

21 May 2020

Gerard Byrne
fyi-request-12744-3790b5be@requests.fyi.org.nz

REF: OIA-6626

Dear Gerard

Request made under the Official Information Act 1982

Thank you for your email of 1 May 2020 requesting the following information under the Official Information Act 1982 (the Act):

can you please supply me a copy of all the pages from your employees notebook that was found to be spying on my wife at this hearing

<https://scanmail.trustwave.com/?c=2838&d=0Jmr3qcrM4oKf3cYV6gnwcVxF0o5LReyBtf-M83iDw&u=https%3a%2f%2fwww%2eemploymentcourt%2egovt%2enz%2fassets%2fDocuments%2fDecisions%2f2019-NZEmpC-187-Byrne-v-NZ-Transport-Agency-jud-131219%2epdf>

you produced some of the pages as evidence so they are publicly available, but in court we witnessed other pages with our lawyer that showed your employee was also spying on our neighbours and also spying and recording movements of a young lady who was working for Fulton Hogan on the waikato expressway where your employee was based. please redact her name and associated things to do with her including her parents address where she visited and was spied on.

Any information held by Waka Kotahi NZ Transport Agency and used as evidence in the Byrne vs NZTA hearing has been provided to Veronica Byrne's legal professional.

Any further information you believe exists is not held by Waka Kotahi, and I have no grounds to believe that the information is held by another department or Minister of the Crown or organisation, or by a local authority. Therefore, I am also refusing your request under section 18(g)(i) of the Act.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to refuse your request. You can find the contact details for the Ombudsman at www.ombudsman.parliament.nz.

If you would like to discuss this reply with Waka Kotahi, please contact Katrina Leather, Manager Employment Relations, by email to katrina.leather@nzta.govt.nz or by phone on 04 894 5400.

Yours sincerely

A handwritten signature in black ink that reads "Richard May". The signature is written in a cursive, flowing style.

Richard May

Deputy General Manager, Engagement & Partnerships