

Proactive release of information provided to the Inquiry into the Use of External Security Consultants, State Services Commission

Tuesday 18 December 2018

Purpose and scope of this proactive release

The documents below have been proactively released by Southern Response Earthquake Services Ltd (**SRES**) at the request of the State Services Commission (**SSC**) to support the release of the final report of the SSC Inquiry into the Use of External Security Consultants (**Inquiry**) and to provide transparency around SRES' involvement.

All information SRES provided to the Inquiry has been considered for proactive release and reviewed in accordance with the due diligence guidelines set out in the 23 October 2018 [Cabinet Office Circular CO \(18\) 4 - Proactive Release of Cabinet Material](#).

Consideration has also been given to the requirements of the Official Information Act 1982 (**OIA**), the Privacy Act 1993, other legislative requirements, and any civil or criminal liability issues.

Information withheld from release

Some of the information included within this proactive release would not be appropriate to release under the OIA and, if requested under the OIA, would be withheld. Where this is the case, the relevant sections of the OIA that would apply have been identified in the summary Table of Documents below.

Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Grounds for withholding information under the OIA

In general, information has primarily been withheld on one or more of the grounds set out in sections 6 (conclusive reasons) and 9 (other reasons) of the OIA. For ease of reference, the relevant parts of both sections are set out below:

6 Conclusive reasons for withholding official information

Good reason for withholding official information exists, ... if the making available of that information would be likely—

.....

(c) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences... ; or

(d) to endanger the safety of any person;

9 Other reasons for withholding official information

(1) Where this section applies, good reason for withholding official information exists, ... unless, in the circumstances of the particular case, the withholding of that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available.

(2) Subject to sections 6, 7, 10, and 18, this section applies if, and only if, the withholding of the information is necessary to—

(a) protect the privacy of natural persons, including that of deceased natural persons; or

(b) protect information where the making available of the information—

(i) would disclose a trade secret; or

(ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or

.....

(c) avoid prejudice to measures protecting the health or safety of members of the public; or

.....

(h) maintain legal professional privilege;...

Some information has been provided in a summary form in the Table of Documents below. Section 16(1)(e) of the OIA relevantly provides:

16 Documents

(1) Where the information requested by any person is comprised in a document, that information may be made available in 1 or more of the following ways:

.....

(e) by giving an excerpt or summary of the contents; ...

Principles applied by SRES to withholding information

1. The names of all individuals have been redacted to protect privacy except:
 - Directors of Thompson and Clark Ltd (**TCIL**).
 - Directors of SRES;
 - Senior management of SRES (above management tier 2);
 - SRES staff (below management tier 2) directly involved in communications with TCIL.
2. Draft documents have not been produced where the final version of the same document has been made available.
3. Invoiced amounts for line items have been redacted where this information would disclose the price for a particular product or service. Invoice totals have only been redacted if the invoice is for a single line item and the invoice total would therefore disclose the price for a particular product or service on the same basis. Corresponding remittance advices, emails and other documents repeating invoiced figures have been redacted in the same way.
4. Signed contracts have been released but confidential contract negotiations have been withheld.
5. SRES company policies relating to health, safety and security have been released but detailed procedures for responding to specific security threats have been withheld.
6. Detailed site security information and assessments have been withheld but surrounding email communications have been released.
7. A consistent approach has been taken to redacting any documents previously released under OIA, as far as this is possible, and having regard to any guidance received from the ombudsman in relation to previous releases of information.
8. Consultation between SRES and TCIL over previous requests for some of the documents included in this proactive release (under the OIA and Privacy Act) have been withheld on the basis that this consultation is outside the scope of this proactive release and was conducted under the OIA with an expectation of confidentiality.
9. Commercially sensitive information has been withheld in accordance with the grounds under the OIA, subject to the principles above, and having regard to public interest considerations.
10. Categories of documents withheld in full are identified in the Table of Documents below.

Organisation of information proactively released

1. Emails and attachments have been saved as separate pdf files.
2. SRES email correspondence has been grouped into 6-month periods (e.g. TCIL emails first half 2014). Within each 6-month period, emails have been saved in chronological order as complete email chains.
3. Emails and attachments have been organised under the following headings:
 - Official SSC Correspondence;
 - SRES Email Correspondence;
 - TCIL Threat Assessments and Weekly Monitoring Reports;
 - SRES Site and Operations Security;
 - Annual Public Meetings;
 - Individual Claimant Security Issues;
 - General TCIL Administration; and
 - SRES Board Records.
4. In the summary Table of Documents below, Column 1 provides a document description. Column 2 provides the name by which documents were attached to emails. Documents have been uploaded to this website under the names listed in Column 2.