



4 September 2019



Reference: OIA-2019/20-0075

Dear 

Official Information Act request regarding the Inspector-General of Intelligence and Security Advisory Panel

Thank you for your Official Information Act 1982 (the Act) request received on 7 August 2019. You requested (numbering added):

"...I am seeking specific information on the following questions:

- 1. What is the appointment criteria for members of the IGIS Advisory Panel? Which government agencies are involved in this process?*
- 2. Which government organisations and agencies, in addition to yourselves and the New Zealand Parliamentary Intelligence and Security Committee (ISC), are responsible for processing and assessing applications for IGIS Advisory Panel membership?*
- 3. How many individuals were considered for positions on the IGIS Advisory Panel in 2014?*
- 4. How many individuals have applied for positions on the IGIS Advisory Panel between 2016 and 2019?*
- 5. How many individuals have been approached to apply for, or offered, a position on the IGIS Advisory Panel since 2016?*
- 6. What are the reasons for no appointments being made to the IGIS Advisory Panel since 2016? What are the reasons for no appointments being made to the IGIS Advisory Panel since 2018?"*

Information regarding the appointment criteria used to evaluate applicants for the IGIS Advisory Panel can be found at: <http://www.igis.govt.nz/assets/Uploads/Ad-for-Advisory-Panel-Members.pdf>.

The criteria included:

- An ability to obtain a Top Secret Special security clearance with access to New Zealand Eyes Only material (essential);
- An in-depth understanding of the public sector and/or public law;
- Understanding and strong interest in international and national issues; and
- An appreciation of the role of the intelligence community and the significance of independent oversight of that community.

The appointment process was managed by the Department of the Prime Minister and Cabinet (DPMC). The Inspector-General was consulted about the selection of the shortlist for the Advisory Panel members but, because of the need for the Panel to be able to act independently, the Inspector-General did not participate in the interview panel.

Short-listed candidates were interviewed by a four-person panel comprising the Comptroller of Customs (chair), an Assistant Commissioner from the State Services Commission; the Chief Legal Counsel in the Ministry of Justice, and the Director, National Security Policy, DPMC. The Prime Minister consulted with members of the Intelligence and Security Committee (ISC) on the proposed appointments. Proposals for the appointments are agreed by the Cabinet Appointments and Honours Committee, and appointed by the Governor General.

Thirty-eight applications were received for the 2014 appointment round, from which eight candidates were shortlisted. For the next appointment round, the Advisory Panel member position was advertised on 15 December 2016 and closed on 3 February 2017. Twenty-one applications were received. Six candidates were selected, from which four candidates were interviewed. ISC members did not support the proposed appointment of one of the candidates. This meant that the approval processes required under the Intelligence and Security Act 2017, and the government guidelines for appointments to statutory bodies, were not able to be completed prior to the 2017 general election.

The appointment process could not resume until Parliament's Intelligence and Security Committee was established. Following this, two appointments were made to the Advisory Panel in May 2018. One was appointed for a two-year term; the other for a five-year term. Information about these appointments can be found in the following press release from 25 May 2018: <https://www.beehive.govt.nz/release/inspector-general-intelligence-and-security-advisory-panel-members-appointed>. Further appointments to the Advisory Panel are not anticipated until each of the terms expire.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the DPMC website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Tony Lynch
Deputy Chief Executive