



25 February 2026

OIA 1167-26

Tēnā koe

I refer to your request received on 27 January 2026, which has been considered under the Official Information Act 1982 (OIA). You requested the following information:

This is a request under the Official Information Act 1982 for information relating to the data breach involving the details of abuse in care survivors. I understand the breach happened on or around November 26, 2025.

With respect, could I please have the following:

all communications (including but not limited to emails and text messages) between the Crown Response Office and Lead minister for Abuse in Care Erica Stanford relating:

- to the public release of Paul Davison KC's final report on the financial redress for survivors tortured at Lake Alice Psychiatric Hospital and any advisory notes relating to the report.*
- the sending out of a preview note or any other note alerting survivors and interested parties to the impending release of the report*

Information being released

I understand your request to be interested in communications directly between the Crown Response Office (CRO) and the Minister herself. Accordingly, communications between staff in the Minister's office and CRO are not in scope of the request. I have identified the following document as in scope of your request:

Item	Date	Document Description	Decision
001	21/11/2025	Briefing: Release of independent arbiter's report on the individualised pathway	Partial release – some information withheld
002	1/12/2025	Email: Lake Alice Privacy Breach	Partial release – some information withheld
003	1/12/2025	Email: Office of Hon Erica Stanford	Released in full
004	1/12/2025	Attachment: Letter from Hon Erica Stanford to Sir Brian Roche cc Rajesh Chhana, CRO Chief Executive	Partial release – some information withheld

I have decided to release the documents listed above, subject to information being withheld under one or more of the following sections of the OIA, as applicable:

- Section 9(2)(a), to protect the privacy of individuals
- Section 9(2)(ba)(ii), to protection information which is subject to an obligation of confidence.

IN-CONFIDENCE

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA. I do not consider that these considerations outweigh the need to withhold the information.

As you will see from the documents released, the Lead Coordination Minister has requested the Public Service Commission undertake an investigation into the events surrounding the breach. This is ongoing currently.

If you wish to discuss this decision with us, please feel free to contact OIA@abuseinquiryresponse.govt.nz

We may publish this OIA response on www.abuseinquiryresponse.govt.nz (with your personal details having been removed). Publishing responses to OIA requests increases the availability of information to the public and is consistent with the purpose of the OIA to enable effective participation in the making and administration of law and policies, and to promote the accountability of Ministers and officials.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available via www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Rajesh Chhana
Chief Executive Crown Response Office

Published by the Crown Response Office

Briefing



Listening, learning, changing
Mā Whakarongo me Ako ka huri te tai
 Crown Response to the Abuse in Care Inquiry

Release of independent arbiter's report on the individualised pathway			
Date:	21 November 2025	Security level:	
Priority:	High	Report number:	CRACI 25/143

Actions sought	
Hon Erica Stanford Lead Coordination Minister for the Government's Response to the Royal Commission's Report into Historical Abuse in State Care and in the Care of Faith-based Institutions	<ul style="list-style-type: none"> Agree to the proposed approach to releasing the independent arbiter's report

Contact for discussion			
Name	Position	Telephone	1 st contact
John Henderson	General Manager Enabling Services, Crown Response Office	9(2)(a)	✓
Val Sim	Chief Legal Advisor, Crown Response Office	9(2)(a)	

Agencies consulted
N/A

Minister's office to complete

<input type="checkbox"/> Noted <input type="checkbox"/> Seen <input type="checkbox"/> See Minister's notes <input type="checkbox"/> Needs change <input type="checkbox"/> Overtaken by events <input type="checkbox"/> Declined <input type="checkbox"/> Referred to (specify)	Comments
--	-------------------------------------

Released under the Official Information Act 1982



Release of independent arbiter's report on the individualised pathway

For: Hon Erica Stanford, Lead Coordination Minister for the Government's Response to the Royal Commission's Report into Historical Abuse in State Care and in the Care of Faith-based Institutions

Date: 21 November 2025

Security level:

Priority: High

Report number: CRACI 25/143

Purpose

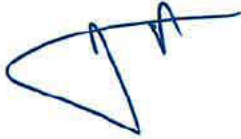
1. This paper provides advice on the approach to releasing the independent arbiter's report on the individualised pathway for the Lake Alice Torture Redress scheme.

Recommendations

2. It is recommended that you:

- a) **note** as part of the Terms of Reference agreed by Cabinet for the independent arbiter for Lake Alice Torture Redress [CAB-25-MIN-0018 refers], their report to the Lead Coordination Minister will be made publicly available;
- b) **note** lawyers acting for survivors who chose the individual pathway have raised concerns that the initial version of the report proposed to be released could lead to individual claimants being identified;
- c) **note** to address the concerns raised by the lawyers acting for survivors, we identified two approaches for releasing information, which include either:
 - the fiscal envelope, the number of survivors who received individualised payments, and the outer range of the total payments made; or
 - providing the value range of each redress assessment band but not the number of persons in each band;
- d) **note** a marked-up version of the report reflecting the second approach has been provided, appended to this paper;
- e) **note** that you would be able to use an approximation of the number of persons within each redress assessment band in the associated press release;

- f) **confirm** the proposed approach to releasing the independent arbiter's report.



John Henderson
General Manager Enabling Services
Crown Response to the Abuse in Care Inquiry



Hon Erica Stanford
Lead Coordination Minister for the Government's
Response to the Royal Commission's Report into
Historical Abuse in State Care and in the Care of
Faith-based Institutions

21/11/2025

25/11/25

Proposed release of the report

3. As part of the Terms of Reference agreed by Cabinet [CAB-25-MIN-0018 refers], the report of the independent arbiter to make determinations on individual redress payments for survivors of torture at the Lake Alice Child and Adolescent Unit will be made publicly available, subject to appropriate redactions under the Official Information Act 1982 and the Privacy Act 2020.
4. You are proposing to publicly release Hon Paul Davison's report on the Lake Alice Torture Redress scheme in the week of 24 November 2025. On 20 November 2025 we provided a copy of the proposed press release and a version of the report showing the proposed redactions to the lawyers acting for the Lake Alice survivors, inviting them to advise us of any concerns regarding the information intended for release.
5. We received strong feedback from one lawyer acting for survivors about the risks of releasing information on payments ranges and the number of claimants within each redress assessment band, known as bands. We understand that several other lawyers representing survivors share similar concerns. This is consistent with feedback previously received from legal representatives acting on behalf of survivors.
6. The concern is that the small number of claimants within each band, and the information about them that is already in the public arena, will mean that the survivors in the most severe band will be readily identifiable, at least to their families and the other Lake Alice survivors. They may also be identifiable to individuals familiar with the Royal Commission's report. These survivors are vulnerable, and every care needs to be taken to protect their identities.
7. We agree that releasing this information poses a risk to survivors who received payments in the most severe band. Furthermore, releasing such information against the expressed opposition of their legal counsel, acting on instructions, would not be trauma-informed and could undermine the trust that has been built with Lake Alice survivors throughout the process.
8. On that basis we consider the safest approach would be to only release information about the fiscal envelope (which is already public), the number of survivors who received individualised payments, and the outer range of the total payments made, without including any information about the bands, their ranges or the number of survivors within each band.

9. There are alternative approaches which were discussed by legal counsel. One option is to release approximate information about the number of persons within each redress assessment band and the value range of each band, or a combination of both. For examples, an approximation of numbers within each redress assessment band might be less than 10 for bands 1 and 3 and a range for band two between 20 and 30.
10. While this approach may reduce the likelihood of survivors in band 3 and the amounts they received being easily identifiable, we consider it is still likely to lead to unhelpful speculation amongst the survivors and their wider community networks about which survivors fell within which bands and the amounts they are likely to have received.
11. We consider that providing the information with a total range will satisfy the public interest in understanding the way in which public funds are expended without undermining the need to protect the identity of the survivors involved in the process.

Released under the Official Information Act 1982

From: [Kathryn Irving](#)
To: [Rajesh Chhana](#)
Subject: Lake Alice Privacy Breach
Date: Monday, 1 December 2025 11:37:09 am
Attachments: [image001.jpg](#)

This email was sent from someone outside of Te Kawa Mataaho. Please take extra care.

Hi Rajesh,

Following the Lake Alice privacy breach last week and her conversation with Sir Brian Roche, the Minister will be formally writing to the State Services Commissioner today to request an investigation into the wider context of what occurred.

Given this, it would not be appropriate for 9(2)(a) to continue attending officials' meetings while this matter is underway. Someone else will need to be responsible for Lake Alice related matters in the meantime please.

Best regards,

Kathryn Irving



Kathryn Irving
Senior Private Secretary | Office of Hon Erica Stanford
Minister of Education | Minister of Immigration
Lead Coordination Minister for the Government's Response to the Royal Commission's
Report into Historical Abuse in State Care and in the care of Faith-based Institutions
MP for East Coast Bays

M: 9(2)(a) | P: 9(2)(a)
Email: kathryn.irving@parliament.govt.nz | www.beehive.govt.nz
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

Released under the Official Information Act 1982

From: [Erica Stanford \(MIN\)](#)
To: [Brian Roche](#)
Cc: [Erica Stanford \(MIN\)](#); [Kara Isaac](#); [Rajesh Chhana](#); [Misty Mossman](#)
Subject: Office of Hon Erica Stanford
Date: Monday, 1 December 2025 3:34:14 pm
Attachments: [image001.jpg](#)
[Letter from Hon Erica Stanford to Sir Brian Roche 011225.pdf](#)

This email was sent from someone outside of Te Kawa Mataaho. Please take extra care.

Kia ora Sir Brian,

Thank you for your email.

Please see the attached letter from Hon Erica Stanford, Lead Coordination Minister for the Government's Response to the Royal Commission's Report into Historical Abuse in State Care and in the Care of Faith-based Institutions.

Office of Hon Erica Stanford



Office of Hon Erica Stanford

MP for East Coast Bays
Minister of Education
Minister of Immigration
Lead Coordination Minister for the Government's Response to the Royal Commission's Report into Historical Abuse in State Care and in the Care of Faith-based Institutions

Website: www.Beehive.govt.nz
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

Disclaimer: The information in this email (including attachments) is confidential and may be legally privileged. If an addressing or transmission error has misdirected this email, please notify the author by replying to this email and destroy the message. If you are not the intended recipient, any use, disclosure, copying or distribution is prohibited and may be unlawful.

Office of Hon Erica Stanford

Minister of Education
Minister of Immigration
Lead Coordination Minister for the Government's Response
to the Royal Commission's Report into Historical Abuse in
State Care and in the Care of Faith-based Institutions



1 December 2025

Sir Brian Roche
Public Service Commissioner
Brian.roche@publicservice.govt.nz

Dear Sir Brian,

Following our conversation on Wednesday, 26 November regarding the privacy breach of the survivors of torture at the Lake Alice Child and Adolescent Unit who chose the individualised pathway, I am writing to you to request an investigation into the events surrounding the breach.

Context is critical in the consideration of any privacy breach and the response of the responsible agency.

The survivors of torture who chose to participate in the individualised pathway did so under the commitment that their privacy and confidentiality would be strictly safeguarded, not just within the Crown Response Office and other relevant agencies, and Minister's offices, but from other survivors engaged in the process.

As you may be aware, within Ministers' offices we undertook a number of measures to ensure that only the small number of Ministers and staff directly involved in redress received material with survivors' names. We have been very aware that most of the survivors on the individualised pathway have not spoken publicly about their experiences and some have not even disclosed to the people closest to them that they were at Lake Alice. As such, protecting their names was critical not only to maintaining their trust in the redress process but also in ensuring that additional harm or distress was not caused to them by the State.

The Privacy Commissioner clearly sets out that psychological or emotional harm is a form of serious harm.

Legal counsel had also made it clear that they saw communicating with their clients in relation to entire process, including the arbiter's determinations the release of the report, as a core part of their role to ensure a survivor-centred approach was taken.

This makes it all the more incomprehensible that we are in the position we find ourselves now.

I do not need an investigation into the act of the breach itself as it is very clear what happened in terms of the person sending an email where all the recipients names/email addresses could be seen by all the other recipients.

The specific areas I would like considered in this investigation are:

The breach itself

- 9(2)(ba)(ii), 9(2)(a)
- Whether there was any engagement with legal counsel about the Crown Response Office emailing the survivors directly and if so the nature of the engagement;
- What consideration there was to specific communication preferences of individual survivors;
- The review and approval process within the Crown Response Office before the email was sent;
- Why, given the sensitivity of the context and the many and ongoing discussions over weeks about protecting survivors' personal information and privacy, appropriate steps were not taken to actively mitigate all risks of survivors' information being disclosed (for example, one group email rather than sending individual emails)

Polices and procedures

- Whether there were appropriate polices and procedures in place within the Crown Response Office around the protection of survivors' information when communicating and, if so, whether these were followed;

The immediate response to the breach

- The process for the follow up email that was subsequently sent – specifically what (if any) review and approval process was undertaken in relation to the content of the email. I am deeply concerned that this purported apology was insufficient and not appropriate in the context of the breach that had occurred. For example, it did not acknowledge that distress would have been caused by the disclosure of their personal information and it presumed that survivors would be "understanding" of their privacy being breached.

I expect the Crown Response Office to work directly with survivors' legal counsel on individual formal apologies for those survivors who wish to receive one. As the Prime Minister is personally signing apologies to survivors for the torture they suffered at the Lake Alice Unit, I consider it appropriate that you as the Public Services Commissioner personally signs out these apologies given that the Crown Response Office resides with the Public Service Commission. I also expect to be kept informed of any other matters arising from the breach.

Finally, as the person responsible for the breach is a 9(2)(a) my office has advised the Chief Executive of the Crown Response Office that it would not be appropriate for the person to continue attending officials' meetings while this is being investigated. 9(2)(a)

9(2)(a)

Thank you for your urgent consideration of this important matter.



Hon Erica Stanford

Lead Coordination Minister for the Government's Response to the Royal Commission's Report into Historical Abuse in State Care and in the Care of Faith-based Institutions

Cc Rajesh Chhana, Crown Response Office
Private Secretary – Public Service, Office of Hon Judith Collins KC

Released under the Official Information Act 1982