

**UNDER**

**THE INQUIRIES ACT 2013**

**IN THE MATTER**

**A GOVERNMENT INQUIRY INTO OPERATION  
BURNHAM AND RELATED MATTERS**

---

**Brief of Evidence for Christopher John Augustine Hoey**

---

---

**Solicitor acting:**

**JENNY CATRAN**

Crown Law

PO Box 2858

Wellington 6140

Tel: 04 472 1719

[jenny.catran@crownlaw.govt.nz](mailto:jenny.catran@crownlaw.govt.nz)

**Counsel acting:**

**PAUL RADICH QC**

Clifton Chambers

PO Box 10731

Wellington 6140

Tel: 04 974 5951

[paul.radich@cliftonchambers.co.n](mailto:paul.radich@cliftonchambers.co.nz)

1. This Brief of Evidence is provided further to my affidavit affirmed on 23 August 2019.
2. I am aware that on 19 September 2019, following a direction from the Inquiry, the NZDF located a Classified Document Register from a safe in the Office of Chief of Defence Force (**OCDF Register**). I refer to the NZDF Bundle at pages 369 - 372.

## 2011

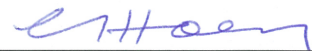
3. The OCDF Register records that, on 1 September 2011, the Director of Special Operations (DSO), who at that time was Jim Blackwell, marched in a "Baghlan Province Brief" comprising two secret documents. It also records my initials towards the right hand column alongside the date 1 September 2011. This means that I received those documents on that same date. At that time, I was the Military Secretary to the Minister of Defence, the Hon Dr Wayne Mapp. I was in that role from mid-December 2010 until 22 February 2012.
4. I do not recall receiving the two secret documents, which I now understand to have been the Operation Burnham "storyboard" and the IAT report. But, it follows from the fact that my initials are in the OCDF Register, either that I picked up the documents from NZDF and signed the OCDF Register while I was there, or that someone brought them to the Minister's Office, together with the OCDF Register for me to sign.
5. I would have flipped through the documents but I believe that I did not read them. It was clear that the documents concerned an operation in Afghanistan. I am certain that I would have given the documents to the Minister straight away because I was conscious that any material about Afghanistan was of importance to the Government.
6. I do not recall attending a briefing on these documents. Having said that, I did not attend all of the Minister's briefings. My attendance depended on the office priorities of the day.
7. There were two safes in the Minister's Office: the Minister's safe and the Military Secretary's safe. Typically the Military Secretary's safe would be used to store documents from the NZDF, the Ministry of Foreign Affairs and Trade, or the intelligence community. The Minister's safe would be used for his own purposes. I did not have access to that safe.
8. I have now seen the Classified Document Register for the Military Secretary's Safe, which is in the Bundle at pages 373 - 376 (**Secretary's Register**). It records that, on 2 December 2011, I registered document 386/11 - which is the serial number given to the "storyboard" and IAT report - into the safe. It also shows that I, together with Francis van der Krogt (who was the Minister's Private Secretary from the Ministry of Defence), shredded that document on 5 December 2011. The Secretary's Register shows that a large number of other documents were also recorded on 2 December 2011, and shredded on 5 December 2011. This suggests to me that on those dates I went through all the classified material that was in the safe at that time, checked that the Register was up to date (what we call a "muster"), and ensured that material

that was no longer needed was securely destroyed. This is likely to have been due to the departure of Minister Mapp, and part of the general vacating of a Minister's Office.

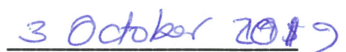
9. I cannot explain why there is a three month period between receiving the secret Baghlan documents and registering them in my Classified Document Register. It could be that the documents went into the Minister's safe on 1 September 2011 and that they were transferred into mine on his departure from office. Equally, it could be that the documents went into my safe on or around 1 September 2011 after the Minister had seen them but that I did not update the Classified Document Register until 2 December 2011, in between Minister Mapp's departure and Minister Jonathan Coleman's commencement.

## 2014

10. In July 2014, in the day or days after the Native Affairs "Collateral Damage" programme had aired, I recall being asked by either the Chief of Defence Force (CDF), then Lieutenant General Tim Keating, or his Chief of Staff, Commodore Ross Smith, to collate all the material we had sent to the office of the Minister of Defence on the subject of Afghanistan, including Operation Burnham.
11. I found a number of relevant documents in my safe, including the bundle containing the Operation Burnham "storyboard" and the IAT report. I believe that I must have combined them all. In other words, I incorporated the draft Notes to the Minister from August and December 2010, and the word document containing the text of an email from the Senior National Officer in Afghanistan at the time of Operation Burnham, all of which were in my safe, into the bundle containing the "storyboard" and the IAT report. I included the draft Notes to the Minister as I did not have a copy of the final, signed versions. I then stapled all the documents together and provided them to the CDF or to the CDF's Chief of Staff.



Christopher John Augustine Hoey



Date

