

UNDER

THE INQUIRIES ACT 2013

IN THE MATTER OF

A GOVERNMENT INQUIRY INTO
OPERATION BURNHAM AND
RELATED MATTERS

MEMORANDUM OF COUNSEL FOR THE CROWN AGENCIES

14 October 2019

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MAY IT PLEASE THE INQUIRY:

1. In Ruling Number 1, the Inquiry confirmed the procedural protocol for review of classified information / claims to withhold information from disclosure. This procedure involves three steps:
 - 1.1 Identification and assessment of the claimed grounds for non-disclosure;
 - 1.2 Consultation with the relevant agency or agencies concerning claims; and
 - 1.3 Referral of matters to the Inquiry.
2. The Inquiry has identified a further tranche of documents to undergo the classification review process. The reviewers, Mr Keith and Mr Johnstone, and the relevant Crown agencies have consulted, and have agreed to the publication of the enclosed documents.
3. There are a number of documents in the tranche for which consultation between Crown agencies and the reviewers is ongoing. In the meantime, however, in the interests of ensuring relevant information is disclosed prior to the public hearing scheduled for 15 to 18 October 2019, the Inquiry and the relevant Crown agencies have agreed that the enclosed documents should be disclosed.
4. The relevant Crown agencies and the reviewers continue to review the classification of documents produced to the Inquiry, pursuant to the protocol. It is expected that further information will be declassified for disclosure to other core participants and the public in the course of the Inquiry.

14 October 2019



Ian Auld
Counsel for the Crown