

28 April 2025

By email to: [REDACTED]

Redacted pursuant to s 9(2)  
(a) OIA to protect privacy of  
natural persons

Attention: [REDACTED]

## Request for information about corruption and bribery investigations and prosecutions (CON0014879)

We refer to your email dated 26 March 2025, in which you requested the following information for the 10 years between 2015 and 2025:

*Specifically in relation to section 105 Crimes Act 1961 -*

- 1. Number of investigations commenced.*
- 2. Names of public sector agencies where the public official was employed/contracted at the time of the offence/alleged offence.*
- 3. Charges laid and against how many individuals.*
- 4. Successful prosecutions.*

We have considered your request under the Official Information Act 1982 (OIA).

### Decision and response

An investigation commences at the SFO when opened under Part 1 or Part 2 of the Serious Fraud Office Act 1990. We can advise that 34 investigations involving allegations or potential offending against section 105 of the Crimes Act 1961 have commenced since 2015.

The information you have requested in relation to investigations which proceeded to a prosecution is provided at **Appendix 1**.

As per your request, we have referenced SFO prosecutions where at least one charge has been filed under section 105. We note corruption offending can also be prosecuted under the Secret Commissions Act 1910, and/or under ss 105A (corrupt use of official information) and 240 (obtaining by deception) of the Crimes Act 1961.

In relation to investigations which did not proceed to a prosecution, the names of the concerned agencies are withheld under section 6(c) of the OIA as making the information available would be likely to prejudice the maintenance of the law, including the investigation and detection of offences. The voluntary provision of information (including proactive disclosure and cooperation on the part of public sector agencies) is an important mechanism which facilitates the SFO carrying out its

mandate of detecting, investigating and prosecuting instances of serious financial crime, most particularly including corruption.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

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](http://sfo.govt.nz), with any personal information removed.

Nāku noa, nā | Yours sincerely



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Kylie Cooper  
Deputy Chief Executive Legal and Corporate and Chief Legal Advisor  
Serious Fraud Office | Te Tari Hara Tāware

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## Appendix 1

We have prosecuted the following matters under s 105 during the relevant time-period. All section references are to the Crimes Act 1961 unless otherwise noted:

Case	Agency concerned	Charges	No. def	Outcome
<i>Rasila &amp; Other</i>	Auckland Council	3 charges <ul style="list-style-type: none"> <li>• 1x s 105(1)</li> <li>• 2x s 240(1)(c) and s 3(1) Secret Commissions Act 1910</li> </ul>	2	1 defendant convicted under s 105 in February 2020.
<i>Westland District Council</i>	Westland District Council	50 charges <ul style="list-style-type: none"> <li>• 30x ss 105(1), 105(2)</li> <li>• 20x ss 105A, 240(1), 240(2)(b), and s 45 SFO Act 1990</li> </ul>	4	2 defendants convicted on 28 charges under s 105 in February and March 2023.
<i>Borlase, Noone, and George</i>	Rodney District Council, Auckland Transport	22 charges <ul style="list-style-type: none"> <li>• 16x ss 105(1), 105(2)</li> <li>• 6x s 228(b)</li> </ul>	3	All 3 defendants convicted on 16 charges under s 105 in September 2016, and November 2017.
<i>Johnson Yuejun Li</i>	Auckland Council	1 charge <ul style="list-style-type: none"> <li>• 1x s 105(2)</li> </ul>	1	Not guilty in December 2015.
<i>Nicholas Bright</i>	Auckland Council	44 charges <ul style="list-style-type: none"> <li>• 44x s105(1) and 105(2)</li> </ul>	2	Prosecution underway <a href="https://www.sfo.govt.nz/media-cases/cases/nicholas-bright">https://www.sfo.govt.nz/media-cases/cases/nicholas-bright</a> .
<i>Public sector procurement</i>	Regional Facilities Auckland, Counties	69 charges <ul style="list-style-type: none"> <li>• 48x ss 105, 105(1), 105(2)</li> <li>• 21x ss 105A, 240(1)(a)</li> </ul>	3	Prosecution underway

<i>bribery and corruption</i>	Manukau District Health Board			<a href="https://www.sfo.govt.nz/medi-a-cases/cases/procurement-bribery-corruption">https://www.sfo.govt.nz/medi-a-cases/cases/procurement-bribery-corruption</a> .
<i>Health Procurement</i>	Auckland District Health Board	<p>11 charges</p> <ul style="list-style-type: none"> <li>• 6x ss 105(1), 105(2)</li> <li>• 5x ss 105A, 240(1)(a), 240(2)(b), and s 3(1) of the Secret Commissions Act 1910.</li> </ul>	2	<p>Prosecution underway</p> <p><a href="https://www.sfo.govt.nz/medi-a-cases/cases/health-procurement-case">https://www.sfo.govt.nz/medi-a-cases/cases/health-procurement-case</a></p>

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