are working with Crown Law on advice as to whether the process would be open to successful challenge.
Thanks,
Catherine



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From: Catherine Williams [SSC]
Sent: Friday, 31 August 2018 6:08 PM
To: Andrew Gane [SSC] 9(2)(a) privacy; Peter Hughes [SSC] 9(2)(a) privacy; Debbie Power [SSC] 9(2)(a) privacy; Ken Stephen [SSC] 9(2)(a) privacy
Subject: RE: In confidence - update re CTO as at close of play today

[UNCLASSIFIED]

Hi,
I've spoken with Karl this afternoon, he is initiating the process of getting the candidate's full disclosure. He understands that DIA will need to look at it, as will SSC in due course to provide peer review.
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Catherine



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Catherine Williams [SSC]

From: Catherine Williams [SSC]
Sent: Friday, 7 September 2018 5:27 PM
To: Peter Hughes [SSC]; Debbie Power [SSC]
Cc: Alastair Hill [SSC]; Ken Stephen [SSC]
Subject: Update CTO

[IN-CONFIDENCE]

Hi,

DIA have provided Christina with a one page update brief, it is in the Minister's bag. I've asked Peter M for a copy. 9(2)(g)(i) free and frank

Ken has given Crown Law a heads up that there may need to be some extra information considered in the review of process we have commissioned from them.

Ken and I will be in a position to provide some thoughts as to next steps on Monday morning in advance of the 1115 meeting.

Thanks,
Catherine

Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards

State Services Commission | Te Kawa Mataaho

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email: 9(2)(a) privacy

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Catherine Williams [SSC]

From: Peter Hughes [SSC]
Sent: Friday, 7 September 2018 6:40 PM
To: Catherine Williams [SSC]
Cc: Debbie Power [SSC]; Alastair Hill [SSC]; Ken Stephen [SSC]
Subject: Re: Update CTO

Thank you Catherine.

Peter

Peter Hughes | State Services Commissioner and Head of State Services
State Services Commission | Te Kawa Mataaho
mobile: 9(2)(a) privacy
email: 9(2)(a) privacy
www.ssc.govt.nz | www.govt.nz

On 7/09/2018, at 5:27 PM, Catherine Williams [SSC] 9(2)(a) privacy > wrote:

[IN-CONFIDENCE]

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DIA have provided Christina with a one page update brief, it is in the Minister's bag. I've asked Peter M for a copy.

9(2)(g)(i) free and frank

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Thanks,
Catherine

<image001.png>

Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards
State Services Commission | Te Kawa Mataaho
mobile: 9(2)(a) privacy
email: 9(2)(a) privacy
www.ssc.govt.nz | www.govt.nz

<image002.png> <image003.png>

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Jordan Whitley [SSC]

From: Catherine Williams [SSC]
Sent: Monday, 10 September 2018 7:21 AM
To: Ken Stephen [SSC]; Debbie Power [SSC]; Peter Hughes [SSC]
Subject: Fwd: Briefing [SEEMAIL] [IN CONFIDENCE]
Attachments: Scan from Canon-15309 (2051_001).pdf; ATT00001.htm

Hi
For your information, this is what DIA sent to the Minister on Friday.
Kind regards
Catherine

Sent from my iPhone

Begin forwarded message:

From: Amy White^{9(2)(a) privacy}
Date: 9 September 2018 at 23:15:16 NZST
To: "Catherine Williams [SSC]"^{9(2)(a) privacy}
Cc: Peter Murray^{9(2)(a) privacy}; Helen Jamison^{9(2)(a) privacy}
Subject: Briefing [SEEMAIL] [IN CONFIDENCE]

Hi Catherine

Attached is a copy of the briefing we sent across to Hon Hipkins on Friday.

Cheers & thanks

Amy

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Toni Vincent [SSC]

From: Catherine Williams [SSC]
Sent: Tuesday, 11 September 2018 2:37 PM
To: Peter Hughes [SSC]; Debbie Power [SSC]; Alastair Hill [SSC]; Ken Stephen [SSC]
Subject: Report for Minister - due today
Attachments: CTO - Legal Advice.docx

[IN-CONFIDENCE]

Hi,

Please see attached draft.

Note that para 4 is not yet confirmed in terms of content (Crown Law). Ken is working with Crown Law.

There are also some privilege questions which he/we are working through.

Thanks,

Catherine

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Catherine Williams [SSC]

From: Christina Connolly 9(2)(a) privacy
Sent: Wednesday, 12 September 2018 8:15 AM
To: Catherine Williams [SSC]; Debbie Power [SSC]; Ken Smart [SSC]
Subject: FW: documents
Attachments: Briefing to Minister delegation (3) Draft.docx; Briefing to Minister (3) Draft.docx

Fyi

From: David Choat 9(2)(a) privacy
Date: Tuesday, 11 Sep 2018, 11:44 PM
To: Christina Connolly 9(2)(a) privacy
Subject: FW: documents

From: Peter Murray 9(2)(a) privacy
Sent: Tuesday, 11 September 2018 6:08 PM
To: Penny Arrowsmith 9(2)(a) privacy; Richard Trow
9(2)(a) privacy; David Choat 9(2)(a) privacy; Mike Smith
9(2)(a) privacy
Cc: Kim Chambers 9(2)(a) privacy; Hiranthi Abeygoonesekera
9(2)(a) privacy; Amy White 9(2)(a) privacy; Helen Jamison
9(2)(a) privacy; Cristina Samson 9(2)(a) privacy
Subject: RE: documents

Sorry with attachements

Peter Murray | Acting Chief Executive Te Tari Taiwhenua
Direct Dial: 9(2)(a) privacy
45 Pipitea Street Wellington | www.dia.govt.nz



Te Tari Taiwhenua
Internal Affairs



From: Peter Murray
Sent: Tuesday, 11 September 2018 6:07 PM
To: Penny Arrowsmith; Richard Trow; David Choat; Mike Smith
Cc: Kim Chambers; Hiranthi Abeygoonesekera; Amy White; Helen Jamison; Cristina Samson
Subject: documents

Penny attached are two non peer reviewed papers to support Ministers with the documenting the decisions being taken, and authorising negotiations if they are required
They will be peer reviewed first think in the morning.
If anyone wishes to discuss these I am happy to do that.
So as of now we have
draft Press Announcement
Modified speaking notes for a conversation with Derek H by me tomorrow after 1pm
Two proposed advice papers

Is there anything else needed

Regards
Peter

Peter Murray | Acting Chief Executive Te Tari Taiwhenua
Direct Dial: 9(2)(a) privacy
45 Pipitea Street Wellington | www.dia.govt.nz



From: Penny Arrowsmith
Sent: Tuesday, 11 September 2018 5:15 PM
To: Cristina Samson; Richard Trow; David Choat
Cc: Peter Murray; Kim Chambers
Subject: RE: In confidence: Draft Q&A

Hi Cristina, please call.

Sent with BlackBerry Work
(www.blackberry.com)

From: Cristina Samson 9(2)(a) privacy
Date: Tuesday, 11 Sep 2018, 5:09 PM
To: Penny Arrowsmith 9(2)(a) privacy, Richard Trow 9(2)(a) privacy
David Choat 9(2)(a) privacy
Cc: Peter Murray 9(2)(a) privacy, Kim Chambers 9(2)(a) privacy
Subject: RE: In confidence: Draft Q&A

Hi Penny, Richard, David

Following on from Penny's feedback to Peter about the draft media release, attached is the revised version with a slight change to the last sentence.

Penny – the slightly different wording to the very last sentence was based on advice from our legal folks.

Any questions please let me know.

Ngā mihi
Cristina

From: Richard Trow
Sent: Tuesday, 11 September 2018 3:51 PM
To: Cristina Samson; Penny Arrowsmith; David Choat
Cc: Peter Murray; Kim Chambers
Subject: RE: In confidence: Draft Q&A

Looks good thanks Cristina.

Richard

Sent with BlackBerry Work
(www.blackberry.com)

From: Cristina Samson 9(2)(a) privacy
Date: Tuesday, 11 Sep 2018, 3:42 PM
To: Penny Arrowsmith 9(2)(a) privacy Richard Trow 9(2)(a) privacy
David Choat 9(2)(a) privacy
Cc: Peter Murray 9(2)(a) privacy Kim Chambers 9(2)(a) privacy
Subject: In confidence: Draft Q&A

Hi Penny, Richard and David

Attached is the revised draft Q&A with the key messages, which Penny requested from Peter. These are strictly backpocket, reactive Q&As.

Ngā mihi
Cristina

Cristina Samson | Principal Advisor - External | Te Manu Karere, Communications
The Department of Internal Affairs Te Tari Taiwhenua
Direct Dial: 9(2)(a) privacy
45 Pipitea Street | PO Box 805, Wellington 6140, New Zealand | www.dia.govt.nz



Te Tari Taiwhenua
Internal Affairs

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Debbie Power [SSC]

From: Catherine Williams [SSC]
Sent: Wednesday, 12 September 2018 1:53 PM
To: Ken Stephen [SSC]; ^Parliament: Christina Connolly
Cc: Debbie Power [SSC]; Andrew Gane [SSC]
Subject: FW: Opinion on the appointment process for CTO
Attachments: 4833839_Opinion on the appointment of the Chief Technology Officer - 12pdf

[IN-CONFIDENCE]

Thanks Ken.

Christina – please see the opinion attached and also note the comments below regarding legal privilege and the basis on which this opinion can be shared.

Any questions, please let us know.

Kind regards,

Catherine

Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards

State Services Commission | Te Kawa Mataaho

mobile: 9(2)(a) privacy

email: 9(2)(a) privacy

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From: Ken Stephen [SSC]
Sent: Wednesday, 12 September 2018 1:44 PM
To: Catherine Williams [SSC] 9(2)(a) privacy
Cc: Debbie Power [SSC] 9(2)(a) privacy; Catherine Williams [SSC] 9(2)(a) privacy
Andrew Gane [SSC] 9(2)(a) privacy
Subject: Opinion on the appointment process for CTO

[IN-CONFIDENCE]

9(2)(h) legal privilege



9(2)(h) legal privilege

Ken Stephen
Chief Legal Officer
State Services Commission
9(2)(a) privacy

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Catherine Williams [SSC]

From: Catherine Williams [SSC]
Sent: Wednesday, 12 September 2018 5:12 PM
To: Peter Hughes [SSC]; Debbie Power [SSC]
Cc: Ken Stephen [SSC]; Alastair Hill [SSC]
Subject: Update CTO

[IN-CONFIDENCE]

Hi,
Today we have:

- Provided Christina with a copy of our advice. It was just over a page and, in summary, said that the process was fine.
- Provided Christina with a copy of the Crown Law advice. This is currently being updated to reflect Crown Law's recent conversation with Ms Valintine, which has resolved any concerns.
- Advanced the issue of legal privilege, which would need to have a limited waiver to allow our advice to be released.
- DIA have been working directly with the Minister's office, as the lead on the recruitment.
- Peter Murray has spoken to the preferred candidate.

Thanks,
Catherine



Catherine Williams | Deputy Commissioner, Integrity, Ethics and Standards
State Services Commission | Te Kawa Mataaho
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