

5 October 2018

Ross Francis

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Dear Mr Francis

OIA request

Our Ref: OIA353/1

On 10 September 2018 you requested the following information under the Official Information Act 1982:

At paragraph 3 of his second affidavit into the Peter Ellis case, an affidavit that was submitted to the Court of Appeal, Dr Michael Lamb states:

“Dr. [Constance] Dalenberg summarizes her qualifications in paragraphs 1 through 7 of her affidavit, but a conventional curriculum vitae was not appended. References to the large number of research projects in which she has participated were thus unaccompanied by details concerning her contributions to the peer-reviewed professional literature. A computer-assisted search of both the medical and social science literatures on June 12, 1999 identified 14 publications since 1984. None of these publications were about interviewing young child abuse victims. Her curriculum vitae, obtained independently, likewise identified no publications concerned with forensic interviews of young alleged victims.”

Meanwhile, Dr Dalenberg told the Court of Appeal that her research on the relationship between fantasy and abuse had been published as a chapter in the Handbook of Interviewing (1999). Her chapter was about adult Holocaust survivors and did not cite her research on fantasy. Maggie Bruck advised the appellate Court that Dalenberg’s research on fantasy and abuse would not be accepted by a scientific peer-reviewed journal. She confirmed that it had been published in a professional newsletter.

What background checks (if any) did Crow Law carry out on Dr Dalenberg before it hired her? Was Crown Law aware that she had published no research into the interviewing of young child abuse victims? Did it ask Dr Dalenberg to amend any inaccuracies in her first affidavit? If so, what inaccuracies did Crown Law wish to have corrected? Please supply me with all information held by Crown Law about Dr Dalenberg at the time of her hiring.

At paragraph 10.2 of her first affidavit, Dr Dalenberg says “Lamb and Parsonson rarely mention that in the studies that show that children are quite suggestible, the children are often told that a trusted adult knows for certain that the ‘perpetrator’ committed the specific act, or that another adult was

there at the time and knows that an event occurred". What studies (if any) was Dr Dalenberg referring to when she made that comment?

In 2000, when Crown Law nominated Thomas Lyon, Gail Goodman and Karen Saywitz as its experts for the Ministerial Inquiry into the Peter Ellis case, what factors influenced Crown Law's decision to overlook Dr Dalenberg? Please provide me with all records held by Crown Law about Thomas Lyon, Gail Goodman and Karen Saywitz between 1 January 2000 and 31 July 2000.

Under s 15A of the Official Information Act a department may extend the time limit set out in s 14 or s 15(1) of the Act if the request is for a large quantity of official information or necessitates a search through a large quantity of information and meeting the original time limit would unreasonably interfere with the operations of the department or consultations necessary to make a decision on the request are such that a proper response to the request cannot reasonably be made within the original time limit.

Pursuant to that section we are extending the time to reply by a further 20 working days. Accordingly you may expect a reply to your request no later than 6 November 2018.

You have the right, under s 28(3) of this Act, to make a complaint to an Ombudsman about the extension.

Yours faithfully

Crown Law



Peter Gunn
Crown Counsel