

3 May 2024

File Ref: OIAPR-1274023063-26207

[REDACTED]

Tēnā koe [REDACTED]

Request for information 2024-061

I refer to your request for information dated 5 April 2024, which was received by Greater Wellington Regional Council (Greater Wellington) on 5 April 2024. You have requested the following:

“All correspondence and advice provided to the independent chair of the Finance, Risk and Assurance Committee relating to the Adams and Page/Crosbie cases.

- *all correspondence between Nigel Corry and Daran Ponter relating to these cases.*
- *have liabilities, or contingent liabilities, been recorded in the regional council's accounts, relating to this case/legal action? Please give details.*
- *all advice, briefings and correspondence prepared relating to the cost of these cases and the impact on rates, should the council be required to pay damages.*
- *does the regional council's insurance policies cover the council for any, and all, potential losses (for example if the court orders damages to be paid for malfeasance in a public office and malicious prosecution)?”*

Greater Wellington's response follows:

All correspondence and advice provided to the independent chair of the Finance, Risk and Assurance Committee relating to the Adams and Page/Crosbie cases

There has been no correspondence and/or advice provided to the independent chair of the Finance, Risk and Assurance Committee relating to the Adams and Page/Crosbie cases. Therefore, we are refusing this part of your request under the section 17(g) of the Local Government Official Information and Meetings Act 1987 (the Act) on the ground that the information requested is not held by Greater Wellington and we have no grounds for believing that the information is either:

- (i) Held by another local authority or a department or Minister of the Crown or organisation; or
- (ii) Connected more closely with the functions of another local authority, or a department or Minister of the Crown or organisation.

All correspondence between Nigel Corry and Daran Ponter relating to these cases

Greater Wellington is releasing six emails which contain correspondence between Nigel Corry and Daran Ponter relating to the Adams and Page/Crosbie cases. Please refer to **Attachments 1, 2, 3, 4, 5 and 6**.

We are withholding information in **Attachments 1-4** under section 7(2)(a) of the Act to protect the privacy of natural persons, including that of deceased natural person. allows us to redact information to protect the privacy of natural persons. This information relates to names, personal contact information, and personal identifying information.

We have considered whether the public interest in the requested information outweighs Greater Wellington's need to withhold certain aspects of the requested correspondence.

The purpose of your request was to seek correspondence and advice relating to specific legal cases. The withheld personal information does not fall within this request. Therefore, withholding the release of this information falls outside of public interest considerations.

As a result, we do not consider that the public interest outweighs Greater Wellington's reason for withholding parts of the document under the grounds identified above.

Have liabilities, or contingent liabilities, been recorded in the regional council's accounts, relating to this case/legal action?

No liabilities have been recognised in Greater Wellington's accounts relating to the Adams and Page/Crosbie cases.

Greater Wellington recognised an unquantifiable contingent liability for the Adams case within their 2023 Annual Report:

"Potential civil claim against the Council in relation to a legal dispute which is currently under investigation. Since the amount cannot be quantified an unquantified contingent liability has been disclosed."

When preparing Greater Wellington's 2024 Annual Report we will assess whether a contingent liability needs to be raised for the Page/Crosbie case and whether a contingent liability continues to be recognised for the Adams case.

Please give details. - all advice, briefings and correspondence prepared relating to the cost of these cases and the impact on rates, should the council be required to pay damages

We have interpreted this request as advice or analysis in relation to rates. On that basis there has been no advice, briefings, and correspondence prepared relating to the cost of these cases and the impact on rates resulting from the Adams and Page/Crosbie cases. When required, we will analyse the impact of any financial cost to rate payers factoring in contributions from our insurers. Therefore, we are refusing this part of your request under the section 17(g) of the Local Government Official Information and Meetings Act 1987 (the Act) on the ground that the information requested is not held by Greater Wellington and we have no grounds for believing that the information is either:

- (i) Held by another local authority or a department or Minister of the Crown or organisation; or
- (ii) Connected more closely with the functions of another local authority, or a department or Minister of the Crown or organisation.


Does the regional council's insurance policies cover the council for any, and all, potential losses (for example if the court orders damages to be paid for malfeasance in a public office and malicious prosecution)?

The Council has appropriate insurances in place.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā


Alison Trustrum-Rainey
Kaiwhakahaere Matua Pūtea me ngā Tūraru | Group Manager, Finance and Risk