



21 July 2026

Ref: OIA-2025/26-0835

Tēnā koe [REDACTED],

Official Information Act request relating to Disability Support Services Bill and Fleming v Attorney-General

Thank you for your Official Information Act 1982 (the Act) request, which was received by the Department of the Prime Minister and Cabinet (DPMC) on 22 June 2026. You requested:

“Can I please request under the OIA all information held by the department on the DSS Bill, and Fleming versus Attorney General (2025) NZSC188, between the dates of 27 November 2023 and 22 June 2026?”

Please include written documents, reports, memos, letters, notes, emails and draft documents, as well as non-written documentation such as material stored on computers and databases, and video/tape recordings.”

I can advise that DPMC has carried out a search of its electronic databases for information in scope of the part of your request for emails held by DPMC on the Disability Support Services Bill and the Fleming v Attorney-General court case, from 27 November 2023 to 22 June 2026. Having assessed the extent of work required to collate the information you have requested, this part of your request is refused under section 18(f) of the Act. I have considered whether extending or charging would alleviate the reason for the refusal. However, I have determined the manual work required to collate the information would impair efficient administration, such that neither extending nor charging would alleviate the reason for refusal.

I understand that you have also sent your request to the Minister for Disability Issues, Hon Louise Upston. I anticipate that the Ministry for Disability Issues will be well-placed to provide the information you have requested. However, please get in touch with DPMC if you have more specific keywords or terminology you would like DPMC to search for.

Information to be withheld

Also identified as relevant to your request are some briefings provided by the DPMC Policy Advisory Group to the Prime Minister. These briefings are provided to the Prime Minister in confidence to support him in his role as leader of the Government and chair of Cabinet.

These briefings are withheld in their entirety under the following sections of the Act:

- section 9(2)(f)(ii), to maintain collective and individual ministerial responsibility
- 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
- section 9(2)(h), to maintain legal professional privilege.

In making my decision, I have considered the public interest considerations in section 9(1) of the Act. No public interest has been identified that would be sufficient to outweigh the reasons for withholding that information.

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.

Nāku noa, nā



Janine Smith
Deputy Chief Executive
Policy and Delivery Unit