

1393

POL.90000.0203
POL.90000.0204
POL.90000.0205

Annalise Ferguson
Detective
Taskforce Investigator
180 Molesworth Street
PO Box 3017, Wellington 6011, New Zealand
Mobile: [REDACTED]
anna-lise.ferguson@police.govt.nz



Areas searched by me

- b/room
- Muck's b/room
- Lounge area
- Staff
- Kitchen
- Bathroom.

Items of interest found in
Muck's room & Muck's room.
At 720 address!

1300

Old Noka yoke with
cables connected to gun
case
Muc. paper work on rear
Address p 720. of funding
10/3. address

0932 locate Noka. cell phone
in box Top right drawer
seth chest
top right drawer set
chest. Silver noka p
battery @ sim card to
to ut.

0908 Search HACS b/room
on b/s table
outgator,
camera
3x thumbdrives

Detective Neil PARSONS
Pg 1 of 2

THURSDAY 2ND OCTOBER 2014

0600 - On duty

0645 - Briefing re search warrant at
73 Grafton Road.

Target - Nicky HARRER

Hacker - Raw Shark
Whale dumping.
Software called 'Trails'

0734 - 10/7
Grafton Rd.

Waiting in car while CIT staff approach
address.

1394

POL.90000.0204
POL.90000.0205
POL.90000.0206

0752 10/7 in address.

Waiting to be directed where to
search.

1250 - 10/3

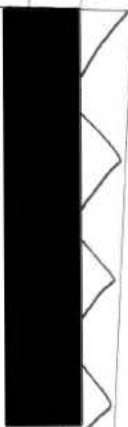
Searched at direction of Detective
Joe

1130 - off duty

FRIDAY 3RD OCTOBER 2014

02/10/14

Thurs



0630

Start

Detective Jason ABROTH

J4039

03 1 of 3

S/w briefg

73 Griffin Road

Whaleclump

Rausshurk

Software - Tails

O/c Warrant - Simon BEAL

O/c Exhibit - Joe TEO

0755

Inside residence, HAGER not home, daughter is.

Also present

Det TEO

D/S BEAL

In Devonian - etc

Det Fergusson

Det PARSONS

18C96015

B 2 of 3

1397

No force entry

Start Searching upstairs office as directed

0830

locate on small wooden desk with
keyboard & monitor

1st USB stick is Catty Pacific card.

2nd piece of paper which relate (msg)
to complaint

0800

Look on top of small wooden desk behind

Seen 2x paper stapled which appear
to be a conversation about encrypted data.

Locate 2 x USB sticks on larger computer
desk

1416

Recive NH1627. Summary from Det TEC

Unrelated

op
class

B 3 of 3

Unrelated

09
class

1635

Hand back N11027 to D/Sgt BGR
after taking it to ECC. Download at
ECC completed by Mark McInnes

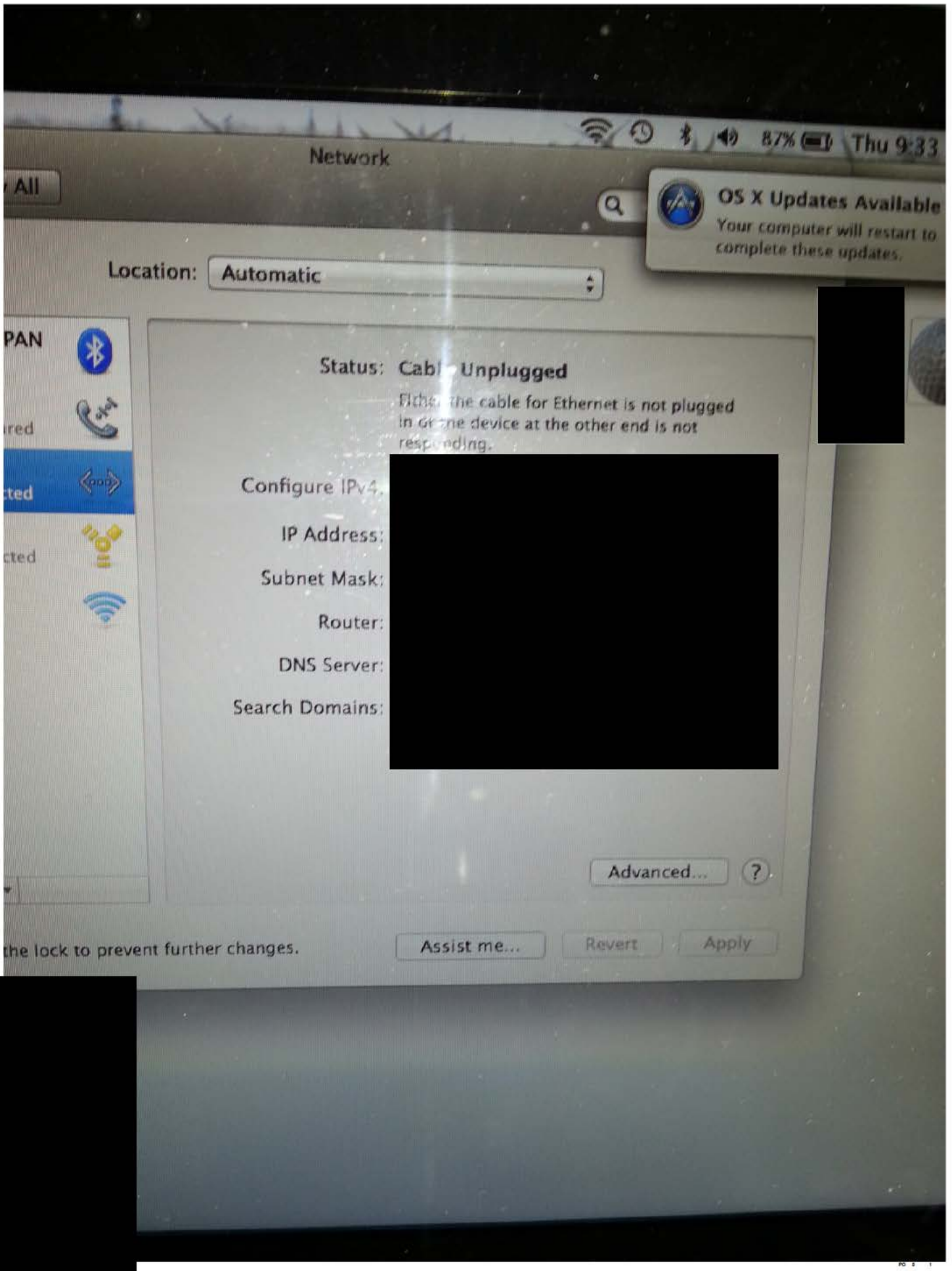
~~James~~ James All documents & exhibits
located by myself during search left
and advice of exhibits. Det TEA
if item - location

1645

Talked to Search small arm under
bed in downstairs bedroom - Noth
of interest located.

1700

Stand down



Home | Billing | Upgrade



Reactivate your account

This account is no longer active. To keep a free Hushmail account active you must sign in at least once every three weeks. To continue using this account, please upgrade to Hushmail Premium.

Review your order

Apply a gift code or coupon

Update total

Where should we send your receipt?

We'll send a receipt and billing-related emails to the email address you specify

Choose your payment method



Type your name as it appears on your card

e.g. Tanya Smith

Credit card number

Hush Communications ...
Sign in

IMAP and SMTP server h...

Reactivate your account - H... X

New tab



Secure Email Login

Sorry, this account has been disabled

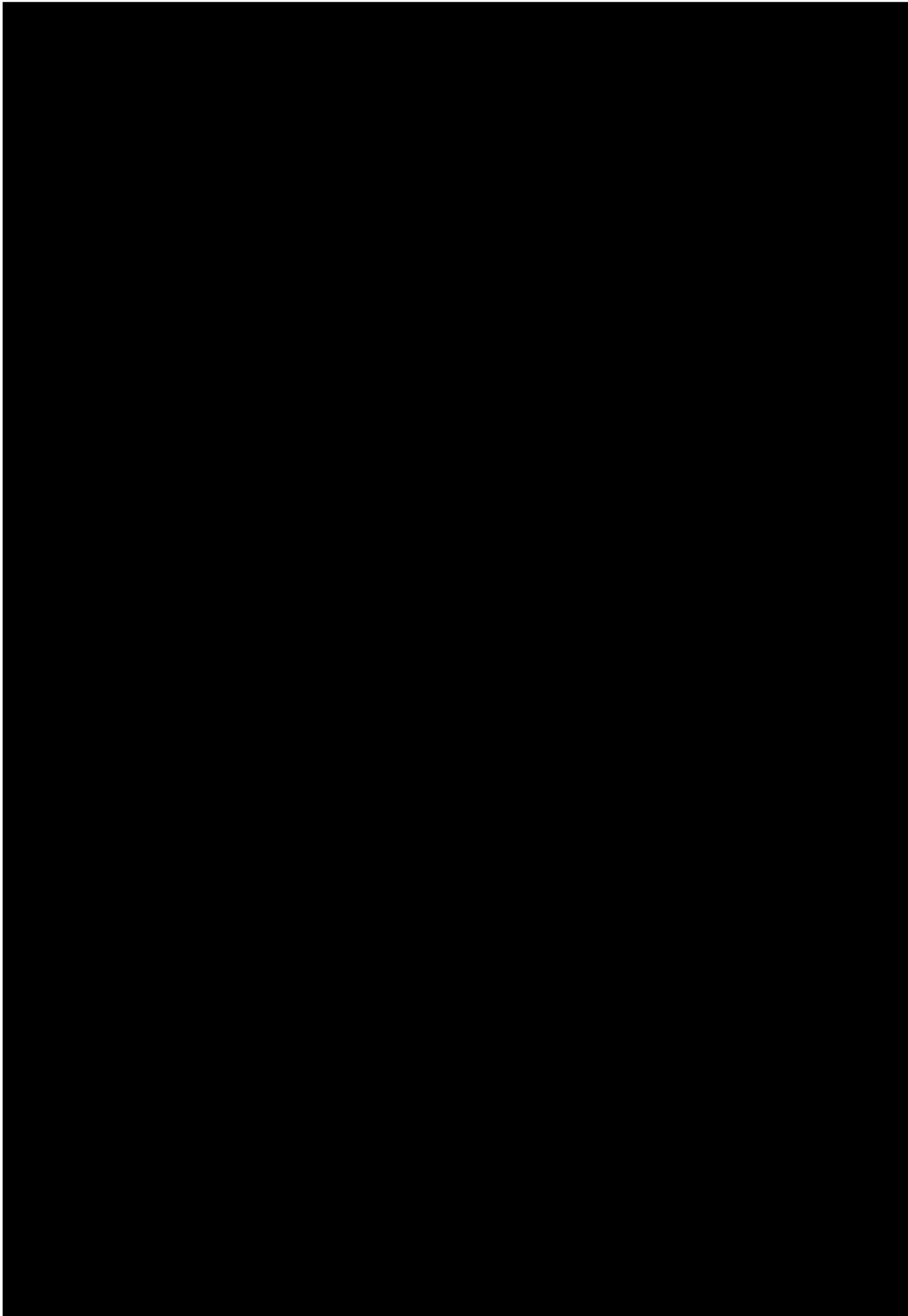
Your account has been disabled, either at your request or for violating our [terms of service](#).

Sign in to a different Hushmail account

Please enter the full email address for the account that you wish to access.

Email Address:

[Continue](#)



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

APPLICATION FOR SEARCH WARRANT

Section 6 of the Search and Surveillance Act 2012

To a Judge
at Manukau.

1 I, Sergeant SIMON ANDREW BEAL, of Manukau, Auckland, apply for the issue of a search warrant under section 6 of the Search and Surveillance Act 2012, authorising every constable to search places situated at:

- 73 GRAFTON ROAD, ROSENEATH, WELLINGTON CITY 6011;
- 73B GRAFTON ROAD, ROSENEATH, WELLINGTON CITY 6011.

2 **Period of warrant and number of occasions power to be exercised**

The power to enter and search pursuant to the search warrant is sought to be exercised on 1 occasion within 14 days from the date of issue.

3 **Suspected offence on which the application is based**

I have reasonable grounds to suspect that:

- the offence of Accessing a computer system for dishonest purpose under section 249 of Crimes Act 1961, and in respect of which section 6 of the Search and Surveillance Act 2012 authorises an application for a search warrant, has been committed.

4 **Information in support of suspicion as to offence**

The information relied on for the purpose of this application is as follows:

The complainant in this matter is Cameron John Dalley SLATER.

SLATER is a New Zealand political commentator based in Auckland.

Since 2005, he has maintained a blog website called Whale oil beef hooked located on the internet at <http://www.whaleoil.co.nz/>.

A blog is a collection of personal expressions posted on a web site for others to read.

SLATER uses his blog to comment on national political matters, business and other topics of interest to him.

On 29 August 2014, SLATER spoke to Detective Constable Paul STENZEL at the Ormiston Police Station and provided a statement outlining the following circumstances.

SLATER holds a number of online social media websites and email accounts to communicate with his friends and associates.

These accounts are:

- Twitter - @whaleoil
- Facebook – cam.j.slater@facebook.com and whaleoilblogger@facebook.com
- Google email account – camslater@gmail.com

In relation to SLATER's email account, he estimated during the early March 2014 his email account, commonly referred to as 'Gmail' held approximately 80 gigabytes of email messages.

[REDACTED]

During Sunday 2 March 2014, SLATER received a number of email request notifications to change the email address associated to his Facebook, Twitter and Gmail account and passwords.

SLATER believed his Facebook, Twitter and Gmail accounts were illegally accessed by an unknown person around the time of receiving these email notifications.

He did not make any requests to change his account details so was suspicious of this activity.

Upon receiving these requests, SLATER spent approximately an hour and a half to changing his Facebook, Twitter and Gmail settings back to normal.

After returning the settings back to normal SLATER states he was unable to tell what changes were

made to the account and if any or how much information had been accessed.

Due to his Facebook, Gmail and Twitter account details being changed at the same time, SLATER suspected his online accounts were being attacked by an external party or source.

On Wednesday 13 August 2014, Nicky HAGER a political author released a book named "Dirty Politics".

HAGER stated in the book that the book was based on data provided to him on a 8 gigabyte storage thumb drive containing SLATER's illegally accessed private communication.

The 'Dirty Politics' book contains a large amount of extracts from SLATER emails, Facebook and Twitter account conversations that he has between friends, business colleagues and other associates.

SLATER believes these emails and online conversations were obtained during the online accounts attacks to his accounts on 2 March 2014.

Since the release of the book, there has been a significant media interest relating to SLATERS illegally obtained content.

In February 2014, SLATERS' blog website www.whaleoil.co.nz was attacked by an unknown person. This attacked caused the website to be taken down from the internet for three days for repair.

After the third day the website www.whaleoil.co.nz was successfully back up an running.

After the release of the book 'Dirty Politics' Information received by SLATER revealed the person responsible for attacking the www.whaleoil.co.nz website had obtained the Internet Protocol (IP) addresses of people's computers commenting on the Whale oil blog website.

[REDACTED]

[REDACTED]

[REDACTED]

SLATER does not know the person who compromised his Whale oil blog website or attempted to change the password on his online accounts.

He did not consent for Nicky HAGER to publish any contents of his emails in the book 'Dirty Politics'.

SLATER did not consent to having any of his email communications being published through any media outlet.

In media interviews given by Nicky HAGER after the release of the book 'Dirty Politics' he has stated that he aware the source of the information for the book has committed a criminal offence and has taken steps to prevent the identity of the source being known to the Police. These interviews are covered in more detail later in this application.

5 **Description of evidential material obtainable**

I have reasonable grounds to believe that the search will find evidential material in respect of the offence, namely:

Evidential material comprising of documents in either electronic and/or paper form relating to the authoring of the 'Dirty Politics' book released on Wednesday 13 August 2014.

Evidential material comprising of documents in either electronic and/or paper form relating to the illegally accessed content obtained from Cameron SLATER's email, Facebook and Twitter account.

Evidential material comprising of communications with a person or persons who illegally accessed Cameron SLATER's email, Facebook and Twitter content.

Evidential Material held on the internet or other web based storage system relating to the e-mail account nicky@paradise.net.nz and/or any other such e-mail accounts identified as being accessed by Nicky HAGER.

Evidential material comprising of any documentation which will reveal the identity of Nicky HAGER's source whether held electronically and/or in paper form.

6 **Information supporting belief that evidential material obtainable**

The information that has led me to have reasonable grounds to believe that the search will find this evidential material is as follows:

INVESTIGATION TO DATE

As outlined in earlier in this application, a statement has been obtained from Cameron SLATER.

Further to his statement, on 28 August 2014 SLATER provided Detective Constable STENZEL a series of emails relating to his online accounts being accessed without his permission. These are currently being investigated by Police but have yet to provide any information to identify the 'hacker'.

Media Analysis

On Wednesday 13 August 2014, the 'Dirty Politics' book authored by Nicky HAGER was released for sale.

As commented by HAGER, this book was based on the private communications obtained from SLATER during attacks on his email and online accounts in February and March this year.

On page 12 of this book, HAGER notes at an unspecified date and time, receiving a package which contained an 8 gigabyte USB digital storage device.

Quoting directly from the book:

"This device contained thousands of documents that revealed different parts of the National Party attack politics.... Consisted of thousands of pages of conversations on Facebook and by e-mail between SLATER and his closest political associates...."

Intelligence analyst [REDACTED] has been collating and conducting a full analysis of media articles available on the internet relating to the SLATERS email correspondence being illegally obtained.

The following journalists David FISHER – NZ Herald, Matthew NIPPERT – Fairfax media, Patrick GOWER – 3 News have claimed to have been in contact with the person responsible for illegally accessing and obtaining data from SLATERS online accounts.

It has been reported by all three of these journalists that they have sighted or are in possession of illegally accessed material from SLATERS accounts.

Nicky HAGER

For the purposes of this application, only material relating to HAGER receiving the illegally accessed content and information relating to the identity of the ‘hacker’ will be covered.

Since the release of the ‘Dirty politics’ book, HAGER has conducted a large number of media interviews and appearances. The majority of these appearances covers the content of the ‘Dirty Politics’ book.

HAGER has made a number of statements about his interactions with the person who illegally accessed SLATERS email and social media content.

On Thursday 14 August 2014, HAGER was interviewed by Sean PLUNKET on the Radio live talk show.

He denied Kim DOTCOM had anything to do with the ‘Dirty Politics’ book stating:

“If where this is going is some hint that, in some way, Kim Dotcom was any way involved in my book, I’m very happy to tell you it is totally untrue,”.

HAGER reiterated that he was approached by somebody but didn’t want to disclose the identity of the person stating:

“Because they would get in trouble with the police and I’ve promised to keep their identity a secret. But but but Sean...”

Because they are a hacker which as I also was absolutely up front about, I’ve never had hacked information before but I got it and I thought it was so important I would use it but can I say, I’ll tell you what I say, I have never and I would never take information for one of my books for articles

from a person who was in a political party or who was a political person.

This is a highly valued principle to me."

During the interview PLUNKET a series of questions were put to HAGER. The questions and HAGER's response is detailed below:

SP = Sean PLUNKET

NG = Nicky HAGER

"SP *Did, was this hacker personally known to you?*

NH *Yes.*

SP *Is this person or did you ask that person whether they were aligned to any current or emerging political party?*

NH *Course I did, of course I did. I checked out their motives in great detail and I know as I've just said that they have nothing to do with any political party.*

SP *How did they so this is someone who simply what outta the blue decided to hack Cameron SLATER.*

NH *I can't give you exact details because I'm not going to identify who my source is but I've told the story which is a true story which is that Cameron SLATER wrote some nasty comments about a guy who died in a car crash on the West Coast...*

SP *Mm*

NH *...and some people crashed his computer, I think there was a number of them...*

SP *Yeah.*

NH *...but I don't know them all and that was how I ended up I believe, that's how I ended up with the information..."*

Subsequent interviews with News talk ZB, Radio live and TVNZ were conducted with HAGER. During these interviews no further disclosures were made as to the identity of the 'hacker'.

On Sunday 17 August 2014, HAGER conducted a number of interviews during the day which

included the Radio Live talk show, Sunday morning radio New Zealand and the Q+A TVNZ show.

Of interest at 9.00 am, HAGER was interviewed by presenter Susan WOOD on the TVNZ programme Q+A programme.

During this interview he acknowledged the material in his book was illegally obtained and again rejected Kim DOTCOM being the source for the information.

HAGER spoke to his source sometime prior to this programme being aired and stated the following during the interview:

"I'm actually happy to use your programme to explain this. Because in the last few days various journalists have said can I see this material. John Key said at one stage that I have made this up.

And so I said I have to go back to the source. So I would like to lay that out now. So when I finished the book, I was advised by my lawyer that I should return all the materials to my source because a court judgement could come out which might mean I might be forced because it is a book to hand over all the material and expose my source.

I've since gone back to my source, I've done that in the last couple of days and I've said can I please to start release the information which I'm very much like to do and the source told me no. but what I think what is going on with the source is that the source has decided that he is going to release the information but not let me to do it.

*But what I have asked the source is that the source is respect what I have already done, and if he has already done which is he takes out people's names who aren't part of the story, that he doesn't put in private information that people don't need to hear in other words which he sticks to the things which I did in the book which is not to have collateral damage
....."*

On Monday 18 August 2014, an article written by Aimee GULLIVER, Michael Fox and Hamish RUTHERFORD was released on the stuff.co.nz website titled "Hacked emails revealed online".

The article contains the following comments made by HAGER about the release of SLATER'S

illegally accessed documents from the Twitter account @Whaledump:

"I am not certain who is behind [the account]... I think it is likely that this will be my source responding to the request that came to release the material."

...

"It sounded like they were going to do something but I didn't have any more detail."

"I know that I faithfully, and as fairly as I could, reported in the book, but people can check that out for themselves if it does come out."

Hager also said he remained confident his source was not politically motivated.

At 5.00 am on Sunday 23 August 2014, the article "Tidal wave of dirt that could swamp election" written by David FISHER was published on the New Zealand Herald website.

Contained in this article are comments made by HAGER in relation to obtaining the illegally accessed information:

"I heard a rumour about someone who had some stuff," says Hager, whose books on spies have generated contacts in IT circles. "He already had a plan in his mind to set up a Twitter account and splash it all out there."

Hager says he spent weeks talking the person into letting him see the material and use it to build the narrative which became Dirty Politics. The hacker, says Hager, gave him everything. "I've seen everything. I'm 100 per cent sure." The hacker then expressed a desire to keep back some material for himself. "We kind of negotiated how much," he says.

"I said 'can I have all the political stuff'." Hager got what he asked for and so, the book was written.

When it launched, the "cynicism and unpleasantness" was there for all to see - but the hacker still had a role to play.

He emerged on Monday - just as National's denials were becoming strident - with a pledge to release source information publicly. In his only public comment so far, he said: "This isn't politically motivated. I'm not paid to do this. I'm not associated with [Internet Party founder] Kim Dotcom in any way.

I want to take down this corrupt network and make sure it can't be put back together. My next batch of leaks will prove this."

On Tuesday 23 September 2014, HAGER participated in an online National Business review question and answer session.

During this session the following question was asked by the person identifying themselves as Louise MACKENZIE:

"Do you know the identity of the hacker who stole the emails used as the source material for Dirty Politics?"

HAGER replied with the following response:

"Fair question. I have never used information provided to me anonymously. There is an important reason for this. It's very important to know the motives of a source and equally important that I feel I trust them. Otherwise they could be feeding selective information or trying to use me for their own political purposes. So, yes, I met the source various times and I went ahead because I felt I was dealing with a decent person."

BANK ENQUIRIES

On Wednesday 24 September 2014, Detective Sergeant Simon BEAL conducted an enquiry with the New Zealand bank association to obtain the bank account information for Nicky HAGER.

On Thursday 25 September 2014, Detective TEO received a response from Westpac New Zealand confirming they currently hold an account for HAGER.

The response included banking information relating to HAGER'S accounts.

Westpac provided 73 Grafton Road, Roseneath, Wellington as his address.

His bank statements show payments being made to the Wellington City council for two residential properties including 73 Grafton Road, Roseneath, Wellington.

Enquiries conducted by DC Rachelle SMITH on 29th September 2014 with Wellington City Council have shown that the other property which Nicky HAGER pays rates for is 113 Te Anau Road, Hataitai. This property from Google maps appears to be a land which has not yet been converted to a residential property.

An enquiry on the Wellington City Council website shows the property of 113 Te Anau Road, Hataitai having a land and capital value of \$230,000. The yearly council rates for the property is \$874.38. This indicates there is no actual physical building on this site.

Analysis of Nicky HAGER's Westpac bank accounts and credit cards does not reveal any other payments for any other properties either residential or commercial.

NICKY HAGER - Residential address

A search on the Police national intelligence application for Nicky HAGER shows him linked to the residential property of 73 and 73B Grafton Road, Roseneath, Wellington.

A visual inspection using a Police mapping application shows the address of 73 and 73B Grafton Road, Roseneath, Wellington being within the same property boundary. A satellite view of 73B Grafton Road, Roseneath, Wellington shows the area being heavily concealed with trees.

The Police national intelligence application also revealed HAGER's daughter [REDACTED] holding a current New Zealand drivers licence with the address of 73 Grafton Road, Roseneath, Wellington.

An enquiry on the Telecom Emergency Subscriber Access (TESA) database reveals the landline number for 73B Grafton Road, Roseneath, Wellington is associated to Nicholas A HAGER.

HAGER has a Blue Toyota Corolla LX Saloon motor vehicle, registration DWB523 registered to the address of 73 Grafton Road, Roseneath, Wellington.

NICKY HAGER - E-mail accounts

An open source search conducted by Detective Sergeant BEALin regard to Nicky HAGER has revealed that he has a website www.nickyhager.info contained within that website is the following link www.nickyhager.info/biography-of-nicky-hager/ where he states that if anyone wishes to contact him, they can e-mail him at nicky@paradise.net.nz. No other e-mail addresses were obtained via the open source search.

OTHER ENQUIRIES

A production order has been issued to Yahoo!7, Google NZ and Twitter inc to establish any Internet protocol (IP) addresses linking back to the person who illegally accessed SLATER's email and social medial accounts.

Further enquiries are underway to ascertain if these IP addresses is linked to the person responsible for illegally accessing SLATERS email and social media accounts.

CONCLUSION

Based on the comments made by HAGER in the media interviews outlined in this application, I believe that HAGER has met and knows the 'hacker' personally.

I believe he has made regular and recent contact with the person responsible for illegally accessing SLATERS email and social media content.

I believe this contact has been ongoing from the time SLATERS online accounts were illegally accessed up until and after the release of the Dirty Politics book.

Based on the comments made by HAGAR in his book 'Dirty Politics' and media interviews, he is definitely aware the material was obtained illegally and has acknowledged that the hacker has committed a criminal offence.

I believe based on HAGER's comment on page 12 of the Dirty Politics book, he had been in possession of the illegally accessed material provided to him on a 8 GB USB thumb drive.

Even though HAGER has stated in his interviews returning the illegally accessed material, I believe HAGAR will still be in possession of material used to write the 'Dirty Politics' book to show provenance should there be future litigation against him. I further believe that even if material has been returned to the hacker that there will be evidential material available to identify the hacker held by HAGER on electronic storage devices and/or paper form.

HAGER has stated that he knows the hacker personally and has been in regular communication prior to the books release. I believe based on this comment, HAGER will hold contact information for the 'hacker' and/or hold evidential material that will directly identify the 'hacker' or person purporting to be the 'hacker'.

Although the nature of the communications was not specifically mentioned by HAGER in the public forum, I believe HAGER and the 'hacker' have been communicating either by cell phone, landline and/or internet based application.

I believe a search of HAGER's residential property of 73 Grafton Road, Roseneath, Wellington will result in locating the evidential material as outlined in this application. I believe this evidential material will assist provide further enquiries to identify and locate the person responsible for illegally accessing SLATERS email and social media content.

I believe that HAGER does not have any other addresses that he would retain this information knowing of the media and political interest in the information and the his source of the information. I therefore believe that a search of 73 Grafton Road Roseneath Wellington City will provide the evidential material,

7 **Previous search warrant applications**

In respect of 73 GRAFTON ROAD, ROSENEATH, WELLINGTON CITY 6011, no known applications for a search warrant have been made within the previous 3 months.

In respect of 73B GRAFTON ROAD, ROSENEATH, WELLINGTON CITY 6011, no known applications for a search warrant have been made within the previous 3 months.

8 **Additional Information**

I provide the following additional information:

As stated earlier in this application, I believe the address of 73 and 73B Grafton Road, Roseneath, Wellington lay within the same residential council boundry.

Attached to Appendix A of this application is the area which Police will be searching at the time of execution.

9 I confirm the truth and accuracy of the contents of this application. I am aware that it is an offence to make an application containing any assertion or other statement known by me to be false.

Signed at Manukau on _____ day of _____ 20_____.
date month year

Signature of applicant

Sergeant SIMON ANDREW BEAL

SEARCH WARRANT

Section 6 of the Search and Surveillance Act 2012

To every constable, and every authorised officer warranted by the Commissioner of Police under section 24 of the Policing Act 2008 to exercise any search powers under the Search and Surveillance Act 2012.

1. I have received an application under section 6 of the Search and Surveillance Act 2012 for a warrant to search places situated at:

- 73 GRAFTON ROAD, ROSENEATH, WELLINGTON CITY 6011;
- 73B GRAFTON ROAD, ROSENEATH, WELLINGTON CITY 6011.

2. That application was made

in writing, and the truth and accuracy of its contents have been confirmed to me.

3. I am satisfied:

(a) that there are reasonable grounds to suspect that the offence of:

- Accessing a computer system for dishonest purpose under section 249 of Crimes Act 1961, and in respect of which section 6 of the Search and Surveillance Act 2012 authorises an application for a search warrant, has been committed;

(b) and that there are reasonable grounds to believe that the search of the specified places will find evidential material in respect of the offence specified above, namely:

Evidential material comprising of documents in either electronic and/or paper form relating to the authoring of the 'Dirty Politics' book released on Wednesday 13 August 2014.

Evidential material comprising of documents in either electronic and/or paper form relating to the illegally accessed content obtained from Cameron SLATER's email, Facebook and Twitter account.

Evidential material comprising of communications with a person or persons who illegally accessed Cameron SLATER's email, Facebook and Twitter content.

Evidential Material held on the internet or other web based storage system relating to the e-mail account nicky@paradise.net.nz and/or any other such e-mail accounts identified as being accessed

by Nicky HAGER.

Evidential material comprising of any documentation which will reveal the identity of Nicky HAGER's source whether held electronically and/or in paper form.

4. **This warrant authorises you** at any time that is reasonable:
- (a) to enter and search the specified places for the specified evidential material;
 - (b) to seize any of the specified evidential material, or anything else found in the course of carrying out the search or as a result of observations at the specified places, if you have reasonable grounds to believe that you could have seized the item or items under any search warrant that you could have obtained or any other search power that you could have exercised;
 - (c) to use any assistance that is reasonable in the circumstances;
 - (d) to use force in respect of any property that is reasonable in the circumstances to enter or break open or access any area within the specified places for the purposes of carrying out the search and any lawful seizure;
 - (e) to detain any person at the places for the purposes of determining whether there is any connection between that person and the object of the search, if that person:
 - (i) is at the places at the commencement of the search; or
 - (ii) arrives at the places while the search is being carried out.
 - (f) to search any person who:
 - (i) is found at the places; or
 - (ii) arrives at the places;if there are reasonable grounds to believe that the specified evidential material is on that person.
5. The power to enter and search pursuant to this warrant may be exercised on 1 occasion within 14 days from the date of issue.

6. This warrant is issued subject to the following conditions:

DATED at Manukau on _____ day of _____ 20_____.

date

month

year

(signature)

Judge

(name)

Seizure of items

A list of any thing seized will be provided to you as soon as practicable after the seizure, and in any case not later than 7 days after that seizure.

Rights to bring claim of privilege

The owner of any thing seized or the person from whom it is seized has the right to bring a claim to have the thing recognised as subject to one of the following privileges:

- (a) legal professional privilege, to the extent that (under section 53(5) of the Evidence Act 2006) it forms part of the general law;
- (b) privilege for communication with legal advisers;
- (c) privilege for preparatory material to proceedings;
- (d) privilege for settlement negotiations or mediation;
- (e) privilege for communication with ministers of religion;
- (f) privilege in criminal proceedings for information obtained by medical practitioners and clinical psychologists;
- (g) privilege for informers;
- (h) the rights conferred on a journalist under section 68 of the Evidence Act 2006 to protect certain sources.

If you need any further information about the nature of these rights and privileges, or whether they may apply to any items that have been or may be seized, you are advised to seek legal advice.

Any person who wishes to claim privilege in respect of any thing seized or sought to be seized by the police officer in charge of executing a search warrant or exercising a search power:

- (a) must provide the police officer in charge of undertaking the search with a particularised list of the things in respect of which the privilege is claimed, as soon as practicable after being provided with the opportunity to claim privilege or being advised that a search is to be, or is being, or has been conducted; and
- (b) if the thing or things in respect of which the privilege is claimed cannot be adequately particularised in accordance with paragraph (a), may apply to a District Court for directions or relief (with a copy of the thing provided under section 146(b) of the Search and Surveillance Act).

If you have any enquiries about this search you should contact:

at the _____ Police Station at _____

(enter address)

Telephone: _____

SEARCH WARRANT
(COPY)

Section 6 of the Search and Surveillance Act 2012

To every constable, and every authorised officer warranted by the Commissioner of Police under section 24 of the Policing Act 2008 to exercise any search powers under the Search and Surveillance Act 2012.

1. I have received an application under section 6 of the Search and Surveillance Act 2012 for a warrant to search places situated at:

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- Accessing a computer system for dishonest purpose under section 249 of Crimes Act 1961, and in respect of which section 6 of the Search and Surveillance Act 2012 authorises an application for a search warrant, has been committed;

(b) and that there are reasonable grounds to believe that the search of the specified places will find evidential material in respect of the offence specified above, namely:

Evidential material comprising of documents in either electronic and/or paper form relating to the authoring of the 'Diplomacy' book released on Wednesday 13 August 2014.

Evidential material comprising of documents in either electronic and/or paper form relating to the illegally accessed content obtained from Cameron SLATER's email, Facebook and Twitter account.

Evidential material comprising of communications with a person or persons who illegally accessed Cameron SLATER's email, Facebook and Twitter content.

Evidential Material held on the internet or other web based storage system relating to the e-mail

account nicky@paradise.net.nz and/or any other such e-mail accounts identified as being accessed by Nicky HAGER.

Evidential material comprising of any documentation which will reveal the identity of Nicky HAGER's source whether held electronically and/or in paper form.

4. **This warrant authorises you** at any time that is reasonable:
- (a) to enter and search the specified places for the specified evidential material;
 - (b) to seize any of the specified evidential material, or anything else found in the course of carrying out the search or as a result of observations at the specified places, if you have reasonable grounds to believe that you could have seized the item or items under any search warrant that you could have obtained or any other search power that you could exercise;
 - (c) to use any assistance that is reasonable in the circumstances;
 - (d) to use force in respect of any property that is reasonable in the circumstances to enter or break open or access any area within the specified places for the purposes of carrying out the search and any lawful seizure;
 - (e) to detain any person at the places for the purposes of ascertaining whether there is any connection between that person and the object of the search, if that person:
 - (i) is at the places at the commencement of the search; or
 - (ii) arrives at the places while the search is being carried out.
 - (f) to search any person who:
 - (i) is found at the places; or
 - (ii) arrives at the places;if there are reasonable grounds to believe that the specified evidential material is on that person.
5. The power to enter and search pursuant to this warrant may be exercised on 1 occasion within 14 days from the date of issue.

6. This warrant is issued subject to the following conditions:

DATED at Manukau on _____ day of _____ 20____.

date *nth* *year*

Judge _____ (signature)

_____ (name)

Seizure of items

A list of any thing seized will be provided to you as soon as practicable after the seizure, and in any case not later than 7 days after that seizure.

Rights to bring claim of privilege

The owner of any thing seized or the person from whom it is seized has the right to bring a claim to have the thing recognised as subject to one of the following privileges:

- (a) legal professional privilege, to the extent that (under section 53(5) of the Evidence Act 2006) it forms part of the general law;
- (b) privilege for communication with legal advisers;
- (c) privilege for preparatory material to proceedings;
- (d) privilege for settlement negotiations or mediation;
- (e) privilege for communication with ministers of religion;
- (f) privilege in criminal proceedings for information obtained by medical practitioners and clinical psychologists;
- (g) privilege for informers;
- (h) the rights conferred on a journalist under section 68 of the Evidence Act 2006 to protect certain sources.

If you need any further information about the nature of these rights and privileges, or whether they may apply to any items that have been or may be seized, you are advised to seek legal advice.

Any person who wishes to claim privilege in respect of any thing seized or sought to be seized by the police officer in charge of executing a search warrant or exercising a search power:

- (a) must provide the police officer in charge of undertaking the search with a particularised list of the things in respect of which the privilege is claimed as soon as practicable after being provided with the opportunity to claim privilege or being advised that a search is to be, or is being, or has been conducted; and
- (b) if the thing or things in respect of which the privilege is claimed cannot be adequately particularised in accordance with paragraph (a), may apply to a District Court for directions or relief (with a copy of the thing provided under section 46(b) of the Search and Surveillance Act).

If you have any inquiries about this search you should contact:

at the _____ Police Station at _____

(enter address)

Telephone: _____

NOTICE TO OCCUPIER, OR THE PERSON IN CHARGE OF VEHICLE OR OTHER THING**Copy of search warrant**

This document is a copy of a search warrant which has been executed in the place, vehicle or other thing commencing on/...../..... atam/pm and the search completed on/...../..... atam/pm

The original signed copy of the search warrant is held and retained by police. This unsigned copy is provided for your information.

Seizure of items

Items have/have not been seized pursuant to this warrant.

A list of any thing seized will be provided to you as soon as practicable after the seizure, and in any case not later than 7 days after that seizure.

Rights to bring claim of privilege

The owner of any thing seized or the person from whom it is seized has the right to bring a claim to have the thing recognised as subject to one of the following privileges:

- (a) legal professional privilege, to the extent that (under section 10 of the Evidence Act 2006) it forms part of the general law;
- (b) privilege for communication with legal advisers;
- (c) privilege for preparatory material to proceedings;
- (d) privilege for settlement negotiations or mediation;
- (e) privilege for communication with ministers of religion;
- (f) privilege in criminal proceedings for information obtained from medical practitioners and clinical psychologists;
- (g) privilege for informers;
- (h) the rights conferred on a journalist under section 226 of the Evidence Act 2006 to protect certain sources.

If you need any further information about the nature of the rights and privileges, or whether they may apply to any items that have been or may be seized, you are advised to seek legal advice.

Any person who wishes to claim privilege in respect of any thing seized or sought to be seized by the police officer in charge of executing a search warrant or exercising a search power:

- (a) must provide the police officer in charge of undertaking the search with a particularised list of the things in respect of which the privilege is claimed, as soon as practicable after being provided with the opportunity to claim privilege or being advised that a search is to be, or is being, or has been conducted; and
- (b) if the thing in respect of which the privilege is claimed cannot be adequately particularised in accordance with paragraph (a), must apply to a District Court for directions or relief (with a copy of the thing provided under section 146(b) of the Search and Surveillance Act).

If you have any enquiries about this search you should contact:

at the _____ Police Station at _____

(enter address)

Telephone: _____

Appendix A

73 and 73B Grafton
Road, Roseneath,
Wellington

MAP VIEW OF 73 and 73B GRAFTON ROAD, ROSENEATH, WELLINGTON

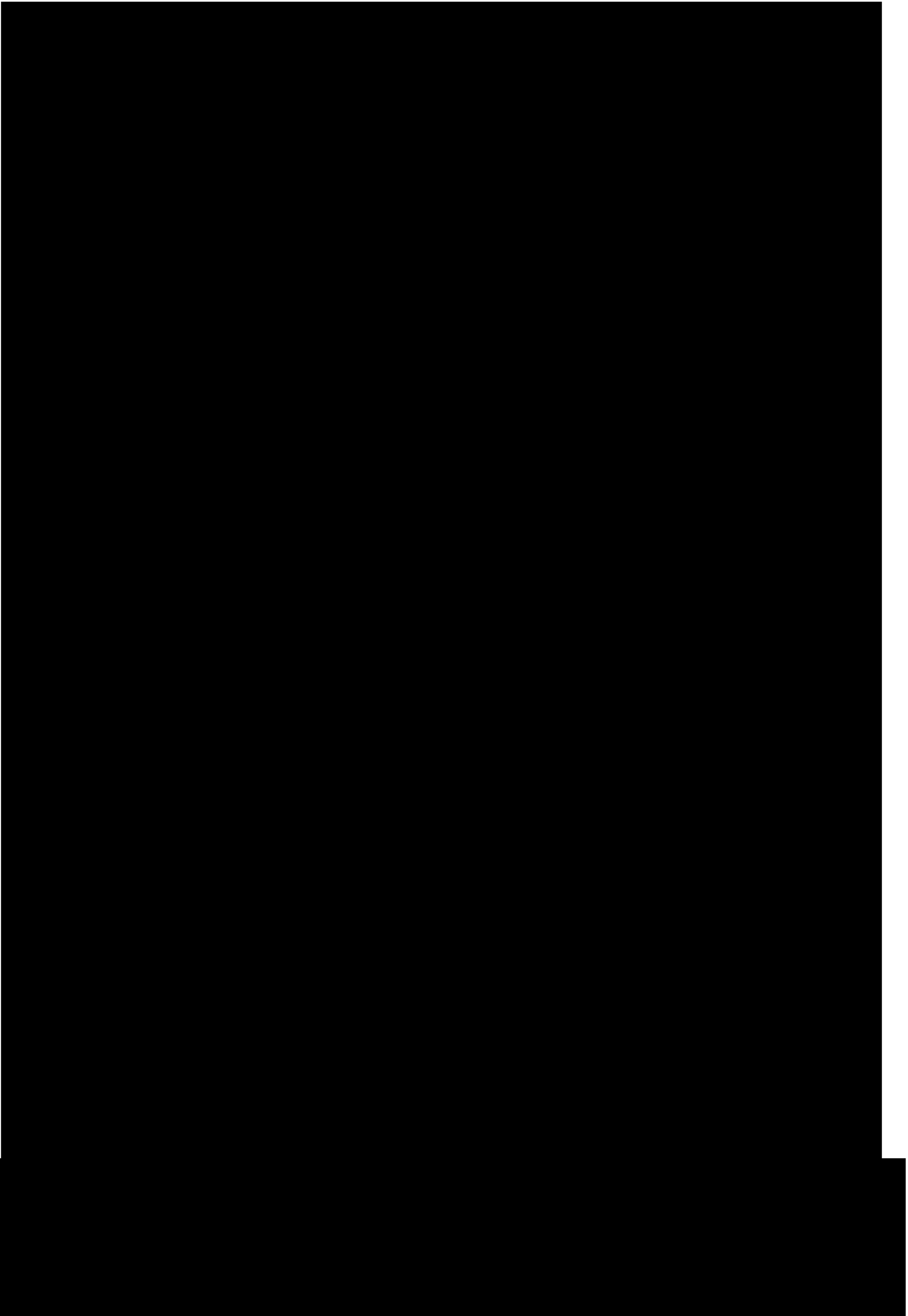


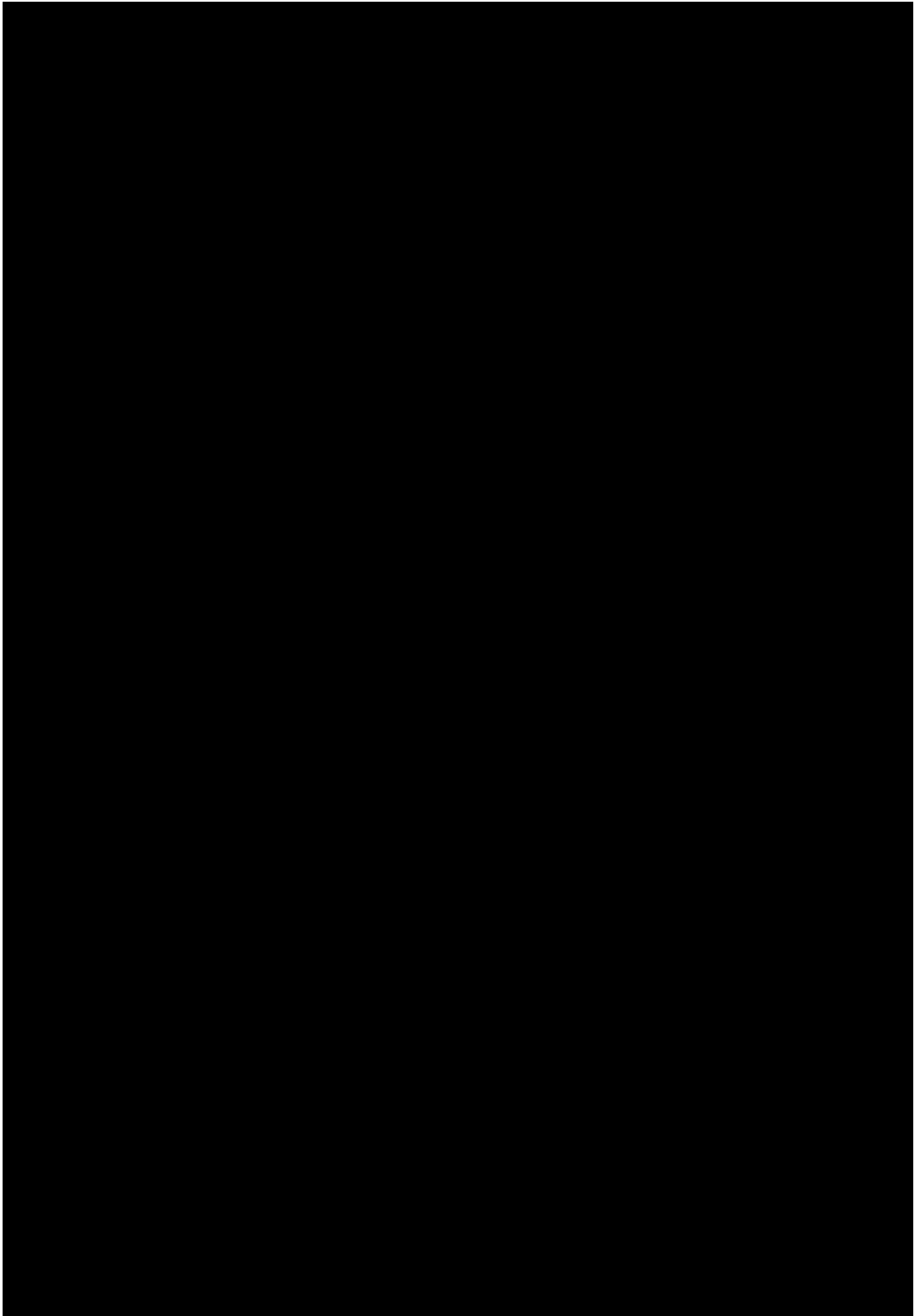
SOURCE: GOOGLEMAPS, 2 MARCH 2009

MAP VIEW OF 73 and 73B GRAFTON ROAD, ROSENEATH, WELLINGTON



SOURCE: NZ Police MapIT application.





10195

N.Z. POLICE

Police 29
11/97

J O B S H E E T

Due _____

File _____

OFFENCE: Operation Oracle – Accessing a computer system for dishonest purpose

DATE and
TIME

First plan your inquiry then set out the action taken, inquiries made, oral statements of persons seen and information gained, etc.

2/10/2014

INTRODUCTION

While working early shift 07:30 – 15:30 hrs, I was attached to the Counties Manukau Criminal investigation branch, Major Crime Team.

I was assigned to work on Operation Oracle, an investigation into the illegal accessing of Cameron SLATERS email and social media content.

A search warrant was executed at 73 Grafton Road, Roseneath, Wellington.

This is the home address for Nicky HAGER, the author of the 'Dirty Politics' book.

I was assigned Officer in charge of exhibits for this search warrant.

Detective Annalise FERGUSON, Neil PARSONS, Jason ABBOT of the Wellington CIB members assisted with the search of the address.

07:45 hrs

Search warrant executed at the address by Detective Sergeant Simon BEAL.

I tasked Detective Jason ABBOT and Neil PARSONS to search the mezzanine floor area of the address.

During the course of their search, Detective ABBOT advised me of a piece of paper he located [REDACTED]

This piece of paper was subsequently seized and assigned the identifying number NH025.

LOCATION OF ITEM

This piece of paper was seized during the course of the search warrant and is now located at the Auckland High court, subject to a journalistic privilege hearing.

Name: Joseph Teo

Rank: Detective

Date: 22/10/2014

QID JTAB35

Checked by:

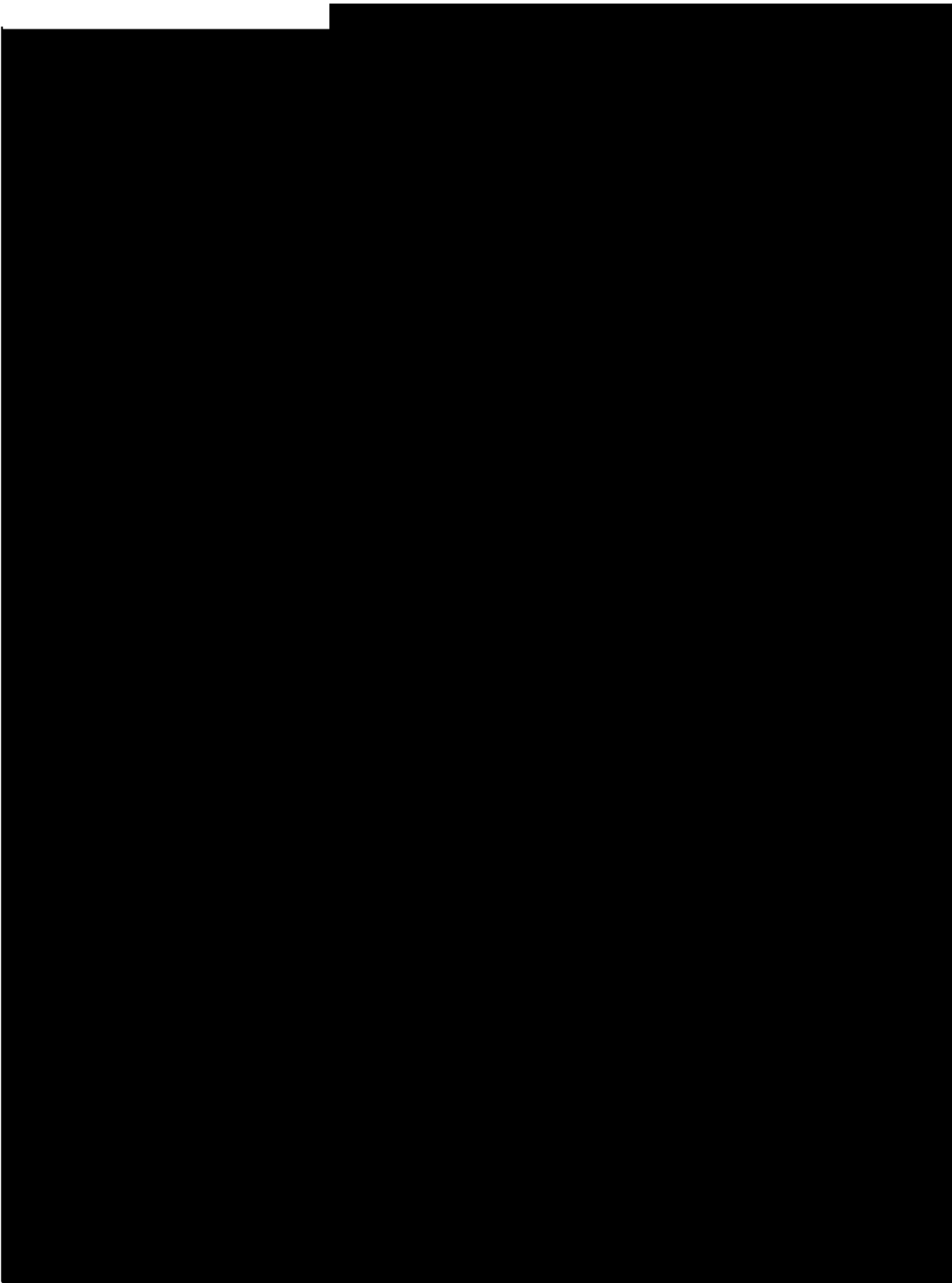
Rank:

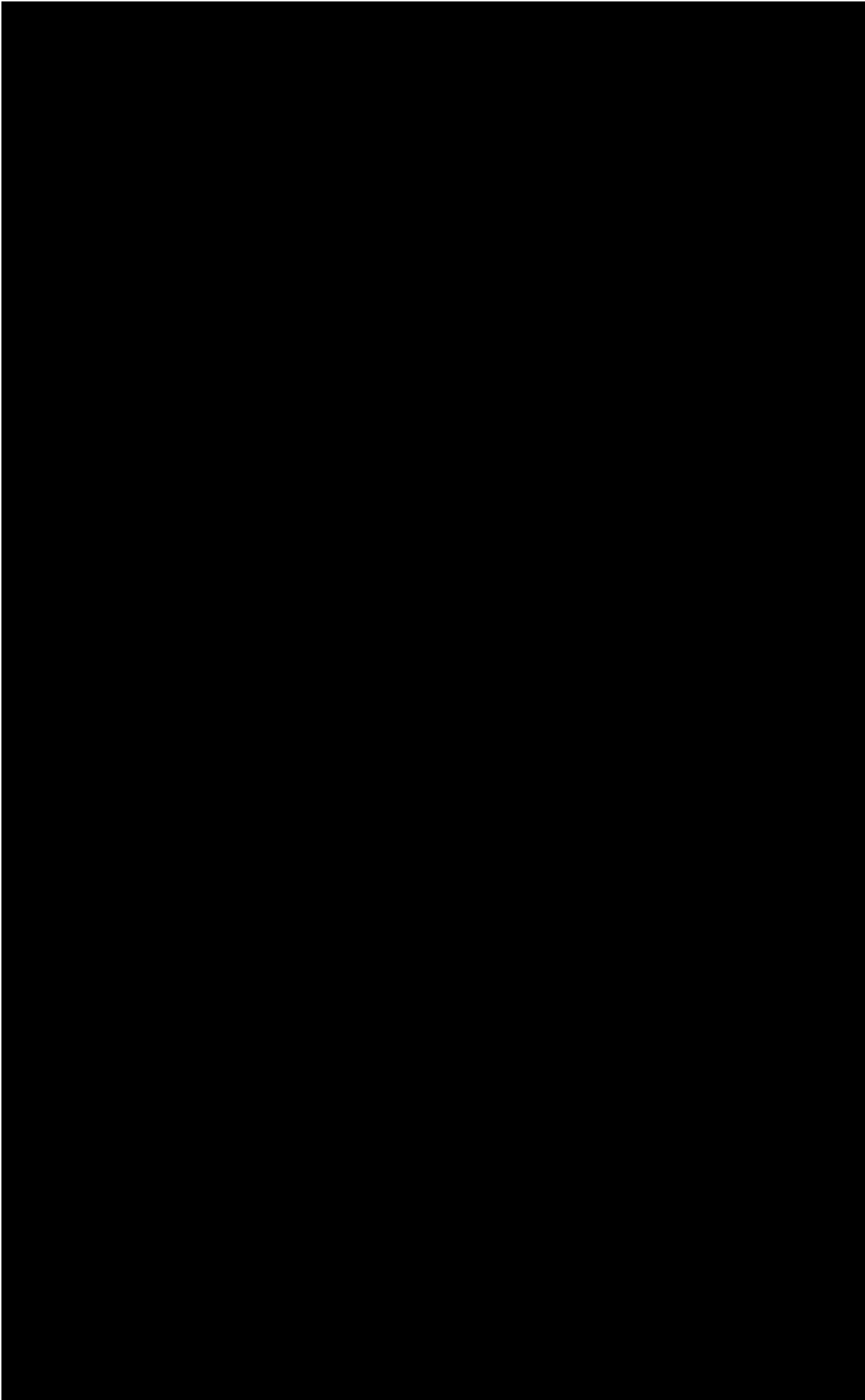
Date: 22/10/2014

QID

POL.10000.0195

1500





SENSITIVE



OPERATION ORACLE

Accessing a Computer System for Dishonest Purpose

1st October 2014

Distribution List:
Detective Inspector David LYNCH
Detective Sergeant Simon BEAL
Detective Joseph TEO
Detective Rachelle SMITH
ECL Ian Donovan
Detective Jason ABBOTT

1518

POL.50000.0008

SITUATION

- 1.1 The Complainant in this matter is Cameron SLATER, a political commentator based in Auckland New Zealand.
- 1.2 Since 2005 SLATER has maintained a blog website Whale Oil Beef Hooked located on the internet.
- 1.3 In late February or early March 2014 SLATER believes that his website hosted in the US and his e-mail and social media accounts of:

- Twitter - @whaleoil
- Facebook – [cam.j.slater@facebook.com](https://www.facebook.com/cam.j.slater) and [whaleoilblogger@facebook.com](https://www.facebook.com/whaleoilblogger)
- Google email account – camslater@gmail.com.

Were compromised by a hacker(s). At this time SLATER believes that up to 80GB of data was obtained from his gmail account.

- 1.4 On 13th August 2014, Nicky HAGER a political author released a book named “Dirty Politics”. HAGER has stated in the book that the book was based on data provided to HAGER on a 8 gigabyte storage thumb drive containing SLATER’s illegally accessed private communication. The ‘Dirty Politics’ book contains a large amount of extracts from SLATER emails, Facebook and Twitter account conversations that he has between friends, business colleagues and other associates.
- 1.5 In a number of interviews that HAGER has provided since the release of the book he has stated:
 - He knows the hacker personally,
 - That he has met the hacker on various occasions,
 - He is aware the hacker has committed a criminal offence and to protect the hackers identity he has returned the contents of the 8GB flash drive to the hacker,
 - He will not name the hacker voluntarily.

- 1.6 SLATER made a formal complaint to Police on 25th August 2014.



- 1.8 Nicky HAGER is an investigative author who has produced a number of books regarding Politics, Intelligence services and spy tactics. He is believed to be very surveillance aware.
- 1.9 Nicky HAGER resides at 73 Grafton Road Roseneath Wellington.

MISSION

- 2.1 To safely execute a Search Warrant at 73 Grafton Road Roseneath Wellington. Recover evidence of the communication with and identity of the hacker(s) who accessed SLATERS computer systems.
- 2.2 To interview if possible Nicky HAGER as a witness in regard to his knowledge of the hacker.

EXECUTION

- 3.1 The address is to be searched in company with ECL digital forensic analyst Ian Donovan.
- 3.2 All mobile phones and electronic storage devices are to be identified and located.
- 3.3 Nicky HAGER is an author and may claim Journalistic Privilege under section 68 of the Evidence Act 2006. If this claim is made under S136(1)(i) of the SSA 2012 then sections 145 to 148 of the SSA 2012 apply. The items to which privilege is claimed will have to be seized, secured and then a determination by an appropriate Judge (High Court) as to whether the material is privileged.

- 3.4 Should privilege be claimed then all items subject of that claim will need to be sealed, secured and signed (by HAGER and Police) at the scene.
- 3.5 Should privilege be claimed regarding any online searching of e-mails at the scene and this material cannot be secured in the same manner an undertaking will be provided that the ECL member will not release or disclose this information to the investigators.
- 3.6 All attending Police staff are to be aware that the subject HAGER will potentially be expecting Police to conduct this search warrant and may have covert recording devices situated about the property to record all interaction with Police. It is imperative with the high profile nature of this matter that all staff act in a professional manner at all times.
- 3.7 Execution of the search warrant is to be undertaken in a low key manner. HAGER at this point in time is to be treated as a witness and any damage caused will be noted and repaired/remedied whilst at the address.
- 3.8 Briefing to be held at PNHQ at 06.30hrs on 2nd October 2014.
- 3.9 Anticipated Execution at 07.30hrs on 2nd October 2014.

ADMINISTRATION and LOGISTICS

4.1. Deployment to Target Addresses:

73 Grafton Road Roseneath Wellington (Potentially 2 separate residences which are both covered)

OC Warrant	- DS BEAL
OC HAGER	- DS BEAL
OC Exhibits	- Detective TEO
Searchers	- Detective ABBOT and two further to be named.
ECL Forensic Analyst	- Ian DONOVAN

This property is down a long driveway and is hidden from the road. The property will potentially having recording equipment at the address

4.2 Media Releases

There is a strong likelihood of Media interest should they become aware and potential Media attendance at the scene. Any Media communication to be handled by Ross Henderson PNHQ.

4.3 Uniform

Smart non uniform attire with full appointments as applicable are to be worn.

4.4 Intelligence

OC Exhibits to prepare standard Post Search Warrant intelligence noting.

4.5 Meals

Not provided, any expenditure or meals to be claimed in usual manner.

4.6 Vehicles

Hire Vehicle	- BEAL, TEO.
Wellington Vehicle	- ABBOTT + 2
ECL Vehicle	- DONOVAN

COMMAND and SIGNALS

Command

Detective Sergeant BEAL is 2I/C Case and will provide updates to OC DI LYNCH and other Police parties during and post the execution of the search.

Signals

DS BEAL	- [REDACTED]
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Det TEO
Det ABBOTT
ECL DONOVAN



NZ Police - RESTRICTED - Criminal Investigation Database
General Access

Operation Name: ORACLE

Thursday 22/01/2015

Directive Number: 4
Description: CYBERCRIME
Status: ACTIVE
Source IR: 1

Assigned To:	sbar61 (Simon Beal)	Squad:	2IC
External Target:			
Type:	GENERAL INVESTIGATION	Class:	IMMEDIATE
Assigned by:	sbar61 (Simon Beal)	on:	03/09/2014

INSTRUCTIONS

Liaise with CyberCrime to identify the avenues open for the investigation.

Cyber crime to work on:

Whaledump tweets to find hacker details
E-mail names used by hacker in March Hack

Rawshark and Whale dump name review
Individuals in New Zealand with the right skill set

PROGRESS

NZ Police - RESTRICTED - Criminal Investigation Database
General Access

Thursday 22/01/2015

Operation Name: ORACLE

Directive Number: 14
Description: VANUATU Enq - Immigration checks
Status: ACTIVE
Source IR: 1

Assigned To:	rsbe65 (Rachelle Smith)	Squad:	2IC
External Target:			
Type:	GENERAL INVESTIGATION	Class:	IMMEDIATE
Assigned by:	sbar61 (Simon Beal)	on:	18/09/2014

INSTRUCTIONS

Whaledump and whaledump 2 twitter accounts are supposed to be the tweets of the hacker or Rawshark.

On a tweet on 22nd August Whaledump states that they are in Vanuatu.

To Do:

Contact Airline Carriers to Vanuatu to obtain manifests of persons who would be there on 22nd August.

Contact Immigration to see if they are able to provide details of NZ citizens and residents to see if they are able to say who was there on that date.

PROGRESS

18/09/2014 - 1105hrs rang immigration on [REDACTED]. Spoke to [REDACTED]

Asked her if it was possible to find out who all the New Zealanders in Vanuatu on the 22nd of August 2014 were. She sent me an official information request form to fill out which will be sent to their investigations team to see what information they will be able to give us. She stated that it may be very difficult as they only hold the first port that people will exit the aircraft from. Apparently some flights go via Fiji so they won't hold information on which country people have gone to from there. So if our hacker has gone to Vanuatu from any other country other than NZ, we won't be able to get that information.

18/09/2014 1250hrs OIA Information request emailed to immigration.

19/09/2014 13:12hrs Response from immigration NZ
[REDACTED]

Hello Rachelle

I have looked at your request and there is nothing I can do from this end of the scale, I am afraid..
You might want to try NZ Customs..

By the way, both [REDACTED] and [REDACTED] are no longer with the department..

Kind regards

[REDACTED]
Senior Officer

Immigration New Zealand

Labour Group – Ministry of Business, Innovation & Employment

Lvl 3, Kordia House|109-125 Willis Street, Wellington|PO Box 3705
Tel: [REDACTED]
Email: [REDACTED]

Will speak to [REDACTED] from Customs (currently working with organised crime) on Monday to find out the best contact for this information request.

[REDACTED]

23/09/2014 - [REDACTED] from Customs is going to send me a spreadsheet showing all people who flew direct from NZ to Vanuatu for the two weeks prior and two weeks after 22nd August 2014. - Same problem as immigration though, no information held if they flew there from somewhere else other than NZ.

[REDACTED]

[REDACTED]

[REDACTED]

23/09/2014 - Received spreadsheet from [REDACTED] with details of all passengers who have travelled direct from Auckland to Vanuatu. (Approx 2500 people in the spreadsheet).

Have forwarded spreadsheets to Nichola NUTSFORD at intel to see what plan we can come up with in relation to analysing this information.

NZ Police - RESTRICTED - Criminal Investigation Database
General Access

Thursday 22/01/2015

Operation Name: ORACLE

Directive Number: 20
Description: ANALYSIS - Online Media
Status: ACTIVE
Source IR: 1

Assigned To:	jtab35 (Joseph Teo)	Squad:	2IC
External Target:			
Type:	GENERAL INVESTIGATION	Class:	IMMEDIATE
Assigned by:	sbar61 (Simon Beal)	on:	22/09/2014

INSTRUCTIONS

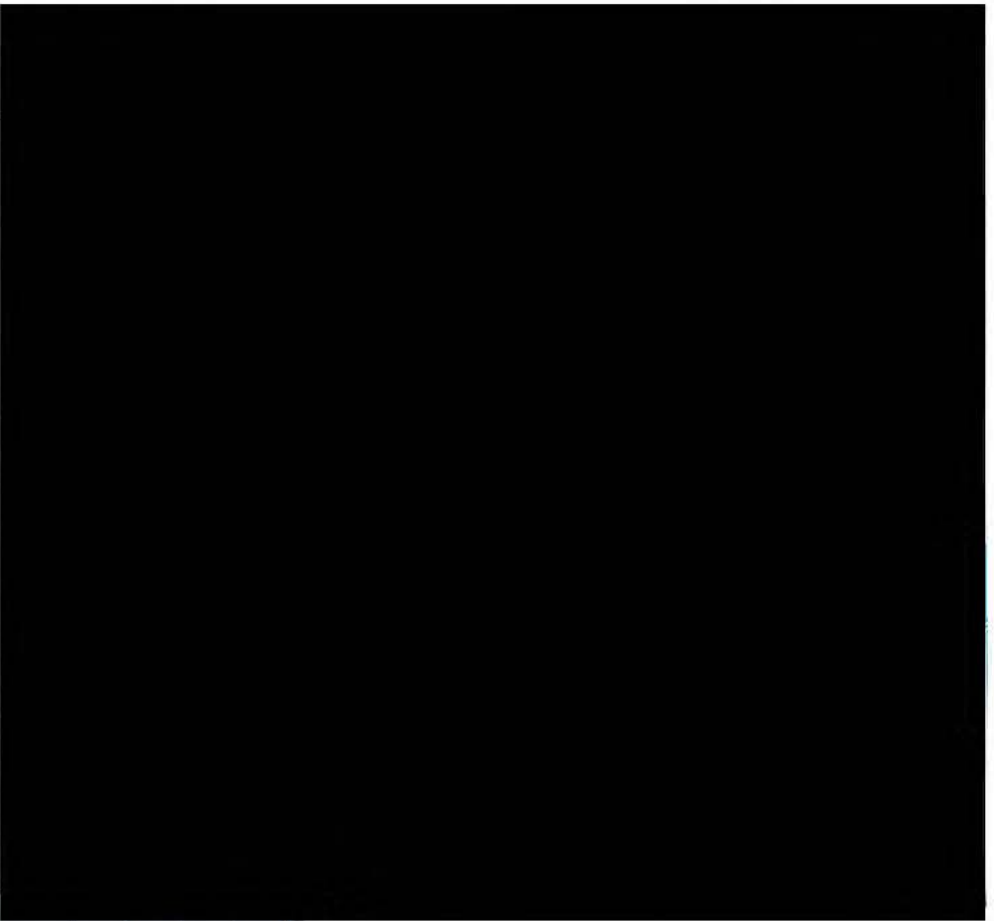
The twitter account of Whaledump and Whaledump2 appear to be the only direct outlet for any person purporting to be the actual Hacker.

To Do:

Compare the [REDACTED] used by Whaledump and Whaledump2 and compare to the [REDACTED]

[REDACTED]

PROGRESS



	cells
19 20	Engs re 73 Graftor Rd Rosemont
	IL
20 30	old dist

2 / 10 / 14

Conduct key word searches - for email.

0845 hrs. -

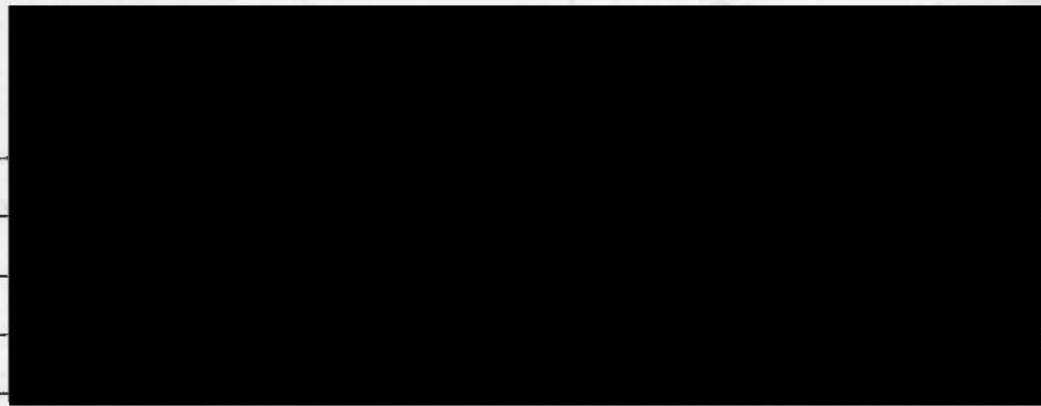
- 1x email photo graphed -

ZIP folder - n7.

Flagged. - n7

Drafts - n7.

Aut.



AF 140793 - 2 - 7 onwards

Items from Bedroom 2

NH001 -

NH002 -

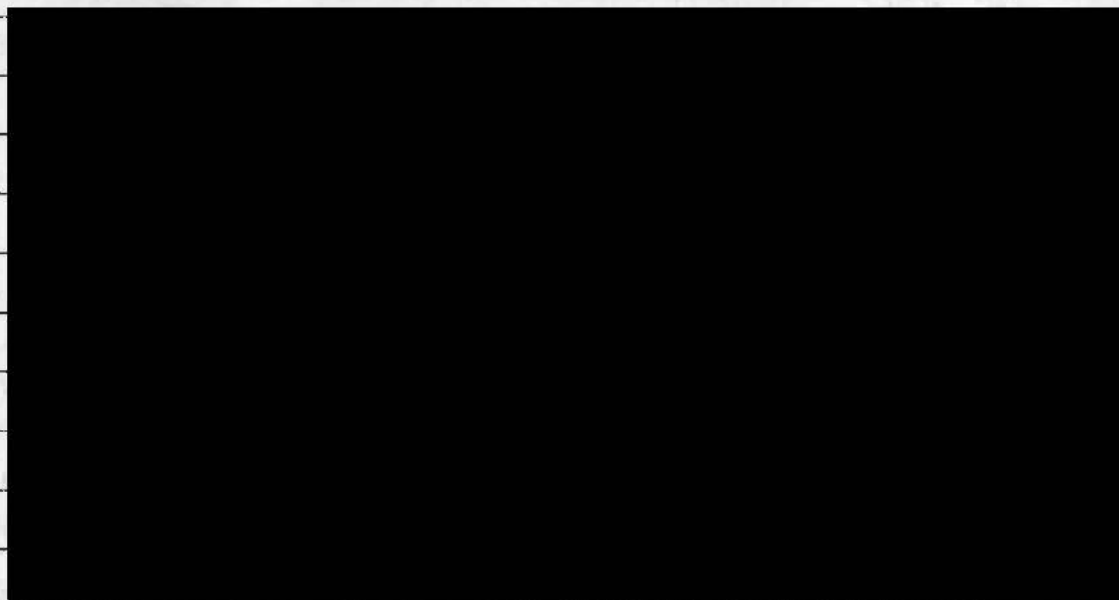
NH003 -

NH004 -

NH005 -

NH006 -

NH007 -



Items Bedroom 1

NH008 -

NH009 -

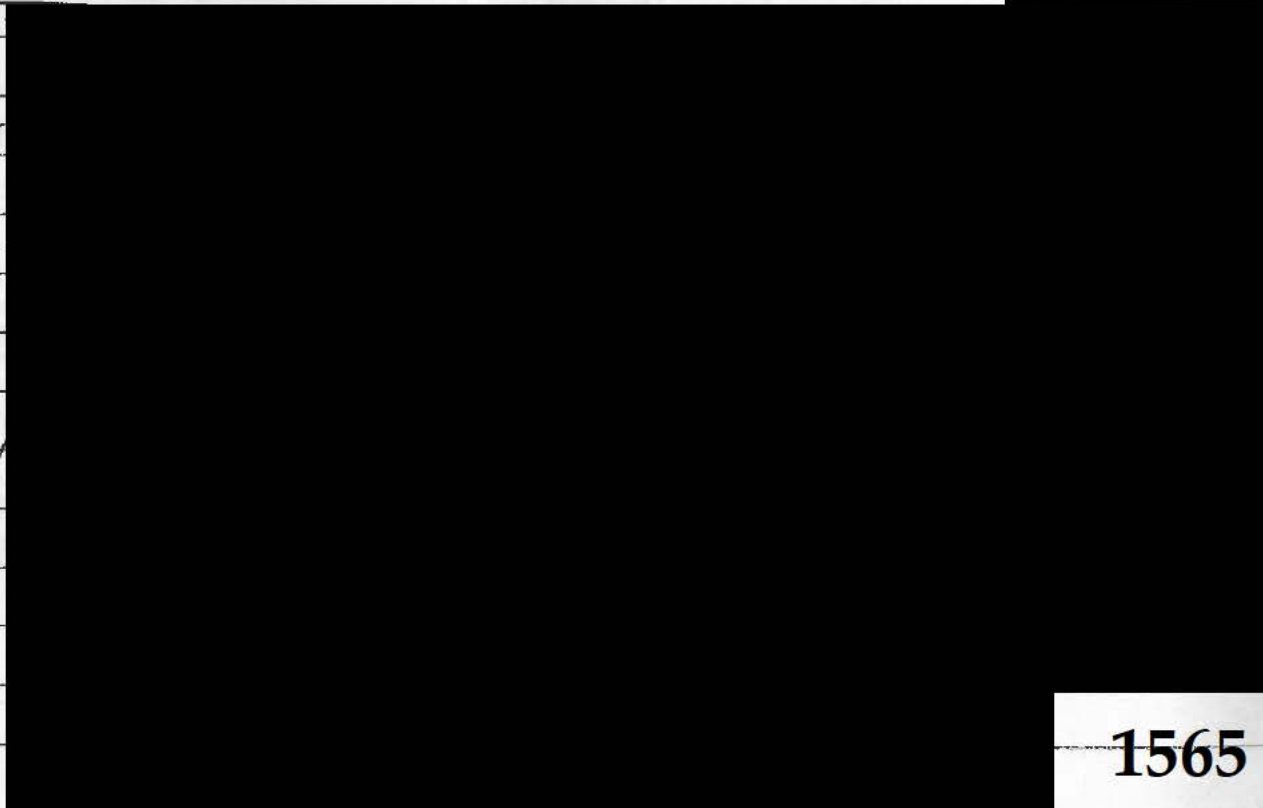
NH010 -

NH011 -

NH012 -

NH013 -

NH014 -



NH015 -

NH016 -

NH017 -

Mezzanine floor

NH018 -

NH019 -

NH020 -

NH021 -

NH022 -

NH023 -

NH024 -

NH025 -

NH026 -

1255 hrs. -

13/12 hrs shut down HADPAC computer