



31 January 2023

Attention: I Brown

By email: fyi-request-21242-0a8599b9@requests.fyi.org.nz

Tēnā koe

Official information request – Government agency prosecutor classification numbers
Our Ref: OIA353/1

1. I refer to your official information request of 22 December 2022. This request followed our 19 December 2022 response to your 26 November 2022 request for the number of lawyers classified as junior, intermediate, senior and principal as at 1 July for the years 2017-2020. You have advised you would also like the overall classification numbers, by level, of lawyers at government agencies.
2. As briefly explained in my email of 19 January 2023, the classification framework for prosecutors at government agencies is separate to that of Crown prosecutors. The framework for agency prosecutors first came into effect on 1 July 2018 and the classification levels were set as 1, 2, 3, 3+ and 4. From 1 July 2020, an updated version of the framework came into place and the levels were amended to 1, 2 and 3. As additional information, please find *attached* to the cover email copies of both versions of the framework.
3. In relation to the classification numbers at government agencies, please find these numbers below. As the data cannot be isolated to determine the number of prosecutors at each classification level at a particular date, the tables show the information for the 1 July to 30 June financial years.

2018/2019	
Level	Count
L-1	71
L-2	28
L-3	41
L-3+	18
L-4	33
Total	191

2019/2020	
Level	Count
L-1	76
L-2	33
L-3	42
L-3+	21
L-4	33
Total	205

2020/2021	
Level	Count
L-1	82
L-2	41
L-3	86
Total	209

4. In terms of the above data, we also note the following:
 - 4.1 As the classification system for agency prosecutors was first effective in July 2018 there is no information for the 2017/2018 financial year.

- 4.2 Because Crown Law does not utilise the “court cluster” definition adopted by Legal Aid, we are unable to specify the requested data on that basis.
- 4.3 Where an individual prosecutor changed classification in a year, they are recorded under the more senior of the two classifications they held that year.
- 4.4 There is no obligation for agencies to immediately advise Crown Law of an individual prosecutor ceasing to carry out work in that capacity. A classification therefore does not necessarily mean someone is actively undertaking prosecution work. Further, should an individual leave a prosecuting agency to work elsewhere they would still retain their classification until the expiry date of their classification. We do however update our records where agencies provide updated information through our annual questionnaire.

We may publish this response

5. Please note that we may publish this response (with your personal details redacted), and any related documents, on Crown Law’s website if we decide proactive release of this information is or may be in the public interest. If you have any concerns about this, please let us know within 10 working days of the date of this letter.

Your right of review

6. You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā

Crown Law



Philip Coffey
Manager, Public Prosecution Unit