



8 May 2023



Ref: OIA-2022/23-0838

Dear 

Official Information Act request relating to communications between the Prime Minister's Office or the Department of the Prime Minister and Cabinet's staff and other persons

I refer to your Official Information Act 1982 (the Act) request received on 19 April 2023. You requested:

"Please provide under the OIA copies of all communications between any representative of the Prime Minister or DPMA including John Ombler or anyone else in the "All of Government" team and Rebecca Kitterige, Brian Roach, Dave Gowan and any of their representatives, including:

- 1) the terms of reference and any Covid relevant communications prior to their 23/April 2020 Rapid Review of Initial Operating Model and Organisational Arguments report to DPMC*
- 2) any analysis of that report by or on behalf of DPMC including any review to ensure legal compliance*
- 3) all communications within the DPMCs Covid unit and between that unit and the Prime Minister*
- 4) the budget for the DPMCs Covid unit*
- 5) all communications between the DPMC and/ or the Covid unit and Medsafe to show how obligations under the Medicines Act and regulations would be complied with*
- 6) any correspondence from or to the DPMC and or its Covid Unit regarding the Nga Kaitiaki v Minister of Health judicial review either before or after those proceedings including any information relevant to the emergency law reform to amend s23 of the Medicines Act*
- 7) any information received by or created by anyone at DPMC expressing reservations about the lawfulness and/ or ethics of the claims the PfizerVax was "safe and effective" and how this would be addressed""*

On 24 April 2023, the Department of the Prime Minister and Cabinet (DPMC) contacted you and requested that you provide due particularity in your request. As of 3 May 2023, DPMC has not received a response to that request for clarification.

As you have not identified who exactly you are requesting communications to and from, DPMC is unable to respond to first part of your request. The rest of your request is numbered, and for ease of reference we will use those numbers in our response as follows:

1. As communicated to you in the email dated 24 April 2023, the terms of reference you have requested are publicly available as an appendix here: <https://www.dpmc.govt.nz/sites/default/files/2023-01/Rapid-Review-of-Initial-Operating-Model-and-Organisational-Arrangments-for-the-National-Response-to-COVID-19.pdf>. As such, this part of your request is refused under section 18(d) of the

Act: the information requested is publicly available. You also requested *'any Covid relevant communications prior to their 23/April 2020 Rapid Review of Initial Operating Model and Organisational Arguments report to DPMC'*. As you have not provided a timeframe, this part of your request is refused under section 18(f) of the Act: the information requested cannot be made available without substantial collation. We have interpreted this as requesting all communications relating to the COVID-19 pandemic as held by a core Government agency, for the first three months of said pandemic, which would amount to a significant volume of information.

2. DPMC does not hold any analysis or legal review of the report in question. This part of your request is refused under section 18(e) of the Act: the information requested does not exist.
3. You requested *'all communications within the DPMCs Covid unit and between that unit and the Prime Minister'*. As you did not provide a timeframe, this part of your request is refused under section 18(f) of the Act: the information requested cannot be made available without substantial collation. All communications between staff members in DPMC's COVID-19 group would amount to a significant volume of information – the daily communications of dozens of individuals over several years.
4. You requested *'the budget for the DPMC's Covid unit'*. Like other Government agencies, DPMC proactively publishes annual reports on our website each year. These annual reports contain appropriation statements including output expenses for the COVID-19 Group, and can be found here:
[Annual Report 2021/22 | Pūrongo-ā-tau | for the year ended 30 June 2022 \(dpmc.govt.nz\)](#)
[DPMC Annual Report | Pūrongo-ā-tau | for the year ended 30 June 2021](#)
[Annual Report 2019/20 for the year ended 30 June 2020 - Department of the Prime Minister and Cabinet \(dpmc.govt.nz\)](#)
This part of your request is declined under section 18(d) of the Act: the information requested is publicly available.
5. No such communications have been identified. Accordingly, this part of your request is refused under section 18(e) of the Act: the information requested does not exist.
6. No such correspondence has been identified. Accordingly, this part of your request is refused under section 18(e) of the Act: the information requested does not exist.
7. No such information has been identified. Accordingly, this part of your request is refused under section 18(e) of the Act: the information requested does not exist.

Your request was addressed both to DPMC and the Prime Minister. This response covers your request to the Prime Minister in addition to DPMC.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

Yours sincerely



Chris Gianos
Head of Operations and Risk