

POST-CABINET PRESS CONFERENCE: MONDAY, 16 SEPTEMBER 2019

PM: Good afternoon, everyone. This week, the Government's focus is on growing the economy and jobs. In New Zealand, we continue to have solid underlying economic fundamentals. Unemployment is at 3.9 percent, the lowest in 11 years. It shows a business sector that is investing in hiring staff. The most up-to-date figures for Government accounts show they have been boosted by stronger than expected corporate profits and higher than expected employment growth. We continue to keep a close watch on the economy, given the international situation, though. Our manufacturing sector is our most exposed to global markets, and we have noted its small contraction in the past two months, similar to some other advanced economies. Our plan is focused on helping the sectors by helping them diversify their markets by securing new trade deals.

So, speaking of trade deals, today trade Minister, David Parker, met with UK Secretary of State for International Trade, Liz Truss, to further advance discussion on a post-Brexit free-trade agreement with the UK. In my recent conversation with Prime Minister Johnson, he said a free-trade agreement with New Zealand was a priority for the UK, and that message was emphasised today by secretary Truss. It is a priority for this Government also. Two-way trade between New Zealand and the UK is \$5.7 billion.

Tomorrow, Minister Lees-Galloway will make an announcement on temporary work visas. On Wednesday, Minister Nash will release the Government's aquaculture strategy. This strategy generates \$600 million in revenue a year and employs over 3,000 people, and is currently growing at 7 percent a year. On Friday, Minister Hipkins will make an announcement on infrastructure investment in schools.

Later this week, I am making my first visit to meet with the Japanese Prime Minister. The visit will have a particular focus on trade, as it's the first visit since the CPTPP came into force, at the end of last year. After the withdrawal of the US from the agreement, one of the most significant sources of benefit from the deal has been Japan. It has meant we have achieved a free-trade agreement with Japan, the closest trade and economic relationship New Zealand has ever had with the world's third-largest economy, and, as such, a reduction of tariffs on all New Zealand's exports to Japan. In real terms for our exporters, this has meant more value, including 31 percent more kiwifruit has been shipped in the first quarter of this year, bringing in an extra \$25 million. There's been a 30 percent increase in value for our beef exports, saving \$5.3 million in the first three months of this year alone. Wine exports have grown by 12 percent over the first quarter of this year.

During my visit to Japan, I will have a formal bilateral meeting with Prime Minister Abe and then focus my time on supporting New Zealand's business and tourism interests in the Japanese markets through a range of business, trade, and tourism meetings and visits. The opportunities for New Zealand are enhanced by Japan's current focus on the Rugby World Cup. Tourism New Zealand's goal throughout the World Cup is to raise awareness of New Zealand as a place to visit, to study, and to do business whilst also building on our long history and connection with Japan, which is an important visitor market to us—I believe, our sixth-largest tourism market. My aim is to support that push, and I'll also have a chance to see one game before departing. And, to get in front of your questions, it will be the only game that I will be attending, despite, of course, my absolute belief we will be in the final.

Following Japan, I will fly to New York to attend the United Nations General Assembly Leaders' Week. On Monday, I will be the opening speaker at the UN climate summit, and have been invited by the UN Secretary-General to give the keynote address at his climate business lunch. I will deliver New Zealand's national statement as well as hold various bilateral meetings, with a particular focus on maintaining forward momentum with the New Zealand - European trade agreement.

On Wednesday, I will speak on a panel at the Bill and Melinda Gates Foundation Goalkeepers event, and have been invited to speak on the opening plenary panel at the Bloomberg Global Forum on the subject of climate change and trade, before returning to New Zealand.

I now wish, though, before taking questions, to set out additional action that has been taken over the last 48 hours to address the allegations of sexual assault involving Young Labour members. Before I do, I want to share some reflections.

There are no excuses for the handling of the complaints by the Labour Party, and I will offer none. To do so risks minimising the seriousness of the allegations that have been made. We have a duty of care and we failed in it, but if this can happen in my party—a party which had already tried to confront these issues very publicly; a party that prides itself on inclusivity, on being champions of addressing gender-based violence, and of creating safe places for young people to be involved—then this can happen anywhere. Mistakes have been made. It is now my job to address that—yes, for the Labour Party but also to take the lessons that have been learned and ask what we can do to assist other workplaces, training institutions, organisations, and others to do the same. That work has already started.

Over the weekend, I held two conference calls with the Labour Party Council to establish a clear path forward that is focused on the needs of complainants but also to help us examine our own actions as a party. First off, let me be clear again: the Labour Party has not dealt with these complaints adequately or appropriately. While the party's continued to maintain that they weren't in receipt of the complaints that have since been published in the media, that is secondary to the fact that the complaints made to the party were of significant concern and needed to be heard in a timely way. That didn't happen. Now it is our job to right that wrong. I'll now run through the actions that have been taken.

Firstly, a QC is in place and terms of reference have been agreed alongside the complainants. The terms of reference will not be released because complainants have asked that they not be, as well as the respondent. That process will be a place where those who have come forward to the party can be heard, and that includes all of the issues that they have raised. Maria Dew QC has indicated that she does not believe that her process is the place to take a look at what the Labour Party did with the complaints when they were received, nor the handling of them. That is fair; she wants to be focused on hearing the substance, not whether Labour behaved appropriately. So she will, rightly, focus solely on the complainants and their complaints.

Therefore, the second action that has been taken—the Labour Party's lawyers, Kensington Swan, have nearly completed a piece of work on whether the Labour Party behaved appropriately in the handling of the complaints. They will now hand that report over to an independent third-party reviewer who will establish a statement of facts around the party process and what complaints were received. This will be based on documents rather than testimonial interviews to avoid complainants having to engage in multiple processes. It will, however, go to all parties and enable comment.

Thirdly, we will appoint an experienced victims' advocate to look at these findings, to work with the party, and establish systems and processes to ensure that this does not happen again. This will include proactive work on prevention, on training, and organisational competence, as well as new victim-centred processes for managing complaints.

Fourthly, I will meet with the complainants—a point I have already made clear. I am working with two highly experienced survivor advocates who have significant expertise in these processes and are assisting me. They are in the process of making contact with complainants. It's important, though, that this process happen in accordance with best practice, so I will be guided by experts.

Finally, I have asked Poto Williams, who has significant experience working in the sexual and family violence sector, to help lead a piece of work, in conjunction with other experts in the field, with the party as we head into our annual conference to support culture change for all of us. She's already told me of her intention to bring in experts in this space to help our

local and regional leaders in the Labour Party with advice on how to create safe spaces, welcoming environments, and deal with any complaints they may receive. Her work will be informed by everything we will learn over the next four to eight weeks.

I know that none of this will change the past experiences of the young people in this case, but I do hope we are finally offering them the opportunity to be heard, and that that is finally meeting their needs. I also know that this will be a catalyst for change. I know greater insight into what happened here will help us build a different culture. Now, this should have happened with the Berryman report, but it didn't. I am going to leave forward this work not just for the party but out of a belief that if we can learn from this and we can change ourselves, then there is a role for us to play in helping change occur in other places too. You will hear more from me on that in the future. For now, though, I am happy to take questions.

Media: Prime Minister, which of those two complaints will look at which of your Ministers or staff knew about the allegations, and will you make that public?

PM: I expect that all those required will participate and engage fully in the second of those processes. So that's the one that will be undertaken by a third-party reviewer. That's, simply, because, as you've heard me set out, Maria Dew wishes to focus on the complaints and the complainants, and that is appropriate. So it would be that second process.

Media: Will Kensington Swan, in their review, talk to some of your staff and some of your Ministers about what they knew?

PM: As I said, it will be based on the evidence that was provided to the Labour Party and on papers, and then both parties—all parties—will have a chance to respond to that. And, again, that's been done, simply, to stop complainants having to be involved in multiple processes. I've seen the statements that are being made by complainants via the media. My sense is that they want to see progress—they want to see us learn from this; they want to see me take this forward. And that is absolutely what I am focused on.

Media: Will those Kensington Swan findings be made public?

PM: As I've said, Kensington Swan is the party's lawyer. We're very aware that that won't give a sense of confidence or neutrality to those involved. That's why it will be handed to a third party reviewer to complete, first of all. Second of all, subject to the agreement of parties involved—because, of course, there may be sensitive information in that—you won't see hesitation from us—subject to the agreement of those parties involved.

Media: Just to be clear, and to shine a light on this issue, which you, obviously, are keen to do, which of those reports will be made public? Can we just have your firm word on that?

PM: So, look, on the Maria Dew, that really is going to come down to the complainants. Obviously, it's likely to include sensitive information, so that will be a matter for them. When it comes to the work, we're looking at our processes. Subject to those parties involved being happy with the content being released, then that will be something that we're happy to make public.

Media: Does the public need assurances, though?

PM: And I'm giving that. But you'll understand that, of course, whilst I'm giving the assurance that we will make public that second report, there may, of course, be sensitive material that complainants may ask for us to redact. So I need to leave that option open for them. Look, my very clear view at this point is that, of course, best practice has been lost in all of this, and that has been because, first and foremost, the Labour Party did not conduct a process that allowed for it. But now my job is to create a best-practice environment, where, actually, complainants can be heard and that we respect their confidentiality as well, whilst meeting also the expectations that we're transparent about what went wrong. So I am now bringing out that best practice in this process.

Media: The chair of Labour's panel has lawyered up, and his lawyer's put out a statement saying that the complainants' statements are untrue and not credible. Who do you believe?

PM: I am putting in place a process here that, first and foremost, restores best practice for complainants; secondly, allows the Labour Party to look at itself clearly and learn from it. That is my job. That is how I will move us forward.

Media: You said you erred on the side of the victims in the case. Is that still the case?

PM: My general value set and philosophy, of course, is to take a victim-centred approach, and, from the steps you'll have seen me outline today, I'll believe you'll see that as clear. That is where I am taking this process. I'll just pan to who hasn't—

Media: Do you expect to hire forensic IT experts for the—I mean, there's a bit of kerfuffle over whether emails were seen or printed out, and I know that last week some people at council wanted forensic IT experts brought in to exonerate them?

PM: And, look, the physical evidence that is being provided to the party will now go to that third-party reviewer, and you'll see that, of course, my focus here is providing an environment where there can be confidence of all those involved, by taking that away from what is, essentially, the party's lawyer, who originally was looking at this, and give that to that third party. Again, for me, it's about creating a process that people can have confidence in.

Media: [*Inaudible*]

PM: Ultimately, what we've tried to balance here of course is, yes, making sure that the physical evidence of what's being provided to the party is made available, but also the fact that we don't want a situation where complainants are having to be interviewed multiple times, by multiple parties. The remedy for that is to allow all parties to be able to respond to the summary of facts by the reviewer. So it is a balance trying to be struck here, but, again, it's about trying to find an approach that doesn't re-victimise anyone that's been involved.

Media: Do you have a time line?

PM: A time line? Look, originally there was a view from Maria Dew, I believe, of around four weeks. I haven't asked that question since the terms of reference have been finalised. So I would act with some caution putting any constraint there. The focus now will just be on getting this right, and I want to leave the QC to do that.

Media: Would you expect any more resignations from the Labour Party Council as a consequence of (a) what you've said here today and (b) what might come up in the various reports?

PM: I'm not going to pre-empt that process. We've put in place two processes now—one that is very much focused on complainants finally being heard in a way that meets their needs, and, secondly, the Labour Party learning what it's done wrong, what it needs to fix for the future. I'm already very clear, though, that when it comes to allegations of the nature that have been discussed publicly, these are not matters that the Labour Party should ever be involved in investigating. The rest we will learn from down the track.

Media: Was it helpful to have the Labour Party coming out and calling the complainants' statements untrue and not credible?

PM: Again, I am absolutely focused here on creating an environment that is a place that complainants can be heard by a QC, not the party, where there is not that contested questioning over what was provided and not provided. This now needs to be a process for them, with the QC, without the Labour Party involved.

Media: Simon Mitchell says he's hired a forensic computer expert, who's found that there were no attachments on that email, but we've seen your original email that was sent to him. It did have two attachments. Are you concerned about that discrepancy between the claimants' statements and the statements of the Labour Party?

PM: My view is that continuing to contest this in the public domain serves no one, not least the complainants. They now have a place where they can be heard. When it comes to the Labour Party looking at what it knew, when it knew it, and how it handled those complaints, we've set up an environment where that can be dealt with. But, actually, best practice dictates that we do not continue to undertake a forensic analysis of an incredibly sensitive complaint in the public domain. Complainants themselves, I believe, have asked for an alternative place.

Media: And yet you've got the chair of the investigating panel, effectively, coming out and saying that they're liars?

PM: Again, I am creating a space here now to take us forward and for complainants to be able to, in good faith, have their views heard by an independent third party. It's what they've asked for, and that's what I'm delivering.

Media: Who's going to select the independent reviewer to look at the Kensington Swan review, and will they be able to sort of reopen some aspects of what they've done?

PM: In terms of appointing a specific person, my primary focus has actually been making sure we're in a position to start the offer of meeting with complainants at a time that they're ready—so finding the right victims' advocate. In terms of finding the third-party reviewer, my expectation is that we'll make sure all parties are comfortable with the appointed persons. They have not yet been appointed, Audrey.

Media: Simon Mitchell has put out this statement ahead of any investigation. Is that helpful, in your opinion, given that we have several investigations ongoing now

PM: My view is that, at this point, we need to focus the process on the complainants. Continuing to prosecute this case in this manner does not help those complainants. We've now created a place where they can be heard. I'm focused on taking this forward by giving them the ability to confidentially deal in that process directly with a QC and not with the Labour Party.

Media: Have you asked Simon Mitchell or other members of the Labour Party to stop taking these issues to the court of public opinion?

PM: I've given my very clear view on the path forward. I've set out that path forward today. My expectation now is that this is something that the Labour Party will fully reinforce that this now needs to be dealt with via the QC process to allow the complainants to be heard.

Media: Just to be clear in terms of the—

PM: Yes.

Media: —original QC review from five weeks ago. So the terms of reference there haven't broadened at all because you said that she wanted to just keep going with the work that she was doing in terms of the complainants'—

PM: Ah. Yeah—no, I can clarify that. It's not that the terms of reference haven't changed; it's that they have not expanded to take into account the process that the Labour Party undertook. The QC wishes to focus on the complaints and the substance of the complaints rather than looking at how they were originally received or dealt with by the Labour Party. Terms of reference, though, obviously have been back and forth between complainants, and obviously with the QC, until they've been resolved, in just recent times.

Media: Because presumably—I mean, this is at least five weeks now, isn't it, since you put her in place, so surely a lot of work has been done, hasn't it?

PM: Yes, there has, but as I've said, those terms of reference now include all complaints, including those that have been made publicly and privately.

Media: Some complainants have raised concerns with us that a witch hunt is under way. Can you give them an assurance that no one—

PM: Yes, I can

Media: —in your office or the Labour Party is spreading their names around?

PM: I can give that absolute reassurance, and that has not been the case throughout the course of this issue. I'll just take a couple more, and then—

Media: In an email to members—and you said publicly as well to us—that you had called for people to come forward and email you. Have you received many—much communication from people, and have any more victims come forward?

PM: Yes. Look, of course, as I've said, my focus now is on creating a process that's best practice, and so I will always protect the confidentiality of those involved unless they seek to deal with something otherwise.

What I can say generally, though, is that we have received feedback directly from the Labour Party, and it's been across a broad range of areas—their view on, you know, the current situation, their view on what we can do to improve the Labour Party, and there have been a small number of emails that I will follow up with where they've asked for direct contact.

Media: Have you had any members of your staff or Ministers come to you in recent days and confessed that they actually did know some of these specific allegations of sexual assault?

PM: Again, I'm moving to a process now where we can move forward and give the space to complainants to deal with this, examine the Labour Party, and beyond that I'm not going to continue to engage in speculation that I've seen, including speculation put forward by other parties in this Parliament.

Media: Prime Minister, just on another matter, could I just ask you—the United States now seems to be blaming Iran for the attack on the Saudi oil facilities. Have you had any briefings on that, or what's your take on that?

PM: I haven't had a direct briefing from a foreign policy perspective, but what I can say is that already we've seen, I think, an impact on oil prices: Brent crude, I believe, at about 12 percent. We've seen an impact there, and I believe we'll continue to see that flow through to the fuel market. It is obviously a market that jumps very quickly when we see international events such as this, but beyond that I haven't been specifically briefed. We'll have one more.

Media: Did Cabinet make a decision today on farming going into the ETS?

PM: When we've made decisions—as you've me say this many times before—when we've made decisions that are ready to be announced and communicated, then we do. OK, thanks, everyone.

conclusion of press conference