



Ref:

11 September 2012

Mr Joshua Grainger

Dear Joshua

OFFICIAL INFORMATION ACT REQUEST - JOHN BANKS INVESTIGATION

I refer to your emailed Official Information Act request of 1 August 2012 in which you requested:

- *A copy of the file regarding the investigation into John Bank's mayoral election return that is now closed.*

Police has considered your request for the file in accordance with the Official Information Act 1982. Police considers there is a very high privacy interest in information relating to investigations which did not result in charges being laid, because the allegations remain unproven. However, Police accepts that there is also a very high public interest in confirming that a thorough investigation was completed and that appropriate decisions were made in relation to a complaint about a public and democratic process.

Following consultation with the Ombudsman, Police considers that this public interest will be met by disclosure of the executive summary of Detective Inspector Mark Benefield's criminal assessment report. I also enclose the statements of those witnesses who have authorised disclosure.

The remainder of the information from the file is withheld pursuant to section 9(2)(a) to protect the privacy of natural persons. Police also considers that the following withholding grounds apply to information from the file:

- Section 9(2)(ba) to protect information which is subject to an obligation of confidence, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied;

Safer Communities Together

CHRISTCHURCH SOUTH POLICE STATION

154-158 Colombo Street, Beckenham, DX WX11203, Christchurch, New Zealand

Telephone: (03) 363 2500 Facsimile: (03) 331 8570 www.police.govt.nz

- Section 9(2)(h) to maintain legal professional privilege; and
- Section 6(c) to avoid prejudice to the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.

If you are not satisfied with my response to your request you have the right to complain to the Office of the Ombudsman and seek an investigation and review of my decision.

Yours faithfully



Peter Read
Detective Superintendent
Southern