

**State Services Commission investigation into the conduct and behaviour  
of the Retirement Commissioner**

**Minute 1**

**Provision of information to the investigation**

1. The State Services Commissioner has certified that it is reasonably necessary that the provisions of the Inquiries Act 2013, as specified in section 9A(2) of the State Sector Act 1988, apply in relation to this investigation.
2. In order to ensure the proper conduct of the investigation and having regard to all the criteria in section 15(2) of the Inquiries Act 2013, the investigator, Maria Dew QC orders:
  - (a) All information provided to this investigation will initially be subject to an interim suppression order under s 15 of the Inquiries Act 2013. This information will include, but not be limited to, the names of any interviewees, the content of any interviews undertaken and any other documents or information produced by or to the investigation. Provided however, that all relevant information, as determined by the investigator, will be disclosed to Ms Diane Maxwell to ensure natural justice.
  - (b) Any interviewee whose name and contributions are the subject of this order, will have two working days following their interview with the investigator to return a final signed written interview statement. The interview statement will be that taken by the investigator at the interview together with any annexed documents provided by the interviewee. The interviewee should at the same time identify any redactions that they consider necessary, together with an explanation as to why they may consider a permanent order is appropriate in respect of that information, having regard to the criteria in section 15(2) of the Inquiries Act 2013.
  - (c) The interview statements and documents will then be considered by the investigation and, if the investigator agrees the redactions are necessary, a permanent suppression order under s 15 of the Inquiries Act 2013, will be made in respect of the information subject to the redactions.
3. Any person who provides a hardcopy of any information must also provide an electronic copy of the same information as soon as possible and no later than five working days after provision of the hardcopy.

**Anticipated process**

4. The Investigation intends to call for any current and former staff of the Retirement Commissioner to come forward to be interviewed, if they consider they have relevant information under the Terms of Reference.
  5. The Investigator will determine what other parties will need to be interviewed and documents produced to the investigation. The Retirement Commissioner will also be interviewed as part of the process.
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### **Interview process**

6. It is anticipated that the majority of interviews will be held privately in Auckland, with persons who have been requested by the investigator to attend. Depending on the location of the interviewee, interviews may be arranged at different locations or by video or phone link.
7. Interviewees are entitled to have counsel or any other support person attend with them.
8. Interviews will be recorded by written statement taken during the interview and will be signed by the interviewee. The investigation interviews and written interview statements will be subject to interim suppression orders under s 15 of the Inquiries Act 2013.
9. Any person who attends an interview in the investigation is prohibited from discussing the matters discussed in the course of the interview with any person not present at the interview until the conclusion of the investigation (and then only in accordance with any orders that may have been made under section 15 of the Inquiries Act 2013).

### **Contact Information**

10. Information about the investigation can be found on the States Services Commission website, [www.ssc.govt.nz](http://www.ssc.govt.nz). Any media enquiries should be directed to Grahame Armstrong 021 940 457.

MJ Dew QC  
20 December 2018