

7 October 2024

M Bell

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Tēnā koe

Your request for official information, reference: HNZ00064629

Thank you for your email on 10 September 2024, asking Health New Zealand | Te Whatu Ora for the following under the Official Information Act 1982 (the Act):

Please provide any and all external consultant reports prepared as a result or response to the whistleblower release of the covid vaccine data from last year.

One of these documents known to exist is the report of an IT Audit and is titled "Potential Data Theft". Please supply the reports with the least amount of redaction as possible, am am not requesting a summary of the reports, I am requesting the reports in full.

Please also provide an itemization of the costs incurred to produce these reports.

Response

Health New Zealand holds reports from external consultants that fall within the scope of your request and it is refusing your request for those reports on the following grounds:

1. Section 6(c) of the Act – the making available of the reports would prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial. One aspect of this withholding ground relates to the fact that the individual involved in the unauthorised release of Covid vaccine data has been criminally charged and is scheduled to have a trial by jury in April 2025.
2. Section 9(2)(a) of the Act – withholding of information in the reports is necessary to protect the privacy of natural persons, including that of deceased natural persons;
3. Section 9(2)(e) of the Act – withholding of information in the reports is necessary to avoid prejudice to measures that prevent or mitigate material loss to members of the public;
4. Section 9(2)(h) – withholding of one of the reports is necessary to maintain legal professional privilege;
5. Section 9(2)(k) – withholding of the reports is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.

In relation to the withholding grounds numbered 2 to 5 above, Health New Zealand has carefully considered the public interest in disclosing the information within the scope of the request against the need to withhold it. We do not consider that the public interest in disclosure of the reports outweighs the need to withhold them on the grounds numbered 2 to 5 set out above.

As to the second part of your request, the total costs charged by the external consultants (and paid by Health New Zealand) for their work arising out of the unauthorised release of Covid vaccine data – which resulted in the reports – was \$554,304.60 including GST. This includes the costs of writing the reports.

Health New Zealand refuses to provide any breakdown of the work carried out by the external consultants on the withholding grounds referred to in paragraph 1, 3, 4, and 5 above.

How to get in touch

If you have any questions, you can contact us at h.nzOIA@tewhatuora.govt.nz.

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

As this information may be of interest to other members of the public, Health NZ may proactively release a copy of this response on our website. All requester data, including your name and contact details, will be removed prior to release.

Nāku iti noa, nā



Sonny Taite

Ngāi Te Rangi

National Chief Information Security Officer

Data and Digital