

Donna Maree Barraclough™

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Chief Executive / Privacy Officer

Horizons Regional Council

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Subject: Formal Complaint – Breach of Staff Code of Conduct, Company Duties, and Potential Criminal Behaviour by Martyn Lindsay Boyce, Operations Manager (MWLASS / Horizons)

Dear Chief Executive / Privacy Officer,

I lodge this formal complaint under Horizons Regional Council's staff standards of integrity and conduct, the Privacy Act 2020, Companies Act 1993, and other related legislation.

This addresses serious misconduct by Martyn Lindsay Boyce, Operations Manager at Manawatū-Whanganui LASS Limited (MWLASS, a Horizons-associated council-controlled company), involving unauthorized access and public disclosure of my personal information in a court affidavit dated 22 July 2025 (High Court CIV-2024-454-000074). His actions constitute harassment, privacy breach, defamation, and doxing, unrelated to the non-party costs case where I am a defendant. Mr Boyce's action do not attract qualified privilege in this matter and I

am challenging these to pursue misconduct and that his actions are not shielded and outside proper purpose.

Incident Summary

Mr Boyce accessed and disclosed my full name, photograph, residential address (11 Golf Grove, Saint Andrews, Hamilton), property records, and professional certificate from private member-only websites (voicemedia.global and nrsmembers.org, requiring subscriptions/logins/NDAs), social media, and databases. This aimed to defame me and others (Michael Alexander Retter, Tracy Lynch) by alleging "financial mismanagement" and pseudolegal activities (paras [20]-[23]). Disclosure in a public court document has caused distress, reputational harm, and safety risks.

1, Breaches of Staff Code of Conduct and Local Government Act 2002 (LGA 2002)

Mr Boyce breached codes requiring integrity, confidentiality, and ethical information use through misuse of position, defamation, and confidentiality violations.

- LGA 2002

- Section 42: Serious misconduct warranting Chief Executive-led discipline.
- Section 14: Violates ethical governance and community well-being principles.
- Part 4: Undermines transparency and accountability; may trigger Auditor-General review.
- Part 5 (Council-controlled organisations): As MWLASS is a CCO, requires prudent management and accountability; misconduct harms governance.

2. Breaches Under Companies Act 1993

As Operations Manager of MWLASS (a company), Mr Boyce's misuse of position and information breaches officer duties:

- Section 131: Duty to act in good faith and company's best interests; using role for intrusive data collection/defamation violates this.
- Section 138A: Serious breaches are offenses.
- Section 380: Potential fraudulent/dishonest conduct if involving misuse of company resources.

3. Doxing

Malicious publication of private details (address, photo, property) from restricted sources, addressed via Privacy Act 2020, Harmful Digital Communications Act 2015, and Crimes Act 1961.

4. Privacy Breach (Privacy Act 2020)

- IPPs 1, 4, 11: Unlawful collection (no purpose), intrusive manner, and disclosure without consent. Notifiable if serious harm; fines up to \$10,000.

5. Under Human Rights Act 1993 (Section 66): Prohibits privacy interference.

6. Harmful Digital Communications Act 2015

Harmful court filing alleging impropriety causes distress; breaches harm prevention principles. Remedies: take-downs, fines up to \$50,000, imprisonment up to 2 years.

7. Defamation (Defamation Act 1992)

False allegations of mismanagement (paras [22]-[23]) damage reputation; Section 4 allows civil damages.

8. Harassment (Harassment Act 1997)

Pattern of data gathering/disclosure causes distress/fear; Section 3 defines harassment, Section 8 enables restraining orders/penalties up to 2 years' imprisonment.

9. Stalking and Criminal Offenses (Crimes Act 1961)

Stalking-like surveillance: Section 252 criminalizes unauthorized computer access (up to 2 years' imprisonment),

Section 249 (accessing Computer System for Dishonest Purpose): if access to council/MWLASS databases (or even private sites via work resources) was dishonest/deceptive and obtained advantage (e.g., compiling evidence to support costs claim) or caused loss/harm, up to 7 years imprisonment.

10. Employment Relations Act 2000

Serious misconduct justifies discipline/dismissal; resolvable via Employment Relations Authority.

Evidence

Affidavit paras [20]-[23], annexure pages 23-27 (photo/address/property), 28-48 (private site screenshots alleging mismanagement). Sites are NDA-protected. Full affidavit attached.

Hard copies will be sent by registered mail.

Requested Actions

1. Acknowledge within 5 working days.
2. Investigate under all listed legislation, including criminal elements.
3. Provide findings/remedies (apology, data destruction) within 20 working days.
4. Discipline (e.g., suspension/dismissal) if substantiated.
5. Implement prevention (training/controls).
6. Notify Privacy Commissioner/Police.
7. Supply held personal information.

I reserve escalation rights to Privacy Commissioner, Police, Employment Relations Authority, or Human Rights Review Tribunal.

In good faith, without recourse

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