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Wellington 6140  
New Zealand  
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23 February 2024

M Bell

By email: [fyi-request-25290-ef1ab6b5@requests.fyi.org.nz](mailto:fyi-request-25290-ef1ab6b5@requests.fyi.org.nz)

Ref: H2023034615

Tēnā koe M Bell

### **Response to your request for official information**

Thank you for your request under the Official Information Act 1982 (the Act) to the Ministry of Health - Manatū Hauora (the Ministry) on 23 December 2023 for information regarding the COVID-19 vaccination data breach at Health New Zealand – Te Whatu Ora. You requested:

*“...all internal communications between the members of the executive leadership team for MoH including meeting minutes, instant messages etc that discuss the response / damage control in relation to the ongoing analysis of the leaked vaccination data indicating very significant safety signals for death.”*

On 11 January 2024, you clarified your request to be relating to information specifically held by the Ministry's Executive Governance Team (previously the Executive Leadership Team).

A former Health New Zealand employee inappropriately released information outside the organisation that contained private health information. As the monitoring agency for Health New Zealand, the Ministry of Health was informed by senior leaders of Health New Zealand on the unauthorised data breach.

As legal matters relating the incident are ongoing, the Ministry has consulted with Health New Zealand to ensure that their interests were considered in this response.

The Ministry has identified seven documents within scope of your request. All documents are itemised in Appendix 1, and copies of the documents are enclosed. Where information is withheld under section 9 of the Act, I have considered the countervailing public interest in releasing the information and consider that it does not outweigh the need to withhold at this time.

Some information has also been withheld under section 6 of the Act. Specifically, it is necessary to withhold some information pursuant to section 6(c) of the Act, where disclosure would prejudice the maintenance of the law. Given the sensitivity of this matter, it is important that the integrity of the investigation process is preserved.

Further, some information is also being withheld pursuant to section 6(d) of the Act, to maintain public safety. As signalled above, investigation into this matter is ongoing. The release of some information would likely endanger the safety of individuals. It is therefore necessary to protect the individuals or groups involved is mitigated by not releasing information prematurely. This

includes revealing specific information that may enable or encourage harm to the public or risk of emergencies and undue panic.

Once the investigation concludes and all pertinent information is gathered, Health New Zealand will consider the release of further information regarding the findings and any subsequent actions taken in response to the incident.

A large amount of the information contained in this response has been provided to the Ministry by Health New Zealand. The Ministry is not a party to any legal proceedings or actions taken resulting from the breach. You may be interested to know that Health New Zealand also provides regular updates on the data breach on their website:

[www.tewhatauora.govt.nz/our-health-system/data-and-statistics/data-breaches/unauthorised-data-breach-update/](http://www.tewhatauora.govt.nz/our-health-system/data-and-statistics/data-breaches/unauthorised-data-breach-update/).

I trust this information fulfils your request. If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact the OIA Services Team on:

[xxxxx@xxxxxxx.xxxx.xx](mailto:xxxxx@xxxxxxx.xxxx.xx).

Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at:

[xxxx@xxxxxxxxx.xxxxxxxxxx.xx](mailto:xxxx@xxxxxxxxx.xxxxxxxxxx.xx) or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Manatū Hauora website at: [www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests](http://www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests).

Nāku noa, nā



Dr Andrew Old  
**Deputy Director-General**  
**Public Health Agency | Te Pou Hauora Tūmatanui**

## Appendix 1: List of documents for release

#	Date	Document details	Decision on release
1	1 December 2023	Email correspondence: 2023.12.02 Sitrep – Data Breach	Some information withheld under section 9(2)(a) of the Act, to protect the privacy of natural persons.
1A		Situation Report #1 Data Breach	Some information withheld under the following sections of the Act: <ul style="list-style-type: none"> <li>• Section 6(c)</li> <li>• Section 6(d) and;</li> <li>• Section 9(2)(a)</li> </ul>
2	2 - 3 December 2023	Email correspondence: 2023.12.02 Sitrep – Data Breach	Some information withheld under section 9(2)(a) of the Act.
3		Email correspondence: Confidential Data Breach Update	Some information withheld under the following sections of the Act: <ul style="list-style-type: none"> <li>• Section 6(d);</li> <li>• Section 9(2)(a) and;</li> <li>• Section 9(2)(h) – to maintain legal professional privilege.</li> </ul>
4	3 December 2023	Email correspondence: Aide Memoire – Data breach – key information for briefing government colleagues	Some information withheld under section 9(2)(a) of the Act.
4A		Aide-mémoire: Data breach – Key information for briefing Government colleagues	Some information withheld under the following sections of the Act: <ul style="list-style-type: none"> <li>• Section 6(c);</li> <li>• Section 6(d);</li> <li>• Section 9(2)(a) and;</li> <li>• Section 9(2)(h)</li> </ul>
5	7 December 2023	Teams message between the Deputy Director-General of Evidence, Research and Science and the Deputy Director-General of the Public Health Agency	Released in full.

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**From:** Andrew Old  
**Sent:** Friday, 1 December 2023 3:48 pm  
**To:** Diana Sarfati  
**Cc:** Lisa McPhail  
**Subject:** [Out of scope]: SitRep - Data Breach  
**Attachments:** 2023.12.01 1500 Sitrep - Data breach.docx

FYI

**Dr. Andrew Old** (he/him)  
Deputy Director-General  
Public Health Agency | Te Pou Hauora Tūmatanui  
+64 4 466 5542 | [andrew.old@health.govt.nz](mailto:andrew.old@health.govt.nz)



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**From:** Emily Richards <Emily.Richards@health.govt.nz>  
**Sent:** Friday, 1 December 2023 3:26 pm  
**To:** Margie Apa <Margie.Apa@health.govt.nz>; Andrew Slater <Andrew.Slater@health.govt.nz>; Fiona McCarthy <Fiona.McCarthy@health.govt.nz>; Sue Gordon <Sue.Gordon@health.govt.nz>; Catherine Delore <Catherine.Delore@health.govt.nz>; Peter Alsop <Peter.Alsop@health.govt.nz>; Nick Chamberlain <Nick.Chamberlain@health.govt.nz>; Andrew Old <Andrew.Old@health.govt.nz>; Michael Dreyer <Michael.Dreyer@health.govt.nz>; Justin Rawiri-Ext <JRawiri@adhb.govt.nz>; Matt Carey <Matt.Carey@health.govt.nz>; Martin Hefford <Martin.Hefford@TeWhatuOra.govt.nz>; Sonny Taite <sonny.taite@tewhatuora.govt.nz>; Kelly Mitchell <Kelly.Mitchell@health.govt.nz>; Danya Levy <Danya.Levy@health.govt.nz>  
**Subject:** SitRep - Data Breach

Kia ora koutou

Ahead of the meeting at 4.30pm, please see attached SitRep which has just been sent over to the Minister's office.

Ngā mihi nui

**Emily Richards**  
**Head of the Office of the Chief People Officer**  
**People & Communications**

waea pūkoro: S9(2)(a) | Īmēra: [emily.richards@health.govt.nz](mailto:emily.richards@health.govt.nz)  
69 Tory Street, Wellington | PO Box 793, Wellington 6140

**Te Whatu Ora**  
Health New Zealand

Te Whatu Ora – Health New Zealand  
[TeWhatuOra.govt.nz](https://www.health.govt.nz)

# Situation Report #1

## Data Breach

*Confidential and not for further distribution*

<b>Date:</b> 1 December 2023		<b>Time:</b>	<b>3.00pm</b>
<b>Event Name:</b> Data Breach		<b>Prepared by:</b>	
<b>Incident Controller/SRO:</b> Sue Gordon		<b>Contact Details:</b> S9(2)(a)	


### Background

This Situation Report (SitRep) provides an update on our response to an employee using and commenting on data publicly, including an email to a wide range of MPs. The employee has also made public a video with Liz Gunn. The employee is alleging that COVID vaccinations have been responsible for a large number of deaths; the assertions are not correct and have no scientific validity.

We are closely monitoring this situation and will keep in close contact with the Minister’s Office throughout the weekend. An update will also be provided in our officials meeting on Monday at 9.00am. We are running this as an incident management response. There are a number of workstreams currently underway.

### Workstreams

Function	Update	Next steps
Communications	<p>Public: Our proactive media statement, released on Friday at 2.00pm, is attached and provides information on our response to, and management of, the incident. Margie Apa is the overall spokesperson and will be supported by Andrew Old for public health messaging. We will continue to provide support and liaison to the Minister’s Office as required</p> <p>Internal: We have met with the employee’s team to advise them of the situation at a high level, and offered appropriate support.</p>	<p>Margie Apa will be appearing on One News and RNZ Checkpoint today. The media team will field media queries over the weekend and will keep the Minister’s Office informed.</p> <p>We are not intending any further internal communications at this stage</p>
Employment matters	<p>Once aware of the event (being the email to MPs), the employee was locked out of his work email and out of work information systems and databases.</p> <p>S9(2)(a)</p>	<p>S6(c)</p>

<p>Information security</p>	<p>We have sought and expect to receive late Friday an injunction against use and/or sharing of the information (and returning all information, materials and equipment) from the Employment Relations Authority. This covers the employee and also includes a wider prohibition on use and sharing of the information by other parties (such as media outlets). This now provides a basis to legally enforce the injunction if information is used or shared.</p> <p>The Cyber IMT was activated in support of this event. There are three workstreams of activity:</p> <ul style="list-style-type: none"> <li>○ Email analysis, data transfer analysis, log history analysis</li> <li>○ Additional specialist forensics skills for a more detailed review of activity</li> <li>○ Aotearoa Immunisation Register - additional protections are being established in light of the elevated risk profile</li> </ul> <p>As a precautionary step, a third party vendor has also been stood down given a close working relationship with the employee</p>	<p>Once the injunction is granted, we will enforce it as appropriate</p> <p>Detailed analysis of the employee’s full email records to try identifying any emails sent and potential data extraction</p>
<p>Privacy</p>	<p>Given peoples’ personal information is involved – both the threat to release information and inappropriate use by employee – we have registered this incident as a privacy breach with the Office of the Privacy Commissioner.</p>	<p>Our protocols for managing and responding to privacy breaches, including related to information security, will be followed.</p>
<p>Key stakeholders</p>	<p>S6(d)</p> 	<p>Debrief from engagements at 4.00pm</p>

**Next steps**

The next meeting of the Te Whatu Ora | Health New Zealand Incident Management Team is today at 4.30pm. We will establish a reporting cadence for the weekend and will keep the Minister’s Office informed.

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**From:** Diana Sarfati  
**Sent:** Sunday, 3 December 2023 2:01 pm  
**To:** Simon Medcalf; Andrew Old  
**Subject:** RE: 2023.12.02 Sitrep - Data Breach

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Will do

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**From:** Simon Medcalf <Simon.Medcalf@health.govt.nz>  
**Sent:** Sunday, 3 December 2023 12:10 pm  
**To:** Diana Sarfati <Diana.Sarfati@health.govt.nz>; Andrew Old <Andrew.Old@health.govt.nz>  
**Subject:** Re: 2023.12.02 Sitrep - Data Breach

Thanks Andrew.

Di - it looks like this is in hand, but let me know if you need anything from me today.

S

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**From:** Diana Sarfati <[Diana.Sarfati@health.govt.nz](mailto:Diana.Sarfati@health.govt.nz)>  
**Sent:** Sunday, December 3, 2023 8:47:22 AM  
**To:** Andrew Old <[Andrew.Old@health.govt.nz](mailto:Andrew.Old@health.govt.nz)>; Simon Medcalf <[Simon.Medcalf@health.govt.nz](mailto:Simon.Medcalf@health.govt.nz)>  
**Subject:** RE: 2023.12.02 Sitrep - Data Breach

We absolutely should be keeping close eye. I will be meeting with Minister, Margie and Karen at 2pm today. They are doing an excellent job, and keeping us well up to date so far.

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**From:** Andrew Old <[Andrew.Old@health.govt.nz](mailto:Andrew.Old@health.govt.nz)>  
**Sent:** Saturday, 2 December 2023 5:17 pm  
**To:** Diana Sarfati <[Diana.Sarfati@health.govt.nz](mailto:Diana.Sarfati@health.govt.nz)>; Simon Medcalf <[Simon.Medcalf@health.govt.nz](mailto:Simon.Medcalf@health.govt.nz)>  
**Subject:** Fw: 2023.12.02 Sitrep - Data Breach

For info. Given the scope and involvement of Minister, Police and DIA, not sure if MoH should have a more formal monitoring role? I'm happy to stay connected in the meantime and will forward on these updates.

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**From:** Single Point of Contact <[nhcc\\_spsc@health.govt.nz](mailto:nhcc_spsc@health.govt.nz)>  
**Sent:** Saturday, 2 December 2023 4:47 pm  
**To:** Andrew Slater <[Andrew.Slater@health.govt.nz](mailto:Andrew.Slater@health.govt.nz)>; Fiona McCarthy <[Fiona.McCarthy@health.govt.nz](mailto:Fiona.McCarthy@health.govt.nz)>; Sue Gordon <[Sue.Gordon@health.govt.nz](mailto:Sue.Gordon@health.govt.nz)>; Catherine Delore <[Catherine.Delore@health.govt.nz](mailto:Catherine.Delore@health.govt.nz)>; Peter Alsop <[Peter.Alsop@health.govt.nz](mailto:Peter.Alsop@health.govt.nz)>; Emily Richards <[Emily.Richards@health.govt.nz](mailto:Emily.Richards@health.govt.nz)>; Margie Apa <[Margie.Apa@health.govt.nz](mailto:Margie.Apa@health.govt.nz)>; Andrew Old <[Andrew.Old@health.govt.nz](mailto:Andrew.Old@health.govt.nz)>; Michael Dreyer <[Michael.Dreyer@health.govt.nz](mailto:Michael.Dreyer@health.govt.nz)>; Shane Heath - Waitaha <[Shane.Heath@cdhb.health.nz](mailto:Shane.Heath@cdhb.health.nz)>; Sue Ramsay <[Sue.Ramsay@health.govt.nz](mailto:Sue.Ramsay@health.govt.nz)>; Kelly Mitchell <[Kelly.Mitchell@health.govt.nz](mailto:Kelly.Mitchell@health.govt.nz)>; Danya Levy <[Danya.Levy@health.govt.nz](mailto:Danya.Levy@health.govt.nz)>; Martin Hefford <[Martin.Hefford@TeWhatuOra.govt.nz](mailto:Martin.Hefford@TeWhatuOra.govt.nz)>; Sonny Taite <[sonny.taite@tewhatuora.govt.nz](mailto:sonny.taite@tewhatuora.govt.nz)>; Nick Chamberlain <[Nick.Chamberlain@TeWhatuOra.govt.nz](mailto:Nick.Chamberlain@TeWhatuOra.govt.nz)>; Catherine Cooper <[Catherine.Cooper@health.govt.nz](mailto:Catherine.Cooper@health.govt.nz)>; Matt Hannant <[Matt.Hannant@health.govt.nz](mailto:Matt.Hannant@health.govt.nz)>; Matt Hannant <[Matt.Hannant@TeWhatuOra.govt.nz](mailto:Matt.Hannant@TeWhatuOra.govt.nz)>; Toni Atkinson <[Toni.Atkinson@health.govt.nz](mailto:Toni.Atkinson@health.govt.nz)>; Aparna Hemapriya - EXT

Document 2

<[Aparna.Hemapriya@parliament.govt.nz](mailto:Aparna.Hemapriya@parliament.govt.nz)>

Cc: Single Point of Contact <[nhcc\\_spoc@health.govt.nz](mailto:nhcc_spoc@health.govt.nz)>; Chris Blackford <[Chris.Blackford@dia.govt.nz](mailto:Chris.Blackford@dia.govt.nz)>; Tarannum Shaikh <[Tarannum.Shaikh@health.govt.nz](mailto:Tarannum.Shaikh@health.govt.nz)>; Justin Rawiri-Ext <[JRawiri@adhb.govt.nz](mailto:JRawiri@adhb.govt.nz)>

Subject: 2023.12.02 Sitrep - Data Breach (Please refer to Document 1A)

Tēnā koe,

Please see latest sitrep regarding the vaccine data breach.

Ngā mihi,

Matt

**Matt Carey, DSD**

**Manager, Engagement**

**Emergency Management**

waea: +64 4-974 3545 | waea pūkoro: S9(2)(a) | īmēra: [Matt.Carey@TeWhatuOra.govt.nz](mailto:Matt.Carey@TeWhatuOra.govt.nz)

133 Molesworth Street, Pipitea, Wellington 6011

Te Whatu Ora – Health New Zealand

TeWhatuOra.govt.nz

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**From:** Andrew Old  
**Sent:** Sunday, 3 December 2023 10:39 am  
**To:** Diana Sarfati  
**Subject:** Re: **Out of scope** : DATA BREACH UPDATE

Thanks Di. I'll join the call at 1100, but looks increasingly likely it will remain a Te Whatu Ora issue. Your 2pm briefing with Margie and Chair noted too.

Cheers, A

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**From:** Diana Sarfati <Diana.Sarfati@health.govt.nz>  
**Sent:** Sunday, 3 December 2023 8:45 am  
**To:** Andrew Old <Andrew.Old@health.govt.nz>  
**Subject:** FW: **Out of scope** : DATA BREACH UPDATE

Probably all as you already know, but for completeness

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**From:** Margie Apa <Margie.Apa@health.govt.nz>  
**Sent:** Saturday, 2 December 2023 6:53 pm  
**To:** Karen Poutasi **S9(2)(a)**; Amy Adams **S9(2)(a)**; Vanessa Stoddart **S9(2)(a)**; Naomi Ferguson **S9(2)(a)**; Jeff Lowe **S9(2)(a)**; Curtis Walker [MidCentral] <Curtis.Walker@midcentraldhb.govt.nz>; Tipa Mahuta <tipa.mahuta@waikatoregion.govt.nz>  
**Cc:** Riana Manuel <Riana.Manuel@health.govt.nz>; Diana Sarfati <Diana.Sarfati@health.govt.nz>; Peter Alsop <Peter.Alsop@health.govt.nz>; Nick Chamberlain <Nick.Chamberlain@health.govt.nz>; Leigh Donoghue <Leigh.Donoghue@health.govt.nz>; Sonny Taite <sonny.taite@tewhatauora.govt.nz>  
**Subject:** **Out of scope** : DATA BREACH UPDATE  
**Importance:** High

Kia ora Board and colleagues, a quick update on escalation overnight and actions over coming 24-48 hours. 2pm briefing held with Minister and Chair today and scheduled for tomorrow at 2pm. Likely second public media release to be confirmed tomorrow pm and co-ordinating with Prime Minister's office on timing.

Situation Report highlights since last night's email to you:

- All injunctions were granted yesterday after 5pm by ERA (used instead of High Court as an employee matter) covering use and sharing of data, emailed and being served in person;
- Since Liz Gunn's video post on Thursday, cyber security team have been scanning dark web, internet, social media for heads up on where data may appear;
- **Midnight Friday they found a video upload of a webinar at/via MIT in the USA mentioning whistleblower release of official NZ data and referred to a weblink to download. The video was uploaded midnight Friday;**
- **S6(d)**
- **S9(2)(h)** Although website is USA owned and outside our jurisdiction they have taken down data at 1.10pm today.
- **S9(2)(h)**
- **S9(2)(h)**

Document 3

S9(2)(h)

- S9(2)(h)

Agencies informed/advised and providing advice:

- Office of Privacy Commissioner (breach lodged Friday)
- DIA cyber security unit (tap into public sector expertise)
- NZ Police, including General Counsel re:urgency
- S9(2)(h)

By tomorrow pm we aim to:

- Have more confidence on the scope of data downloaded and assess risk that individuals/providers can be identified;
- Have devices from person of interest in our possession for further forensic analysis;
- Know more on how many times data was downloaded from weblink;
- Clarity on whether criminal charges can be laid;
- Remove all video and content and keep monitoring international situation, and suppress links as they appear
- Have more understanding of Person of Interest activities over his employment with Manatu Hauora/Te Whatu Ora
- Monitoring of impact on vaccination confidence in public.

We are checking in with providers again on Monday.

Please call me if you need more. Warm r's M.

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**From:** Diana Sarfati  
**Sent:** Sunday, 3 December 2023 2:09 pm  
**To:** Simon Medcalf; Andrew Old  
**Subject:** FW: Aide Memoire - Data breach - key information for briefing government colleagues  
**Attachments:** Aide Memoire - Data breach - key information for briefing government colleagues.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI

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**From:** Peter Alsop <Peter.Alsop@health.govt.nz>  
**Sent:** Sunday, 3 December 2023 2:04 pm  
**To:** Andrea Harris <Andrea.Harris@parliament.govt.nz>; charlotte gendall-Ext <charlotte.gendall@parliament.govt.nz>; Aparna Hemapriya - EXT <Aparna.Hemapriya@parliament.govt.nz>  
**Cc:** Karen Poutasi **S9(2)(a)**; Margie Apa <Margie.Apa@health.govt.nz>; Diana Sarfati <Diana.Sarfati@health.govt.nz>; Catherine Delore <Catherine.Delore@health.govt.nz>; Emily Richards <Emily.Richards@health.govt.nz>; Andrew Slater <Andrew.Slater@health.govt.nz>  
**Subject:** RE: Aide Memoire - Data breach - key information for briefing government colleagues

Please see slightly updated version; small inaccuracy in para 22 has been corrected (important correction to refer to the nature of the threats)

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**From:** Peter Alsop  
**Sent:** Sunday, 3 December 2023 1:37 pm  
**To:** Andrea Harris <[Andrea.Harris@parliament.govt.nz](mailto:Andrea.Harris@parliament.govt.nz)>; Charlotte Gendall <[charlotte.gendall@parliament.govt.nz](mailto:charlotte.gendall@parliament.govt.nz)>; Aparna Hemapriya - EXT <[Aparna.Hemapriya@parliament.govt.nz](mailto:Aparna.Hemapriya@parliament.govt.nz)>  
**Cc:** Karen Poutasi **S9(2)(a)**; Margie Apa <[Margie.Apa@health.govt.nz](mailto:Margie.Apa@health.govt.nz)>; Diana Sarfati <[Diana.Sarfati@health.govt.nz](mailto:Diana.Sarfati@health.govt.nz)>; Catherine Delore <[Catherine.Delore@health.govt.nz](mailto:Catherine.Delore@health.govt.nz)>; Emily Richards <[Emily.Richards@health.govt.nz](mailto:Emily.Richards@health.govt.nz)>; Andrew Slater <[Andrew.Slater@health.govt.nz](mailto:Andrew.Slater@health.govt.nz)>  
**Subject:** Aide Memoire - Data breach - key information for briefing government colleagues

Andrea, Aparna, Charlotte  
Pls find a short AM attached.  
Margie and others will see the Minister online at 2pm for the next oral briefing.  
Pete

# Aide-Mémoire

## Data breach – Key information for briefing Government colleagues

<b>To:</b>	Hon Shane Reti, Minister of Health	<b>Reference:</b>	
<b>From:</b>	Margie Apa, Chief Executive	<b>Security level:</b>	In Confidence
<b>Copy:</b>	Dr Di Sarfati, Director-General, Manatū Hauora   Ministry of Health		

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Margie Apa	Chief Executive	S9(2)(a)	x

### Purpose

1. Further to earlier updates provided to you, this is a high-level overview of the situation which may be useful, at your discretion, for sharing with your government colleagues.
2. This briefing updates you on the unauthorised removal of data from Te Whatu Ora | Health New Zealand's administrative databases by a staff member S6(c) (referred to as Person of Interest or POI).
3. S6(c) These assertions are completely wrong and ill-informed.
4. We are extremely disappointed in the actions of the POI and are taking all possible steps to safeguard the information of people in relation to the unauthorised disclosure and misuse of data to spread misinformation by the POI.
5. A further public statement will be made this afternoon as a follow up to our media release on Friday 1 December.
6. This breach has been notified to the Office of the Privacy Commissioner. We are working closely with them and other government agencies, including Ministry of Health (including the Public Health Agency), National Cyber Security Centre, DIA and Police.

### Situation overview

7. On Thursday 30 November, a staff member from our Data & Digital team emailed officials and Members of Parliament asserting he had information that showed officials had understated the excess mortality from COVID19 vaccinations. This staff member is a database administrator S9(2)(a)
8. The POI presented screenshots of information on vaccinating providers on Thursday 30 November in a video interview with Liz Gunn, an online commentator on vaccines. Details of eleven pharmacies and vaccination providers were shown in the video, although details of individual vaccinators do not appear to have been released.
9. The video seems to feature data removed or extracted from our databases without authority. Orders by the Employment Relations Authority have been served to require that information obtained from this breach is not used publicly or shared (by relevant individuals and other parties as well).
10. The POI has no clinical training or knowledge in vaccines. S9(2)(a)
11. S6(c)

12. Continuous cyber security scanning is in place across the internet (including the dark web), social media and other channels to detect data that may appear and is being used publicly.

## How the situation evolved

13. After the initial video was seen domestically, overnight on Friday/Saturday 1/2 December a video upload of a webinar at MIT in the USA mentioned release of official NZ data. This webinar referred to a weblink to download from the Wasabi platform which is based overseas. The weblink was found to contain data that seems to have been sourced from New Zealand's official health databases.

14. Our cybersecurity downloaded data from the website for analysis. Early analysis shows information has S9(2)(a) but no personally identifiable information has been detected at this stage. The team is continuing to analyse the data with an initial focus on establishing whether any personally identifiable information has been published.

15. S9(2)(h) [REDACTED]  
[REDACTED]  
[REDACTED] We are seeking information on how many times data was downloaded and by whom.

16. Internationally, the data has re-emerged and there are multiple online links related to the matter. We will continue to pursue take-down orders of data internationally, S9(2)(h)

17. S6(d) [REDACTED]

18. [REDACTED]

## Next steps

19. The response is currently in the first phase of Response and Investigation. The priority objectives are to assess whether the data published is likely to lead to identifying individuals including patients and providers/vaccinators that have delivered vaccinations, S9(2)(a) [REDACTED]  
[REDACTED]

20. The focus right now is to:

- Continue forensic work on the data
- Enforce take down orders as far as practical (some international sites will not act or use requests to cast New Zealand in a negative light, so judgments are being made)

- Proceed with the employment investigation of the POI
  - Clarify the scope of information taken and its potential to identify individuals and/or providers.
21. There will be a full review once the response phase has been completed to make sure we take on board any lessons that might be learned.
22. More generally to this incident, we note that there have been bomb threats in recent weeks (including very recently) to some of our sites and a small number of private hospitals and primary and community care services. At this time, there is no evidence that the data breach and threats are linked. Police have been advised of all threats and they are confident, given the nature of the emails, that any actual threat is considered low.

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**Dean Rutherford**



12/7/23 9:58 AM

FYI - Di had asked me to review who in PHA had access to person level data as a result of the Te Whatu Ora breach. Louise has discussed with Peter and I've suggested we do a joint memo to OLT (you and me), noting we have reviewed and safeguards in place - okay?

Dean Rutherford 12/7/23 10:08 AM

Yep, fine.



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