

18 February 2021

By email:

fyi-request-14553-637c6741@requests.fyi.org.nz

Dear Mr Gray

Request for information about the Labour Party and National Party donations investigations

I refer to your email dated 27 January 2021 requesting the following information:

- “1. What is the current status on the Labour Party Donation investigation?*
- 2. When will this investigation into the Labour Party be completed?*
- 3. Can you confirm the investigation is into Chinese Communist Party links to these Labour Party donations?*
- 4. What is the current status of the investigation into donations to the National Party?*
- 5. When will this investigation into National Party Donations be completed?*
- 6. Can you confirm the investigation is into Chinese Communist Party links to these National Party donations?*
- 7. Please supply the name and position of the person who approved for the two above investigations in question to be delayed. On what grounds were the delays made?”*

We have considered your request for information under both the Serious Fraud Office Act 1990 (**SFO Act**) and the Official Information Act 1982 (**OIA**). We have addressed each of your questions in turn below.

- 1. What is the current status on the Labour Party Donation investigation?*

The SFO investigation into Labour Party donations is ongoing and no charges have been filed.

- 2. When will this investigation into the Labour Party be completed?*

At this stage, we cannot put a timeframe on the investigation. The matters the SFO investigates are serious and complex, and investigations can be lengthy.

- 3. Can you confirm the investigation is into Chinese Communist Party links to these Labour Party donations?*

By virtue of s 10 of the OIA, we do not confirm or deny the existence or non-existence of the information requested pursuant to s 18(b) of the OIA.

4. *What is the current status of the investigation into donations to the National Party?*

The National Party donations case is at the prosecution stage. Charges were filed against four people on 29 January 2020. The trial has been scheduled to commence in the Auckland High Court on 6 September 2021. We note that the timetabling of court hearings is subject to the discretion of the Court and there is the possibility that dates may change.

You can find further updates about SFO prosecutions on the SFO website: <https://www.sfo.govt.nz/>.

5. *When will this investigation into National Party Donations be completed?*

The investigation has concluded, and a prosecution has commenced. Please see the answer to question four above.

6. *Can you confirm the investigation is into Chinese Communist Party links to these National Party donations?*

By virtue of s 10 of the OIA, we do not confirm or deny the existence or non-existence of the information requested pursuant to s 18(b) of the OIA. We also note that we cannot comment on this matter as it is currently before the Courts.

7. *Please supply the name and position of the person who approved for the two above investigations in question to be delayed. On what grounds were the delays made?*

The Director of the SFO makes decisions in relation to the conduct of investigations. The current Director of the SFO is Julie Read.

We are not aware of any decisions made to delay these investigations. In any event, we consider that the second part of this question, relating to your assertion over the delay, is not related to “official information” for the purposes of the OIA and we, therefore, refuse to provide this information.

You are entitled to make a complaint about our decision to the Office of the Ombudsman. They can be contacted at P O Box 10152, Wellington 6143 or at office@ombudsman.parliament.nz.

Yours sincerely



Kylie Cooper
Deputy General Counsel