1. RE: Ombudsman ref 416324 & 440955 provisional opinion -

From:

To: Gavin Clark <xxxxx.xxxxx@xxxx.xx.xx>

Sent Date: Apr 20, 2018 09:36:05

Subject: RE: Ombudsman ref 416324 & 440955 provisional opinion -

image001.jpg **Attachment:**

Hi Gavin.

After some discussion with Casey, Southern Response has decided not to cover the associated Enquiry and OIA costs. As TCIL are no longer directly engaged the thinking is that a more 'armslength' relationship may make managing OIA complaints simpler. JAL INFORMAT

Regards

Victor

From: Gavin Clark [mailto:xxxxx.xxxxx@xxxx.xx.xx]

Sent: Monday, 16 April 2018 12:39 p.m.

To: Victor Wells

Subject: RE: Ombudsman ref 416324 &440955 provisional opinion -

Cheers SRES have covered these types of costs previously but just thought I would ask the question seeing how we aren't engaged directly these days.

Sent: Monday, 16 April 2018 12:37 PM

To: Gavin Clark <xxxxx.xxxxx@xxxx.xxxxx

Subject: RE: Ombudsman ref 416324 &440955 provisional opinion -

Cheers Gavin.

I will pass on your request re costs to Casey for consideration.

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From: Gavin Clark [mailto:xxxxx.xxxxx@xxxx.xxx.xx]

Sent: Monday, 16 April 2018 12:31 p.m.

To: Victor Wells

Subject: RE: Ombudsman ref 416324 &440955 provisional opinion -

Hi Victor,

Thanks for the update and going to bat on this one, I don't think there is anything further we can do.

In regard to this and the subsequent State Services Commission enquiry would SRES agree to covering our time which we have committed to resolving these issues?

Kid Regards Gavin

Sent: Monday, 16 April 2018 11:43 AM

To: Gavin Clark <xxxxx.xxxx@xxxx.xxxxx

Subject: FW: Ombudsman ref 416324 &440955 provisional opinion -

Hi Gavin.

We have finally received an opinion from the Ombudsman re earlier complaints. The Ombudsman does not agree with our withholding grounds for the reports and his provisional opinion is that this information be released. We have until 27 April to comment but we were not planning to respond substantively. Let me know if you wish to respond to any of the comments made by the Omdusman.

Regards

Victor

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2. RE: Ombudsman ref 416324 & 440955 provisional opinion -

To: Gavin Clark <xxxxx.xxxxx@xxxx.xxx.xx>

Sent Date: Apr 16, 2018 12:37:01

Subject: RE: Ombudsman ref 416324 & 440955 provisional opinion -

Attachment: <u>image001.jpg</u>

Cheers Gavin,

I will pass on your request re costs to Casey for consideration.

Victor

From: Gavin Clark [mailto:xxxxx.xxxxx@xxxx.xxxxx]

Sent: Monday, 16 April 2018 12:31 p.m.

To: Victor Wells

Subject: RE: Ombudsman ref 416324 &440955 provisional opinion -

Hi Victor,

Thanks for the update and going to bat on this one, I don't think there is anything further we can do.

In regard to this and the subsequent State Services Commission enquiry would SRES agree to covering our time which we have committed to resolving these issues?

Kid Regards Gavin

Sent: Monday, 16 April 2018 11:43 AM

To: Gavin Clark <xxxxx.xxxxx@xxxx.xxx.xx>

Subject: FW: Ombudsman ref 416324 &440955 provisional opinion -

Hi Gavin,

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Victor	Pursuant to s. 2 of the OIA, official information does not include information contained in any correspondence or communication which has taken place between the office of the Ombudsmen and any department or Minister of the Crown or organisation and which relates to an investigation conducted by an Ombudsman under this Act or under the Ombudsmen Act 1975.
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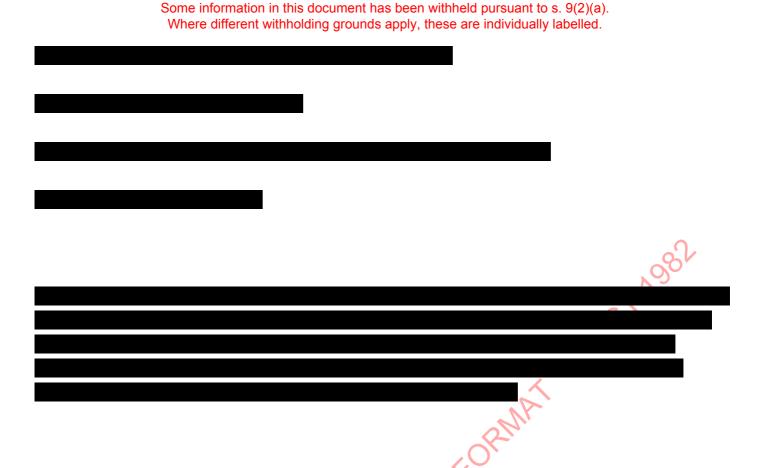
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3. FW: Ombudsman ref 416324 & 440955 provisional opinion -From: To: Gavin Clark <xxxxx.xxxxx@xxxx.xx.xx> Sent Date: Apr 16, 2018 11:43:24 Subject: FW: Ombudsman ref 416324 & 440955 provisional opinion image001.jpg **Attachment:** Pursuant to s. 2 of the OIA, official information does not include 0 1-440955-3433256.pdf information contained in any correspondence or communication which has taken place between the office of the Ombudsmen and any department or Minister of the Crown or organisation and which relates to an investigation conducted by an Ombudsman under this Hi Gavin, Act or under the Ombudsmen Act 1975. We have finally received an opinion from the Ombudsman re earlier complaints. The Ombudsman does not agree with our withholding grounds for the reports and his provisional opinion is that this information be released. We have until 27 April to comment but we were not planning to respond substantively. Let me know if you wish to respond to any of the comments made by the Omdusman. Regards Pursuant to s. 2 of the OIA, official information does not include information contained in any correspondence or communication which has taken place between the office of the Victor Ombudsmen and any department or Minister of the Crown or organisation and which relates to an investigation conducted by an Ombudsman under this Act or under the Ombudsmen Act 1975.



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4. RE: query

From:

To: mediaworks.co.nz>, Media

Sent Date: Mar 08, 2018 13:45:40

Subject: RE: query image001.jpg **Attachment:**

image002.jpg

Hi

Regarding the questions below, we decline to comment, pending the upcoming investigation by A THE OFFICIAL INFORMATIC the State Services Commission.

External Relations

Southern Response EarthquakeServices Ltd

PO Box 9052

Christchurch

www.southernresponse.co.nz

Southern Response Earthquake Services Ltd is the government-owned company responsible for settling claims by AMI policyholders for Canterbury earthquake damage which occurred before 5 April 2012 (the date AMI was sold to IAG).

Anna Gruczynska

Governance Officer

Southern Response Earthquake Services Ltd

DDI: (03)

Ext:
Mobile:
PO Box 9052
Christchurch
www.southernresponse.co.nz
ATION ACC
Southern Response Earthquake Services Ltd is the government-owned company responsible for settling claims by AMI policyholders for Canterbury earthquake damage which occurred before 5 April 2012 (the date AMI was sold to IAG).
From: [mailto: mediaworks.co.nz]
Sent: Thursday, 8 March 2018 1:37 p.m.
To: Media; Gavin Clark Subject: re: query
Subject. re. query
Hi WDV
Query for tonight.
- Did Thompson and Clark attend meetings of claimants?
- Was Southern Response aware that Thompson and Clark attended meetings of claimants?
- Has all the material gathered by Thompson and Clark been destroyed? (this question is for TCIL)

NATIONAL CORRESPONDENT

NewsHUB MEDIAWORKS DDI (04) Extension MOBILE

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Thank you.

Thank you.

5. RE: Message for T&C

To: xxxxx.xxxxx@xxxx.xx.xx <xxxxxxx@xxxx.xx.xx>

Sent Date: Mar 07, 2018 16:05:31 Subject: RE: Message for T&C

Attachment: <u>image002.jpg</u>

image003.jpg image004.jpg

Media Statement 2018-03-07.pdf Provided as a separate file

Hi Gavin

Thanks for the update below. I attach the media release we have put out today FYI. who is helping us on the media front will give you a call shortly to introduce himself and discuss the developments.

Thanks

Anna

Anna Gruczynska

Governance Officer

Southern Response Earthquake Services Ltd

DDI: (03)

Ext:

Mobile:

·

PO Box 9052

Christchurch

www.southernresponse.co.nz

Southern Response Earthquake Services Ltd is the government-owned company responsible for settling claims by AMI policyholders for Canterbury earthquake damage which occurred before 5 April 2012 (the date AMI was sold to IAG).

From: Victor Wells

Sent: Wednesday, 7 March 2018 3:35 p.m.

To: Anna Gruczynska

Subject: FW: Message for T&C

Mate,

FYI

JALINFORMATION ACT NOSS? From: Gavin Clark [mailto:xxxxx.xxxxx@xxxx.xx.xx]

Sent: Wednesday, 7 March 2018 3:26 p.m.

To: Victor Wells

Subject: FW: Message for T&C

Hi Victor.

See response to my email.

I don't intend to respond my original statement is adequate.

Regards Gavin

From: mediaworks.co.nz] [mailto:

Sent: Wednesday, 7 March 2018 3:12 PM

Some information in this document has been withheld pursuant to s. 9(2)(a).

Where different withholding grounds apply, these are individually labelled.

To: Gavin Clark <xxxxx.xxxxx@xxxx.xxxxx.xxxxx

Subject: Re: Message for T&C
Hi Gavin,
Thaks for your response.
Specifically:
Why did you spy on victims of the Christchurch earthquake.
2. What exactly did you do, where is that material that you gathered if people want it back.
3. Why did you go the police about was it over the top.
Cheers,
- UNDERTHE
On 7 March 2018 at 14:32, Gavin Clark <xxxxx.xxxxx@xxxx.xxxxx td="" wrote:<=""></xxxxx.xxxxx@xxxx.xxxxx>
I have received your message from my office, I assume its in regard to the business of Thompson

Thompson &Clark do not disclose our clients nor operations we can however advise that as licensed private investigators we operate within the law and in compliance with industry standards and guidelines.

&Clark.

We have nothing further to add and I trust that this satisfies your request.

Kind Regards

Gavin Clark / MOBILE / PHONE / FAX / POSTAL / WEBSITE +64 9 302 0113 +64 9 361 3260 PO Box 301775, Albany, NSMC 0752, New Zealand www.tcil.co.nz © Copyright TCIL 2007. WARNING Linguitherised consists the features.

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6. FW: Ombudsman case ID 416324 & 440955 -

To: Gavin Clark <xxxxx.xxxxx@xxxx.xxxxx

Sent Date: Mar 05, 2018 12:22:31

Subject: FW: Ombudsman case ID 416324 & 440955 -

Attachment: <u>image001.jpg</u>

Southern Response TA March 2014.pdf 18(d)

Hi Gavin,

The office of the Ombudsman is seeking further information in respect of the complaints made by

They are looking at the historical context of the Security Review and whether the
substantive grounds for withholding the information continue to apply.

It also appears they do not entirely agree with the commercial sensitivity of the reports. We had earlier sent them your letter dated 27 September 2017 and made submissions ourselves. They are asking for further information/evidence to support our position regarding the commercial sensitivity of the redacted parts of these reports. Let me know if you have any further information that you wish to provide.

We have also been asked to provide a copy of the March 2014 report indicating which parts we would seek to withhold if a copy was released to A highlighted copy of this is attached. Let me now if you have any comments or suggestions.

Regards

Victor

From: [mailto: ombudsman.parliament.nz]

Sent: Friday, 2 March 2018 10:02 a.m.

To: Victor Wells

Subject: Ombudsman case ID 416324 &440955 -

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7. Ombudsman Complaint: Ref: 466297

From:

To: Gavin Clark <xxxxx.xxxxx@xxxx.xx.xx> Hidden

recipients:

Hi Gavin,

Sent Date: Feb 23, 2018 13:50:56

Subject: Ombudsman Complaint: Ref: 466297

Invoices referred to letter.pdf 18(d) Attachment:

0_1-466297-3408930.pdf Pursuant to s. 2 of the OIA, official information does not include information contained in any correspondence or communication which has taken place between the office of the Ombudsmen and any department or Minister of the Crown or organisation and which relates to an investigation conducted by an Ombudsman under this

Act or under the Ombudsmen Act 1975.

We have had a decision from the Office of the Ombudsman with respect to complaint regarding the information redacted from TCIL invoices for the period 4 September 2010 to 25

September 2017. The Ombudsman was comfortable with some redactions but not others. The redactions regarding service rates or information that would reveal those rates were ok. However the redactions with respect to work associated with OIA/Privacy requests was not ok. This is understandable given

our submissions to the Ombudsman were based around the commercial sensitivity of the specialised security services and unique methodologies TCIL provides. Clearly these don't attach to handling OIA/Privacy requests.

The Ombudsman also did not believe there were 'unique methodologies' identified in some of the descriptions of services provided. This is also understandable given some of the redacted services information was pretty benign, for example, 'due diligence for staff member – post threat', 'threatening letter – 3.11', 'develop scenario training' etc.

We intend to release the information identified in the letter from the Ombudsman to next week.

Regards

Victor

8. RE: Ref:

To: Gavin Clark <xxxxx.xxxxx@xxxx.xxx.xx>

Sent Date: Jan 19, 2018 11:06:06

Subject: RE: Ref: image001.jpg

UPDATEDSouthern Response Proposal 150114.pdf 18(d)

Cheers Gavin,

Updated Southern Response Proposal attached with the redactions as discussed

We have made the other amendments.

Victor

From: Gavin Clark [mailto:xxxxx.xxxxx@xxxx,xxxxx]

Sent: Thursday, 18 January 2018 5:45 p.m.

To: Victor Wells
Subject: RE: Ref:

Hi Victor,

Thanks for the opportunity to review the OIA information, there are some more redactions requested as follows:

Objection 1

First email from VW to GC received 16 Jan 2018 10.48am with attachments Bundle 2- October 2014, Bundle 3 – June 2015, Emails OIA 199 3 Bundle 1 redacted- March 2014.

Bundle 1 redacted – March 2014

- o Page 4 of document
- o Email sent Mar 19, 2014 14:47:24
- o From @tcil.co.nz
- o To Peter Rose
- o CC to others
- Subject: Re police complaint

Paragraph on page 4 "There should be no mention of the recording. This will then be open to disclosure and may expose our role. I would suggest that you have been advised by clients (even Sam's sister) or media".

MACT 1981

T&C object to the above paragraph being disclosed and request that this be redacted, this refers to a confidential informant who provided a recording of a public meeting to T&C and the release of this information would jeopardise the future supply of similar information.

T&C relies upon Section 9 (2) (ba) (i) Official Information Act 1982

- 9 Other reasons for withholding official information
- 2) Subject to sections 6, 7, 10, and 18, this section applies if, and only if, the withholding of the information is necessary to—
- (ba) protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information—
- (i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or

Objection 2

First email from VW to GC received 16 Jan 2018 10.48am with attachments Bundle 2- October 2014, Bundle 3 – June 2015, Emails OIA 199 3 Bundle 1 redacted- March 2014.

- Bundle 3 June 2015
- o Page 2 of document
- o Email Friday 12 June 2015 10.21am
- o From
- o To: Linda Falwasser, Cassey Hurren
- CC to others
- o Subject: Southern Response Weekly Monitoring 5 11 June 2015

We note that the Christian name "man" has not been highlighted for redaction and request that this be redacted.

JOHACT 1987

Objection 3

Second email from VW to GC received 16 Jan 2018 10.50am with attachments emails OIA199 10, Emails OIA 199, FW:OIA, Security Review Meeting 27 May, Southern Response Proposal.

- Southern Response Proposal
- Page 2 and 3 of the document
- o Introduction and Situational Awareness paragraphs.
- o The introduction to T&C refers to our involvement with a variety of company groups that are affected by issue motivated groups.
- o Reference is made to pro animal rights, Anti GE, Environmental, Anti war, and other activist groups.
- Reference is made to issue motivated groups.

- o The situational awareness outlines our methodology and the RMP service which is contributed to by other companies.
- It also mentions the Fusion Centre.
- o It refers to the information cycle and sharing of information between parties affected by similar groups.

T&C oppose the release of the above references outlined in the introduction and the situational awareness based upon the fact that this is a traded secret and unique to T&C's methodology. We are not aware of any other Private investigation or security risk management firm that offer a similar system on retainer to its clients and believe that this knowledge in the wrong hands would put T&C at a commercial disadvantage.

T&C request that the paragraphs contained in the sections Introduction and Situational Awareness be redacted. We note that this information has previously been redacted in the earlier OIA release entitled FW: OIA (7 MB) CCF15112017.pdf also attached to the second email received on the 16 th

T&C relies upon Section 9 (2)(b)(i)(ii) Official Information Act 1982

- 9 Other reasons for withholding official information
- (2) Subject to sections 6, 7, 10, and 18, this section applies if, and only if, the withholding of the information is necessary to—
- (b) protect information where the making available of the information—
- (i) would disclose a trade secret; or
- (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or

Apart from the three objections raised above T&C have no issue with the other documentation intended for release.

I trust that this is satisfactory to SRES and am happy to provide further explanation of clarity is required.

Kind Regards Gavin

Gavin Clark

/ MOBILE

/ PHONE

/ FAX

/ POSTAL

/ WEBSITE

+64

+64 9 302 0113

+64 9 361 3260

ALINFORMATION ACT 1982 PO Box 301775, Albany, NSMC 0752, New Zealand

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Sent: Wednesday, 17 January 2018 1:01 PM To: Gavin Clark <xxxxx.xxxxx@xxxx.xxxxx

Subject: RE: Ref:

No problem Gavin,

Just send us through the details when you have time.

Victor

From: Gavin Clark [mailto:xxxxx.xxxxx@xxxx.xxx]

Sent: Tuesday, 16 January 2018 3:17 p.m.

To: Victor Wells **Subject:** RE: Ref:

Hi Victor,

Information received and I've had a quick glance, there are some pieces that we would rely upon Section 9 to have withheld.

I will provide you a more detailed response asap.

Kind Regards Gavin

Sent: Tuesday, 16 January 2018 10:48 AM

To: Gavin Clark <xxxxx.xxxxx@xxxx.xxxxx>

Subject: OIA: Ref:

Hi Gavin,

As discussed, we have received a request for information in respect of the fieldwork conducted on the dates identified in the email. These largely relate to the security review for 6 Show Place conducted in Feb 2014, residential reviews for directors undertaken in March 2014, the AGM in October 2014. We have identified the information we hold and have applied what we believe to be the appropriate redactions.

Let me know if you have any questions.

Victor Wells

Regards

Legal Risk Manager **Southern Response**

Earthquake Services Ltd

DDI 03

Ext

PO Box 9052

Christchurch 8149

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9. RE: Ref:

From:

To: Gavin Clark <xxxxx.xxxxx@xxxx.xx.xx>

Sent Date: Jan 17, 2018 13:01:28

Subject: RE: Ref:

Attachment:

No problem Gavin,

Just send us through the details when you have time.

Victor

From: Gavin Clark [mailto:xxxxx.xxxxx@xxxx.xxx]

Sent: Tuesday, 16 January 2018 3:17 p.m.

To: Victor Wells Subject: RE: Ref:

Hi Victor,

THE OFFICIAL INFORMATION ACT VOSES Information received and I've had a quick glance, there are some pieces that we would rely upon Section 9 to have withheld.

I will provide you a more detailed response asap.

Kind Regards Gavin

Sent: Tuesday, 16 January 2018 10:48 AM To: Gavin Clark <xxxxx.xxxxx@xxxx.xxxxx

Subject: OIA: Ref:

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.eve

Marion Act 1989

Minder The Official Information Act 1989

Minder Let me know if you have any questions. Regards **Victor Wells** Legal Risk Manager **Southern Response Earthquake Services Ltd DDI 03** Ext PO Box 9052 Christchurch 8149

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10. OIA - Ref:201

From: To: xxxxx.xxxx@xxxx.xx.xx <xxxxx.xxxxx@xxxx.xx.xx>

Sent Date: Jan 16, 2018 10:50:23

Subject: OIA - Ref:201

Emails OIA199 10.pdf 18(d) **Attachment:**

> Emails OIA199.pdf 18(d) FW: OIA.eml 9(2)(a)

Security Review Meeting 27 May 2014sf.pdf 18(d) Southern Response Proposal 150114.pdf 18(d)

Hi Gavin,

This relates to an earlier request for information in respect of the Threat Assessment undertaken has requested all the information that was withheld because we considered DER THE OFFICIAL INFO the information was 'not in scope' for the request.

Let me know if you have any questions.

Regards

Victor Wells

Legal Risk Manager

Southern Response

Earthquake Services Ltd

DDI 03

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PO Box 9052

Christchurch 8149

www.southernresponse.co.nz

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11. OIA: Ref:

Sent Date: Jan 16, 2018 10:47:44

Subject: OIA: Ref:

Attachment: FW: OIA.eml 9(2)(a)

 Bundle 2 - October 2014 (attachment).pdf
 18(d)

 Bundle 2 - October 2014.pdf
 18(d)

 Bundle 3 - June 2015.pdf
 18(d)

 Emails OIA199 3.pdf
 18(d)

 Bundle 1 redacted - March 2014.pdf
 18(d)

Hi Gavin,

As discussed, we have received a request for information in respect of the fieldwork conducted on the dates identified in the email. These largely relate to the security review for 6 Show Place conducted in Feb 2014, residential reviews for directors undertaken in March 2014, the AGM in October 2014. We have identified the information we hold and have applied what we believe to be the appropriate redactions.

Let me know if you have any questions.

Regards

Victor Wells

Legal Risk Manager
Southern Response

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