

17 October 2025

195 Lambton Quay  
Private Bag 18–901  
Wellington 6160  
New Zealand

T +64 4 439 8000  
F +64 4 472 9596

OIA 30468

Personal Details  
removed for Proactive  
Release

Personal Details removed for  
Proactive Release

Tēnā koe

Thank you for your email of 3 October 2025 in which you request the following under the Official Information Act 1982 (OIA):

- "1. How would MFAT work to ensure NZ citizen safety while the citizen is being detained?*
- 2. What actions would MFAT take to ensure the safe return of the citizen, assuming the protest was considered by the Minister and MFAT as legitimately peaceful?*
- 3. Would MFAT feel the need to advise the Government or Parliament regarding this hypothetical event?*
- 4. Historically, has MFAT advised the Government or Parliament regarding similar events (to this hypothetical scenario)? If so, what was the advice given? Please prioritise sharing information that is not redacted or classified in anyway, but if you must share information that is redacted or classified please explain why this information is being shared, despite it's opaqueness.*
- 5. Should the Minister and MFAT decide not to involve themselves because they deem the protest is not peaceful, what steps would be taken to reach this conclusion? What would happen next to the NZ citizen (in regards to MFAT's involvement)?.*

*As you may have noticed this OIA request does not reference current events. Please do not assume as such in your response to it. This email is purely focused on understanding longstanding policy and procedures, or lack thereof."*

Your OIA request poses a series of hypothetical questions and asks what our response would be in those situations. In responding to OIA requests, the Ministry of Foreign Affairs and Trade (the Ministry) operates under guidance from the Office of the Ombudsman which states that agencies are under no obligation to create information, or form an opinion, in order to answer an OIA request. Accordingly, your request is refused under section 18(g) of the OIA, as the information is not held by the Ministry. You can find more information about this guidance here (page 6):

<https://www.ombudsman.parliament.nz/resources/oia-ministers-and-agencies-guide-processing-official-information-requests>.

In the spirit of the OIA, the Ministry has provided the below information regarding our consular activities.

New Zealand consular officials can, when requested, provide consular assistance to New Zealand citizens overseas. Information concerning the services that consular officials can and cannot provide to New Zealanders in detention can be found on the SafeTravel website: <https://www.safetravel.govt.nz/our-services>

The provision of consular services to New Zealanders is not contingent on any assessment of the legitimacy or merit of actions taken by those New Zealanders, or other parties.

From time-to-time consular officials provide information to relevant ministers relating to consular cases, in accordance with the 'no surprises' principle - for example, when we have reason to believe that a Minister will be asked about a case by media. Generally, and wherever possible, the information we provide is anonymised, to protect the privacy of the individuals concerned.

We seldom have reasons or grounds to provide information about individual consular cases to Parliament, however some information is provided to select committees, and in particular the Foreign Affairs, Defence and Trade Committee, as part of that committee's regular reviews of the Ministry of Foreign Affairs and Trade. Information provided is anonymised where possible to protect the privacy of the individuals concerned.

As is noted above, the provision of consular services to New Zealanders is not contingent on any assessment of the legitimacy or merit of actions taken by those New Zealanders, or other parties. There are therefore no instances similar to the scenario you outline and no decision-making process to assess that legitimacy or merit.

Please note that it is our policy to proactively release our responses to official information requests where possible. Therefore, our response to your request (with your personal information removed) may be published on the Ministry website: [www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/](http://www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/)

If you have any questions about this decision, you can contact us by email at: [DM-ESD@mfat.govt.nz](mailto:DM-ESD@mfat.govt.nz). You have the right to seek an investigation and review by the Ombudsman of this decision by contacting [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Nāku noa, nā



Sarah Corbett  
for Secretary of Foreign Affairs and Trade