



Headquarters
New Zealand Defence Force
Defence House
Private Bag 39997
Wellington Mail Centre
Lower Hutt 5045
New Zealand

OIA-2024-4982

30 April 2024

[REDACTED]
[REDACTED]

Dear [REDACTED]

I refer to your email of 18 March 2024 to Tim Costley, MP, requesting a copy of the transcript of the New Zealand Defence Force (NZDF) Court of Inquiry following the death of your brother, Flight Sergeant Mark Rodgers. Your request was transferred to the NZDF on 8 April 2024 for consideration in accordance with the Official Information Act 1982 (OIA).

Evidence for a Court of Inquiry is not official information and it is not covered by the provisions of the OIA. Your request is therefore declined. Releasing testimony given to any Court cannot be done without prejudice to the entire Court of Inquiry process. This is because it would inhibit the free and frank testimony from witnesses in future Courts of Inquiry. Although it is appreciated that this will be disappointing to you, it is critical that there is no chilling effect on the willingness of witnesses to be completely candid in future Courts of Inquiry.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that responses to official information requests are proactively released where possible. This response to your request will be published shortly on the NZDF website, with your personal information removed.

Yours sincerely

AJ WOODS

Air Commodore

Chief of Staff HQNZDF