

s6(a)

**NZL NZSIS EMPLOYEE**

---

**From:** s6(a) @igis.ic.govt.nz>  
**Sent:** Friday, 26 March 2021 4:20 p.m.  
**To:** s6(a) NZSIS EMPLOYEE  
**Subject:** RE: IG88: Review of JPS Human Rights Risk Management [Classification: ]

**Follow Up Flag:** Classification: [redacted]  
**Flag Status:** Flagged

**Classification:** [redacted]

Many thanks s6(a)  
Have a good weekend  
s6(a)

Classified by s6(a) @igis.ic.govt.nz on 26/03/2021 4:20:09 pm

**From:** s6(a) NZSIS EMPLOYEE  
**Sent:** Friday, 26 March 2021 4:18 pm  
**To:** s6(a) (IGIS)  
**Cc:** s6(a) NZSIS EMPLOYEE ; s6(a) (GCSB)  
**Subject:** RE: IG88: Review of JPS Human Rights Risk Management [redacted]

**Classification:** [redacted]

Hello again s6(a)

Nice to talk to you just now. s6(a)

s6(a)  
s6(a)

I'm attaching a copy for you here now.

We look forward to discussing with you in due course. Noting that Easter is approaching, we'd planned to propose three weeks for comments – s6(a)

Kind regards

s6(a)

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**From:** s6(a) @igis.ic.govt.nz]  
**Sent:** Friday, 26 March 2021 3:28 p.m.  
**To:** s6(a) NZSIS EMPLOYEE  
**Subject:** RE: IG88: Review of JPS Human Rights Risk Management [Classification: ]

Hi s6(a)

Sure, s6(a) @igis.govt.nz. I look forward to seeing the draft.

Thanks

s6(a)

Classified by s6(a) @igis.ic.govt.nz on 26/03/2021 3:27:57 pm

**From:** s6(a)@nzsic.govt.nz  
**Sent:** Friday, 26 March 2021 3:11 pm  
**To:** s6(a)@igis.ic.govt.nz  
**Subject:** RE: IG88: Review of JPS Human Rights Risk Management [Classification: s6(a)]

**Classification:** s6(a)

Hello s6(a)

We're aiming to send out the draft JPS by COP today. It's classified R s6(a)  
s6(a)

Kind regards,  
s6(a)

---

**From:** s6(a)@igis.ic.govt.nz  
**Sent:** Thursday, 11 March 2021 2:25 p.m.  
**To:** s6(a) NZSIS EMPLOYEE; s6(a) NZSIS EMPLOYEE  
**Cc:** s6(a) NZSIS EMPLOYEE; s6(a) (GCSB); Horsley, Brendan J NZL CIV (IGIS); s6(a) (IGIS); Speden, Graeme I NZL CIV (IGIS)  
**Subject:** RE: IG88: Review of JPS Human Rights Risk Management s6(a)

**Classification:** s6(a)

Kia ora s6(a)  
Many thanks for the update. We look forward to hearing from you further in due course.  
Regards  
s6(a)

s6(a)  
Senior Investigator  
**Office of the Inspector-General of Intelligence and Security**  
s6(a)

Classified by s6(a)@igis.ic.govt.nz on 11/03/2021 2:25:12 pm

**From:** s6(a)@nzsic.govt.nz  
**Sent:** Thursday, 11 March 2021 2:14 pm  
**To:** s6(a)@igis.ic.govt.nz; s6(a)  
s6(a)@nzsic.govt.nz  
**Cc:** s6(a)@nzsic.govt.nz; s6(a)  
s6(a)@gcsb.govt.nz; Horsley, Brendan J NZL CIV (IGIS) s6(a)  
s6(a)@igis.ic.govt.nz; Speden, Graeme I NZL CIV (IGIS)  
s6(a)@igis.ic.govt.nz  
**Subject:** RE: IG88: Review of JPS Human Rights Risk Management [Classification: s6(a)]

**Classification:** s6(a)

Kia ora s6(a)



Thanks for your email to s6(a) which has been passed on to me. As you may know, s6(a) is in her final days with us before moving to a new role. The draft JPS is still a work in progress – bit I'm pleased to be able to let you know that it is very close to being ready for external consultation with OIGIS and the relevant agencies. The two Legal teams will complete the process from here and so one of us will be in touch. There are a small number of internal discussions yet to be had so I don't have a precise date for you yet but it will be soon.

Thanks for bearing with us – this has been a lot of work and so not a fast process, but we're confident that work will bear fruit in the form of a good JPS.

Ngā mihi,

s6(a)

s6(a)

Senior Legal Advisor

s6(a)

New Zealand Security Intelligence Service | Te Pā Whakamarumaru

s6(a)



New Zealand  
Security Intelligence  
Service  
Te Pā Whakamarumaru

*This email may be subject to legal professional privilege. Please check with the legal team before disclosing this email to any person outside the NZSIS.*

**From:** s6(a) @igis.ic.govt.nz

**Sent:** Wednesday, 10 March 2021 3:58 p.m.

**To:** s6(a) NZSIS EMPLOYEE

**Cc:** s6(a) NZSIS EMPLOYEE; s6(a) NZSIS EMPLOYEE; s6(a) (GCSB); Horsley, Brendan J NZL CIV (IGIS); s6(a) (IGIS); Speden, Graeme I NZL CIV (IGIS)

**Subject:** RE: IG88: Review of JPS Human Rights Risk Management [Classification: s6(a)]

**Classification:** s6(a)

Good afternoon s6(a)

I am just making contact to seek your update on when the external agencies' consultation round (including IGIS) on the draft JPS on Human Rights Risk Management might now be occurring, as it has clearly moved along from late February 2021.

We would appreciate your advice,

Regards

s6(a)

Senior Investigator

Office of the Inspector-General of Intelligence and Security

s6(a)

s6(a)

Classified by s6(a) @igis.ic.govt.nz on 18/01/2021 10:44:19 am

From: s6(a) (IGIS)  
 Sent: Monday, 18 January 2021 10:44 am  
 To: s6(a) @nzs.govt.nz  
 Cc: s6(a) @nzs.govt.nz; s6(a) @gcsb.govt.nz; Horsley, Brendan J NZL CIV (IGIS) s6(a) @igis.ic.govt.nz; Horsley, Brendan J NZL CIV (IGIS) s6(a) Speden, Graeme I NZL CIV (IGIS)

**Subject:** RE: IG88: Review of JPS Human Rights Risk Management [Classification: s6(a)]

**Classification:** s6(a)

Kia ora s6(a)

Many thanks for your message. We appreciate the agencies' agreement to the IGIS being consulted on the draft JPS on human rights as part of the external agency consultation round, instead of separately later on.

Kind regards

s6(a)

s6(a)

Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a)

Classified by s6(a) @igis.ic.govt.nz on 18/01/2021 10:44:19 am

From: s6(a) @nzs.govt.nz  
 Sent: Monday, 18 January 2021 10:01 am  
 To: s6(a) @igis.ic.govt.nz  
 Cc: s6(a) @nzs.govt.nz; s6(a) @gcsb.govt.nz; Horsley, Brendan J NZL CIV (IGIS) s6(a) Speden, Graeme I NZL CIV (IGIS) s6(a) @igis.ic.govt.nz; Horsley, Brendan J NZL CIV (IGIS) s6(a)

**Subject:** RE: IG88: Review of JPS Human Rights Risk Management [Classification: s6(a)]

**Classification:** s6(a)

Kia ora s6(a)

The purpose of consultation with external agencies on the draft policy is to seek their agreement on specific sections of the policy which may involve their agencies – e.g. seeking their input into human rights information to be provided to the Minister; and setting out guidance on wider notification of breaches identified by GCSB and NZSIS – and their awareness, as a number of these agencies are developing their own human rights policies at present.



GCSB and NZSIS can consult with the OIGIS at the same time as these external agencies, noting the policy will be in draft and may be subject to change.

Best wishes,

s6(a)

**From:** s6(a) [redacted]@igis.ic.govt.nz  
**Sent:** Friday, 15 January 2021 2:05 p.m.  
**To:** s6(a) [redacted] NZSIS EMPLOYEE  
**Cc:** s6(a) [redacted] NZSIS EMPLOYEE; s6(a) [redacted] NZSIS EMPLOYEE; s6(a) [redacted] (GCSB); Horsley, Brendan J NZL CIV (IGIS); Speden, Graeme I NZL CIV (IGIS) s6(a) [redacted] (IGIS); Horsley, Brendan J NZL CIV (IGIS); Speden, Graeme I NZL CIV (IGIS)  
**Subject:** RE: IG88: Review of JPS Human Rights Risk Management [redacted]

**Classification:** [redacted]

Kia ora s6(a) [redacted]

Many thanks for the update. It is good to hear that the redraft of the JPS HRRM is underway.

We would like to request that the NZSIS and GCSB provide the draft policy to the IGIS for his comments at the same time as you consult other external agencies (which will hopefully be, as you note, before the end of February). It seems to us that the IGIS' contributions and comments at that stage of the policy development would be of greater practical use, rather than later in the process, for example, commenting after a draft has been agreed between multiple agencies.

We also make this request because, as you likely know, the IGIS has already been (since 2017) an active participant in discussions with multiple agencies including NZSIS, GCSB, MFAT and DPMC on issues relevant to the JPS and on the context in which the JPS operates. For example: under the IGIS' Senate Inquiry we analysed the legal framework in which the JPS operates as well as analysing the JPS itself; we have considered relevant policies in other jurisdictions: s6(a) [redacted] and the IGIS has contributed to the framework established in the new draft of the MPS on Foreign Cooperation, which this JPS will sit beneath.

We look forward to the NZSIS and GCSB's response to our request,

Kind regards

s6(a)

s6(a)

Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a)

Classified by s6(a) [redacted]@igis.ic.govt.nz on 15/01/2021 2:05:07 pm

**From:** s6(a) [redacted]@nzsic.govt.nz>  
**Sent:** Friday, 15 January 2021 11:33 am  
**To:** s6(a) [redacted]@igis.ic.govt.nz>  
**Cc:** s6(a) [redacted]@nzsic.govt.nz>; s6(a) [redacted]@gcsb.govt.nz> s6(a) [redacted]  
s6(a) [redacted]@nzsic.govt.nz> s6(a) [redacted]@gcsb.govt.nz> s6(a) [redacted]



s6(a) [redacted]@igis.ic.govt.nz>

**Subject:** RE: IG88: Review of JPS Human Rights Risk Management [Classification: [redacted]]

**Classification:** [redacted]

Mōrena s6(a) [redacted]

Thank you for your email. We have commenced the re-draft of the JPS 006 – Human Rights.

I am hoping to have the re-draft consulted internally before the end of February, at which point I will be moving roles and the agencies Compliance and Legal teams will take over. As I mentioned to yourself and s6(a) [redacted] last year, I have also been engaging with a number of other agencies such as MFAT, NZDF, DPMC, NZP etc. on human rights matters. We agreed to provide our draft policy for their comment, particularly on sections that relate to cooperation or notification of breaches, which I am also hoping to achieve before the end of February.

Once this internal and external consultation is complete, consultation with the OIGIS will follow. I should mention this is a complex policy that we need to ensure is fit-for-purpose going forward. My rough timeframes reflect the need for the agencies to allow for meaningful internal consultation in particular.

We look forward to engaging with your office on the revised policy.

Best wishes,  
s6(a) [redacted]

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**From:** s6(a) [redacted]@igis.ic.govt.nz  
**Sent:** Thursday, 14 January 2021 12:02 p.m.  
**To:** s6(a) [redacted] NZSIS EMPLOYEE  
**Cc:** s6(a) [redacted] NZSIS EMPLOYEE; s6(a) [redacted] (GCSB); s6(a) [redacted]  
**Subject:** IG88: Review of JPS Human Rights Risk Management [Classification: [redacted]]

**Classification:** [redacted]

New year's greetings s6(a) [redacted]  
At the end of 2020 we understood from DPMC that NZSIS and GCSB had been advised that the content of the MPS of Foreign Cooperation was now unlikely to substantially change and therefore progress could be made on the agencies' revision of the Joint Policy Statement on Human Rights Risk Management. Given this, we thought it timely to seek your advice on the agencies' timeframe for this JPS review in 2021, including whether it has commenced, and when the IGIS might be receiving a draft for comment?  
We look forward to hearing from you,

Regards  
s6(a) [redacted]

s6(a) [redacted]  
Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a) [redacted]

[redacted]



s6(a) ZL NZSIS EMPLOYEE

**From:** s6(a) nzs.govt.nz>  
**Sent:** Wednesday, 7 April 2021 8:35 a.m.  
**To:** s6(a) NZSIS EMPLOYEE  
**Subject:** FW: DRAFT NZIC joint policy on management of human rights risk in overseas cooperation

[REDACTED]

**From:** s6(a) @igis.govt.nz>  
**Sent:** Tuesday, 6 April 2021 5:16 PM  
**To:** s6(a) @nzs.govt.nz>  
**Subject:** RE: DRAFT NZIC joint policy on management of human rights risk in overseas cooperation

[REDACTED]

[REDACTED]

Good afternoon s6(a)  
I wondered whether a copy of Annex B (ie the flowchart) for the draft JPS-006 is available for review at present?  
Looking forward to your response,  
Regards

s6(a)

s6(a)  
Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a)  
s6(a) @igis.govt.nz  
@IGISNZ

**From:** NZSIS Legal Adviser s6(a) @nzs.govt.nz]  
**Sent:** Monday, 29 March 2021 5:28 p.m.  
**To:** s6(a) @police.govt.nz>; s6(a) @mbie.govt.nz>;  
s6(a) @police.govt.nz>; s6(a) @customs.govt.nz>; s6(a) @NZDF.mil.nz>;  
s6(a) @customs.govt.nz>; s6(a) @nzdf.mil.nz>; s6(a) @mfat.govt.nz>;  
s6(a) @mfat.govt.nz>; s6(a) @igis.govt.nz>

**Subject:** DRAFT NZIC joint policy on management of human rights risk in overseas cooperation

[REDACTED]

Dear colleagues (Police, MBIE, Customs, NZDF, MFAT, OIGIS)

As you may be aware, the NZIC has been reviewing its internal policy on managing human rights risk in overseas cooperation. The review is to reflect the revised Ministerial Policy Statement on Overseas Cooperation (MPS) issued by Minister Little which takes effect from 1 April 2021.

We are sharing a copy of the draft with the DIGIS for consultation in line with the MPS, and wish to also share it also with other NZInc agencies for any comments. We appreciate that it's a long document and much won't be relevant outside the NZIC, so draw your attention to the three key points of relevance to other agencies:

- **Assessments of partners' human rights practices:** The policy sets out a framework for the NZSIS and GSCB to assess and manage human rights risks in cooperation with foreign partners, including assessing their human rights practices to inform any risks involved with proposed cooperation. In the interests of ensuring that relevant information is available, as appropriate, across government, we may consult your agencies, and would in turn provide a copy of the human rights practice information we have compiled, see para [12] of the attached. **Mitigations of human rights risk:** in some cases, steps to mitigate human rights risk may be as minor as redactions but in rare cases may involve other agencies (e.g., if assurances that the death penalty would not be carried out in a particular case are required as a condition of cooperation), see paras [32]-[33].
- **Information that may have been obtained through mistreatment:** this section is drafted for compliance with legal obligations and the NZIC policy expectations in the MPS. Where such information is identified, the NZIC may need to pass it to another agency to act on (e.g. if it details a threat to life). We may also need to alert other agencies for their awareness (e.g. if the agency is also cooperating with the relevant foreign party). s6(a)  
s6(a)

We would be grateful to receive any comments by 19 April 2021 to s6(a) @nzsis.govt.nz. Should you wish to discuss the draft policy or to share it with others in your agency, please contact s6(a) (NZSIS) or s6(a) (GSCB).

Nga mihi,  
s6(a)



s6(a) [REDACTED] NZL NZSIS EMPLOYEE

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**From:** s6(a) [REDACTED]@igis.ic.govt.nz>  
**Sent:** Monday, 12 April 2021 11:58 a.m.  
**To:** s6(a) [REDACTED]  
**Subject:** RE: Review of JPS Human Rights Risk Management [Classification: [REDACTED]]

**Follow Up Flag:** Classification: [REDACTED]  
**Flag Status:** Flagged [REDACTED]

**Classification:** [REDACTED]

Morena s6(a) [REDACTED]  
Thank you!  
s6(a) [REDACTED]

Classified by s6(a) [REDACTED]@igis.ic.govt.nz on 12/04/2021 11:57:37 am

**From:** s6(a) [REDACTED]@nzsic.govt.nz>  
**Sent:** Monday, 12 April 2021 10:33 am  
**To:** s6(a) [REDACTED]@igis.ic.govt.nz>  
**Subject:** RE: Review of JPS Human Rights Risk Management [Classification: [REDACTED]]

**Classification:** [REDACTED]

Good morning s6(a) [REDACTED]

As discussed last week, please find attached a copy of the flow chart to assist staff with receipt of information, to be included as Annex B on the JPS006.

Kind regards,  
s6(a) [REDACTED]

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**From:** s6(a) [REDACTED]@igis.ic.govt.nz]  
**Sent:** Wednesday, 7 April 2021 3:04 p.m.  
**To:** s6(a) [REDACTED] NZSIS EMPLOYEE  
**Subject:** RE: Review of JPS Human Rights Risk Management [Classification: [REDACTED]]

**Classification:** [REDACTED]

Thanks s6(a) [REDACTED] much appreciated  
s6(a) [REDACTED]

Classified by s6(a) [REDACTED]@igis.ic.govt.nz on 7/04/2021 3:04:12 pm

**From:** s6(a) [REDACTED]@nzsic.govt.nz>  
**Sent:** Wednesday, 7 April 2021 2:56 pm  
**To:** s6(a) [REDACTED]@igis.ic.govt.nz>  
**Subject:** RE: Review of JPS Human Rights Risk Management [Classification: [REDACTED]]

**Classification:** [REDACTED]

Hello s6(a) [REDACTED]

That's no problem. The next working day after Friday 23 is the Anzac Day public holiday, so comments on Tuesday 27 will be fine.

Kind regards,

s6(a)

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**From:** s6(a) [redacted]@igis.ic.govt.nz]  
**Sent:** Wednesday, 7 April 2021 2:45 p.m.  
**To:** s6(a) [redacted] NZSIS EMPLOYEE  
**Subject:** RE: Review of JPS Human Rights Risk Management [Classification: s6(a)]

**Classification:** s6(a)

Kia ora and s6(a)

Thanks for your reply below, s6(a)  
Unfortunately current pressure of work means we will struggle to have our comments on the draft JPS-006 with you by 19 April 2021. I wonder whether it would be possible please to get a deadline extension until the end of that week, until Friday 23<sup>rd</sup> April?

Let me know whether that might work?

Many thanks

s6(a)

s6(a)

Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a)

Classified by s6(a) [redacted]@igis.ic.govt.nz on 7/04/2021 2:43:51 pm

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**From:** s6(a) [redacted]@nzsis.govt.nz>  
**Sent:** Wednesday, 7 April 2021 8:55 am  
**To:** s6(a) [redacted]@igis.ic.govt.nz>  
**Subject:** RE: Review of JPS Human Rights Risk Management [s6(a)]

**Classification:** s6(a)

Kia ora s6(a)

I hope you had a restful long weekend.

Thanks for your email asking about Annex B, which will set out in visual form the steps in the JPS. The text boxes in the flow chart were saved into a separate document by another staff member and so I'm trying to get access to that file so it can be edited to match the revisions in the JPS. I'll flick you a copy once it's ready, and look forward to receiving in due course any comments you have on the JPS.

Ngā mihi,

s6(a)

s6(a)

Senior Legal Advisor

s6(a)

New Zealand Security Intelligence Service | Te Pā Whakamarumaru

s6(a)



s6(a) [REDACTED] NZL NZSIS EMPLOYEE

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**From:** s6(a) [REDACTED]@igis.ic.govt.nz>  
**Sent:** Friday, 23 April 2021 3:04 p.m.  
**To:** D-(Rebecca K) NZL NZSIS EMPLOYEE; White, Bridget M NZL CIV (GCSB)  
**Cc:** s6(a) [REDACTED] NZSIS EMPLOYEE; s6(a) [REDACTED] NZSIS EMPLOYEE; s6(a) [REDACTED] NZSIS EMPLOYEE; s6(a) [REDACTED] (GCSB); Horsley, Brendan J NZL CIV (IGIS); s6(a) [REDACTED] (IGIS); s6(a) [REDACTED] NZSIS EMPLOYEE; s6(a) [REDACTED] NZSIS EMPLOYEE; s6(a) [REDACTED] (GCSB); s6(a) [REDACTED] NZSIS EMPLOYEE  
**Subject:** Our ref: IG88 [Classification: [REDACTED]]  
**Attachments:** IG88 87003-7.PDF  
**Follow Up Flag:** Classification: R [REDACTED]  
**Flag Status:** Completed

**Classification:** [REDACTED]

Dear Director-General and Acting Director-General,  
Please find attached a letter from the Inspector-General.

Regards

s6(a) [REDACTED]

Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a) [REDACTED]

~~RESTRICTED~~



OFFICE OF THE INSPECTOR-GENERAL OF INTELLIGENCE AND SECURITY

23 April 2021

By email

Rebecca Kitteridge  
Director-General of Security  
New Zealand Security Intelligence Service  
Pipitea House  
WELLINGTON

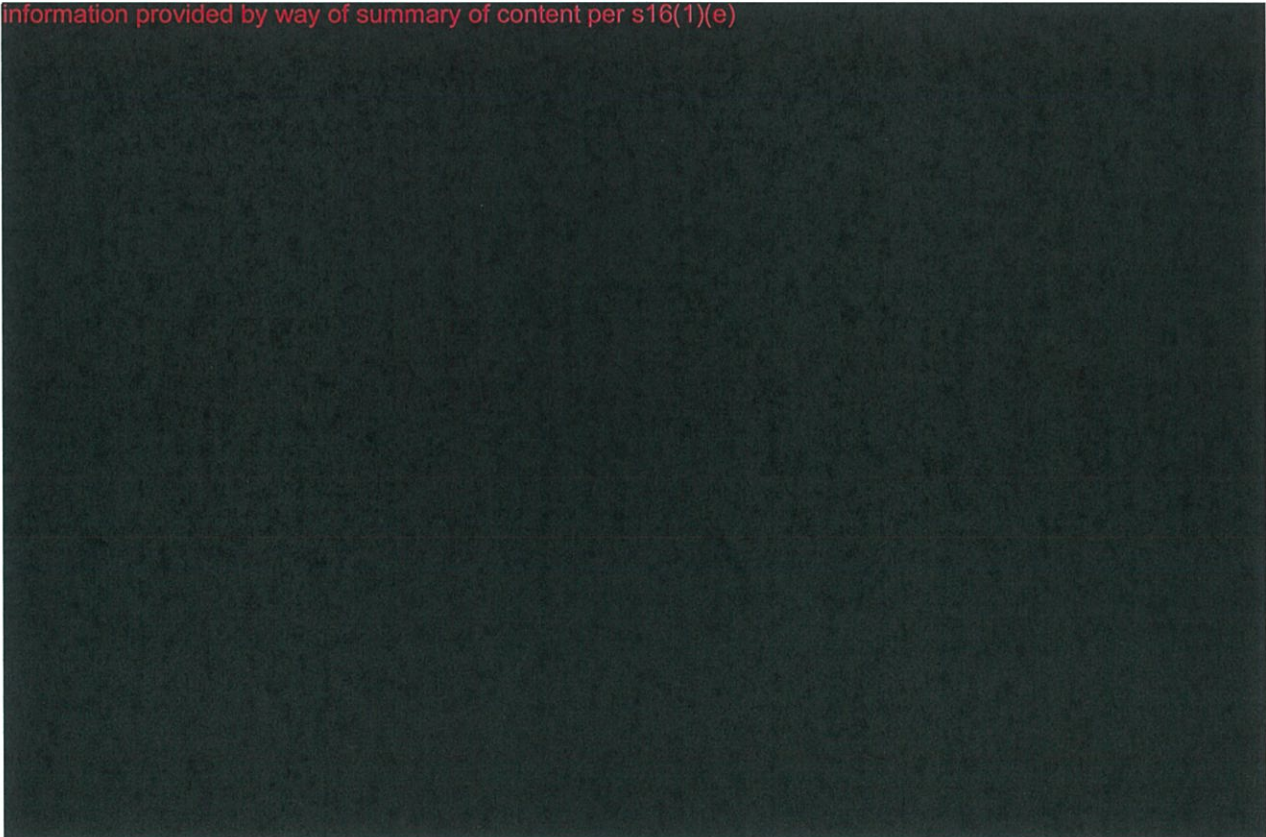
Bridget White  
Acting Director-General  
Government Communications Security Bureau  
Pipitea House  
WELLINGTON

Dear Director-General and Acting Director-General

**IGIS comment on draft Joint Policy Statement on Management of Human Rights Risks in Overseas Cooperation Policy (JPS-006)**

Our ref: IG88

information provided by way of summary of content per s16(1)(e)



P O Box 5609, Wellington 6140  
enquiries@igis.govt.nz  
Phone (04) 460 0030

~~RESTRICTED~~



Information provided by way of summary of content per s16(1)(e)



Yours sincerely



Brendan Horsley  
Inspector-General of Intelligence and Security

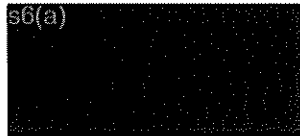
Copy to:

s6(a) Senior Legal Adviser, NZSIS

s6(a) Senior Legal Adviser, NZSIS

s6(a) Senior Legal Adviser, GCSB

s6(a)





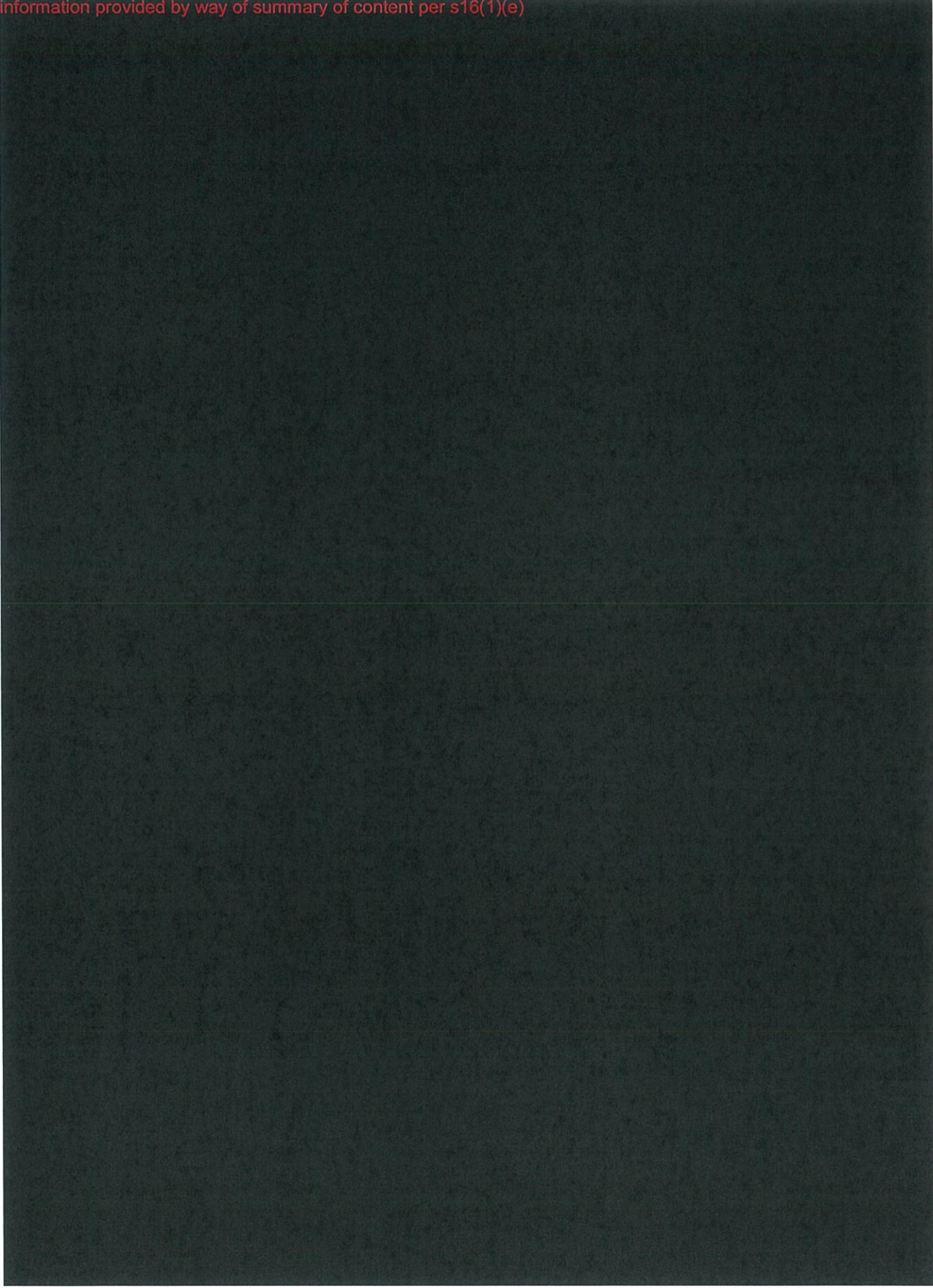
APPENDIX ONE: IGIS Comments on specific paras in the draft JPS-006

information provided by way of summary of content per s16(1)(e)



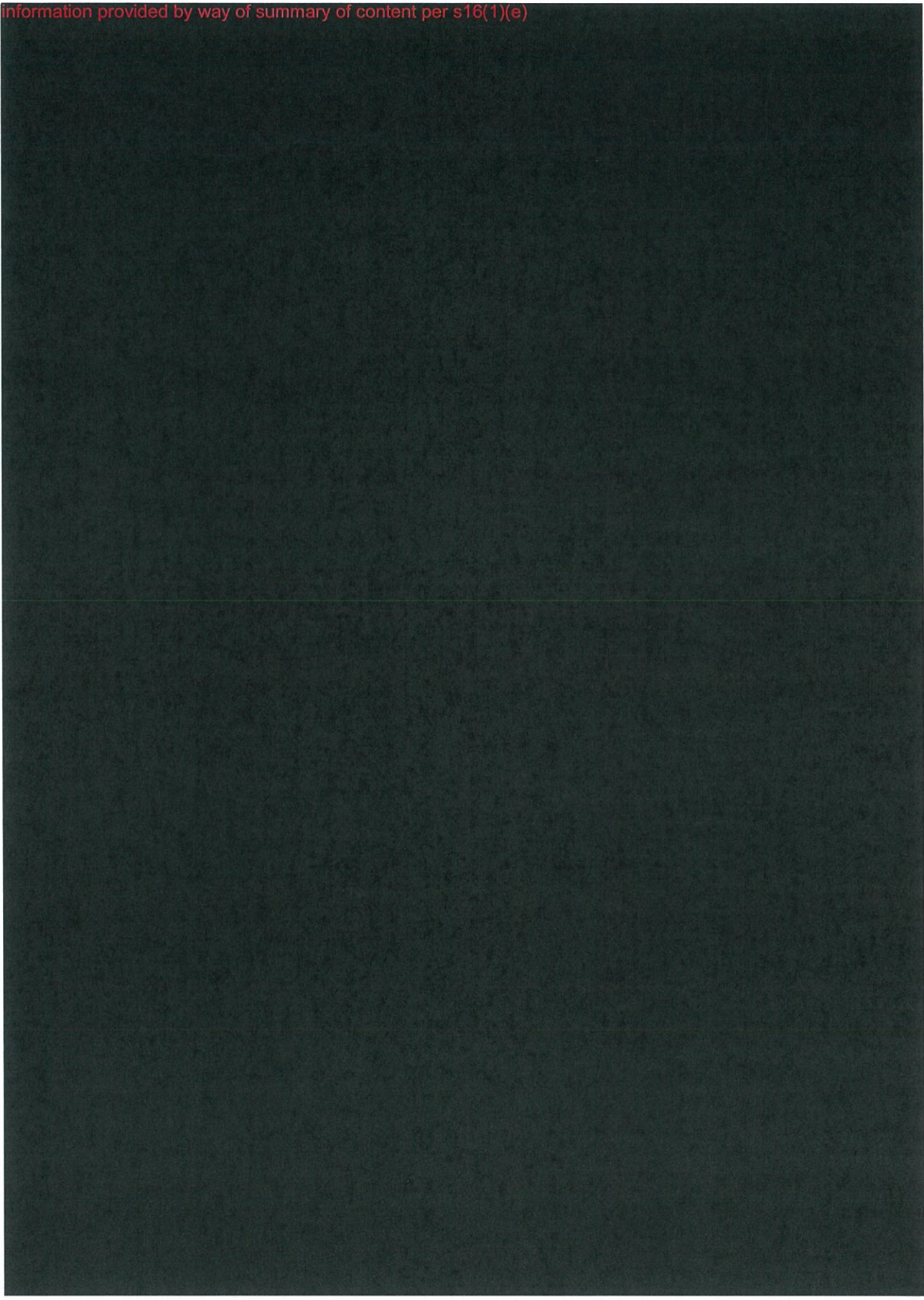


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information provided by way of summary of content per s16(1)(e)





Information provided by way of summary of content per s16(1)(e)





information provided by way of summary of content per s16(1)(e)



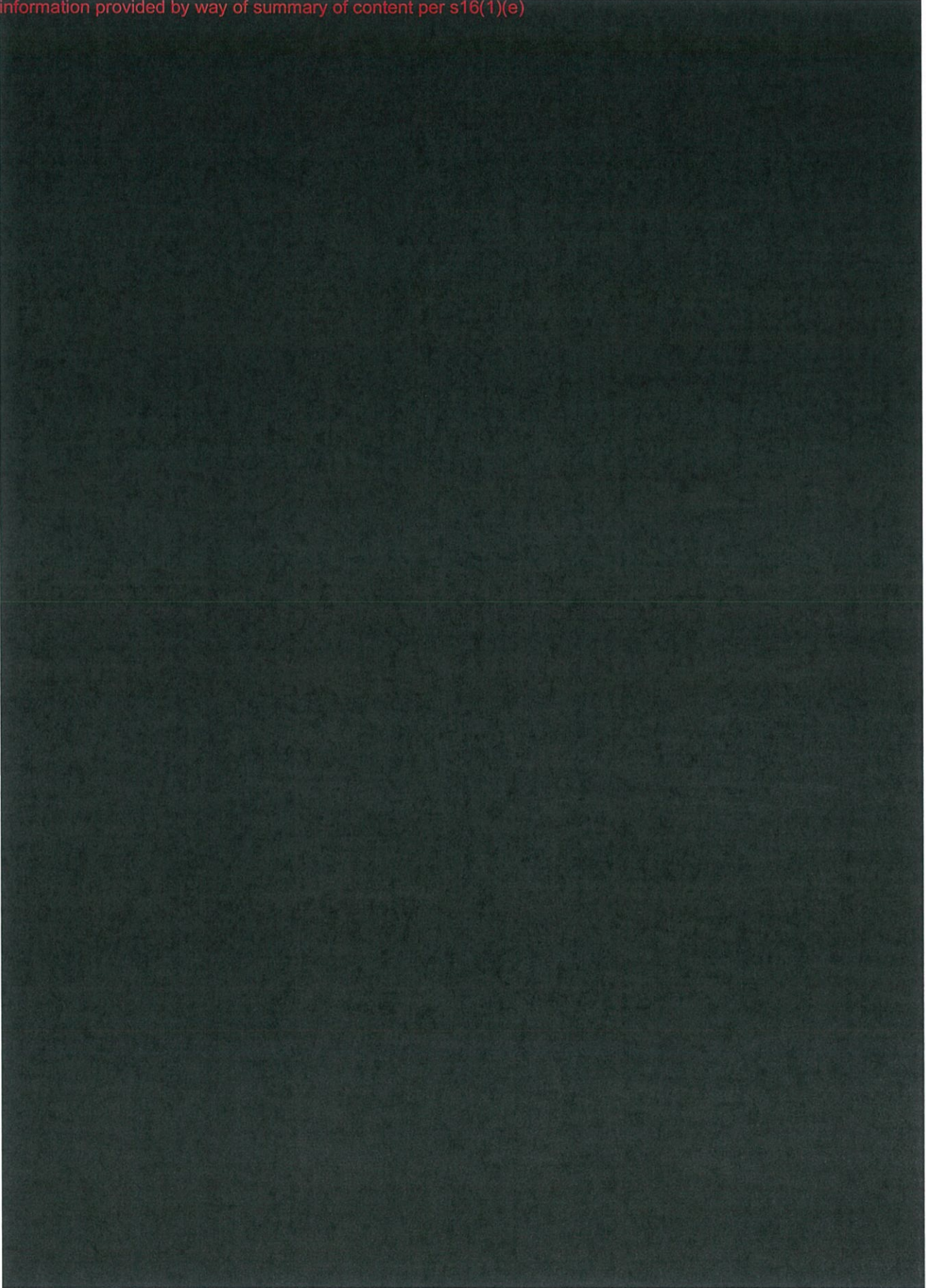


information provided by way of summary of content per s16(1)(e)





information provided by way of summary of content per s16(1)(e)





information provided by way of summary of content per s16(1)(e)





information provided by way of summary of content per s16(1)(e)



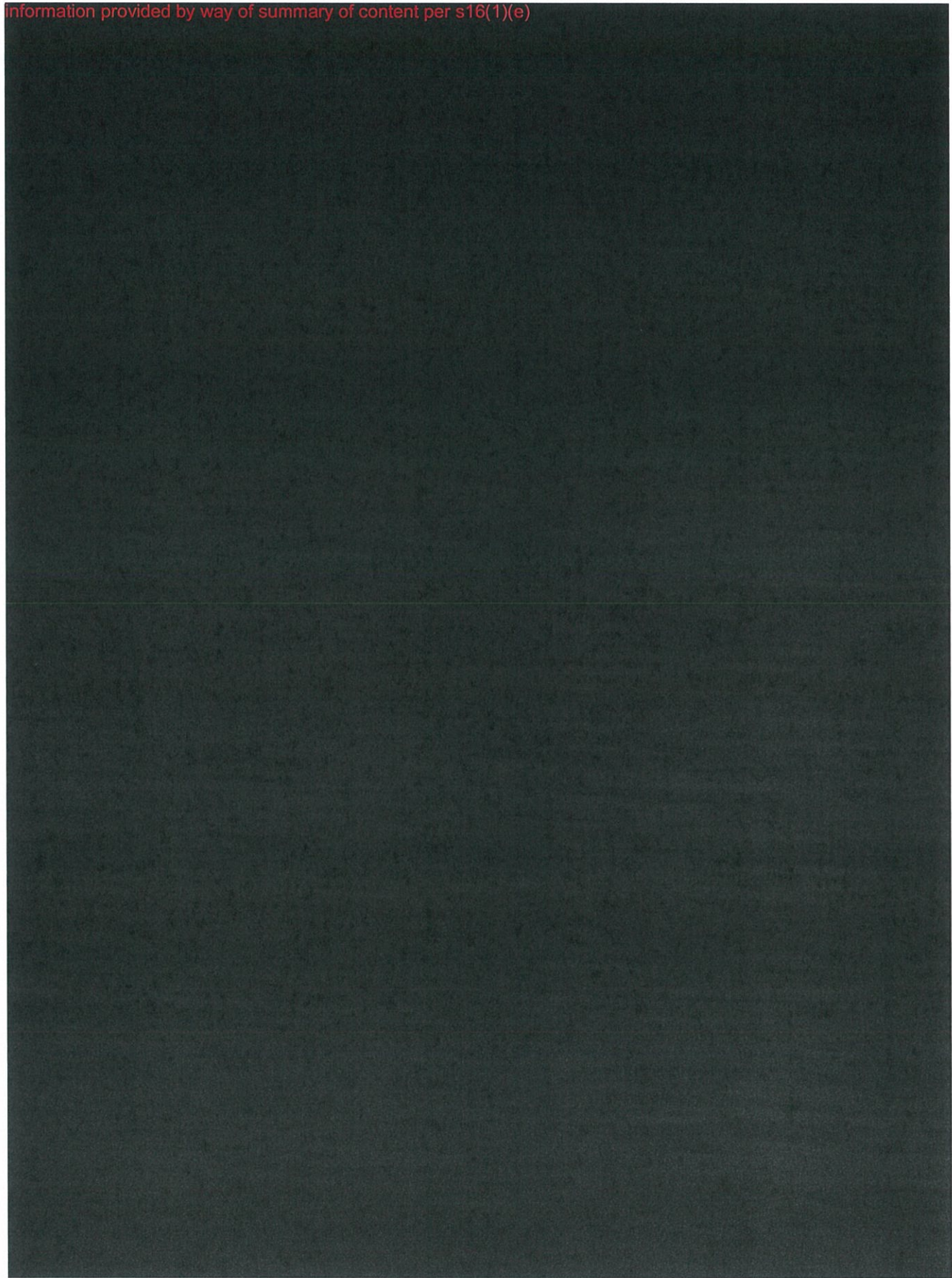


information provided by way of summary of content per s16(1)(e)





information provided by way of summary of content per s16(1)(e)



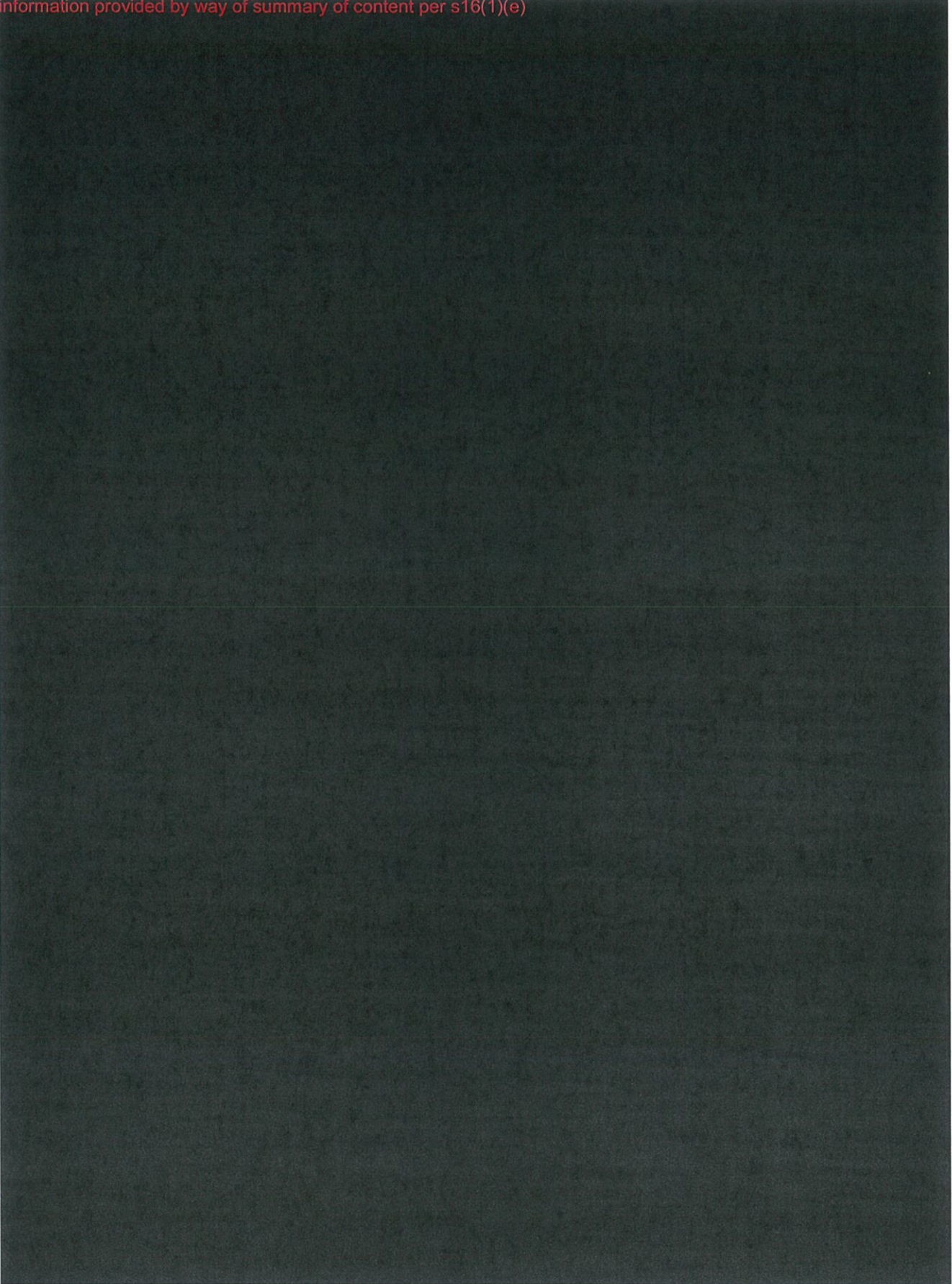


information provided by way of summary of content per s16(1)(e)



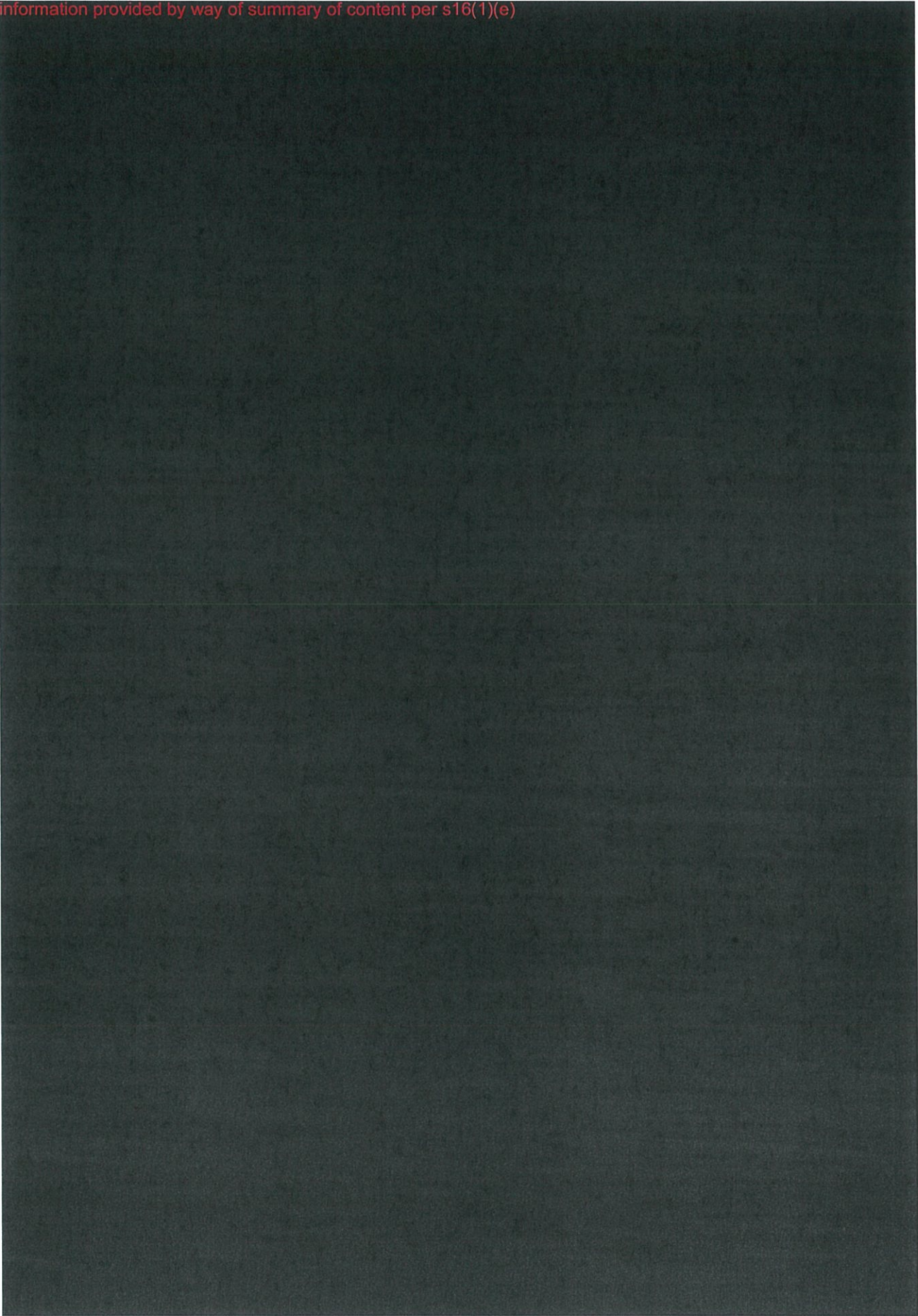


information provided by way of summary of content per s16(1)(e)





information provided by way of summary of content per s16(1)(e)





information provided by way of summary of content per s16(1)(e)





Pursuant to section 16(1)(e) of the Official Information Act 1982, the content of the above letter of 23 April 2021 from the IGIS to NZSIS and GCSB is provided in summary form.

- Letter thanks DGs with the opportunity to comment on the JPS in draft form.
- Letter notes the feedback is comprehensive and goes into a level of considerable detail because of the importance of the policy, including the role of the JPS in ensuring the agencies' meet requirements under the Cooperating with overseas public authorities Ministerial Policy Statement.
- The letter notes three broad themes in the IGIS feedback: First is how the agencies will practically monitor the human rights practices of overseas public authorities; Second is suggestions for clarifying definitions used in the policy; and Third is incorporating recommendations made by the OIGIS in classified versions of the IGIS's Inquiry into possible New Zealand intelligence and security agencies' engagement with the CIA detention and interrogation programme 2001-2009, and Inquiry into the role of the GCSB and NZSIS in relation to certain specific event in Afghanistan.
- The detailed feedback is included in an Appendix that goes through the JPS sequentially.
- The OIGIS suggests that the JPS be publicly released

#### **Summary of IGIS feedback**

Para No.	IGIS Feedback
1	Comment about the purpose of the policy and the identification of relevant legal and policy considerations.
2	Comment about definition of terms used in the policy.
3	Comment about definition of terms used in the policy.
4	Comment about definition of terms used in the policy.
5	Comment about the implementation of the MPS Risk Assessment Framework.
6	Comment about the implementation of the MPS Risk Assessment Framework and how to assess real risk.
7	Comment about the implementation of the MPS Risk Assessment Framework.
8	Comment about information provided to Minister by the agencies when seeking Ministerial authorisation.
9	Comment about how the human rights practices of authorised and approved parties will be monitored.
10	Comment about information provided to Minister by the agencies when seeking Ministerial authorisation.
11	Comment about information provided to Minister by the agencies when seeking Ministerial authorisation.
12	Comment about information provided to Minister by the agencies when seeking Approved Party status.
13	Comment about circumstances in which the agencies seek Approved Party status.
14	Comment about information provided to Minister by the agencies when seeking Approved Party status.
15	Comment about definition of terms used in the policy.
16	Comment about how the human rights practices of overseas public authorities will be monitored.
17	Comment about how the human rights practices of authorised and approved parties will be monitored.
18	Comment about definition of terms used in the policy.
19	Comment about how the human rights practices of authorised and approved parties will be monitored.
20	Comment about the implementation of the MPS Risk Assessment Framework.
21	Comment about implementation of recommendations made by the OIGIS in classified versions of the IGIS's Inquiry into possible New Zealand intelligence and security agencies' engagement with the CIA detention and interrogation programme 2001-2009, and Inquiry into the role of the GCSB and NZSIS in relation to certain specific event in Afghanistan.
22	Comment about definition of terms used in the policy.
23	Comment about guidance for completing a human rights risk assessment (HRRRA) before cooperation with a foreign party.
24	Comment about guidance for completing a HRRRA before cooperation with a foreign party.
25	Comment about guidance for completing a HRRRA before cooperation with a foreign party.
26	Comment about guidance for considering mitigations in a HRRRA before cooperation with a foreign party.
27	Comment about guidance for considering mitigations in a HRRRA before cooperation with a foreign party.
	Comment incorporates recommendations made by the OIGIS in classified versions of the IGIS's Inquiry into possible New Zealand intelligence and security agencies' engagement with the CIA detention and interrogation programme 2001-2009, and Inquiry into the role of the GCSB and NZSIS in relation to certain specific event in Afghanistan.



- 28 Comment about definition of terms used in the policy.
- 29 Comment about the purpose of the policy and the identification of relevant legal and policy considerations.
- 30 Comment about definition of terms used in the policy.
- 31 Comment about purpose of responding to intelligence received related to serious human rights breaches.
- 32 Comment about guidance about identifying a real risk that intelligence received related to serious human rights breaches.
- 33 Comment about definition of terms used in the policy.
- 34 Comment about guidance about identifying a real risk that intelligence received related to serious human rights breaches.
- 35 Comment about guidance for identifying a real risk that intelligence received related to serious human rights breaches.
- 36 Comment about responding to intelligence received related to serious human rights breaches.
- 37 Comment recognising that intelligence obtained by torture or mistreatment is highly likely to be unreliable.
- 38 Comment about guidance about identifying a real risk that intelligence received related to serious human rights breaches.
- 39 Comment about approving use of intelligence received related to serious human rights breaches.
- 40 Comment about use of intelligence received related to serious human rights breaches.
- 41 Comment appreciating requirement to notify the Minister and IGIS where intelligence is used for an exceptional circumstance.
- 42 Comment about guidance for identifying a real risk that intelligence received related to serious human rights breaches.
- 43 Comment about steps agencies would need to take in response to receiving intelligence related to serious human rights breaches.
- 44 Comment about guidance for completing a HRRRA before cooperation with a foreign party.

s6(a)

**NZL NZSIS EMPLOYEE**

---

**From:** s6(a) @igis.ic.govt.nz>  
**Sent:** Tuesday, 15 June 2021 9:59 a.m.  
**To:** s6(a) NZSIS EMPLOYEE  
**Cc:** Horsley, Brendan J NZL CIV (IGIS); s6(a) (GCSB); s6(a)  
NZL NZSIS EMPLOYEE; s6(a) (IGIS)  
**Subject:** RE: IG88 IGIS comment on JPS-006  
**Follow Up Flag:** Classification:   
**Flag Status:** Flagged

**Classification:**

Hi s6(a) It must be an example of great minds thinking alike.

Many thanks

s6(a)

Classified by s6(a) @igis.ic.govt.nz on 15/06/2021 9:59:11 am

**From:** s6(a) NZSIS EMPLOYEE  
**Sent:** Tuesday, 15 June 2021 9:57 am  
**To:** s6(a) (IGIS)  
**Cc:** Horsley, Brendan J NZL CIV (IGIS); s6(a) (GCSB); s6(a) NZSIS EMPLOYEE; s6(a)  
s6(a) (IGIS)  
**Subject:** RE: IG88 IGIS comment on JPS-006 [Classification: R] [SEC=RESTRICTED]

**Classification:**

Hello s6(a)

I think our messages crossed over – you should have a copy of the JPS now. Apologies for not getting it to you sooner - with staff absences due to illness we were only able to meet between the agencies to finalise it yesterday afternoon.

Kind regards,

s6(a)

---

**From:** s6(a) @igis.ic.govt.nz]  
**Sent:** Tuesday, 15 June 2021 9:55 a.m.  
**To:** s6(a) NZSIS EMPLOYEE  
**Cc:** Horsley, Brendan J NZL CIV (IGIS); s6(a) (GCSB); s6(a) NZSIS EMPLOYEE; s6(a)  
s6(a) (IGIS)  
**Subject:** RE: IG88 IGIS comment on JPS-006 [

**Classification:**

Morena s6(a)

I wonder if we could get a copy of the draft JPS, in whatever form it is currently in, by 3pm latest today? We are happy to be advised of a few later amendments when we meet, but feel that without sufficient time to consider the present draft we may need to reschedule our meeting.

I look forward to hearing from you

Kind regards



s6(a)

Classified by s6(a) @igis.ic.govt.nz on 15/06/2021 9:54:56 am

From: s6(a) @nzs.govt.nz>

Sent: Monday, 14 June 2021 8:55 am

To: s6(a) @igis.ic.govt.nz>

Cc: Horsley, Brendan J NZL CIV (IGIS) s6(a) @igis.ic.govt.nz>; s6(a) @gcsb.govt.nz>; s6(a) @nzs.govt.nz>

s6(a) @igis.ic.govt.nz>

Subject: RE: IG88 IGIS comment on JPS-006

Classification:

Kia ora s6(a)

We're pleased to confirm that we'll come to you for 2pm on Wednesday: s6(a) for the Service and s6(a) for the Bureau.

We will certainly send you a copy in advance of our discussion. We'd hoped to finish it last week, but unfortunately had a number of staff away sick.

Kind regards,

s6(a)

---

From: s6(a) @igis.ic.govt.nz]

Sent: Monday, 14 June 2021 8:48 a.m.

To: s6(a) NZSIS EMPLOYEE

Cc: Horsley, Brendan J NZL CIV (IGIS); s6(a) (GCSB); s6(a) NZSIS EMPLOYEE; s6(a) (IGIS)

Subject: RE: IG88 IGIS comment on JPS-006

Classification:

Morena s6(a)

I wonder if you would be able to send through the current version of the draft JPS, so that Brendan and I have a day or two to get familiar with the developments in the draft since we last saw it, before we meet? We think it would help in focusing our discussion.

Many thanks

s6(a)

s6(a)

Senior Investigator

Office of the Inspector-General of Intelligence and Security

s6(a)

Classified by s6(a) @igis.ic.govt.nz on 14/06/2021 8:48:03 am

From: s6(a) @nzs.govt.nz>

Sent: Friday, 11 June 2021 12:04 pm

To: s6(a) @igis.ic.govt.nz>

Subject: RE: IG88 IGIS comment on JPS-006 [Classification: R] [SEC=RESTRICTED]

Classification:

Thanks s6(a) I think Wednesday at 2pm should be good for us, and we're happy to come to you. It will likely be s6(a) for the Service and s6(a) for the Bureau, but I'll wait until Monday before confirming as s6(a) is not in the office today.

Kind regards,

s6(a)

---

**From:** s6(a) @igis.ic.govt.nz  
**Sent:** Friday, 11 June 2021 11:40 a.m.  
**To:** s6(a) NZSIS EMPLOYEE  
**Subject:** RE: IG88 IGIS comment on JPS-006 [Classification: ]

**Classification:** [redacted]

Morena s6(a)

This is the email I meant to send *before* s6(a) contacted you! I just wanted to say thank you for your message and Brendan and I look forward to discussing the JPS with you.

s6(a) doesn't work on a Friday but will be back in contact with you Monday re scheduling.

Kind regards

s6(a)

s6(a)

Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a)

Classified by s6(a) @igis.ic.govt.nz on 10/06/2021 1:47:03 pm

**From:** s6(a) @igis.ic.govt.nz  
**Sent:** Thursday, 10 June 2021 2:48 pm  
**To:** s6(a) @nzsis.govt.nz  
**Cc:** s6(a) @gcsb.govt.nz; s6(a) @nzsis.govt.nz; s6(a) @igis.ic.govt.nz  
**Subject:** FW: IG88 IGIS comment on JPS-006 [redacted]

**Classification:** [redacted]

H s6(a)

I can make most times on Wed 16<sup>th</sup> work for Brendan and s6(a) at this stage. I would be grateful if we could please hold the meeting over here. I can find a room, and send out invites if you let me know who will be attending from your end.

Many thanks

s6(a)

**From:** s6(a) @nzsis.govt.nz  
**Sent:** Thursday, 10 June 2021 1:28 pm  
**To:** s6(a) @igis.ic.govt.nz  
**Cc:** s6(a) @gcsb.govt.nz; s6(a) @nzsis.govt.nz  
**Subject:** RE: IG88 IGIS comment on JPS-006 [redacted]



Classification: [REDACTED]

Kia ora [REDACTED]

I hope this finds you well. We're getting close to completing our revision of the JPS 006 in light all of the feedback received and would appreciate the opportunity to discuss with you. I wondered how you would be placed next Wednesday? If you could kindly let me know of any times that day which wouldn't suit, I'll find a meeting room and get back to you to confirm.

Ngā mihi,  
[REDACTED]

[REDACTED]

Legal Team Manager  
[REDACTED]

New Zealand Security Intelligence Service | Te Pā Whakamarumaru  
[REDACTED]



New Zealand  
Security Intelligence  
Service  
Te Pā Whakamarumaru

*This email may be subject to legal professional privilege. Please check with the legal team before disclosing this email to any person outside the NZSIS.*

---

From: [REDACTED]@igis.ic.govt.nz]  
Sent: Monday, 10 May 2021 11:09 a.m.  
To: [REDACTED] NZSIS EMPLOYEE; [REDACTED] NZSIS EMPLOYEE; [REDACTED] (GCSB)  
Cc: Horsley, Brendan J NZL CIV (IGIS); [REDACTED] (IGIS)  
Subject: RE: IG88 IGIS comment on JPS-006 [Classification: [REDACTED]]

Classification: [REDACTED]

Hi [REDACTED]  
Thanks, appreciate the update,  
Kind regards  
[REDACTED]

[REDACTED]  
Classified by [REDACTED]@igis.ic.govt.nz on 10/05/2021 11:08:47 am

From: [REDACTED]@nzsisis.govt.nz>  
Sent: Monday, 10 May 2021 11:02 am  
To: [REDACTED]@igis.ic.govt.nz>; [REDACTED]  
[REDACTED]@nzsisis.govt.nz>; [REDACTED]@gcsb.govt.nz>  
Cc: Horsley, Brendan J NZL CIV (IGIS) s 9(2)(a)  
[REDACTED] s 9(2)(a)  
Subject: RE: IG88 IGIS comment on JPS-006 [Classification: [REDACTED]]

Classification: [REDACTED]

Morning [REDACTED]

Your comments have been provided to us, thank you. And thank you for the offer of further engagement and/or a meeting to discuss. We have not all yet had a chance to consider these, but once we have we will advise whether further engagement with your office would be useful.

Regards

s6(a)

---

**From:** s6(a) [redacted]@igis.ic.govt.nz  
**Sent:** Monday, 10 May 2021 9:14 a.m.  
**To:** s6(a) [redacted] NZL NZSIS EMPLOYEE; s6(a) [redacted] (GCSB); s6(a) [redacted] NZSIS EMPLOYEE  
**Cc:** Horsley, Brendan J NZL CIV (IGIS); s6(a) [redacted] (IGIS)  
**Subject:** IG88 IGIS comment on JPS-006 [Classification: [redacted]]

**Classification:** [redacted]

Morena s6(a) [redacted]

I hope the IGIS' comments on the draft JPS Management of Human Rights Risks in Overseas Cooperation (JPS-006) reached you on 23 April 2021. As I think the Inspector-General mentioned in his letter, if the agencies would like to discuss any of our comments or if there is a further draft of the JPS for external consultation, we would be happy to engage further. If a meeting would be useful at some stage while the JPS is under development, the IGIS' EA s6(a) [redacted] (looped into this email) is able to schedule a time and location that suits.

Kind regards,

s6(a) [redacted]

s6(a) [redacted]

Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a) [redacted]



s6(a) [REDACTED] NZL NZSIS EMPLOYEE

---

**From:** s6(a) [REDACTED] NZSIS EMPLOYEE  
**Sent:** Tuesday, 22 June 2021 8:34 a.m.  
**To:** s6(a) [REDACTED] (IGIS); D-(Rebecca K) NZL NZSIS EMPLOYEE; Hampton, Andrew P NZL CIV (GCSB)  
**Cc:** s6(a) [REDACTED] NZSIS EMPLOYEE; s6(a) [REDACTED] (GCSB); s6(a) [REDACTED] (GCSB); s6(a) [REDACTED] NZSIS EMPLOYEE; s6(a) [REDACTED] NZSIS EMPLOYEE; s6(a) [REDACTED] NZSIS EMPLOYEE; s6(a) [REDACTED] (GCSB); Horsley, Brendan J NZL CIV (IGIS); Speden, Graeme I NZL CIV (IGIS); s6(a) [REDACTED] (IGIS)  
**Subject:** RE: IG88 IGIS letter re JPS Management of human rights risks in overseas cooperation [REDACTED]

[REDACTED]

Thank you s6(a) [REDACTED] acknowledge receipt.

s6(a) [REDACTED]  
PA to Director-General

s6(a) [REDACTED]

---

**From:** s6(a) [REDACTED] [mailto:s6(a)@igis.ic.govt.nz]  
**Sent:** Monday, 21 June 2021 16:53  
**To:** D-(Rebecca K) NZL NZSIS EMPLOYEE; Hampton, Andrew P NZL CIV (GCSB)  
**Cc:** s6(a) [REDACTED]; s6(a) [REDACTED]; s6(a) [REDACTED] Horsley, Brendan J NZL CIV (IGIS); Speden, Graeme I NZL CIV (IGIS); s6(a) [REDACTED]  
**Subject:** IG88 IGIS letter re JPS Management of human rights risks in overseas cooperation [REDACTED]

Classified by s6(a) [REDACTED] @igis.ic.govt.nz on 21/06/2021 4:51:38 pm [REDACTED]

**Classification:** [REDACTED]

Dear Directors-General  
Please find attached a letter from the Inspector-General of Intelligence and Security.

Regards

s6(a) [REDACTED]

s6(a) [REDACTED]  
Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a) [REDACTED]

~~RESTRICTED~~



OFFICE OF THE INSPECTOR-GENERAL OF INTELLIGENCE AND SECURITY

21 June 2021

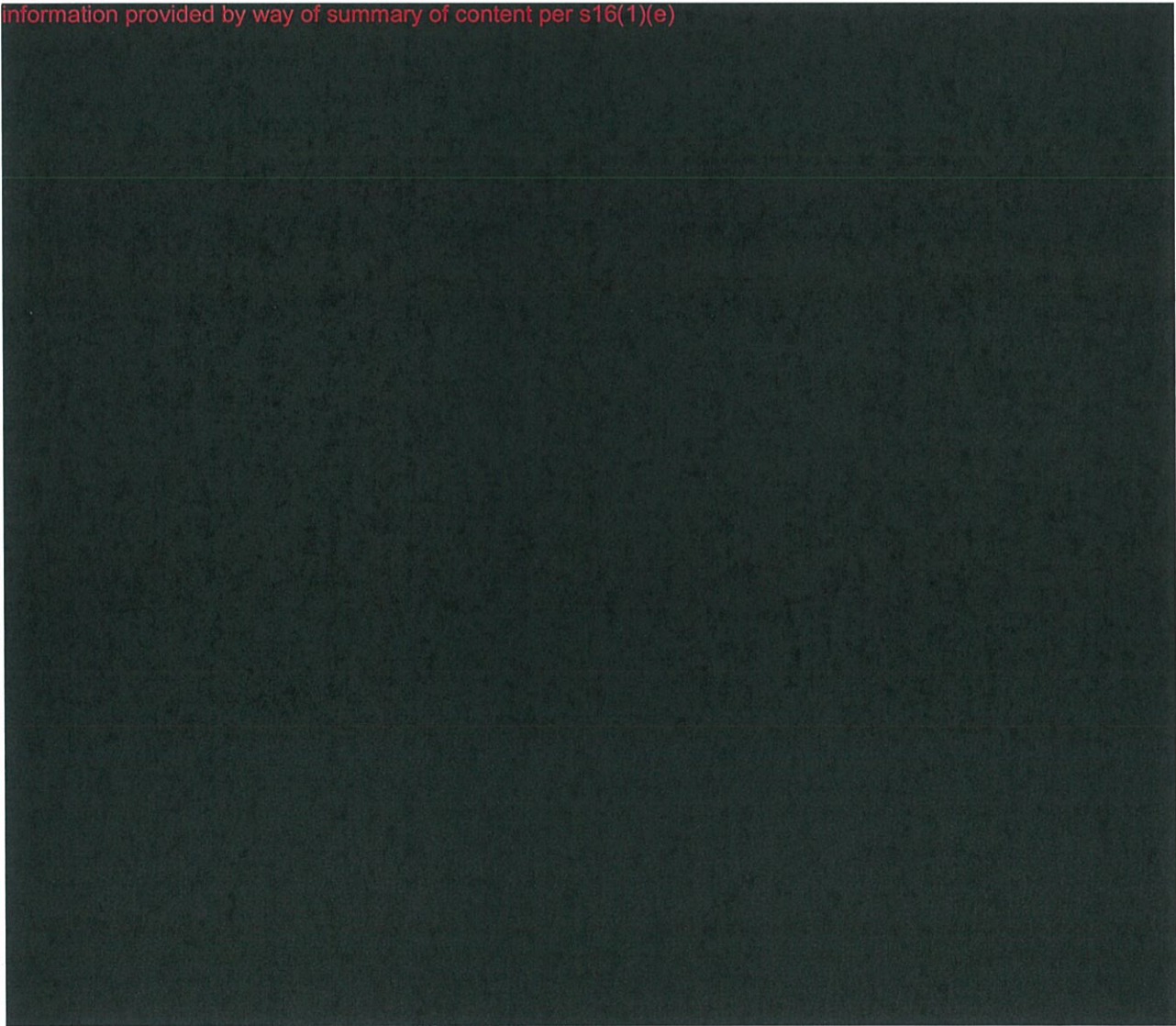
By email

Rebecca Kitteridge  
Director-General of Security  
New Zealand Security Intelligence Service  
Pipitea House  
**WELLINGTON**

Andrew Hampton  
Director-General  
Government Communications Security Bureau  
Pipitea House  
**WELLINGTON**

Dear Directors-General

Information provided by way of summary of content per s16(1)(e)



P O Box 5609, Wellington 6140  
enquiries@igis.govt.nz  
Phone (04) 460 0030

~~RESTRICTED~~



information provided by way of summary of content per s16(1)(e)



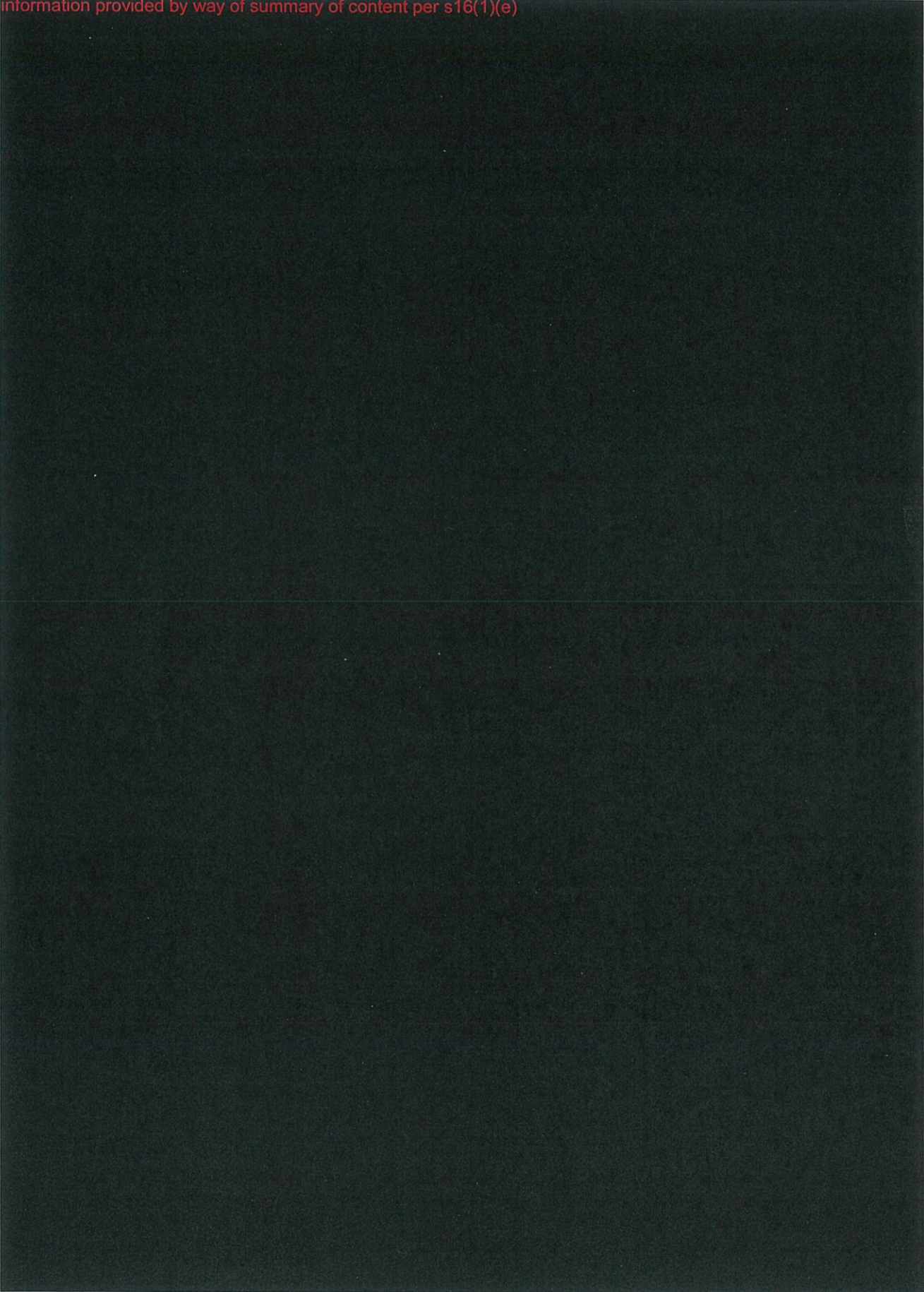


Information provided by way of summary of content per s16(1)(e)





information provided by way of summary of content per s16(1)(e)



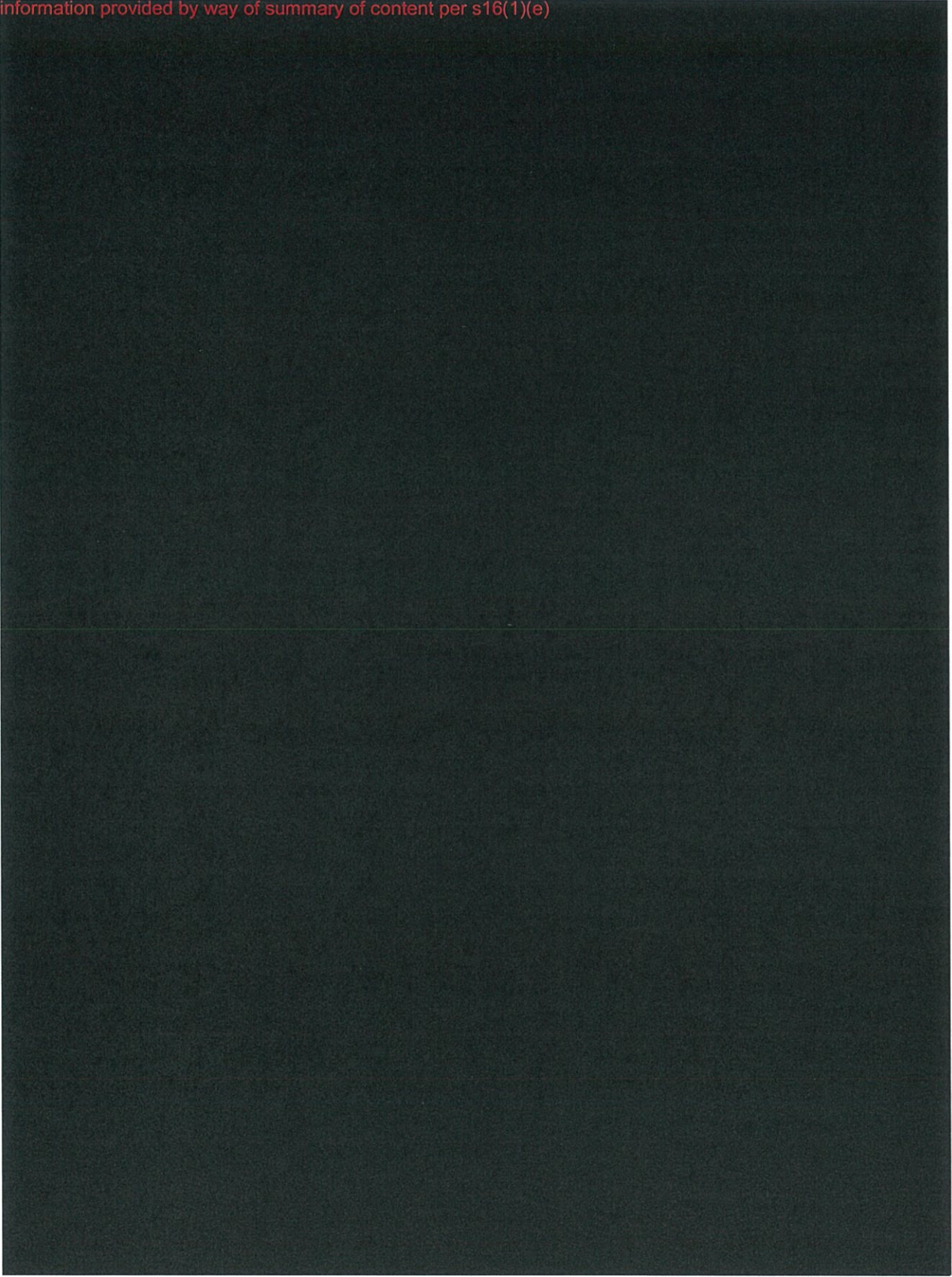


information provided by way of summary of content per s16(1)(e)





information provided by way of summary of content per s16(1)(e)



Information provided by way of summary of content per s16(1)(e)




Yours sincerely



Brendan Horsley  
Inspector-General of Intelligence and Security

Copy to:

NZSIS:  s6(a)

GCSB: 



Pursuant to section 16(1)(e) of the Official Information Act 1982, the content of the above letter of 21 June 2021 from the IGIS to NZSIS and GCSB is provided in summary form.

- Letter refers to discussions between the Office of the IGIS and the agencies on the JPS and sets out comments on outstanding areas.
- Letter provides information in relation to a suggestion from the IGIS on the JPS risk assessment framework, including partners' positions.
- Ministerial authorisation is required to provide intelligence, analysis or threat reporting to foreign parties and the JPS provides that the agencies may also request the Minister grant Approved Party status to an Authorised Party whose human rights situation is broadly comparable to New Zealand's. The letter provides comment on eligibility for Approved Party status; and on the criteria to be assessed and information provided to the Minister in consideration of whether to grant Approved Party status.
- Letter provides comments on the agencies' processes if they receive material that may have been obtained through mistreatment.
- Letter suggests that the JPS be declassified and published.
- Letter provides details regarding a number of smaller matters discussed with the agencies.
- Letter notes the IGIS's ongoing interest in this area, and offers to provide a copy of the JPS once it is finalised.

s6(a)

NZL NZSIS EMPLOYEE

---

**From:** s6(a) @igis.ic.govt.nz  
**Sent:** Thursday, 23 September 2021 9:51 a.m.  
**To:** s6(a) NZL NZSIS EMPLOYEE  
**Subject:** RE: IG88 IGIS letter re JPS Management of human rights risks in overseas cooperation [IGIS-IGISDOCS.FID8795]

**Follow Up Flag:** [REDACTED]  
**Flag Status:** Flagged

[REDACTED]

Morena s6(a)

Many thanks for the update and sorry if we've been duplicating our query through different channels. We look forward to hearing from you and GCSB further in due course.

Kind regards

s6(a)

s6(a)

Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a)

[REDACTED]

Classified by s6(a) @igis.ic.govt.nz on 23/09/2021 9:50:08 am

**From:** s6(a) NZL NZSIS EMPLOYEE <lr04@nzsic.govt.nz>  
**Sent:** Thursday, 23 September 2021 9:38 am  
**To:** s6(a) @igis.ic.govt.nz  
**Subject:** RE: IG88 IGIS letter re JPS Management of human rights risks in overseas cooperation [IGIS-IGISDOCS.FID8795] [REDACTED]

[REDACTED]

Kia ora s6(a)

Thank you for your email. Glad to hear you're all back on deck and hope lockdown wasn't too disruptive for you.

I understand the Inspector-General met with our General Counsel when your message came through last week, so I suspect you have the update on the JPS by now: it's still tracking through the various internal consultation required within the agencies before going to the Minister's office. We'll provide an update and the final version when we have it.

Kind regards,

s6(a)

---

**From:** s6(a) @igis.ic.govt.nz  
**Sent:** Monday, 13 September 2021 12:43 p.m.  
**To:** s6(a) NZL NZSIS EMPLOYEE  
**Cc:** Horsley, Brendan J NZL CIV (IGIS); Speden, Graeme I NZL CIV (IGIS); s6(a) (IGIS)  
**Subject:** RE: IG88 IGIS letter re JPS Management of human rights risks in overseas cooperation [IGIS-IGISDOCS.FID8795]



Classification: [REDACTED]

Kia ora s6(a)

I hope lockdown went ok for you. s6(a)  
s6(a)

I am wondering what the progress has been on finalising the JPS on Management of human rights risks in overseas cooperation? Our last interaction on this was our letter to the Service and Bureau of 21 June 2021, where we noted the agencies' advice that the final version of the JPS would go to the Minister for sign-off and, *inter alia*, requested a copy of the BN/letter that accompanied it to the Minister as well as (of course) the final version of the JPS.

I appreciate that Covid lockdowns may well have interrupted progress, but would appreciate your update. Please do let me know if I should direct my enquiry to others as well.

Kind regards

s6(a)

s6(a)

Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a)  
[REDACTED]

Classified by s6(a) [REDACTED] @igis.ic.govt.nz on 13/09/2021 12:42:20 pm

From: s6(a) [REDACTED] (IGIS)  
Sent: Monday, 21 June 2021 4:53 pm  
To: s6(a) @nzs.govt.nz; Andrew Hampton s6(a) [REDACTED]  
Cc: s6(a) @nzs.govt.nz; s6(a) [REDACTED] @nzs.govt.nz; s6(a) [REDACTED] @gcsb.govt.nz; s6(a) [REDACTED] @gcsb.govt.nz; s6(a) [REDACTED] @nzs.govt.nz; s6(a) [REDACTED] @gcsb.govt.nz; s6(a) [REDACTED] @gcsb.govt.nz; Brendan Horsley s6(a) [REDACTED]; Speden, Graeme | NZL CIV (IGIS)  
s6(a) [REDACTED] (IGIS) s6(a) [REDACTED]  
Subject: IG88 IGIS letter re JPS Management of human rights risks in overseas cooperation [REDACTED]

[REDACTED]

Dear Directors-General  
Please find attached a letter from the Inspector-General of Intelligence and Security.

Regards

s6(a)

s6(a)

Senior Investigator  
Office of the Inspector-General of Intelligence and Security

s6(a)  
[REDACTED]

s6(a)

NZL NZSIS EMPLOYEE

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**From:** s6(a) NZSIS EMPLOYEE  
**Sent:** Tuesday, 19 October 2021 3:46 p.m.  
**To:** s6(a) @igis.ic.govt.nz  
**Cc:** s6(a) (IGIS); s6(a) NZSIS EMPLOYEE; s6(a)  
s6(a) (GCSB); s6(a) (GCSB)  
**Subject:** JPS on Management of Human Rights Risks in Overseas Cooperation (IG88)

**Classification:** [REDACTED]

Dear Inspector-General

Please find **attached** a joint response to your letters of 23 April and 21 June 2021.



Ltr to IGIS - JPS on  
Managemen...

Kind regards

s6(a)

Legal Administrator  
New Zealand Security Intelligence Service | Te Pā Whakamarumarū  
Class: s6(a)



New Zealand  
Security Intelligence  
Service  
Te Pā Whakamarumarū





GOVERNMENT  
COMMUNICATIONS  
SECURITY BUREAU  
TE TĪPA KĀKĀ



New Zealand  
Security Intelligence  
Service  
Te Pā Whakamarumaru

19 October 2021

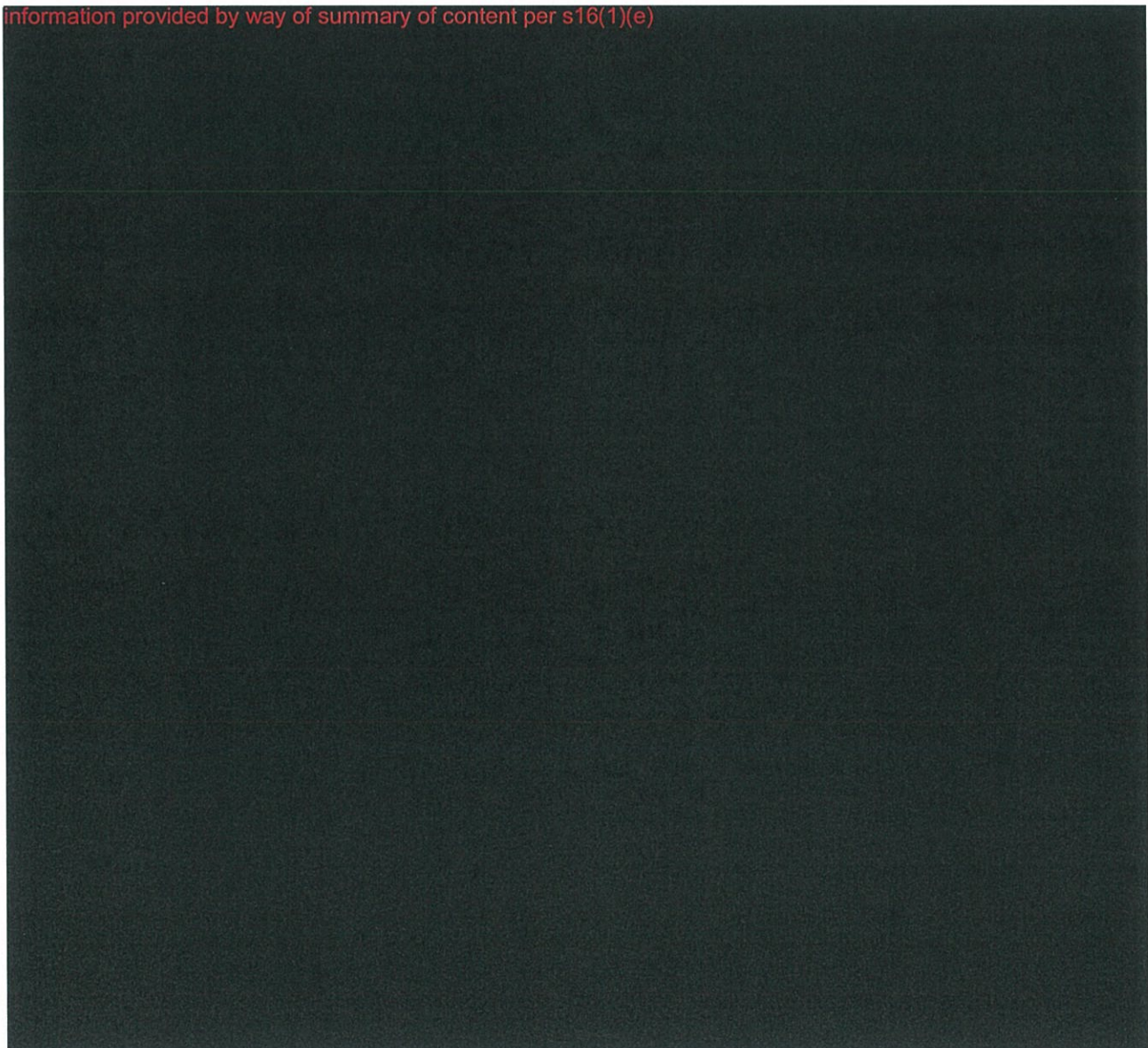
Brendan Horsley  
Inspector-General of Intelligence and Security  
PO Box 5609  
WELLINGTON 6140

(By email)

Tēnā koe Inspector-General

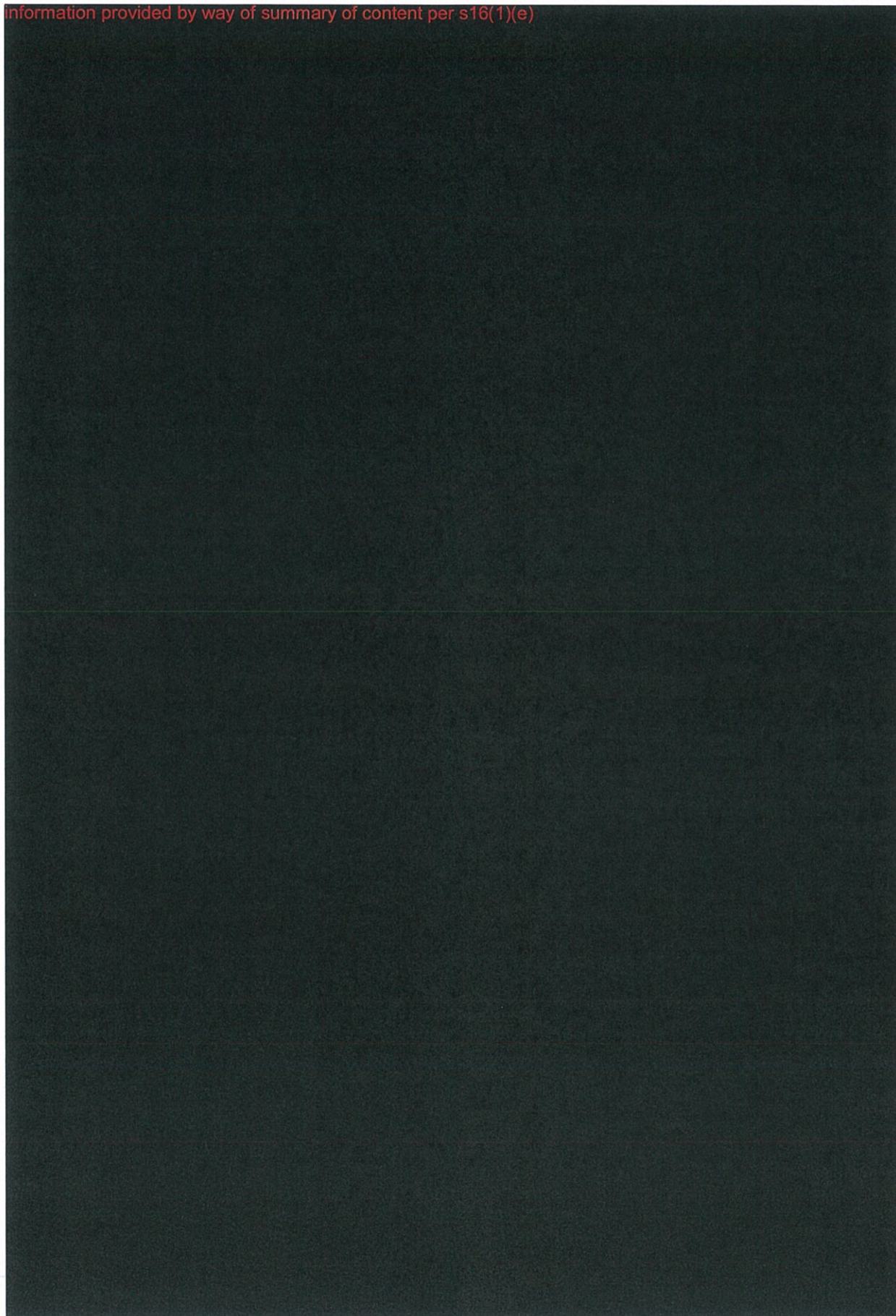
**JPS on Management of Human Rights Risks in Overseas Cooperation (IG88)**

information provided by way of summary of content per s16(1)(e)





information provided by way of summary of content per s16(1)(e)





information provided by way of summary of content per s16(1)(e)



s6(a)



Chief Legal Advisor, GCSB

General Counsel, NZSIS

Pursuant to section 16(1)(e) of the Official Information Act 1982, the content of the above letter of 19 October 2021 from NZSIS and GCSB to the IGIS is provided in summary form.

The letter:

- thanks the IGIS for feedback, notes most feedback has been incorporated and offers comments on outstanding points.
- Noting that Ministerial authorisation is required to provide intelligence, analysis or threat reporting to foreign parties and the JPS provides that the agencies may also request the Minister grant Approved Party status to an Authorised Party whose human rights situation is broadly comparable to New Zealand's, the letter provides clarifications on the agencies' approach to eligibility for Approved Party status; and on the criteria to be assessed and information provided to the Minister in consideration of whether to grant Approved Party status.
- The letter provides information in relation to a suggestion from the IGIS on the JPS risk assessment framework.
- The letter responds to the IGIS suggestion that the JPS be declassified and published.
- The letter notes the IGIS's ongoing interest in processes if the agencies receive material that may have been obtained through mistreatment, and offers to provide a copy of the JPS once it is finalised.