The Health and Disability Commissioner  
Te Toihau Hauora, Hauatanga  
Level 10, Tower Centre  
45 Queen Street  
(P.O. Box 1791)  
Auckland 1010  
19 October 2015

Attention: The Health and Disability Commissioner

Re: Former complaints C11HDCxxxxx and C12HDCxxxxx: Requests according to sections 12 and 16 of the Official Information Act 1982 and under s 34 (and principle 6) of the Privacy Act 1993

Dear Madam / dear Sir

Please receive my formal request for specified information under the Official Information Act 1982 and where more appropriate under the Privacy Act 1993. I ask you to supply the below listed information in the form of good quality, easily readable photo copies, or of similar, relevant system printouts. I ask for this, as it is my observation that I have previously not been sent all this specified information:

A. I request authentic copies of all correspondence (e.g. letters, emails, facsimiles), and of any notes and transcripts made of phone calls (ingoing and outgoing), and also of relevant internal and external discussions and created reports, generated, sent, or received and exchanged between any of the various persons involved in the filing, processing, assessment and initial decision-making of complaint C11HDCxxxxx at the Health and Disability Commissioner’s Office, for the period from 08 August to 16 August 2011. This would naturally also include any of the above in relation to me as the complainant.

B. I request authentic photo copies, and/or printouts of digitally stored copies, of all written correspondence and attached documents received by the Office of the Health and Disability Commissioner from Dr Dxxxx Xxxxxxx, in particular being correspondence dated 20 September 2012, only some of which appears to have been provided to me before with a letter from Ms Georgina Rood, Legal Advisor, dated 04 Nov. 2013. This is in relation to complaint C12HDCxxxxx. In the copy of the main letter from Dr Xxxxxxx to your Office from that date, I read a reference in his letter, which states the following: “As I did not provide medical treatment to Mr Xxxxxxx (misspelled) I am of the understanding that all complaints of this nature are more correctly addressed by the Medical Appeals Board. I attach a letter dated 16 August 2010 from your department which outlines such policy previously.” A copy of that attached letter dated 16 August 2010, which appears to have been generated and sent by your Office’s legal department
to possibly general practitioners, WINZ designated doctors, medical practitioner or health professional organisations, or any other affected party, and with that apparently also Dr Xxxxxxx, was never included in any of the documents sent to me. I therefore ask for a copy of that particular document now. Even if some bits of the contents of that letter may need to be withheld for privacy reasons, it is my firm view, that making this letter available is certainly in the public interest.

C. I request also information on the particular reason, as to why with the initial decision in complaint matter C12HDCxxxxx, dated 24 February 2013, and sent by Ms Theo Baker as Deputy Commissioner, only a copy of Dr Xxxxxxx’s letter from 22 November 2012 had been attached. I seek information and an explanation as to why the earlier response your Office received from Dr Xxxxxxx (dated 20 Sept. 2012) had been withheld from me as complainant for nearly one year after your Office received it from Dr Xxxxxxx, and why it was only provided to me upon my Official Information and Privacy Acts requests from 07 October 2013. I may point out, that this again raises very serious issues with your Office’s complaint handling, as I must observe a clear failure in your Office’s adherence to the core principles of natural justice.

Please supply the information in clearly readable form as photo-copies of originals, system data printouts or other official types of records within the prescribed official response times.

Yours sincerely and thankfully

Xxxxxxx Xxxxxx