



Proactive Release

The following documents have been proactively released by the Department of the Prime Minister and Cabinet (DPMC) on behalf of (Rt Hon Chris Hipkins), Prime Minister:

Cabinet Paper: The Prime Minister’s Special Envoy for the Christchurch Call

Minute: The Prime Minister’s Special Envoy for the Christchurch Call

Prime Minister’s Special Envoy for the Christchurch, Terms of Reference, Induction and resource information

Letter of Appointment – Prime Minister’s Special Envoy for the Christchurch Call

Some parts of this information release would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the Act). Where this is the case, the relevant section of the Act that would apply has been identified. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Key to redaction codes:

- Section 6(a), to protect the security or defence of New Zealand or the international relations of the Government of New Zealand
- section 9(2)(a), to protect the privacy of individuals
- section 9(2)(ba)(i), to protect the supply of similar information in the future
- section 9(2)(g)(ii), to prevent improper pressure or harassment
- section 9(2)(j), to enable negotiations to be carried on without prejudice or disadvantage

The Prime Minister's Special Envoy for the Christchurch Call

Proposal

- 1 I propose committing up to \$625,000 across 2022/23 and 2023/24 from the Prime Minister's Emerging Priorities Contingency to enable an increase in the pace and ambition of work under the Christchurch Call. This proposal will support and leverage the appointment of Rt Hon Jacinda Ardern as my Special Envoy for the Christchurch Call. This approach will be reviewed in December 2023.

Relation to government priorities

- 2 The Government is committed to reducing the impact of terrorist and violent extremist content online through our leadership of the Christchurch Call – one of the Government's top foreign policy priorities and a core part of our response to the terrorist attacks on Christchurch masjidain.

Background

- 3 On 15 March 2019, a terrorist killed 51 people and injured dozens more in attacks on two Christchurch mosques. The internet was weaponised as part of the attack. The manifesto and livestream footage taken by the attacker went viral on multiple platforms, overwhelming efforts to remove them.

- 4 On 15 May 2019, H.E. Emmanuel Macron, President of France, and then-Prime Minister Rt Hon Jacinda Ardern led the adoption of the Christchurch Call to Action to Eliminate Terrorist and Violent Extremist Content Online. The Call brings together a community of governments, online service providers and civil society organisations to work on delivering 25 commitments aimed at solving the problem of terrorist and violent extremist content online. This approach reflects the reality that terrorist and violent extremist content online is a problem that no one government, company or organisation can resolve alone.

- 5 The efforts of the Call community have made a practical difference in reducing the visibility and spread of terrorist and violent extremist content online. Furthermore, the Christchurch Call has become a leading example of effective multistakeholder governance of technology and established New Zealand's strong reputation as a principled and effective actor in this field. s6(a)

[REDACTED]

- 6 On 23 March 2023, I established the role of the Prime Minister's Special Envoy for the Christchurch Call and appointed Rt Hon Jacinda Ardern to it, informing Cabinet of this on 27 March 2023. Rt Hon Jacinda Ardern will take up her role on 17 April 2023, running

through to the end of 2023, at which point the role will be reviewed. The Government has the opportunity, through supporting Rt Hon Jacinda Ardern to engage internationally as my Special Envoy, to accelerate the delivery of Call outcomes, mobilise additional long-term support s9(2)(j) build some capability on digital policy issues within the public service, s9(2)(j)

Analysis

The Christchurch Call has delivered meaningful change and given New Zealand a role in international technology governance

- 7 New Zealand's co-leadership of the Call has significantly advanced the policies, technologies, methods, and effective coordination across multistakeholder groups to address terrorist and violent extremist content online. The Call has led to the creation of dedicated new structures, funded by industry, to deliver this work and established a higher baseline for responsible business conduct and effective online regulation around the world.
- 8 The Call's progress to date is significant to New Zealand and to communities in Christchurch. The Call is also significant for New Zealand's foreign policy. New Zealand's trade and economic connections, social wellbeing, and international influence increasingly rely on a free, open, and secure internet where the rules that govern digital technology reflect our interests and values. With the Christchurch Call, New Zealand and France have assembled a coalition that has the legitimacy to act and to define norms. We have also demonstrated that we can get results working through the Call's multistakeholder model.
- 9 As the nature of online service offerings evolves and the online tactics of terrorist and violent extremist groups adapt, the work of the Call will increasingly focus on the responsible deployment of new technologies, including artificial intelligence. In September 2022 then-Prime Minister Rt Hon Jacinda Ardern launched the Christchurch Call Initiative on Algorithmic Outcomes, a priority project for the Call. New Zealand is partnering with the United States and tech sector partners s9(2)(j) on the complex technical issues relating to algorithmic outcomes. s9(2)(j), s9(2)(ba)(i)

Rt Hon Jacinda Ardern is uniquely equipped to deliver enhanced outcomes for the Call

- 10 Rt Hon Jacinda Ardern's leadership of the Call during her tenure as Prime Minister is widely acknowledged and respected around the world. Rt Hon Jacinda Ardern's role as my Special Envoy is a significant opportunity for New Zealand to make a permanent, positive impact on global internet governance and enhance our country's capacity as an effective actor on global digital issues.
- 11 Rt Hon Jacinda Ardern has the subject expertise, relationships, and mana to deliver significant outcomes for the Call. Rt Hon Jacinda Ardern's activities as my Special Envoy will include:

- outreach to Call Leaders in industry, government, and civil society;

- convening Call-related gatherings and engaging externally with important constituencies on my behalf;
- overseeing the delivery of the Call’s work programme; and
- delivering key outcomes, including s9(2)(j) the Initiative on Algorithmic Outcomes, s9(2)(j)

Implementation

- 12 Resources for the Christchurch Call need to be scaled up slightly to ensure Rt Hon Jacinda Ardern is effectively supported to carry out her work as my Special Envoy. This includes provision for staffing, travel, communications, event management support and, potentially, security. Rt Hon Jacinda Ardern has declined to receive remuneration for this role.
- 13 The Christchurch Call Unit is a joint venture between the Department of the Prime Minister and Cabinet (DPMC) and the Ministry of Foreign Affairs and Trade (MFAT). DPMC provides convening and coordinating authority, and permanent and fixed-term staff with expertise on digital and cyber policy. Funding for DPMC’s resourcing beyond June 2023 is the subject of a current budget bid. MFAT provides expertise on communications, engagement with countries, and international engagement more broadly. In addition to some policy staffing, MFAT hosts the Call website, and provides support, including through the post network, for engagement and Call Summits. Such MFAT support will be available to my Special Envoy as she carries out her role.
- 14 Rt Hon Jacinda Ardern’s role will be administratively managed by a Letter of Appointment. Officials advise that the terms of the reasonable provision of support for Rt Hon Jacinda Ardern’s role as my Special Envoy will be set out through the Letter of Appointment. Officials further advise the requisite policies and procedures regarding Rt Hon Jacinda Ardern’s appointment, including checking conflicts of interest, have been completed.
- 15 An approximate breakdown of costs is provided below:

| Operating expenses | 2022/23 | 2023/24 |
|--|------------------|------------------|
| Policy and Administrative support | \$67,000 | \$255,000 |
| Travel for Special Envoy and support staff | \$22,000 | \$40,000 |
| Communications and event production | \$10,000 | \$100,000 |
| Technology, security, and overheads | \$10,000 | \$40,000 |
| Contingency (15%) | \$16,000 | \$65,000 |
| Total | \$125,000 | \$500,000 |

Financial Implications

- 16 I propose to meet additional costs to support Rt Hon Jacinda Ardern as my Special Envoy through the Emerging Priorities Contingency. The Christchurch Call Unit has worked with relevant agencies to access funding for the project from within existing resources and has concluded there are no contestable or discretionary funds available at this time.

I have also looked at the capacity to fund this within baselines. However, DPMC's baseline funding for 2022/23 indicates strong pressure on existing funding, including as a consequence of the cyclone response.

- 17 The Treasury has confirmed there are sufficient resources available in my Emerging Priorities Contingency.

Legislative Implications

- 18 None.

Impact Analysis

Regulatory Impact Statement

- 19 An impact assessment is not required as this paper does not propose legislative or regulatory changes.

Climate Implications of Policy Assessment

- 20 The proposal has no climate implications, other than potential travel emissions, which will be managed in accordance with DPMC policy.

Population Implications

- 21 The proposal has no population implications.

Consultation

- 22 This paper was prepared in consultation with the Treasury and the Ministry of Foreign Affairs and Trade.

Communications

- 23 I plan to discuss Rt Hon Jacinda Ardern's appointment with my Call Co-Leader, H.E. Emmanuel Macron, President of France, prior to a public announcement. I also plan to ensure key leaders in the Call community are advised ahead of a public announcement.

- 24 I plan to announce the appointment of Rt Hon Jacinda Ardern on 4 April 2023. I will also communicate directly with the Christchurch Call community to advise of the appointment.

- 25 Following the announcement, Rt Hon Jacinda Ardern will engage with Call Leaders and domestic and international media on her new role and the Christchurch Call. DPMC and MFAT will coordinate outreach to international stakeholders.

Proactive Release

- 26 This paper will be proactively released within 30 business days of decisions being confirmed by Cabinet, in accordance with Cabinet Office Circular CO (18) 4, with any appropriate redactions.

Recommendations

The Prime Minister recommends that the Cabinet:

- 1 **note** that the Prime Minister's Emerging Priorities Contingency was established in 2016 and its use is at the discretion of the Prime Minister;
- 2 **note** that the Christchurch Call was created to reduce the harm generated by terrorist and violent extremist content online;
- 3 **note** that, through appointment as my Special Envoy for the Christchurch Call, Rt Hon Jacinda Ardern will deliver enhanced outcomes for the Call;
- 4 **agree** to provide support to facilitate Rt Hon Jacinda Ardern's work as my Special Envoy for the Christchurch Call;
- 5 **agree** to apply up to \$625,000 from the Prime Minister's Emerging Priorities Contingency to support Rt Hon Jacinda Ardern as my Special Envoy for the Christchurch Call;
- 6 **approve** the following changes to appropriations to give effect to the decisions in recommendation 5 above, with a corresponding impact on the operating balance and net debt:

| Vote Prime Minister and Cabinet | \$m – increase/(decrease) | | | | |
|--|---------------------------|--------------|---------|---------|--------------------|
| | 2022/23 | 2023/24 | 2024/25 | 2025/26 | 2026/27 & Outyears |
| Prime Minister | | | | | |
| Advice and Support Services MCA | | | | | |
| Departmental Output Expenses: Advice and Support to Government and the Governor-General | 0.125 | 0.500 | - | - | - |
| Total Operating | 0.125 | 0.500 | - | - | - |

- 7 **agree** that the proposed changes to appropriations for 2022/23 above be included in the 2022/23 Supplementary Estimates and that, in the interim, the increases be met from Imprest Supply;
- 8 **agree** that the expenses incurred under recommendation 6 above be charged against the Prime Minister's Emerging Priorities Contingency established as part of Budget 2016;

- 9 **note** that the Prime Minister is scheduled to report back to Cabinet in June 2023 on progress in advancing the Christchurch Call programme.

Authorised for lodgement

Rt Hon Chris Hipkins

Prime Minister

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Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

The Prime Minister’s Special Envoy for the Christchurch Call

Portfolio **Prime Minister**

On 3 April 2023, Cabinet:

- 1 **noted** that the Prime Minister’s Emerging Priorities Contingency was established in 2016 and its use is at the discretion of the Prime Minister;
- 2 **noted** that the Christchurch Call was created to reduce the harm generated by terrorist and violent extremist content online;
- 3 **noted** that the appointment of Rt Hon Jacinda Ardern as the Prime Minister’s Special Envoy for the Christchurch Call will deliver enhanced outcomes for the Call;
- 4 **agreed** to provide support to facilitate Rt Hon Jacinda Ardern’s work as the Prime Minister’s Special Envoy for the Christchurch Call;
- 5 **agreed** to apply up to \$625,000 from the Prime Minister’s Emerging Priorities Contingency to support Rt Hon Jacinda Ardern’s work as the Prime Minister’s Special Envoy for the Christchurch Call;
- 6 **approved** the following changes to appropriations to give effect to the decisions in paragraph 5 above, with a corresponding impact on the operating balance and net debt:

| Vote Prime Minister and Cabinet | \$m – increase/(decrease) | | | | |
|---|---------------------------|--------------|---------|---------|--------------------|
| | 2022/23 | 2023/24 | 2024/25 | 2025/26 | 2026/27 & Outyears |
| Prime Minister | | | | | |
| Advice and Support Services MCA | | | | | |
| Departmental Output Expenses: | 0.125 | 0.500 | - | - | - |
| Advice and Support to Government and the Governor-General | | | | | |
| Total Operating | 0.125 | 0.500 | - | - | - |

- 7 **agreed** that the changes to appropriations for 2022/23 above be included in the 2022/23 Supplementary Estimates and that, in the interim, the increases be met from Imprest Supply;
- 8 **agreed** that the expenses incurred under paragraph 6 above be charged against the Prime Minister's Emerging Priorities Contingency established as part of Budget 2016;
- 9 **noted** that the Prime Minister intends to report back to Cabinet in June 2023 on progress in advancing the Christchurch Call programme.

Rachel Hayward
Secretary of the Cabinet

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PRIME MINISTER
TE PIRIMIA

13 April 2023

Rt Hon Jacinda Ardern

s9(2)(a), s9(2)(g)(ii)

AUCKLAND 1025

cc. s9(2)(a), s9(2)(g)(ii)

Dear Jacinda,

Letter of Appointment – Prime Minister’s Special Envoy for the Christchurch Call

I am pleased to formally appoint you to the role of the New Zealand Prime Minister’s Special Envoy for the Christchurch Call (Special Envoy for the Call) from 17 April 2023. This appointment will be reviewed in December 2023.

Your establishment of the Christchurch Call was a pivotal moment in how New Zealand, and the world, approaches complex issues of digital governance. Under your co-leadership of the Call, our multistakeholder Call Community has made truly meaningful progress towards the elimination of terrorist and violent extremist content online. In your role as Special Envoy for the Call, I wish to draw on your deep knowledge of the Call and your role as a global leader on digital governance to catalyse further outcomes for the Call.

As you know, as Prime Minister, I hold responsibility for matters relating to the Christchurch Call and New Zealand’s co-Leadership of the Call. I have appointed you, in my capacity as Prime Minister, to support me in my role as co-Leader of the Christchurch Call. As Special Envoy for the Call, you are empowered to act on my behalf as co-Leader of the Call regarding outreach to Call Leaders, oversight of the Call work programme, and delivery of key outcomes for the Call. I also seek your support in the form of independent advice on Call matters, and I seek your support on any other matter arising from or related to the Christchurch Call as determined between us. This will be invaluable to me as I carry out my own role as co-Leader, including retaining Ministerial responsibility for the Call, and decision-making responsibility alongside H.E. President Macron.

Your role as Special Envoy for the Call has been administratively established as a Ministerial Advisory Committee of one, and the Department of the Prime Minister and Cabinet will be responsible for providing you with policy and administrative support. In accordance with the establishment of a Ministerial Advisory Committee, the scope and responsibilities of your role, along with applicable government policies, are outlined in the Prime Minister’s Special Envoy for the Christchurch Call Terms of Reference, which you can find attached.



PRIME MINISTER
TE PIRIMIA

As noted above, the Special Envoy role will be reviewed in December 2023. Prior to this, your appointment may be concluded either at your request or by a Prime Ministerial decision. Any alteration to the Terms of Reference for your appointment can be made by mutual agreement and will be recorded in writing.

In your role as Special Envoy for the Call, you will be required to manage any conflicts of interest should they arise, in accordance with the Office of the Auditor-General's "Guide to Managing Conflicts of Interest in the Public Sector" appointment guidelines.

As agreed, you will not be remunerated for your role as Special Envoy for the Call. To enable you to carry out your role, DPMC will provide you with policy and administrative support. This support includes the coverage of reasonable and actual expenses incurred in the course of your role in accordance with DPMC's policies. DPMC will work with you to determine the appropriate mechanisms for this support.

DPMC's Christchurch Call Unit, led by Paul Ash, my Special Representative on Cyber and Digital, is at your disposal for any queries regarding the details of your appointment.

I look forward to working closely with you in your role as Special Envoy for the Christchurch Call and continuing the positive change the Call is making.

Yours sincerely,

Rt Hon Chris Hipkins
Prime Minister



Prime Minister's Special Envoy for the Christchurch Call
Terms of Reference
Induction and resource information

13 April 2023

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1. Terms of Reference

Terms of Reference for the Prime Minister's Special Envoy for the Christchurch Call (the Special Envoy)

Introduction

The Prime Minister established the role of the Prime Minister's Special Envoy for the Christchurch Call on 23 March 2023 (refer submission DPMC-4716832). Cabinet has endorsed this appointment.

The role of the Prime Minister's Special Envoy for the Christchurch Call is administratively established as a Ministerial Advisory Committee of one. As such, this document outlines the requisite Terms of Reference that apply to the role of the Special Envoy for the Christchurch Call and provides supplementary information on the Terms of Reference.

The Prime Minister is responsible for the Christchurch Call and has approved the Special Envoy's Terms of Reference (refer submissions DPMC-4704556, DPMC-4712222, and DPMC-4716832).

Scope of the Prime Minister's Special Envoy for the Christchurch Call role

The Prime Minister's Special Envoy for the Christchurch Call has been administratively established as a Ministerial Advisory Committee of one. The Special Envoy acts on behalf of the Prime Minister in his capacity as co-Leader of the Christchurch Call in relation to outreach to Call Leaders, oversight of the Call work programme, and delivery of key outcomes for the Call. The Special Envoy has a wide scope to act on behalf of the Prime Minister on these matters; this scope can be revised with the Prime Minister and DPMC on an ongoing basis. The Special Envoy also provides independent advice to the Prime Minister on the Christchurch Call.

Role of the Prime Minister's Special Envoy for the Christchurch Call

Call co-Leader functions on behalf of the Prime Minister

The Prime Minister has allocated some functions as co-Leader of the Call to the Special Envoy (refer submissions DPMC-4704556, DPMC-4712222, and DPMC-4716832).

The Special Envoy's role involves:

- Outreach to Call Leaders in industry, government, and civil society, convening Call-related gatherings, and engaging externally with important constituencies on the Prime Minister's behalf;
- Overseeing the delivery of the Call's work programme;
- Delivering key outcomes, focusing on activities that have a long-term impact on shaping the digital environment for good, and building New Zealand's reputation and standing on digital issues; and
- A particular focus on consolidating and building on the Initiative on Algorithmic Outcomes announced in 2022.

As the Special Envoy is administratively established as a Ministerial Advisory Committee of one, the Special Envoy is not responsible for the development of policy or implementation options and has no formal decision-making powers or accountabilities. The Special Envoy does not have powers to direct agencies. The Prime Minister remains responsible for directing his agency as appropriate. The Special Envoy, however, will work closely with the Christchurch Call Unit to fulfil the functions outlined above and will therefore be supported by the Call Unit with policy advice and administrative support according to the Special Envoy's needs.

Independent advice to the Prime Minister

The Special Envoy will provide advice to the Prime Minister on all matters related to the Christchurch Call as she sees fit.

The Special Envoy will do this by providing independent advice directly to the Prime Minister, and other Ministers with agreement from the Prime Minister.

In addition to advice to the Prime Minister, the Special Envoy can also provide feedback to agencies on any draft material that agencies may seek the Special Envoy's feedback on.

The Special Envoy will provide support to the Prime Minister on any other matter arising from or related to the Christchurch Call as determined between the Prime Minister and the Special Envoy.

It is important to note that the Special Envoy is administratively established as a Ministerial Advisory Committee and therefore includes an advisory function. In this capacity, the Special Envoy provides independent advice to the Minister. The Special Envoy may not undertake activities which cut across the responsibilities of the Prime Minister or the departmental Chief Executive, or for which the Special Envoy does not have the legal authority.

The quality and independence of the advice from the Special Envoy is protected by:

- the quality of the appointee;
- the Terms of Reference; and,
- the fact that the Special Envoy is not responsible to the Chief Executive of the Department, and reports directly to the Prime Minister.

Terms of Reference for the Special Envoy cover the role and purpose of the Special Envoy, any appointment process including fees and term of appointment, how the appointee in the role will engage with other agencies and reporting arrangements. The Official Information Act 1982 applies to the Special Envoy, as a Ministerial Advisory Committee of one – including any independent advice the Special Envoy provides.

Term

The Special Envoy will be appointed from 17 April 2023. The Special Envoy role will be reviewed in December 2023.

Disestablishment of the role

The Special Envoy role may be disestablished at a future point in time considered appropriate by the Prime Minister.

After disestablishment, DPMC will assume responsibility for the ongoing administration of records and material produced by and provided to the Special Envoy. This will include responding to any subsequent Official Information Act 1982 requests relevant to the Special Envoy.

Official Information Act / Privacy Act / Public Records Act

All information held or produced by the Special Envoy, including that held or produced by government agencies for the Special Envoy and advice to the Prime Minister, is subject to the Official Information Act 1982. DPMC is responsible for responding in a lawful manner to any Official Information Act requests the Special Envoy may receive. In doing so it will coordinate with the Prime Minister and the Special Envoy.

The Privacy Act and the Public Records Act also apply to the role of the Special Envoy. DPMC is responsible for ensuring compliance with these Acts.

The Special Envoy's advice to the Prime Minister will not be proactively published as a matter of course. This does not preclude the proactive publication of advice provided by the Special Envoy should the Prime Minister choose to do so.

Payment / Honorarium

The Special Envoy will not receive a payment or honorarium.

Actual and reasonable expenses may be claimed with prior agreement from DPMC using the prescribed form.

Other considerations

The Special Envoy can engage with media and the public on matters within the scope and functions set out in these Terms of Reference and in consultation with the Prime Minister and DPMC.

To ensure the Special Envoy can effectively undertake her role, she may have access to agreed information from an agency, meet regularly with officials and work closely with an agency chief executive. This may include utilising officials supporting the Special Envoy to develop advice that is independent from the agency perspective.

DPMC will act as the policy and administrative support agency for the Special Envoy. DPMC's policies and procedures will apply to the Special Envoy.

2. Support for the Prime Minister's Special Envoy for the Christchurch Call

Departmental support

The Prime Minister's Special Envoy for the Christchurch Call will be supported by the Christchurch Call Unit and the wider DPMC, which is accountable to the Chief Executive of the Department who in turn is accountable to the Prime Minister. DPMC will provide policy and administrative support for the Special Envoy. DPMC will also support communications with the wider public service on matters of relevance. DPMC will ensure the Special Envoy has the support, resources, and information they need to be effective in their role.

DPMC will provide the Special Envoy with access to agreed information, meet regularly with the Special Envoy, and if required, support the Special Envoy to develop advice that is independent from the agency perspective.

DPMC will respect the Special Envoy's commitment by ensuring effective and efficient planning, preparation, and implementation of processes to support the Special Envoy.

In coordination with the Special Envoy, and the Prime Minister, DPMC will develop necessary business processes and protocols to support the Special Envoy and the Special Envoy's activities.

DPMC will also develop necessary business processes and protocols to ensure the Special Envoy and DPMC comply with all relevant privacy, security and legislative requirements. This includes but is not limited to the requirements of the Official Information Act 1982, the Privacy Act 2020 and the Public Records Act 2005.

Contacting the Special Envoy and DPMC

The public can contact the Special Envoy and DPMC on matters relating to the Christchurch Call and the Special Envoy through the email: info@christchurchcall.com.

DPMC will monitor this email address and share information with the Special Envoy as appropriate.

3. Payment

As noted above, the Special Envoy will not receive a payment or honorarium. Actual and reasonable expenses may be claimed with prior agreement from DPMC using the prescribed form.

Travel, expenses and meal arrangements

Travel arrangements for the Special Envoy will be made by DPMC and will include flights, and accommodation and meals (excluding alcohol) when required.

DPMC will seek information from the Special Envoy regarding travel requirements, meal requirements, and other requirements associated with travel and meetings.

Actual and reasonable expenses will be met by DPMC where these have been agreed in advance and are supported by receipts.

DPMC will apply appropriate provisions of the agency's travel and expenditure policies for the Special Envoy, subject to appropriate exemptions sought in accordance with DPMC's exemption process. This will include that travel and expenditure must:

- only occur where, having considered other potential alternatives, none is available
- consider the impact of the greenhouse gas emissions calculated for the journey
- not be for personal or other organisational benefit and must be transparent.

This means that, for example:

- air travel and accommodation will be booked by DPMC through the Department's preferred travel provider to ensure all greenhouse gas emissions are reported on as part of the Carbon Neutral Government Programme.
- taxi travel to and from the airport for meetings will not require prior approval, but otherwise it is helpful if prior approval from DPMC is sought.
- any alcohol purchases are a personal expense, not reimbursed by DPMC.
- where the Special Envoy has and supplies an Airpoints number (or similar), travel booked for Special Envoy business will earn status points but will not earn points or Airpoints dollars.
- the Special Envoy must submit copies of receipts related to expenditure (e.g. taxi receipts).

Other expenses

Childcare

A contribution may be made to childcare expenses with the agreement of the Special Envoy and DPMC.

Technology, equipment, and security

DPMC will meet the actual and reasonable costs of any technology, including equipment, security and support, required to support the Special Envoy to carry out her role.

DPMC will meet the actual and reasonable costs of security assistance required to support the Special Envoy to carry out this role, noting New Zealand Police is responsible for the primary provision of security for the Special Envoy, as a former Prime Minister.

4. Expectations

Code of Conduct

The Special Envoy will comply with the Code of Conduct attached to this Terms of Reference.

Breach of Code of Conduct

Any breach of the Code of Conduct will be reported to the Prime Minister to determine an appropriate response, including suspension or removal from the role if necessary.

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5. Code of Conduct

Purpose

The Code of Conduct sets out expectations for the general conduct of the Special Envoy.

General expectations

It is expected all the Special Envoy will:

- act in accordance with process and protocols agreed or mandated by the Prime Minister;
- work transparently and consistent with all privacy, security and legal requirements, including but not limited to the requirements of the Official Information Act 1982 and the Privacy Act 2020;
- maintain and safeguard the confidentiality of information submitted to them or obtained in carrying out their role;
- disclose any real, potential or perceived conflicts of interest as they arise and agree to the appropriate management of these conflicts; and
- only claim for legitimate expenses they may incur.

Protocol for speaking to the media

The Special Envoy may make public and media statements in relation to matters within the scope and functions of the role. The Special Envoy will engage with the media and public in consultation with the Prime Minister and DPMC. All media requests regarding the Special Envoy shall be referred to the Special Envoy for their consideration of a response.

Responses to media queries

Where a journalist or media outlet seeks the personal views of the Special Envoy, the Special Envoy will make clear in which capacity she is expressing her views, noting that the Special Envoy has the mandate to act on behalf of the Prime Minister. The Special Envoy will refer to the Prime Minister any requests for personal or professional views that they judge to fall within the Prime Minister's responsibilities as Prime Minister and co-Leader of the Call.

Personal views

The Special Envoy is free to express a personal view in public or in the media at any time. When doing so she must observe the following:

- comments must make clear that they represent a personal view and must not state or imply that they represent the views of the Prime Minister or Call Community;
- comments to the media must observe the other general expectations of conduct, e.g., maintaining and safeguarding the confidentiality of information presented to them as the Special Envoy and the privacy of individual persons.

6. Conflicts of interest

Making a declaration

As part of the appointments process, you will already have been asked to complete a declaration of potential conflicts of interest. These declarations must be kept up-to-date.

Managing conflicts

The “rules” for managing conflicts of interest in the public sector are generally stricter than in the private sector. If you work for a public organisation, the public needs to have confidence that any decisions you make: are made impartially and for the right reasons; and are not influenced by personal interests or ulterior motives. Any decisions about conflicts of interest should take into account the core public service values: integrity; impartiality; trustworthiness; respect; and responsiveness.

A conflict of interest is a situation where the responsibilities you have in your work for a public organisation are affected by an interest or relationship you have in your private or other work life. Having a conflict of interest does not necessarily mean you have to exclude yourself or have done anything wrong. But it is all about how you manage the conflict. Conflicts of interest may be:

- real, where you have competing interests
- potential, where a conflict could or will arise (but does not yet exist); or
- perceived, where a reasonable observer, viewing the interest or relationship in questions, is likely to think you have competing interests (whether or not you actually do).

To assist in identifying whether you have a conflict of interest, you need to ask yourself not just whether the interest or relationship means you are biased, but also whether someone looking in from the outside could have reasonable grounds to think you might be. The Special Envoy should regularly ask herself:

- Do I stand to gain or lose financially from the decision (or advice)?
- Does someone close to me – like a family member – or an organisation I am involved with stand to gain or lose financially from the decision (or advice)?
- When you have to make a decision (or recommend advice), ask yourself: Is someone close to me or an organisation I am involved with likely to be affected by the decision/recommendations I make? If so, is there a risk that I could be seen to be biased in my decision because of this relationship or association?
- Could a second organisation I have a role in (entity B) be affected by the decision/recommendations I am making for the public organisation I work for (entity A)? If so, is there a risk that you could be seen to be acting in the interests of entity B rather than entity A?
- If I participate in this decision or recommend advice, is there a risk that I might breach obligations I owe to either entity – for example, a duty of loyalty or confidentiality? Is there anything I have previously done or said that might make people think I am not going to listen fairly to all the relevant information before I make my decision/recommendations? Is there a risk that my involvement in the advice could be, or appear to be, anything other than fair and reasonable in all the circumstances?
- Would I feel uncomfortable about pointing out a personal interest in the outcome of the advice or recommendation?

If you answered yes to any of these questions above, then you may have a conflict of interest and should declare this to the Prime Minister.

It is better to err on the side of openness when deciding whether something should be disclosed. Many situations are not clear-cut. If you are unsure whether something constitutes a conflict of interest, it is safer and more transparent to disclose the interest anyway. That way it is out in the open. DPMC can provide guidance and support to assist you in determining whether the situation constitutes a conflict and whether it is material enough to warrant any further action (for example, a conflict plan to avoid putting you in a situation where a conflict may arise, or how to manage a conflict if one does arise).

The Special Envoy has been asked to declare any conflicts or potential conflicts of interest and any new conflicts of interest as soon as they become aware of them, in writing. DPMC will maintain a register of conflicts of interest, and this will be subject to the Official Information Act.

Proactively Released

7. Official Information Act requirements and obligations

The Official Information Act

DPMC is responsible for responding in a lawful manner to any Official Information Act requests the Special Envoy may receive. In doing so, DPMC will coordinate with the Prime Minister and the Special Envoy.

The Official Information Act 1982 (the OIA) is a statute of the New Zealand Parliament which creates a public right of access to information held by government bodies. It is New Zealand's primary freedom of information law and an important part of New Zealand's constitutional framework. It supports public participation in government and is designed to increase accountability and transparency.

All information held or produced by the Special Envoy, including that held or produced by government agencies for the Special Envoy, is subject to the OIA.

The OIA allows New Zealand citizens, permanent residents, and anyone who is in New Zealand to request any official information held by government agencies.

Any request for official information must be answered "as soon as reasonably practicable", and within 20 working days. If an agency declines to provide the information, it must provide a reason and advise the requester that they have the right to ask the Ombudsman to investigate whether or not that decision is justified under the provisions of the Act.

The scope of the OIA

The Act applies to "official information", regardless of form, not just documents, and includes not only recorded data but also knowledge of a particular fact or situation held by the Special Envoy in her official capacity.

So the emails you send, the electronic annotations in your documents, and amendments you propose to documents in your official capacity as the Special Envoy all constitute "official information" that can be requested and released in the Act.

Withholding information

The guiding principle of the Act is that official information should be made available unless there is good reason for withholding it.

Requests can only be refused on the limited grounds set out in the OIA, namely

- Administrative reasons (section 18)
- Conclusive reasons (sections 6 and 7) – which relate to matters such as prejudice to: the security or defence of New Zealand or the international relations of the Government of New Zealand; information provided on a basis of confidence by another Government; maintenance of law and a right to a fair trial; and where releasing the information would endanger a person's safety or would cause severe economic damage.

- Good reasons (Section 9) – which include matters such as the protection of privacy, protection from disclosure of trade secrets or prejudice to the commercial position of the person who provided the information; protection of information which is subject to an obligation of confidentiality and would likely prejudice the supply of similar information, or information from the same source, in the future; protection from prejudice to measures protecting the health and safety of members of the public; maintenance of constitutional conventions; maintenance of the effective conduct of public affairs through free and frank expression or protection of Ministers and officials from improper pressure or harassment; and legal privilege etc.

Where one of these grounds applies, and the relevant interest would be prejudiced by the disclosure of the existence (or non-existence) of the information, the department may respond to the requester by neither confirming nor denying the existence or non-existence of information (section 10).

Proactively Released

8. Privacy Act requirements and obligations

Information collected, held and used by the Special Envoy is subject to the requirements in the Privacy Act 2020. Importantly, the Terms of Reference for the Special Envoy note that the Special Envoy will comply with all relevant requirements of the Privacy Act.

This means the Special Envoy must have careful regard to information that has come from community members. Any personal information must be stored carefully, and not shared in breach of the Act.

Collecting and using information about people – even if it’s just a phone number and address for contact purposes – is an everyday part of working for government. Keeping that information safe and secure should be too. The public trust us to look after the personal information we have about them. If we lose that trust, our agency’s reputation could be badly damaged - not only with the public, but across the public sector where other agencies look to us to show leadership.

The Privacy Act

The purpose of this Act is to promote and protect individual privacy by—

- a) providing a framework for protecting an individual’s right to privacy of personal information, including the right of an individual to access their personal information, while recognising that other rights and interests may at times also need to be taken into account; and
- b) giving effect to internationally recognised privacy obligations and standards in relation to the privacy of personal information, including the OECD Guidelines and the International Covenant on Civil and Political Rights.

Personal information is any piece of information that relates to a living, identifiable person; anything you can look at and say, “this is about a specific person”.

The Privacy Act 2020 has 13 privacy principles that govern how personal information should be treated. These principles cover the collection, storage, use and disclosure of personal information, and give people the right to access and correct their information.

The 13 principles have, in general terms, the following meanings:

1. You can only collect personal information if it is for a lawful purpose and the information is necessary for that purpose. You should not require identifying information if it is not necessary for your purpose.
2. Obtain the information directly from the person concerned where possible. Because that won’t always be possible, you can collect it from other people in certain situations. For instance, if:
 - the person concerned gives you permission
 - collecting it in another way would not prejudice the person’s interests
 - collecting the information from the person directly would undermine the purpose of collection, or
 - you are getting it from a publicly available source.
3. Be open with people about what you are doing and what’s going to be done with the information collected, for example:
 - why it’s being collected
 - who will receive it
 - whether giving it is compulsory or voluntary, and
 - what will happen if they don’t give you the information.Sometimes there may be good reasons for not letting a person know you are collecting their information – for example, if it would undermine the purpose of the collection, or if it’s just not possible to tell them.

4. You may only collect personal information in ways that are lawful, fair and not unreasonably intrusive. Take particular care when collecting personal information from children and young people.
5. You must make sure that there are reasonable security safeguards in place to prevent loss, misuse or disclosure of personal information. This includes limits on employee browsing of other people's information.
6. People can ask to see the information held about them. Sometimes there may be good reasons to refuse access. For example, if doing so would: • endanger someone's safety, • prevent the detection of investigation of a crime, or • breach another's privacy.
7. The person can ask you to correct their information. Even if you don't agree that it needs correcting, you must take reasonable steps to attach a statement of correction to the information to show the person's view.
8. Before using or disclosing personal information, you must take reasonable steps to check it is accurate, complete, relevant, up to date and not misleading.
9. You must not keep personal information for longer than is necessary.
10. You can generally only use personal information for the purpose you collected it. You may use it in ways that are directly related to the original purpose, or you may use it another way if the person gives you permission, or in other limited circumstances.
11. You may only disclose personal information in limited circumstances. For example, if: • disclosure is one of the purposes for which you got the information • the person concerned authorised the disclosure • the information will be used in an anonymous way • disclosure is necessary to avoid endangering someone's health or safety, or • disclosure is necessary to avoid a prejudice to the maintenance of the law.
12. You can only send personal information to someone overseas if the information will be adequately protected. If there aren't adequate protections in place, you can only send personal information overseas if the individual concerned gives you express permission, unless the purpose is to uphold or enforce the law or to avoid endangering someone's health or safety.
13. Only use unique identifiers in place of a person's name where necessary.

What happens if you accidentally breach person information?

A privacy breach occurs when one or more of the Information Privacy Principles above is not complied with. Examples of breaches include:

- when we collect personal information for one reason but use it for another;
- when we give personal information to the wrong person; or
- losing personal information as a result of not keeping it secure.

If a breach occurs, the Christchurch Call Unit must be notified immediately. The Christchurch Call Unit will work with DPMC's Privacy Officer to assess and respond to the breach. It is noted that if a breach occurs that has caused serious harm to someone (or is likely to do so), the Privacy Officer is required to notify the Office of the Privacy Commissioner as soon as possible (and in many cases the affected persons as well).

9. Public Records Act requirements and obligations

The Public Records Act

The Public Records Act 2005 (the Act) establishes a regulatory framework for information and records management across the public sector.

The purposes of this Act are—

- a) to provide for the continuation of the repository of public archives called the National Archives with the name Archives New Zealand (Te Rua Mahara o te Kāwanatanga); and
- b) to provide for the role of the Chief Archivist in developing and supporting government recordkeeping, including making independent determinations on the disposal of public records and certain local authority archives; and
- c) to enable the Government to be held accountable by—
 - i. ensuring that full and accurate records of the affairs of central and local government are created and maintained; and
 - ii. providing for the preservation of, and public access to, records of long-term value; and
- d) to enhance public confidence in the integrity of public records and local authority records; and
- e) to provide an appropriate framework within which public offices and local authorities create and maintain public records and local authority records, as the case may be; and
- f) through the systematic creation and preservation of public archives and local authority archives, to enhance the accessibility of records that are relevant to the historical and cultural heritage of New Zealand and to New Zealanders' sense of their national identity; and
- g) to encourage the spirit of partnership and goodwill envisaged by the Treaty of Waitangi (Te Tiriti o Waitangi), as provided for by section 7; and
- h) to support the safekeeping of private records.

Application to the Special Envoy role

Along with every public office and local authority, the Special Envoy must create and maintain full and accurate records of her affairs, in line with normal prudent business practice. Records include the records of any task contracted to an independent contractor.

All public records that are in the Envoy's control must be maintained in an accessible form and able to be used for subsequent reference, until their disposal is authorised. No person may dispose of, or authorise the disposal of, public records or protected records except with the authority of the Chief Archivist, unless disposal of a public record or protected records is required by or under another Act.

To meet these obligations, DPMC will manage information and records in compliance with the Public Records Act on behalf of the Special Envoy through DPMC's information and records management system.

12. Appointee details

| Prime Minister's Special Envoy for the Christchurch Call | |
|--|--|
| Rt Hon Jacinda Ardern | s9(2)(a), s9(2)(g)(ii) ██████████ AUCKLAND 1025 s9(2)(a), s9(2)(g)(ii) ██████████ |

13. Supporting agency details

| Department of the Prime Minister and Cabinet | |
|--|---|
| s9(2)(a), DPMC | Defence House 34 Bowen Street Pipitea WELLINGTON 6011 s9(2)(a), DPMC ██████████ |
| s9(2)(a), DPMC | Defence House 34 Bowen Street Pipitea WELLINGTON 6011 s9(2)(a), DPMC ██████████ |