



3 March 2021

[REDACTED]

Reference: OIA-2020/21-0271

Dear [REDACTED]

### Official Information Act request relating to legislation prohibiting hate speech

I refer to your Official Information Act 1982 (the Act) request received by the Department of the Prime Minister and Cabinet (DPMC) on 18 December 2020. You requested:

*“...all information held by the DPMC regarding any proposal to introduce legislation to prohibit “hate speech” following the Christchurch terrorist attack on 15 March 2019”*

Following your email of 28 December 2020, your request was amended to:

*“...any briefings, reports and aides-memoire prepared by DPMC regarding any proposal to introduce legislation to prohibit ‘hate speech’ following the Christchurch terrorist attack on 15 March 2019 and all internal correspondence and meeting notes concerning these”.*

I understand you were encouraged to make a related request to the Ministry of Justice, and note that the timeframe for responding to your request was extended under section 15A of the Act by 20 working days because it necessitated a search through a large quantity of information and further consultations to be undertaken before a decision could be made on your request. Following this extension, I am now in a position to respond.

Electronic searches of information potentially in scope of your request were undertaken. Identified as relevant to your request was briefing material provided by DPMC’s Policy Advisory Group to the Prime Minister. However, these briefings are provided to the Prime Minister in confidence in order to support her in her role as leader of the Government and chair of Cabinet. I have therefore decided to withhold this information in full in its entirety under the following sections of the Act:

- section 9(2)(f)(iv), to maintain the confidentiality of advice tendered by or to Ministers and officials,
- section 9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinion, and
- section 9(2)(h), to maintain legal professional privilege.

In making my decision, I have taken the public interest considerations in section 9(1) of the Act into account.

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 DPMC's 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



Anneliese Parkin  
**Deputy Chief Executive, Policy**