

POST-CABINET PRESS CONFERENCE: MONDAY, 2 DECEMBER 2019

PM: Kia ora koutou. Good afternoon. This week, I am in the House on Tuesday and Wednesday. On Tuesday morning in Wellington, I'll attend and give opening remarks at the Google Crisis Response workshop, followed by a visit to the Cancer Control Agency ahead of the board's first meeting. On Wednesday, I will speak at DairyNZ's environment leaders forum. On Thursday, I'll be seeing many of you for a few end-of-year interviews before heading to Auckland. On Friday, I'll be speaking at the opening of Grey Lynn School—their new build—with Minister Hipkins. On Sunday in Auckland, I'll join Minister Sage and my Chief Science Adviser, Juliet Gerrard, at the launch of an excellent environmental report called *Rethinking Plastics in Aotearoa New Zealand*.

This morning, I briefly had the opportunity to flick through some of the responses to the announcement that we made yesterday at the Labour Party Conference, where we took our once-in-a-generation opportunity to give a cash injection to nearly every State school across the country to futureproof these vital hubs in our communities but also add an extra boost to regional economies. As I said at the time, it was just the beginning of an infrastructure package the Minister of Finance spoke about at the weekend. Those responses from schools have been fantastic. Wellington's Mount Cook school principal Liam Carran said that \$183,000 will be spent on recladding—they're currently fund-raising with school fairs—and said that this funding would be roughly the equivalent for them of 40 school fairs. Kāpiti College said that the news was excellent, and the next big project for them is rebuilding their guidance counselling offices, which is an ex-school house from the 50s. Auckland's Balmoral School, just down the road from me, said that it was a lovely surprise and it would be spent on outdoor learning opportunities so children could experience and learn how to grow fruit and vegetables, for instance.

The School Trustees Association president has called it "immense for every school", but I also note that Cameron Bagrie has called it a "damn good idea"; "We've got a bit of a Christmas fairytale combination here—infrastructure deficits, low level of borrowing and low levels of debt. Let's get on with the job." As I said yesterday, this is the largest investment in school property in 25 years. We do have a job to do in making sure we futureproof our vital services, infrastructure, and economy. Our low debt and low interest rates mean that now is the right time to do that. While this shot in the arm for our schools will create jobs in every community in the country, this investment is also just the beginning.

Look, I am happy to take questions, but I also note and understand that there's some interest in an issue that has emerged with the gun buy-back process—for that, I'll ask the Minister of Police to give a statement. He'll then also be available for questions that you may have on that issue.

Hon Stuart Nash: Thank you, Prime Minister. My office was advised late this morning that a person thought to be a firearms dealer had accessed private information on the buy-back database. We take this extremely seriously. Privacy and confidentiality of individuals is paramount, and I'm extremely disappointed at the potential for any breach. Police are very clear on my expectations. They need to find out how this breach occurred, and quickly. The Police has also very clear expectations of their external software providers. Initial advice indicates that the independent external provider changed some settings last week that gave approved firearms dealers greater access to information, but this is still being verified. But I do need to stress that this information was not publicly available and that we were utilising the firearm dealer network in order to help us facilitate the buy-back process.

My understanding is one firearms dealer contacted the police this morning, and police immediately closed down the database. The Commissioner of Police has assured me that they are investigating the matter thoroughly to determine the extent of any breach and what actions need to be taken in response. Police will hold people to account if information has

been accessed and shared unlawfully. The Privacy Commissioner has been informed. The database is temporarily offline while the issue is being rectified. I'm happy to take some questions, but a lot of the detail will be answered by the Deputy Commissioner of Police at a news conference at 5 p.m.

Media: How damaging is this for you when you're trying to set up a firearms register?

Nash: Two completely different issues, I think.

Media: But how do you expect to gain the trust of firearms' owners to put their details into a register if you can't keep these details secure?

Nash: Well, keep in mind that before the buy-back, police registered about 14,000 of the most dangerous firearms under the register that was already in place. Keep also in mind that under the legislation in front of select committee at the moment, the proposal is to give police up to two years to develop a registry system with integrity. This is different.

Media: Firearms' owners are saying, though, that they have lost trust in police to hold their information, and a lot of them won't participate in the buy-back going forward.

PM: I think it's important to add we already have a licensing scheme. The police already successfully and privately hold the information of those who have firearm licences. What has happened here, as the Minister has already outlined—there was access given to dealers to enable them to be a part of the buy-back scheme. The question is whether or not they were able to access too much information, and that is what the police are now dealing with.

Nash: And also keep in mind, at this point, it is my understanding the only group or individual that has shared any of this information has been the firearm—Colfo's lawyers, Franks Ogilvie. That's my understanding at this point in time.

Media: Are you going to push forward to re-evaluate this scheme at all?

Nash: No.

Media: Why not?

Nash: Because I don't think it needs to be re-evaluated. I think it's going incredibly well. So far, we have taken 43,000 firearms out of circulation, and the vast majority of those firearms are the type of firearms that are used to kill people, not deer or ducks or rabbits or possums.

Media: What's the message to gun owners who are concerned, who are worried, that people like criminals, burglars, gangs might have accessed this material?

Nash: My understanding is that is not the case at all. And we do expect dealers—well, like I said, at this stage we understand it's one dealer, and we do expect that dealer to work closely with the police, and my understanding is he has contacted the police, and it will be extremely disappointing if anyone publishes information, keeping in mind my understanding is it is unlawful to publish any of this information.

Media: Do you know whether any of the information was downloaded?

Nash: Well, my understanding is that some of it has been downloaded and passed on to some lawyers, Franks Ogilvie, and they have published some redacted information.

Media: Someone said the whole list had been downloaded up to 15 times. How can you guarantee that that list is not going to be circulated to the likes of gangs who want firearms?

Nash: Well, first and foremost, it is illegal to distribute that information. It is illegal, I understand, to even download that information, but it is certainly illegal to distribute that information. And so my advice to anyone who does have that information is to delete it, because if they do distribute it, they will get a knock on their door.

Media: If you find out that the police left the door open for this information to be taken, will someone be sacked?

Nash: Well, my understanding is it was the external software provider who made changes to the database, but, again, this is still to be verified.

Media: So is anyone going to lose their job?

Nash: Well, let's get to the bottom of how this occurred.

Media: Could there be consequences for that external software provider?

Nash: Again, let's get to the bottom of how this occurred, but keep in mind we're pretty disappointed about this.

Media: Who authorised the firearms' dealers to get greater access to the information, do you know?

PM: Well, of course, that was always a part of the policy design. Firearm dealers and some gun owners were of the view that not everyone would wish to return their weapons directly through police stations, so dealers were created as agents' authorities that could be part of the buy-back process. So as part of that, they were able to access elements of the register. The issue here seems to be whether or not they were, by the contracted provider who was overseeing this database, given too much access or not. That is what is currently being worked through. So it's very important to be clear, here: this is not about a website or some such being open to the general public and being able to be accessed. Dealers were given access deliberately but with the intent, of course, that that be done responsibly on a confined basis.

Media: Who signed off that decision, though—that dealers would get more access?

PM: You're asking a question here, though we cannot yet ascertain whether or not what has happened here has been through the private contractor and provider or not. Those details need to be worked though—best placed before the police later on today.

Media: But surely a contractor is not going to go into a Government buy-back scheme and say, "Let's give access to a whole lot of dealers without sign-off."?

PM: No, and that's—obviously that's what needs to be ascertained. That's a good question for the police. Henry, you had a question.

Media: There's been so many data breaches in the last 12 months, involving Government data. Do you—across many different providers, and Treasury, who do it themselves—need to have a big wide review of Government agencies?

PM: You'll recall that at the time—so the two most recent ones, in both cases, have involved private external contractors who have been providing service to Government. Now, I do not wish to be premature when we are still working through here where the fault lies, but my general position on these issues are that we have a national issue here that goes beyond just Government agencies, where we need to ensure that we are never complacent about people's personal and private information, and that extends well beyond Government.

Media: The Government is one of the largest procurers of IT services, so surely in your procurement practices, and, internally, you could do something about this.

PM: Ah, and this is exactly the question, of course, that needs to be answered. In this one, it's too premature to make that determination. We don't know yet where the fault may lie.

Media: There's no case for a wider review of Government IT practices?

PM: No, no, that's already under way off the back of Tuia.

Media: Cybersecurity is not a 2019 phenomenon. Shouldn't we have this in place already?

PM: Oh, absolutely. But, again, we're really within a few hours into this issue. We need to determine exactly what has happened here and who is at fault. What is clear is it is

not acceptable for there to be any complacency around the management of people's personal data, but we also need to have faith that when you are contracting a provider, that the service is being provided adequately.

Nash: But Jenna, can I just confirm one thing? When we talk about cybersecurity, this is not a hack, OK? This is information that was accessed by someone who we believe was perhaps erroneously given access to that information. So let's be clear around cybersecurity.

Media: The police issued a statement this morning saying that a man died in a crash in Ōpōtiki, but he didn't die. Are you aware of this, and what happened?

Nash: Look, my understanding, again, if I've got the facts of the case you're talking about, is he pulled over for a medical event, but I don't know anything more than that.

Media: Why did the police announce that he died when he did not?

Nash: Well, obviously the police would announce he'd died because they thought he had died, but I don't know anything more than that, I'm afraid.

Media: Do you have full confidence in the police after the two errors we've seen today, going back to the terror attack. They charged the alleged terrorist with the murder of someone who was still alive as well. They keep making these errors. Is everything OK with the police?

Nash: The police deal with about 800,000 incidents every year. There is more than 1,825 new police in our community since we came into Government. That's a thousand more than there were before. The police are dealing with some very complex situations and I have absolute confidence that they're doing a very good job keeping our communities safe and solving crime.

Media: Saying two people in one year were dead when they weren't?

Nash: Well, you know, one was a terrible, terrible tragedy, and, you know, I think they dealt with that very well. This case, you know, I don't know the details enough to pass judgment on that, I'm afraid.

PM: OK, all right. Thank you, Minister. Other issues?

Media: Prime Minister, I have a question about the abuse in care inquiry. Some survivors are expressing frustration at the tendency of agencies like Crown Law, the Ministry of Health, MSD, who continue to claim privilege—legal privilege—on decisions that were made decades ago around particular institutions. They remain beyond the purview of the Ombudsman, and it's not even clear from the Government, almost two years on from the announcement of the inquiry, that privilege will be waived, because most of the contentious decision-making remains under that veil.

PM: Unfortunately, you know, the briefs I've had in recent times over the conduct and now that we have hearings under way in the royal commission is that those have now begun in a comprehensive way and are, by and large, to the satisfaction of those who have been involved. That's my early feedback. I haven't had direct feedback around some of the specific issues that you're raising, though.

Media: So you'll be aware in the Lake Alice Hospital case, 300 unresolved claims of ill-treatment and torture.

PM: Yes.

Media: Crown Law have 38 staff statements that they collected 20 years ago—

PM: Yes, but if you're asking me whether or not this is within our particular remit on the royal commission is currently causing issues with hearings—I just can't comment on that. That's not something I've had any recent briefing on. If you're asking me about the historical context, nothing has changed in that regard, in recent times.

Media: Well, this is a more modern-day context of Crown Law still claiming privilege on those documents not being provided to police when they advise them on prosecution?

PM: Look, this is just, frankly, not something that I've engaged with in the last few months on this issue. It hasn't been recently brought to my attention. I would have to ask Crown Law whether or not there's anything within their scope that they intend to change in this regard, now that we're in the process of the royal commission.

Media: Is your expectation that material that has been privileged will, as a matter of course, be made available?

PM: It's not something that I've been explicitly asked on, asked a question about in the context of the royal commission. It's not something that's been raised with me as an issue that's come up through the advisory group or so on, around the conduct of the review, so I just can't say more for now. If you give me a couple of days, I'll go back and ask the question of the royal commission.

Media: Did Cabinet discuss the proposal to merge TVNZ and RNZ today?

PM: As you know is our practice, regardless of what's on the agenda or not, I tend not to make announcements or discuss what it is we've talked about or not until we're ready to make announcements.

Media: Is there still an announcement before the end of the year expected on media matters?

PM: Again, I—we haven't given an explicit time line, other than to say, of course, that we intend for those discussions to be soon.

Media: Did you discuss the Ports of Auckland move at all, or that report—

PM: Again, I'm going to apply the same principle. What has been said previously, of course, is that Cabinet hadn't taken decisions on the report, and, of course, that I wanted to make sure Cabinet had had a chance to digest the report. Look, the future of the port of Auckland is a very significant infrastructure decision. We need to make sure it's well considered, and also that we look at it alongside surrounding ports as well, and the fact that we have a port strategy for all of New Zealand.

Media: If you come to a decision on the ports, would you seek to have National share that position, given, you know, there's two former PMs who are both on the same page on this?

PM: Look, our decision wouldn't be contingent on that. Of course, you'd always hope that for large-scale infrastructure decisions, and the way that we've established the commission to try and make sure that we're building 30-year plans for infrastructure, that there would be some consensus, but it wouldn't be contingent on that.

Media: How troubled are you by the situation in Samoa, which appears to be deteriorating?

PM: One of the issues, of course, with the spread of measles, as we saw in New Zealand, is that, of course, health authorities do tend to track the curve of infection, and in my understanding, of course, they'll be doing that in Samoa, and it means that sometimes things can be worse before they are better. What's key for us, from my perspective, is that New Zealand continues to contribute as much as it can. By this evening, I understand that there will be 54 New Zealand medical professionals in Samoa. That includes an 18-person New Zealand medical assistant team, 12 nurse vaccinators, six New Zealand Red Cross nurses, eight ICU specialists, and 10 Samoan-speaking nurses and doctors. Additional vaccine has gone in. We've supported funding of vaccination and vaccinations themselves, and are doing all we can to support Samoa with the outbreak they're experiencing.

Media: How concerned are you about an increasing number of serious threats against MPs, and what do you think is behind those?

PM: It's a good question, and one question, when I heard about those numbers—I think that there will be an additional awareness and vigilance amongst MPs, perhaps. Perhaps they may be more likely to report. But, really, I would only be making assumptions. Of course, I would hope that politics is a place where you can do your job safely and securely. Very unfortunately, for the entire time I've been in politics, it has been a place where we do attract threats from time to time.

Media: So you don't think it's something going on in society—that people are more willing to—

PM: I just—without seeing the nature of those, or having dug into it in any more detail, I'd be loath to make an assumption, but I do think it's something that we absolutely need to keep an eye on, particularly the nature of those threats, the theme of those threats. Unfortunately, that is not a new issue for politics, though, or for politicians.

Media: Prime Minister, will the Government's infrastructure funding package include funding for new roads?

PM: We've not been specific around the nature of infrastructure beyond what was announced, obviously, for the education system. That's something that you'll just have to wait a little bit longer for.

Media: What's the status of the Budget responsibility rules? Is it fair to assume that they'll be recast as a result of the infrastructure—

PM: Well, you know that we've already recast the bracket that we'll be working within for debt. That's something that the Minister of Finance did some time ago on the advice of Treasury. Their insistence was that a singular figure was an unhelpful way to guide New Zealand's debt path and debt track, and they recommended a range, and that's advice that we accepted, keeping in mind, of course, relative to other countries, as many have pointed out today, we have relatively low debt. We have very low interest rates, and we have an infrastructure deficit. So now is the time for us to invest in rebuilding New Zealand.

Media: Are you saying that those parameters are the parameters that will continue to operate?

PM: I'm saying that the Minister of Finance has already accepted that advice, but we have been operating until now, obviously, at keeping debt, as you will have seen, around that 20 percent mark.

Media: At the time, that window was cast as a sort of a renewal of the BRRs, when they expire in '21, '22. But from your comments today, it sounds like it's not a renewal of the BRRs.

PM: I'm saying absolutely nothing different to what the Minister of Finance has already said.

Media: But he was saying it would be 2021, but money for schools is available now—

PM: Yes.

Media: —which would signal that you're actually breaking—

PM: This is—no, this is a \$400 million package. I'm not giving any indication of the scale or pots that the remainder of the infrastructure package will be, and I'm only simply reiterating the advice around the wider debt bracket that we've accepted as a Government.

Media: In Budget '20, will this investment package break be 20 percent debt—

PM: I'm not responding to any further questions on what will be announced by the Minister of Finance further down the track—other than to already acknowledge the \$400 million education package will be available in the year 2020.

Media: Does the target remain that by 2021—sorry, the target that within five years of the Government taking office, debt will reduce to 20 percent of GDP; is that still the target?

PM: I've already indicated that we've accepted the advice from the Treasury. The rest we'll have to leave to the Minister of Finance when he makes his announcements down the track.

Media: There've been calls today for the police Minister to resign over the data breach. Do you have full confidence in him?

PM: Absolutely.

Media: At the party conference yesterday, you gave your address in front of a big slogan, "We're doing this". What does that mean?

PM: Well, obviously, moving into the 2017 campaign, we campaigned on making sure that we addressed the infrastructure deficit we have; of lifting New Zealand's environmental credentials; addressing the fact that our rivers weren't swimmable; that we weren't doing enough on climate change; making sure that we were focused on child poverty. We said, "Let's do this", let's tackle all of those challenges, and those are all of the things that we are absolutely doing.

Media: That sign behind you said you're bringing farming into the ETS by 2025.

PM: Yes.

Media: Is that something you're doing but is not something you want to do? Was that a mistake?

PM: No, it absolutely was not a mistake. That is functionally, obviously, what the legislative framework does. Our aspiration is to create an alternative pricing mechanism that allows farm-by-farm pricing. That's obviously our aspiration. That's what we're working towards.

Media: Will "We're doing this" be your 2020 campaign slogan?

PM: Sorry?

Media: Is "We're doing this" your 2020 campaign slogan?

PM: We haven't settled on any campaign slogans yet. All right, I'll take a last question.

Media: Prime Minister, what is your reaction to the Greenpeace OMV protests in New Plymouth at the moment?

PM: Oh, yeah I saw that—I saw a poster somewhere in Auckland around that. Our view is that, of course, our future needs to be very, very different in terms of fossil fuel reliance, but we've always been of the view that we need to create a transition. That's what we've tried to do by working alongside Taranaki, saying that we won't be issuing future offshore oil and gas permits, but, of course, in the meantime, we have to replace those energy sources that we all use in New Zealand and that industries have been reliant on. Our focus as a Government is transitioning and making sure that we're ready for a low-emissions future. Thanks, everyone.

conclusion of press conference