



Media Advisory

For Immediate Release

5 June 2012

Media Contact

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ACC Media Conference

In March this year, ACC asked the Police to review circumstances surrounding a confidential file that was mistakenly sent to a client in August 2011.

The Police will release their decision shortly and ACC will hold a media conference so they can respond.

Please note ACC is a secure building and you will need to sign in and be shown to the conference room. Please allow an extra 15-20 minutes for this.

WHO: ACC Chief Executive Ralph Stewart
ACC Board Chairman John Judge

WHAT: Media Conference

WHEN: Tuesday, June 5th, 2012, 12.30pm
– Please allow enough time to sign in.

WHERE: ACC, Corporate Office
Level 2, Vogel House
19 Aitken St
Thorndon



MEDIA RELEASE

Media Release

5 June 2012

Police have completed a preliminary investigation into a complaint made by ACC about a meeting between Ms Bronwyn Pullar, Ms Michelle Boag and ACC officials on 1 December 2011.

The complaint was received from ACC in March this year.

Assistant Commissioner Malcolm Burgess says that there would be no further Police investigation into the concerns raised in March.

"After careful consideration of the evidence now available and a separate legal review of the facts we have determined that no offence has been disclosed."

All relevant parties have been informed of the decision.

ENDS

For media queries, please contact Victoria Evans, Senior Media Advisor, Public Affairs on 0274 373 020.

Ralph Stewart, Chief Executive, ACC

The Police today announced they will not proceed with any further action surrounding the refusal to return a confidential file that was mistakenly sent to a client in August last year.

ACC has zero tolerance of wrong-doing and we felt obliged to seek an independent opinion to confirm whether there was wrong-doing that was sufficiently serious for Police to lay charges.

Referring the matter to police was the right thing to do given the seriousness of refusing to return confidential information that had been received in error.

Should ACC be confronted with a similar situation the same action will be taken.

What made this complaint different was the level of media coverage and the speculation about the details of the complaint. ACC has never confirmed details of the complaint, nor of the client relationship that was involved.

We will not release details of clients and their individual circumstances.

From ACC's perspective, this matter is closed and we will not engage on it further.

Our efforts are now focused firmly on improving our privacy systems. We can do better, we will do better, and my team and I – with the full support of the Board – are committed to delivering on that.

The Office of the Privacy Commissioner and the Board of ACC jointly have engaged KPMG and the former Federal Privacy Commissioner in Australia, Malcolm Crompton, to review ACC's privacy systems and processes. Their review covers three areas:

- First, the much publicised breach in Aug 2011
- Second, the privacy process and policies at ACC and how we implement those policies in our day to day work
- The third area is how we store and manage digital data at ACC

When the report is completed, the findings will be made public and ACC will implement the recommendations.

John Judge, Chairman ACC

First, the Board and I have full confidence in Ralph Stewart, the Corporation's Management and the Corporation's decision to refer this matter to the Police.

The Board have instructed management to have zero tolerance for wrong-doing. Whenever they suspect wrongdoing, they must refer it to the appropriate authority for consideration.

We have a unique New Zealand no-fault, comprehensive accident insurance scheme. It is our responsibility to manage it fairly but firmly, and the public's responsibility to act likewise.

Chronology of events

- 5 August 2011 – a client is mistakenly sent a file containing information about other ACC clients.

- 1 December 2011 – ACC is notified of the error when the recipient meets two ACC managers to discuss the recipient's case.
 - At the meeting, the ACC managers requested the return of the file and the destruction of any copies.
 - After the meeting, ACC writes to the recipient of the file asking for the return of the file and the destruction of any copies.

- 13 March 2012 – the recipient's lawyer is contacted and advised that the information and any copies must be returned or legal proceedings would be issued.
 - Assurances received that the information has been destroyed and all related computer records removed.

- 13 March 2012 – the Privacy Commissioner is advised of the breach and a joint review of ACC privacy processes is begun.
 - Police are contacted.
 - ACC staff advised.

- 15 March 2012 – affected clients notified.