

Appendix A

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Although the responsibility for the entire report rests with me as Privacy Commissioner, in some respects it is the culmination of contributions, small and large, from literally hundreds of people. It is impossible to identify everyone who has assisted by name. However, I wish to thank a number of the significant contributors. I apologise for any omissions - with so many people having contributed in so many ways, a record of their names is not always “readily retrievable” to borrow a phrase from section 29.

I first wish to acknowledge the work of Blair Stewart, then Manager, Codes and Legislation and now Assistant Commissioner, who has been responsible to me for undertaking the review. Blair has coordinated, or undertaken, much of the work required to research the issues, to consult stakeholders, and to propose to me responses to the legislative issues uncovered. He has been closely involved with the writing of this report. All of this has been done while continuing to assist me with a full workload of legislative issues, codes of practice, and, latterly, information matching matters.

STAFF OF THE OFFICE OF THE PRIVACY COMMISSIONER

The process has been managed by Blair Stewart and the staff reporting to him. Wendy Bertram, Codes and Legislation Officer, has been a mainstay in assisting with the review processes in 1997 and 1998. Brigid Feehan, a former Codes and Legislation Officer, assisted in earlier internal phases of the review.

Other staff have contributed in a variety of ways. This commenced with a year long series of monthly “brainstorming” sessions in 1995 and continued with a variety of review sessions in late 1997.

Margaret Gibbons and Frances Ermerins have been responsible for typing the report and have had the unenviable task of handling ever-changing drafts. I have been grateful for their diligence. Gillian Rook and Sharon Newton also assisted in the processing of submissions.

PRELIMINARY INPUT

Several steps were taken before the launch of the discussion papers in mid-1997. In August 1996 I wrote to Chief Executives of government departments seeking preliminary views as to issues which ought to be examined. A similar letter was sent in October 1996 to a selection of representative bodies in the private sector. I acknowledge the assistance derived from the responses of the following agencies:

Public sector agencies

- Ministry of Justice;
- Department of Internal Affairs;
- Department of Research, Science and Technology;
- Department of Labour;
- Ministry of Consumers Affairs;

- Department for Courts;
- Ministry of Cultural Affairs;
- State Services Commission;
- Department of Corrections;
- Ministry of Youth Affairs;
- Ministry of Civil Defence;
- Solicitor-General;
- Ministry of Defence;
- Ministry of Health;
- NZ Defence Force;
- Accident Compensation and Rehabilitation Insurance Corporation;
- Transport Accident Investigation Commission.

Private sector representative bodies

- NZ Law Society;
- NZ Employers Federation;
- NZ Medical Association;
- NZ Bankers' Association;
- National Council for Women;
- Insurance Council;
- Newspapers Publishers Association.

In their personal capacities, helpful preliminary comments were also made by Grant Liddell, Dr Paul Roth and Professor Geoff Schmitt.

A questionnaire on information matching was circulated in early 1997. Completed questionnaires were helpfully received from the following:

- Ministry of Defence;
- NZ Post Electoral Enrolment Centre;
- NZ Customs Service;
- Inland Revenue Department;
- Ministry of Education;
- Department for Courts;
- Department of Corrections;
- Ministry of Justice;
- Department of Social Welfare; and
- Department of Labour.

DISCUSSION PAPERS AND CONSULTATION PROCESSES

The 12 discussion papers released from mid 1997 were a key feature of the consultation process. A number of these were prepared in-house by Blair Stewart, and, in one case, Wendy Bertram. Others were prepared on contract by legal consultants including Robert Stevens of Auckland, John Edwards of Wellington, and Janet Girvan of Christchurch. A team effort was involved in critiquing and rewriting aspects of the various papers before release.

I was pleased at the response to the discussion papers and individually list those individuals and organisations who made submissions at Appendix B. Although the extent of the submissions, compiled into four volumes, has created considerable work for me and my office I have been gratified to find so many people willing to take the time to engage in the various issues.

During November 1997 I held a series of consultation meetings in Dunedin, Christchurch, Wellington and Auckland. Although my staff organised most of these, I acknowledge the assistance of Nicola Peart and Andrew Alston, of the Faculties of Law at the University of Otago and the University of Canterbury, for setting up consultation meetings at their respective universities.

SPECIALIST CONSULTATION

I have appreciated the willingness of the Public Law Group in the Ministry of Justice to act as a soundingboard on some issues and to research answers to others, particularly those concerning passage through Parliament of the Privacy of Information Bill. I particularly acknowledge the assistance of Allison Bennett.

During December 1997 I hosted a series of closed discussion meetings corresponding with the subject matter of each of the 12 discussion papers. These small meetings primarily involved myself, my managers, legal consultants and a variety of staff. However, each meeting was broadened by the inclusion of an expert or two from outside my office. The participants from outside my office were invited in their personal capacity and not as a representative of their particular organisations. I am pleased to acknowledge the assistance of:

- Robert Buchanan, Director, Law Commission;
- Katrine Evans, Faculty of Law, Victoria University of Wellington;
- Cathie Harrison, Barrister and Solicitor.
- Brigid Feehan, NZ Law Society;
- Richard Fisher, Assistant Ombudsman;
- Sir John Robertson, former Chief Ombudsman.

Written comments were also received from Professor Geoff Schmitt.

A number of submissions were received from the local government sector which raised further issues for consideration. In December 1997 I convened a special consultation meeting touching upon issues especially relevant to local government. I was gratified that people from as far afield as Palmerston North and the Wairarapa were willing to travel to Wellington to inform me of their views. I acknowledge the assistance of Geraldine Murphy of Wellington City Council on local government issues and the participation of the following organisations in the meeting:

- Department of Internal Affairs;
- Local Government New Zealand;
- Wellington City Council;
- Palmerston North City Council;
- Porirua City Council;
- Carterton District Council;
- Hutt City Council;
- Masterton District Council;
- Upper Hutt City Council.

As I wrote my report I took the opportunity to consult with organisations which might be thought likely to be affected by some of the proposed recommendations. It is not appropriate to list them here but I do wish to say that I appreciated the comments made. I also sought comment on issues concerning the interaction of other laws with the Act and I am grateful for the written comments from, amongst others, the:

- Ombudsmen;
- Inspector-General of Intelligence and Security;
- Banking Ombudsman;
- Clerk of the House of Representatives;
- Chief Human Rights Commissioner;
- Police Complaints Authority;
- Ministry of Justice;
- Wellington City Council.

ASSISTANCE FROM OVERSEAS

My staff have been conferring with Privacy Commissioners in other jurisdictions on various technical matters relevant to the review since late-1995. Valuable published material was gathered including, in particular, reports of reviews of privacy laws in other jurisdictions. A number of Commissioners and other agencies have answered particular ques-

tions which have contributed to this report. I especially wish to acknowledge the following:

Privacy and Data Protection Commissioners and their staff

- Privacy Commissioner, Australia;
- Privacy Commissioner, Canada;
- Registratiekamer, The Netherlands;
- Commission d'accès à l'information, Quebec;
- Data Protection Registrar, United Kingdom;
- Information and Privacy Commissioner, Alberta;
- Privacy Commissioner for Personal Data, Hong Kong;
- Information and Privacy Commissioner, British Columbia;
- Information and Privacy Commissioner, Ontario;
- Berliner Datenschutzbeauftragter, Germany.

Other agencies

- Department of Justice, Canada;
- Ombudsman, Manitoba;
- Department of Justice, Nova Scotia.

MISCELLANEOUS ASSISTANCE

I have appreciated the expert assistance on some technical and legal issues received from Janice Lowe of Wellington and Robert Stevens of Auckland.

The Ministry of Justice Information Services Group and National Archives assisted by facilitating access to the files of the Information Authority and Wanganui Computer Centre Privacy Commissioner respectively.

The Parliamentary Service assisted in securing photographs of former MPs. Other photographic credits appear with the photographs themselves.

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