



OIA 19-E-0099/DocCM 5895852

29 March 2019

Mr Tim Benseman  
[fyi-request-9583-3fb8289e@requests.fyi.org.nz](mailto:fyi-request-9583-3fb8289e@requests.fyi.org.nz)

Dear Mr Benseman

Thank you for your email of 15 March 2019 in which you addressed our preliminary view that we should decline your request for *“copies of all the photos of all the Protected Native Kea birds that your department staff or contractors have poisoned with toxins in 2011, 2012 and 2013”*.

We considered there was a possibility that if we released these images, they would be used to misrepresent the effects of 1080 on kea populations. We provided you with an opportunity to comment and to present evidence that would disprove any vexatious intent on your behalf. Instead, you have accused the department of collusion, corruption and criminal destruction of protected wildlife. While we appreciate that you may have strong views about protecting our treasured native birds, your views are misinformed and do not align with our current evidence.

### **Our purpose**

The functions of the Department are to manage for conservation purposes, all land, and all other natural and historic resources, held under the Conservation Act. To achieve this, we run programmes to protect and restore native species and to provide opportunities for people to engage with these treasures. Our work also involves research and monitoring to ensure we achieve that purpose.

### **We rely on evidence-based research and science**

In undertaking our conservation work, we rely on evidence-based research and science. We use that evidence to assess and mitigate the risks that arise in our work and we inform the public about these risks and benefits.

### **The evidence in support of 1080 in predator control in New Zealand is overwhelming.**

Decades of research has found that the primary factor in the decline of our native birds is predation by introduced pest mammals, as reviewed here:  
<https://newzealandecology.org/nzje/2911>

The current evidence clearly shows that kea will be at greater risk if we do not use 1080 to suppress predators. As indicated in our response of 13 March 2019, the scientific support for this is overwhelming. We respectfully refer you again to the information set out there.

In addition, we include the following links about the success of 1080 in controlling predators, and why we need to keep using it:

[www.doc.govt.nz/news/stories/2018/large-flock-of-kea-an-amazing-sight/](http://www.doc.govt.nz/news/stories/2018/large-flock-of-kea-an-amazing-sight/)

[www.doc.govt.nz/our-work/battle-for-our-birds/battle-for-our-birds-monitoring-results/kea/](http://www.doc.govt.nz/our-work/battle-for-our-birds/battle-for-our-birds-monitoring-results/kea/)

[www.pce.parliament.nz/media/1695/taonga-of-an-island-nation-web-final-small.pdf](http://www.pce.parliament.nz/media/1695/taonga-of-an-island-nation-web-final-small.pdf)

### **Our decision**

After carefully considering your response of 15 March 2019 we confirm that we have decided to refuse your request of 13 February 2019 under section 18(h) of the Official Information Act 1993 on the basis that it is vexatious.

Please note that this letter (with your personal details removed) will be published on the Department's website.

You are entitled to seek an investigation and review of my decision by writing to an Ombudsman as provided by section 28(3) of the Official Information Act.

If you wish to discuss this with the Department, please contact me on [abill@doc.govt.nz](mailto:abill@doc.govt.nz).

Yours sincerely,



Amber Bill  
Director Threats, Biodiversity  
for Director-General