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Auckland 1xxx

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

13 March 2016

Attention: **The Health and Disability Commissioner**

Re: **Former complaint 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 Commissioner, dear staff at the Health and Disability Commissioner Office

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 following information:

Any photos that any staff member(s) of the Health and Disability Commissioner's Office took of me when holding a protest with a placard outside the entrance to the office building at 45 Queen Street, Auckland City, on xx September 2013 or at any other time after that date.

I visited your Office on that date at roughly 04 pm, which was recorded in a file entry in the complaint file under your reference C12HDCxxxxx. I then asked to speak to Deputy Commissioner Theo Baker. As she was in a meeting, I only had a brief discussion with two young staff members by the names of Sxxxx Xxxxxxx and "Mxxxxx" at your Office, which was recorded in that entry, of which I have attached a copy for your information.

While I do only vaguely remember that discussion, I will not raise particular issues with the record, which though appears to show a somewhat exaggerated description of what was discussed.

As I mentioned, after that discussion on that day (two and a half years ago), I stood outside number 45 Queen Street for some time. I clearly remember at least one young man coming out of the building and taking at least one photo of me, and I believe he was one of your staff members. While he was of course free to take a photo of me in a public place, I have the impression that the photo(s) will most likely have been recorded at your Office and possibly shared also with others, e.g. staff and the Commissioner at your Wellington Head Office.

As the photo was taken of me, it is in my view personal information. Therefore I ask you to confirm whether any photos of me have been kept on record in any of your files at your Office in Wellington or Auckland, and if any exist, I ask of a copy of these.

Furthermore I ask for information on whether - at any time since I filed my complaint under reference C12HDCxxxxx - any of your staff or Commissioners exchanged any information about my complaint - and any related matters - with any person(s) working for the Ministry of Social Development and/or the Medical Council.

If any such information was exchanged, if any correspondence or communications were recorded, I ask for confirmation of this, and a copy of such information. Again, this is only for the case that this information exists and can be made available.

Please provide a response in this matter within the statutory response time.

Yours sincerely and thankfully

Xxxxxxx Xxxxxx

Attachments to email sent in this matter:

- 1). 'H + D Commissioner, O.I.A. + Privacy Act request, X. Xxxxxx, 13.03.2016',
- 2). 'HDC, C12HDCxxxxx, Xxxxxxx, O.I.A. + Priv. Act rqst, visit notes, X.X. at HDC, xx.09.2013.pdf'.