



## Hon Paula Bennett

Deputy Leader of the National Party

31 May 2019

Peter Hughes  
State Services Commissioner  
State Services Commission  
2 The Terrace  
Wellington 6140

Dear Commissioner,

I refer you to your statement on 30 May 2019, specifically that you have asked the Government Chief Information Security Officer and the Government Chief Digital Officer to “provide assurance that information security across the Public Service is sound,” to “understand exactly what has happened so that it doesn’t happen again” because “it goes to trust and confidence in the Public Service and in the security of government information”.

I do not believe the inquiry terms of reference as set out in your statement, is sufficient to address the most critical questions that need to be asked and answered to maintain public confidence in The Treasury and the public wider sector.

I request you widen your investigation to also consider the serious questions surrounding the behaviour of the Treasury and the Secretary to the Treasury this week, including (but not exclusively):

- Why it was alleged on Tuesday night by the Secretary to the Treasury that they had “gathered sufficient evidence to indicate that its systems have been deliberately and systematically hacked,” and on what evidence did he rely on when he made that assertion;
- Why the Minister of Finance, on the advice of the Treasury, described the material released by the National Party as “a result of a systematic hack,” and what was the advice he was acting on when he made that accusation;
- Why was the decision made and what evidence was relied upon when the decision was made to involve the National Cyber Security Centre (NCSC) given their mandate extends to “advanced cyber threats,” and when was that decision made?;
- Was the advice of other agencies or organisations sought before making the decision to a) refer it to the New Zealand Police and b) involve NCSC, and if so what did they advise;

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- Precisely what information did the Secretary to the Treasury and/or the Treasury hold at the time the Secretary of the Treasury referred the matter to the Police;
- What time and date were changes made to the Treasury website removing the data from being accessible to the public;
- What information was the Secretary of the Treasury in possession of at all of the times and dates that he made public statements about this matter;
- A complete review of all communications with and between the Minister of Finance or his office, and the Prime Minister's office under the 'no surprises' approach

I absolutely believe the events of the past week raise serious questions about the politicisation of the public service.

You will be well aware that it is extremely serious to allege illegal activity by the Opposition, and raises constitutional issues if the matter was referred to the New Zealand Police without clear evidence to back up these allegations.

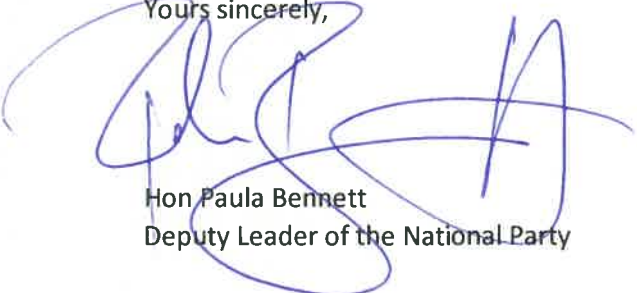
I also note that even the statement from the Treasury at 5am on the morning of the budget, which said the information was actually obtained from the website with no hacking, not only failed to offer an apology or accept responsibility but continued to disparage the Opposition in an entirely inappropriate way.

The actions of the Secretary to the Treasury and the Minister of Finance in misleading the public in this way have had a detrimental effect in maintaining public confidence in a neutral public service that works without political influence. Without a full investigation that covers the issues I raise above it risks derailing the years of progress New Zealand has made as a world-leader in Open Government and Transparency.

These issues must be investigated and reported back publically as soon as possible. It would be unacceptable for this inquiry to be used as an excuse to delay the removal of the Secretary from his role.

We would respectfully request to be interviewed as part of your inquiries into the Treasury's role in this matter as well as to be kept up to date with the progress of your investigation.

Yours sincerely,



Hon Paula Bennett  
Deputy Leader of the National Party