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The New Zealand National Party Leader's Office – Summary Report

Dear Jania,

1. We provide this Summary Report in accordance with our Letter of Engagement dated 31 August 2018, the Important Notice attached to this report as **Appendix 1** and the "Investigation for The National Party Terms of Reference" dated 3 September 2018 (The National Party Terms of Reference) as those terms of reference relate to our work, specifically paragraph 11 which reads:

"Any information relevant to the investigation will only be disclosed by PwC to Simpson Grierson. Simpson Grierson may disclose information relevant to the investigation to the Chief of Staff of the National Party".

Background and Scope

2. Simpson Grierson acts for The New Zealand National Party Leader's Office (The National Party Leader's Office).
3. PwC provided forensic technology assistance to The National Party Leader's Office in relation to an investigation The National Party Leader's Office is undertaking into the unauthorised release (or "leak") to the media of the leader of The National Party, Hon Simon Bridges' Parliamentary costs.
4. The scope of the Investigation as defined in The National Party Terms of Reference is "*a forensic examination by PwC of the relevant data and electronic devices of all National Party MP's*" to identify:
 - a. which of the MP's may have accessed documents relating to the National Party travel and accommodation expenses including those documents listed in Appendix A or any contents/data relating to such documents, between 1 February 2018 and 28 August 2018 (inclusive) ("Scope Particular: Access of Expense information by MP's").

- b. who may have accessed, forwarded, copied, printed and/or manipulated documents relating to the National Party travel and accommodation expenses including those documents listed in Appendix A or any contents/data relating to such documents for any improper and/or unauthorised purpose (potential unauthorised use), or were associated with or had knowledge of any such potential unauthorised use (“Scope Particular: Unauthorised Use of Expense Information”).
- c. who may have sent the text message regarding the leak to Mr Bridges, Mr Mallard and Ms O’Brien on or about 16 August 2018 (“Scope Particular: Text Message Sender”).

Purpose of Summary Report

5. The purpose of this Summary Report is to summarise the results of our examination in accordance with The National Party Terms of Reference.

Data Collection

6. We received the following data for all National Party MPs from Parliamentary Service:
 - *Emails which were extracted from an archive system which records all emails sent and received at the time of communication (whether or not it was deleted by a user at a later point in time)*
 - *Mobile Phone billing records*
 - *Printer records*
 - *Desk phone records*
 - *Web browsing records*
7. Our examination results are based upon the information provided by Parliamentary Service, with reference to some publically available information. We have relied on, and not verified the accuracy of all information provided to us during our investigation. Accordingly, the findings recorded in this report assumes this information to be correct. If any of the information we have been provided with is incomplete or incorrect, our findings may not be correct.
8. We have not been provided with data which records the content of any text messages sent and received. To obtain this data, we would need to forensically copy or obtain other data sources, e.g. mobile phones.
9. We also received data for Parliamentary Service Members’ Support staff and The National Party Leader’s Office staff, but not Parliamentary Service Corporate staff members. The results of the examination of this data will be reported, as required, only to the General Manager, Parliamentary Service.

Timeline of Events

10. The National Party Leader's Office provided a timeline of key events to us attached as **Appendix 2**.
11. The National Party Leader's Office also provided a copy of the Text Message which was sent to Mr Bridges on 16 August 2018 at 10.43am, where the sender records that he or she is "*the leaker of your information*" and "*I am in your caucus*", i.e. a National Party MP.
12. We reviewed certain media reports about this matter, including the following extracts of articles from Radio New Zealand (RNZ) dated 24 August 2018:

Text plea to call off Bridges expense leak inquiry¹

"A person claiming to be the National Party leaker has sent an anonymous text to National Party leader Simon Bridges pleading for the inquiry into the leaking of his expenses to be called off"
"Sources have told RNZ Mr Bridges and the Speaker Trevor Mallard both received an anonymous text message last week from a person claiming to be responsible for leaking the information to Newshub."

Bridges: Police know identity of texter claiming expense leak²

"National Party leader Simon Bridges says police told him they know the identity of the texter claiming responsibility for leaking his expenses but they won't tell him who it is."

Examination

13. We processed the collected dataset using forensic software.
14. We conducted an examination of the data using forensic methodologies and investigative techniques which are typically used in an investigation of this nature.
15. The results of our examination under the three scope particulars of step one of the investigation follows.

¹ <https://www.radionz.co.nz/news/political/364796/exclusive-text-plea-to-call-off-bridges-expense-leak-inquiry>

² <https://www.radionz.co.nz/news/political/364815/bridges-police-know-identity-of-texter-claiming-expense-leak>

Scope Particular: Access of Expense information by MP's

16. Using targeted filters and other search parameters which we considered appropriate for this examination, we searched for emails across the email dataset containing references to the documents named ("Expense Documents"):

"National Summary Quarter 4 2018 Members Expenditure Disclosure.xlsx"

"Memo - disclosure of Members expenses - National 4th quarter 2017-18.docx"

17. We confirmed that all MPs received the Expense Documents as attachments to an email from the National Senior Whip on 7 August 2018.

Scope Particular: Unauthorised Use of Expense Information

18. Using targeted filters across the dataset, we searched for information that may assist to identify individuals who fall under this category.
19. Our examination did not locate direct evidence of the Expense Documents being leaked to the media through the Parliamentary Service information systems.

Scope Particular: Text Message Sender

20. Using targeted filters across the dataset, we searched for information to identify the Text Message Sender.

Records relating to the phone number of the Text Message Sender

21. We searched the dataset for the mobile phone number of the Text Message Sender.
22. We did not locate any records except those which The National Party Leader's Office told us were attempts by it to make contact with the Text Message Sender, after these matters came to light, at about 9 pm on 16 August 2018, as referred to in the timeline.
23. If the Text Message Sender was a National Party MP, then it is possible that he or she used a mobile phone or SIM card, which subscribes to a different phone account and number from the dataset provided by Parliamentary Service.

Records of text messages to the three individuals

24. The National Party Leader's Office provided us with the mobile phone numbers of Mr Bridges, The Speaker of the House and a Newshub Reporter (Reporter A). We searched the dataset for records of any text messages being sent to any of these three mobile phone numbers on 16 August 2018 at around 10.43 am.
25. We did not locate any such instances for that date and time, but we did identify calls and texts from MPs at other times.

Further examination of calls and text messages by the MPs identified as contacting either the Speaker or Reporter A

26. We examined the dataset to locate records of calls or text messages sent to the Speaker or Reporter A's mobile phone number on either the 13, 16, 23 or 24 August 2018. We selected those dates with reference to the timeline of events provided.
27. We identified relevant calls and text messages from four MPs. We further examined the calls and text messages of one of those four MPs, Mr Jami-Lee Ross, that were made between 1 August 2018 and 28 August 2018.
28. The other MPs were excluded because one was Mr Bridges and for the other two MPs, the dates and times of the calls and text messages did not match key events recorded in the Timeline.
29. Using the dataset and publically accessible sources we identified where we could, the possible users of the mobile phone numbers called or texted by Mr Ross.
30. Based on those sources, we identified a number of calls made by Mr Ross to an RNZ Reporter (Reporter B), a senior Police Officer ("Police Officer"), and the Speaker. The calls identified are listed in **Appendix 3** as "Certain calls and text messages made by Mr Ross MP".
31. We checked for all calls or text messages made by Mr Ross to the mobile number of the Police Officer between 1 February 2018 and 28 August 2018. There were no calls made to the Police Officer before 19 August 2018.
32. We checked for all calls or text messages made by Mr Ross to the mobile number of the Speaker dated between 1 February 2018 and 28 August 2018. There was one call made to the Speaker on 14 February 2018, and no further calls or text messages until 23 August 2018 at around 10.45 am.
33. We checked for all calls or text messages made by Mr Ross to the mobile number of Reporter B between 1 February 2018 and 28 August 2018. There were numerous calls or text messages made to Reporter B between 28 February 2018 and 23 August 2018.
34. Based on the information we reviewed, we did not find evidence that indicated another MP may have been the Text Message Sender.
35. We report on this matter as we considered that this information falls within The National Party Terms of Reference, namely "*any other matters identified during the forensic examination that are relevant to the scope of the investigation*".

36. We now summarise our findings in relation to the relevant evidence and assumptions. References to a person's mobile phone assumes that the information we have obtained about the user of that mobile phone from either Parliamentary Service or from publically available information, is correct. Reference to calls or texts made by an MP is on the basis that the mobile phone number assigned to that MP by Parliamentary Service was at the time of the call or text, being used by that MP.
37. The relevant events in relation to the Text Message Sender and information we obtained about Mr Ross' contacts during the relevant time is that on:
- a) 7 August 2018 at 4:33pm Parliamentary Service emailed the Expense Documents to the National Party Senior Whip and certain staff;
 - b) 7 August 2018 at 8:26pm the National Party Senior Whip emailed the Expense Documents to National's MPs;
 - c) 13 August 2018, Mr Bridges was interviewed by Newshub about the Expense Documents being leaked to Newshub.
 - d) 14 August 2018 at 10:15am Mr Bridges advised media on the way into Caucus that the Speaker will be looking into the matter of the information lead;
 - e) 14 August 2018 at 4:00pm Mr Bridges called a media conference on the issue and called for an independent inquiry into who leaked details of his expenses;
 - f) 14 August 2018 at 10:18pm Mr Ross called Reporter B;
 - g) 15 August 2018 the Speaker announced his Inquiry;
 - h) 16 August 2018 at 10:43am, Mr Bridges, the Speaker and Reporter A received a text message which records that the sender is a National Party MP asking for the Inquiry to be called off on mental health grounds.
 - i) 16 August 2018 at 10:19pm Mr Ross called Reporter B;
 - j) 19 August 2018 at 1:41pm Mr Ross called the Police Officer;
 - k) 19 August 2018 (late afternoon) the Deputy Police Commissioner (National Operations) advised Mr Bridges that the Police have identified and spoken to, the Text Message Sender;
 - l) 19 August 2018 at 5:14pm Mr Ross called Reporter B;
 - m) 23 August 2018 at 10:39am Mr Ross called Reporter B;
 - n) 23 August 2018 at 10:44am Mr Ross called the Speaker;
 - o) 23 August 2018 at 10:45am Mr Ross called the Speaker;

- p) 23 August 2018 at 10:51am Mr Ross called Reporter B;
 - q) 23 August 2018 at 12:03pm Mr Ross called Reporter B;
 - r) 23 August 2018 at 12:58pm Mr Ross called the Police Officer;
 - s) 23 August 2018 at 3:42pm Mr Ross called Reporter B;
 - t) 24 August 2018 at 6:00am RNZ which is the employer of Reporter B revealed the subject text and some content which was sent the previous week to Mr Bridges, the Speaker and Newshub.
 - u) 24 August 2018 at 7:19am Mr Ross called the Police Officer;
 - v) 24 August 2018 at 8:45am Mr Ross called the Police Officer;
 - w) 24 August 2018 at around 10:00am, Mr Bridges held a media conference;
 - x) 24 August 2018 at 11:45am Mr Ross called the Police Officer;
 - y) 24 August 2018 at 12:53pm, the Speaker issued a media statement advising he has called off the Inquiry because he is satisfied that it is a matter for the National Party³;
 - z) 24 August 2018 at 1:47pm Mr Ross called the Police Officer; and
 - aa) 24 August 2018 at 2:20pm Mr Ross called the Police officer;
38. With one exception, our examination did not identify any evidence to suggest that any National Party MP is the Text Message Sender.
39. The exception is Mr Ross, who communicated with:
- a) Reporter B, five times on 23 August 2018, whose employer RNZ then on 24 August 2018 reported information from a “source” about the fact of the subject text and its content. Note that Mr Ross has communicated with Reporter B on multiple occasions;
 - b) The Speaker, on 23 August 2018, who on 24 August 2018 announced that the Inquiry had been called off because he was satisfied that the leak was a National Party matter. From the information in the dataset the only other time that Mr Ross has called the Speaker was once, in February 2018; and
 - c) A senior Police Officer from the policing area in Mr Ross’ electorate on the same day (19 August 2018) that the Police reported to the National Party Leader that they had identified and spoken to the Text Message Sender. There is no evidence in the dataset recording that Mr Ross communicated with this Police Officer prior to 19 August 2018.
40. This evidence is not conclusive.

³ https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12112905

Summary of Findings

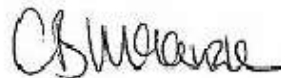
41. The National Party Terms of Reference requires that we report on who may have leaked the Expense Documents or sent the Text Message of 16 August 2018.
42. Based upon the procedures undertaken, as detailed in this letter, the summary of our findings is as follows:
 - a) we have not identified the leaker of the Expense Documents or the Sender of the Text Message with certainty; and
 - b) the evidence we have identified points to Mr Ross.
43. Mr Ross may therefore be the text message sender.
44. Thank you for your instructions. Please contact us should you wish to discuss any aspect of our report.

Yours sincerely

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Appendix 1 – Important Notice

- This Report has been prepared solely for the purposes stated herein and should not be relied upon for any other purpose.
- This Report is strictly confidential and legally privileged and must not be released to any third party without our express written consent which is at our sole discretion.
- To the fullest extent permitted by law, PwC accepts no duty of care to any third party in connection with the provision of this Report and/or any related information or explanation (together, the “Information”). Accordingly, regardless of the form of action, whether in contract, tort (including without limitation, negligence) or otherwise, and to the extent permitted by applicable law, PwC accepts no liability of any kind to any third party and disclaims all responsibility for the consequences of any third party acting or refraining to act in reliance on the Information.
- We have not independently verified the accuracy of information provided to us, and have not conducted any form of audit in respect of the Service Providers. Accordingly, we express no opinion on the reliability, accuracy, or completeness of the information provided to us and upon which we have relied.
- The statements and opinions expressed herein have been made in good faith, and on the basis that all information relied upon is true and accurate in all material respects, and not misleading by reason of omission or otherwise.
- The statements and opinions expressed in this report are based on information available as at the date of the report.
- We reserve the right, but will be under no obligation, to review or amend our Report, if any additional information, which was in existence on the date of this report was not brought to our attention, or subsequently comes to light.
- This Report is issued pursuant to the terms and conditions set out in our engagement letter and the Terms of Business attached thereto.

Appendix 2 – Timeline of Events

Date	Event
June 30	Close off for the expense period in question.
Mid-July	Finance start preparing for disclosure.
August 7 (4:33pm)	PS Finance team's [redacted] emails expense information (x2 attachments) in draft to [redacted] (National's Senior Whip) for checking prior to the scheduled release on 16 August. Email copied to [redacted] (National Whips' Office); [redacted] (PS Finance); [redacted] (PS Finance); [redacted] (PS Finance).
August 7 (8:26pm)	National Senior Whip forwards the expenses email information to all National MPs, copied to the Chief and Deputy Chief of Staff.
August 7 (9:01pm)	Chief of Staff forwards the email from the Senior Whip to the Deputy Chief of Staff, Chief Press Secretary and EA to Chief of Staff / Office Manager with a series of questions for PS on the information.
August 8-15	Ongoing NLO correspondence with PS Finance requesting various clarifications and explanations for the figures.
August 13 (approx 10:30 am)	Leader's Office and MP Support Staff verbally reminded at Weekly All-of-Staff meeting to ensure their MP's have reviewed and checked their information.
August 13 (approx 1:30pm)	Chief Press Secretary [redacted] called by Newshub and notified the Leader that he will be door stopped for an interview in Auckland following a public speaking commitment at 2.00pm. This is immediately drawn to the attention of the Chief of Staff.
August 13 (approx 1:50pm)	Leader briefed by phone by Chief of Staff, Deputy Chief of Staff and Chief Press Secretary on issue of Quarterly Expense information and proposed line of query by Newshub for imminent interview.
August 13 (approx 2:00pm)	Leader interviewed by Newshub on his expenses information that had been leaked to Newshub.
August 13 (6:00pm)	Newshub lead 6.00pm bulletin with Simon Bridges' leaked travel expenses. [redacted] Reporter A is the journalist.
August 14 (10:15am)	Leader advises media on way into Caucus that the Speaker will be looking into the matter.
August 14 (4:00pm)	Leader calls a media conference on the issue and calls an independent inquiry into who leaked details of his expenses to the media before they were released publicly.
August 15	The Speaker agrees to hold an Inquiry
August 16 (10:00am)	PS publicly release quarterly expense information
August 16 (10:43am)	Leader, Speaker and Newshub (Reporter A [redacted]) all receive the same text message allegedly from a National MP pleading for the Inquiry to be called off on mental health grounds.
August 16 (approx. 11.30am)	Leader meets with some Senior MPs to discuss the text and next steps and requests Leader's Office seek urgent mental health advice on the message and how best to engage and support with person.
August 16 (approx. midday)	Leader meets with Reporter A [redacted] of Newshub. Reporter A [redacted] advises she is not aware of the identity of the person who sent the text. Makes comment that this is the longest communication she has had from the number, implying there has been previous communication from the number.
August 16	Leader responds to text advising their wellbeing is the priority and offering

(approx. 12:30pm)	support. No reply received.
August 16 (4:00pm)	Deputy Leader, Chief of Staff and Deputy Chief of Staff meet with Mental Health practitioner for advice.
August 16 (6:48pm)	Deputy Leader sends a message to the person reaching out and offering support. No reply received.
August 16 (approx. 8:30pm)	Deputy Leader calls person. Number didn't ring and no voicemail service.
August 17 (1:00pm)	Leader, Deputy Leader and Chief of Staff meet with the Deputy Police Commissioner (National Operations) [redacted] and Auckland Central Area Commander, Inspector [redacted] to refer text to them for follow-up.
August 19 (late afternoon)	Deputy Police Commissioner (National Operations) advises Leader that the Police have identified and spoken to sender.
August 23	Speaker names Michael Heron QC to conduct Inquiry.
August 24 (6:00am)	RNZ reveals text and some content was sent previous week to Leader, Speaker and Newshub and others comment publicly.
August 24 (approx. 10.00am)	Leader holds media conference with Senior MPs responding to the revelations he has received a message from the alleged leaker. Also confirms Police have identified and contacted the person who sent him the text message.
August 24 (12:53pm)	Speaker issues media statement advising that he has called off the Inquiry into the source of the leak of National Party travel and accommodation expenses that was to have been undertaken by Michael Heron QC.
August 24 (3:47pm)	Shadow Leader of the House (Gerry Brownlee) issues comment to media advising the National Party remains committed to resolving the issue and will now consider our next steps.
August 27	PwC and Simpson Grierson contacted to advise and lead on an independent investigation

Appendix 3 – Certain calls and text messages made by Mr Ross MP

Date	Time	Number Called/ Text	Type	Call Duration (hh:mm:ss)	Possible Contact
7/08/2018	20:12:53		Call	0:01:00	Reporter B ⁴
14/08/2018	22:18:03		Call	0:05:12	Reporter B
16/08/2018	22:19:58		Call	0:01:40	Reporter B
16/08/2018	22:21:58		Call	0:19:58	Reporter B
19/08/2018	13:41:32		Call	0:02:31	Police
19/08/2018	17:14:20		Call	0:09:35	Reporter B
20/08/2018	13:33:38		Call	0:01:06	Police
20/08/2018	15:09:00		Call	0:01:00	Police
23/08/2018	10:39:09		Call	0:05:16	Reporter B
23/08/2018	10:44:50		Call	0:01:00	The Speaker
23/08/2018	10:45:07		Call	0:03:50	The Speaker
23/08/2018	10:51:30		Call	0:01:00	Reporter B
23/08/2018	12:03:26		Call	0:12:39	Reporter B
23/08/2018	12:58:25		Call	0:02:56	Police
23/08/2018	15:42:08		TXT	0:00:00	Reporter B
23/08/2018	15:47:56		Call	0:07:45	Reporter B
24/08/2018	7:19:04		Call	0:11:51	Police
24/08/2018	8:45:32		Call	0:06:13	Police
24/08/2018	11:45:56		Call	0:01:00	Police
24/08/2018	13:47:50		Call	0:05:07	Police
24/08/2018	14:20:25		Call	0:01:23	Police

⁴ We note that Reporter B is employed by RNZ