



Luke Webster  
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Ref: PMO 2023-216

Tēnā koe Luke Webster

**Official Information Act request relating to text messages sent to Hon Marama Davidson**

Thank you for your Official Information Act 1982 (the Act) request, received on 3 May 2023. You requested:

*"Thank you for your letter. This is not what was requested though. As requested- please supply a copy of the text messages. "*

As advised in my letter dated 3 May 2023, the Hon Marama Davidson texted the Prime Minister on 28 March 2023 to apologise for any impact her statement on Saturday 25 March 2023 might have had on the workload of him or his staff, following a phone call that morning. She noted that she would make it clear that those were not the words she would normally use. The Prime Minister responded at 8:55 AM thanking her. He also noted the circumstances in which the statement was made.

This office considers that it would not be in the public interest to release the text messages as we consider the greater public interest lies in protecting Ministers', including the Prime Minister's, ability to discuss freely their actions with other Ministers. We consider that the release of exact text messages may have a negative impact on open communication within the executive. We consider the public interest is met by the information that is currently in the public domain and the information provided in this and my earlier response to you. I have therefore decided to withhold the text messages in full under the following sections of the Act:

- Section 9(2)(a) to protect the privacy of natural persons, including that of deceased natural persons
- Section 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any department or organisation in the course of their duty.

In making my decision, I have considered the public interest considerations in section 9(1) of the Act. I have noted public interest in open and transparent behaviour from Minister's and consider this is satisfied by the information already released. No further public interest has been identified that would be sufficient to override the reasons for withholding that information. You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

Ngā mihi nui,

Andrew Kirton  
Chief of Staff