

22 August 2022

Wayne Browning  
fyi-request-20015-e41eae52@requests.fyi.org.nz

Our ref: OIA 97926

Tēnā koe Wayne

### **Official Information Act 1982 request**

Thank you for your email of 25 July 2022 requesting the following information under the Official Information Act 1982 (the Act):

- 1. The nature of any and all criminal charges filed against Brian Raymond Tamaki (born 2 February 1958) between 1st January 2000 and 25th July 2022*
- 2. The outcome of all court cases pertaining to the aforementioned*
- 3. Copies of all email correspondence, inter office memos, communications with Police prosecutors, SIS, and other government agencies, text messages, hand written notes and charging documents relating [sic] to Brian Raymond Tamaki (born 2 February 1958), and pertaining to the aforementioned*
- 4. Copies of all bail applications, appeal applications and decisions pertaining thereto made by the Courts pertaining to the aforementioned*
- 5. All civil actions, judgements, suits and torts filed against Brian Raymond Tamaki, Destiny Church (and all of its associated companies, trusts, societies and entities)*
- 6. Any and all correspondence, with Police prosecutors, SIS, and other government agencies, text messages, hand written notes and charging documents pertaining to The Freedoms [sic] and Rights Coalition*
- 7. Any and all correspondence, with Police prosecutors, SIS, and other government agencies, text messages, hand written notes and charging documents pertaining to Covid-19 related marches, protests, and public disruptions caused by the same*
- 8. Any valid reason as to why Brian Raymond Tamaki has not yet been charged as a terrorist under Section 6a of the Terrorism Suppression Act 2002*

The information you are requesting in questions 1 and 8 is held by the New Zealand Police. I understand New Zealand Police have also received your OIA request and will be responding separately to you. We have therefore prepared a response for parts 2 to 7 of our request.

Please note, the Ministry does not hold the information you have requested in parts 2 to 5 of your request. This information may be held by the court. Courts are not subject to the Act under section 2(6)(a). I am therefore refusing your requests under s18(g)(i) of the Act because the information is not held by the Ministry of Justice.

With regards to questions 6 and 7, we understand this to mean court information relating to charges filed or prosecutions in respect of the Freedom and Rights Coalition and the COVID-19 protests. The Ministry of Justice does not hold this information, as above, this information may be

held by the court. Courts are not subject to the OIA under section 2(6)(a) of the Act. I am therefore refusing these parts of your requests under s18(g)(i) of the Act because the information is not held by the Ministry of Justice.

If you require any further information, please contact Ministry of Justice Media & Social Media Manager Joe Locke at [media@justice.govt.nz](mailto:media@justice.govt.nz).

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](mailto:info@ombudsman.parliament.nz)

Nāku noa, nā



Jacquelyn Shannon

**Group Manager, Courts and Tribunals, Regional Service Delivery**