

3 April 2019

Ross Francis

By Email: fyi-request-9781-c36476b4@requests.fyi.org.nz

Dear Mr Francis

Official Information Request dated 6 March 2019

I refer to your request for information to the Ministry of Justice (**Ministry**) under the Official Information Act 1982 (**Act**) on 30 January 2019. Your request was as follows:

"I have the following request in regards to my research into the Peter Ellis case.

The ministerial inquiry's terms of reference did not require Sir Thomas Eichelbaum to "attribute or apportion blame to particular individuals who undertook the interviews". Nonetheless, Val Sim – the Minister's then chief legal counsel – warned him that the "personal reputations" of the children's interviewers, the complainants and their families were at stake.

What expertise or prior experience of administering inquiries did Val Sim possess at the time of the ministerial inquiry? What concerns, if any, has the Ministry expressed for the personal reputations of the eleven creche workers, who were judged to have been unfairly dismissed when the Christchurch Civic Creche closed down (as a result of the police investigation)? What concerns, if any, has the Ministry expressed for Ellis' mother, whose flat was raided by police on the suspicion that she, too, had molested children? Please provide me with all records held by the Ministry about these matters.

Prior to the publication and presentation of his final report, what criticisms, if any, did Sir Thomas make of the conviction children's evidential interviews? Prior to the publication and presentation of his final report, did Sir Thomas express satisfaction with the quality of the conviction children's evidential interviews?"

We have divided your request into several parts, set out below:

1. *What expertise or prior experience of administering inquiries did Val Sim possess at the time of the ministerial inquiry?*

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

2. *What concerns, if any, has the Ministry expressed for the personal reputations of the eleven creche workers, who were judged to have been unfairly dismissed when the Christchurch Civic Creche closed down (as a result of the police investigation)? What concerns, if any, has the Ministry expressed for Ellis' mother, whose flat was raided by police on the suspicion that she, too, had molested children? Please provide me with all records held by the Ministry about these matters.*

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

3. *Prior to the publication and presentation of his final report, what criticisms, if any, did Sir Thomas make of the conviction children's evidential interviews? Prior to the publication and presentation of his final report, did Sir Thomas express satisfaction with the quality of the conviction children's evidential interviews?"*

The Ministry has already provided you with all documents relating to the Ministerial Inquiry (ref. our recent letter to you of 9 October 2018).

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