

TO : Police
FROM : Legal Risk Manager
DATE : 24 July 2015
TOPIC : [REDACTED]

1. Purpose

To inform the Police of the details of [REDACTED] disputes with Southern Response, [REDACTED] interaction with other government organisations and to advise of other instances where Southern Response has raised matters with the Christchurch Police in respect of customers.

2. Recommendation

That this memorandum be noted.

3. Background

[REDACTED] currently has a claim for earthquake damage being managed by Southern Response Earthquake Services Ltd (Southern Response).

3.1 Nature of [REDACTED] dispute with Southern Response

[REDACTED] has made a number of unsubstantiated allegations against individual staff members and members of the Southern Response Board which are unrelated to the issues in relation to his claim for earthquake damage. In particular [REDACTED] has singled out Ross Butler and Anne Urlwin from the Southern Response Board and Peter Rose CEO.

In 2013 [REDACTED] Southern Response shared a Project Control Group (PCG) report with [REDACTED] containing sensitive information. Sometime after the PCG report was shared with [REDACTED], [REDACTED] posed a series of questions to Southern Response based on data contained in the PCG report. The PCG report was later leaked to [REDACTED] and then circulated on the internet. Southern Response understands that [REDACTED] was questioned by [REDACTED] in relation to the release of the report and [REDACTED]

[REDACTED] believes Southern Response, and Peter Rose in particular, were the cause of [REDACTED]

On 6 July 2015, [REDACTED] stated in an email:

[..] a full explanation as to why Southern Response's Deputy Chairperson (Anne Urlwin) decided to share our private information with her CEO who then shared our personal emails to our businesses biggest customer, in an attempt to intimidate us and bully us.

Mr Rose went to great lengths, defaming us to our major customer early in the morning and late at night.

His attack was extraordinary and we believe unprecedented.

His attack on us was undertaken under direction of the Southern Response Board and with the full knowledge of your Responsible Minister and Shareholding Minister, plus as it happens, the Prime Minister.

[...]

Mr Rose's co-ordinated personal attack was terminal for our business, [REDACTED] for us and our [REDACTED] (Sic)

[REDACTED] had a role as [REDACTED] for [REDACTED]. [REDACTED] alleged in an email sent 18 March 2015, that:

Mr Butler and the Executive are once again trying to destroy my reputation, trying and set me up, and inflict as much pressure on myself and my customers in exactly the same way they did when I was [REDACTED]

[...]

Hence your actions have forced me to resign my position at [REDACTED] to ensure that that small company is not the target of the laser like precision that you exercise in your attempt to bully and intimidate me personally in the same way you tried in 2013.

[...]

You have once again succeeded in your disgusting and frankly, I believe, illegal tactics of targeting me personally. (sic)

No evidence has been provided by [REDACTED] to substantiate his claims.

3.2 Interaction with other government agencies

During the course of managing [REDACTED] claim for earthquake damage, Southern Response has become aware of other government agencies that have fielded complaints from [REDACTED] or had to investigate matters raised by [REDACTED] in relation to the organisations regulatory authority. This includes:

The Office of the Auditor General

[REDACTED] the Office of the Auditor General issued a public response to [REDACTED] in respect of concerns [REDACTED] had raised about public spending in relation to the Canterbury earthquakes. The Office of the Auditor General investigated the allegations and concluded there was no wrongdoing.

The Office of the Ombudsman

[REDACTED] has complained to the Ombudsman in respect of Southern Response destroying records. The Ombudsman considered the matter closed with no further action by way of letter dated 16 June 2015

The Office of the Privacy Commissioner

[REDACTED] complained to the Privacy Commissioner complaining that Southern Response had breached his privacy by releasing information to [REDACTED]. The Privacy Commissioner concluded there was no breach of privacy.

Archives New Zealand

██████████ complained to Archives New Zealand indicating that Southern Response did not meet the record keeping standards in the Public Records Act. The Chief Archivist investigated the matter and deemed the Public Records Act did not apply to Southern Response.

Southern Response is also aware from the correspondence from ██████████ that he has complained to other government agencies including:

- The Office of the Prime Minister
- The Shareholding Ministers of Southern Response
- Treasury
- The Commerce Commission
- Housing New Zealand
- EQC

3.3 Other Police matters

Southern Response has contacted the Police in relation to two other customers.

██████████

In a recorded interview with a 3rd party, ██████████ made reference to the (at the time) recent shootings in Ashburton. ██████████ intimated that he had nothing left to lose and that were he to perpetrate a similar event to Ashburton, at Southern Response, people would then listen to him.

A trespass Notice was served on ██████████ in October 2014.

██████████

In April 2015, ██████████ contacted AMI and advised that he was not satisfied with the offer to settle his claim. ██████████ identified who his claim officer was, that he knew where they lived, who their parents were, who their children were and that he was prepared to “get personal” if his claim was not settled to his satisfaction.

The Police were contacted through the general communications number. The claims officer involved and ██████████ were contacted by Police.

At risk staff addresses

Ross Butler (Chairman of the Board): ██████████

Anne Urlwin (Deputy Chair): ██████████

Jenn Bestwick (local Director): ██████████

Bevan Killick (local Director): ██████████

Peter Rose (CEO): [REDACTED]
[REDACTED] (primary claim handler): [REDACTED]

[REDACTED] (support claim contact): [REDACTED]

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SOUTHERN RESPONSE EARTHQUAKE SERVICES LTD