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Appraisal Report
for
the New Zealand Security and
Intelligence Service (NZSIS)
Legacy Records Disposal Authority



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1. Introduction

Purpose/circumstances

While implementing the Intelligence Community disposal authority DA 692 for NZSIS legacy records, it was determined that many legacy records could not be implemented using DA 692 or the General Disposal Authorities (GDAs) issued by Archives NZ.

A number of classes in expired NZSIS disposal authorities DA 542 and DA 463 were identified as applicable to NZSIS legacy records. Consequently, modified versions of these classes were consolidated into an NZSIS specific disposal authority.

Scope

This draft disposal authority covers legacy NZSIS and predecessor agency records not covered by DA 692. Legacy records are information, records and data in any format which predate the Intelligence and Security Act 2017 (ISA).

2. Agency Information

NZSIS historical (and predecessor) functions

New Zealand Police were responsible for security intelligence matters in the form of the Special Branch which operated from 1920 to 1957. Special Branch was set up to investigate and report on revolutionary matters in New Zealand. Revolutionary matters meant any activities supporting communism following the 1917 Bolshevik Revolution in Russia. Over time the focus of Special Branch expanded to include pacifists and anti-conscription protestors. During World War Two, Special Branch also kept an eye on aliens considered to be of doubtful national and political loyalty including Germans and Yugoslavs.

The functions of Special Branch were incorporated into the NZSIS (called the NZ Security Service from 1956-1969) when established in 1956 operating under an Order-in-Council until 1969, when Parliament passed the New Zealand Security and Intelligence Act. This was subsequently amended in 1977, 1996 and 2003. Key provisions of the 1977 amendment was the ability of the NZSIS to obtain interception warrants and a requirement for the NZSIS to destroy irrelevant information obtained by interception unless it related directly or indirectly to the detection of activities prejudicial to security. Assessment of archival value for several of the following disposal classes are based on the level of direct security relevance as outlined in the 1977 Amendment.

The NZSIS was established as a civilian and politically neutral agency, headed by the Director of Security. The Director was appointed by the Governor-General and was responsible to the Minister in Charge of the Service, usually the Prime Minister. The NZSIS was responsible for domestic security and has never had Police powers, such as the power of arrest or authority to enforce the law. When established, the role of the NZSIS was to:

- Obtain, correlate and evaluate intelligence relating to the security of New Zealand;
 - Communicate such intelligence to those that the Director of Security considers should be aware in the interests of security;
 - Advise the government about security matters;
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- Co-operate with other organisations in New Zealand and overseas that could help the NZSIS carry out its job;
 - Make recommendations relevant to security in respect of immigration and citizenship matters;
 - Provide advice on protective security matters;
 - Conduct enquiries into whether individuals should be granted security clearance and make recommendations.

The NZSIS administrative headquarters is in Wellington, with regional offices in Auckland and Christchurch.

The NZSIS Act was replaced by the Intelligence and Security Act 2017 (ISA).

The records covered by this disposal authority reflect the activities carried out by the NZSIS historically and do not necessarily reflect the priorities and conduct of the agency today. All intrusive activities conducted by the NZSIS are subject to a rigorous process of prioritisation, assessments of necessity and proportionality with respect to the lawful functions of the NZSIS and oversight by the Inspector-General of Intelligence and Security.

Information Management Environment

The scope of the legacy disposal authority are records inherited from the Police and created by the NZSIS from 1956 until the Intelligence and Security Act 2017 including information contained in electronic systems which were in operation prior to 2017.

Prior to 2005, the main file systems were physical subject files and case files arranged by name. These classes of information became predominantly managed in electronic systems from 2005.

File management procedures were documented in detailed procedural manuals and supported by Registry staff responsible for managing records.

Details about relevant information systems are included in the description section of each disposal class.

3. Points of Note

Importance of the NZSIS and its records

In a democratic society, state surveillance and intelligence gathering can represent some of the most intrusive interactions between the state, groups and individuals. Consequently, identifying and retaining records of archival value which document these interactions supports democratic accountability for government actions over time.

The records covered by this disposal authority document nearly a century of state surveillance dating from the New Zealand Police (1919-1957) and the NZSIS (1956-2017).

Disposal implementation framework

Several disposal classes outlined in section 5 below determine archival value based on the level of significant security interest. These criteria were adapted from previous disposal authorities with changes to reflect that some classes in earlier disposal authorities tended towards over-retention. For example, the only destruction class for Source files in DA 542 was duplicate regional files

whereas a content review of a sample of Source files for this disposal authority found that a significant proportion of these records did not justify retention based on current retention criteria.

It is acknowledged that including subjective terminology (e.g. significant, well known individuals) for several disposal classes in the disposal schedule creates a potential risk of inconsistent interpretation when applying the disposal authority. The ability to provide flexibility when applying the disposal authority is necessary to avoid over retention. For example, while it is reasonable to retain a record as an archive where there was ongoing contact or relationship between an individual or group and the NZSIS, in cases where there was limited engagement or no engagement (e.g. beyond gathering of published information) it is not appropriate to retain these records as archives.

To support a consistent approach to interpreting and maintaining accountability for decision-making, the following implementation framework will be applied for the subjective classes of records on the basis of:

1. Implementation (which includes deciding what records should be retained or destroyed) will be completed by an experienced information management professional with a good understanding of records disposal best practice and the NZSIS business;
2. All records identified for destruction will be further assessed by a longstanding NZSIS staff member with a comprehensive knowledge of the history of the NZSIS;
3. A precedents register will be maintained to document implementation decision-making for records where interpretations of a particular disposal class is required;
4. Lists of all records will be maintained of legacy records identified for destruction with the file name and reference, applicable disposal class (it was destroyed under) and who approved destruction.

Deferral of transfer to Archives NZ

With the exception of records declassified for public release, all public archives retained by the NZSIS are covered by a deferral of transfer (DT 44) until August 2046.

Amendment to DA 692 to permit destruction of pre ISA raw information and/or collect for the NZSIS

During the development of this legacy disposal authority, it was confirmed that DA 692 sub-class 16.5 could not be applied to information collected by NZSIS (or GCSB for that matter). As a consequence of a pressing need to legally destroy a specific group of low value information pre-dating the ISA, in a manner consistent with how similar information would be considered if received post-commencement of the ISA, an amendment was approved in January 2023 to sub-class 16.5 to make it applicable to the NZSIS and pre ISA records.

The implications for the amendment for this disposal authority are that for:

Sub-class 4.1 monitoring and surveillance of groups, organisations, events and individuals there is only a sub-class for retention as archives. Destruction of low value information within this definition is authorised by the amendment to DA 692 sub-class 16.5.

Sub-class 7.1 security and intelligence information gathered prior to the Intelligence and Security Act 2017 (including intercept and warrant applications) are sub-classes for retention as archives. Destruction of low value information within this definition is authorised by the amendment to DA 692 sub-class 16.5 rather than the legacy disposal authority.

Public access to records identified for retention as archives

Public access to records identified for permanent retention under the legacy disposal authority will be consistent with the access status requirements of the Public Records Act 2005 (ss 43-44). In this context, the NZSIS has imposed long-term public access restrictions on specific classes of archives to protect personal privacy, to protect information provided to NZSIS on the basis of confidence by overseas governments and internal organisations and to protect information which documents NZSIS tradecraft and capabilities.

4. Methodology

Development activities

The following steps summarise development of this disposal authority to date:

- (1) Identification of gaps in disposal coverage in the Intelligence Community DA 692 for NZSIS legacy records.
- (2) Assessment of relevant precedents contained in expired NZSIS disposal authorities DA 463 and DA 542.
- (3) The new legacy classes adopted from DA 463 and DA 542 were analysed and several found to be over retentive. For example the only destruction class for Source files (class 2) in the previous disposal authority (DA 542) was for duplicate files. A key argument for a high retention rate for Source files in DA 542 was that the files could retain information relevant to future counter-intelligence. This is not a justification for retention as archives but reflects time limited business value.
- (4) Testing the proposed disposal classes against a sample of records to ensure that they can be practically applied.
- (5) Conducting internal consultation and obtaining approval to commence external engagement.
- (6) External consultation.
- (7) Final changes resulting from internal and external consultation and submission to Archives NZ for review and approval.

The disposal classes are based on logical record groupings rather than NZSIS functions/activities to facilitate easier implementation.

Consultation

The draft appraisal report and schedule will be made available to the following organisations for comment:

- Inspector-General of Intelligence and Security (IGIS)
 - Government Communications Security Bureau (GCSB)
 - Office of the Privacy Commissioner
 - Office of the Ombudsman
 - Ministry of Culture and Heritage
 - New Zealand Defence Force
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- New Zealand Police
 - New Zealand universities
 - Archives and Records Association of New Zealand (ARANZ)
 - Professional Historians Association of New Zealand (PHANZA)
 - Records and Information Management Professionals (RIMPA).

Throughout development of this new disposal authority, NZSIS has been in the process of developing appropriate strategy and relationships for greater engagement with Māori. Because of this, no specific consultation was carried out with Māori partners during the development phase of the disposal authority. NZSIS intends to conduct such consultation retrospectively once a Māori engagement strategy is further developed along with appropriate relationships to allow for meaningful consultation and input with Māori partners.

Key points arising from external engagement will be added following consultation.

As detailed consultation was conducted in the development of the previous disposal authorities which covered similar types of records, comprehensive internal consultation was not conducted with engagement focussing on staff with information management expertise and those with an expert knowledge of the history of the NZSIS.

Relevant previous disposal authorities

As indicated in section 4.1 above, prior to the approval of DA 692, two (now expired) disposal authorities applied to for NZSIS records; DA 463 and DA 542. The following classes were adapted from DA 463 and DA 542 into this disposal authority:

Class 1 Personal Files (PFs) adapted from DA 542 Class 4

Class 2 Source records adapted from DA 542 Class 2

Class 3 Pre-1958 records adapted from DA 463 Class 1

Class 4 Monitoring and Surveillance of groups, organisations, events, individuals **and** diplomatic posts, organisations linked to foreign governments and foreign nationals/overseas groups visiting New Zealand adapted from DA 463 Classes 7 and 8

Class 5 Defector and Espionage cases adapted from DA 463 Class 9

Class 6 Interception warrant applications made under the NZSIS Amendment Act 1977 and prior adapted from DA 463 Class 15

Class 7 Security and intelligence information gathered prior to the Intelligence and Security Act 2017 which was not covered by previous disposal authorities

Class 8 Control records adapted from DA 542 Class 3.

Appraisal criteria

The following criteria from the Public Sector Archives NZ Selection Statement were applied to the disposal classes included in this disposal authority:

Principle 1: NZ public sector authority, functions and activities. This consists of information and records that provide evidence of the authority and performance of the New Zealand public sector. This includes information and records that illustrate and provide clarity on the functions of governing New Zealand, such as the development and implementation of public policies and programmes in response to national as well as international issues.

Principle 3: Individual and community knowledge, identity and memory. This consists of information and records that contribute to the knowledge and understanding of New Zealand, its history, geography, society, culture and achievements, and to all New Zealanders' sense of their

local, regional and national identity and legal status, their Māori iwi/hapu, ethnic or other communities.

There is a high public interest with ensuring public accountability for government security and intelligence actions. There is also a well-established and ongoing research interest in the study of political groups, causes, protests and events through most of the twentieth century. This is evidenced by frequent public and academic requests to access NZSIS archives.

5. Description and Evaluation of Each Class

Personal files (PFs) – schedule sub-classes 1.1 – 1.3

Description

Consists of head office Personal Files (PFs) and related information. A key function of the NZSIS was to obtain, correlate and evaluate intelligence relating to security, and by the nature of this mandate the NZSIS collected information on individuals investigated for security reasons. PFs document persons investigated by the NZSIS (or its predecessor agencies) for security reasons. This class excludes NZSIS staff personal files.

Information stored on PFs date from 1919 as the NZSIS incorporated information from predecessor agencies into its own records. Predecessor agencies including Police (responsible for security between 1919 and 1956), the Security Intelligence Bureau that operated from 1940-43 under the New Zealand Army and from 1943 to 1945, the Police.

The targeted persons on whom PFs were created include:

- Officers and associates of hostile intelligence services;
- Members of subversive movements, terrorist groups and so forth;
- Persons involved in front and friendship groups of security interest;
- Persons involved with immigration and citizenship cases of security interest.

PFs are held at the NZSIS head office, with regional offices holding copies. Regional offices forwarded all original documents to head office which were interfiled into the head office PF. The only original documents held at the regional level was correspondence from head office, copies of which were stored the head office files. When regional offices PFs were closed, the files were forwarded to head office.

PFs typically contain:

- Biographical profiles, which were frequently updated for persons for ongoing security interest;
 - Reports on the personal details of targeted persons such as financial status, political motivations/attitudes, marital status, personal/work relationships, photographs;
 - Biographical details of targets' families and associates, particularly those of security interest;
 - Information gathered by NZSIS staff on individuals including interviews with friends, associates and employers;
 - Information gathered from domestic government and overseas intelligence agencies;
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- NZSIS evaluation on the security significance of targeted individuals such as Target Assessments, Personal Particular Forms and Intelligence Assessments;
 - Information sourced from NZSIS agents and informants on targets;
 - Communications, documents, extracts of intercepts relevant to security obtained under Interception Warrants.

Multi-media recordings were often made of surveillance activities and interviews.

The paper PF system established in 1956 was closed in 2005 and succeeded by an electronic system. The scope of this disposal authority includes all physical files and equivalent electronic information dating to 2017.

Value statement

Sub-class 1.1 is recommended for retention as public archives on the basis of Principle 1 (NZ public sector authority, functions and activities) and Principle 3 (Individual and community knowledge, identity and memory) of the Public Sector Archives NZ Selection Statement. There is a high public interest for ensuring public accountability for past actions which involved substantial investigation of individuals. Archival value is determined by whether records (and related multi-media recordings) demonstrated a significant security interest. 'Significant' means that records:

- Contain formal reports or investigations;
- Document a long-term relationship;
- Involve well known individuals;
- Or document major events of security interest.

PFs where a substantial security interest was not established are recommended for destruction (sub-class 1.2). These are typically records generated as a result of a single event or circumstances which did not result in a report or investigation.

Sub-class 1.3 Duplicate PFs created by NZSIS regional offices or its predecessors. These files contain duplicate information already held in the head office file and can be destroyed.

Disposal recommendations

Retain as public archives:

Sub-class 1.1 PFs and related information (including related multi-media recordings) where a direct or significant security interest was established - retain 25 years after date of last action.

Destroy:

Sub-class 1.2 PFs and related information (including multi-media recordings) where a direct or significant security interest was not established - destroy 25 years after last action.

Sub-class 1.3 Duplicate Personal files created by NZSIS Regional Offices - destroy 7 years after last action.

Source records - schedule sub-classes 2.1 – 2.3

Description

Source records document the NZSIS (and predecessors) targeting, recruitment, management and ongoing relationship with persons providing intelligence information. In cases where information Sources sometimes provided large volumes of intelligence information and associated documentation, their Source files were split into two: an Administration file and a Product file.

The Administration part or volume dealing with engagement, payment, handling, and their relationship with the Service, etc. while the Product file or volume contained information supplied by the Source.

The following are examples of information contained in Source files:

- Background about how Sources came to the attention of the Police or NZSIS;
- Biographical profiles of informants and agents;
- Targeting and recruitment of information Sources;
- Approval of payments and employment of Sources;
- Agents' Personal Particular Sheets which profile personal details, financial status, subversive associations, how recruited and motivated, handling officer comments and photographs;
- Background information collected on Sources by other government agencies;
- Handling notes prepared by NZSIS staff member managing the Source for each meeting or contact with a Source;
- Records of payments made to a Source;
- Acknowledgement and disclaimer declarations signed by agents, agreeing not to disclose either the association with the NZSIS or information acquired.

The Product part or volume on the Source mainly cover:

- Intelligence Information Reports from handling officers detailing the information given by Sources during contacts and meetings;
- Original handwritten or typed reports from Sources, detailing their activities and information gathered;
- Copies of documents provided by Sources.

The head office Source file contained mostly original documentation while regional office files largely held duplicate information. Original information stored on regional files was forwarded to head office and interfiled into the head office file. Copies of Source product documentation was generally filed on the relevant files within the multiple number subject records system. Copies of Product documents could be added to the PFs. The previous NZSIS practice was to destroy the Product part of files following the death of Sources though this practice has ceased.

Physical Source records date from 1930s to about 2005. Mainly electronic records were created after 2005.

Recordings were sometimes made of discussions with Sources.

Value statement

Sub-class 2.1 comes under the Public Sector Archives NZ Selection Statement Principle 1 (NZ public sector authority, functions and activities) and Principle 3 (Individual and community knowledge, identity and memory). There is a high public interest with ensuring public accountability for past actions involving the use of Sources and multi-media recordings where the applicable direct or significant security interest was established which means that information provided by a Source resulted in reports or investigations, reflected a longstanding relationship or involved well known individuals.

Multi-media recordings where the applicable Source file has been identified for permanent retention should also be retained to ensure a complete record of NZSIS engagement with significant Sources.

Non-significant means that information obtained from Sources did not result in reports or investigations, documented short term relationships or involve well known individuals. Records of Sources where a direct or significant security interest was not established (Sub-class 2.2) are recommended for destruction after a minimum 25 years.

Sub-class 2.3 Duplicate Source records created by NZSIS regional offices or their predecessors are recommended for destruction 7 years after closure as most content are copies of information stored in head office files or is of an administrative nature.

Retention and disposal recommendations

Retain as public archives:

Class 2.1 Source files and related multi-media recordings about persons where a direct or significant security interest was established – retain as archives 25 years after date of last action.

Destroy:

Class 2.2 Source files and related multi-media recordings where a direct or significant security interest was not established – destroy 25 years after date of last action.

Class 2.3 Duplicate Source records - destroy 7 years after last action.

Police and Security Intelligence Bureau legacy records

Description

Class 3.1 consists of records inherited from the Security Intelligence Bureau and the Police Department. Records include Police reports of subversive activities (1928-39) and Police Secret correspondence registers (1920-1957) and records seized as a consequence of lawful Police actions.

Value statement

A previous appraisal report (for DA 463) argued that high retention is justified as the records provide evidence of New Zealand security activity for a period where little documentation has survived. It is recommended that this precedent be maintained.

Class 3.1 is recommended for permanent retention as public archives on the basis of the Public Sector Archives NZ Selection Statement Principle 1 (NZ public sector authority, functions and activities and Principle 3 (Individual and community knowledge, identity and memory).

Retention and disposal recommendation

Retain as public archives:

Class 3.1 all pre 1958 records inherited from the Security Intelligence Bureau and the Police Department retain as archives 25 years after date of last action.

Destroy:

None

Monitoring and surveillance of groups, organisations, individuals and events

Description

Class 4 documents a core function of the NZSIS; obtaining intelligence information relating to security and the means by which the NZSIS obtained intelligence. The records also document the extent to which the NZSIS was gathering information on groups, events and organisations, and their members.

Within class 4 there are two distinct sub classes of records:

Class 4.1 Monitoring and surveillance of groups, organisations, individuals and events. These records document the NZSIS collection of security intelligence information on groups, organisations, individuals and events through covert and other means prior to the Intelligence and Security Act 2017.

Intelligence was commonly gathered on the New Zealand communist and socialist organisations, immigrant/émigré groups, publications and news media, peace and nuclear disarmament groups, religious groups, trade unions, organisations involved with industrial disputes, terrorist and extremist groups, protest groups, bookshops, film groups, educational institutions and associations, commercial firms, country friendship clubs and societies, etc.

This class excludes PFs. Multi-media recordings of intelligence and supervision activities were sometimes created.

Class 4.2 – 4.3: Records documenting the NZSIS collection of security intelligence gathered through covert and other means.

Examples of information includes:

- Information provided by NZSIS agents/informants;
- Field officers' reports detailing information from Sources and commenting on information reliability;
- Information on organisations in NZ and overseas with links to foreign governments (e.g. communist government front organisations including context with New Zealand residents and groups);
- Copies of documents produced by foreign diplomatic posts, obtained by NZSIS
- NZSIS surveillance reports.

Value statement

Class 4.1 Records containing information of direct or significant security interest document one of the core functions of the NZSIS of obtaining intelligence information relating to security and details how the NZSIS obtained intelligence information. The records also document the extent to which the NZSIS was gathering information on diplomatic posts, organisations/groups linked to foreign governments.

Retention is recommended on the basis of the Public Sector Archives NZ Selection Statement Principle 1 (NZ public sector authority, functions and activities and Principle 3 (Individual and community knowledge, identity and memory). There is a high public interest with ensuring public accountability for past actions involving substantial investigation of individuals, groups and organisations.

Class 4.2 records are of historical and research value as they document citizen/state interaction where there is a potential tension between the rights of citizens and the importance of national security.

Records which demonstrated a direct or significant security interest are recommended for retention as archives. Significant means that formal reports or investigations may have been generated, files documented long-term monitoring or surveillance or involved well known individuals, groups or events.

Examples of information of direct security interest includes:

- Information provided by NZSIS agents and informants;
- Field officers' reports detailing information from Sources and commenting on information reliability;
- Information on the structure, history, finance, internal policies, membership lists, activities, etc;
- Information from other Sources utilised by NZSIS;
- Internal documents from groups, including letters, communications, activity plans;
- Surveillance reports;
- Information on individuals including summary profiles, monitoring of international travel;
- Intelligence on protests and demonstrations;
- Investigations into media/publications;
- Monitoring of New Zealanders travelling overseas;
- Information on organisations in NZ and overseas with links to foreign governments (e.g. communist government front organisations including context with New Zealand residents and groups);
- Copies of documents produced by foreign diplomatic posts, obtained by NZSIS.

Retention is recommended on the basis of the Public Sector Archives NZ Selection Statement Principle 1 (NZ public sector authority, functions and activities and Principle 3 (Individual and community knowledge, identity and memory). There is a high public interest with ensuring public accountability for past actions involving substantial investigation of individuals, groups and organisations.

Multi-media recordings related to monitoring and supervision activities where a direct or significant security interest was established are recommended for retention as archives.

Class 4.3 consists of records of no security interest are not of archival value and are recommended for destruction as the information contained are of passing reference value that is readily available from public sources. Multi-media recordings are recommended for retention where they contain information of direct or significant security interest.

Information not of direct security interest includes information available from public sources, general background information from MFAT and information of reference value only such as general intelligence received from overseas intelligence agencies.

Records are recommended for destruction where a direct or significant security interest was not established (including related multi-media recordings).

Retain as archives:

4.1 Monitoring and surveillance of groups, organisations, events and individuals where a direct or significant interest was established.

4.2 Monitoring and surveillance of consular and diplomatic posts, organisations linked to foreign governments and foreign national overseas groups visiting New Zealand which document a direct or significant security interest – retain as archives 25 years after last action.

Destroy:

4.3 Monitoring and surveillance of consular and diplomatic posts, organisations linked to foreign governments and foreign national overseas groups visiting New Zealand which did not document a direct or significant security interest including multi-media recordings – destroy 25 years after last action.

Defector and espionage cases

Description

Classes 5.1 – 5.3 Defector and espionage cases (domestic and foreign)

Records detailing the planning, execution and evaluation of operational exercises/projects, which had a specific task within a limited timeframe e.g. target surveillance, source recruitment, etc. This class also includes espionage cases.

Value statement

Defector and espionage records have archival value as they document the planned tasks into which the NZSIS put considerable resources, and the techniques used by the NZSIS to gather intelligence and recruit Sources. The records also contain evaluations of the operational outcomes. Records that detail significant NZSIS involvement in espionage cases, document the NZSIS's role in detecting espionage activities against the national security interests of New Zealand come within Public Sector Archives NZ Selection Statement Principle 1 (NZ public sector authority, functions and activities). Direct involvement includes both operations initiated by NZSIS or to which NZSIS contributed resources.

Class 5.3 consist of espionage cases in which the NZSIS had no direct involvement and are recommended for destruction except where information provided by liaison services and their espionage cases gave insight into hostile intelligence services' modus operandi. In such cases, these were studied by the Service and influenced NZSIS information collection, analysis and operational targeting especially during the early years of the Service.

Retention and disposal recommendations

Retain as archives:

5.1 Defector and espionage cases (domestic and foreign) in which New Zealand had direct involvement – retain as archives 25 years after last action

5.2 Espionage cases (domestic and foreign) in which New Zealand had no direct involvement but where information provided by liaison services about their espionage cases provided insight into hostile intelligence services' modus operandi that influenced/informed NZSIS practice – retain as archives 25 years after last action.

Destroy:

5.3 Espionage cases (domestic and foreign) in which New Zealand had no direct involvement and did not provide insight into hostile intelligence services modus operandi – destroy 25 years after last action.

Interception warrants under the 1969 NZSIS Act

Description

Classes 6.1 Interception and warrant applications made under the NZSIS Act 1969. Under the NZSIS Act, the NZSIS was required to obtain a warrant to intercept or seize communications, documents or things from organisations or individuals whenever it would be otherwise illegal to do so. Under the legislation, all information gathered under a warrant had to be destroyed (or if mail, returned) unless it related directly or indirectly to the detection of activities prejudicial to security or to gather foreign intelligence essential to security.

Content typically consisted of information supporting applications for warrants and the original warrants. This includes warrant applications and summary reports concerning warrants to Minister In-Charge-Of NZSIS and where applicable, annual reviews of interception warrants by the Minister.

Value statement

Retention as archives is recommended for class 7.1 on the basis of the application of a statutory authority (via a warrant) of information intercepted or seized has significant direct intelligence value.

Retention is recommended on the basis of Principle 1 (NZ public sector authority, functions and activities) and Principle 3 (Individual and community knowledge, identity and memory) of the Public Sector Archives NZ Selection Statement. There is a high public interest with ensuring public accountability for past actions involving significant investigation of individuals and organisations

Disposal recommendations

Retain as archives:

Class 6.1 Interception and warrant applications made under the NZSIS Act 1969 – retain as archives 25 years after last action.

Destroy:

Not applicable.

Security and intelligence information gathered prior to the Intelligence and Security Act 2017

Description

Class 7.1 Security information gathered under the NZSIS Act 1969 and where a statutory authority was not required, including multi-media recordings which to a significant extent, directly relates to security – retain as archives 25 years after last action.

Value statement

Includes security and intelligence information in any format gathered under the NZSIS Act 1969 or where a statutory authority was not required which, to a significant extent, directly relates to security. 'Significant' means that reports or investigations were initiated; files documented a long-term monitoring or surveillance or involved well known individuals, groups or events.

Retention as archives is justified under Principle 1 (NZ public sector authority, functions and activities) and Principle 3 (Individual and community knowledge, identity and memory). There is a high public interest with ensuring public accountability for past actions involving substantial investigation of individuals, groups and organisations.

Retention and disposal recommendations

Retain as archives:

Class 7.1 Security and intelligence information gathered prior to the Intelligence and Security Act 2017 – retain as archive 25 years after last action.

Destroy: none. **Note** that the equivalent destruction class for records created under the ISA is in DA 692 sub-class 16.5.

Control records for legacy records

Description

Class 8.1 Both the Police and NZSIS used a number of systems including indices, registers and lists to control, locate and assist access to record series including PF and Source files. Examples include inwards correspondence registration sheets, index cards, and indices of persons of security interest, PF destruction lists, manual code name registers and indexes.

Value statement

Retention is justified on the basis that:

- (1) Many records recommended for retention in this disposal authority (e.g. PF and Source files) were previously destroyed leaving the following records as the only record of these activities including indexes, registers and file destruction lists.
- (2) Code name registers for Sources and people of interest is the only means of identifying the names of many individuals documented within several major record series.

These records are essential to facilitate access to, or fill information gaps for records covered by retention disposal classes outlined in this disposal authority. See Principle 1 (NZ public sector authority, functions and activities) and Principle 3 (Individual and community knowledge, identity and memory) of the Public Sector Archives NZ Selection Statement.

Disposal recommendation

Retain as archives:

Class 8.1 Control records

Destroy:

None

6.0 Access recommendations

See access statement Access Authority (AA) 1082.