



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

OIA-2026-5869

21st

July 2026

Rev. Hamish Kirk

fyi-request-35041-0c9ac11d@requests.fyi.org.nz

Dear Rev. Kirk

I refer to your email of 8 July 2026 requesting, under the Official Information Act 1982 (OIA), information following a letter you received from the Minister of Defence. The various parts of your request are addressed below:

- 1) *How long did the review take?*
- 2) *Apart from the Principal Defence Chaplain (PDC), how many other chaplains had input into the review and what was their rank?*
- 3) *Did any members of ChDAC have input into the review?*

I acknowledge that the wording of the letter may have caused some inadvertent confusion. I provide this explanation and context to ensure clarity.

A 'further review' in the context of the letter dated 28 April 2026 and signed by Minister of Defence, Hon Chris Penk, refers to the review of the applicable orders and policy relating to NZDF Chaplaincy, as well as a review of the unit culture. This review was directed by the Chief of Defence Force, Tony Davies, who informed you of his decision in his letter of apology to you dated 4 March 2025.

The abovementioned review was titled People Capability Portfolio Minute 64/2025 Review into Orders, Policy and Culture of NZDF Chaplaincy (the Review). A copy of the Review was enclosed as part of response OIA-2025-5596 and PA-2026-0256, and sent to you on 8 December 2025.

- 4) *What relevant actions were taken as a result of the review?*
- 5) *What changes are there in Chaplaincy Leadership since the review?*
- 6) *What practices have changed or new practices been instigated since the review?*
- 5) *I request a copy of any changes to rules, procedures, DFOs, Chaplain regulations, handbooks that have occurred as a result of relevant actions taken, as well as the change in leadership and practices intimated to the Hon Chris Penk by the NZDF.*

With respect to the above parts of your request, the Review noted that chaplaincy policy and orders had been strengthened and updated following the concerns raised in the JAG Investigation Report (your complaint). These changes are specified in sections 3 and 4 of the Review. The comment at paragraph 4.c. reflects the updated version of Defence Force Instruction (DFI) 18.6, Chapter 6, that is enclosed for your reference. The new Chapter of Defence Health Rule 39 Part 3 mentioned at paragraph 4.f. is yet to be released.

Based on the findings of the review, and considering the changes already implemented following your complaint, no further recommendations were made to change or develop new practices.

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

Yours sincerely

GA Motley

Brigadier

Chief of Staff HQNZDF

Enclosure:

1. DFI 18.6, Chapter 6

Chapter 6 - New Zealand Defence Force Chaplains' Professional Code of Conduct

6.1 Introduction

- a. New Zealand Defence Force (NZDF) [Chaplains](#) fulfil a demanding ministry. Given the rigours of this ministry, the level of responsibility they hold, and the fact that NZDF necessarily faces issues of life and death, NZDF Chaplains must be held to the highest professional standards.
- b. Chaplains must comply with all applicable [Faith Body](#) Codes of Conduct and Ethics, as well as this NZDF Chaplains' Professional Code of Conduct in order to ensure the highest level of professionalism is maintained among NZDF Chaplains.
- c. The NZDF Chaplains' Professional Code of Conduct will be referred to as the *Code of Conduct* throughout this chapter (Chapter 6).

6.2 Spiritual health/hauora wairua of NZDF Chaplains

- a. As Faith underpins the work of NZDF Chaplains, they must attend to their own spiritual/wairua development. This will be maintained by—
 - (1) regular, personal study of their Holy Scriptures;
 - (2) regular, personal prayer or meditation;
 - (3) regular and ongoing engagement and connection with their respective Faith Body;
 - (4) engaging in opportunities and activities that allow spiritual refreshment, while accepting that their primary role is as a Chaplain to the NZDF; and
 - (5) ongoing reflection and theological study.
- b. NZDF Chaplains must ensure that regular collective prayer and scripture study is part of the rhythm of life in their camps/bases.
- c. NZDF Chaplains should ensure a sound working relationship with other wairua/spiritual advisors on their camps/bases.

6.3 Relationship between NZDF Chaplains and those in their care

- a. The ministry of an NZDF Chaplain involves establishing relationships and engaging in pastoral practices in situations where people are vulnerable and where there may be an imbalance of power.
- b. This requires NZDF Chaplains to exercise their role with sensitivity, discernment and within clear ethical boundaries. Special care should be taken when relating to spouses, partners or children and with those who are vulnerable.

- c. In their relationships with those in their care, NZDF Chaplains should always seek the highest good and best interests of the individual, whilst seeking also to meet the needs of the NZDF.

6.4 Mental health

- a. NZDF Chaplains are to be trained in first aid for mental health.
- b. NZDF Chaplains also have a responsibility to refer those with clear mental health concerns to an appropriate NZDF or external (to the NZDF) healthcare provider. If NZDF Chaplains refer individuals to external healthcare providers, they are to ensure that all required approvals are sought and relevant clinical notifications made.

6.5 General conduct of NZDF Chaplains

NZDF Chaplains are professionally accountable for their decisions and conduct. NZDF Chaplains must be able to justify their practice with regards to military personnel, civilians and/or dependants in their care. In particular, NZDF Chaplains must comply with the following requirements—

- (1) Respect and support the principles embodied in Te Tiriti o Waitangi.
- (2) Respect the rights of individuals, cultures and faith communities to hold their own values, traditions, beliefs and practices.
- (3) Promote and safeguard the interests and wellbeing of the [NZDF Whānau](#).
- (4) Treat all persons with respect and dignity.
- (5) Take responsible action to challenge violence and the abuse of power.
- (6) Act with integrity, sensitivity and understanding.
- (7) Develop and maintain their knowledge, skills and capabilities to practice safely, ethically, competently and legally.
- (8) Maintain competent practice through—
 - (a) regular supervision with a qualified supervisor;
 - (b) appropriate professional development courses as set by their respective Faith Bodies; and
 - (c) appropriate professional development courses as set by Defence Health and NZDF Chaplaincy Leadership.
- (9) Comply with NZDF's terms of service, orders, policies and protocols.
- (10) Maintain their recognised or accredited status with their Faith Body.
- (11) Uphold and improve the reputation of NZDF Chaplaincy as a professional element of the NZDF health capability.

6.6 Personal and professional boundaries

- a. Boundaries enable the effective functioning of caring and supportive relationships within which NZDF Chaplains can respond to the needs of those who access their support.
- b. Boundaries frame behaviour and practice so that pastoral relationships are consistent, and their limitations clear, to all parties involved. In particular, NZDF Chaplains must comply with the following requirements—
 - (1) Observe personal and professional boundaries in their practice such that it sustains the integrity and rights of those in their care.
 - (2) Recognise and work within their personal and professional limits, and refer to colleagues or other health/support professionals, where necessary.
 - (3) Ensure that they do not behave in ways that exploit, manipulate, intimidate, or cause distress, pain or harm.
 - (4) Ensure that they do not—
 - (a) impose their values, beliefs or practices on those in their care; or
 - (b) fail to respect the beliefs, values or spiritual interests of others.
 - (5) Refrain from entering into any inappropriate and/or sexual relationships with persons to whom they are offering ministry. The term 'sexual relationship' includes any form of contact which has, as its purpose, some form of sexual gratification, or which may reasonably be construed as being used for that purpose.
 - (6) Engage with their colleague(s)/supervisor(s) in a timely manner in the management of these relationship boundaries as and where any uncertainties arise.

6.7 Maintaining trust

The ministry of an NZDF Chaplain is both a privilege and a responsibility, and NZDF Chaplains must practice only in ways that foster trust and ethical relations with the NZDF Whānau. In particular, NZDF Chaplains are to do the following—

- (1) Provide support to NZDF Whānau, only where free and informed consent has been obtained—
 - (a) 'Free consent' implies a lack of pressure to disclose anything discussed against the wishes of the person being cared for.
 - (b) 'Informed consent' implies an understanding of the scope of an NZDF Chaplain's care.
- (2) Respect the rights of personnel, civilians or dependants to refuse or withdraw their consent at any time.

- (3) Respect the autonomy and agency of those in the NZDF Chaplain's care, including their freedom to make decisions contrary to the NZDF Chaplain's beliefs, practices or advice.
- (4) Ensure that none of their actions or omissions could, knowingly or reasonably, be considered to be detrimental to the wellbeing of those in their care.
- (5) Maintain clear professional and personal boundaries in the relations they establish with those in their care.
- (6) Involve those in their care in decisions about the support and care they will provide and facilitate.
- (7) Be fair and impartial when dealing with multiple parties involved in a matter, ensuring that they appropriately respond to the needs, concerns and interests of all involved.
- (8) Ensure that clarification is obtained, when providing support to two or more persons who have a relationship, with respect to the nature of the relationship the NZDF Chaplain will have with each person.
- (9) Avoid any conflicts of interest; however, in the event that conflicts arise and the NZDF Chaplain has to withdraw their involvement on the grounds of conscience, faith or ethical principles, they are to refer the person to a colleague or another social care professional for the continuity of the individual's care.

6.8 Respecting confidentiality

- a. Confidentiality is an expression of trust that enables people to talk freely about personal and private concerns relevant to their faith, health and wellbeing. Chaplaincy support to the NZDF Whānau inherently involves the discussion and sharing of information that, due to the provision of spiritual or ministerial services, might be considered confidential. NZDF Chaplains must therefore respect and promote confidences, and in particular must do the following—
 - (1) Treat all communication between the NZDF Chaplain and military personnel, civilian or dependants as private, confidential and privileged information, unless—
 - (a) the person gives their consent to disclose particular information; or
 - (b) there is a legal obligation to disclose particular information without consent.
 - (2) Establish clear boundaries of confidentiality with those in the NZDF Chaplain's care, and respect, as far as possible, the limitations of disclosure that an individual can reasonably expect or request.
 - (3) Ensure that any personal information received by them is not disclosed to a third party in the course of their duties, unless—
 - (a) the individual to whom the information relates gives their consent;

- (b) there is a serious threat to the health or life of an individual;
 - (c) there is a serious threat to public safety;
 - (d) there is a legal requirement (eg Act of Parliament or Court Order); and/or
 - (e) the Principal Defence Chaplain (PDC) gives approval after receiving legal advice from Defence Legal Services (DLS).
- (4) Ensure that any disclosure is consistent with the relevant Faith Body's codes of conduct or ethics. If a conflict between such Faith Body's codes/ethics and statutory/common law arises, NZDF Chaplains are to—
 - (a) inform the PDC; and
 - (b) seek advice from DLS.
- b. The CLT are to ensure policies and facilities are in place for the safe and confidential storage of notes in accordance with the [Public Records Act 2005](#).

6.9 Working with colleagues

- a. Spiritual, religious and wellbeing care involves NZDF Chaplains working effectively with other spiritual/wairua and wellbeing providers.
- b. At times, NZDF Chaplains may be required to work with both NZDF and non-NZDF health and wellbeing providers, volunteers, civilian ministers of religion and representatives of faith communities or cultural groups; therefore, NZDF Chaplains are to—
 - (1) respect the skills and contributions of such persons;
 - (2) work in a collaborative and co-operative manner with such persons;
 - (3) communicate effectively with such persons within the limits of confidentiality;
 - (4) work within the professional protocols and boundaries of confidentiality, when receiving/initiating referrals and/or liaising with persons outside NZDF; and
 - (5) make arrangements, as required, for those who need continued support and care at the start of their—
 - (a) leave;
 - (b) posting to another location; or
 - (c) discharge or release from the NZDF.

6.10 Honesty and integrity in professional chaplaincy practice

NZDF Chaplains, as religious professionals, must demonstrate the highest standards of moral integrity and honesty. In particular, NZDF Chaplains must—

- (1) be honest and accurate in representing their professional affiliations, qualifications and experience, and not make false claims about their competence; and
- (2) manage any finance responsibilities—
 - (a) in accordance with relevant NZDF orders;
 - (b) with diligence; and
 - (c) in accordance with their intended purpose.

6.11 Unethical behaviour and discipline

- a. At times, NZDF Chaplains may identify colleagues who, they have reason to believe, have behaved unethically or are in contravention of this code. This should be managed, in the first instance, by approaching the NZDF Chaplain believed to be at fault, before escalating their concerns in accordance with [DFI 18.2 Regulation of NZDF Health Services](#).
- b. The PDC is the regulator for disciplinary purposes, and will—
 - (1) complete an initial assessment of risk; and
 - (2) determine the required disciplinary pathway in accordance with the following—
 - (a) In all cases of alleged breaches, the NZDF Chaplain's ChDAC Senior Representative Chaplain will be notified to ensure that—
 - (i) there is full visibility and support available from their credentialling authority; and
 - (ii) all appropriate individual Faith Body processes are followed.
 - (b) Where it is assessed by the regulator that an unacceptable level of risk (either personal or reputational) exists to any party in the NZDF Chaplain's continued practice, the NZDF Chaplain shall be stood down from all chaplaincy duties, until the allegation is resolved.
 - (c) Where the alleged breach, or elements thereof, is credible and involves an issue of professional competence, it shall be addressed via the processes stipulated in [Health Instruction: 024/18 NZDF Health Professional Competence Review](#).

- (d) Where the alleged breach, or elements thereof, is credible and involves a moral or ethical violation that brings into question the suitability of an individual's continued service as a Chaplain within NZDF, the matter shall, pending the advice of DLS, result in the raising of a report as stated in [DFO 4](#) *Defence Force Orders for Personnel Administration - Policy*, Chapter 16, Section 8 *Discharge – Conduct Shown Retention Undesirable (Category DF)*.
 - (e) Where the alleged breach, or elements thereof, is credible and involves an offence against the [Armed Forces Discipline Act 1971](#), it shall, pending the advice of DLS, be subject to a preliminary inquiry as per the provisions in [DM 69](#) *Manual of Armed Forces Law* (2 ed), Volume 2 *The Court Martial Handbook*, Chapter 3 *Offences and Changes in the Court Martial* (on issue), with a view to determining subsequent actions.
- c. Where the alleged breach, or elements thereof, is credible and involves a criminal act it shall, pending the advice of DLS, be referred to the New Zealand Police for investigation.