



11 September 2019

Ross Francis

By Email: [fyi-request-10978-e31b99ad@requests.fyi.org.nz](mailto:fyi-request-10978-e31b99ad@requests.fyi.org.nz)

Dear Mr Francis

**Official Information Request dated 14 August 2019**

I refer to your request for information to the Ministry of Justice (**Ministry**) under the Official Information Act 1982 (**Act**) on 14 August 2019. Your request was as follows:

*On 9 March 1999 and 25 March 1999, Sir Thomas Thorp wrote to Val Sim about the Peter Ellis case. Please send me unredacted copies of both letters.*

*On 8 March 2001, then-Justice Minister Phil Goff informed the Governor-General that Ellis' application for a pardon should be declined. He repeated Sir Thomas Eichelbaum's (false) claims that both experts, Professor Davies and Dr Sas, "independently reached the view that the children's evidence in the conviction cases was reliable" and "allegations arising from the [conviction children's] later interviews did not generally form the subject of charges". Goff also claimed, wrongly, that "the jury was fully aware of the bizarre allegations made by some of the children".*

*Subsequent to Goff's letter to the Governor-General, did officials endeavour to correct Goff's aforementioned mistakes? Please send me copies of all communication between officials and the Minister's office about this matter, including all communication with Goff about his claim that the jury was fully aware of the bizarre allegations made by some of the children.*

*According to records held by the ministry, what are all of the bizarre allegations that were made by the child complainants which were heard by the jury?*

We have divided your request into several parts, set out below. We have only responded to those parts of your letter which are requests for official information under the Act.

1. *On 9 March 1999 and 25 March 1999, Sir Thomas Thorpe wrote to Val Sim about the Peter Ellis case. Please send me unredacted copies of both letters.*

This is a repetition of your request of 11 September 2018, which we responded to on 9 October 2018.

Elements of that request are currently under review by the Ombudsman. Your repetition of this request in the meantime is vexatious.

2. *Subsequent to Goff's letter to the Governor-General [of 8 March 2001], did officials endeavour to correct Goff's aforementioned mistakes? Please send me all communication between officials and the Minister's office about this matter, including all communication with Goff about his claim that the jury was fully aware of the bizarre allegations made by some of the children.*

There are no records of later correspondence with the Minister about the matters you describe.

3. *According to records held by the ministry, what are all of the bizarre allegations that were made by the child complainants which were heard by the jury?*

We do not hold any records relating to this part of your request.

You have the right under section 28(3) of the Act to complain to the Ombudsman regarding this response.

Yours sincerely



Jeff Orr

**Chief Legal Counsel**