

16 November 2021

Chris McCashin

By email: [fyi-request-17066-14ad331f@requests.fyi.org.nz](mailto:fyi-request-17066-14ad331f@requests.fyi.org.nz)

Tena koe,

**Official Information Act Request**  
**Our Ref: OIA353/1**

1. I refer to your email to Jacinda Ardern dated 6 October 2021. Part of your information request was referred to Crown Law on 2 November 2021, in particular your request for:
  - 1.1 *All of the legal opinions that have been completed on behalf of the government relating to the implementation of vaccine passports*
  - 1.2 *Specifically any opinions that say Vaccine Passports do not contravene the Bill of Rights and Human Rights Act*
  - 1.3 *Also specifically any and all opinions saying that Public Health trumps the Bill of Rights and Human Rights in New Zealand.*
2. In relation to your requests at [1.1], [1.2] and [1.3], the information requested is legally privileged. The requested information is accordingly withheld under section 9(2)(h) as is necessary to maintain legal professional privilege. In withholding this information, I have considered whether the interest in maintaining legal professional privilege is outweighed by other considerations which render it desirable, in the public interest, to make that information available.
3. You have the right to seek an investigation and review by the Ombudsman of this decision in accordance with section 28(3) of the OIA. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or 0800 802 602.

Yours faithfully  
**Crown Law**



Ian Auld  
Crown Counsel