

23 August 2021

Jan Magee  
[fyi-request-16179-de4169a1@requests.fyi.org.nz](mailto:fyi-request-16179-de4169a1@requests.fyi.org.nz).

Dear Jan

Thank you for your email of 24 July 2021, requesting information relating to Ms Gemma McConkey. You requested the following information under the Official Information Act 1982 (the Act).

*“How many legal disputes has Ms McConkey been involved in*

*How much money has Ms McConkey received in legal aid”*

In response to your request regarding *“the number of disputes Ms McConkey has been involved in”*, I can confirm that this is court information and is not subject to the Official Information Act 1982, pursuant to Section 2(6)(a).

As per District Court Rules 2017, access to court information is governed by specific search rules and the inherent authority of the courts is to regulate access to the information under its supervision. As such, in order to request access to court information that you are not a party to, you will need to file an application with the courthouse where the matter was heard. This will then be referred to a judge or deputy registrar for a decision. Any decision relating to the release of court information is a judicial decision, and therefore, the Ministry cannot intervene or comment on this process. The application process and associated fees can be found on the Ministry’s website at: [justice.govt.nz/about/news-and-media/media-centre/media-information/fees-for-access-to-court-documents](http://justice.govt.nz/about/news-and-media/media-centre/media-information/fees-for-access-to-court-documents)

Court contact details can be found on the Ministry’s website at: [justice.govt.nz/contact-us/find-us/](http://justice.govt.nz/contact-us/find-us/)

Your second request regarding the amount of money Ms McConkey received has been referred to me for a response as it falls within my responsibilities as Manager, Legal Aid Services and is being managed under the provisions of the Official Information Act 1982 (the Act).

This part of your request is being refused under section 9(2)(a) of the Act. Withholding this information is necessary to protect the privacy of natural persons. I do not consider that the reasons for withholding the information are outweighed by any considerations that render it desirable, in the public interest, to make the information available.

Legal aid operates on a system of fixed fees and maximum grants for services provided by legal aid lawyers. Fixed amounts are paid to lawyers for completing specific activities. More information about fixed fees can be found on our website: [justice.govt.nz/about/lawyers-and-service-providers/legal-aid-lawyers/proceeding-steps-and-fixed-fee-schedules/](http://justice.govt.nz/about/lawyers-and-service-providers/legal-aid-lawyers/proceeding-steps-and-fixed-fee-schedules/). Legal aid is paid to the lawyer, not the legally aided person.

If you require any clarification of the information contained in this response please contact Alison Horwood, Media Manager at [media@justice.govt.nz](mailto:media@justice.govt.nz) or call (04) 918 8836.

Please note that if you are not satisfied with this response, you have the right to ask the Ombudsman to investigate and review our decision under section 28(3) of the Act.

Contact details for the Office of the Ombudsman are:

Office of the Ombudsman  
PO Box 10152  
Wellington  
Email: [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz)

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Robert Ives', with a large, sweeping flourish underneath.

Robert Ives  
**Manager, Legal Aid Services**