

## COMPLAINT BY VIVIENNE HOLM AGAINST GRACE HADEN AND VERISURE INVESTIGATIONS – SECTION 3: COMPLAINT DETAILS

1. This complaint is made in reliance on the grounds set out in section 73(4)(d) of the Act.
2. As set out in more detail below, it is my opinion that both Mrs Haden and Verisure Investigations are guilty of repeated and ongoing misconduct including:
  - Passing off;
  - Harassment;
  - Knowingly publishing false and defamatory information about me online; and,
  - Threats and blackmail.

### Background – Mrs Haden’s actions against Neil Wells and AWINZ

3. Many years ago Mrs Haden had a personal dispute with Neil Wells, who was involved in a charitable trust called the Animal Welfare Institute of New Zealand ('AWINZ').
4. Subsequently, Mrs Haden sought to 'exact revenge' on Mr Wells by damaging the reputation of AWINZ.
5. Some of the behaviour is outlined in the Statement of Claim lodged by AWINZ which is **attached marked A**, and in the related District Court judgement which is **attached marked B** (see eg paragraph 65).
6. In short, Mrs Haden formed a company with the same name as AWINZ (the '**fake AWINZ**'), and also set up a website with the domain name www.awinz.co.nz. In my view, the primary purpose of the website was to publish defamatory information about Mr Wells and undermine public confidence in AWINZ.
7. The website was also used to actively solicit donations from the public for the fake AWINZ. **Attached marked C** is a copy of the above Statement of Claim which Mrs Haden provided to the New Zealand Law Society with her annotated comments. Page 4 quotes text from her website soliciting public donations. Mrs Haden’s annotation to the extract does not dispute that she did so.
8. I do not know what, if any, donations were received by Mrs Haden and how they were used. Regardless, Mrs Haden was clearly using a name which could generate confusion. She must have realised that there was a real potential for people to make donations based on a mistaken understanding of the bona fides of fake AWINZ. I consider that her actions in this regard amounted (at the least) to passing off if not fraud.

### My interactions with Mrs Haden and Verisure Investigations

9. For around a week in June 2006 I undertook pro bono work for AWINZ in relation to her above behaviour.
10. My interactions with Mrs Haden were limited to one (inadvertent) phonecall to her, and the emails **attached marked D**. (The law firm I was working for then took the matter forward as I specialised in environmental and not civil litigation).

## Harassment

11. Mrs Haden's behaviour in response to my emails was in my view totally unacceptable, and frankly unhinged.
12. Among other things, she came to my home uninvited and spoke to my young children, after having been expressly told not to do so (refer email dated 4 June 2006 included in the attachment marked D).
13. I am not sure how Mrs Haden obtained my home address. There is a distinct possibility that she used resources available that were made to her in her capacity as a licensed investigator to do so.
14. Subsequently, Mrs Haden and Verisure Investigations have continued to harass me, including:
  - By her own admission, Mrs Haden continued to send me emails after being clearly instructed not to do so and served with a trespass notice (refer email dated 7 June 2006 for the instruction, and the blog **attached marked E**, for her admission that she asked me about my practising certificate in August 2006);
  - Contacting several of my employers over subsequent years in an effort to defame me and damage my career;
  - Lodging unfounded and untruthful complaints against me to the New Zealand Law Society (**NZLS**) and the Legal Complaints Review Officer; and,
  - Most recently, needlessly finding and contacting me on Facebook (see Facebook message **attached marked F**).
15. Notably, Verisure Investigations has been actively involved in the harassment as well (refer to the complaint lodged with NZLS **attached marked G**).

## Knowingly publishing false and defamatory information about me online

16. In addition, Mrs Haden has repeatedly published false and defamatory information about me online.
17. Key examples of the factual inaccuracies include the following:

Mrs Haden's allegation	The facts
<b><i>Annexure E – post dated 29 April 2011</i></b>	
<p>"...Vivienne Parre/Wright did not have a practising certificate. I asked her about it and she got one the next day 15 August 2006"</p>	<p>First, I held a practising certificate throughout 2006 as confirmed in the email from the NZLS <b>attached marked H</b>.</p> <p>Secondly, it is manifestly false that I obtained a certificate in response to any prompt from Mrs Haden. As confirmed in the NZLS email, The only change in August was as to the type of certificate I</p>

	<p>held. Further, the last communication I received from Mrs Haden in 2006 were her emails in early June. At that time I blocked her emails and never saw them (refer my email dated 7 June 2006 included in Attachment C). I also note that I did not have any access to the Brookfields email address (which is the address Mrs Haden had most recently used to harass me) after 8 August when I stopped working at the firm.</p> <p>This is a good example of Mrs Haden misrepresenting an imagined set of facts as the truth.</p>
<p>“My enquiries (sic) at the time had ascertained that Vivienne Parre was not working at Brookfields”.</p>	<p>I was working at Brookfields from home as a contractor. I have tax records which confirm this which I can provide if needed.</p> <p>Further, Mrs Haden clearly knew I worked at Brookfields, as she had obtained my Brookfields email address from an unknown source, and then used it to harass me (refer email dated 7 June 2006 included in Attachment C).</p>
<p>“Vivienne Holm is now employed by the ministry for the environment (sic).</p> <p>Her former Husband (sic) Nick Wright is a resource management lawyer no doubt a very useful connection for both”.</p>	<p>This statement implies that I must (‘no doubt’) have used my role as a public servant to the advantage of my ex-husband.</p> <p>Again, Mrs Haden is indulging in totally unfounded speculation here.</p>
<p>“...covering up for a private enterprise such as AWINZ which leaches on to public funds for pecuniary gain?”</p>	<p>This statement implies that I ‘covered up’ for AWINZ. It is suggesting unethical behaviour on my part.</p> <p>Again, it is unfounded and untrue. Notably, Mrs Haden has never provided any specifics of the alleged ‘cover up’ that I was involved in.</p>

**Annexure I – post dated 8 December 2016**

<p>“Vivienne after holding a practicing (sic) certificate for the past ten years suddenly can’t get one because of something that was written many years ago”</p> <p>“...she claims that she cannot get a practising certificate on this occasion”.</p>	<p>It is untrue that I have ever had any difficulty getting a practising certificate. The NZLS has never raised Mrs Haden’s allegations with me (other than in the context of investigating them), let alone suggested that they could be an impediment to me in obtaining a practising certificate.</p> <p>It is also totally untrue that I ever claimed or suggested that I could not get a practising certificate.</p> <p>I acknowledge that these initial publication of these errors may be have been attributable to a misunderstanding. Mrs Haden may well have misinterpreted the information Netsafe gave her, given her lack of attention to detail or perhaps limited intellectual capabilities.</p> <p>However, she has continued to publish this and other defamatory material after being told in very simple and clear terms that it was wrong.</p>
<p>“Vivienne at the time was working as a law clerk”</p>	<p>I was not working as a law clerk in 2006. I was a lawyer. I had been a lawyer for about ten years, since late 1996.</p>
<p>I was “acting like a thug”</p>	<p>This is clearly a defamatory and unfounded allegation. There was nothing unusually in my phonecall or emails to Mrs Haden. In fact, forewarning people that you are about to take action against them unless is the ethical thing to do.</p>
<p>“...Vivienne wants a different type of practising certificate because she is going to work for Paul Cavanagh who retired exactly a year ago”</p>	<p>Mrs Haden was told that I worked for Mr Cavanagh in 2006. She was never told that I was going to work for him in 2016/2017 or that I needed a different type of practising certificate (or indeed any certificate at all).</p>

	Again, I acknowledge that this error may be due to Mrs Haden's lack of attention to detail and/or limited intellectual capabilities.
"Vivienne 'believes' that she already had her application in. I am sure that she did not (this is based on my concurrent records)".	Again, refer to the NZLS email attached marked G.
"It would appear that Vivienne Holm now wants to work I public practice again"	This is another example of Mrs Haden speculating and then presenting her imaginings as facts. She has no evidence that I wanted to work in public practice again in late 2016. In fact, I had just left public practise to start a new job as a policy analyst in December 2016, and had no plans to work as a public lawyer at that time.
<b><i>Annexure J – post dated 10 December 2017</i></b>	
"...you had harassed me and threaten (sic) my family"	I have never mentioned (or even alluded to) Mrs Haden's family, let alone threatened them.
"...you were passing yourself off as a lawyer, I stand by that".	Refer to the NZLS email attached marked G.
"...you were at that time working as a law clerk and you didn't have a practicing (sic) certificate but was (sic) calling yourself a lawyer".	I was not working as a law clerk, and did not have a practising certificate, as explained above.

### **Threats and blackmail**

18. In December 2016 I contacted Netsafe to see if they could convince Mrs Haden to correct her above post dated 29 April 2011. The emails Netsafe sent Mrs Haden are **attached marked K**. Among other things, Netsafe relayed to Mrs Haden an offer I had made that she could contact NZLS direct to confirm that I had a practising certificate throughout 2006.
19. In response, Mrs Haden told Netsafe that she would not correct the information unless I gave her help (refer email from Netsafe **attached marked L**). In essence, she was seeking to blackmail me by threatening to continue to

knowingly post false information about me unless I gave her the assistance she wanted.

20. In the post dated 8 December 2016 Mrs Haden repeated the blackmail threats, stating:
  - “she can assist (sic) in correcting a far greater injustice before we look at the perception she has of tiny (sic) little one”
  - She may wish to help address the AWINZ injustice, once that has been sorted I can look at removing / altering blogs”.
  - “...I am happy to remove anything minor when a greater injustice has been resolved, she only needs to contact me and help me”.
21. After giving Mrs Haden a year to cool off and reconsider her position, I contacted her last month to tell her that I would be lodging this complaint about her. In response, Mrs Haden’s post dated 10 December 2017 made further threats, which I assume were directed towards discouraging me from going ahead with this complaint. She stated, “If you want me to expand on this I will do a more extensive post probably in January when I have more time”.

### **Summary**

22. In summary, Mrs Haden and Verisure Investigations have been harassing, defaming, blackmailing and threatening me for over ten years.
23. Mrs Haden’s history indicates that she:
  - has in the past, and is likely in the future, to use her status as a licensed private investigator to try to lend credibility to her defamatory postings (she repeatedly refers to being a licensed private investigator on her Transparency New Zealand website); and,
  - may be using her licensed status to obtain information that she then uses to harass and threaten people (as above, I suspect that she may have obtained my home address in this way).
24. For those reasons, it is my view that Mrs Haden and Verisure Investigations are not fit and proper to hold licenses under the Act. If they are allowed to hold licenses, I am concerned that those licenses will be used as tools to harass and defame people in the future.