

18 March 2026

Claire Bleakley  
President  
GE-Free New Zealand  
PO Box 13 402  
**WELLINGTON**

**By email:** [claire@gefrees.org.nz](mailto:claire@gefrees.org.nz)

Dear Claire

**OFFICIAL INFORMATION ACT REQUEST (PFR REF. OIA.25.009)**

Further to our letter to you on 3 December 2025 and your subsequent complaint, I am writing to advise that the New Zealand Institute for Bioeconomy Science (Bioeconomy Science Institute) has revisited its original decision to release a sub-set of photos of genetically modified animals from AgResearch's work.

Your original request was for the following (in the context of ERMA200223 and genetically modified animals):

*Please may we have a comprehensive range of photographs relating to each of the trait trials years of cows, goats and sheep both deformed and healthy?*

The Bioeconomy Science Institute has decided to release to you a further set of photos, in addition to those released to you in December 2025. It is first important to set out some of the background context to the photos that the Bioeconomy Science Institute holds:

- The scientific processes for this work did not require systematic taking of photos as a matter of course, so there is not a full and comprehensive range of photographs of all animals generated over the years of the genetically modified animal programme. Where we do hold photos, these were primarily taken on an impromptu basis. They were not part of a structured data-capture or for formal record-keeping purposes. Photos were, for instance, taken to support future publication of scientific findings, or because the animals were showing something of interest at the time.
- Because the photos were not taken and catalogued as formal research outputs, they do not follow any naming convention and are not accompanied by captioning, explanatory notes or metadata that can reveal the traits that are exhibited in the photos. Many are simply camera roll photos taken by individuals present during various stages of the research and were not filed for a defined scientific or archival purpose at the time.

- While we hold written records of the animals in the facility, it isn't practical for us to match those records to the photos that we have located to identify what traits are exhibited in each photo. This would require a substantial amount of time to go through each photo and locate the corresponding records, as well as consult with remaining staff who are subject matter experts. We also have limited staff remaining who were involved in the programme, as most of their roles with AgResearch were ended with the closing of the Ruakura animal containment facility. In a number of cases, animals would not be able to be identified from the photos due to their ear or collar tags not being visible, which would further complicate providing additional information.
- We also know that not all of the animals that were located in the containment facility at Ruakura were genetically modified. For instance, most of the genetically modified animals were born from unmodified mothers that were brought into the facility. We anticipate, therefore, that some of the photos that we hold of the animals in the facility are of unmodified animals, sometimes with or without genetically modified animals in the same photos.

The photos we have decided to release to you comprise photos that we have been able to locate from AgResearch's records which are within the scope of your request. This includes animals from earlier cloning work which we have also assumed are within the scope of what you are interested in receiving. The photos can be accessed by you through this link: [OIA-Research-Photos-Public-Release](#). Please advise us if you have any difficulty in accessing the photos.

As above, we are unable to definitively confirm to you now whether the animals in the photos released to you are genetically modified (or cloned), however we expect the majority are. There are a small number of photos in the collection which are or may appear to be duplicates, which we have included as these were sourced from different locations within our systems and therefore difficult to be certain whether they were duplicates.

We have decided to withhold two main groups of photos:

1. The first group of withheld photos include images of identifiable people. When these photos were taken, we expect the individuals involved would not have anticipated or wanted that the photos would be shared outside of AgResearch. We believe that disclosure could expose these individuals to harassment or unwanted public scrutiny or attention or cause them other distress. Accordingly, we have decided there are grounds to withhold any of the photos that contain identifiable people under section 9(2)(a) of the Official Information Act.
2. The second group of withheld photos include sensitive depictions of animals, being some deceased or malformed animals for which there is a high risk of misinterpretation or misunderstanding if there is not full scientific or operational context. We have withheld this group of photos for the following reasons:
  - a. New Zealand researchers working in this field have previously been subjected to harassment and threats from individuals or groups opposed to the use of animals in research. We believe that there is a risk that those of our researchers who have worked with the genetically modified animals, together with other Bioeconomy Science Institute employees who work with animals generally, could be subject to harassment should this group of photos be released. Harassment would, in our view, substantively affect the ability of any affected staff to carry out their research or operational roles. Accordingly, we have decided there are grounds to withhold this group of sensitive photos under section 9(2)(g)(ii) of the Official Information Act.

- b. The Bioeconomy Science Institute is a trusted commercial research provider in relation to animal research in a wide range of areas other than genetically modified animals. Research done with animals is overseen by Animal Ethics Committees established under the Animal Welfare Act. We consider that there is a substantive risk to the reputation of and customer confidence in the Bioeconomy Science Institute as a commercial research provider in the event of release of this group of photos without the full scientific or operational context, thereby impacting the ability of the Bioeconomy Science Institute to carry out its commercial activities of research for the private sector. Accordingly, we have decided there are grounds to withhold this group of sensitive photos under section 9(2)(i) of the Official Information Act.
- c. Some of the photos in this group were taken in the context of the operation of the Animal Ethics Committee system within AgResearch. Information shared with the Animal Ethics Committee was subject to an obligation of confidence, established through a requirement that Committee members signed a confidentiality undertaking as part of their Committee membership requirements as well as through confidentiality requirements under AgResearch's Code of Ethical Conduct for the Use of Animals for Research, Testing and Teaching. The effective operation of the Animal Ethics Committee system relies on the free-flow of information to the Committee, supported by this obligation of confidence, which is a principle that continues today under the Bioeconomy Science Institute's two Codes of Ethical Conduct. In our view, there is a likelihood that there would be a chilling effect on the supply of future information to the Bioeconomy Science Institute's two Animal Ethics Committees if photos previously shared with the AgResearch Animal Ethics Committee under confidence are made available. This applies to future information both from the Bioeconomy Science Institute's own researchers, as well as researchers from external organisations that the Committees provide supervision to as a service. The important public interest function of the Committees in ensuring appropriate supervision of research, testing and teaching under the Animal Welfare Act would be compromised. Accordingly, we have decided there are grounds to withhold some of this group of sensitive photos under section 9(2)(ba)(i) of the Official Information Act.

Section 9(1) of the Official Information Act requires that we also consider whether, in the circumstances of this particular case, the withholding of information is outweighed by other considerations which render it desirable, in the public interest, to make that information available. We accept that there is public interest in transparency around genetic modification in animals which could favour disclosure of the photos that we have chosen to withhold. We consider that the making available of the photos that we are releasing to you, together with other information in the public domain such as AgResearch's annual reports to the Environmental Protection Agency and the scientific and media publications from this work, substantially address transparency in relation to the animals. After weighing the public interest in transparency against the grounds for withholding the two groups of sensitive photos, we have decided to withhold both groups.

You have the right to seek a review by the Ombudsman in relation to your request and our response. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely



**Roger Bourne**  
Chief Communications & Engagement Officer