

13 April 2018

Alex Harris

Via: fyi-request-7450-acbced5c@requests.fyi.org.nz

Private Bag 63002
Wellington 6140, New Zealand

Level 10, Grant Thornton House
215 Lambton Quay
Wellington 6011, New Zealand

epa.govt.nz
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Dear Alex

Thank you for your email to the Environmental Protection Authority (EPA) dated 14 March 2018, in which you requested the following information:

1. *A copy of the complaint lodged with Massey University about Mike Joy, and all related correspondence with them*
2. *All documents (including, but not limited to, advice, briefings, reports, and emails) relating to the complaint. I'm interested in the process by which the EPA came to this decision, how it was initiated and by whom, and whether the EPA considered its obligations under s14 of the NZBORA*
3. *A list of any other organisations the EPA has lodged complaints about Mike Joy with, including the nature of the complaint, the date it was lodged, and the outcome (if known).*

Your request has been considered under the Official Information Act 1982 (the Act). Our response is provided below.

1. *A copy of the complaint*

Please find attached a copy of the complaint.

2. *Documents relating to the complaint*

Please find attached an email from Massey University to the EPA regarding the complaint.

Three internal emails have been withheld under section 9(2)(h) of the Act in order to maintain legal professional privilege. I consider that the public interest in the documents is not outweighed by the need to withhold them.

3. *A list of other organisations where the EPA has lodged complaints about Mike Joy*

The EPA has not lodged complaints about Mike Joy with any other organisations. Under section 18(e) of the Act I am refusing your request for a 'list' of other organisations, as the document alleged to contain the information does not exist.

Under section 28 of the Act, you have the right to seek an investigation and review of this decision by the Ombudsman. You can contact the Ombudsman on 0800 802 602, or by email at info@ombudsman.parliament.nz.

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Thank you again for your request. If you have any further queries please do not hesitate to contact us via ministerials@epa.govt.nz.

Yours sincerely



Allan L. Freeth
Chief Executive



Environmental
Protection Authority
Te Mana Rauhi Talao

File Ref: ORG 03 09

17 October 2017

Professor Jan Thomas
Vice-Chancellor
Massey University
Private Bag 11222
PALMERSTON NORTH

Dear Vice-Chancellor

I am writing to express my concern over the continuing behaviour of one of your staff in relation to the Chief Scientist of the EPA, Dr Jacqueline Rowarth.

Dr Mike Joy's criticism in the past has been generally restricted to differences in professional opinion with Dr Rowarth over issues around water quality, but in the last few months, his public statements have become increasingly personal and, on occasion, close to libellous.

On public radio he inferred Dr Rowarth's involvement with a dairy farm, and, by implication, Fonterra in some way influenced her scientific views and work, calling into question her professionalism.

In his latest Facebook post, he calls Dr Rowarth the leader of the EPA and asserts that her appointment is political. Both assertions are patently untrue but have the potential to damage Dr Rowarth's and the EPA's reputation amongst the general public.

The EPA has been very concerned, for some time, at the tone and nature of Dr Joy's commentary which has moved beyond the professional and to the personal, and has the potential to escalate to a situation that could harm the reputations of the individuals and their respective institutions.

If Dr Joy has issues with the EPA's handling of any issue, then I would welcome him to visit us and discuss his issues with my staff. Arrangements can be made directly with my EA, Carol Anne Skjellerup (carol-anne.skjellerup@epa.govt.nz).

I would be grateful if you could pass on our concerns to Dr Joy and our invitation.

Yours sincerely

A handwritten signature in black ink, appearing to be 'A L Freeth', with a long horizontal line extending to the right.

Allan L Freeth
Chief Executive

From: Eastwood, Raewyn [<mailto:R.Eastwood@massey.ac.nz>] **On Behalf Of** Geor, Raymond
Sent: Friday, 20 October 2017 5:26 PM
To: Carol-Anne Skjellerup <Carol-Anne.Skjellerup@epa.govt.nz>
Subject: Response to letter
Attachments: Letter Environmental Protection Authority.pdf

Dear Carol Anne

Please pass on to Allan Freeth the attached letter in response to his letter to Jan Thomas, dated 17 October 2017.

Regards

Professor Ray Geor
Pro Vice-Chancellor
College of Sciences



MASSEY UNIVERSITY
COLLEGE OF SCIENCES
TE WĀHANGA PŪTAIAO

20 October 2017

Allan Freeth
Chief Executive
Environmental Protection Authority
Private Bag 63002
Wellington, 6140

Dear Allan

Regarding your letter, dated 17 October 2017, expressing your concerns over the behavior of our staff member Dr Mike Joy in relation to the Chief Scientist of the EPA, Dr Jacqueline Rowarth, the Vice Chancellor Jan Thomas has asked me to look into this matter.

Thank you for taking the time to bring this to our attention. Please be assured that we take this matter seriously and have passed your letter onto the Head of the Institute Agriculture and Environment, Professor Peter Kemp, to address this matter with Dr Joy appropriately. This will include, as you requested, passing on your concerns and invitation to discuss his issues with your staff directly.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ray Geor', written over a thin horizontal line.

Ray Geor
Pro Vice-Chancellor