

Reference No. HRRT 008/2021

UNDER THE PRIVACY ACT 2020

BETWEEN ASHOR GORGUS

PLAINTIFF

AND CHIEF EXECUTIVE, DEPARTMENT OF CORRECTIONS

DEFENDANT

AT WELLINGTON

BEFORE:

Ms GJ Goodwin, Deputy Chairperson
Ms WV Gilchrist, Member
Ms SB Isaacs, Member

REPRESENTATION:

Mr SJ Fraser for plaintiff
Mr S McCusker and Ms VM Rea for defendant

DATE OF HEARING: 11 July 2022

DATE OF DECISION: 17 August 2023

DECISION OF TRIBUNAL¹

[1] In July 2019, while Mr Gorgus was in custody, he made two requests for certain specified personal information to the Chief Executive, Department of Corrections (“Corrections”). He made a third request for information in October 2019 to a lawyer acting for Corrections.

¹ [This decision is to be cited as *Gorgus v Corrections* [2023] NZHRRT 22]

[2] The July 2019 requests were not actioned nor were they formally responded to until after Mr Gorgus made a complaint to the Privacy Commissioner in November 2019. In response to the request of October 2019, Corrections provided certain information but redacted some information from the documents released and withheld other documents in their entirety.

[3] Mr Gorgus claims Corrections has interfered with his privacy. He seeks the release of the withheld information and damages of \$40,000.

[4] Corrections accepts it interfered with Mr Gorgus' privacy in respect of its lack of response to the July 2019 requests but does not accept liability in respect of its response to the October 2019 request. Corrections also maintains that it has good reasons for withholding certain information requested by Mr Gorgus, in accordance with the Privacy Act 1993 ("PA").²

[5] At the hearing Corrections also submitted that certain information could be redacted and withheld as it was not Mr Gorgus' personal information, so was "out of scope" of his requests.

[6] Corrections says that if any award of damages is made for the interference with Mr Gorgus' privacy it should be low, and that any such award can only be made subject to the considerations specified in the Prisoners' and Victims' Claims Act 2005 ("PVCA").

BACKGROUND

[7] While Mr Gorgus was in custody, several incidents either involving Mr Gorgus' own conduct or his interactions with Corrections officers occurred between December 2018 and July 2019. These incidents resulted in the generation of various Corrections' reports including Event Reviews, Use of Force Review Forms and Incident Information Reports.

[8] One incident occurred in January 2019 where Mr Gorgus was accused of standing over prisoners and sparring or fighting while employed in the prison laundry. In addition, on 20 May 2019 Mr Gorgus alleged that he was the victim of an unreasonable use of force and that he was unlawfully placed in segregation.

[9] Whether or not Corrections' investigations into and subsequent accounts of these incidents were properly concluded and recorded is not a matter for this Tribunal. Rather, the Tribunal can only consider the allegations of interference with Mr Gorgus' privacy. The various incidents do, however, inform the reasons for Mr Gorgus requesting his personal information. They also go to the alleged consequences Mr Gorgus says resulted from his not having information about these incidents.

The requests for personal information

[10] Between 15 March 2019 and 25 May 2019 Mr Gorgus either made or reiterated eight requests for personal information. These requests were responded to by Corrections, albeit not always to Mr Gorgus' satisfaction, and they are not the subject of this claim.

² The PA was repealed and replaced by the Privacy Act 2020 (PA 2020) on 1 December 2020. That repeal did not alter the relevant legal rights and obligations in force at the time Mr Gorgus' requests were made. Agencies, such as Corrections, which dealt with personal information of individuals prior to 30 November 2020, were required to comply with the IPPs prescribed in the PA and to apply the relevant exemptions to disclosure in the PA. Accordingly, references in this decision are to the relevant sections of the 1993 Act.

[11] On 9 July 2019 Mr Gorgus made the first request which is the subject of this claim (“First Request”) when he asked for:

[11.1] An Event Review Report and use of force documentation relating to an incident on 7 December 2018.

[11.2] An Event Review Report relating to a use of force incident on 20 May 2019.

[11.3] An Event Review Report, dated 14 January 2019, relating to Mr Gorgus’ dismissal from prison laundry employment (“Laundry Report”).

[11.4] Incident reports dated 5 May 2019 and 6 May 2019.

[11.5] PC.01 registrations numbers #494588, #494536 and #494053.

[12] This First Request was received by Corrections officers but was not logged by prison staff into Corrections’ Integrated Offender Management system (IOMS) until 18 November 2019.

[13] Mr Gorgus’ second request (“Second Request”) was made on 31 July 2019, in which Mr Gorgus asked for:

[13.1] The Event Review Report of an incident occurring on 20 May 2019.

[13.2] A Fact Finder Report relating to a staff assault in December 2017.

[13.3] All Event Review Reports from 2017 to 2019.

[13.4] File notes from 15 March 2019 to 31 July 2019.

[13.5] Incident reports from 20 May 2019 to 31 July 2019.

[14] The Second Request was received by Corrections officers and was logged into IOMS. It was, however, not actioned by at that time.

[15] Mr Gorgus’ third request (“Third Request”) was made on 21 October 2019 by way of an Official Information Act 1982 request to a lawyer acting for Corrections. In his Third Request Mr Gorgus asked for:

[15.1] The Event Review Report and use of force report relating to or arising from a use of force incident on 7 December 2018.

[15.2] The Laundry Report.

[15.3] The Event Review Report and Human Resources material relating to and/or arising from a use of force on 20 May 2019.

[15.4] Any other material and/or information completed by Corrections’ Human Resources team relating to the treatment of Mr Gorgus at Mount Eden Prison.

[16] The Third Request was provided to Ministerial Services on 22 October 2019. Corrections acknowledged receipt of the Third Request and sought an extension of the time to respond, until 17 December 2019.

Responses to the requests

[17] Corrections did not respond to Mr Gorgus' First or Second Requests until also responding to the Third Request on 17 December 2019, when Corrections:

[17.1] Provided Mr Gorgus with the Event Review Report and Use of Force Reports and other information relating to a 7 December 2018 incident and the 20 May 2019 incident, but redacted certain information, in reliance on PA, ss 27(1)(c) (prejudice to the maintenance of the law) and 29(1)(a) (unwarranted disclosure of the affairs of others).

[17.2] Advised Mr Gorgus there was no report relating to his dismissal from the laundry on the date sought, so that the Laundry Report did not exist and the request was declined pursuant to PA, s 29(2)(b) (information not held).

[17.3] Withheld other documents entirely in reliance on PA, s 29(1)(a) (unwarranted disclosure of the affairs of others).

[18] Following an investigation by the Privacy Commissioner in July 2020, Corrections provided Mr Gorgus with certain information sought in the First and Second Requests which had not already been provided. That information consisted of:

[18.1] Redacted incident reports between 5 May 2019 and 6 May 2019.

[18.2] Assorted file notes from 3 July 2019 to 31 July 2019.

[18.3] Redacted incident reports between 20 May 2019 and 31 July 2019.

[19] Redactions were specified as being made pursuant to PA, ss 27(1)(c) and 29(1)(a). Mr Gorgus did not receive this additional information until August 2020, as he had been transferred to Remutaka Prison in the intervening period.

[20] Following some confusion by Corrections about that document's identity, a redacted version of the Laundry Report was provided to Mr Gorgus following the filing of briefs of evidence in this case, in November 2021. A list of documents provided and the grounds for redactions or withholding relied on by Corrections is set out in **Appendix A**.

ISSUES

[21] Corrections has accepted it interfered with Mr Gorgus' privacy in respect of the First Request and the Second Request. Accordingly, the issues for determination are:

[21.1] Whether, in respect of the Third Request, Corrections responded in accordance with the timeframe prescribed by the PA.

[21.2] Whether, in respect of the First Request, the Second Response and the Third Response, Corrections had good reason for withholding or redacting the personal information sought by Mr Gorgus, pursuant to the statutory grounds in the PA.

[21.3] Whether, in respect of information redacted or withheld by Corrections on the basis it was "out of scope," that information is Mr Gorgus' personal information.

[21.4] What, if any, remedy should be granted to Mr Gorgus for the interference with his privacy by Corrections?

THE LAW

[22] Where an agency holds personal information about an identifiable individual in such a way that that information can readily be retrieved, the individual is entitled to confirmation whether or not the agency holds such information and to have access to that information pursuant to Information Privacy Principle (IPP) 6:

Principle 6
Access to personal information

- (1) Where an agency holds personal information in such a way that it can readily be retrieved, the individual concerned shall be entitled—
 - (a) to obtain from the agency confirmation of whether or not the agency holds such personal information; and
 - (b) to have access to that information.
- (2) Where, in accordance with subclause (1)(b), an individual is given access to personal information, the individual shall be advised that, under principle 7, the individual may request the correction of that information.
- (3) The application of this principle is subject to the provisions of Parts 4 and 5.

[23] An agency which receives a request under IPP 6 for access to personal information has two key response obligations:

[23.1] First, to make a decision as to whether the request is to be granted. That decision must be made “as soon as reasonably practicable” and in any case not later than 20 working days after the day on which the request is received by that agency.³ Failure to comply is deemed to be a refusal to make available the information to which the request relates.⁴

[23.2] Secondly, to make the information available without “undue delay”.⁵ Where undue delay occurs, there is similarly (but separately) a deemed refusal to make the information available.

[24] A refusal to make information available, where the Tribunal is of the opinion that there is no proper basis for that decision, is an interference with the privacy of the requester.⁶ If there has been an interference with privacy, then the Tribunal may provide a remedy for that interference with privacy.

[25] There are, however, statutory withholding grounds or reasons on which an agency may rely to support a decision to withhold personal information from the requester. Where an agency relies on any of those withholding grounds, the agency has the burden of proving the exception.⁷

³ PA, s 40(1).

⁴ PA, s 66(3).

⁵ PA, s 66(4).

⁶ PA, s 66(2).

⁷ PA, s 87.

[26] The statutory good reasons for refusing access to personal information are set out in PA, ss 27 to 29. Corrections sought initially, to rely on PA, s 27(1)(c) and also on ss 29(1)(a) and 29(2)(b). Those section provide as follows:

27 Security, defence, international relations, etc

(1) An agency may refuse to disclose any information requested pursuant to principle 6 if the disclosure of the information would be likely—

...

(c) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial

29 Other reasons for refusal of requests

(1) An agency may refuse to disclose any information requested pursuant to principle 6 if—
(a) the disclosure of the information would involve the unwarranted disclosure of the affairs of another individual or of a deceased individual;

...

(2) An agency may refuse a request made pursuant to principle 6 if—
(b) the information requested does not exist or cannot be found;

[27] Corrections also separately says that it is withholding certain portions of documents on the basis that the information withheld is not Mr Gorgus' "personal information" and so is out of scope of his IPP 6 requests.

[28] While the PA defines "personal information" as information about an identifiable individual, it is of note that:

[28.1] Personal information means any type of information about an identifiable individual and is not limited to sensitive, intimate, or private details.⁸

[28.2] The PA does not separately define "information" so that the ordinary wide meaning of that applies, being "that which informs, instructs, tells or makes aware"; see *Watson v Capital and Coast District Health Board* ("Watson") at [70].

[28.3] The definition of personal information only requires that the information be about an identifiable individual, not that the individual be identified in the information. Information can be personal information even if the individual is only identifiable with the use of extrinsic information or knowledge. The High Court in *Sievwrights v Apostolakis* expressly rejected the proposition the individual concerned must be able to be identified in the information without the use of any extrinsic information or knowledge.⁹

[28.4] The High Court in *Taylor v Corrections* ("*Taylor* (HC)") when considering what constituted personal information said:¹⁰

[53] It is no doubt correct that a very broad interpretation of personal information, enabling access to as much information as possible, may facilitate other valid interests, but the usefulness of the information that may be obtained under a principle 6 access request and the requester's genuine and proper interest in it does not, of itself, render it personal information. There are

⁸ *R v Alsford* [2017] NZSC 42, [2017] 1 NZLR 710 at [30] and *Watson v Capital and Coast District Health Board* [2015] NZHRRT 27 [*Watson*] at [69].

⁹ *Sievwrights v Apostolakis* HC Wellington CIV-2005-485-527, 17 December 2007 at [17]–[18]. See also *Tapaki and Eru v New Zealand Parole Board* [2019] NZHRRT 5 at [61.2].

¹⁰ *Taylor v Chief Executive of the Department of Corrections* [2020] NZHC 383 [*Taylor* (HC)] [footnotes omitted].

separate regimes which address the public interest in ensuring appropriate access to personal information for those purposes. As counsel for the respondent put it, there is no need to put the whole “individual vs state jurisprudence” into the Act. The requester’s motivations and the potential uses of the information do not supplant the statutory objectives of the right and the purposes of the Act itself.

WHETHER CORRECTIONS RESPONDED IN ACCORDANCE WITH THE TIME FRAME PRESCRIBED BY THE PA

[29] The Third Request was received by Corrections on 21 October 2019. On 19 November 2019 Corrections sent an acknowledgement of that request to Mr Gorgus. That response was made within the statutory 20 working days after the day on which the request was received, as prescribed by PA, s 40(1). In its response to Mr Gorgus, Corrections said that it required until 17 December 2019 to respond substantively, as consultation was needed in connection with that response.

[30] On 17 December 2019 certain of Mr Gorgus’ personal information was provided to him. We are not of the opinion that the response on 17 December 2019 amounted to undue delay, so there has been no deemed refusal to make the information available pursuant to PA, s 66(4). We are therefore satisfied, in relation to the Third Request, that Corrections responded in accordance with the PA timeframes and that no interference with privacy arises under PA, s 66(2) in relation to that request.

[31] In relation to the First Request and the Second Request, we are, however, satisfied that there has been an interference with Mr Gorgus’ privacy. Corrections has appropriately accepted this, as it failed to acknowledge or action either of those requests as required by PA, ss 40 and 66(4), without any proper basis. It is to that interference that any claimed causation must attach when the question of remedies is considered in relation to the First Request and Second Request.

WHETHER CORRECTIONS HAS GOOD REASONS FOR WITHHOLDING OR REDACTING PERSONAL INFORMATION

[32] Corrections submits that it has good reasons for withholding or redacting certain of Mr Gorgus’ personal information. It says that the withholdings or redactions it seeks to make:

[32.1] Are in some cases, on the basis that the disclosure of the information would involve the unwarranted disclosure of the affairs of another individual pursuant to PA, s 29(1)(a).

[32.2] Where in other cases, originally on the basis that disclosure would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial pursuant to PA, s 27(1)(c), but are now on the basis that the redacted information is “out of scope”, not being Mr Gorgus’ personal information.

[33] We proceed to consider separately these withholding grounds.

UNWARRANTED DISCLOSURE OF THE AFFAIRS OF ANOTHER

[34] Where Corrections seeks to rely on PA s 29(1)(a) to withhold information, it is required to satisfy the Tribunal that the two limbs of that section have been met. These

are first, that the release of the information would disclose the affairs of another person and secondly, that such disclosure would be unwarranted.

[35] As was said at [93] of the *Watson* decision:¹¹

[93] As to the second, it has been correctly said that particular weight needs to be given to the word “unwarranted”. This, together with the use of the phrase “the affairs of another individual” rather than “privacy” appears to narrow the scope of this provision. See Taylor and Roth *Access to Information* (LexisNexis, Wellington, 2011) at [3.5.4]. In our view the term “unwarranted” requires the Principle 6 right of access held by the requester to be weighed against the competing interest recognised in s 29(1)(a). In that exercise consideration must be given to the context in which the information was collected and to the purpose for which the information was collected, held and used. As to how the balance is to be struck in a particular case and a determination made whether disclosure of the information would involve the “unwarranted disclosure” of the affairs of another individual will depend on the circumstances. See *Director of Human Rights Proceedings v Commissioner of Police* [2007] NZHRRT 22 at [63]. In that decision the Tribunal made reference to some of the considerations which may be relevant when weighing the competing interests. See also *Geary v Accident Compensation Corporation* at [78] to [88].

[36] Turning then to the categories of documents which are sought to be withheld under PA, s 29(1)(a), our conclusions are set out below. The evidence and submissions provided on these matters were all presented in a closed part of the hearing.¹² Accordingly, Mr Gorgus and his counsel were not present during the closed part of the hearing. Ms Christian, a Senior Privacy Advisor in the Privacy Team for Corrections was the only person to give evidence in the closed part of the hearing.

HR materials

[37] The HR materials have been entirely withheld. Those HR materials relate exclusively to employment matters. While Mr Gorgus’ name is contained in the HR materials, they are not about him and it would not be practicable to produce a redacted version of the HR materials, as they would become wholly unintelligible.

[38] We are satisfied, first, that the disclosure of the HR materials would disclose the affairs of another person and, secondly, that such disclosure would be unwarranted within the test prescribed in *Watson*. Accordingly, Corrections may rely on PA, s 29(1)(a) to withhold the HR materials in their entirety.

The Laundry Report

[39] The Laundry Report was withheld in its entirety in Corrections’ response to the Third Request and only released to Mr Gorgus in November 2021. Ms Christian’s evidence as to this was:

[39.1] There was initially some confusion regarding which report Mr Gorgus was referring to. Mr Gorgus had asked for a report regarding his dismissal from the laundry dated 14 January 2019. Corrections initially declined this request under PA, s 29(2)(b) on the basis they did not have the report (they did have a report they considered to be dated 11 January 2019 and which they also considered related to a separate laundry incident).

¹¹ *Watson*, above n 8 [footnotes omitted].

¹² See Privacy Act 2020, s 109.

[39.2] Corrections eventually realised which document was sought and withheld it in its entirety pursuant to PA, s 29(1)(a), on the basis that it also contained personal information belonging to other prisoners and staff members.

[39.3] The Privacy Commissioner considered there was no basis for withholding the Laundry Report in its entirety and that it could be provided to Mr Gorgus, with redactions. Corrections did not, however, address this until preparing for this hearing.

[39.4] On 3 November 2021 the redacted Laundry Report was provided to Mr Gorgus.

[40] The Laundry Report has two specified dates. On the cover sheet it is dated 11 January 2019. However, at the end the sign-off date is specified as 14 January 2019. The report clearly refers to an incident in the prison laundry on 10 January 2019. It does contain personal information relating to Mr Gorgus.

[41] Corrections should have reasonably determined that the Laundry Report was the information sought by Mr Gorgus. We conclude that Corrections could not properly rely on PA, s 29(2)(b) (information cannot be found or does not exist) to withhold that document in its entirety in the first instance.

[42] Corrections' initial refusal to disclose the whole of the Laundry Report in reliance on PA, s 29(1)(a) was also not warranted. In our view, Corrections should have adopted the procedure in PA, s 43 of making a copy of that document available with such deletions or alterations as it considered appropriate.

[43] The redactions still sought to be made to the Laundry Report are the identity of other prisoners present in the laundry at the time of the incident and the views of those Corrections staff members who were interviewed in relation to the incident. Corrections submits that these redactions are warranted pursuant to PA, s 29(1)(a) and that they are in accordance with the recommendations made by the Privacy Commissioner.

[44] The identity of the other prisoners is mixed information, combining information about Mr Gorgus with information about those other individuals. While disclosure would be of information about the other prisoners, we are not satisfied that the disclosure would be unwarranted. The redacted Laundry Report refers to interviewing all prisoners present. Mr Gorgus knew who was present. The redacted report also states that all prisoners interviewed refuted the allegations made, so Mr Gorgus is aware of the prisoners' responses. Accordingly, we are not satisfied that Corrections may rely on PA, s 29(1)(a) to withhold the identity of the other prisoners.

[45] The individual views of those Corrections staff members who were interviewed, once again, is mixed information. The Laundry Report is expressed to be an "in confidence" Corrections document. There would be a reasonable assumption of those Corrections staff interviewed that their individual views would not be released. We are satisfied that the release of those individual views would be an unwarranted disclosure of their personal information.

[46] Corrections could, however, provide Mr Gorgus with a summary of the overall views of the Corrections officers. This is referred to in the later remedies section of this decision.

Other Event Review Reports

[47] Two partially redacted Event Review Reports were released to Mr Gorgus. The redacted portions of the first Event Review Report relate solely to employment matters. They do not contain any information about Mr Gorgus, nor do they go to the content of the report.

[48] The second Event Review Report regards a complaint made by Mr Gorgus against a prison officer. The information redacted is about third parties.

[49] We are satisfied that the release of the redacted portions of both Event Review Reports would be the unwarranted disclosure of the affairs of another or others. We are, accordingly, satisfied that Corrections may rely on PA, s 29(1)(a) to withhold those portions of the Event Review Reports still redacted.

Incident Information Reports

[50] Fourteen Incident Information Reports dated between 5 May 2019 and 17 July 2019 were provided to Mr Gorgus in redacted form.

[51] All of these had two redactions, the identity of the staff member who created the report and a small amount of other information. Whether the identity of the staff member who created the report can be withheld is considered in the section below dealing with information alleged not to be Mr Gorgus' personal information.

[52] We have reviewed the other withheld information and considered its nature and sensitivity, the potential consequences of release and whether there has been a promise expressed or implied, as to confidentiality. We are satisfied that Corrections may rely on PA, s 29(1)(a) to withhold that information.

[53] In addition to the two standard deletions referred to at [51] above, information about a third party was deleted from the Incident Information Report dated 6 May 2019, in reliance on PA, s 29(1)(a).

[54] Having reviewed that information and considered the matters referred to at [34]-[35] above and the tests in *Watson*,¹³ in all the circumstances we are satisfied that information about the third party would be an unwarranted disclosure of that party's personal information and so may properly be withheld under PA, s 29(1)(a).

Overall conclusion on liability for continued withholding under PA, s 29(1)(a)

[55] Corrections has generally discharged its burden of proving information withheld in reliance on PA, s 29(1)(a) can properly be withheld. It has not, however, done so in respect of a small amount of the information it still seeks to withhold, being the identity of the other prisoners named in the Laundry Report. The decision to withhold that information, without any proper basis, gives rise to a further interference with Mr Gorgus' privacy under PA, s 66(2).

¹³ *Watson*, above n 8 [footnotes omitted].

PREJUDICE TO THE MAINTENANCE OF THE LAW

[56] For the sake of completeness, we note that Corrections, in initially withholding or redacting certain information, relied on PA, s 27(1)(c).

[57] Where an agency seeks to rely on PA, s 27(1)(c), it must satisfy the Tribunal, on the balance of probabilities, that disclosure would likely prejudice the maintenance of the law. The term “likely” is to be understood as requiring the agency to show there is a real and substantial risk to the interest being protected.¹⁴

[58] Corrections presented no evidence of any prejudice and made no submissions on this point. Given this, we have not been satisfied that Corrections may withhold information in reliance on PA, s 27(1)(c).

INFORMATION THAT IS NOT PERSONAL INFORMATION

[59] Corrections submitted that certain redactions were properly made, before releasing documents to Mr Gorgus, as the information redacted was not his personal information, so not within the scope of his IPP 6 requests. It said that if information is not personal information it is not necessary for the Tribunal to consider whether any withholding grounds apply.

[60] As was said in *Taylor (HC)*:¹⁵

[44] The central question is whether the redacted information was Mr Taylor’s personal information as that term is used in the Act. If it is not Mr Taylor’s personal information then it is not necessary for us to go on to consider whether any of the withholding grounds apply (including whether the alleged “blanket” policy of redacting all staff details was unlawful) and whether, pursuant to s 66(2)(b) of the Act, there was “no proper basis” for Corrections’ decision to withhold the redacted information.

[61] In *Taylor v Corrections* (“*Taylor (HRRT)*”), the Tribunal found (and the High Court upheld) that the names and contact details of Corrections staff were not personal information about Mr Taylor and did not need to be disclosed pursuant to IPP 6.¹⁶ The High Court in *Taylor (HC)* said that such information was essentially administrative information, the omission of which did not render the provided materials unintelligible.¹⁷

Use of Force Review Forms

[62] Use of Force Review Forms are completed following a spontaneous use of force. They involve a checklist of procedures, measures and methods relating to any use of force.

[63] The Use of Force Review Forms dated 19 November 2018 and 24 May 2019 were provided to Mr Gorgus on 17 August 2020 in redacted form. Ms Christian’s evidence was that while they were initially withheld in their entirety, Corrections has changed its stance and would agree to the release of certain additional information contained in the two Use of Force Review Forms. Corrections’ position was, however, that certain items should be

¹⁴ See *Commissioner of Police v Ombudsman* [1988] 1 NZLR 385 (CA) at pp 391, 404 and 411, and *Nicholl v Chief Executive of the Department of Work and Income* [2003] 3 NZLR 426 (HC) at [13]. See also *Rafiq v Civil Aviation Authority of New Zealand* [2013] NZHRRT 10 at [31]. To similar effect (but in a different context) see *St Peter’s College v R* [2016] NZHC 925, [2016] NZAR 788 at [10].

¹⁵ *Taylor (HC)*, above n 10 [footnotes omitted].

¹⁶ *Taylor v Corrections* [2018] NZHRRT 35 [*Taylor (HRRT)*] at [125].

¹⁷ *Taylor (HC)* at [65].

withheld or redacted on the basis that they relate to internal policies and procedures which are not Mr Gorgus' personal information.

[64] Having reviewed the Use of Force Review Forms we conclude that Corrections should (as it has already volunteered to do) release the information set out in clauses 11, 12, 13, 15, 17, 18, 20, 21 and 30 of each Use of Force Review Form.

[65] We also consider that information in clauses 1, 2, 3, 24, 25, 27, 28, 36 and 37 in the Use of Force Review Forms should be released to Mr Gorgus. Corrections' submission that the information in those clauses is not about Mr Gorgus is not accepted. While Mr Gorgus is not named in those clauses, the information is "about" him, to the extent that it represents the views of Corrections about the details of incidents concerning Mr Gorgus and, accordingly, is his personal information.

[66] While there is still a small amount of information not about Mr Gorgus, Corrections should release the bulk of these forms to Mr Gorgus. This is reflected in the orders which follow.

Reports on Use of Force

[67] In relation to the Reports on Use of Force, we are satisfied that the small number of redactions made are not personal information about Mr Gorgus, but rather generic information about the procedures relating to the completion of other forms to be followed by Corrections officers under the Prison Operations Manual and pursuant to Corrections Regulations 2005.

[68] The redactions do not render the report, insofar as it concerns Mr Gorgus, unintelligible and they are not of Mr Gorgus' personal information.

Post Use of Force – Debriefing Checklists

[69] The information redacted from the Post Use of Force – Debriefing Checklists are the steps required in relation to a mandatory operational debrief. They are purely administrative, relating to Corrections' methodologies and do not contain any personal information about Mr Gorgus.

[70] Also redacted from the Post Use of Force – Debriefing Checklists are the contact details of where at Corrections, email copies of information are to be sent. This is again purely administrative, relating to Corrections' methodologies and, in reliance on *Taylor* (HC), is not Mr Gorgus' personal information.

Incident Information Reports

[71] Ms Christian's evidence was that the identity of the Corrections staff member who created the Incident Information Reports was redacted, as the information was out of scope and purely administrative. The information was not "about" Mr Gorgus.

[72] Following the decision in *Taylor* (HC), the redacted identity of the Corrections administrative staff member who created the Incident Information Reports is not "about" Mr Gorgus and he is not impeded from understanding the content of this document by reason of the minimal redaction. This information, not being his personal information, requires no further determination by the Tribunal.

Conclusion on liability for continued withholding on the “out of scope” ground

[73] Corrections has generally satisfied us that most of the information it withheld as “out of scope” is not Mr Gorgus’ personal information. It has not, however, done so in respect of a small amount of the information Corrections still seeks to withhold, as referred to at [64]–[65] above. Corrections, in not disclosing that information, breached IPP 6. That breach will, however, only give rise to a further interference with his privacy if Mr Gorgus can satisfy us that he suffered any of the forms of harm in PA, s 66(1)(b).

REMEDY

[74] Corrections has interfered with Mr Gorgus’ privacy; accordingly, the Tribunal may grant one or more of the discretionary remedies allowed by PA, s 85(1).

[75] These remedies include a declaration that an action has been an interference with privacy and damages pursuant to PA, s 88(1) as follows:

88 Damages

(1) In any proceedings under section 82 or section 83, the Tribunal may award damages against the defendant for an interference with the privacy of an individual in respect of any 1 or more of the following:

- (a) pecuniary loss suffered as a result of, and expenses reasonably incurred by the aggrieved individual for the purpose of, the transaction or activity out of which the interference arose;
- (b) loss of any benefit, whether or not of a monetary kind, which the aggrieved individual might reasonably have been expected to obtain but for the interference;
- (c) humiliation, loss of dignity, and injury to the feelings of the aggrieved individual.

[76] Section 88 is subject to subpart 1 of Part 2 of the PVCA. It was undisputed that Mr Gorgus’ claim falls within the PVCA provisions. One of the purposes of the PVCA is to ensure that the remedy of compensation is reserved for exceptional cases and used only if, and only to the extent that, it is necessary to provide effective redress.¹⁸

[77] Remedies sought by Mr Gorgus are:

[77.1] A declaration that Corrections interfered with his privacy.

[77.2] Damages:

[77.2.1] For loss of benefit.

[77.2.2] For humiliation, loss of dignity and injury to feelings, in an amount to be assessed by the Tribunal but which should be in the “mid-range” of band two in *Hammond v Credit Union Baywide* (“*Hammond*”),¹⁹ suggested to be \$40,000.

[77.3] An order directing Corrections to make the withheld personal information available to Mr Gorgus.

[77.4] Costs.

¹⁸ PVCA, s 3(1).

¹⁹ *Hammond v Credit Union Baywide* [2015] NZHRRT 2 [*Hammond*].

[78] The actions of Corrections giving rise to an interference with Mr Gorgus' privacy and so relevant to our consideration of remedies are:

[78.1] The failure to respond to Mr Gorgus' First Request and the Second Request in accordance with the requirements of PA, s 40(1).

[78.2] The failure to provide Mr Gorgus with certain withheld personal information.

DECLARATION

[79] First, in relation to the requested remedy of the grant of a declaration of an interference with privacy, we note that while such a declaration is discretionary, declaratory relief is not normally denied in the Tribunal where there has been an interference with privacy.²⁰

[80] Corrections has conceded that it would be appropriate for the Tribunal to issue a formal declaration that Corrections has interfered with Mr Gorgus' privacy in failing to respond to the First Request and the Second Request. A declaration of an interference with Mr Gorgus' privacy will be made accordingly and also encompasses the subsequent failing of Corrections referred to at [44], [46], [64] and [65] above.

DAMAGES

[81] Mr Gorgus seeks damages for both loss of benefit and for humiliation, loss of dignity and injury to his feelings.

The conduct of the defendant

[82] Before considering damages, we note that PA, s 85(4) provides that it shall not be a defence to proceedings that an interference was unintentional or without negligence on the part of the defendant, but the Tribunal must take the conduct of the defendant into account when deciding what, if any, remedy to grant.

[83] In this case, Mr Gorgus was adamant that the failure by Corrections to respond to the First Request and the Second Request was deliberate and malicious. He said there was "bad faith" on the part of the Corrections officers who initially received his requests for personal information. He relies on this as being a factor exacerbating his hurt and humiliation and so increasing any award made to him.

[84] While the failure by Corrections to deal with Mr Gorgus' First Request and Second Request certainly represents a failure to comply with the PA, there was no evidence before the Tribunal of bad faith. Corrections relies on *Mailley v Shaw* as authority for the proposition that allegations of bad faith must be properly particularised and should not be made unless there is necessary information to "condemn by necessary implication those whose acts or omissions constitute that conduct".²¹ In support of this proposition, we also note *New Zealand Police v Williams*.²²

[85] There was no evidence from the Corrections officers receiving the First Request and the Second Request and so no evidence as to their state of mind, which could suggest bad faith. Ms Christian's evidence was that the usual policy was for personal information

²⁰ See *Geary v New Zealand Psychologists Board* [2012] NZHC 384, [2012] 2 NZLR 414 [Geary] at [107] and [108].

²¹ *Mailley v Shaw* [2020] NZHC 3102 at [137].

²² *New Zealand Police v Williams* [2022] NZCA 419, [2023] 2 NZLR 189 at [34] to [39].

requests to be sent by Corrections officers to Ministerial Services for actioning, but this had simply not happened in these cases. She said that if those requests had been forwarded to Ministerial Services they would have been dealt with as promptly as possible.

[86] Mr Gorgus' earlier requests for personal information, referred to at [10] and his Third Request were responded to. In these circumstances, and given case law referenced above, we are not prepared to infer bad faith on the part of Corrections.

[87] Equally, there were no mitigating factors which require consideration in the context of remedies. Overall, we find that there are no factors pursuant to PA, s 85(4) which would warrant any alteration to the remedies granted.

LOSS OF BENEFIT

Relevant principles for loss of benefit

[88] Relevant principles to claims for loss of a benefit include:

[88.1] The benefit claimed may be monetary but is not required to be so.

[88.2] To award damages for loss of benefit the Tribunal must be satisfied the interference with privacy was a contributing or material cause of the loss of benefit; see *Taylor v Orcon* and *Reekie v Attorney-General* ("Reekie").²³

[88.3] The Tribunal has previously accepted that a delay or a failure to provide documents intended for use in court or other legal processes, constitutes the loss of a benefit; see *Watson* and *Director of Human Rights Proceedings v Schubach*.²⁴

[88.4] The Tribunal has, however, recently made it clear in *Director of Human Rights Proceedings v Netsafe Inc*,²⁵ that it is necessary for a plaintiff to establish the claimed benefit was one which that plaintiff might reasonably be expected to obtain, but for the interference. Damages for loss of benefit in a litigation context will not be awarded where the outcome is speculative or too remote.

Analysis of whether any loss of benefit

[89] Mr Gorgus submitted the loss of benefit head of damages is engaged, in that there were various review processes and litigation relating to the matters which were the subject of Mr Gorgus' information requests. He says that as a result of a failure to receive information he was unable to adduce evidence, to know what the material contained was and to request correction of it. Mr Gorgus referred to trying to prepare a case for the High Court and said that he needed his personal information for that case.

[90] While Mr Gorgus' pleadings allege that he required information from Corrections "in order to make a claim" and that he has been "unable to assess all relevant material", there is a lack of particularity in his evidence as to these matters. The alleged consequences are too speculative to sustain an award for loss of benefit.

²³ *Taylor v Orcon* [2015] NZHRRT 15 at [61] and *Reekie v Attorney-General* [2022] NZHRRT 20 at [61].

²⁴ *Watson*, above n 8 at [127] and *Director of Human Rights Proceedings v Schubach* [2015] NZHRRT 4 at [97].

²⁵ *Director of Human Rights Proceedings v Netsafe Inc* [2022] NZHRRT 15 at [237].

[91] It is also noted that IPP 6 does not act as a de facto discovery exercise; see *Taylor* (HRRT):²⁶

[125] The short answer is that IPP 6 confers a right to personal information only. It is not a key to other, non-personal information. Nor is an IPP 6 request a means of obtaining pre-trial discovery of non-personal information for use in litigation or complaints against third parties. As submitted by Corrections, IPP 6 does not provide for a de facto “discovery” or disclosure regime entitling an individual to seek all the records of the agency that may have any reference to him or her. Rather, it is directed at ensuring that individuals are given access to those parts of records that contain personal information about him or her.

[92] Mr Gorgus also says that he suffered a loss of benefit in not having the Laundry Report. He says that following false accusations made against him on 10 January 2019 he was dismissed from laundry duties that day. He said that ordinarily in such circumstances a prisoner would be stood down until an investigation was carried out and then could be reinstated following that investigation. Mr Gorgus said that he was not reinstated and that without the Laundry Report he could not prove his innocence.

[93] There is, however, no evidence of a material causal link between the alleged loss of benefit (dismissal from the laundry) and not having a copy of the Laundry Report. In cross examination, Mr Gorgus referred to having been dismissed following other unsubstantiated allegations against him. After he was dismissed from the laundry on 31 March 2020, Mr Gorgus made a complaint to the Office of the Prison Inspectorate about that dismissal. In a letter dated 2 May 2020 the Office of the Prison Inspectorate noted that the dismissal letter sent to Mr Gorgus records that he was dismissed because he was found with an unauthorised item and further that there was no evidence to suggest that his dismissal from the laundry was influenced by the allegation made by a prison officer, which was the subject of the Laundry Report.

[94] There is, therefore, no clear link between Corrections’ failure to comply with Mr Gorgus’ request for a copy of the Laundry Report and any loss of benefit Mr Gorgus suffered as a result.

[95] Following the closing of his case and during closing submissions counsel for Mr Gorgus sought to adduce two additional documents which it was alleged were evidence of loss of benefit suffered, being:

[95.1] A Visiting Justice Report dated 19 August 2019 which found that the use of force incident on 20 May 2019 was an unreasonable use of force.

[95.2] A settlement agreement dated 13 December 2019 (“Settlement Agreement”) entered into by Mr Gorgus resolving a separate High Court proceeding, which resulted in a formal warning being rescinded.

[96] The parties’ subsequent written submissions as to the admissibility, weight and relevance of those documents have been considered in relation to this matter.

[97] Insofar as the Visiting Justice Report is concerned, we are of the view that Mr Gorgus has suffered no loss of benefit by not having a response to his requests for personal information prior to the Visiting Justice Report being prepared. Notwithstanding Mr Gorgus’ contention that he was not able to participate in the Visiting Justice review, the Visiting Justice says in his report he interviewed Mr Gorgus, viewed CCTV footage,

²⁶ *Taylor* (HRRT), above n 16.

interviewed Corrections staff, and came to a view that there had been unreasonable use of force on 20 May 2019.

[98] As the Visiting Justice Report found there had been an unreasonable use of force incident, Mr Gorgus could also have relied on that report for the foundation of any civil proceedings he was bringing.

[99] Insofar as the Settlement Agreement is concerned, we have no evidence of a material causal link between Corrections' failure to provide Mr Gorgus with his personal information and the Settlement Agreement entered into. The Settlement Agreement was entered into voluntarily, shortly after the proceeding had been filed. It resulted in a formal warning against Mr Gorgus being rescinded. Had he proceeded with this matter, it would have been open for Mr Gorgus to seek all relevant information by way of discovery.

[100] Mr Gorgus made various other submissions that his right to natural justice had been affected. He said that his rights relating to invasive searches and violence against him, and other allegations made against him had been impacted upon. We are not of the opinion that any of these matters are sufficiently linked to the Corrections' failure to provide Mr Gorgus with his personal information to show a loss of benefit.

[101] Mr Gorgus has failed to satisfy us that Corrections' failure to provide personal information to him was sufficiently connected to any loss of benefit. Accordingly, we decline to make any award to Mr Gorgus under that head.

HUMILIATION, LOSS OF DIGNITY AND INJURY TO FEELINGS

[102] Mr Gorgus says that an award of \$40,000 for humiliation, loss of dignity and injury to feelings caused by the interference with his privacy would be appropriate.

[103] Corrections says that:

[103.1] In respect of all three of his requests for personal information, there is little, if any, evidence to support Mr Gorgus' claim for damages for humiliation, loss of dignity and injury to his feelings.

[103.2] An analysis of relevant case law supports a minimal award of damages, if any. In this case a declaration should be sufficient.

Relevant principles in relation to humiliation, loss of dignity and injury to feelings

[104] The principles for damages of this type were reviewed in *Hammond v Credit Union Baywide*.²⁷ An award of damages of this type is intended to be an appropriate response to compensate for the humiliation, loss of dignity or injury to feelings.²⁸ Its purpose is not to punish the defendant.

[105] In *Hammond* it was noted that damages are fact-driven and vary widely. Nevertheless, it is possible to recognise three bands. At the less serious end of the scale awards have ranged upwards to \$10,000. For more serious cases awards have ranged from \$10,000 to about \$50,000. For the most serious category, awards could be in excess

²⁷ *Hammond*, above n

²⁸ *Hammond* at [170].

of \$50,000. The Tribunal in *Hammond* emphasised, however, that these bands are descriptive, not prescriptive.

[106] As with a claim for a loss of benefit, there must be a material causal connection between the interference and the humiliation, loss of dignity and injury to feelings.

[107] There are several cases where the pronouncement of a breach of rights or a declaration of interference has been held to be a sufficient remedy.²⁹

Analysis as to whether there has been humiliation, loss of dignity and injury to feelings

[108] In support of his claim for \$40,000, Mr Gorgus submitted that privacy rights are of the utmost importance as they engage rights to natural justice, which further engage the ability to uphold human rights engaged in a prison context. In particular, reference was made to the range of rights under New Zealand Bill of Rights Act 1990 ("NZBORA"), including those in ss 9-27. He said that as the type of information sought by him involves issues in relation to human rights and NZBORA, these are aggravating features in relation to Corrections' treatment of him and his requests for personal information.

[109] While we accept Mr Gorgus had concerns in relation to NZBORA protections and his right to natural justice, we are charged with considering an award under the PA arising from the interference with Mr Gorgus' privacy. We are required to consider if Mr Gorgus has provided evidence of humiliation, loss of dignity and injury to feelings caused by the interference with his privacy.

[110] Mr Gorgus also referred to the Corrections Act 2004 and its purposes and principles, which directly recognise NZBORA,³⁰ in the context of him being a prisoner, which he says gives rise to an increase in the damages which should be awarded to him.

[111] The approach of the Tribunal previously in relation to claims brought by prisoners has not been that there is anything about a custodial context which may warrant a higher award of compensation; see for example *Reekie*. In that case Mr Reekie sought information about strip searches and use of force evidence while at Springhill Prison. Mr Reekie was awarded no damages and only a declaration as to the interference with his privacy. The content of the information sought by Mr Reekie and the fact that the claim arose in a custodial context was not treated as an aggravating feature.

[112] Corrections says that damages awards have been reduced because the hurt and humiliation alleged to have been suffered relates to frustrations with systemic issues, rather than any delay responding to requests for personal information; see *Layton v Aon New Zealand Ltd* and *Samson v Department of Internal Affairs*.³¹ This is acknowledged.

[113] In this case there is no doubt that Mr Gorgus was aggrieved at the actions of Corrections. In our view, however, that aggravation stemmed materially from the actions of Corrections on 20 May 2019 which gave rise to the use of force and from Mr Gorgus' treatment in connection with the loss of his laundry position.

²⁹ *Geary*, above n 20 at [107]; *Taylor* (HRRT) at [143] and *Taunoa v Attorney-General* [2007] NZSC 70, [2008] 1 NZLR 429 at [368].

³⁰ See Corrections Act 2004, s 6(1)(f).

³¹ *Layton v Aon New Zealand Ltd* [2018] NZHRRT 48 and *Samson v Department of Internal Affairs* [2016] NZHRRT 17.

[114] Mr Gorgus' hurt and humiliation appeared to us to be attributable to the events giving rise to the requests to his personal information rather than to the privacy interference itself. Mr Gorgus' attitude was one of general frustration or annoyance with the prison system as a whole, evidenced by his belief that the failures to respond to his requests were deliberate and malicious.

[115] Mr Gorgus says that the cases of *Taylor* (HRRT) (where no damages award was made) and *Ministry of Social Development v Holmes*,³² (where \$2,000 was awarded) are distinguishable as somewhat trivial by comparison with Mr Gorgus' case.

[116] We must, however, establish the material causal nexus between the interference with privacy and alleged humiliation, loss of dignity, and injury to the feelings before awarding any damages.

[117] We are of the view that there is not a material link between Mr Gorgus' frustration and annoyance and the interferences with his privacy. Accordingly, we decline to make any award for humiliation, loss of dignity, and injury to feelings. As we have declined to make an award of damages, there has been no need to consider the effects of the PVCA.

FORMAL ORDERS

[118] The Tribunal is satisfied on the balance of probabilities that actions of Corrections were an interference with the privacy of Mr Gorgus and makes the following orders:

[118.1] A declaration under s 85(1)(a) of the Privacy Act 1993 that Corrections interfered with Mr Gorgus' privacy by failing to respond to his information privacy requests made on 9 July 2019 and 31 July 2019 and in failing to disclose certain personal information in the Laundry Report.

[118.2] Orders under s 85(1)(d) of the Privacy Act that Corrections is to provide Mr Gorgus the following information within 5 weeks of the date of this decision.

[118.2.1] The two Use of Force Review Forms referred to at [64]-[65] above with the information in clauses 1, 2, 3, 11, 12, 13, 15, 17, 18, 20, 21, 24, 25, 27, 28, 30, 36 and 37 included in full unredacted form.

[118.2.2] The names of the prisoners interviewed in the course of preparing the Laundry Report.

[118.2.3] A summary of the overall views of the Corrections officers in the Laundry Report.

COSTS

[119] Mr Gorgus has asked for his legal aid costs. Corrections has not made submissions as to costs. As both parties have attained a measure of success, this appears to be a

³² *Taylor* (HRRT), above n 16, and *Ministry of Social Development v Holmes* [2013] NZHC 672.

case where costs should lie where they fall. Nevertheless, costs are reserved and unless the parties can agree as to costs, the following orders are made:

[119.1]Mr Gorgus is to file his submissions within 14 days after the date of this decision. The submissions for Corrections are to be filed within a further 14 days with a right of reply by Mr Gorgus within seven days after that.

[119.2]The Tribunal will then determine the issue of costs on the basis of the written submissions without any further oral hearing.

[119.3]In case it should prove necessary we leave it to the Deputy Chairperson or Deputy Chairperson of the Tribunal to vary the foregoing timetable.

.....
Ms GJ Goodwin
Deputy Chairperson

.....
Ms WV Gilchrist
Member

.....
Ms SB Isaacs
Member

**APPENDIX ONE
CORRECTIONS' SPECIFIED WITHHOLDING GROUNDS**

HR Materials		
	HR Materials	Withheld entirely, pursuant to PA, s 29(1)(a). Unwarranted disclosure of the affairs of another
The Laundry Report		
11 January 2019	Event Review relating to an incident in the prison laundry on 10 January 2019.	Withheld entirely, pursuant to PA, s 29(2)(b), information requested does not exist or cannot be found and withheld also to PA, s 29(1)(a) being unwarranted disclosure of the affairs of another. Subsequently, in November 2021, released in redacted form. Redactions under s 53(b)(1) of the Privacy Act 2020.
Event Review Reports		
24 June 2019	Event Review – Prisoner Gorgus complaint against staff	Partial redaction pursuant to PA, s 29(1)(a). Unwarranted disclosure of the affairs of another
24 June 2019	Event Review – Prisoner Gorgus complaint against Corrections Officer	Partial redaction pursuant to PA, s 29(1)(a). Unwarranted disclosure of the affairs of another
Use of Force Review Forms		
19 November 2018	Use of Force Review Form	Partial redaction initially pursuant to PA, s 27(1)(c) and subsequently that the redactions were not of Mr Gorgus' personal information
24 May 2019	Use of Force Review Form	Partial redaction initially pursuant to PA, s 27(1)(c) and subsequently that the redactions were not of Mr Gorgus' personal information

Report on the Use of Force		
7 December 2018	IR.05.Form 03 Report on the Use of Force	Partial redaction initially under PA, s 27(1)(c) but subsequently the information was not Mr Gorgus' personal information
23 May 2019	IR.05.Form 03 Report on the Use of Force	Partial redaction initially under PA, s 27(1)(c) but subsequently the information was not Mr Gorgus' personal information
Post Use of Force		
7 December 2018	Post-Use of Force – Debriefing Checklist	Initially PA, s 27(1)(c) but subsequently that the information was not personal information of Mr Gorgus
20 May 2019	Post-Use of Force – Debriefing Checklist	Initially PA, s 27(1)(c) but subsequently that the information was not personal information of Mr Gorgus
Incident Information Report		
21 May 2019 at 11:21	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
5 May 2019 at 20:51	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
5 May 2019 at 20:51 (second)	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
5 May 2019 at 01:56	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
5 May 2019 at 21:48	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
17 July 2019 at 04:21	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
20 May 2019 at 16:30	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
20 May 2019 at 18:32	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
20 May 2019 at 13:36	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
20 May 2019 at 13:43	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)

20 May 2019 at 14:04	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
20 May 2019 at 14:04 (second)	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
20 May 2019 at 14:43	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
21 May 2019 at 10:23	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
21 May 2019 at 13:21	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
5 May 2019 at 21:44	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
5 May 2019 at 21:45	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
5 May 2019 at 16:31	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
5 May 2019 at 17:42	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
6 May 2019 at 07:37	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
17 July 2019 at 03:39	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
17 July 2019 at 01:10	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
06 May 2019 at 13:57	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
6 May 2019 at 18:07	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
20 May 2019 at 15:43	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
22 May 2019 at 20:15	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)

22 May 2019 at 20:20	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
10 July 2019 at 15:10	Incident Information Report	Partially redacted as not personal information and PA, s 29(1)(a)
Offender Notes		
02 July 2019	Offender Note(s) - Selected	Partially redacted as not personal information
31 July 2019	Offender Note(s) - Selected	Partially redacted as not personal information