

30 April 2013

Mr Anthony Jordan  
[fyi-request-813-736306be@requests.fyi.org.nz](mailto:fyi-request-813-736306be@requests.fyi.org.nz)

Dear Mr Jordan

### Official Information Act Request

I refer to your email of 8 April 2013, requesting information under the Official Information Act 1982 (the Act).

ACC has responded to each part of your request in turn below.

1. *Would the ACC consider releasing verbatim copies of submissions to an appropriate Government Agency to confirm what ACC is proclaiming is in fact truthful and not in any way 'half truths'?*

ACC provided copies of the submissions to the Office of the Ombudsman. Pursuant to section 2(1)(i) of the Official Information Act 1982, any correspondence, communication or material created in the course of an ombudsman investigation is excluded from the definition of official and personal information.

2. *Would the ACC reconsider disclosing submissions previously declined due to it would 'outweigh public interest'?*

ACC's decision to decline to provide this information remains in place, to protect the privacy of the individuals concerned. This decision is made pursuant to section 9(2)(a) of the Act. ACC concludes that the privacy interest of this information still outweighs any public interest.

3. *Has the ACC released any of the information that the assessors, including Dr Collier, do not want released to any party pre receiving submissions?*

In the past ACC has released some personal information about assessors when it believed that releasing the information was in the public interest. Assessors subsequently told ACC that the publication of their names has resulted in harassment and threats, including death threats and threats against their families. As a result, ACC will not put the safety of assessors at risk by publishing their personal information.

4. *Number of assessors who made submissions Re: safety Concerns*
5. *Dates that assessors first made the ACC aware of such concerns*
6. *Is the ACC currently reviewing submissions to consider whether these subjective concerns are justified*
7. *Has the ACC been provided with any evidence to prove there is justification to act on these submissions i.e. Notifications to Law offices or appropriate medical bodies by assessors including Dr Collier*
8. *And if no notifications have been initiated, would it be expected of the ACC to be provided such evidence so as to not have ACC be put in a position to unjustifiably withhold information*

A total of six medical assessors engaged a barrister to represent their concerns to ACC on 4 December 2012. ACC has carefully considered the submissions and it has no reason to believe that they were unjustified. The threats received by assessors are serious and credible and have required Police involvement.

9. *Would the ACC please provide the appropriate department within ACC to address concerns regarding contracted treatment providers.*

Medical professionals contracted to work for ACC are required to provide independent, expert advice, based on their knowledge and experience. They adhere to the Medical Council Code of Conduct, which clearly sets out expectations around ethical behaviour when providing third-party assessments.

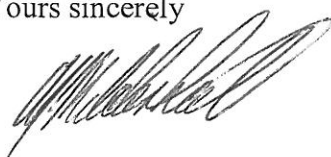
If you have concerns regarding the professional integrity of an ACC contracted treatment providers you can make a complaint to the Health and Disability Commissioner. Information on this can be sought at [www.hdc.org.nz](http://www.hdc.org.nz).

Please contact me at [anna.mildenhall@acc.co.nz](mailto:anna.mildenhall@acc.co.nz) if you would like discuss the information provided.

If you are still not happy, you may make a complaint to the Office of the Ombudsman. You can call them on 0800 802 602, 9am to 5pm weekdays, or write to:

The Office of the Ombudsman  
P O Box 10 152  
WELLINGTON 6143

Yours sincerely



Anna Mildenhall  
**Senior Advisor, Government Services**