



23 January 2025



Ref: OIA-2024/25-0557

Tēnā koe 

Official Information Act request relating to Communications with Facebook regarding censorship and free speech

Thank you for your Official Information Act 1982 (the Act) request, received on 8 January, and refined on 15 January 2025. Your refined request is for the following information, dated 27 November 2022 to 8 January 2025 (inclusive):

- “1) all communications between yourself any of your advisors and/ or DPMC and Facebook including about censorship and/ or the ability of NZ government to access and / or censor Facebook posts.*
- 2) all communications between your previous two predecessors and any of their advisors and Facebook*
- 3) any other Minister or govt representative and Facebook since [27 November 2022] relevant in any way to censorship or moderation of Facebook content by NZ government*
- 4) any advice you or the NZ govt have received about legal or political risk of its relationship with Facebook and/ or of censorship of opinions and free speech, generally and in relation to free speech of political parties*
- 5) any changes to government policy or proposed changes to better protect free speech and opinions from government abd/ or overseas interference in the future.”*

On 14 January 2025, we wrote to you seeking clarification of your request, as the timeframe (using the date of 1 January 2020 mentioned in your request to 8 January 2025, the date of your request) was very broad. You refined this timeframe to be for information from 27 November 2022.

On 21 January 2025, we notified you of our decision, under section 14(b)(i) of the Act, to transfer parts two and three of your request to the offices of all current Ministers and the Department of Internal Affairs (DIA) for response. We also notified you of our decision, under section 14(b)(ii) of the Act, to partially transfer parts four and five of your request to DIA as the agency responsible for the legislation related to these censorship and free speech.

The response below relates to the parts of your request that have remained with Department of the Prime Minister and Cabinet (DPMC); namely, part one in full, and parts four and five in part, for any additional information held by DPMC that would not be covered by DIA's response.

I am aware that your request was also sent to the Prime Minister's Office (PMO). Where information in scope of your request is held by both DPMC and PMO, but was prepared by DPMC, it is covered by this response.

Part One

I am interpreting part one of your request as being for formal correspondence between DPMC staff and Facebook regarding censorship. Emails and letters on substantive matters are saved in our information management systems. A search of our information management systems for any such email or letters has returned no documents related to part one your request.

I am therefore refusing this part of your request under section 18(g) of the Act as the information requested is not held by DPMC and I have no grounds for believing that the information is either held by another department or Minister of the Crown or organisation, or by a local authority; or that it is connected more closely with the functions of another department or Minister of the Crown or organisation or of a local authority.

With regards to any communications between the current Prime Minister, Rt Hon Christopher Luxon, and Facebook, I refer you to the Prime Minister's Office's response to your request.

Parts Two and Three

As set out in our letter of 21 January, the DPMC does not hold the communications of current or former Ministers. Having transferred these parts of your request to the Department of Internal Affairs and the offices of current Ministers, I am refusing this part of your request under section 18(g) insofar as it relates to DPMC.

Parts Four and Five

Insofar as it relates to information held by DPMC, I am refusing parts four and five of your request under section 18(f) of the Act as the requested information cannot be made available without substantial research and collation.

I appreciate that you agreed to narrow the timeframe of your request. However, following an initial search of our information management systems, it has been determined that officials would still need to manually assess hundreds of files for relevance to your request. Please note, the number of search results does not reflect the volume of material in scope of these parts of your request. Instead, it simply reflects the fact that the relevant search terms – “Facebook”, “censorship”, and “free speech” – occur frequently in our information holdings, including in documents that are not related to your request. Prior to reaching my decision, I have also considered whether asking you to further refine your request would enable me to respond to it. I have determined that, given the frequency of the relevant search terms – “Facebook”, “censorship”, and “free speech” in our information holdings, refinement would be unlikely to alter my decision.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Nāku noa, nā,



Clare Ward
Executive Director
Strategy, Governance and Engagement