

**POST-CABINET PRESS CONFERENCE: MONDAY, 3 APRIL 2023**  
**HANSARD TRANSCRIPT**

**PM:** Good afternoon, everybody. Two weeks ago, when the issue of lobbying was raised with me, I said that I would have a look at the rules and identify whether there were any further steps that we could take to strengthen them, and I've done that. Today, I'm announcing several steps that we're going to take to introduce greater transparency around the lobbying that happens here at Parliament. It is important that we have a sensible and transparent system that doesn't give the impression that lobbyists enjoy unfair advantage over other New Zealanders. That's why I'm setting out four changes that I believe will help to build greater transparency and balance around lobbying. First, I've commissioned a significant piece of work that will look at policy options for regulating lobbying activities. To do it well, that will require consultation and a good amount of time. I anticipate that that advice will come back to Government next year.

This was last looked at in 2012 and, ultimately, it didn't land because it was too broad in scope and also because the majority of the Parliament did not agree to it. I want Parliament to take another look at that, learning the lessons from that process. While that work's under way, there are three measures that I think we can take now that we can put in place relatively quickly and that will have a positive benefit. The first is to remove swipe card access for lobbyists. Currently, some lobbyists, as well as business and union representatives, have swipe card access to the parliamentary complex. My view is that they should go through the front door like every other New Zealander. This isn't, however, my decision; access to Parliament is controlled by the Speaker, but I've written to him today to express the Government's view that this access should be removed. I want as much as possible for it to be a bipartisan issue, and I call on other political parties to support that measure.

Second, I'm calling on the third-party lobbyists themselves to develop a voluntary code of conduct that would help to enhance transparency, for example by including the names of the clients that they represent on their websites. Others involved in lobbying—for instance, peak bodies, industry associations, and other entities—could also sign up to the voluntary code. The Government will offer assistance from the Ministry of Justice to help draft that code and to draw on overseas practice and guidance if that's useful.

Thirdly, a refreshed *Cabinet Manual* will be published later this month that makes it very clear that, while in office, Ministers' conduct and decisions should not be influenced by the prospect or expectation of future employment with a particular organisation or sector. Further change in that area could be a result of the broad-ranging review that I signalled as the first step we're taking.

Today, I am also publicly releasing the terms of reference for the review into Stuart Nash's ministerial communications with donors. The review, which I announced last week, will be carried out by the Secretary of the Cabinet, and it's expected to report back within two months. It'll look at whether there were any other breaches of Cabinet collective responsibility or confidentiality, or perceived or actual conflicts of interest in communications he had with people and entities who made declared donations to his 2017 or 2020 electorate campaigns. Communications that are in scope include those of letter, email, text message, WhatsApp, or Signal between 26 October 2017 and 28 March 2023, when Mr Nash held ministerial portfolios.

I think New Zealand should rightly be proud of our open and accessible Government, but I also know that New Zealand is a bit of an outlier internationally in our regulation of lobbying, and I hope that these measures will go some way to further increase the confidence that New Zealanders can have in the transparency and the integrity of the Government and its processes.

Now, on to the week ahead. Tomorrow evening, I have got a call with the European Commission president, Ursula von der Leyen. On Wednesday, I'm meeting the US Ambassador, Tom Udall. On Wednesday night, I'll be in Parliament for the valedictory of the former Prime Minister, the Rt Hon Jacinda Ardern. And then the next Cabinet meeting will be on Easter Tuesday, 11 April. Happy to open up for questions.

**Media:** Prime Minister, with Stuart Nash, is this the best outcome for you, or did you try and talk him out of standing down at the next election?

**PM:** As I indicated last week, ultimately this was Stuart's decision to make. We did have a conversation about it last week, and I made it clear to him that it was his decision to make and his decision to communicate, and he's done that.

**Media:** Are you pleased that he's not standing again?

**PM:** As I've indicated, look, I respect Stuart's decision; it was his decision to make, and I wish him well.

**Media:** Two weeks ago, you said that lobbyists have the same access to Ministers as the general public. What's changed your mind?

**PM:** Well, ultimately, swipe card access doesn't actually give lobbyists any guaranteed extra access, but I think, symbolically, it has something that has been picked up on and noted, and it certainly creates the perception of increased access.

**Media:** When was the last time that you met with a lobbyist—who were they, and what did they want?

**PM:** I certainly have interacted with people who I know to be lobbyists. In terms of a specific meeting with a lobbyist, I can't recall—I'm not even sure that I would've done that in my time as Prime Minister, but I've certainly interacted with people who are lobbyists.

**Media:** This voluntary registration: essentially, that's a licence for lobbyists to regulate themselves. Why doesn't the Government go further and actually enshrine into law—our have something with a little bit more teeth around ensuring that lobbyists disclose who are their clients, essentially?

**PM:** I wouldn't rule that out. So as I indicated, the first bit of work that I've commissioned will come back to Government with a range of options, and that may well be one of them—but obviously we have to do the detailed work to make that possible. There was a bill in 2012 that ultimately didn't receive sufficient support across the Parliament. I was one of the people who was relatively supportive of that legislation at the time. As I've said, definitional issues was one of the things that really tripped up that particular bill, because the definitions in it were so wide. So that's all the work that can be done through a good policy process that will give us some better options.

**Media:** Are you able to tell us if you know how many people currently have lobbyist access to Parliament?

**PM:** 80-something, I believe, yeah.

**Media:** Is a cool-down period one of those options that could be considered in that longer piece of work as well?

**PM:** Yes, I think so. Again, looking at the international examples, New Zealand's a bit of an outlier in not having anything in that space. Again, it's a complex piece of work to work through, because whilst there are some very clear examples—so someone leaving a parliamentary or a ministerial career to become a lobbyist, that's fairly clear. They may go on to another job where they have some interaction with Government policy processes, and we wouldn't necessarily want to say to people who had been, you know, members of Parliament or Ministers that they couldn't go back to the work they were doing prior to taking up those public office roles, because there may be some interaction. So I think, again, definitional issues will be very important there.

**Media:** You yourself mentioned third party lobbyists, so that's a starting point, I suppose. Is it differentiating people who work from a set-up Government PR firm from a DairyNZ—or you know, an industry lobby group. Is that the first kind of start to define the different roles? Because there are, obviously, in this space.

**PM:** So I mean, like I said, there are some clear-cut examples. So someone who engages in paid lobbying for a fee; that's fairly clear-cut. On the other hand, someone who might leave Parliament and take up a job as, say, a chief executive of a non-government organisation that has a relationship with Government—that's not quite so clear-cut. So, again, I think we need to work our way through that.

**Media:** And that will be the work that that longer bit looks at: the definition being a past stumbling block, so it's really important to get that clear?

**PM:** Yeah, but I also think there's an opportunity, again, to do some broader consultation with all those involved to make sure that what we come up with is (a) sensible and fair, (b) it's implementable and can actually work, and (c) it's drawing on international best practice. I think we've got the opportunity to do that and to do it properly.

**Media:** Do you think we've fallen well short when you look at other international standards?

**PM:** I've certainly seen enough to suggest that there is a gap here and that we should look at it.

**Media:** Prime Minister, what's the point of all of this? Is there any evidence there's a lobbying problem in New Zealand?

**PM:** You know, New Zealand has a very good reputation internationally as a transparent and corruption-free—or relatively corruption-free—country, but that doesn't mean that we can be complacent about it. Perception is incredibly important here, and so making sure that in addition to our actual practice—you know, being democratic and transparent, but actually perceptions reinforce that as well.

**Media:** Just on your distinction there between third party lobbyist and peak groups, unions, BusinessNZ, whatever—what's your interaction over your time as a Minister been like with lobbyists? On the one hand, first, obviously, the unions and the peak groups, and then the third party ones. I mean, have your interactions ever been useful, or are they sort of well-paid pains in the arse?

**PM:** To be honest, I haven't actually had a lot of direct engagement with lobbyists. I've certainly had quite a bit of direct engagement with people who are employed by, say, non-government organisations that have a relationship with Government. You know, unionists—I've certainly had plenty of interaction with the teacher unions in my previous role as Minister of Education, or with other groups who have a direct interest in the activities of Government. But, in terms of the work of paid lobbyists, most of that interaction would be at the more informal level. And it's very hard to control against, because, you know, you see people at events. They'll talk to you. But in terms of direct engagement on issues—someone might be paying them a fee to represent their views on—I haven't had a huge amount of exposure to that.

**Media:** Have any lobbyists been consulted, or, indeed, lobbied Ministers, in regards to these new measures that are being proposed?

**PM:** No, I haven't spoken to any of them, and nor, to my knowledge—well, I shouldn't say that, actually. I certainly haven't spoken to any of them. This isn't something we've consulted on. But now, as I've indicated, in terms of the development of a voluntary code, it's something that actually we would like them to lead the process on that, with support from us.

**Media:** So, any other Ministers who might have potentially—like, is there another Minister who's leading the charge on this or is it just you that is—

**PM:** The support will be provided by Justice, should the executive want to take that up, and I certainly hope that they will. Therefore, the Minister of Justice will obviously have a role in that.

**Media:** Does the Government have a 2024 time frame for the Ministry of Justice work? Have you sought anything from other parties around how much kind of joint-like there might be for this sort of thing?

**PM:** I think that's certainly—we will certainly endeavour to do that over the next little while. We've seen indications—for example, I've seen in the public comments from the Leader of the Opposition that the National Party is supportive of further work in this area, which was not something that they were supportive of in 2012. And so, as a result, I think that, again, gives us more of a platform to move forward and make some progress.

**Media:** If the goal is to improve transparency and trust in Government, why don't you instead focus on making the OIA more robust?

**PM:** I've looked at the OIA from a number of different angles over the years, and the OIA itself, in my view, is still quite a fundamentally sound piece of legislation. That's not to say that there isn't opportunity to improve it. It was written in the era before digital communication, by and large. So, yes, there are going to be opportunities for improvement. But, actually, I think some of the big gains are in the areas of practice around how the OIA is implemented, and that's what I was focused on in my previous role as Minister for the public service. So, proactive release of information, proactive release of Cabinet papers, I think there's an advance proactive release of ministerial diaries—again, a significant advance. The work that we've got the Public Service Commission doing now in actually monitoring how effective Government agencies are in complying with their obligations under the OIA—that's all relatively recent work that's really gained a head of steam in the last five years. I'm not going to, hand on heart, say that adherence to the OIA is perfect. We wouldn't be doing all of this work if it was. Statistics would suggest that we've seen a significant improvement, but there's more room to continue to improve.

**Media:** Don't we need a penalties regime, Prime Minister? That's what you said when you were the Minister responsible for State services.

**PM:** I think what I said was I wouldn't rule that out, and I certainly still wouldn't rule that out.

**Media:** But we're an outlier, and, just as you said with the lobbying regulation, we're an outlier. We're an outlier in terms of not having a penalties regime.

**PM:** One of the challenges with a penalties regime is to work out where the burden—who actually bears the burden of that penalty. Ultimately, the Government can charge itself things. I would be opposed to it being personalised to an individual. So I think those are the sorts of things you need to work through with any penalties regime.

**Media:** What happened to rewriting the Act in this term? That was your promise before the election.

**PM:** The previous Minister of Justice deferred work on that because of other priorities. Again, I wouldn't rule out that coming back on to the table. It hasn't been on Justice's work programme up until now. But, again, I wouldn't say that we wouldn't do that work. But, as I've said, I actually think the big gain—you know, a review of the OIA would take years, and it would not be an uncomplicated piece of work to do. But I think the big gain actually can be made in making sure that we're implementing the OIA as it's currently intended.

**Media:** Your terms of reference for the review of Stuart Nash's communications excludes the 2011 and 2014 donors—about \$80,000 worth of donations, includes donations from the likes of Sir Bob Jones. Isn't there an argument to be made that the communications between those donors deserve to be scrutinised as well?

**PM:** These are the donations, I guess, Stuart received as a Minister, or immediately prior to becoming a Minister. Hence that's why those are in.

**Media:** He might have been a Minister in those other elections as well. Like, 2017, there was no sure thing he was going to be a Minister.

**PM:** I'm not going all the way back to look at donations during that period. There would have been donations to people who were actually Ministers in the Government at that point, and I'm not going all the way back to look at that either.

**Media:** Why, specifically, are you only looking at his personal donations, and why not widen it out to see if he's had any communications with Labour Party donors as well, because the conflict still exists there, right?

**PM:** The test here—what, I guess, we're trying to establish or trying to make certain of, trying to provide some reassurance of, is that the Minister concerned wasn't providing any information that people who were donating to his campaign were gaining additional advantage from having.

**Media:** But if they were donating to Labour and they were getting information from a Labour Cabinet Minister, isn't that exactly the same principle?

**PM:** Um, there's no evidence to suggest that that has happened—

**Media:** There was no evidence to suggest—

**PM:** And, again, this is about making sure we're getting a result in a relatively short period of time and identifying where the risk is.

**Media:** How worried is the ninth floor and how are you about both the terms of reference in this investigation and the Ombudsmen reopening their case into the communications via the OIA?

**PM:** We'll completely be supporting the Ombudsmen's work—

**Media:** Yeah, yeah I asked how worried you were.

**PM:** Um, look, I think if I wasn't worried at all, we wouldn't be having this conversation; we wouldn't be having the current review that we're having and Stuart Nash wouldn't have lost his job. Clearly, there is a perception here, and a reality too, that the rules haven't been followed, and so making sure that we're getting to the bottom of that is important.

**Media:** So you're expecting the Ombudsmen and the terms of the reference to find something not politically palatable for the rest of the population to—

**PM:** I'm not going to—those reviews are now independent of me, so the Cabinet Office, as it has done under successive Governments, you know, has a degree of independence in the way it conducts these things, and the Ombudsmen certainly does, and so I'm not going to foreshadow what they might find—

**Media:** But if you're worried, it would suggest that—

**PM:** —because it's important that those reviews can do that.

**Media:** If you're worried it would suggest that there's something for them to find.

**PM:** As I've indicated, the substance, which we've already seen—it was out there last week—did concern me.

**Media:** With the lobbying crackdown, is that in any way a response to the recent event with Stuart Nash?

**PM:** It's certainly a response to recent events—this issue's been raised recently with me. I've looked at the substance of what's been written around lobbying, and so on, and I think it highlights a legitimate issue that we should do more work on.

**Media:** That wasn't really answering—is it in relation to Stuart Nash?

**PM:** Not specifically, no.

**Media:** Can I clarify one thing with the swipe card access as well: what are your expectations with what the Speaker will do now, and it will be from now on, or will that access go and they will lose the swipe cards.

**PM:** Ultimately, that is a matter for the Speaker. The Speaker will obviously have to consult with other parties, so I'll kind of refer that to him for further comment on that. But I've set out what the Government's position on the matter is.

**Media:** I just wanted to ask you, given comments by Keir Starmer in Britain, how do you and how does this Government define a woman?

**PM:** Um, to be honest, Sean, that question's come slightly out of left field for me. Well, biology, sex, gender—people define themselves, people define their own genders.

**Media:** Keir Starmer has said that he believes 99.9 percent of women do not have penises, and I know it's a strange thing for him to say, but given recent events in New Zealand, I'd ask again: how do you define what a woman is?

**PM:** I think as I've just indicated, I wasn't expecting that question so it's not something that I've, you know, pre-formulated an answer on. But in terms of gender identity, I think people define their gender identity for themselves.

**Media:** That's self-identification?

**PM:** Yes.

**Media:** What about, if you like, in official or a wider societal sense?

**PM:** Again, I think—we have rules in place now, if someone wants to change their gender on their birth certificate, for example, there's a process that they go through in order to do that. I haven't got the process chapter and verse in front of me, but it's available; anybody can look it up and see what that process is.

**Media:** And just one follow-up, you described that you thought some of Posie Parker's views were abhorrent. Could you tell us which ones?

**PM:** I think some of the views being conveyed around the transgender community, some of the sentiment—

**Media:** But you said her views—

**PM:** Yes, the sentiment that she's expressed towards the transgender community—

**Media:** Which sentiments in particular?

**PM:** Well, that they shouldn't exist.

**Media:** You said you were going to rewrite the *Cabinet Manual*. What was so hard to understand about it?

**PM:** Well, we've been going through a process of reviewing the *Cabinet Manual*. So that process was under way already. One of the issues that's come up since the last iteration of the *Cabinet Manual* was this issue of post-ministerial employment, so we've had the opportunity to flesh that out a bit in the new version of the *Cabinet Manual* that's going to be released in the next few weeks.

**Media:** And on a separate topic, are you worried about the 5,000 New Zealand nurses who have registered to work in Australia since August?

**PM:** I've asked for a little bit more information on that. I haven't got that information yet, so, you know, I'll get some more information before I provide you with a more detailed comment on that. What I would say is the focus of the Government has been on improving the terms and conditions of nurses employed in New Zealand so that it remains a place where they want to stay and they want to work.

**Media:** Just on the face of it, are you not worried that 5,000 nurses are registering in Australia?

**PM:** Again, I've asked for some more information on that to see what further detail we can get on that, and I'll reserve my comment on that until I've got it.

**Media:** On the penalties regime, can you clarify what you meant by you're not ruling it out? So is it active work in progress? Are you flagging it in the future? I mean, what status does it have?

**PM:** I think, again, you would need to go back through a review of the OIA before imposing an additional penalties regime. Now, I'm not committing to that now, but I'm not saying that we wouldn't do it in the future, and if we did, I wouldn't take penalties off the table as part of that conversation.

**Media:** But it's probably like years and years and years in the future—

**PM:** It's not going to be between now and the election—that's for sure.

**Media:** Prime Minister, on the—sorry, back to this mishandling of the OIA: if it was an oversight, what has been done to ensure this doesn't happen again, and does it sort of suggest a too high workload in Ministerial Services?

**PM:** Are you talking about the OIA from last week—Stuart Nash's OIA in particular?

**Media:** Yes.

**PM:** So, as I pointed out last week, Ministers are ultimately accountable for what they sign out. So the ultimate responsibility for what is and isn't released, the decision maker is the Minister. Regardless of who's giving them advice on it, if they're the ones whose signature is on the bottom of the page, I expect them to be accepting responsibility for what does and does not get released. The decision about whether or not the appropriate decision was made about whether or not a particular email was in scope or out of scope is now the subject of an Ombudsman's investigation, so I won't make a further comment on that, although I did last week. I'm not going to do that now that the Ombudsman's looking at it.

**Media:** Just back to lobbying: I mean, do you think there's any difference between someone lobbying for a fee and someone lobbying for a salary [*Inaudible*] peak group or a union, for example?

**PM:** Again, I think that's one of the definitional issues that we encountered back in 2012 when Parliament last debated this. So, for example, if you are a teacher or a nurse and you go and you meet your local member of Parliament in order to press a particular issue that's to do with your workplace, you're lobbying, and your lobbying is directly related to your employment. But I wouldn't say that that's something we should seek to regulate in any way. I think that's actually part of living in an open democracy where members of Parliament are relatively accessible. I continued to take those meetings as a Minister, even when they related to my ministerial portfolio. I used to have teachers come and see me in my electorate office to press their case, and I think that that's actually important. I think it's good that local MPs continue to do that. On the other hand, you can then take that up a notch and say, well, what if you're working for the teacher union and you're coming to represent the overall teaching workforce, and then you could take that up a notch further and you can say, well, what if you're one of those kind of peak-body representatives appearing before a select committee or meeting with a Government Minister. So there's layers to all of this, and I think figuring out where you draw the line in terms of what's deemed to be lobbying that should be regulated versus lobbying that's actually just a healthy part of democracy that shouldn't be, I think that's actually quite critical.

**Media:** So we've been talking about this voluntary code of conduct, will it be your expectation that it'd be third-party lobbyists, the sort of more, I guess, you know, people

lobbying within companies or within groups, and what about lawyers? Because there are plenty of lawyers that come here and do lobbying.

**PM:** Yeah, that is actually one of the groups that I think we'll need to work our way through in terms of both the substantive policy work but also in terms of the voluntary code of conduct, because—

**Media:** Would it be your expectation or your hope that if this, you know, code of conduct was widely signed up that it would actually cover all of those groups?

**PM:** I think certainly where a law firm is representing a client and lobbying on behalf of a client, I don't really see you could differentiate that from a lobbying firm lobbying on behalf of a client. On the other hand, a law firm engaging in a point of principle around the law—so appearing before a select committee to say there's a loophole in the law that we think needs to be closed. Well, you could argue that that's just them being good corporate citizens, and we'd want to encourage that. So I think, again, it comes down to definitional issues and making sure that we've got those boundaries clear.

**Media:** I suppose, on a similar vein—I mean, what about unionists and businesses? Are they separate from this? How does that work?

**PM:** Unionists shouldn't—I mean, unionists, anyone else who wants to appear before a select committee or seek to influence Government decision-making using those general processes that are available to every New Zealander does not have to register to do that, and I wouldn't want to see a regime put in place which suggested that they should. I think where there are real questions at the moment is where the lobbying is taking place for a fee and where there is a perception that some people who can afford to pay that fee are getting access to decision makers that others are not.

**Media:** Can you just walk us through what somebody can do with a lobbyist's swipe pass at the current point in time?

**PM:** It gets them into the building and it gets them into some parts, mostly public parts, of the building. It doesn't get them into the parts—that's my understanding. It doesn't get them into, say, a Minister's office, for example. They'd still have to be invited in and access that separately.

**Media:** So why—I mean, I know you're doing all of this in a review. What's the point of these, then?

**PM:** That's a very good question. I mean, my view is that they come through the security the same as everybody else does.

**Media:** Prime Minister, just ahead of Jacinda Ardern's valedictory, how do you think her term as Prime Minister deserves to be remembered?

**PM:** I think Jacinda Ardern led New Zealand exceptionally well through some amazingly complicated challenges, and I think New Zealand is a better country for her leadership. Not many Prime Ministers, in five years in office, would have had to deal with as many significant hurdles as Jacinda Ardern did, from a volcanic eruption, a terrorist attack, a global pandemic—the pandemic alone, I think, would be one of the biggest challenges any New Zealand Prime Minister has faced during their time in office—and I think that Jacinda led us through all of those with dignity, with humility. She had high levels of trust from New Zealanders during that period, with good reason, and I think that, as she leaves Parliament, I'm sure and I hope that she will have her head held high, knowing that she's given it her all to what is a tough job.

**Media:** Her prime ministership has obviously coincided with extreme hate from one side and the very fringe sort of element online. She's spoken about that. Helen Clark spoke about that. Are you able to share whether that's died down since her leaving office, and what is your message? Does she deserve the chance to live a private life after next week, when she leaves Parliament?



**PM:** In terms of the last part of what you've just asked, I absolutely hope that people will leave her alone and let her get on with her job. She's given a lot to New Zealand and has now stepped back from that, and I think the vast majority of New Zealanders already respect that, and I would hope that those who are on the fringes, who perhaps haven't always respected Jacinda or the office that she held—I would hope that they would back off now as well. I don't know how she's found things in the last couple of weeks. I've spoken to her several times, but that's not something that we have talked about. I am sure she'll share some views on that in due course.

**Media:** Prime Minister, can you imagine doing this job with that extra layer of misogyny and that extra threat and personal attack that she had to deal with—that I assume you are not, as a male Prime Minister?

**PM:** It's a tough job, and I think we should accept that it was tougher for Jacinda as a young woman to do the job, given that she was subjected to a much greater degree of scrutiny than men have been in the same job—a much greater degree of vitriol than men have been in the job. I think one of the great disappointing things for me is that we've seen examples around the world of this before we saw it in New Zealand to the extent that we have in the last 18 months, probably. I think back to some figures—people like Hillary Clinton—who have been subjected to this for decades. We hadn't seen that in New Zealand until just recently, and I think it's kind of sad that we have in the last 18 months.

**Media:** What do you make of reports of thousands of Wellingtonians turning up to a peaceful rally in support of trans people a few weeks ago?

**PM:** I think it's fantastic, and I think we should live in a society where people are free to be who they are, and I am really proud of Wellington. Wellington is an incredibly inclusive city, and I think the fact that people were there just out of no self-interest but just supporting those around them, I think is something that we should all celebrate.

**Media:** Are you proud of what happened in Albert Park the day before, Prime Minister?

**PM:** I've commented about that already, Shaun.

**Media:** Just on Stuart Nash, if I can, you've had one conversation with him since Tuesday last week?

**PM:** I've had a couple of conversations with him, yeah.

**Media:** A couple of conversations? Like, how many? Do you know?

**PM:** Two or three, I think.

**Media:** OK. Largely, what did you talk about?

**PM:** We had a conversation on Friday, for example. He was contemplating his future. I was speaking to someone who's worked with him for a long period of time, reflecting on the events of the past week, recognising that no matter what the circumstances leading to where things were at last Friday, Stuart's a human being as well, and so I had a conversation with him.

**Media:** Have you asked him whether he was aware of the email to his donors when you sought assurances post previous *Cabinet Manual* breaches?

**PM:** I don't think I specifically asked him that question, but he should've been aware. He wrote it.

**Media:** It essentially will tell you whether he just forgot or whether he was, well, lying to you, really.

**PM:** It wouldn't have made a material difference to the outcome.

**Media:** Can you just clarify, though, Prime Minister: you're saying you went to him and you said, "Is there anything else you need to talk to me about?" on multiple occasions and

he didn't come forward with that email. So he was holding that back from you—that's correct?

**PM:** Either holding it back or he may have genuinely forgotten it. But either way, the existence of the email was the thing that meant that I made the decision that he could no longer continue as a Cabinet Minister.

**Media:** Is it plausible for you that he could have forgotten that email?

**PM:** Regardless of whether he did or not, the fact that the email existed was the end of the matter.

**Media:** But it does matter, though, because you're either holding—there's a very big difference between forgetting something and holding something back, don't you think?

**PM:** But the end point for me as Prime Minister—the end point would've been the same. He would not have been a Minister either way.

**Media:** And do you see this inquiry more as looking into transparency, trying to rule out any corruption, or could there be consequences for Stuart Nash? Given he's heading out the door anyway, is this more around transparency?

**PM:** Again, let's wait and see what the outcome of it is before that. I mean, I think, once you kick off a process like this you need to actually allow it to run its course.

**Media:** What is it about a lobbying crackdown that is bread and butter?

**PM:** I think this is an issue to do with New Zealanders' trust and confidence in the processes of Government. A Government should continue to be—

**Media:** [*Inaudible*]

**PM:** I think transparent for us in the building, being transparent and being accountable for the actions that we take. That is something that is part of our everyday work.

**Media:** Are you trying to distract from Stuart Nash thing?

**PM:** No.

**Media:** Do you have any reason to believe that there will be more? Has he given you any assurances that this was it in terms of breaches?

**PM:** As I've indicated, I'm just going to wait and see the outcome of the review before making further comment on that.

**Media:** Would you believe his assurances if he gave them to you?

**PM:** Well, clearly, I did two weeks ago, and that turned out to not be true.

**Media:** Were you naïve?

**PM:** I think, as a Prime Minister, when you're making these decisions you can't make decisions based on suspicion or based on conjecture. You actually have to make decisions based on evidence, and there was no evidence that I had at that time.

**Media:** So then why has he not answered since—because you were made to look like whatever you were made to look like by him not coming forward and telling you about these emails. So why have you not asked him whether he forgot or whether he hid it from you?

**PM:** I think I was made to look like someone who has a respect for natural justice.

**Media:** Just on that, does it not matter to you whether he—which one it was, personally for you?

**PM:** Either way, the existence of the email means that he could not—

**Media:** No, that's the end result. But for you personally, you're a new Prime Minister, I mean, a Minister lying to you is not a great thing. Is that not something that you're specifically interested in?

**PM:** Well, it's an utterly unacceptable thing, but forgetting about something as significant as that is also not acceptable.

**Media:** Just on these terms of reference, it says the review won't make findings around liability but may identify further steps that could be taken in respect of such matters. So what are you not ruling out by saying there could be those further steps?

**PM:** Well, ultimately it's not up to the Cabinet Office to decide if there's any liability involved here. That would be a matter for other appropriate agencies with the appropriate jurisdiction.

**Media:** What's not being ruled out there? Would it be a recommendation or—

**PM:** Well, until the outcomes of the review are known, it would be crystal ball gazing to suggest what it might throw up. OK. Thanks everybody.

**conclusion of press conference**