

2 October 2019

Jacob
fyi-request-11142-22569d8f@requests.fyi.org.nz

Dear Jacob

Thank you for your request made under the Official Information Act 1982 (the Act), received on 5 September 2019. You requested the following:

the total costs incurred by IRD in relation to the prosecution in case numbers

- *CRI-2013-485-0058 [2013] NZHC 3474*
- *CIV-2015-485-208 [2015] NZHC 3095*
- *CIV-2015-485-209*
- *CIV-2015-485-210*

including a break down of legal fee's [sic], travel costs and court costs.

I understand you have also sent this request to Crown Law. Crown Law has responded with some of the information you have requested on the following civil cases:

- CIV-2015-485-208;
- CIV-2015-485-209; and
- CIV-2015-485-210.

In addition to the breakdown of costs provided by Crown Law, the Commissioner of Inland Revenue (the Commissioner) also paid the following in court ordered costs for two of the civil proceedings:

- CIV-2015-485-208: \$28,023.00 including disbursements of \$720.00;
- CIV-2015-485-210: \$4,426.00 including disbursements of \$220.00;

No costs were paid by the Commissioner in CIV-2015-485-209 as costs lay where they fell.

Internal costs

In terms of Inland Revenue's internal solicitor costs, these are not held for the civil cases you listed. The hours spent on those cases were not recorded by solicitors and accordingly I am unable to provide you with the requested information. Therefore, I am refusing this part of your request under section 18(g) of the Act as the information you have requested is not held by the department.

CRI-2013-485-0058 [2013] NZHC 3474

Inland Revenue does not hold the information on prosecution costs for CRI-2013-485-0058 [2013] NZHC 3474.

As for the civil cases above, the hours spent by Inland Revenue solicitors were not recorded for this criminal case.

Further, due to the age of the case any invoices provided to the Commissioner by the Crown Solicitor, Luke Cunningham Clere, are not easily locatable and would require substantial collation and research to compile. Accordingly, I am refusing this part of your request under section 18(g) of the Act as some of the information is not held by the department, and 18(f) of the Act as providing the information would require substantial collation and research.

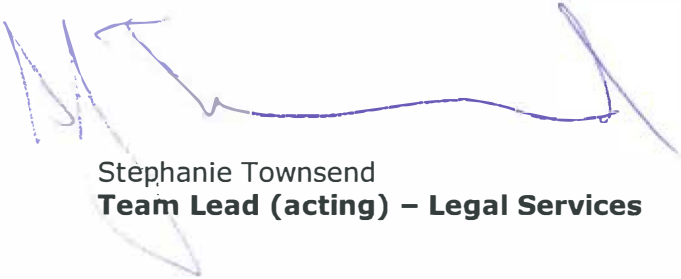
Right of review

If you disagree with my decision you may have the decision reviewed by an Inland Revenue review officer. If you would like an internal review, please write to the Commissioner of Inland Revenue by email (CommissionersCorrespondence@ird.govt.nz) setting out the details of your request.

Alternatively you have the right under section 28(3) of the Act, to ask the Ombudsman to investigate and review my decision. The office of the Ombudsman can be contacted by email (info@ombudsman.parliament.nz).

Thank you for your request. I trust this information is of assistance to you.

Yours sincerely



Stephanie Townsend
Team Lead (acting) – Legal Services