



**Te Tari Taiwhenua  
Internal Affairs**

4 November 2019

Jenna Stein

Via email: Jenna Stein [fyi-request-11225-e99e2c19@requests.fyi.org.nz](mailto:fyi-request-11225-e99e2c19@requests.fyi.org.nz)

45 Pipitea St  
PO Box 805  
Wellington 6140  
New Zealand  
Phone +64 4 495 7200  
Fax +64 4 495 7222  
Website [dia.govt.nz](http://dia.govt.nz)

Dear Jenna

**Official Information Act ("OIA") request dated 10 October 2019 (ref OIA19200313)**

Thank you for your OIA request dated 10 October 2019 to the Department of Internal Affairs (the "Department"). The Department notes that you made the following request:

*"My research has continued while I awaited a response. The response claims that the breach did not happen. My research suggests that that is not true.*

*I have now met a person who was there at the time of the breach. The person related how an "Assistant Compliance Officer" accidentally emailed a number of businesses information identifying a number of other businesses that had failed to meet a legislative requirement to provide a report to DIA by the due date and were thus in breach of law. These businesses were clearly identifiable in the email and email addresses internal to these businesses were also made available to all of the businesses receiving the email.*

*The person has also told me that Mike Stone the very person that wrote the letter responding to my request saying that it did not happen was there at the time this happened and was well aware of it. Mike Stone's letter even says that he had spoken to all of the staff who were in that team then who were still with DIA and none knew about it. But the person has told me that the officer that sent the email still works for DIA. She even gave me his name. So either he wasn't asked about it or he forgot about it. Neither of these seems very plausible.*

*So the man that wrote the reply to me knew about it so did the man who made the breach. So why is the reply saying that it did not happen? Please explain this and respond with truthful information to my request or I will have to go to the ombudsman."*

The Department notes that in your original request dated 15 September 2019, you referred to an alleged data breach by the Department in 2015 in which an official of the AML Group emailed confidential information to hundreds of businesses. The Department's response dated 7 October 2019 was based on the alleged matter occurring in 2015 and our search parameters did not capture the incident that you now refer to.

The Department is aware that on 15 August 2016 an official of the AML Group emailed 463 reporting entities in a single communication reminding them that their annual reports were due under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (the AML/CFT Act 2009"). The intent was to include the email addresses for the reporting entities in question in the "bcc" field but this did not happen.

The email sent by the Department on 15 August 2016 did not notify businesses that they had failed to meet a legislative requirement, which conflicts with your version of events as outlined on 10 October 2019; it was a friendly reminder to the primary contacts of the reporting entities to file annual reports under the AML/CFT Act before the due date.

Whilst an administrative error occurred on 15 August 2016, this did not constitute a serious data breach as no confidential or personal information was released. Further, this email did not cause any damage to affected parties. Consequently, there is no investigation report on this matter and, therefore, this part of your request is refused under section 18(e) of the OIA.

If a serious data breach occurs, the Department has processes in place to address the matter. In the first instance, it would notify all affected parties of the matter and take steps to mitigate any damage caused by the release of the confidential or personal information. It would also investigate the matter and, if necessary, make recommendations on how to avoid data breaches occurring in future.

If you are dissatisfied with the Department's decision on your request for information, you have the right, under section 28 of the OIA, to make a complaint to the Office of the Ombudsman. The Office of the Ombudsman can be contacted by phone on 0800 802 602, via post at PO Box 10152 Wellington, or via email to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz).

The Department is happy to discuss this matter or its approach to data breaches with you if that would assist you in your research.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Louise Cavanagh', with a long horizontal flourish extending to the right.

**Louise Cavanagh**  
Acting Director  
AML