From: John Edwards Sent: Monday, 14 September 2015 9:56 a.m. To:{ Cc: Charles Mabbett; Annabel Fordham Subject: Re: Privacy and Transparency	
Over to you, but I'd be inclined to refuse on the grounds that it will soon be publicly available - s.18d	
- can you call me to discuss rescheduling?	
On 14/09/2015, at 9:48 am,t wrote:	
Thanks Charles	
Also, FYI this will be coming your way more formally, shortly, but Valerie Morse has OIA'd us for copy of the speech and communications between our offices pre and post event.	or a
From: Charles Mabbett [mailto:Charles.Mabbett@privacy.org.nz] Sent: Monday, 14 September 2015 9:44 a.m. To: Cc: John Edwards; Annabel Fordham Subject: RE: Privacy and Transparency	American American (Inc.)
Hi.	
Just a heads up $-1$ had a conversation with Alastair Thompson from Scoop at a party on Saturday night.	<b>/</b>
He said he intended to OIA Una's speech from Friday's abandoned forum. I've let John Edwards know.	
We maybe should consider rescheduling the event sooner rather than later to prevent the speed being released before it is given.	:h
Charles	
From:	

Sent: Friday, 11 September 2015 1:12 p.m.
To: Colin Trotter; Charles Mabbett; Annabel Fordham

Cc:

Subject: Privacy and Transparency

[UNCLASSIFIED]

Afternoon all

Good to see you this afternoon Annabel and Charles.

Should we convene early next week and discus possible next steps?

From: Charles Mabbett

Sent: Monday, 14 September 2015 10:17 a.m.

To:

Subject: RE: Privacy and Transparency

Sigh.

From:

Sent: Monday, 14 September 2015 9:48 a.m.

To: Charles Mabbett

**Cc:** John Edwards; Annabel Fordham **Subject:** RE: Privacy and Transparency

Thanks Charles

Also, FYI ... this will be coming your way more formally, shortly, but Valerie Morse has OIA'd us for a copy of the speech and communications between our offices pre and post event.

From: Charles Mabbett [mailto:Charles.Mabbett@privacy.org.nz]

Sent: Monday, 14 September 2015 9:44 a.m.

To:

**Cc:** John Edwards; Annabel Fordham **Subject:** RE: Privacy and Transparency

His

Just a heads up — I had a conversation with Alastair Thompson from Scoop at a party on Saturday night.

He said he intended to OIA Una's speech from Friday's abandoned forum. I've let John Edwards know.

We maybe should consider rescheduling the event sooner rather than later to prevent the speech being released before it is given.

Charles

From:

Sent: Friday, 11 September 2015 1:12 p.m.

To: Colin Trotter; Charles Mabbett; Annabel Fordham

Cc:

Subject: Privacy and Transparency

[UNCLASSIFIED]

Afternoon all

Good to see you this afternoon Annabel and Charles.

Should we convene early next week and discus possible next steps?

From: Annabel Fordham  Sent: Friday, 18 September 2015 11:03 a.m.  To:  Cc. Julie Quinlan  Subject: RE: Update re talk
Hi <sup></sup>
We've managed to get the Wellesley Hotel (the large room upstairs) for the 29 <sup>th</sup> . (I will find out the actual floor and we can confirm that very shortly.)
Cheers Annabel
From: Sent: Friday, 18 September 2015 10:58 a.m. To: Annabel Fordham Cc: Subject: RE: Update re talk
Thanks Annabel
The timing is perfect - I'll lock it into the diary and look forward to confirmation of the venue in due course.
Regards
From: Annabel Fordham [mailto:Annabel.Fordham@privacy.org.nz]  Sent: Friday, 18 September 2015 10:45 a.m.  To:  Cc:   Julie Quinlan  Subject: RE: Update re talk
Hiv `
That's wonderful, thanks. We were thinking of 12.30-1.30pm, if that's manageable for Una.
Thanks Annabel
From: L Sent: Friday, 18 September 2015 10:10 a.m.

To: Annabel Fordham

Cc:

Subject: RE: Update re talk

Hi there - I have spoken with Una and she is happy to do this on the  $29^{th}$ . Could you please give me timings for the diary.

Thanks

From: Annabel Fordham [mailto:Annabel.Fordham@privacy.org.nz]

**Sent:** Friday, <u>18</u> September 2015 10:02 a.m.

To: (

Subject: RE: Update re talk

Good morning f

Una had indicated to John Edwards that she was willing to adjust her diary to accommodate the presentation. Could you please see if she might be able to do the 29<sup>th</sup> September option?

We will continue to try and find further suitable venue options in the meantime. (KPMG is no longer a possibility.)

If there are some times that might be possible for Una, that would be very helpful for our planning.

Thank you

Annabel Fordham

### **Annabel Fordham**

Public Affairs Manager

Office of the Privacy Commissioner Te Mana Matapono Matatapu PO Box 10094, The Terrace, Wellington 6143
Level 8, 109 Featherston Street, Wellington, New Zealand
T +64 4 474 7590
DDI +64 4 474 7598
M +64 21 509 810

E <u>annabel.fordham@privacy.org.nz</u> privacy.org.nz

Sent: Friday, 18 September 2015 8:39 a.m.
To:
Annabel Fordham

Cc:

Subject: RE: Update re talk

Hi there - unfortunately the first lunch hour Una has free is Monday 5 October. She could also do Wednesday 7 October. Would either of these dates suit?

Regards

From: L

Sent: Friday, 18 September 2015 8:16 a.m.

To: Annabel Fordham (Annabel.Fordham@privacy.org.nz); (

Cc:¶

Subject: FW: Update re talk

[UNCLASSIFIED]

Thanks Annabel

acould you please advise on Una's availability over the next fortnight or so.

I've cc'd of so there can be continuity with the planning for the event, while I am away from early next week. And that means nothing untoward will happen.

From: Annabel Fordham [mailto:Annabel.Fordham@privacy.org.nz]

Sent: Thursday, 17 September 2015 4:10 p.m.

To:

Subject: Update re talk

Hi

An update re Una's talk.

I've had a chat to Police about options and their preference is for a venue that is not as open, or as much of a public space, as National Library. They are willing to provide two officers to be in attendance (we would likely ask them to be plain clothed).

We're in the midst of exploring other venue options:

- We have pencilled in the Wellesley Hotel room for Tues 29 Sept.
- I have asked Trade Me to use their space. Yet to hear back.
- We also have KPMG as an option for Friday 25 Sept (12.30-1pm). (Although I will double check about Police availability then. I think Fridays may be out.)

Perhaps you could let me know how Una is placed over the next week or two.

Many thanks Annabel

privacy.org.nz

## **Annabel Fordham**

Public Affairs Manager

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Level 8, 109 Featherston Street, Wellington, New Zealand
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DDI +64 4 474 7598
M +64 21 509 810
E annabel.fordham@privacy.org.nz

From: Annabel Fordham

Sent: Wednesday, 23 September 2015 2:15 p.m.

To: Cc:

Subject: KE: Tuesday

Hid

Yes, the Wellesley Hotel in the Grand Dining Room (upstairs), from 12.30-1.30pm.

See you then.

Annabel

From: [

Sent: Wednesday, 23 September 2015 2:14 p.m.

To: Annabel Fordham

Cc: f

Subject: KE: Tuesday

[UNCLASSIFIED]

Great, thanks Annabel. I will accompany Una, along with perhaps a couple of others from here.

I understand the venue is the Wellesley Hotel?

From: Annabel Fordham [mailto:Annabel.Fordham@privacy.org.nz]

Sent: Wednesday, 23 September 2015 2:08 p.m.

To:

Subject: FW: Tuesday

Hi and

I got of office message, so am forwarding this to you.

Best, Annabel

From: Annabel Fordham

Sent: Wednesday, 23 September 2015 2:06 p.m.

To: á

Cc: Charles Mabbett; Julie Quinlan

Subject: Tuesday

Hi.

Hope things are going well. Just a confirmation of plans for Tuesday.

We will notify the majority of previous registrants by email – very likely on Monday morning. I will confirm that with John but his preference seems to be a short notice period. We have gone through the list carefully.

There will be two plain clothed police officers in attendance.

We will notify media who attended previously.

The venue will have plenty of capacity, so if others from your office wish to attend that's no problem.

Let me know if you have any concerns or queries.

Kind regards

Annabel

## **Annabel Fordham**

Public Affairs Manager

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From: Annabel Fordham
Sent: Wednesday, 23 September 2015 2:17 p.m.
To: John Edwards
Subject: FW: Tuesday

Just FYI re DPMC.

af

From:
Sent: Wednesday, 23 September 2015 2:14 p.m.
To: Annabel Fordham
Cc.
Subject: Rt. 1 Uesday

[UNCLASSIFIED]

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To:

Subject: FW: Tuesday

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To:♥

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Kind regards

Annabel

### **Annabel Fordham**

Public Affairs Manager

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## Sharyn Leonard

From:

Charles Mabbett

Sent:

Tuesday, 13 October 2015 2:18 p.m.

To:

Sharyn Leonard

Subject:

FW: OIA regarding Director GCSB speech and related correspondence

### **Charles Mabbett**

Senior Communications Adviser

Office of the Privacy Commissioner Te Mana Matapono Matatapu

PO Box 10094, The Terrace, Wellington 6143

Level 8, 109 Featherston Street, Wellington, New Zealand

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Ε charles.mabbett@privacy.org.nz

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From: Charles Mabbett

Sent: Wednesday, 23 September 2015 3:47 p.m.

Subject: RE: OIA regarding Director GCSB speech and related correspondence

Hi,

We won't agree on that point but go ahead. We have no big objection.

All the best,

Charles

### **Charles Mabbett**

Senior Communications Adviser

Office of the Privacy Commissioner Te Mana Matapono Matatapu

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From:

Sent: Wednesday, 23 September 2015 3:42 p.m.

To: Charles Mabbett

Subject: RE: OIA regarding Director GCSB speech and related correspondence

Hi Charles

GCSB doesn't have a firm view on this point so I propose that we take a practical interpretation to this and release to the OIA requester the information that has been collated – which is up to 14 September 2015.

This approach fits in with the fact that GCSB are calculating the 20 days on the basis that we actually received this OIA on 14 September, not 13 September.

Let me know what you think and I'll go ahead.

Thanks so much and yay for technical legal discussion!

From: Charles Mabbett [mailto:Charles.Mabbett@privacy.org.nz]

Sent: Wednesday, 23 September 2015 9:55 a.m.

To:

Subject: RE: OIA regarding Director GCSB speech and related correspondence

No worries! just our two cents. We don't have a big stake in those emails - but John likes to point out these legal technicalities.

Cheers,

Charles

#### **Charles Mabbett**

Senior Communications Adviser

Office of the Privacy Commissioner Te Mana Matapono Matatapu

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## From: {

Sent: Wednesday, 23 September 2015 9:51 a.m.

To: Charles Mabbett

Subject: RE: OIA regarding Director GCSB speech and related correspondence

Thanks Charles.

Personally, I agree with you on this. In my opinion it seems unreasonable and impractical to continue collating and subsequently releasing information beyond the date of the request.

Nonetheless, I need to consult with GCSB Legal on this just to make sure. I'll get back to you on this by the end of today.

Thanks very much,

From: Charles Mabbett [mailto:Charles.Mabbett@privacy.org.nz]

Sent: Monday, 21 September 2015 4:03 p.m.

Subject: RE: OIA regarding Director GCSB speech and related correspondence

Hi ----

Sorry, I've just had a look a the new piece of correspondence. Thanks for sending that through, It is okay to include it in your response to Morse.

As for the email that mentions meeting Alastair Thompson dated 14 September - I think John's point that your response should only include what was known at the time Morse made her request is a valid one. As far as I know, a requester shouldn't be able to receive what at the stage of asking is future correspondence. I think that answers your question about whether to disclose all relevant correspondence up to the date of receipt.

I'd be interested to know your view on this.

Charles

## **Charles Mabbett**

Senior Communications Adviser

Office of the Privacy Commissioner Te Mana Matapono Matatapu PO Box 10094, The Terrace, Wellington 6143 Level 8, 109 Featherston Street, Wellington, New Zealand

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From:

Sent: Monday, 21 September 2015 1:36 p.m.

To: Charles Mabbett

Subject: RE: OIA regarding Director GCSB speech and related correspondence

Hi Charles

Good question. The request was sent by Ms Morse on 13 September 2015 (Sunday) and officially received by our office on 14 September, hence we are taking the view that the 14 September correspondence should be included. Does that sound okay to you?

More generally, do you think we should disclose all relevant correspondence up to the date of receipt (14 Sept) or up to the date of sending the response? I prefer the former, but due to the wording of her request in which she asks for post event communications, could it be interpreted as the latter? I've tried to find Ombudsmen guidance on this point but to no avail. I would really appreciate any advice you might have.

Also, we have unearthed another piece of in-scope correspondence which you will find attached.

Thanks very much,

From: Charles Mabbett [mailto:Charles.Mabbett@privacy.org.nz]

Sent: Monday. 21 September 2015 11:46 a.m.

To:

Subject: RE: OIA regarding Director GCSB speech and related correspondence

Hi

We need one clarification. The most recent email in your document was sent by me to 4 — 3 ton the 14<sup>th</sup> September. This may be outside the scope of Morse's request (if her request was made on the 13<sup>th</sup> September).

That's unless DPMC received a different OIA request from her than the one we received.

Do you mind checking?

Thanks,

Charles

#### **Charles Mabbett**

Senior Communications Adviser

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E charles.mabbett@privacy.org.nz

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From:

**Sent:** Monday, 21 September 2015 11:14 a.m.

To: Charles Mabbett

Subject: RE: OIA regarding Director GCSB speech and related correspondence

Fantastic. Thanks for your prompt reply Charles.

From: Charles Mabbett [mailto:Charles.Mabbett@privacy.org.nz]

Sent: Monday, 21 September 2015 11:03 a.m.

Cc: Annaper Forgnam; John Edwards

Subject: RE: OIA regarding Director GCSB speech and related correspondence

Thanks for briefing us.

1. I will raise this with the Commissioner and our Public Affairs Manager Annabel

Fordham today.

I should be able to give you an answer soon after.

Best wishes,

Charles

#### **Charles Mabbett**

Senior Communications Adviser

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Sent: Monday, 21 September 2015 10:58 a.m.

To: Charles Mabbett

Subject: OIA regarding Director GCSB speech and related correspondence

Hi Charles

passed your contact details on to me so that I can liaise with you about an OIA request involving your office.

GCSB has received an OIA request from Valerie Morse requesting:

"a copy of the Director's speech & powerpoint presentation that was to be delivered on September 11 at National Library -all pre- and post-meeting communications between the GCSB and the Privacy Commissioner that relate to this event."

We will not release the Director's speech as this will be publicly available shortly and there is no powerpoint presentation.

Regarding the second limb, we have collated all of the emails between GCSB and the OPC which relate to this request and wish to seek your permission to release them. We will be redacting the names of GCSB staff under sections 9(2)(a) and 6(a) of the OIA but we do not think we can extend this to OPC staff (please correct me if this is wrong).

I have attached all of the relevant correspondence that we can locate.

Appreciate your feedback on this as soon as you are able as would like this to go out before the speech is released.

Thanks very much.

Kind regards,

# **Sharyn Leonard**

From:

Charles Mabbett

Sent:

Tuesday, 13 October 2015 2:15 p.m.

To:

Sharyn Leonard

Subject:

FW: Survey on public opinion

Charles Mabbett Senior Communications Adviser

Office of the Privacy Commissioner Te Mana Matapono Matatapu PO Box 10094, The Terrace, Wellington 6143 Level 8, 109 Featherston Street, Wellington, New Zealand T +64 4 494 7146 DDI E charles.mabbett@privacy.org.nz privacy.org.nz

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----Original Message----

From: Charles Mabbett

Sent: Tuesday, 29 September 2015 10:00 a.m.

To.

Cc: Annabel Fordham; John Edwards Subject: RE: Survey on public opinion

Hi 1

Good to speak to you this morning. Our email is back and working again. As discussed, here is the media list:

Nicola Kean – Producer, The Nation, TV3 - NicolaKean@mediaworks.co.nz Adam Ray – Wellington Bureau Chief, TV3 – wellington.news@tv3.co.nz Mark Torley – Wellington Bureau Chief, TVNZ – mark.torley@tvnz.co.nz Brent Edwards – RNZ – brent.edwards@radionz.co.nz Jane Patterson – RNZ – jane.patterson@radionz.co.nz Tom Pullar-Strecker – Fairfax - tom.pullar-strecker@fairfaxmedia.co.nz Eric Janssen – Dominion Post - eric.janssen@fairfaxmedia.co.nz Audrey Young - NZH - Audrey.young@nzherald.co.nz Nick Jones – NZH - Nicholas.Jones@nzherald.co.nz Paul McBeth – Businessdesk - Paul@businessdesk.co.nz Suze Metherell – Businessdesk – suze@businessdesk.co.nz

Just got your voice mail message. Apologies for not getting back to you but I was on a day's leave yesterday.

See you later this morning.

Charles

Charles Mabbett Senior Communications Adviser ----Original Message-----From: Charles Mabbett

Sent: Wednesday, 30 September 2015 12:26 p.m.

To: 1

Subject: RE: Una's speech

Just tweeted the link!

Charles Mabbett Senior Communications Adviser

Office of the Privacy Commissioner Te Mana Matapono Matatapu PO Box 10094, The Terrace, Wellington 6143 Level 8, 109 Featherston Street, Wellington, New Zealand T +64 4 494 7146 DDI E charles.mabbett@privacy.org.nz privacy.org.nz

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----Original Message-----

From:

Sent: Wednesday, 30 September 2015 12:13 p.m.

To: Charles Mabbett Subject: RE: Una's speech

Hi Charles,

The speech is now on our website. Here's the link:

http://www.gcsb.govt.nz/news/news/speaking-notes-for-speech-to-the-technology-and-privacy-forum-by-una-jagose-acting-director-government-communications-security-bureau/

Kind regards,

----Original Message-----

From: Charles Mabbett [mailto:Charles.Mabbett@privacy.org.nz]

Sent: Tuesday, 29 September 2015 4:48 p.m.

To:

Subject: RE: Una's speech

Thanks for the speech! No worries about the delay.

I'm pleased and relieved everything went off without a hitch today.

Charles

Charles Mabbett Senior Communications Adviser

Office of the Privacy Commissioner Te Mana Matapono Matatapu PO Box 10094, The Terrace, Wellington 6143 Level 8, 109 Featherston Street, Wellington, New Zealand T +64 4 494 7146 DDI E charles.mabbett@privacy.org.nz privacy.org.nz

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----Original Message-----

From: (

Sent: Tuesday, 29 September 2015 4:44 p.m.

To: Charles Mabbett

Subject: RE: Una's speech

[UNCLASSIFIED]

Hi Charles,

Sorry for the delay - we were in a 2 hour Board meeting! Please see the speech attached.

Thanks again for organising today.

Kind regards,

----Original Message-----

From: Charles Mabbett [mailto:Charles.Mabbett@privacy.org.nz]

Sent: Tuesday, 29 September 2015 2:25 p.m.

To:√

Subject: Una's speech

Hi₹

We're pleased and relieved that the forum went off without a hitch today.

When you have a moment, could you please send through a copy of Una's speech? I'd like to use it to rewrite the blog post we had planned to publish when we had our first attempt at doing this.

Best wishes,

Charles

Charles Mabbett Senior Communications Adviser

## **Sharyn Leonard**

From:

Annabel Fordham

Sent:

Tuesday, 13 October 2015 2:03 p.m.

To: Subject:

Sharyn Leonard FW: Una's speech

Attachments:

Una Jagose Technology and Privacy Forum Speaking Notes - September 2015.docx

----Original Message-----From: Charles Mabbett

Sent: Tuesday, 29 September 2015 4:49 p.m.

To: Annabel Fordham; John Edwards; Sam Grover; Julie Quinlan; Sharyn Leonard

Subject: FW: Una's speech

In case anyone wants a copy of Una Jagose's speech ...

Charles Mabbett Senior Communications Adviser

Office of the Privacy Commissioner Te Mana Matapono Matatapu PO Box 10094, The Terrace, Wellington 6143 Level 8, 109 Featherston Street, Wellington, New Zealand T +64 4 494 7146 DDI E charles.mabbett@privacy.org.nz privacy.org.nz

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