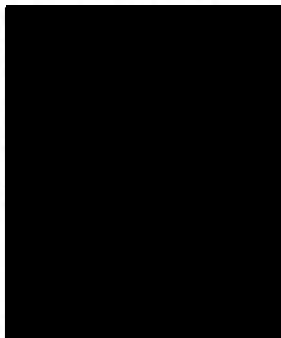




15 May 2017



Official Information Act request – Joanne Harrison

I refer to your request dated 16 March 2017, pursuant to the Official Information Act 1982, requesting information about former Ministry of Transport employee Joanne Harrison. In particular, you have asked for:

All information on Joanne Harrison, including her hiring and the investigation into her fraud, which has not already been released.

Context and background

When this matter first became public, there was a criminal investigation underway and I was constrained in the information I was able to release.

My position then, and now, is that I want to be as open as possible about Joanne Harrison. However, I must continue to do so in a careful and thorough way to ensure that people are treated fairly, and legal processes are not compromised.

Following Joanne Harrison's conviction and sentencing, on 2 March 2017, I proactively released redacted versions of a number of documents. This release included information about the fraudulent activity that led to her conviction, some correspondence between the Ministry and Joanne Harrison (in terms of her suspension and dismissal), and examples of fraudulent invoices.

As you are aware, the Crown is taking action to recover funds misappropriated by Joanne Harrison, including asset recovery proceedings. This means that there is some information that I am not able to release without compromising these actions. When these actions have concluded, I will be in a position to reassess whether this information can be released under the Official Information Act.

What the response covers

My response to your requests covers several groups of information relating to:

- The Ministry of Transport's employment investigation processes resulting in Ms Harrison's dismissal
- Joanne Harrison's original employment by the Ministry of Transport and her subsequent promotion to General Manager
- Ms Harrison's failure to comply with Ministry financial policies, and her fraudulent activity relating to contract payments that led to her conviction
- Ms Harrison's activities to place her husband with the Transport Accident Investigation Commission, which were considered as part of the employment processes that led to her dismissal
- The Ministry's review of its Finance function in 2015, about which questions have been raised, particularly about Ms Harrison's role
- Travel undertaken by Ms Harrison that was paid for by the Ministry

I am also including my recent correspondence with the State Services Commissioner about the current state of the Ministry of Transport, as it deals with the impact of Ms Harrison's fraud on the Ministry.

The full list of documents covered by this release is set out in the Appendix.

It is also appropriate that I set out some further detail about the material provided in this release, and why I have withheld particular information.

Employment report

The Ministry commissioned Mr Peter Churchman QC to undertake an employment investigation into the conduct of Joanne Harrison.

In assessing whether to release this report, I have considered whether the report contains material that:

- could impact on the ongoing actions to recover funds misappropriated by Joanne Harrison (referred to above)
- is subject to legal professional privilege
- is highly personal, and to release would infringe on individuals' privacy.

I am satisfied that each of these factors is present and I have decided to withhold the report under the relevant grounds set out in the Official Information Act.

The report contains substantial material that could impact on the actions to recover funds, including recovery proceedings, and I am withholding that under section 6(c) of the Official Information Act to protect the maintenance of the law, and section 9(2)(j) of the Act to enable negotiations to be carried out without prejudice or disadvantage.

However, I do recognise that there is a strong public interest in information about the fraudulent activity of a senior public sector employee. I have carefully considered whether this public interest outweighs the grounds for withholding the remainder of the report. In my view, the public interest is met without releasing Mr Churchman's report by releasing:

- the Deloitte investigation report into the conduct of Joanne Harrison, which Mr Churchman drew on when collating the facts of the case; and which covers much of the factual material considered by Mr Churchman
- the other documents considered by Mr Churchman in preparing his report.

Deloitte Investigation Report

The Deloitte Report provides detailed information on the fraud committed by Joanne Harrison.

As with other documents, I am withholding some information. In particular, I have withheld information that could identify an individual who Joanne Harrison arranged to be on the Ministry's payroll. This person received money from the Ministry to which they were not entitled. Actions to recover this money are continuing. As such, release of specific details about this person and the transactions could interfere with these actions. I have considered the public interest in release and do not consider that it outweighs the grounds to withhold the material.

Ms Harrison's original employment

When investigating Ms Harrison's conduct, the Ministry found it had two CVs on file for her. One when she unsuccessfully applied for a role with the Ministry in 2008 (for which she was not short-listed) and the other for her successful application in 2011. Although a CV contains personal information, I consider the public interest warrants releasing the parts of her two CVs along with her application letters that show that Ms Harrison was deceiving the Ministry before she even started her employment.

Ms Harrison was promoted to General Manager, Organisational Development in 2013 for a fixed term and was confirmed into a permanent role in July 2015. The latter two processes were internal and no CV was received.

Despite Ms Harrison's conviction and imprisonment, some redactions from this material are still appropriate to preserve her personal privacy, and release of that material in full is not warranted. In all cases, I have considered the public interest in release and do not consider that it outweighs the grounds to withhold the material (under section 9(2)(a)).

Contract material

I have provided you with material relating to the activities of Joanne Harrison in engaging external contractors that was relevant to the investigation and her conviction. I can also state that the internal forensic review that was undertaken covered all financial activities of Ms Harrison. All of the expenditure approved by Ms Harrison while at the Ministry was reviewed. Ms Harrison did not hold a Ministry credit card.

As noted above actions to recover the funds stolen are underway. Some material therefore continues to be withheld to preserve the Crown's position in relation to those actions.

Some of this material has also been withheld to preserve the identity of other individuals. This material was considered by the Serious Fraud Office in its investigation and Ms Harrison was prosecuted and convicted. I consider there are good grounds to withhold the names of others mentioned in these documents.

In all cases, I have considered the public interest in release and, except as noted below, do not consider that it outweighs the grounds to withhold the material.

There are two documents that contain correspondence from the Ministry's in-house legal advisers, which attract legal privilege. In my view the public interest in release of these documents does outweigh the grounds for withholding and legal privilege has therefore been waived.

Placement of Patrick Sharp with TAIC

I have provided you with material that demonstrates Ms Harrison's activities to place her husband in employment with the Transport Accident Investigation Commission. This material was part of the employment processes that led to Ms Harrison's dismissal.

Some information has been withheld to preserve privacy interests and to maintain the effective conduct of public affairs. I have considered the public interest in release and do not consider that it outweighs the grounds to withhold the material.

Ministry of Transport employment processes

The release includes the details of the employment processes that led to Ms Harrison's dismissal.

I have included the various letters sent to Ms Harrison and her responses, along with the Deloitte report received by the Ministry.

As noted above, despite Ms Harrison's conviction and imprisonment, some redactions from this material are still appropriate to preserve her personal privacy (where the information is not relevant to the fraud) and that of other people, or the confidence of other people that participated in the process, and the release of that material in full is therefore not appropriate. In all cases, I have considered the public interest in release and do not consider that it outweighs the grounds to withhold the material.

Some material in the category is also being withheld to preserve the Crown's position in relation to the continuing actions to recover funds.

Summary of reasons why information has been withheld

The pages of the documents in the release have been marked with a reference to the relevant withholding grounds, which have also been explained further above. In summary, some information is withheld:

- to protect the privacy of natural persons [section 9(2)(a)]

- to protect information that would be likely to unreasonably prejudice the commercial position of the person who is the subject of the information [section 9(2)(b)(ii)]
- to protect information that was supplied under an obligation of confidence and the making of that information available would be likely otherwise to damage the public interest [section 9(2)(ba)(ii)]
- to maintain the effective conduct of public affairs through the free and frank expression of opinions by Ministry employees [section 9(2)(g)(i)]
- to maintain legal professional privilege [section 9(2)(h)]
- to enable negotiations to carry on without prejudice or disadvantage [section 9(2)(j)]
- where making the information available would prejudice the maintenance of the law [section 6(c)]

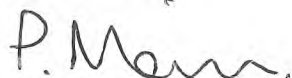
In all cases where information is withheld under section 9, I do not consider that the public interest in making this information available outweighs the respective reasons for withholding it.

In addition, while I am confident that what we have provided in this response addresses your request, I must advise you that some relevant Ministry records are not available. This is because the Ministry cannot access its former offices in Statistics House. The building has remained closed to entry since the November 2016 earthquake.

You have the right under section 28(3) of the Official Information Act 1982 to make a complaint to the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsman
P O Box 10-152
WELLINGTON

Yours sincerely



Peter Mersi
Chief Executive

APPENDIX: LIST OF DOCUMENTS

| Document | Status |
|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| Correspondence between SSC and Ministry of Transport 2017 | |
| 1. Letter SSC to MOT, 30 March 2017 | Released in full |
| 2. Letter MOT to SSC, 4 May 2017 | Released in full |
| 3. Letter SSC to MOT, 5 May 2017 | Released in full |
| Investigation and dismissal of Joanne Harrison from the Ministry of Transport | |
| 4. Deloitte investigation report | Released in part, material withheld under section 6(c), 9(2)(a), 9(2)(b)(ii), 9(2)(ba)(ii), 9(2)(j) |
| 5. Employment investigation report | Withheld in full under sections 6(c), 9(2)(h), 9(2)(a), 9(2)(ba)(ii), 9(2)(j) |
| 6. File note by MM, April 2016 | Released in part, material withheld under section 6(c), 9(2)(a), 9(2)(b)(ii), 9(2)(ba)(i) |
| 7. Audit Office, report, 22 April 2016 | Released in part, material withheld under section 9(2)(a) |
| 8. Email MM to JH, 22 April 2016 | Released in part, material withheld under section 9(2)(a), |
| 9. Email JH to MM, 25 April 2016 | Released in part, material withheld under section 9(2)(a), 9(2)(b)(ii) |
| 10. Notes by MM, undated | Released in part, material withheld under section 9(2)(a), 6(c) |
| 11. Email to DB, 27 April 2016 | Released in part, material withheld under section 9(2)(a) |
| 12. Letter MM to JH, 27 April 2016 | Released in part, material withheld under section 9(2)(a), 9(2)(b)(ii) |
| 13. Emails (2) from JH , April 2016 | Withheld in full under section 9(2)(a) |
| 14. Certificate, April 2016 | Withheld in full under section 9(2)(a) |
| 15. Letter from MM, 29 April 2016 | Released in part, material withheld under section 6(c), 9(2)(a), 9(2)(j) |
| 16. Summary of meeting, 3 May 2016 | Withheld in full under section 9(2)(a) |

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| 17. Letter MM to JH, 4 May 2016 | Released in part, material withheld under section 9(2)(a) |
| 18. Letter Bourke to MM, 4 May 2016 | Released in part, material withheld under section 9(2)(a) |
| 19. Letter Cullen to Bourke, 5 May 2016 | Released in part , material withheld under section 9(2)(a) |
| 20. Email MM to JH, 6 May 2016 | Released in part, material withheld under section 9(2)(a) |
| 21. Letter MM to JH, 6 May 2016 | Released in part, material withheld under section 9(2)(a) |
| 22. Email Bourke to Cullen, 9 May 2016 | Released in part , material withheld under section 9(2)(a) |
| 23. Letter MM to JH, 10 May 2016 | Released in part, material withheld under section 9(2)(a) |
| 24. Letter JH to MM, 11 May 2016 | Released in part, material withheld under section 9(2)(a) |
| 25. Email Cullen to Bourke, 11 May 2016 | Released in full |
| 26. Letter MM to JH, 13 May 2016 | Released in part, material withheld under section 9(2)(a) |
| 27. Email JH to MM, 13 May 2016 | Released in part, material withheld under section 9(2)(a), some material out of scope |
| 28. Letter Cullen to Bourke, 13 May 2016 | Released in part , material withheld under section 9(2)(a) |
| 29. Transcript of meeting, 16 May 2016 | Withheld in full under sections 9(2)(a), 9(2)(b)(i), 9(2)(j) |
| 30. Email Bourke to Hills , 17 May 2016 | Released in full |
| 31. Email Hills to Bourke, 23 May 2016 | Released in part , material withheld under section 9(2)(a) |
| 32. Solicitor correspondence, 24 May 2016 | Withheld in full under section 6(c), 9(2)(j) |
| 33. Various correspondence between MOT and its solicitors, April 2016 to July 2016 | Withheld in full under section 9(2)(h) |
| 34. MoT Victim Impact Statement, 26 October 2016 | Release in part, material withheld under section 6(c) |
| Joanne Harrison's employment by the Ministry of Transport | |
| 35. Letter JH to MoT, 24 November 2008 | Released in part, material withheld under section 9(2)(a) |
| 36. Email JH to MOT, 25 November 2008 | Released in part, material withheld under section 9(2)(a) |
| 37. CV, 2008 | Released in part due to public interest under section 9(1), other material withheld under section 9(2)(a) |
| 38. Email JH to MoT, 13 February 2011 | Released in part, material withheld under section 9(2)(a) |
| 39. CV, 2011 | Released in part due to public interest under section 9(1), other material withheld under section 9(2)(a) |

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| 40. MoT filenote on candidates for position of Manager, Change, People and Development, undated | Released in part, material withheld under section 9(2)(a) |
| 41. Email between MoT and personnel assessment firm, 25 March 2011 | Released in part, material withheld under section 9(2)(a) |
| 42. Assessment firm report on JH, undated | Withheld in full under section 9(2)(a) |
| 43. Assessment firm report on JH, undated | Withheld in full under section 9(2)(a) |
| 44. Internal MOT email, 25 March 2011 | Released in part, material withheld under section 9(2)(a) |
| 45. Internal MOT email, 25 March 2011 | Released in part, material withheld under section 9(2)(a) |
| 46. Letter MoT to JH, 25 March 2011 | Released in part, material withheld under section 9(2)(a) |
| 47. Employment agreement for JH, 25 March 2011 | Released in part, material withheld under section 9(2)(a) |
| 48. Email between MoT and JH, 28 March 2011 | Released in part, material withheld under section 9(2)(a) |
| 49. Performance review summary for JH, August 2012 | Withheld in full under section 9(2)(a) |
| 50. Letter MM to JH, 15 August 2012 | Release in full |
| 51. Letter MM to JH, 20 March 2013 | Released in part, material withheld under section 9(2)(a) |
| 52. Letter MM to JH, 8 July 2013 | Released in part, material withheld under section 9(2)(a) |
| 53. Employment agreement for JH, 11 July 2013 | Released in part, material withheld under section 9(2)(a) |
| 54. Financial delegation letter to JH, 5 August 2013 | Released in full |
| 55. Jadestar salary printout, JH, 12 August 2013 | Released in part, material withheld under section 9(2)(a) |
| 56. File-note by MM re. JH performance 2013/14, 2014 | Withheld in full under section 9(2)(a) |
| 57. Letter MM to JH, 18 September 2014 | Released in part, material withheld under section 9(2)(a) |
| 58. Letter JH to MoT, 26 May 2015 | Released in part, material withheld under section 9(2)(a) |
| 59. JH assessment form, undated | Withheld in full under section 9(2)(a) |
| 60. Email from MM, 30 June 2015 | Released in part, material withheld under section 9(2)(a) |
| 61. Letter MM to JH, 30 June 2015 | Released in part, material withheld under section 9(2)(a) |
| 62. Register of interests for JH, 30 June 2015 | Released in full |
| 63. Letter MM to JH, 9 September 2015 | Released in part, material withheld under section 9(2)(a) |

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| 64. JH Performance assessment documents (2), 2016 | Withheld in full under section 9(2)(a) |
| Contracts and compliance issues | |
| 65. MoT internal emails, 23 October 2013 | Released in part, material withheld under section 9(2)(a), 9(2)(b)(ii) |
| 66. Emails between DB and MM, 1 November 2013 | Released in part, material withheld under section 9(2)(a), 9(2)(b)(ii), some material out of scope |
| 67. Email to JH, 1 December 2013 | Released in part, material withheld under section 9(2)(a) |
| 68. Email to JH, 27 January 2014 | Released in part, material withheld under section 9(2)(a) |
| 69. Email to JH, 10 February 2014 | Released in part, material withheld under section 9(2)(a) |
| 70. Email to JH, 31 March 2014 | Released in part, material withheld under section 9(2)(a), 9(2)(b)(ii) |
| 71. Email to JH, 16 April 2014 | Released in part, material withheld under section 9(2)(a) |
| 72. Email to JH, 8 May 2014 | Released in part, material withheld under section 9(2)(a) |
| 73. Email to JH, 8 May 2014 | Released in part, material withheld under section 9(2)(a) |
| 74. Email to JH, 31 May 2014 | Released in part, material withheld under section 9(2)(a) |
| 75. Email from JH, 18 August 2014 | Released in part, material withheld under section 9(2)(a), 9(2)(b)(ii) |
| 76. Email between LN and MM, 25 August 2014 | Withheld in full under section 9(2)(h) |
| 77. MoT compliance report, 28 August 2014 | Released in part, material withheld under section 9(2)(a), 9(2)(g)(i) |
| 78. Email to LN, 29 August 2014 | Released in part, material withheld under section 9(2)(a) |
| 79. Emails between MM and JH, 25 August – 1 September 2014 | Released in part, material withheld under section 9(2)(a), 9(2)(b)(ii) |
| 80. Emails between LN and MS, 7 September 2014 | Released in part, material withheld under section 9(2)(a) |
| 81. Memo JH to AJ, 9 October 2014 | Released in part, material withheld under section 9(2)(a), 9(2)(b)(ii) |
| 82. Memo JH to AJ, 10 October 2014 | Released in part, material withheld under section 9(2)(a) |
| 83. Contract for Mazarine, 15 October 2014 | Released in part, material withheld under section 9(2)(a) |
| 84. Email LN to JH, 21 October 2014 | Released in part, material withheld under section 9(2)(a) |

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| 85. Email between JH and MM, 21 October 2014 | Released in part, material withheld under section 9(2)(a) |
| 86. Email JH to LN, 22 October 2014 | Released in part, material withheld under section 9(2)(a) |
| 87. Memo between JH and AJ, 12 November 2014 | Released in part, material withheld under section 9(2)(a) |
| 88. Email from JH to EW, undated | Released in part, material withheld under section 9(2)(a) |
| 89. Email between LN and DB, November 2014 | Withheld in full under section 9(2)(h) |
| 90. Email from MM to LN, 16 December 2014 | Released in part, material withheld under section 9(2)(a), 9(2)(b)(ii) |
| 91. Employment contract, 1 July 2015 | Released in part, material withheld under section 6(c), 9(2)(a), 9(2)(j) |
| 92. Email from EW to MoT, 7 October 2015 | Released in part, material withheld under section 9(2)(a), 9(2)(b)(ii) |
| 93. ROI form, 11 September 2015 | Released in part, material withheld under section 9(2)(a), 9(2)(b)(ii) |
| 94. ROI Evaluation form, October 2015 | Released in part, material withheld under section 9(2)(b)(ii) |
| 95. Contract for EW, 10 October 2015 | Released in part, material withheld under section 9(2)(a) |
| 96. Email to JH, 21 October 2015 | Released in part, material withheld under section 6(c), 9(2)(a), 9(2)(j) |
| 97. Memo JH to MM, 28 October 2015 | Released in part, material withheld under section 9(2)(a) |
| 98. Employment contract, 29 October 2015 | Released in part, material withheld under section 6(c), 9(2)(a), 9(2)(j) |
| 99. Emails between EW and JH, 9 November 2015 | Released in part, material withheld under section 9(2)(a) |
| 100. MoT Compliance report, 4 December 2015 | Released in part, material withheld under section 9(2)(a), 9(2)(g)(i) |
| 101. Email between DB and JH, 14 December 2015 | Released in part, material withheld under section 9(2)(a), 9(2)(g)(i) |
| 102. Letter to JH, 28 March 2016 | Released in part, material withheld under section 6(c), 9(2)(a), 9(2)(j) |
| 103. Emails between JH and another, August 2014 to December 2015 | Withheld in full under sections 6(c), 9(2)(a), 9(2)(j) |
| 104. Emails between JH and another, June 2015 to August 2015 | Withheld in full under sections 6(c), 9(2)(a), 9(2)(j) |

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| 105. Agreement, July 2015 | Withheld in full under sections 6(c), 9(2)(a), 9(2)(j) |
| 106. Meeting summary, 4 May 2016 | Withheld in full under sections 6(c), 9(2)(a), 9(2)(h), 9(2)(j) |
| TAIC | |
| 107. Email between JH and TAIC, 5 December 2014 | Released in part, material withheld under section 9(2)(a) |
| 108. Email from JH to TAIC, 9 December 2014 | Released in part, material withheld under section 9(2)(a) |
| 109. Email from JH to TAIC, 18 December 2014 | Released in part, material withheld under section 9(2)(a) |
| 110. Emails between JH and TAIC, 24 March 2015 | Released in part, material withheld under section 9(2)(a) |
| 111. Internal TAIC emails, 24 March 2015 | Released in part, material withheld under section 9(2)(a) |
| 112. Filenote re. PS, 12 May 2016 | Released in part, material withheld under section 9(2)(a), 9(2)(g)(i) |
| Ministry of Transport Finance Review 2015 | |
| 113. Email JH to GC, 17 September 2015 | Released in part, material withheld under section 9(2)(a) |
| 114. Draft proposal for consultation | Released in part, material withheld under section 9(2)(a) |
| 115. Guideline: Ministry Reorganisation: Managing Changes to Roles and Structure | Released in full, but attachment (EAP Services) released in part, material withheld under section 9(2)(a) |
| 116. Draft communications timeline | Released in full |
| 117. Draft Position Description – Adviser Accounts and Financial Systems | Released in full |
| 118. Email from JH, 6 October 2015 | Released in part, material withheld under section 9(2)(a) |
| 119. Proposal for consultation | Released in full, but attachment (EAP Services) released in part, material withheld under section 9(2)(a) |
| 120. Minutes of Finance Team meeting, 6 October 2015 | Released in part, material withheld under section 9(2)(a) |
| 121. Email from JH, 7 October 2015 | Released in part, material withheld under section 9(2)(a) |

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| 122. Email from FM, 27 October 2015 | Released in part, material withheld under section 9(2)(a) |
| 123. PSA Submission, 23 October 2015 | Released in part, material withheld under section 9(2)(a) |
| 124. Email JH to GC, 29 October 2015 | Released in part, material withheld under sections 9(2)(a) and 9(2)(g)(i) |
| 125. Response to PSA, 4 November 2015 | Release in full |
| 126. Email JH to GC, 29 October 2015 | Released in part, material withheld under sections 9(2)(a) and 9(2)(g)(i) |
| 127. Email JH to FM, 3 November 2015 | Released in part, material withheld under sections 9(2)(a) and 9(2)(g)(i) |
| 128. Email to GC & FM, 5 November 2015 | Released in part, material withheld under section 9(2)(a) |
| 129. Email to FM, 10 November 2015 | Released in part, material withheld under section 9(2)(a) |
| 130. Next steps for affected staff | Released in part, material withheld under section 9(2)(a) |
| 131. Email JH to FM, 17 November 2015 | Released in part, material withheld under section 9(2)(a) |
| Travel Expenses for Joanne Harrison | |
| 132. List of return flights to Northland | Released in full |
| 133. List of all travel 2011-2016 | Released in full |

