

Hon Andrew Bayly

Minister of Commerce and Consumer Affairs
Minister for Small Business and Manufacturing
Minister of Statistics



22 November 2024

Kia ora

You are receiving this letter because you requested information under the Official Information Act relating to a recent complaint about comments I made during a Ministerial visit.

My office has received a number of OIA requests from media and the wider public relating to this incident. Given the volume of requests, the overlap in the requested information, and in the interest of full transparency, we have decided to release all correspondence in a single pack. Please note many of the messages I received from members of the public do not reflect my personal views.

However, in regard to the first part of your request, I have never verbally abused a member of the public. Rather than refuse your request on grounds of this information does not exist, I have broadened the scope of your request to include the incident whereby a member of the public laid a formal complaint about my behaviour and for which I have publicly apologised.

While I regret my behaviour, what had intended to be light-hearted banter caused hurt and offense, I reject any characterisation of this incident as verbal abuse. Verbal abuse is a type of behaviour that involves the use of words with the intent to intimidate, scare, isolate, or control people. It is a very serious issue in New Zealand affecting many families and individuals.

In the pack you will see a message I received referring to a “Bottle of John Forrest’s Reduced Alcohol Wine”. Please note this refers to a bottle of wine that was purchased by other members of the lunch group. To clarify, I did not have any of this wine or any other alcohol at the lunch. The only alcohol I consumed that day was a small wine tasting as the end of the ministerial visit.

Also included in the pack is a copy of my planned itinerary. Please note however that it does not reflect the true timings of the day as my flight was delayed and some meetings did not take place and others were shortened.

Please also note that a list of dates and times of all meetings are available in my diary which is published online here: www.beehive.govt.nz/minister/hon-andrew-bayly.

Within these documents some information has been withheld:

- Under section 9(2)(a) of the Act to protect the privacy of natural persons. The need to protect the privacy of individuals outweighs the public interest in this information.
- Some information has been withheld under section 9(2)(b)(ii) as the release of this information may unreasonably prejudice the commercial position of the person or business by damaging their reputation leading to a loss of business or trade.

- Under section 9(2)(g)(i) of the Act to protect the effective conduct of public affairs through the free and frank expression of opinions. I believe the greater public interest is in the ability of individuals to express opinions in the course of their duty.

As a Minister I receive a significant amount of correspondence from individuals and businesses seeking advice or support. Some of this correspondence contains personal information (either about themselves or other people) or complaints about a business – complaints which my office have not verified.

Consulting each business and individual on the release of this information would have a significant impact on the ability of my office to carry out its other operations, therefore I have redacted any information which could lead to the identification of a business or individual. I have assessed that public interest in the names of the individuals and businesses involved does not outweigh potential risk associated with releasing their information without consulting them.

If you are not satisfied with this response, in the first instance, please contact my office to see if we are able to resolve your concerns. However, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at 0800 802 602 or www.ombudsman.parliament.nz

Kind Regards,

A handwritten signature in blue ink, appearing to read 'A. Bayly'.

Hon Andrew Bayly

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