



7 September 2023

By email to: fyi-request-23768-c3647e7e@requests.fyi.org.nz

Attention: Cameron Slater

Request for information about the cost of political donation prosecutions (CON0010246)

We refer to your request dated 10 August 2023 (submitted through the FYI website) for the following official information in relation to the prosecution of individuals in connection with donations made to the National, Labour and NZ First parties:

1. *The total cost of the prosecutions.*
2. *To identify the “outside (non SFO) consultants, accounting experts and lawyers” engaged in each of the prosecutions, with costs to be itemised.*
3. *Any documents “showing why the SFO required the engagement of outside expertise/consultants rather than use their own in-house expertise”.*

As advised in our letter of 23 August 2023, we have partially transferred your request to the Crown Law Office. In relation to the information we do hold, we have considered your request under the Official Information Act 1982 (OIA).

Decision

Request 1

We can confirm that the total costs incurred by the SFO to investigate and prosecute the political party donation cases are as follows:

NZ First Foundation case (number 190884)	\$98,918
National Party Donations (case 180794):	\$83,708
Labour Party Donations (case 190919)	\$26,914

Please note:

- (a) In addition to actual costs incurred, SFO employees worked on these matters. The SFO does not have a system to accurately record employee time spent on a matter as a billable cost.

- (b) As previously advised when we transferred your request to Crown Law, under a fee arrangement, Crown Law assumes responsibility for the costs of SFO Panel counsel from the time of the defendants' pleas.

Request 2

To identify third party suppliers in scope of your request, we referenced the Public Service Commission's guidelines on the definition of a 'consultant'. A consultant is an individual or consultancy company engaged in a contract for *professional advice or information*, that provides expertise in a particular field and is engaged to perform a specific piece or work with a clearly defined scope and agreed deliverables.

We can confirm that no consultants were engaged in the above cases. We also confirm that no external accountants were engaged.

Details of payments made to lawyers (Panel counsel) are set out in **Schedule 1** as requested.

Request 3

The Serious Fraud Office Act 1990, s 48 states that the no proceedings may be conducted on behalf of the Director except by a member of the Serious Fraud Prosecutors Panel. A copy of s 48 is provided at **Appendix 1**.

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.

Please note that it is our policy to proactively release our responses to official information requests where there is a broader public interest. Our response to your request may be published at sfo.govt.nz, with any personal information removed.

Yours sincerely

Official Information and Privacy Act Response Team

Schedule 1

NZ First Foundation case

Panel Counsel	Amount
Katie Hogan	\$31,794
John Dixon KC	\$20,100
Stephen Bonnar KC	\$13,350

National Party Donations

Panel Counsel	Amount
John Dixon KC	\$11,250
Stephen Bonnar KC	\$22,800

Labour Party Donations

Panel Counsel	Amount
John Dixon KC	\$1,350
Stephen Bonnar KC	\$2,250
Paul Wicks KC	\$3,960

Appendix 1

Serious Fraud Office Act 1990

Miscellaneous provisions

48 Serious Fraud Prosecutors Panel

- (1) There shall be a Serious Fraud Prosecutors Panel for the purpose of enabling proceedings relating to serious or complex fraud to be taken expeditiously.
- (2) That panel shall be appointed by the Solicitor-General after consultation with the Director, and shall consist of such barristers or solicitors of the High Court as the Solicitor-General considers appropriate.
- (3) No proceedings relating to serious or complex fraud shall be conducted on behalf of the Director except by a member of that panel.