

Hon Kris Faafoi

Minister of Justice
Minister for Broadcasting and Media
Minister of Immigration



Adam Irish
fyi-request-15809-ae21e548@requests.fyi.org.nz

Dear Mr Irish

Official Information Act request: Disclosures relating to appointment of the Race Relations Commissioner

Thank you for your email of 16 June 2021 requesting, under the Official Information Act 1982 (the Act), information relating to disclosures made during the appointment of the Race Relations Commissioner. Specifically, you requested:

I request under the Official Information Act all documents and advice provided at the time of appointment to Race Relations Commissioner position by Mr Meng Foon for disclosures made regarding his involvement or historical ownership of "Meng's Place", "a pokie bar" or if he had advised that he had historically sought licenses for "gaming and/or gambling activities".

Additionally, I request any document that may have been submitted to you since appointment that brought these past activities to your attention under the no surprises framework.

In response to the first part of your request, there were no documents or advice provided to me at the time of considering the appointment of the Race Relations Commissioner regarding his previous business activities. Therefore, I am refusing this part of your request under section 18(g) of the Act, as the information requested is not held by me and I have no grounds for believing it is held by another agency or Minister.

In response to the second part of your request, attached as **Appendix A** are details of the three documents identified as in scope of your request and my decisions on release. Some information has been withheld under section 9(2)(a) of the Act, as the withholding of the information is necessary to protect the privacy of natural persons.

I am satisfied that there are no public interest considerations that render it desirable to make available the information being withheld under section 9 of the Act.

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Kris Faafoi', written over a faint, illegible background.

Hon Kris Faafoi
Minister of Justice

From: s9(2)(a) on behalf of [K Faafoi \(MIN\)](#)
To: s9(2)(a)
Subject: FW:Fwd: Consultation regarding DIA investigation
Date: Monday, 1 February 2021 8:14:06 am
Attachments: [image001.jpg](#)

Many thanks

s9(2)(a)

s9(2)(a)

Private Secretary (Executive Support) to Hon Kris Faafoi

Minister of Justice, Minister of Broadcasting and Media, Minister of Immigration

From: Meng Foon s9(2)(a)
Sent: Monday, 1 February 2021 7:55 AM
To: K Faafoi (MIN) <k.faafoi@ministers.govt.nz>
Subject: Fwd: Consultation regarding DIA investigation

Tena koe Minister Faafoi

No surprises
I'm have an enquiry from the ombudsman

Meng
Get [Outlook for iOS](#)

From: Meng Foon s9(2)(a)
Sent: Monday, February 1, 2021 7:52:55 AM
To: Paul Hunt s9(2)(a) ; Rebecca Elvy <RebeccaE@hrc.co.nz>; Commissioners <Commissioners@hrc.co.nz>
Subject: Fwd: Consultation regarding DIA investigation

No surprises

Meng
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From: Meng Foon s9(2)(a)
Sent: Friday, January 29, 2021 9:42 AM
To: Tom Nelson
Subject: Re: Consultation regarding DIA investigation

Thanks Tom

I have no records as it was all a manual process
All applications were paper based
Our machine supplier was lion foundation
Everything that I did was lawful
I don't recall any DIA concern on my operations

Meng

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From: Tom Nelson <Tom.Nelson@ombudsman.parliament.nz>
Sent: Friday, January 29, 2021 9:10:08 AM
To: Meng Foon [s9\(2\)\(a\)](#)
Subject: RE: Consultation regarding DIA investigation

Tena koe Meng Foon

Thank you for the additional information.

I understand that the investigation related to events prior to your sale of the business to Shane Te Kani.

Mr Boshier wished to seek your comments on any effect the release of the additional summary information identified in his letter might have on you personally. Do you wish to provide any further comments about how this might affect you before Mr Boshier forms an opinion on the matter?

Nga mihi

Tom Nelson

Investigator

Office of the Ombudsman | Tari o te Kaitiaki Mana Tangata

Phone 04 460 9717 | Fax 04 471 2254

Email info@ombudsman.parliament.nz | www.ombudsman.parliament.nz

PO Box 10152, Level 7, SolNet House, 70 The Terrace, Wellington



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From: Meng Foon [s9\(2\)\(a\)](#)
Sent: Friday, 29 January 2021 7:56 AM

To: Tom Nelson <Tom.Nelson@ombudsman.parliament.nz>

Subject: Re: Consultation regarding DIA investigation

Morena Re records of matters you have ask for

The reply is similar to DIA

I was not the owner of the TAB on the said years

I sold my business to Shane Te Kani

The business than changed hands in 2001 to Alan Thompsom

Our family was the land lord for the Kaiti Mall which includes the premises of the TAB

I have no records of the TAB and associated

I was elected mayor in October 2001

Thanks for asking

Meng Foon

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From: Tom Nelson <Tom.Nelson@ombudsman.parliament.nz>

Sent: Thursday, January 28, 2021 4:40:34 PM

To: s9(2)(a)

Subject: Consultation regarding DIA investigation

Dear Meng Foon

Please find attached a letter from Chief Ombudsman Peter Boshier.

Kind regards

Tom Nelson

Investigator

Office of the Ombudsman | Tari o te Kaitiaki Mana Tangata

Phone 04 460 9717 | Fax 04 471 2254

Email info@ombudsman.parliament.nz | www.ombudsman.parliament.nz

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RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: s9(2)(a) on behalf of [K Faafoi \(MIN\)](#)
To: s9(2)(a)
Subject: FW: DIA official information investigation
Date: Monday, 12 April 2021 8:45:00 am
Attachments: [image001.jpg](#)
[0_1-525338-4436875.pdf](#)

Is this for Justice?

Many thanks

s9(2)(a)

s9(2)(a)

Private Secretary (Executive Support) to Hon Kris Faafoi

Minister of Justice, Minister for Broadcasting and Media, Minister of Immigration

From: Meng Foon s9(2)(a)
Sent: Friday, 9 April 2021 7:19 PM
To: K Faafoi (MIN) <k.faafoi@ministers.govt.nz>
Cc: Rebecca Elvy <RebeccaE@hrc.co.nz>
Subject: Fwd: DIA official information investigation

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From: Meng Foon s9(2)(a)
Sent: Friday, April 9, 2021 7:18:45 PM
To: Commissioners <Commissioners@hrc.co.nz>; Rebecca Elvy <RebeccaE@hrc.co.nz>; Tricia Keelan <TriciaK@hrc.co.nz>
Subject: Fwd: DIA official information investigation

FYI

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From: Tom Nelson <Tom.Nelson@ombudsman.parliament.nz>
Sent: Friday, April 9, 2021 4:15:15 PM
To: s9(2)(a)
Subject: DIA official information investigation

Kia ora Meng

Please find attached a letter from Chief Ombudsman Peter Boshier.

Nga mihi

Tom Nelson

Investigator
Office of the Ombudsman | Tari o te Kaitiaki Mana Tangata

Phone 04 460 9717 | Fax 04 471 2254

Email info@ombudsman.parliament.nz | www.ombudsman.parliament.nz

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RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Our ref 525338 (Complaint ground: 525346)
Contact Tom Nelson
9 April 2021

**Ombudsman**
Fairness for all

Mr Meng Foon
By email: s9(2)(a)

Dear Meng Foon

Department of Internal Affairs OIA Investigation

I refer to my previous letter of 28 January 2021, concerning my investigation of the Department of Internal Affairs' decision to refuse a request for information relating to an investigation concerning you and a Gisborne TAB outlet in 2001/2002.

I asked you for your views on how the release of the information I identified in my last letter might affect you. Thank you for your comments. I have taken them into consideration.

My Assistant Ombudsman Magnus O'Neill discussed this matter with you yesterday evening, and I understand that he explained to you what my final report and recommendation would likely say.

I have today formed the final opinion that the Department was entitled to withhold copies of the documents requested. However, the public interest in the availability of information which promotes public sector accountability outweighed the reasons for withholding to the extent that the release of further summary information concerning the nature of allegations and preliminary investigation conclusions is warranted.

I have recommended that the Department releases further summary information along the lines outlined to you in my previous letter, with emphasis that any findings of the investigation report were preliminary in nature and do not appear to have been finalised. I have asked the Department to provide you with a copy of that summary information at the relevant time.

I have asked the Department to advise me by 23 April 2021 the steps that it will take to give effect to my recommendation.

Yours sincerely

s9(2)(a)

Peter Boshier
Chief Ombudsman

Appendix A - Table of documents

No	Date	Doc Type	Title	Decisions on release
1	01/02/2021	Email	FW:Fwd: Consultation regarding DIA investigation	Some information withheld under section 9(2)(a)
2a	09/04/2021	Email	FW: DIA official information investigation	Some information withheld under section 9(2)(a)
2b	09/04/2021	Letter	Attachment to 2a: 0_1-525338-4436875.pdf	Some information withheld under section 9(2)(a)