

Hutt City Council 30 Laings Road Private Bag 31912 Lower Hutt 5040 New Zealand

www.huttcity.govt.nz

T 04 570 6666 F 04 569 4290

14 June 2023

Mark Crofskey

Susan Sales Senior Advisor Official Information and Privacy 04 570 6666 / 0800 488 824 Susan.Sales@huttcity.govt.nz Our reference: LGOIMA

Dear Mark

Request for Information – Local Government Official Information and Meetings Act 1987 (LGOIMA)

We refer to your official information requests dated 20 April 2023 and 22 April 2023 for:

Complaints under the Local Electoral Act 2001 that were received by Hutt City Council, including documents relating to their subsequent referral to NZ Police.

All information relating to discussions/interactions between Bruce Hodgins and Nicholas Boyack / or Stuff about M Shierlaw's complaint about Campbell Barry and the complaint made by W Paaka about United Hutt Candidates.

All information relating to both complaints - including any evidence that either or any of those complaints were investigated and if so the copies of those investigation files as well as their subsequent referral to the police as per Bruce's duties under the Local Electoral Act 2001.

The information you have requested is enclosed. Please note that some areas have been withheld under the following sections of the LGOIMA: Section 7(2)(a) – to protect the privacy of individuals Section 7(2)(c) – to protect information which is subject to an obligation of confidence Section 7(2)(j) – to prevent the disclosure or use of official information for improper gain or

improper advantage 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 <u>www.ombudsman.parliament.nz</u> or freephone 0800 802 602.

Please note that this response to your information request may be published on Hutt City Council's website. Please refer to the following link: <u>www.huttcity.govt.nz/council/contact-us/make-an-official-information-act-request/proactive-releases</u>

Yours sincerely

Soles

Susan Sales
Senior Advisor Official Information and Privacy

From: <u>fmccr@police.govt.nz</u> <<u>fmccr@police.govt.nz</u>> Sent: Saturday, April 22, 2023 6:29 PM To: Bruce Hodgins <<u>bruce.hodgins@huttcity.govt.nz</u>> Subject: [EXTERNAL] Police Acknowledgement Form (File Ref **57(2)()**) (Online Reporting Number **57(2)()**)

Dear Mr Hodgins,

Please find attached information regarding Police File 57(2)()

To upload relevant photos or documents, please visit <u>https://105.police.govt.nz</u>

Yours sincerely, 105 Online Reporting Team New Zealand Police

www.police.govt.nz

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Also note, the views expressed in this message may not necessarily reflect those of the New Zealand Police. If you have received this message in error, please email or telephone the sender immediately



Bruce Hodgins 30 Laings Road Hutt Central Lower Hutt 5010

Police Acknowledgement

Name: Bruce 57(2)(a) Hodgins

Address: 30 Laings Road, Hutt Central, Lower Hutt 5010

Offence/Incident: Information

Location: 30 Laings Road, Hutt Central, Lower Hutt City 5010

Date Reported: 20/04/2023 4:02 PM

Reference Number: ^{\$7(2)()}

PLEASE NOTE:

To upload relevant photos or documents, please visit https://forms.police.govt.nz/forms/crime-reporting-line and use the reference number recorded above.

LOST PROPERTY

Passports - If you have reported a Lost Passport, please use the following link to report to Passports NZ. https://www.passports.govt.nz/lost-and-stolen-form/ This is a legal requirement and New Zealand Police are unable to do this on your behalf. If an overseas passport has been lost, you should contact your nearest consulate or embassy office for further advice.

Keys and Glasses - if you have reported lost keys or glasses, you may like to visit your local police station (https://www.police.govt.nz/contact-us/stations) to determine if they have been handed in. Often there are limited identifying features, therefore the owner is hard to identify.

All other property - if property is handed into New Zealand Police, we do our very best to return this to the correct owner. If, however you have further information or describing features of your item, we encourage you to upload this via https://forms.police.govt.nz/forms/crime-reporting-line

FOUND PROPERTY

If you have located property that you wish to hand over to Police, please drop this off to your local Police station (https://www.police.govt.nz/contact-us/stations) during opening hours and provide the above File Number as reference.





Call 105 or go online to 105.police.govt.nz



Need support or advice? Call Victim Support on 0800 842 846 or visit www.victimsupport.org.nz

Property and Belongings

Property crime can have a devastating impact. Here are some simple steps you can take to make your home and property as safe as possible:

1

Always lock your car, motorbike, bicycle or other vehicles. A car alarm, steering lock, or good quality chains are extra deterrents too. Ideally keep all vehicles in a garage or out of sight.

2

When out and about, keep your belongings secure and close to you. Separate your house and car keys, especially if you have an address on the key ring.

3

Don't provide places for burglars to hide – keep bushes and trees trimmed.

4

Don't answer the door for someone you don't know or don't want in your home. Ask for identification if they say they represent a company. If you're outside for an extended time, e.g. in the garden, lock your front door.

5

Keep valuables out of sight – If it can be seen, it can be a target. Keep receipts, warranties, valuations, and serial numbers in a safe place. Take photos or videos of jewellery, art, and other precious items.

6

Secure your doors, windows, sheds and garages with good quality locks. Install security stays on windows, especially those on ground level. From: Onlinereportingteam@police.govt.nz <<u>Onlinereportingteam@police.govt.nz</u>>
Sent: Thursday, April 20, 2023 4:11 PM
To: Bruce Hodgins <<u>bruce.hodgins@huttcity.govt.nz</u>>
Subject: [EXTERNAL] Confirmation of 105 Online Police Report (Reference number 57000)

Kia ora Bruce,

Thank you for your report which has been received and recorded by Police. Your Online Report reference number is **37(2)**

What happens next?

The Online Report reference number can be used in future communication with Police or with other agencies such as Insurance companies for insurance purposes should you need it. A copy of your submitted report is attached.

Once we have processed your report, we will send you a Police Acknowledgement Form (PAF). This will provide you with your Case reference number to be used for further communications.

How do I provide additional information about what happened?

If you discover anything new you think we should know about go to <u>Update my report.</u> You can use your Online Report or PAF reference number to complete this form.

How do I contact you to withdraw a report, request an update or provide feedback? Go to <u>Update my report.</u> You can use your Online Report or PAF reference number to complete this form.

What should I do if I'm worried or feel unsafe?

If at any point you notice anyone behaving suspiciously, call us immediately on 111. This gives us the best chance of following up while the person is still in the area.

Help for people affected by crime is available on the <u>Victim Support</u> and <u>New Zealand</u> <u>Government's Victim Information</u> websites.

Are there tips for protecting myself or my property?

You can visit the Police website for tips on protecting yourself and your property:

Protect your property and vehicles

Protect your business (commercial)

Keep yourself safe at home

We will contact you if we need to clarify any of the information you have provided to us.

Ngā mihi nui, The 105 Online Reporting Team

New Zealand Police





Non-Emergency Report

OR Reference: ³⁷⁽²⁾⁽⁾ Report submitted: 20/04/2023 04:02 PM

Contact Details

Personal Details

Name : Bruce⁵⁷⁽²⁾⁽³⁾ Hodgins Date of B rth : ⁵⁷⁽²⁾⁽³⁾ Gender : Male

Identification

NZ Dr ver L cence Number : 57(2

Contact Details

Phone number : ^{37(2)(d)} Ema address : bruce.hodgins@huttcity.govt.nz Preferred contact method : Email Address type : Work address Address : 30 Laings Road, Hutt Central, Lower Hutt 5010, New Zealand

When

Prov de the date and t me the nc dent happened : 23/12/2022 09:30 AM

Where

Locat on type : Other Name of ocat on : Election Return Address se ected : 30 Laings Road, Hutt Central, Lower Hutt 5010, New Zealand How c ose to the address d d th s happen : Outside

What happened

Descr be n deta what happened. Everyth ng you te us cou d he p to reso ve the matter :

I have received a complaint copied below, which I believe is baseless, regarding the electoral return of Mayor Campbell Barry. In terms of the Electoral Act I must refer to the Police. The complaint is from the accountant at Woolyarns Limited, Mr Max Shierlaw. From: Max Shierlaw (20) @woolyarns.co.nz Sent: Thursday, 15 December 2022 12:40 PM To: Bruce Hodgins Subject: Police complaint against Campbell Barry's election return https://www.stuff.co.nz/national/politics/local-body-elections/130732829/unitedhutt-funding-remains-unclear-even-after-disclosure-deadline Good afternoon Bruce, I wish to make a complaint that Campbell Barry's election return did not disclose the names of donors to the Hutt South Electorate Labour Party which were subsequently passed onto him. If as you say, United Hutt's election return was not in the "spirit of the legislation", then neither was Campbell Barry's. Please forward my complaint to the Police. I wish to record that I consider the comment attributed to you in the attached article to be completely out of order and outside of your statutory authority. It is not for the Electoral Officer to pass judgement on whether

hs s an automated report, which has been submitted to the New Zea and Police for review the report was generated by the person who reported the non emergency event and has not been valuated

Non-Emergency 105 Online Reporting



Released inderine Local Construction and Machines hot anything is in the "spirit" of Electoral law. Your role is solely to ensure that Electoral law is complied with. Regards, -- Max Shierlaw Accountant Woolyarns Limited, 25-27 Eastern Hutt Road, P.O. Box 35-020, Lower Hutt 5041, New Zealand Direct: Mob:

I agree to my nformat on be ng forwarded to V ct m Support : No

Additional Information

Descr pt on : Explanation from Hutt South Electoral Chair F e name : hutt-south.docx

I agree to a copy of this report being sent to my ema address : Yes

hs s an automated report, which has been submitted to the New Zea and Po ce for review he report was generated by the person who reported the non emergency event and has not been va dated

@police.govt.nz> From: 57(2 Sent: Sunday, January 1, 2023 11:27 AM To: Bruce Hodgins <bruce.hodgins@huttcity.govt.nz> Cc: Ministerial Services < Ministerial.Services@police.govt.nz> Subject: RE: S138 Local Electoral Act Complaint: [EXTERNAL] FW: [EXTERNAL] Police complaint and Meetings Act against Campbell Barry's election return

Hi Bruce,

Please make a formal report to the NZ Police using the correct and official channels, see www.police.govt.nz.

I cannot record or process the information below in any official Police capacity.

Thank you and regards,

Nga mihi,

National Criminal Investigations Group New

Zealand Police

Delivery: 180 Molesworth St, Thorndon, Wellington | Postal: Police National Headquarters, PO Box 3017, Wellington, 6140 [Email: 57(2)(a) @police.govt.nz

From: Bruce Hodgins <bruce.hodgins@huttcity.govt.nz> Sent: Friday, 23 December 2022 11:31 AM

Cc: Bradley Cato <<u>Bradley.Cato@huttcity.govt.nz</u>>

Subject: [EXTERNAL] FW: [EXTERNAL] Police complaint against Campbell Barry's election return

@police.govt.nz>

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Kia ora 57(2

To: \$7(2)

Subject to s138 Local Electoral Act 2001 I am required to report to the Police any written complaint alleging an Electoral offence has been committed.

See below the complaint from Max Shierlaw.

Attached is a response from the Chair of the Hutt South Labour Party which indicates the allegation is baseless.



Bruce

Bruce Hodgins Strategic Advisor Hutt City Council, 30 Laings Road, Lower Hutt 5040

W: <u>www.huttcity.govt.nz</u>



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From: Max Shierlaw (27(2)(2)) (2000)

https://www.stuff.co.nz/national/politics/local-body-elections/130732829/united-hutt-fundingremains-unclear-even-after-disclosure-deadline

Good afternoon Bruce,

I wish to make a complaint that Campbell Barry's election return did not disclose the names of donors to the Hutt South E ectorate Labour Party which were subsequently passed onto him.

If as you say, United Hutt's election return was not in the "spirit of the legislation", then neither was Campbell Barry's. Please forward my complaint to the Police.

I wish to record that I consider the comment attributed to you in the attached article to be completely out of order and outside of your statutory authority. It is not for the Electoral Officer to pass judgement on whether anything is in the "spirit" of Electoral law. Your role is solely to ensure that Electoral law is complied with.

--Max Shierlaw Accountant

Regards,



Woolyarns Limited, 25-27 Eastern Hutt Road, P.O. Box 35-020, Lower Hutt 5041, New Zealand Direct: 57(2)(a) Mob: 57(2)(a)

email and delete the document.

Web: www.woolyarns.co.nz



Cashmere, merino and silk yarn blends with New Zealand Brushtail Possum down. tings Act

PERINO

WOOLVARNS

This email is confidential and may contain legally privileged information. If you are not the intended recipient, you must not disclose or use the information contained in it. If you have received this email in error, please notify us immediately by return

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18 December 2022

lam

To whom it may concern

, Chairperson of the Hutt South LEC.

I have been asked to provide explanation for the \$5000 donation which was declared by Mayor Campbell Barry in his return for the 2022 Hutt City Council election.

I confirm that prior to the 2022 Local Body Elections, a \$7000 donation was made by the Hutt South Labour Electorate Committee in response to a request from the Lower Hutt Labour Local Body Committee (LLBC) to support Labour endorsed Local Body Candidates.

The LLBC support Labour endorsed candidates in local body elections within the Lower Hutt Boundary. At the LLBC's discretion they allocated \$5000 to Mayor Campbell Barry and \$1000 to Alex Voutratzis and \$1000 to Councillor Keri Brown.

The LLBC quite rightly advised mayoral candidate Campbell Barry where his donation had come from (Hutt South LEC) and the amount to be used in his Mayoral campaign so it could be properly accounted for in his return (the same occurred for Alex and Keri).

Furthermore, I can confirm the Hutt South LEC did not receive any donations from individuals or groups who wished for their donation to go towards any candidates in the Local Body Election. The Hutt South LEC did not fundraise for the local body candidates, this is the role of the LLBC.

Had we been approached by any individual wishing to donate to the Local Body Candidates they would have been directed to the LLBC. I can also confirm that had we received any donations directly from individuals for this campaign (which we did not), we would have submitted this information in accordance with our obligations under the Local Electoral Act.

The Hutt South LEC has savings which have been build up through a number of different means over many years. This places the Hutt South LEC in a position to consider requests to support Labour endorsed candidates. I note that we did this in 2019, with a \$3000 donation to Mayor Barry. This was declared back then and there were no issues raised by anyone.

I trust this clarifies matters, please do not hesitate to get in touch if you require further information from me.

Ngā mihi

Chairperson, Hutt South LEC

From: Bruce Hodgins Sent: Thursday, April 20, 2023 4:10 PM To: Max Shierlaw (20) Subject: RE: [EXTERNAL] Complaint - Campbell Barry's 2022 Election Return

Thanks Max. I sent the matter to the contact we had at the Police **37(2)(a)** (a) for Electoral Matters on 23 December 2022.

I've looked back in my emails and I see that on 1 January while on leave I got a response saying that I needed to upload it into an on-line system.

I'm picking that's why it doesn't appear in the Police system. Have since uploaded it.

Bruce

From: Max Shierlaw (200) Sent: Thursday, 20 April 2023 2:22 PM To: Bruce Hodgins <<u>bruce.hodgins@huttcity.govt.nz</u>> Subject: Fwd: [EXTERNAL] Complaint - Campbell Barry's 2022 Election Return

Bruce,

Further to my previous emails on this matter which you have not responded to, see email below from the Police confirming that they did not receive my complaint from you.

Could you please forward me exactly what you sent to the Police in relation to my complaint and any acknowledgement you received.

Thanks,

Max

----- Forwarded message -----

From: s7(2)(a) @police

@police.govt.nz>

Date: Thu, Apr 20, 2023 at 8:57 AM Subject: RE: [EXTERNAL] Complaint - Campbell Barry's 2022 Election Return To: Max Shierlaw 37(2)(8)

Good morning Mr SHIERLAW.

I have gone through my emails with Mr HODGINS and I have not received any correspondence in relation to your complaint.

We only discussed Mr PAAKA's complaint.

The process to my understanding, is the Hutt City Council enter a police report through official channels on behalf of the complainant and then that complaint is passed onto an investigator (such as myself)

I was only assigned Mr PAAKA's complaint.

I have had a look on our system and I cannot find your complaint, this makes me suspect that a Police complaint was not entered by staff at Hutt City Council.

I would suggest that you touch base with Hutt City Council so official process can be followed.

If they have entered a Police complaint then they should have a reference number that I can search in our system.

Ngā mihi,

Criminal Investigation Branch Hutt Valley/ Te Awa Kairangi From: Max Shierlaw < 57(2) Sent: Tuesday, 18 April 2023 12:13 PM @police.govt.nz>

To:

Subject: [EXTERNAL] Complaint - Campbell Barry's 2022 Election Return

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear \$7(2)(a)

I have been advised by the Hutt City Council that my complaint about Campbell Barry's election expenses return was forwarded to you by Bruce Hodgins.

I note from media reports that you have advised Wayne Paaka that you have forwarded his complaint about Tony Stallinger's election return to the Serious Fraud Office. My complaint was of a similar nature to Mr Paaka's.

Can you please advise the status of your investigation into my complaint.

Yours sincerely,

Max Shierlaw

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From: Bruce Hodgins
Sent: Tuesday, January 31, 2023 1:23 PM
To: 7(2)(a)
@police.govt.nz>
Subject: RE: [EXTERNAL] RE: [EXTERNAL] Complaint from Wayne WAAKA

Thanks^{\$7(2)(a)}

The electoral returns are completed by the candidates and submitted to me as EO. They are then made available to the public on our website. They are required to be publicly available for 7 years. All Councils do the same thing and make the records available on their websites.

Candidates are required to keep records to verify the claims, so the records should be in their hands, or in this case they may be held centrally by United Hutt. Tony Stallinger will know.

Bruce

From: ^{57(2)(a)} @police.govt.nz> Sent: Tuesday, 31 January 2023 11:59 AM To: Bruce Hodgins <<u>bruce.hodgins@huttcity.govt.nz</u>> Subject: RE: [EXTERNAL] RE: [EXTERNAL] Complaint from Wayne WAAKA

Hi Bruce,

Thank you so much for your email.

I have a couple questions for clarity if you don't mind.

How are these records made publicly available?

How do other electorates/ groups usually disclose this information/in what format.

d Meetings Ac You also mentioned that they have not declared expenses- where is this information kept, and how is it made publicly available/ in what format.

Thank you so much for your time and guidance in this matter.

From: Bruce Hodgins <<u>bruce.hodgins@huttcity.govt.nz</u>> Sent: Tuesday, 31 January 2023 11:45 AM To: \$7(2 @police.govt.nz> Cc: Wayno Paaka <

Subject: [EXTERNAL] RE: [EXTERNAL] Complaint from Wayne WAAKA

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Thanks St(2)(a)

It's Wayne Paaka and his email address is 7(2)(a

As discussed this morning the allegations made by Mr Paaka in my view are not frivolous and should be investigated.

The Local Electoral Act had changes made to it in 2013 to ensure electoral donations are fully disclosed, and that individual donors are not able to retain anonymity by donating to a third party (in this case Independent United Hutt).

I share Mr Paaka's concerns that candidates standing for the Independent United Hutt have not disclosed electoral donations from individual donors and have used the Independent United Hutt organisation as a means to facilitate this.

You may wish to talk to Law Professor Andrew Geddis who is considered to be a leading authority on electoral law. He has already commented on this situation to stuff (Hutt News 22 Dec) His number is \$7(2)(a)



Bruce Hodgins Strategic Advisor Hutt City Council, 30 Laings Road, Lower Hutt 5040

W: www.huttcity.govt.nz



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From: @police.govt.nz> Sent: Tuesday, 31 January 2023 10:09 AM To: Bruce Hodgins <<u>bruce.hodgins@huttcity.govt.nz</u>> Subject: [EXTERNAL] Complaint from Wayne WAAKA

Good morning,

Thank you so much for taking my call this morning.

As requested if you could kindly send me the contact details of Mr WAAKA.

Also if you could please send a quick summary of our conversation.

I will be touching base with legal and my supervisor for a bit of initial guidance.

If you are able to offer any other guidance in relation to enquiries that would be appreciated.

Ngā mihi,

Criminal Investigation Branch Hutt Valley/ Te Awa Kairangi



 From: Nicholas Boyack <</td>
 @stuff.co.nz

 Sent: Friday, April 21, 2023 8:28 AM

 To: Bruce Hodgins <</td>
 bruce.hodgins@huttcity.govt.nz

 Subject: [EXTERNAL] Fwd: FW: Response to Elected Members request | Election returns

------ Forwarded message ------From: 57(2)(a) Date: Wed, Apr 12, 2023 at 2:04 PM Subject: FW: Response to Elected Members request | Election returns To: Nicholas Boyack < 7(2)(a)

Hi Nicholas,

This was the email I was copied into in January this year.

Cheers

Tony

Subject: Response to Elected Members request | Election returns

Tēnā koutou katoa,

We received an email from Cr Parkin (see email below).

The response from Bruce Hodgins, Electoral Officer follows:

There were four complaints (three were the same complaint) with two referred to the Police as required by the Act.

The two forwarded to the Police were from Wayne Paaka and Max Shierlaw.

Note: it is the Elected Member's responsibility to respond to any residents who have asked questions that you are sending to Elected Members Requests for answers. This email address is to be used by Councillors and Community Board Chairs only, not the public.

Ngā mihi nui,

Hamish Bell Elected Members Support Coordinator

Hutt City Council, 30 Laings Road, Lower Hutt 5010 M: ^{57(2)(a)} W: <u>www.huttcity.govt.nz</u>



From: Chris Parkin <<u>Chris.Parkin@huttcity.govt.nz</u>> Sent: Friday, 23 December 2022 10:32 To: Elected Members Requests <<u>electedmembersrequests@huttcity.govt.nz</u>> Subject: Election returns

Kia ora,

I'm aware this will fall over the holidays, so don't expect a response till mid January 🙂

Who were election return complaints received from and how may were forwarded to Police?

Nga Mihi,

Chris

Get Outlook for Android

Nicholas Boyack Senior journalist

E (2(2)) @stuff.co.nz | M (2) Stuff Ltd, 10 Brandon St, Wellington, New Zealand PO Box 2595, Wellington, 6140



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From: Nicholas Boyack ^{\$7(2)(a)} @stuff.co.nz> Sent: Wednesday, 12 April 2023 1:21 PM To: Bruce Hodgins <<u>bruce.hodgins@huttcity.govt.nz</u>> Subject: Fwd: [EXTERNAL] Re: Hutt United Inc

FYI

------ Forwarded message ------From: Wayno Paaka <^{67(2)(a)} Date: Wed, Apr 12, 2023 at 10:53 AM Subject: Fwd: [EXTERNAL] Re: Hutt United Inc To: ^{67(2)(a)} @stuff.co.nz <^{67(2)(a)} @stuff.co.nz>

Morena Nicholas

I thought I'd bring this to your attention,

I received it last week but didn't read it until Friday so I thought I'd forward it to you today.

Wayne

Good morning Mr PAAKA,

Apologies on the delay in contacting you.

I wanted to inform you that Police hierarchy believe that this complaint meets the threshold to be investigated by the Serious Fraud Unit.

We will be forwarding this file to them for their consideration.

If I have any further updates for you I will let you know.

If you have any questions, please do not hesitate to reach out.

Ngā mihi,

Criminal Investigation Branch Hutt Valley/ Te Awa Kairangi

From: (2)(a) Sent: Monday, 13 February 2023 9:55 AM To: 'Wayno Paaka' (2)(a) Subject: RE: [EXTERNAL] Re: Hutt United Inc

Thanks Wayne,

I will touch base over the next few days to discuss with you.

Take care.

 From: Wayno Paaka
 \$7(2)(a)

 Sent: Sunday, 12 February 2023 4:45 PM

 To: \$7(2)(a)
 police.govt.nz>

 Subject: [EXTERNAL] Re: Hutt United Inc

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<u>Kia ora</u>

-The best number to contact me is on ^{s/(2)(a)}

-

Kind regards

-

<u>Wayne</u>

On Fri, 10 Feb 2023, 11:45 YATES,

@police.govt.nz> wrote:

Good morning Mr PAAKA.

I am emailing to inform you that we have received a complaint from Hutt City Council about your concerns relating to Hutt United Inc.

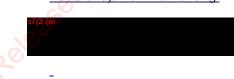
I will be investigating this matter further.

Can you please confirm the best phone number to contact you on should I need to get in touch?

<u>Ngā mihi,</u>



Criminal Investigation Branch Hutt Valley/ Te Awa Kairangi



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Nicholas Boyack Senior journalist

@stuff.co.nz | s7(2 Stuff Ltd, 10 Brandon St, Wellington, New Zealand PO Box 2595, Wellington, 6140



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