

## Charles Warwick Reid

**Case ID:**

ARW-38

**Position of Public Official(s) (yrs in office):**

Deputy Crown Prosecutor (1975-1989)

**Jurisdiction of Asset Recovery:**

New Zealand

**Jurisdiction of Asset Recovery ? Description:**

Location of Recovery Effort, Asset Location / Alleged Asset Location

**Asset Recovery Start:**

1986

**Asset Recovery End:**

Unknown

**UNCAC Offenses Implicated:**

Art.15

Art.20

**Money laundering Implicated:**

Yes

**Legal Basis for Asset Recovery:**

Private Civil Action

**Intl.Cooperation: MLAT/Letter of Request?:**

No

**Basis for Intl Cooperation:**

NA

**Contributing Factors in Asset Recovery:**

Cooperation by Hong Kong and New Zealand

**Status of Asset Recovery :**

Completed

**Assets Returned (USD) - Description:**

Unknown amounts returned [family properties and trusts]

**Agreement for Returned Assets:**

No

**Agreement for Returned Assets - Description:**

NA

**Case Summary:**

At his 1990 sentencing in Hong Kong, Charles Warwick Reid was ordered to pay HK \$12.4 million (the value of his unexplainable assets). However, the funds in his Singaporean bank account had disappeared, and Mr. Reid never paid the fine. The Attorney General of Hong Kong pursued a civil case on behalf of the Crown in New Zealand to seize the three properties Mr. Reid owned in New Zealand. In 1993, the Privy Council in London held that the properties were held in constructive trust for the Crown. (Source: Attorney General for Hong Kong v. Reid, 1993 UKPC 2 [November 1, 1993]). A week after his release from Hong Kong and return to New Zealand, however, he was re-arrested on another bribery charge and again forced to forfeit properties that represented the proceeds of his corrupt activities. The High Court of Auckland ordered the seizure of Mr. Reid's assets, which included his family home in

Tauranga, the Bay BodyFit Gymnasium, and his family trust funds. In a deal reached with Crown lawyers in 1997, Charles Warwick Reid dropped his appeal against the ruling, and the Reids were allowed to rent their former home at market rates for a period of six years, until their youngest child turned sixteen. (Source: AFP, "Ex-HK Prosecutor Warwick Reid gives up fight to keep assets," October 17, 1997.)

**Disposition of Criminal Case(s):**

According to a judgment by the Hong Kong Court of Appeals, Mr. Reid pleaded guilty to violation of section 10(1)(b) of the Prevention of Bribery Ordinance and, in July 1990, he was sentenced by the Hong Kong High Court to an 8-year prison term. (Source: In the Matter of an Application for Leave to Apply for Judicial review and in the Matter of Charles Warwick Reid, Case No. CACV 149/2003, Judgement dated January 12, 1994.)

**Jurisdiction of Origin: Investigative Agency:**

Independent Commission Against Corruption; [Philippines Immigration officers, 1990 - illegal entry]

**Jurisdiction of Origin: Prosecuting Authority/Civil Attorney(s):**

Attorney General

**Jurisdiction of Origin: Courts Involved:**

Magistrates Court, High Court

**Jurisdiction of Asset Recovery: Investigative Agency:**

NA

**Jurisdiction of Asset Recovery: Prosecuting Authority/Civil Attorney(s):**

Herbert Smith, London Agents for Russell McVeagh McKenzie Bartleet & Co (for Attorney General of Hong Kong, Privy Council)

**Jurisdiction of Asset Recovery: Courts Involved:**

High Court of Auckland, Court of Appeal of New Zealand, United Kingdom Privy Council

**Documents:**

Reid\_1993\_UK\_Privy\_Council\_2.pdf

Reid\_HK\_ICAC\_Chronicle.pdf

Reid\_Hong\_Kong\_Leniency\_CACV\_149\_1993.pdf

Reid\_New\_Zealand\_Various.pdf

**Documents Links:**

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Reid\\_1993\\_UK\\_P...](http://www1.worldbank.org/finance/star_site/documents/arw/Reid_1993_UK_P...)

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Reid\\_HK\\_ICAC\\_C...](http://www1.worldbank.org/finance/star_site/documents/arw/Reid_HK_ICAC_C...)

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Reid\\_Hong\\_Kong...](http://www1.worldbank.org/finance/star_site/documents/arw/Reid_Hong_Kong...)

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Reid\\_New\\_Zeala...](http://www1.worldbank.org/finance/star_site/documents/arw/Reid_New_Zeala...)

**Other Sources:**

AG for Hong Kong v. Reid, 1993 UKPC 2 (01 November 1993) (on appeal from the Court of Appeal of New Zealand, Civil Appeal No. 44 of 1992) (available through [www.bailii.org](http://www.bailii.org)) and Index of Reference including Reasons for Judgment of the Court of Appeal of New Zealand (December 19, 1991) and Judgment of Court of Appeal of New Zealand (March 18, 1992); In the Matter of an Application for Leave to Apply for Judicial Review and in the Matter of Charles Warwick Reid, Case No. CACV 149/1993, Judgement dated January 12, 1994, accessed at <http://legalref.judiciary.gov.hk/lrs/common/ju/judgment.jsp>; See also, "Senior Government Counsel Bribery Case," as part of the landmark cases section of the Hong Kong Independent Commission Against Corruption website, at [http://www.icac.org.hk/new\\_icac/eng/cases/ddpp/dcont\\_01.htm](http://www.icac.org.hk/new_icac/eng/cases/ddpp/dcont_01.htm).