



30 March 2023

I Brown

fyi-request-21961-96cea059@requests.fyi.org.nz

Our ref: OIA 102997

Tēnā koe I Brown

### **Official Information Act request: Correspondence in relation to previous OIAs**

Thank you for your request of 1 March 2023, under the Official Information Act 1982 (the Act), to the Ministry of Justice (the Ministry). Specifically, you requested:

*Please provide copies of all internal and external correspondence, including but not limited to any advice to ministers or ministerial offices, in relation to the following OIA requests*

1. OIA 98582
2. OIA 98544
3. OIA 98729

Please refer to Appendix One for the information within scope of parts 1 and 2 of your request. Please find attached:

- Document 1 (correspondence relating to OIA 98582 and our decisions on their release).
- Document 2 (correspondence relating to OIA 98544 and our decisions on their release).

Copies of the documents are released to you with some information withheld under section 9(2)(a) of the Act to protect the privacy of natural persons.

In response to part 3 of your request, the Ministry provided you the requested information in our response to your email of 20 October 2022, where you requested:

*Please provide me with a copy of all communications sent or received by the Ministry of Justice, either internally or externally, relating or referring to the OIA request that has the MOJ reference OIA 98729, including those not specifically mentioning that number but relating to that request*

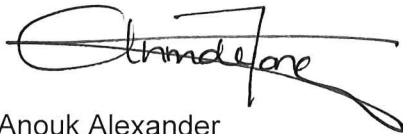
A copy of the response we provided you and the documents we released are enclosed as document 3.

If you require any further information, please contact Media & Social Media Manager Joe Locke at [media@justice.govt.nz](mailto:media@justice.govt.nz).

Please note that this response, with your personal details removed, may be published on the Ministry website at: [justice.govt.nz/about/official-information-act-requests/oia-responses/](http://justice.govt.nz/about/official-information-act-requests/oia-responses/).

If you are not satisfied with this response, you have the right to make a complaint to the Office of the Ombudsman under section 28(3) of the Act. The Office of the Ombudsman may be contacted by email to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by phone on 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Anouk Alexander', with a stylized flourish extending from the end.

Anouk Alexander

**Deputy Chief Executive, Strategy, Governance & Finance**

## Appendix One: documents for release

#	Date	Document type	Title	Decisions on release
1	22/08/2022 – 10/01/2023	Email	OIA 98544 scoping correspondence	Some information withheld under section 9(2)(a) of the Act to protect the privacy of natural persons.
2	22/08/2022 – 23/09/2022	Email	OIA 98582 scoping correspondence	Released in full.
3	26/10/2022	Letter	OIA 99658 response letter and accompanying documents	Some information deemed out of scope.

**From:** OIA@justice.govt.nz  
**Sent:** Monday, 22 August 2022 11:36 am  
**To:** I Brown  
**Subject:** RE: Official Information request - Numbers of criminal and civil legal aid providers 2017-2021

Kia ora Mr Brown,

Thank you for emailing the Ministry of Justice.

We acknowledge receipt of your request regarding numbers of criminal and civil legal aid providers 2017-2021.

This has been forwarded onto the relevant business unit to respond to.

You can expect a response by 19/09/2022.

Ngā mihi,  
Ellen



**Ministerial Relations and Services**  
Strategy, Governance and Finance  
DDI: +64 4 918 8800  
[www.justice.govt.nz](http://www.justice.govt.nz)

-----Original Message-----

**From:** I Brown <fyi-request-20293-9da1fd1e@requests.fyi.org.nz>  
**Sent:** Friday, 19 August 2022 7:39 pm  
**To:** OIA@justice.govt.nz  
**Subject:** Official Information request - Numbers of criminal and civil legal aid providers 2017-2021

Dear Ministry of Justice,

Please provide the following information in relation to criminal and civil legal aid providers in New Zealand:

1. The number of providers with approval to accept only Criminal provider approval level 1 assignments as a lead provider (not including limited approvals) for each of the years 2017, 2018, 2019, 2020, and 2021; and
2. How many of those providers with only that approval level accepted more than five assignments in total for each of the years 2017, 2018, 2019, 2020, and 2021; and
3. The number of providers with approval to accept both Criminal provider approval level 1 and 2 assignments as a lead provider (not including limited approvals) for each of the years 2017, 2018, 2019, 2020, and 2021; and
4. How many of those providers with those approval levels accepted more than five assignments at either level in total for each of the years 2017, 2018, 2019, 2020, and 2021; and
5. The number of providers with approval to accept Criminal provider approval level 1, 2, and 3 assignments as a lead provider (not including limited approvals) for each of the years 2017, 2018, 2019, 2020, and 2021; and
6. How many of those providers with all of those approval levels accepted more than five assignments in total at any of those levels for each of the years 2017, 2018, 2019, 2020, and 2021; and
7. The number of providers with approval to accept Criminal provider approval level 1, 2, 3, and 4 assignments as a lead provider (not including limited approvals) for each of the years 2017, 2018, 2019, 2020, and 2021; and
8. How many of those providers with all of those approval levels accepted more than 5 assignments in total at any of those levels for each of the years 2017, 2018, 2019, 2020, and 2021; and

9. How many criminal legal aid providers had PDLA approval for each of the years 2017, 2018, 2019, 2020, and 2021; and
10. How many providers were on the PDLA roster for each of the years 2017, 2018, 2019, 2020, and 2021; and
11. The number of providers with approval to accept Court of Appeal and Supreme Court assignments as a lead provider (not including limited approvals) for each of the years 2017, 2018, 2019, 2020, and 2021; and
12. How many of those providers with that approval accepted more than 2 assignments for each of the years 2017, 2018, 2019, 2020, and 2021; and
13. How many providers were approved for the PDLA scheme in each of the years 2017, 2018, 2019, 2020, and 2021; and
14. How many criminal legal aid providers were actually on the PDLA roster to receive calls for each of the years 2017, 2018, 2019, 2020, and 2021; and
15. How many Civil legal aid providers (not including employment) were there for the years 2017, 2018, 2019, 2020, and 2021; and
16. How many of those Civil legal aid providers received more than three assignments in the years 2017, 2018, 2019, 2020, and 2021.

Yours faithfully,

I Brown

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This is an Official Information request made via the FYI website.

Please use this email address for all replies to this request:  
[fyi-request-20293-9da1fd1e@requests.fyi.org.nz](mailto:fyi-request-20293-9da1fd1e@requests.fyi.org.nz)

Is [OIA@justice.govt.nz](mailto:OIA@justice.govt.nz) the wrong address for Official Information requests to Ministry of Justice? If so, please contact us using this form:  
[https://fyi.org.nz/change\\_request/new?body=ministry\\_of\\_justice](https://fyi.org.nz/change_request/new?body=ministry_of_justice)

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**From:** OIA@justice.govt.nz  
**Sent:** Monday, 22 August 2022 4:01 pm  
**To:** NSDOpsSupport; Boyle, Dylan  
**Cc:** xxxxxxxx@xxxxxxx.xxxx.xx; OC E@justice.govt.nz; COOOffice  
**Subject:** Media request OIA - 98544 - Brown - due 19/09/2022 criminal and civil legal aid providers

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Kia ora Dylan

I am allocating this media OIA to you. Note Emma has been allocated a court statistics OIA for this requester, which is for RSD.

NSD, please confirm who the subject matter expert will be that Dylan can work with on this response.

#### Process

The OIA scoping plan and information sheet templates are in the shared file. The scoping plan is to assist you in planning out processes and timeframes for this OIA. Please ensure you fill out all of the relevant information in the information sheet and get this peer reviewed. Your SME will be able to help with both of these documents.

Please save the final version to the Allocation folder for this OIA on the shared drive. You may wish to consider whether an early scoping meeting may be useful.

As this request is broad in scope and may need to be clarified, please ensure you discuss this with the subject matter expert within a day or two.

This is a FYI.org.nz request, so you will need to ensure the Media team are consulted and sent the response. OCE and OCOO will wish to be consulted, as this is a media request. Check if Hon Allan or Hon Sio's office wish to be involved.

Please talk to the SME and the signing manager about whether this OIA response can be proactively released.

Remember to update JAX, file everything in the folder in the shared drive, and update your personal workflow tool in the shared drive.

Many thanks.

Ngā mihi,  
Jan



**Ministerial Relations and Services**  
Strategy, Governance and Finance  
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[www.justice.govt.nz](http://www.justice.govt.nz)

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**From:** Demchy, Douglas  
**Sent:** Wednesday, 24 August 2022 3:28 pm  
**To:** Boyle, Dylan  
**Subject:** Media request OIA - 98544 - Brown

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Kia ora Dylan,

I have requested a meeting with JusticeStats to discuss this request.

I will let you know of any updates.

Ngā mihi



**Douglas Demchy**

Advisor | National Service Delivery - Operations Support

☎: 0800 253 425 | 🏢 DX SX10146 Wellington 6142

Justice Centre | 19 Aitken Street, Wellington

[www.justice.govt.nz](http://www.justice.govt.nz)

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**From:** Demchy, Douglas  
**Sent:** Monday, 29 August 2022 2:44 pm  
**To:** Boyle, Dylan  
**Subject:** Media OIA - Brown - 98544

Kia ora Dylan,

As discussed we need the following further information:

- For questions 1 – 16, do you want the data for the calendar or financial year?
- For questions 10 & 14, PDLA rosters only operate in Northland, Auckland, Hamilton and Christchurch. Is the request about the PDLA list instead?
- For question 15, are you wanting the data to exclude civil providers who only do employment work, including advocates?
- Is the data requested for private providers only, excluding the Public Defence Service?
- Questions 9 & 13 are very similar, can you clarify the difference between these questions?
- For question 9, are you wanting to include providers that hold any PAL level and a PDLA approval?
- For question 13, are you wanting to include any provider that has a PDLA approval regardless of any other approvals held or not?
- Questions 10 & 14 are very similar, can you clarify the difference between these questions?

Once we have a response, I can request some of the data from PDS and if there are any further questions, you can contact PDS.

A bulk of the data will come from JusticeStats in a spreadsheet format, the key data will be provided on a PDF document.

If you have any questions, let me know.

Ngā mihi



**Douglas Demchy**

Advisor | National Service Delivery - Operations Support

☎: 0800 253 425 | 📠 DX SX10146 Wellington 6142

Justice Centre | 19 Aitken Street, Wellington

[www.justice.govt.nz](http://www.justice.govt.nz)



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**From:** correspondence, official  
**Sent:** Tuesday, 30 August 2022 7:13 am  
**To:** Boyle, Dylan  
**Subject:** FW: OIA 98544 I Brown

Hi Dylan

Clarification for you

Cheers  
Sarah

Sarah Collins (she/her)  
Senior Advisor | Ministerial Relations and Services | Strategy, Governance and Finance  
DDI: +64 4 918 8821 | Ext 58821 | <sup>s9(2)(a)</sup> [REDACTED] www.justice.govt.nz

My employer supports flexible working. If I've sent this email outside standard business hours, please know that I have no expectation of receiving a reply from you other than within your convenience.

-----Original Message-----

From: I Brown <fyi-request-20293-9da1fd1e@requests.fyi.org.nz>  
Sent: Monday, 29 August 2022 8:01 pm  
To: correspondence, official <official.correspondence@justice.govt.nz>  
Subject: Re: OIA 98544 I Brown

Dear correspondence, official,

Thank you very much for your request for clarification questions. I reply as follows:

For questions 1 – 16, do you want the data for the calendar or financial year?

Reply: If possible, the 1 July-30 June year as used for the payments and grants data. Otherwise at your convenience.

For questions 10 & 14, PDLA rosters only operate in Northland, Auckland, Hamilton and Christchurch. Is the request about the PDLA list instead?

Reply: Yes, thank you.

For question 15, are you wanting the data to exclude civil providers who only do employment work, including advocates?

Reply: Yes, that is correct.

Is the data requested for private providers only, excluding the Public Defence Service?

Reply: That was my intention. However, you raise a good point. Please provide separately the numbers of PDS lawyers at the various PAL approvals for the requested years.

Questions 9 & 13 are very similar, can you clarify the difference between these questions?

Reply: My apologies, you are correct. I appear to have doubled-up. Please consider them to be one question, unless the answers differ substantively.

For question 9, are you wanting to include providers that hold any PAL level and a PDLA approval?

Reply: Yes, please.

For question 13, are you wanting to include any provider that has a PDLA approval regardless of any other approvals held or not?

Reply: I wasn't aware that there are providers that hold PDLA approval but do not hold any other approval. Please add that category to my request.

Questions 10 & 14 are very similar, can you clarify the difference between these questions?

Reply: Again, my apologies for a double-up. Please consider them to be one question, unless the answers differ substantively.

Yours sincerely,

I Brown

-----Original Message-----

Kia ora

Thank you for your OIA request 98544. Please find some questions below for clarification concerning your OIA request:

- o For questions 1 – 16, do you want the data for the calendar or financial year?
- o For questions 10 & 14, PDLA rosters only operate in Northland, Auckland, Hamilton and Christchurch. Is the request about the PDLA list instead?
- o For question 15, are you wanting the data to exclude civil providers who only do employment work, including advocates?
- o Is the data requested for private providers only, excluding the Public Defence Service?
- o Questions 9 & 13 are very similar, can you clarify the difference between these questions?
- o For question 9, are you wanting to include providers that hold any PAL level and a PDLA approval?
- o For question 13, are you wanting to include any provider that has a PDLA approval regardless of any other approvals held or not?
- o Questions 10 & 14 are very similar, can you clarify the difference between these questions?

Thank you very much.

Ngā mihi,  
Dylan

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**From:** Justicestats@justice.govt.nz  
**Sent:** Friday, 9 September 2022 1:11 pm  
**To:** NSDOpsSupport  
**Cc:** Lister, Laura  
**Subject:** RE: OIA 98544 I Brown  
**Attachments:** analytics-3531\_oia\_98544.xlsx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Douglas,

Please see attached files with data on private providers for questions : 1 to 9, 11 to 14 and 15-16.

Thanks.  
Hazel

-----Original Message-----

**From:** NSDOpsSupport <NSDOpsSupport@justice.govt.nz>  
**Sent:** Tuesday, 30 August 2022 9:21 am  
**To:** Lister, Laura <Laura.Lister@justice.govt.nz>; Ancheta, Hazel <Hazel.Ancheta@justice.govt.nz>; Amon, Rick <Rick.Amon@justice.govt.nz>; Johnstone-Peipi, Kerryn <kerryn.johnstone-peipi@pds.govt.nz>; Justicestats@justice.govt.nz; legalaidprovider <legalaidprovider@justice.govt.nz>  
**Cc:** O'Neill, Chris <Chris.ONeill@justice.govt.nz>  
**Subject:** FW: OIA 98544 I Brown

Morena all,

I have received clarification for the media OIA we were discussing in yesterday's meeting.

@Amon, Rick @Johnstone-Peipi, Kerryn

Does this change the data you can gather for 10 and 14? And what is the approximate timeframe you can get this data?

@Ancheta, Hazel @Lister, Laura

Does this change the data you can gather for the remaining questions?

If required I can setup another meeting to discuss further.

Ngā mihi

Douglas

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**From:** Johnstone-Peipi, Kerryn  
**Sent:** Wednesday, 14 September 2022 2:58 pm  
**To:** Demchy, Douglas  
**Cc:** NSDOpsSupport  
**Subject:** OIA 98544 - I Brown  
**Attachments:** OIA 98544 - PDS response - 6-9-22.docx

**Importance:** High

Hi Douglas,

Please find attached PDS' responses to the above OIA.

These responses have now been signed off by our Director, Peter Hutchinson and Jeff Orr.

Thanks  
Kerryn

**Kerryn Johnstone-Peipi**

Senior Business Advisor | Public Defence Service  
Phone: +64 4 978 7072 | Ext: 45072 | Mobile: +64 [REDACTED] s9(2)(a)  
Level 6, Justice Centre | 19 Aitken Street | DX SX10088 | Wellington  
[www.pds.govt.nz](http://www.pds.govt.nz)



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**From:** Demchy, Douglas  
**Sent:** Thursday, 15 September 2022 4:49 pm  
**To:** Boyle, Dylan  
**Subject:** Media OIA - 98544  
**Attachments:** Media OIA - 98544.docx; OIA 98544 - I Brown; RE: OIA 98544 I Brown

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Kia ora Dylan,

Please find attached my advice and the data for the request.

Ngā mihi



**Douglas Demchy**

Advisor | National Service Delivery - Operations Support

☎: 0800 253 425 | 📮 DX SX10146 Wellington 6142

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**From:** Boyle, Dylan  
**Sent:** Tuesday, 27 September 2022 4:45 pm  
**To:** Paltridge, Antony  
**Subject:** OIA 98544 I Brown - Decision letter  
**Attachments:** OIA 98544 I Brown - Decision letter.docx; RE: Official Information request - Numbers of criminal and civil legal aid providers 2017-2021

Hi Antony

Please find attached a decision letter for the OIA 98544 for I Brown to be signed out. Please note that we have clarified our request with the requester on 29 August 2022.

Thank you very much. 😊

Ngā mihi,



**Dylan Boyle**  
Advisor | Ministerial Relations and Services  
Ministry of Justice | Tahū o te Ture  
Strategy, Governance and Finance

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**From:** peerreview  
**Sent:** Thursday, 3 November 2022 4:30 pm  
**To:** Boyle, Dylan  
**Subject:** RE: OIA 98544 I Brown - For review

Hi Dylan

Can we have a chat about this one tomorrow? I want to get my head around the approach taken.

Cheers

Antony

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**From:** Boyle, Dylan <Dylan.Boyle@justice.govt.nz>  
**Sent:** Thursday, 3 November 2022 4:25 pm  
**To:** peerreview <peerreview@justice.govt.nz>  
**Subject:** OIA 98544 I Brown - For review

<b>OIA reference:</b>	<b>98544</b>
<b>Requester:</b>	<b>I Brown</b>
<b>Subject:</b>	<b>Legal aid providers</b>
<b>Due date back to me:</b>	7 November 2022
<b>Due date to requester:</b>	We have sent a decision letter.
<b>Drafter:</b>	Dylan Boyle
<b>Documents attached:</b>	OIA 98544 I Brown – 3 November 2022 OIA 98544 I Brown – Information Sheet Original request

Kia ora Team

Please find attached the OIA 98544 for I Brown for review.

Thank you very much.

Kind regards,



**Dylan Boyle**  
 Advisor | Ministerial Relations and Services  
 Ministry of Justice | Tahū o te Ture

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**From:** correspondence, official  
**Sent:** Tuesday, 15 November 2022 12:25 pm  
**To:** OIAmedia@justice.govt.nz  
**Subject:** FW: OIA 98544 I Brown

Kia ora Team

We have received an email from an FYI requester asking for an update to their OIA 98544.

If you could please tell the requester that the information has been prepared and is currently being finalised.

If you could please assure that we will be trying to provide the information as soon as possible.

Thank you very much. 😊

Ngā mihi,

Dylan Boyle  
Advisor | Ministerial Relations and Services  
Ministry of Justice | Tahū o te Ture  
Strategy, Governance and Finance

-----Original Message-----

From: I Brown <fyi-request-20293-9da1fd1e@requests.fyi.org.nz>  
Sent: Friday, 11 November 2022 11:35 am  
To: correspondence, official <official.correspondence@justice.govt.nz>  
Subject: Re: OIA 98544 I Brown

Dear Sir/Madam,

Can I please have an update on when I am likely to receive this information?

Yours sincerely,

I Brown

-----Original Message-----

Kia ora I

Please find attached an update to your OIA request 98544.

Thank you very much.

Ngā mihi,

Dylan  
Ministerial Relations and Services  
Ministry of Justice | Tahū o te Ture

Strategy, Governance and Finance

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Please use this email address for all replies to this request:  
fyi-request-20293-9da1fd1e@requests.fyi.org.nz

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<https://fyi.org.nz/help/officers>

If you find this service useful as an Official Information officer, please ask your web manager to link to us from your organisation's OIA or LGOIMA page.

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**From:** May, Annie  
**Sent:** Tuesday, 15 November 2022 1:40 pm  
**To:** Boyle, Dylan  
**Subject:** RE: Your OIA regarding Criminal Procedure reform

Thanks Dylan

Will send it now...

Annie

---

**From:** Boyle, Dylan <Dylan.Boyle@justice.govt.nz>  
**Sent:** Tuesday, 15 November 2022 1:39 pm  
**To:** May, Annie <Annie.May@justice.govt.nz>  
**Subject:** RE: Your OIA regarding Criminal Procedure reform

Hi Annie,

The requester has followed up about two separate OIA responses on Friday. This was a follow up to a request 98544 (I've attached the response) concerning criminal and civil legal aid providers.

I believe Phoebe also had a follow up sent by the requester.

Thank you very much. 😊

Ngā mihi,



**Dylan Boyle**  
Advisor | Ministerial Relations and Services  
Ministry of Justice | Tahū o te Ture  
Strategy, Governance and Finance

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**From:** May, Annie <Annie.May@justice.govt.nz>  
**Sent:** Tuesday, 15 November 2022 1:07 pm  
**To:** Boyle, Dylan <Dylan.Boyle@justice.govt.nz>  
**Subject:** FW: Your OIA regarding Criminal Procedure reform

Hi Dylan

Just saw your latest email in the OIA inbox relating a request from I Brown.

I sent the email below to them on Friday, but not sure if your one relates to the case request.

Can you please let me know so I don't double up?

Many thanks, 😊

Annie

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**From:** May, Annie  
**Sent:** Friday, 11 November 2022 2:55 pm  
**To:** 'I Brown' <[fyi-request-20366-xxxxxxx@xxxxxxx.xxx.xxx.xx](mailto:fyi-request-20366-xxxxxxx@xxxxxxx.xxx.xxx.xx)>  
**Cc:** [OIAmedia@justice.govt.nz](mailto:OIAmedia@justice.govt.nz)  
**Subject:** RE: Your OIA regarding Criminal Procedure reform

Kia ora

I have spoken with the OIA team who are still gathering the material for your OIA relating to Criminal Procedure reform.

I understand they are hopeful of having a reply to you in two or three weeks.

Ngā mihi  
Annie



**Annie May**  
Senior Advisor (Communications)  
Ph: s9(2)(a)  
[www.justice.govt.nz](http://www.justice.govt.nz)

-----Original Message-----

**From:** I Brown <[fyi-request-20366-a8e2cad8@requests.fyi.org.nz](mailto:fyi-request-20366-a8e2cad8@requests.fyi.org.nz)>  
**Sent:** Friday, 11 November 2022 11:34 am  
**To:** May, Annie <[Annie.Max@xxxxxxx.xxx.x](mailto:Annie.Max@xxxxxxx.xxx.x)>  
**Subject:** Re: Your OIA regarding Criminal Procedure reform

Dear May, Annie,

Can I please have an update on when I am likely to receive this information?

Yours sincerely,

I Brown

-----Original Message-----

Kia ora

Please find attached an extension letter regarding your OIA relating to Criminal Procedure reform.

Ngā mihi  
Annie

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**From:** Boyle, Dylan  
**Sent:** Friday, 18 November 2022 2:16 pm  
**To:** NSDOpsSupport  
**Cc:** McDonald, Hamish  
**Subject:** RE: OIA 98544 | Brown

Kia ora Louise and Hamish

Appreciated the chat today. it was nice to see you both.

And thanks for the feedback for this one regarding the formatting - I think it should make the whole letter much easier to read! 😊

I will try to get the draft back to you ASAP.

Cheers.

Ngā mihi,



**Dylan Boyle**  
Advisor | Ministerial Relations and Services  
Ministry of Justice | Tahū o te Ture  
Strategy, Governance and Finance

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**From:** NSDOpsSupport <NSDOpsSupport@justice.govt.nz>  
**Sent:** Friday, 18 November 2022 2:06 pm  
**To:** Boyle, Dylan <Dylan.Boyle@justice.govt.nz>  
**Cc:** McDonald, Hamish <Hamish.McDonald@justice.govt.nz>  
**Subject:** FW: OIA 98544 | Brown

Kia ora Dylan,

Thanks for coming down today, was good to chat this one through.

I've attached my comments on the draft, and as discussed, if you could please adjust the format to have the tables in an appendix, and refer to them in the body of the letter. For example:

*In response to question 1, please refer to Table 1 in the attached Appendix for the number of lead providers with approval to only accept criminal provider level 1 cases since 2017, broken down by financial year.*

Let me know if you have any questions, I'm happy to discuss.

Ngā mihi,





**Louise Nodder (she/her)**

Kaitohutohu Matua – Senior Advisor | National Service Delivery -  
Operations Support

Ministry of Justice | Tāhū o te Ture

P +64 4 494 9794 | Ext 50794

Justice Centre | 19 Aitken Street, Wellington

[louise.nodder@justice.govt.nz](mailto:louise.nodder@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

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**From:** Boyle, Dylan <xxxxx.xxxxx@xxxxxxx.xxx.xx>

**Sent:** Thursday, 10 November 2022 11:44 am

**To:** NSDOpsSupport <[NSDOpsSupport@justice.govt.nz](mailto:NSDOpsSupport@justice.govt.nz)>

**Subject:** OIA 98544 | Brown

Kia ora Team

Please find attached a draft response for the OIA 98544 for I Brown for review.

We have previously sent out a decision letter for the response.

Thank you very much. 😊

Ngā mihi,



**Dylan Boyle**

Advisor | Ministerial Relations and Services

Ministry of Justice | Tahū o te Ture

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## Huygens, Phoebe

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**From:** May, Annie  
**Sent:** Wednesday, 7 December 2022 10:21 am  
**To:** OIA@justice.govt.nz  
**Cc:** OIAmedia@justice.govt.nz  
**Subject:** FW: OIA request 98544

Kia ora ano tīma

As outlined in my previous email, this is the second one which came through from the fyi requestor, I Brown.

Thanks again for your help with these.

Ngā mihi  
Annie



**Annie May**  
Senior Advisor (Communications)  
Ph: 027 291 7573  
[www.justice.govt.nz](http://www.justice.govt.nz)

-----Original Message-----

**From:** I Brown <fyi-request-20293-9da1fd1e@requests.fyi.org.nz>  
**Sent:** Wednesday, 7 December 2022 10:02 am  
**To:** May, Annie <Annie.May@justice.govt.nz>  
**Subject:** Re: OIA request 98544

Dear Annie May,

This request was made on 19 August. On 15 November you wrote that the information was being finalised. That was three weeks ago, with no further update. Please provide the requested information as a matter of urgency.

Yours sincerely,

I Brown

-----Original Message-----

Kia ora

I have contacted the OIA team who tell me the information for your OIA request 98544 has been prepared and is currently being finalised.

They will try to provide the information as soon as possible.

Ngā mihi  
Annie

**From:** Boyle, Dylan  
**Sent:** Monday, 9 January 2023 4:24 pm  
**To:** Buchanan, Queenie  
**Subject:** FW: OIA 98544 I Brown - Decision letter sent.  
**Attachments:** OIA 98544 I Brown - Draft letter 2 Dec 2922.docx; OIA 98544 I Brown - Information Sheet.docx; RE: Official Information request - Numbers of criminal and civil legal aid providers 2017-2021

Kia ora Queenie

I hope you had a happy new year! 😊

Just wanted to please check the status of this OIA 98544 for I Brown.

Thanks again for your help with these OIA requests, it's much appreciated.

Ngā mihi,



**Dylan Boyle**  
 Advisor | Ministerial Relations and Services  
 Ministry of Justice | Tāhū o te Ture  
 Strategy, Governance and Finance

---

**From:** Buchanan, Queenie <Queenie.Buchanan@justice.govt.nz>  
**Sent:** Thursday, 8 December 2022 6:01 pm  
**To:** Boyle, Dylan <Dylan.Boyle@justice.govt.nz>  
**Subject:** Re: OIA 98544 I Brown - Decision letter sent.

Kia ora Dylan,

Thank you for your email.

I believe Cam has followed up with Molly on this one, where Molly has responded CC' Jan as to the reason(s) for the delay.

Thanks for your patience.

Ngā mihi, nā

**Queenie Buchanan**

(Acting) Manager Operations Support | Kaiwhakahaere Mahi tautoko  
 Ministry of Justice | Tāhū o te Ture  
 waea pūkoro: +64<sup>s9(2)(a)</sup> | Īmēra: [Queenie.Buchanan@justice.govt.nz](mailto:Queenie.Buchanan@justice.govt.nz)  
 DX : SX10088 | Wellington | [www.justice.govt.nz](http://www.justice.govt.nz)



Please consider the environment before printing this e-mail

**Confidentiality notice:** This email may be confidential or legally privileged.

If you have received it in error, please tell the sender immediately and delete it.

Ngā mihi.

On 8/12/2022, at 8:30 AM, Boyle, Dylan <[Dylan.Boyle@justice.govt.nz](mailto:Dylan.Boyle@justice.govt.nz)> wrote:

Hi Queenie

Please find a request for the OIA 98544 for I Brown for review. 😊

This one had been sent to Aimee Clarkson last Friday. The requester has followed up about this request so there is some urgency.

We have sent a decision letter to the requester.

Thank you very much.

Ngā mihi,

**Dylan Boyle**

Advisor | Ministerial Relations and Services

Ministry of Justice | Tahū o te Ture

Strategy, Governance and Finance

---

**From:** Boyle, Dylan

**Sent:** Friday, 2 December 2022 4:28 pm

**To:** Clarkson, Aimee <[xxxxx.xxxxxxxx@xxxxxxx.xxxx.xx](mailto:xxxxx.xxxxxxxx@xxxxxxx.xxxx.xx)>

**Subject:** FW: OIA 98544 I Brown - Decision letter sent.

Kia ora Aimee

Please find attached an updated draft for the OIA 98544 for I Brown for your review.

A decision letter has been sent for this one.

Thank you very much.

Ngā mihi,

**Dylan Boyle**

Advisor | Ministerial Relations and Services  
Ministry of Justice | Tahū o te Ture  
Strategy, Governance and Finance

---

**From:** Pearson, Gregory <[xxxxxxx.xxxxxx@xxxxxxx.xxxx.xx](mailto:xxxxxxx.xxxxxx@xxxxxxx.xxxx.xx)>  
**Sent:** Thursday, 1 December 2022 4:29 pm  
**To:** Boyle, Dylan <[Dylan.Boyle@justice.govt.nz](mailto:Dylan.Boyle@justice.govt.nz)>  
**Cc:** NSDOpsSupport <[NSDOpsSupport@justice.govt.nz](mailto:NSDOpsSupport@justice.govt.nz)>  
**Subject:** FW: OIA 98544 | Brown

Kia ora Dylan,

Please find changes attached. If you are happy with the changes this can continue on sign out.

Ngā Mihi

**Gregory Pearson** ([he/him/Mr](#))  
Team Manager | Operations Support  
Ministry of Justice | Tahū o te Ture  
Waea 027 563 7494

---

**From:** NSDOpsSupport <[NSDOpsSupport@justice.govt.nz](mailto:NSDOpsSupport@justice.govt.nz)>  
**Sent:** Tuesday, 29 November 2022 11:39 am  
**To:** Pearson, Gregory <[Gregory.Pearson@justice.govt.nz](mailto:Gregory.Pearson@justice.govt.nz)>  
**Subject:** FW: OIA 98544 | Brown

Hey hey,

Attached OIA with my comments for your review – happy to discuss.

Ngā mihi,

**Louise Nodder (she/her)**

Kaitohutohu Matua – Senior Advisor | National Service Delivery -  
Operations Support  
Ministry of Justice | Tahū o te Ture  
P +64 4 494 9794 | Ext 50794  
Justice Centre | 19 Aitken Street, Wellington  
[louise.nodder@justice.govt.nz](mailto:louise.nodder@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

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**From:** Boyle, Dylan <[xxxxx.xxxxx@xxxxxxx.xxxx.xx](mailto:xxxxx.xxxxx@xxxxxxx.xxxx.xx)>  
**Sent:** Friday, 25 November 2022 4:27 pm  
**To:** NSDOpsSupport <[NSDOpsSupport@justice.govt.nz](mailto:NSDOpsSupport@justice.govt.nz)>  
**Cc:** McDonald, Hamish <[xxxxxxx.xxxxxxxx@xxxxxxx.xxxx.xx](mailto:xxxxxxx.xxxxxxxx@xxxxxxx.xxxx.xx)>  
**Subject:** RE: OIA 98544 | Brown

Kia ora Team

Please find attached an updated version of the OIA 98544 for I Brown.

Thanks again for the helpful feedback with this one. I'm happy to come down and chat again if there is anything that still needs to be changed. 😊

Please be advised that we have sent a decision letter for this request.

Thank you very much.

Ngā mihi,

**Dylan Boyle**

Advisor | Ministerial Relations and Services  
Ministry of Justice | Tahū o te Ture  
Strategy, Governance and Finance

---

**From:** NSDOpsSupport <[NSDOpsSupport@justice.govt.nz](mailto:NSDOpsSupport@justice.govt.nz)>  
**Sent:** Friday, 18 November 2022 2:06 pm  
**To:** Boyle, Dylan <[Dylan.Boyle@justice.govt.nz](mailto:Dylan.Boyle@justice.govt.nz)>  
**Cc:** McDonald, Hamish <[xxxxxx.xxxxxxxx@xxxxxx.xxxx.xx](mailto:xxxxxx.xxxxxxxx@xxxxxx.xxxx.xx)>  
**Subject:** FW: OIA 98544 | Brown

Kia ora Dylan,

Thanks for coming down today, was good to chat this one through.

I've attached my comments on the draft, and as discussed, if you could please adjust the format to have the tables in an appendix, and refer to them in the body of the letter. For example:

*In response to question 1, please refer to Table 1 in the attached Appendix for the number of lead providers with approval to only accept criminal provider level 1 cases since 2017, broken down by financial year.*

Let me know if you have any questions, I'm happy to discuss.

Ngā mihi,

**Louise Nodder (she/her)**

Kaitohutohu Matua – Senior Advisor | National Service Delivery -  
Operations Support  
Ministry of Justice | Tāhū o te Ture  
P +64 4 494 9794 | Ext 50794  
Justice Centre | 19 Aitken Street, Wellington  
[louise.nodder@justice.govt.nz](mailto:louise.nodder@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

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**From:** Boyle, Dylan <[xxxxxx.xxxxx@xxxxxx.xxxx.xx](mailto:xxxxxx.xxxxx@xxxxxx.xxxx.xx)>  
**Sent:** Thursday, 10 November 2022 11:44 am  
**To:** NSDOpsSupport <[NSDOpsSupport@justice.govt.nz](mailto:NSDOpsSupport@justice.govt.nz)>  
**Subject:** OIA 98544 | Brown



Kia ora Team

Please find attached a draft response for the OIA 98544 for I Brown for review.

We have previously sent out a decision letter for the response.

Thank you very much. 😊

Ngā mihi,

**Dylan Boyle**

Advisor | Ministerial Relations and Services  
Ministry of Justice | Tahū o te Ture  
Strategy, Governance and Finance

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**From:** White, Molly  
**Sent:** Tuesday, 10 January 2023 1:11 pm  
**To:** Buchanan, Queenie  
**Cc:** Boyle, Dylan  
**Subject:** RE: Approval Required : OIA 98544 I Brown - Decision letter sent.  
**Attachments:** OIA 98544 I Brown - TB signed.docx

Kia Ora Dylan,

Signed OIA attached 😊

Kind regards,  
Molly

---

**From:** Buchanan, Queenie <Queenie.Buchanan@justice.govt.nz>  
**Sent:** Tuesday, 10 January 2023 9:59 am  
**To:** White, Molly <Molly.White@justice.govt.nz>  
**Cc:** Boyle, Dylan <Dylan.Boyle@justice.govt.nz>  
**Subject:** Approval Required : OIA 98544 I Brown - Decision letter sent.

Kia ora Molly,

I'm mindful Tracey is returning from leave, can you please book this in for approval?  
Louisa and I have reviewed.

\*I note there was another with the same name - 100591 OIA - I Brown, which is why it looked as it was signed out already.

Ngā mihi, nā

Queenie Buchanan

Manager Operations Support (Acting) | Kaiwhakahaere Mahi tautoko  
Ministry of Justice | Tāhū o te Ture  
waea pūkoro: +64 s9(2)(a) imēra: [Queenie.Buchanan@justice.govt.nz](mailto:Queenie.Buchanan@justice.govt.nz)  
DX : SX10088 | Wellington | [www.justice.govt.nz](http://www.justice.govt.nz)



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Ngā mihi.

**From:** OIA@justice.govt.nz  
**Sent:** Monday, 22 August 2022 5:21 pm  
**To:** NSDOpsSupport; West, Nicholas  
**Cc:** OIAmedia@justice.govt.nz; OCE@justice.govt.nz; COOOffice; Kauri, Ariana  
**Subject:** Media OIA - 98582 - Brown - due 19/09/2022 Legal aid fees

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Kia ora Nick

I am allocating this OIA to you. It is one of three from this FYI requester – the others are very different and allocated to Dylan and Emma. The Legal Services Agency is the former name of what is now Crown Law – please contact them to see whether a partial transfer would be accepted, if Justice does not hold this information; I suggest you contact OLC General.

NSD, please confirm who the subject matter expert will be that Nick can work with on this response.

#### Process

The OIA scoping plan and information sheet templates are in the shared file. The scoping plan is to assist you in planning out processes and timeframes for this OIA. Please ensure you fill out all of the relevant information in the information sheet and get this peer reviewed. Your SME will be able to help with both of these documents.

Please save the final version to the Allocation folder for this OIA on the shared drive. You may wish to consider whether an early scoping meeting may be useful.

This is a fyi.org.nz request, so you will need to ensure the Media team are consulted and sent the response. I know OCE and OCOO and Hon Sio's office will wish to be consulted.

Please talk to the SME and the signing manager about whether this OIA response can be proactively released.

Remember to update JAX, file everything in the folder in the shared drive, and update your personal workflow tool in the shared drive.

Many thanks.

Ngā mihi,  
Jan



**Ministerial Relations and Services**  
 Strategy, Governance and Finance  
 DDI: +64 4 918 8800  
[www.justice.govt.nz](http://www.justice.govt.nz)

-----Original Message-----

From: I Brown <fyi-request-20294-xxxxxxxx@xxxxxxxx.xxx.xxx.xx>  
 Sent: Friday, 19 August 2022 7:42 pm  
 To: xxx@xxxxxxxx.xxx.xx  
 Subject: Official Information request - Legal Aid fee rates 1995 onwards

Dear Ministry of Justice,

Please provide the following information:

1. What was the duty solicitor/lawyer hourly fee rate, excluding GST, for each of the years 1995, 2000, 2005, 2010, 2015, and 2020;
2. What were the respective Legal Services Agency criminal hourly fee rates, excluding GST, at each litigation experience level, for each of PC 1, PC 2, PC 3, and PC 4, for the years 1995, 2000, 2005, and 2010; and
3. What were the respective Legal Services Agency criminal hourly hearing time fee rates, excluding GST, at each litigation experience level, for each of PC 1, PC 2, PC 3, and PC 4, for the years 1995, 2000, 2005, and 2010; and
4. What was the Legal Services Agency criminal travel time hourly fee rate, excluding GST, for each of the years 1995, 2000, 2005, and 2010.
5. Please provide a copy of the LSA schedules of criminal case preparation time allowances for both summary and jury jurisdictions that applied in the years 1995, 2000, and 2005.

Yours faithfully,

I Brown

-----

This is an Official Information request made via the FYI website.

Please use this email address for all replies to this request:

[fyi-request-20294-f58cfb1c@requests.fyi.org.nz](mailto:fyi-request-20294-f58cfb1c@requests.fyi.org.nz)

Is [OIA@justice.govt.nz](mailto:OIA@justice.govt.nz) the wrong address for Official Information requests to Ministry of Justice? If so, please contact us using this form:

[https://fyi.org.nz/change\\_request/new?body=ministry\\_of\\_justice](https://fyi.org.nz/change_request/new?body=ministry_of_justice)

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://fyi.org.nz/help/officers>

If you find this service useful as an Official Information officer, please ask your web manager to link to us from your organisation's OIA or LGOIMA page.

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**From:** Owen, Steve  
**Sent:** Wednesday, 24 August 2022 11:12 am  
**To:** Demchy, Douglas  
**Subject:** RE: Media OIA assistance  
**Attachments:** Rates and fixed fees July 2009.pdf; 2007 Remuneration Review.pdf; Background 2007 Remuneration Review.pdf; CriminalFlipChart\_Nov07.pdf; OIA-98582.docx; GST Rate Changes.xlsx

Hi Douglas – documents as discussed. Let me know if other questions come up.

Steve

---

**From:** Demchy, Douglas <Douglas.Demchy@justice.govt.nz>  
**Sent:** Tuesday, 23 August 2022 4:07 pm  
**To:** Owen, Steve <Steve.Owen@justice.govt.nz>  
**Subject:** Media OIA assistance

Kia ora Steve,

I was wondering if you time tomorrow to give some advice on this OIA requesting historical rates?

I understand that Legal Aid was not part of the Ministry in the years requested in the email but am wondering what information we may hold and where I could find it?

Ngā mihi



**Douglas Demchy**

Advisor | National Service Delivery - Operations Support

☎: 0800 253 425 | 📮 DX SX10146 Wellington 6142

Justice Centre | 19 Aitken Street, Wellington

[www.justice.govt.nz](http://www.justice.govt.nz)

---

**From:** Library Enquiries  
**Sent:** Wednesday, 24 August 2022 12:00 pm  
**To:** Demchy, Douglas  
**Subject:** RE: Request  
**Attachments:** LegalServicesBoardCriminalLegalAidRemunerationInstructions1998.pdf

Kia ora Douglas, we actually do have a copy of this. It had been removed from the catalogue but I was able to recover the PDF. I've attached it for you 😊

Ngā mihi,  
Olivia

---

**From:** Demchy, Douglas <Douglas.Demchy@justice.govt.nz>  
**Sent:** Wednesday, 24 August 2022 11:54 am  
**To:** Library Enquiries <library.enquiries@justice.govt.nz>  
**Subject:** Request

Kia ora,

I am working on a media OIA regarding historic rates and schedules and am unable to locate a resource on your catalogue.

I was wondering if you can request a copy of the Legal Services Board (criminal legal aid remuneration) instructions 1998 and a possible time frame for getting this.

I understand a copy is currently available at the National Library of New Zealand Catalogue.

If you need further information, let me know.

Ngā mihi



**Douglas Demchy**  
Advisor | National Service Delivery - Operations Support  
☎: 0800 253 425 | 📠 DX SX10146 Wellington 6142  
Justice Centre | 19 Aitken Street, Wellington  
[www.justice.govt.nz](http://www.justice.govt.nz)



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**From:** Demchy, Douglas  
**Sent:** Tuesday, 6 September 2022 10:51 am  
**To:** West, Nicholas  
**Subject:** Media 98582 - Brown  
**Attachments:** RE: Request ; RE: Request ; RE: Media OIA assistance; Media OIA 98582 advice.docx

Kia ora,

Please find attached the advise for the OIA request.

I have attached sources where I found the data as well.

If you have any questions, let me know.

Ngā mihi,



**Douglas Demchy**

Advisor | National Service Delivery - Operations Support

☎: 0800 253 425 | 📮 DX SX10146 Wellington 6142

Justice Centre | 19 Aitken Street, Wellington

[www.justice.govt.nz](http://www.justice.govt.nz)

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**From:** peerreview  
**Sent:** Monday, 12 September 2022 2:28 pm  
**To:** West, Nicholas; peerreview  
**Subject:** RE: OIA 98582 Brown - due back to me 13/9  
**Attachments:** OIA 98582 Brown info sheet\_ap peer review.docx; OIA 98582 Brown v1.0\_ap peer review.docx

Hi Nick

Thanks for this. I've tightened it up a little here and there, tracked.

Re the info sheet, can you review the fonts and colours which seem to vary from section to section.

Cheers

Antony

---

**From:** West, Nicholas <xxxxxxx.xxxx@xxxxxxx.xxxx.xx>  
**Sent:** Monday, 12 September 2022 10:31 am  
**To:** peerreview <peerreview@justice.govt.nz>  
**Subject:** OIA 98582 Brown - due back to me 13/9

Kia ora,

Please see attached OIA for PR 😊

<b>OIA reference:</b>	98582
<b>Requester:</b>	I Brown
<b>Subject:</b>	Legal aid rates
<b>Due date back to me:</b>	<b>13/9</b>
<b>Due date to requestor:</b>	19/9
<b>Drafter:</b>	Nicholas West
<b>Documents attached:</b>	<ul style="list-style-type: none"> <li>• Original email request</li> <li>• Original request</li> <li>• Draft v1.0</li> <li>• SME advice/data</li> </ul>

Ngā mihi  
 Nick






**Nicholas West** (he/him)  
 Advisor | Ministerial Relations & Services  
 Governance & Assurance  
 Ministry of Justice | Tāhū o te Ture  
 L6 Justice Centre | 19 Aitken Street  
 DX Box SX10088 | Wellington  
[xxxxxxx.xxxx@xxxxxxx.xxxx.xx](mailto:xxxxxxx.xxxx@xxxxxxx.xxxx.xx) | [justice.govt.nz](http://justice.govt.nz)

**From:** West, Nicholas  
**Sent:** Monday, 19 September 2022 11:42 am  
**To:** peerreview  
**Subject:** OIA 98582 | Brown decision letter - due back to me 19/9

**Importance:** High

Kia ora,

Please see attached decision letter for peer review 😊

<b>OIA reference:</b>	9582
<b>Requester:</b>	I Brown
<b>Subject:</b>	Legal aid rates
<b>Due date back to me:</b>	<b>8/11</b>
<b>Due date to requestor:</b>	22/11
<b>Drafter:</b>	Nicholas West
<b>Documents attached:</b>	<ul style="list-style-type: none"> <li>Info sheet  <a href="#">OIA 98582 Brown info sheet.docx</a></li> <li>Request  <a href="#">Official Information request - Legal Aid fee rates 1995 onwards.msg</a></li> <li>Draft decision letter  <a href="#">OIA 98582 Brown decision letter.docx</a></li> </ul>

Reason for decision: we intend to grant prats 1, 2 and 4 of the request but a little bit more time is needed to consult with OCE/COOoffice and get Tracey to sign this out. Have let Rob Ives know we intend to do this.

Also to note – The wording on the refusal parts has gone through Rob already so I’m pretty hesitant to change it.

Ngā mihi  
 Nick



**Nicholas West** (he/him)  
 Advisor | Ministerial Relations & Services  
 Governance & Assurance  
 Ministry of Justice | Tāhū o te Ture  
 L6 Justice Centre | 19 Aitken Street  
 DX Box SX10088 | Wellington  
[xxxxxxx.xxxx@xxxxxxx.xxxx.xx](mailto:xxxxxxx.xxxx@xxxxxxx.xxxx.xx) | [justice.govt.nz](http://justice.govt.nz)

---

**From:** West, Nicholas  
**Sent:** Friday, 23 September 2022 2:39 pm  
**To:** xxxxxxxx@xxxxxxx.xxxx.xx  
**Cc:** OCE@justice.govt.nz  
**Subject:** OIA 98582 Brown - for send off today  
**Attachments:** OIA 98582 Brown 23 September 2022.pdf

Kia ora Media,

Please see attached OIA for send-off.

OCE – FYI as requested 😊

Ngā mihi  
Nick



**Nicholas West** (he/him)  
Advisor | Ministerial Relations & Services  
Governance & Assurance  
Ministry of Justice | Tāhū o te Ture  
L6 Justice Centre | 19 Aitken Street  
DX Box SX10088 | Wellington  
[xxxxxxx.xxxx@xxxxxxx.xxxx.xx](mailto:xxxxxxx.xxxx@xxxxxxx.xxxx.xx) | [justice.govt.nz](http://justice.govt.nz)



26 October 2022

I Brown  
fyi-request-20678-28bca45c@requests.fyi.org.nz

Our ref: OIA 99658

Tēnā koe I Brown

**Official Information Act 1982 request: Information relating to OIA 98729**

Thank you for your email of 27 September 2022, requesting under the Official Information Act 1982 (the Act), all communication relating to your previous request OIA 98729. Specifically, you requested:

*Please provide me with a copy of all communications sent or received by the Ministry of Justice, either internally or externally, relating or referring to the OIA request that has the MOJ reference OIA 98729, including those not specifically mentioning that number but relating to that request.*

Please find attached in **Appendix A** the information relating to OIA 98729.

If you are not satisfied with my response, you have the right to complain to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by email at [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by phoning 0800 802 602.

Nāku noa, nā

Jacquelyn Shannon  
**Group Manager, Courts and Tribunals, Regional Service Delivery**

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**Appendix A: Information regarding OIA request 98729**

No	Date	Type	Title	Decisions on release
1	31/08/2022	Email	RE: OIA-98729-Brown-due 26/9/2022 Criminal Procedure Act 2011 data	Released in full
2	31/08/2022	Email	RE: OIA-98729-Brown-due 26/9/2022 Criminal Procedure Act 2011 data	
3	12/09/2022	Email	OIA-98729-Brown-due 26/9/2022 Criminal Procedure Act 2011 data	
4	13/09/2022	Email	RE: OIA-98729-Brown-due 26/9/2022 Criminal Procedure Act 2011 data	
5	13/09/2022	Email	RE: OIA-98729-Brown-due 26/9/2022 Criminal Procedure Act 2011 data	
6	23/09/2022	Email	RE: OIA-98729-Brown-due 26/9/2022 Criminal Procedure Act 2011 data	
7	23/09/2022	Email	RE: OIA-98729-Brown-due 26/9/2022 Criminal Procedure Act 2011 data	

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**From:** [Hewett, Damian](#)  
**To:** [Wallace, Sally](#)  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data  
**Date:** Wednesday, 31 August 2022 7:11:00 am  
**Attachments:** [image001.jpg](#)  
[image002.png](#)

Hey Sally,

No I don't we have yet

On looking at the request again, I'll chase as them. It appears the requestor wants a lot of info

Cheers

Damian

---

**From:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Sent:** Wednesday, 31 August 2022 6:26 am  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian

Do we have an analytic and insights person attached to this OIA yet? It would be good to chat with them, I missed the meeting we have with courtstats yesterday  
 Cheers Sally

Ngā mihi  
 Sally



**Sally Wallace** ([sally.wallace@justice.govt.nz](mailto:sally.wallace@justice.govt.nz))  
 Kaitohutohu - Advisor  
 Operations Support | Courts & Tribunals  
 Regional Service Delivery  
 Operations and Service Delivery Group  
 P +64 4 4955935 | EXT 64935  
[sally.wallace@justice.govt.nz](mailto:sally.wallace@justice.govt.nz)  
 Justice Centre | 19 Aitken Street | DX Box 5K 10088  
 Wellington | New Zealand  
[www.justice.govt.nz](http://www.justice.govt.nz)

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**From:** [OIA@justice.govt.nz](mailto:OIA@justice.govt.nz) <[OIA@justice.govt.nz](mailto:OIA@justice.govt.nz)>  
**Sent:** Monday, 29 August 2022 5:15 pm  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>; [dccorrespondence@justice.govt.nz](mailto:dccorrespondence@justice.govt.nz); [courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)  
**Cc:** [DIAMedia@justice.govt.nz](mailto:DIAMedia@justice.govt.nz); [OCE@justice.govt.nz](mailto:OCE@justice.govt.nz); [COOOffice@justice.govt.nz](mailto:COOOffice@justice.govt.nz); Morison, Jan <[Jan.Morison@justice.govt.nz](mailto:Jan.Morison@justice.govt.nz)>  
**Subject:** OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian

I am allocating this fyi org nz OIA to you. This is perhaps the 5<sup>th</sup> request from I Brown in the past week.

Please get in touch with DC Correspondence for a SME to assist with this correspondence.

**Process**

The OIA scoping plan and information sheet templates are in the shared file. The scoping plan is to assist you in planning out processes and timeframes for this OIA. Please ensure you fill out all of the relevant information in the information sheet and get this peer reviewed. Your SME will be able to help with both of these documents.

Please save the final version to the Allocation folder for this OIA on the shared drive. You may wish to consider whether an early scoping meeting may be useful.

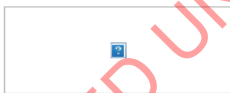
This is a fyi org nz request, so you will need to ensure the Media team are consulted and sent the response.

Please talk to the SME and the signing manager about whether this OIA response can be proactively released.

Remember to update JAX, file everything in the folder in the shared drive, and update your personal workflow tool in the shared drive.

Many thanks

Ngā mihi,  
 Jan



**Ministerial Relations and Services**  
 Strategy, Governance and Finance  
 DDI +64 4 918 8800  
[www.justice.govt.nz](http://www.justice.govt.nz)

----- Original Message -----

**From:** I Brown <[fyi-request-20367-037bffd@requests.fyi.org.nz](mailto:fyi-request-20367-037bffd@requests.fyi.org.nz)>  
**Sent:** Saturday, 27 August 2022 10:00 pm  
**To:** [OIA@justice.govt.nz](mailto:OIA@justice.govt.nz)  
**Subject:** Official Information request - s364 CPA Costs Orders

Dear Ministry of Justice,

Please provide the following information:

Since the commencement date of the Criminal Procedure Act 2011:

1. How many costs orders have been made under s364 of the CPA 2011 in total?
2. How many costs orders have been made under s364 of the CPA 2011 each year since the commencement of the legislation?
3. How many of those costs orders, both in total and each year, have been against, respectively:
  - a. Defendants;
  - b. Defence counsel;
  - c. Prosecutors?
4. Of any costs orders made against prosecutors, how many have been made against, respectively:
  - a. Crown counsel individually;
  - b. Crown Solicitors or their offices generally;
  - c. Police Prosecution Service staff, whether counsel or sworn;
  - d. Officers in Charge of a case;
  - e. The New Zealand Police in general;
  - f. Departmental prosecutors;

**From:** [courtstats](#)  
**To:** [courtstats](#); [Hewett, Damian](#)  
**Cc:** [Wallace, Sally](#)  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data  
**Date:** Wednesday, 31 August 2022 8:10:30 am  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)  
[image003.jpg](#)  
[image004.png](#)

Kia Ora Damian,

This has been logged as SEC-5240 within our Criminal Portfolio, an analyst will be in touch to discuss further.

Ngā mihi,  
Briar



**Briar Lindsay**

Analyst | Analytics and Insights - Courts and Tribunals  
 Sector Insights | Strategy, Governance & Finance (SGF) Group  
 Justice Centre | Level 5 | 19 Aitken Street | SX10088 | Wellington

*Using data insights to deliver better action*

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**From:** courtstats <xxxxxxxxx@xxxxxxxx.xxx.xx>  
**Sent:** Wednesday, 31 August 2022 8:06 am  
**To:** Hewett, Damian <xxxxxx.xxxxxx@xxxxxxxx.xxx.xx>; courtstats <courtstats@justice.govt.nz>  
**Cc:** Wallace, Sally <xxxxxx.xxxxxxx@xxxxxxxx.xxx.xx>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian,

Yes I am about to log it this morning! **Out of scope**

Will let you know the SEC number when logged

Ngā mihi,  
Briar



**Briar Lindsay**

Analyst | Analytics and Insights - Courts and Tribunals  
 Sector Insights | Strategy, Governance & Finance (SGF) Group  
 Justice Centre | Level 5 | 19 Aitken Street | SX10088 | Wellington

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**From:** Hewett, Damian <xxxxxx.xxxxxx@xxxxxxxx.xxx.xx ->  
**Sent:** Wednesday, 31 August 2022 7:17 am  
**To:** courtstats <xxxxxxxxxx@xxxxxxxx.xxx.x>  
**Cc:** Wallace, Sally <xxxxxx.xxxxxxx@xxxxxxxx.xxx.xx>  
**Subject:** FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Morning Court stats,

Just checking to see if this request was on your radar?

If it is would we be able to have a scoping meeting Thursday/Friday this week.

Ngā mihi

Damian



**Damian Hewett (he/him)**

Kaitohutohu - Advisor | Ministerial Relations and Services  
Strategy, Governance and Finance  
Ministry of Justice | Tāhū o te Ture  
Level 6 Justice Centre | Aitken Street  
DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

-----Original Message-----

From: I Brown <[fyi-request-20367-037bffb@requests.fyi.org.nz](mailto:fyi-request-20367-037bffb@requests.fyi.org.nz)>

Sent: Saturday, 27 August 2022 10:00 pm

To: [OIA@justice.govt.nz](mailto:OIA@justice.govt.nz)

Subject: Official Information request - s364 CPA Costs Orders

Dear Ministry of Justice,

Please provide the following information:

Since the commencement date of the Criminal Procedure Act 2011:

1. How many costs orders have been made under s364 of the CPA 2011 in total?
2. How many costs orders have been made under s364 of the CPA 2011 each year since the commencement of the legislation?
3. How many of those costs orders, both in total and each year, have been against, respectively:
  - a. Defendants;
  - b. Defence counsel;
  - c. Prosecutors?
4. Of any costs orders made against prosecutors, how many have been made against, respectively:
  - a. Crown counsel individually;
  - b. Crown Solicitors or their offices generally;
  - c. Police Prosecution Service staff, whether counsel or sworn;
  - d. Officers in Charge of a case;
  - e. The New Zealand Police in general
  - f. Departmental prosecutors;
  - g. Any other person or organisation involved in bringing a prosecution.
5. How many costs orders specifically related to a failure to provide disclosure, whether relating to failure to provide disclosure in a timely fashion or for non-disclosure of an item or items?
6. What is the largest, the smallest, the mean, and the average costs award made under s364 CPA 2011, both in total and each year.

**From:** [Hewett, Damian](#)  
**To:** [Wallace, Sally](#)  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data  
**Date:** Monday, 12 September 2022 8:22:00 am  
**Attachments:** [image003.jpg](#)  
[image004.png](#)  
[image005.png](#)  
[image006.jpg](#)  
[image007.jpg](#)  
[image001.png](#)

Hi Sally,

I won't bug you too much Annie and Kevin helped me last week, which was great

Just Brown was have to deal with but that is easy

Ngā mihi

Damian



**Damian Hewett (he/him)**  
 Kaitohutohu –(Acting) Senior Advisor  
 Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Ture  
 Level 6 Justice Centre | Aitken Street  
 DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Sent:** Monday, 12 September 2022 8:21 am  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Thanks Damian I m back and functioning!!! My goal this morning is to get on top of all my MRS work so feel free to send me any reminders or hurry ups also!!!

Ngā mihi

Sally



**Sally Wallace (she/her)**  
 Kaitohutohu - Advisor  
 Operations Support | Courts & Tribunals  
 Regional Service Delivery  
 Operations and Service Delivery Group  
 P +64 4 4955935 | EXT 64935  
[sally.wallace@justice.govt.nz](mailto:sally.wallace@justice.govt.nz)  
 Justice Centre | 19 Aitken Street | DX Box  
 SX 10088  
 Wellington | New Zealand  
[www.justice.govt.nz](http://www.justice.govt.nz)

**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Monday, 12 September 2022 8:03 am  
**To:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Sally,

Hope you had a nice weekend?

You are my SME for this OIA. Not sure if you are across this yet but Courtstats have advised that they don't hold this info, so we will decline

I will tidy up my draft and send it through soon for Jo to review and Jacquelyn to sign-out

Ngā mihi

Damian



**Damian Hewett (he/him)**  
 Kaitohutohu –(Acting) Senior Advisor  
 Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Ture  
 Level 6 Justice Centre | Aitken Street  
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[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Sent:** Wednesday, 7 September 2022 10:49 pm  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Cc:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Subject:** SEC-5240 E: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora, Damian

### Out of scope

I have looked into the request below. We have different types of costs in our monetary datamart which I thought we might be able to use to answer this. Unfortunately, the breakdowns don't give me any of the detail required.

To answer this OIA would require specialist knowledge, complex coding and the creation of new information so I think we need to decline it on that basis. We don't have any existing reporting or code to answer it.

I am out of the office until Monday but if you have any queries about this request, please email courtstats

Steph

**Stephanie Simpson**  
 Principal Advisor Analytics & Insights Courts and Tribunals



Sector Insights | Strategy | Governance & Finance Group  
 DDI +64 4 466 2485 Ext. 46185  
[www.justice.govt.nz](http://www.justice.govt.nz) | Visit the Justice [DataLab](#)

Mon Tues Wed Thur Fri



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---

**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Wednesday, 31 August 2022 8:21 am  
**To:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Briar,

No dramas (I know you guys are busy)

Sally was chasing me and I couldn't remember if we talked about this yesterday

Thanks D

---

**From:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Sent:** Wednesday, 31 August 2022 8:06 am  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>; courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Cc:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian,

Yes I am about to log it this morning! **Out of scope**  
 Will let you know the SEC number when logged

Ngā mihi,  
 Briar



**Briar Lindsay**  
 Analyst | Analytics and Insights - Courts and Tribunals  
 Sector Insights | Strategy, Governance & Finance (SGF) Group  
 Justice Centre | Level 5 | 19 Aikman Street | SX1 0088 | Wellington  
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---

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**Sent:** Wednesday, 31 August 2022 7:17 am  
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**Cc:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

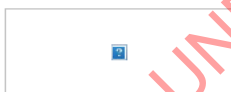
Morning Court stats,

Just checking to see if this request was on your radar?

If it is would we be able to have a scoping meeting Thursday/Friday this week

Ngā mihi

Damian



**Damian Hewett (he/him)**  
 Kaitohutohu - Advisor | Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Ture  
 Level 6 Justice Centre | Aikman Street  
 DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

-----Original Message-----

**From:** I Brown <[fyi-request-20367-037bfbfd@requests.fyi.org.nz](mailto:fyi-request-20367-037bfbfd@requests.fyi.org.nz)>  
**Sent:** Saturday, 27 August 2022 10:00 pm  
**To:** [OIA@justice.govt.nz](mailto:OIA@justice.govt.nz)  
**Subject:** Official Information request - s364 CPA Costs Orders

Dear Ministry of Justice,

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- 3 How many of those costs orders, both in total and each year, have been against, respectively:
  - a Defendants;
  - b Defence counsel;
  - c Prosecutors?
- 4 Of any costs orders made against prosecutors, how many have been made against, respectively:
  - a Crown counsel individually;
  - b Crown Solicitors or their offices generally;
  - c Police Prosecution Service staff, whether counsel or sworn;
  - d Officers in Charge of a case;

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**From:** [Hewett, Damian](#)  
**To:** [Wallace, Sally](#)  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data  
**Date:** Tuesday, 13 September 2022 1:23:00 pm  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[image003.jpg](#)  
[image004.png](#)  
[image005.png](#)  
[image006.jpg](#)  
[image007.jpg](#)  
[image010.png](#)

Hi Sally

I can send it to Jo, thanks

Ngā mihi

Damian



**Damian Hewett (he/him)**  
 Kaitohutohu –(Acting) Senior Advisor  
 Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Ture  
 Level 6 Justice Centre | Aitken Street  
 DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 1:10 pm  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Damian

This looks great Damian, can I just check do you send to Jo now or me? I think its you but let me know if I have got that wrong!

Ngā mihi  
Sally



**Sally Wallace (she/her)**  
 Kaitohutohu - Advisor  
 Operations Support| Courts & Tribunals  
 Regional Service Delivery  
 Operations and Service Delivery Group  
 P +64 4 4955935 | EXT 64935  
[xxxxx.xxxxxxx@xxxxxxx.govt.nz](mailto:xxxxx.xxxxxxx@xxxxxxx.govt.nz)  
 Justice Centre | 19 Aitken Street | DX Box  
 SX 10088  
 Wellington | New Zealand  
[www.justice.govt.nz](http://www.justice.govt.nz)

**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 11:53 am  
**To:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Sally,

This sounds better

**From:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 11:39 am  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

That is very useful to know, thank you. Do we need to allude more in the letter why we are refusing under 18 (g)(i) or stating we don t hold that info is enough??

Ngā mihi  
Sally



**Sally Wallace (she/her)**  
 Kaitohutohu - Advisor  
 Operations Support| Courts & Tribunals  
 Regional Service Delivery  
 Operations and Service Delivery Group  
 P +64 4 4955935 | EXT 64935  
[xxxxx.xxxxxxx@xxxxxxx.govt.nz](mailto:xxxxx.xxxxxxx@xxxxxxx.govt.nz)  
 Justice Centre | 19 Aitken Street | DX Box  
 SX 10088  
 Wellington | New Zealand  
[www.justice.govt.nz](http://www.justice.govt.nz)

**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 11:30 am  
**To:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

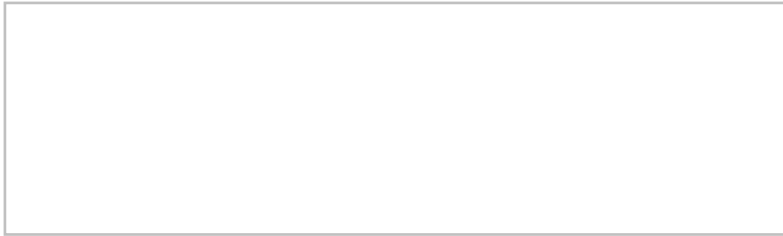
Thanks Sally,

That s funny I had the same conversation with my TL !

This is the rational (which was good for my understanding too)

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Since we don't want to go down that rabbit hole we decline under 18(g)(i)

D

**From:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 11:24 am  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian, the letter looks good. I am curious though to understand if the refusal should be s18(f) the information requested cannot be made available without substantial collation or research? I reached that conclusion with what A&I stated in their email. Would be good to get your thoughts and understanding on (f) as a refusal option?

Cheers  
 Sal

Ngā mihi  
 Sally



**Sally Wallace (she/her)**  
 Kaitohutohu - Advisor  
 Operations Support | Courts & Tribunals  
 Regional Service Delivery  
 Operations and Service Delivery Group  
 P +64 4 4955935 | EXT 64935  
[xxxxx.xxxxxxxx@xxxxxxx.govt.nz](mailto:xxxxx.xxxxxxxx@xxxxxxx.govt.nz) | DX Box  
 Justice Centre | 19 Aitken Street | SX 10088  
 Wellington | New Zealand  
[www.justice.govt.nz](http://www.justice.govt.nz)

**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 8:24 am  
**To:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Sally

For your review before sending to Jo W

Court stats have advised that MOJ can't provide this information (last email)

So we are going to refuse under 18(g)(i)

<b>Reference:</b>	OIA 98729
<b>Requester:</b>	I Brown (FYI submitter)
<b>Subject:</b>	Criminal Procedure Act 2011 data
<b>Action required:</b>	Peer Review
<b>Due date back to me:</b>	15 September 2022 – by COP
<b>Due date to requester:</b>	26 September 2022
<b>Drafter:</b>	Damian Hewett
<b>MRS peer reviewer:</b>	Antony Paltridge
<b>SME peer reviewer:</b>	
<b>SME Manager approver:</b>	
<b>Documents attached:</b>	<ul style="list-style-type: none"> <li>Request</li> <li>Info sheet</li> <li>Draft</li> </ul>

Ngā mihi

Damian



**Damian Hewett (he/him)**  
 Kaitohutohu –(Acting) Senior Advisor  
 Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Ture  
 Level 6 Justice Centre | Aitken Street  
 DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** peerreview <[peerreview@justice.govt.nz](mailto:peerreview@justice.govt.nz)>  
**Sent:** Monday, 12 September 2022 3:30 pm  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Cc:** peerreview <[peerreview@justice.govt.nz](mailto:peerreview@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Damien

As discussed, I think we need to say that there is no requirement under the Act for agencies to create new information, and that the Ministry does not hold the information in this form, and then refuse under 18(g) 18(e) is very emphatic – it doesn't exist or is lost – whereas in this case we know in a wider sense the information exists, it's just that we would have to write a programme to be able to answer it.

Cheers

Antony

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**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Monday, 12 September 2022 3:04 pm  
**To:** peerreview <[peerreview@justice.govt.nz](mailto:peerreview@justice.govt.nz)>  
**Subject:** OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Guys,

For PR, please

<b>Reference:</b>	OIA 98729
<b>Requester:</b>	<b>I Brown (FYI submitter)</b>
<b>Subject:</b>	Criminal Procedure Act 2011 data
<b>Action required:</b>	Peer Review
<b>Due date back to me:</b>	<b>15 September 2022 – by COP</b>
<b>Due date to requester:</b>	26 September 2022
<b>Drafter:</b>	Damian Hewett
<b>MRS peer reviewer:</b>	
<b>SME peer reviewer:</b>	
<b>SME Manager approver:</b>	
<b>Documents attached:</b>	<ul style="list-style-type: none"> <li>Request</li> <li>Info sheet</li> <li>Draft</li> </ul>

Thanks

Ngā mihi

Damian



**Damian Hewett (he/him)**  
 Kaitiaki – (Acting) Senior Advisor  
 Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Ture  
 Level 6 Justice Centre | Aitken Street  
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[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Sent:** Wednesday, 7 September 2022 10:49 pm  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Cc:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Subject:** SEC-5240 E: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora, Damian

**Out of scope** I have looked into the request below. We have different types of costs in our monetary datamart which I thought we might be able to use to answer this. Unfortunately, the breakdowns don't give me any of the detail required.

To answer this OIA would require specialist knowledge, complex coding and the creation of new information so I think we need to decline it on that basis. We don't have any existing reporting or code to answer it.

I am out of the office until Monday but if you have any queries about this request, please email [courtstats](mailto:courtstats)

Steph



**Stephanie Simpson**  
 Principal Advisor - Analytics & Insights Courts and Tribunals  
 Sector Insights - Strategy, Governance & Finance Group  
 DDI +64 4 466 2485 Ext. 46185  
[www.justice.govt.nz](http://www.justice.govt.nz) | Visit the Justice [DataLab](#)

Mon Tues Wed Thur Fri



*Using evidence and insights to deliver better services and outcomes*

**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Wednesday, 31 August 2022 8:21 am  
**To:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Briar,

No dramas (I know you guys are busy)

Sally was chasing me and I couldn't remember if we talked about this yesterday

Thanks D

**From:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Sent:** Wednesday, 31 August 2022 8:06 am  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>; courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Cc:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian,

Yes I am about to log it this morning! **Out of scope**  
 Will let you know the SEC number when logged

Ngā mihi,

Briar

**Briar Lindsay**  
 Analyst | Analytics and Insights - Courts and Tribunals  
 Sector Insights | Strategy, Governance & Finance (SGF) Group



Justice Centre | Level 5 | 19 Aikias Street | SX10088 | Wellington  
 Using *data insights* to deliver better *action*  
 Mon Tues Wed Thur Fri



**From:** Hewett, Damian <Damian.Hewett@justice.govt.nz>  
**Sent:** Wednesday, 31 August 2022 7:17 am  
**To:** courtstats <courtstats@justice.govt.nz>  
**Cc:** Wallace, Sally <Sally.Wallace@justice.govt.nz>  
**Subject:** FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Morning Court stats,

Just checking to see if this request was on your radar?

If it is would we be able to have a scoping meeting Thursday/Friday this week

Ngā mihi

Damian



**Damian Hewett** [he/him]  
 Kaitohutohu - Advisor | Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Ture  
 Level 6 Justice Centre | Aikias Street  
 DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

-----Original Message-----

**From:** I Brown <fyi-request-20367-037bffb@requests.fyi.org.nz>  
**Sent:** Saturday, 27 August 2022 10 00 pm  
**To:** [OIA@justice.govt.nz](mailto:OIA@justice.govt.nz)  
**Subject:** Official Information request - s364 CPA Costs Orders

Dear Ministry of Justice,

Please provide the following information:

Since the commencement date of the Criminal Procedure Act 2011:

- 1 How many costs orders have been made under s364 of the CPA 2011 in total?
- 2 How many costs orders have been made under s364 of the CPA 2011 each year since the commencement of the legislation?
- 3 How many of those costs orders, both in total and each year, have been against, respectively:
  - a Defendants;
  - b Defence counsel;
  - c Prosecutors?
- 4 Of any costs orders made against prosecutors, how many have been made against, respectively:
  - a Crown counsel individually;
  - b Crown Solicitors or their offices generally;
  - c Police Prosecution Service staff, whether counsel or sworn;
  - d Officers in Charge of a case;
  - e The New Zealand Police in general
  - f Departmental prosecutors;
  - g Any other person or organisation involved in bringing a prosecution
- 5 How many costs orders specifically related to a failure to provide disclosure, whether relating to failure to provide disclosure in a timely fashion or for non-disclosure of an item or items?
- 6 What is the largest, the smallest, the mean, and the average costs award made under s364 CPA 2011, both in total and each year
- 7 How many individual judges have made costs orders, in total (it is not necessary to provide the names of those judges)

Yours faithfully,

I Brown

-----  
 This is an Official Information request made via the FYI website

Please use this email address for all replies to this request:  
[fyi-request-20367-037bffb@requests.fyi.org.nz](mailto:fyi-request-20367-037bffb@requests.fyi.org.nz)

Is [OIA@justice.govt.nz](mailto:OIA@justice.govt.nz) the wrong address for Official Information requests to Ministry of Justice? If so, please contact us using this form:  
[https://fyi.org.nz/change\\_request/new?body=ministry\\_of\\_justice](https://fyi.org.nz/change_request/new?body=ministry_of_justice)

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:  
<https://fyi.org.nz/help/officers>

If you find this service useful as an Official Information officer, please ask your web manager to link to us from your organisation's OIA or LGOIMA page

-----

**From:** [Hewett, Damian](#)  
**To:** [OCE@justice.govt.nz](mailto:OCE@justice.govt.nz)  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data  
**Date:** Tuesday, 13 September 2022 1:56:00 pm  
**Attachments:** [image001.png](#)  
[image002.jpg](#)  
[image003.png](#)  
[image004.jpg](#)  
[image005.png](#)  
[image006.jpg](#)  
[image007.jpg](#)  
[image008.png](#)

Thanks Emma,

Will take a look

Ngā mihi

Damian



**Damian Hewett (he/him)**  
 Kaitohutohu –(Acting) Senior Advisor  
 Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Ture  
 Level 6 Justice Centre | Aitken Street  
 DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** [OCE@justice.govt.nz](mailto:OCE@justice.govt.nz) <[OCE@justice.govt.nz](mailto:OCE@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 1:38 pm  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Cc:** [OCE@justice.govt.nz](mailto:OCE@justice.govt.nz)  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Damian,

Can you please clarify whether we are declining because the information doesn't exist or because it is not held by the Ministry? The info sheet and the letter conflict on this point. The reasoning provided by RSD suggests that both may be the case, however I think that needs to be clearer in both the letter and the info sheet.

The letter also needs a good proof read.

Thanks,  
 Emma

**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 1:30 pm  
**To:** [OCE@justice.govt.nz](mailto:OCE@justice.govt.nz)  
**Subject:** FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Team,

For your review, please

This is decline response as the Ministry does not hold the information requested.

<b>Reference:</b>	OIA 98729
<b>Requester:</b>	<b>I Brown (FYI submitter)</b>
<b>Subject:</b>	Criminal Procedure Act 2011 data
<b>Action required:</b>	<b>Peer Review</b>
<b>Due date back to me:</b>	<b>15 September 2022 – by COP</b>
<b>Due date to requester:</b>	26 September 2022
<b>Drafter:</b>	Damian Hewett
<b>MRS peer reviewer:</b>	Anthony Paltridge
<b>SME peer reviewer:</b>	Sally Wallace
<b>SME Manager approver:</b>	Sally Wallace
<b>Documents attached:</b>	<ul style="list-style-type: none"> <li>• Request</li> <li>• Info sheet</li> <li>• Draft</li> </ul>

Ngā mihi

Damian



**Damian Hewett (he/him)**  
 Kaitohutohu –(Acting) Senior Advisor  
 Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Ture  
 Level 6 Justice Centre | Aitken Street  
 DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 1:10 pm  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Damian

This looks great Damian, can I just check do you send to Jo now or me? I think its you but let me know if I have got that wrong!

Ngā mihi  
 Sally

**Sally Wallace (she/her)**  
 Kaitohutohu - Advisor



Operations Support | Courts & Tribunals  
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Operations and Service Delivery Group  
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[sally.wallace@justice.govt.nz](mailto:sally.wallace@justice.govt.nz)  
Justice Centre | 19 Aitken Street | DX Box  
SX 10088  
Wellington | New Zealand  
[www.justice.govt.nz](http://www.justice.govt.nz)

**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 11:53 am  
**To:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Sally,

This sounds better

**From:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 11:39 am  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

That is very useful to know, thank you. Do we need to allude more in the letter why we are refusing under 18 (g)(i) or stating we don't hold that info is enough??

Ngā mihi  
Sally



**Sally Wallace (she/her)**  
Kaitohutohu - Advisor  
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Wellington | New Zealand  
[www.justice.govt.nz](http://www.justice.govt.nz)

**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 11:30 am  
**To:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Thanks Sally,

That's funny I had the same conversation with my TL!

This is the rational (which was good for my understanding too)



Since we don't want to go down that rabbit hole we decline under 18(g)(i)

D

**From:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 11:24 am  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian, the letter looks good. I am curious though to understand if the refusal should be s18(f) if the information requested cannot be made available without substantial collation or research? I reached that conclusion with what A&I stated in their email. Would be good to get your thoughts and understanding on (f) as a refusal option?

Cheers  
Sal

Ngā mihi  
Sally



**Sally Wallace (she/her)**  
Kaitohutohu - Advisor  
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Wellington | New Zealand  
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**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 8:24 am  
**To:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Sally

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

**From:** [Williams, Joanna](#)  
**To:** [Hewett, Damian](#)  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data  
**Date:** Fri day, 23 September 2022 9:21:38 am  
**Attachments:** [OIA 98729 Brown -v1.2 - signed by BF.pdf](#)  
[image004.png](#)  
[image006.jpg](#)  
[image009.png](#)  
[image010.jpg](#)  
[image011.png](#)  
[image012.jpg](#)  
[image013.jpg](#)

Hi Damian

Signed copy attached for sending

Kind regards  
 Jo

**From:** Hewett, Damian <Damian.Hewett@justice.govt.nz>  
**Sent:** Monday, 19 September 2022 1:29 pm  
**To:** Williams, Joanna <Joanna.Williams@justice.govt.nz>  
**Subject:** FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Jo,

Hope you had a good weekend?

Just realised I wasn't very clear with my dates below

Would it be OK to have this approved and signed during the week. So I can send to the requestor on Friday, please

It is due Monday 26<sup>th</sup> but it is a one-off holiday

Thanks

Damian

**From:** Hewett, Damian  
**Sent:** Tuesday, 13 September 2022 2:05 pm  
**To:** Williams, Joanna <[Joanna.Williams@justice.govt.nz](mailto:Joanna.Williams@justice.govt.nz)>  
**Subject:** FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Jo,

For your review/approval before sending to Bruce

NB The 26<sup>th</sup> is a one-off public holiday. Therefore could this be signed-out on the 23<sup>rd</sup>

<b>Reference:</b>	OIA 98729
<b>Requester:</b>	<b>I Brown (FYI submitter)</b>
<b>Subject:</b>	Criminal Procedure Act 2011 data
<b>Action required:</b>	<b>Peer Review</b>
<b>Due date back to me:</b>	<b>23 September 2022 – by COP</b>
<b>Due date to requester:</b>	26 September 2022
<b>Drafter:</b>	Damian Hewett
<b>MRS peer reviewer:</b>	Antony Paltridge
<b>SME peer reviewer:</b>	Sally Wallace
<b>SME Manager approver:</b>	
<b>Documents attached:</b>	<ul style="list-style-type: none"> <li>Request</li> <li>Info sheet</li> <li>Draft</li> </ul>

Ngā mihi

Damian



**Damian Hewett (he/him)**  
 Kaitohutohu –(Acting) Senior Advisor  
 Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Tūru  
 Level 6 Justice Centre | Aitken Street  
 DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Sent:** Tuesday, 13 September 2022 1:10 pm  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Damian

This looks great Damian, can I just check do you send to Jo now or me? I think its you but let me know if I have got that wrong!

Ngā mihi

Sally



**Sally Wallace (she/her)**  
 Kaitohutohu - Advisor  
 Operations Support|Courts & Tribunals  
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 P +64 4 4955935 | EXT 64935  
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 Justice Centre | 19 Aitken Street | DX Box  
 Level 6 Justice Centre | Aitken Street | SX 10088  
 Wellington | New Zealand  
[www.justice.govt.nz](http://www.justice.govt.nz)

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**From:** Hewett, Damian <Damian.Hewett@justice.govt.nz>  
**Sent:** Tuesday, 13 September 2022 11:53 am  
**To:** Wallace, Sally <Sally.Wallace@justice.govt.nz>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Sally,

This sounds better

---

**From:** Wallace, Sally <Sally.Wallace@justice.govt.nz>  
**Sent:** Tuesday, 13 September 2022 11:39 am  
**To:** Hewett, Damian <Damian.Hewett@justice.govt.nz>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

That is very useful to know, thank you Do we need to allude more in the letter why we are refusing under 18 (g)(i) or stating we don t hold that info is enough??

Ngā mihi  
Sally



**Sally Wallace (she/her)**  
Kaitohutohu - Advisor  
Operations Support | Courts & Tribunals  
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Wellington | New Zealand  
[www.justice.govt.nz](http://www.justice.govt.nz)

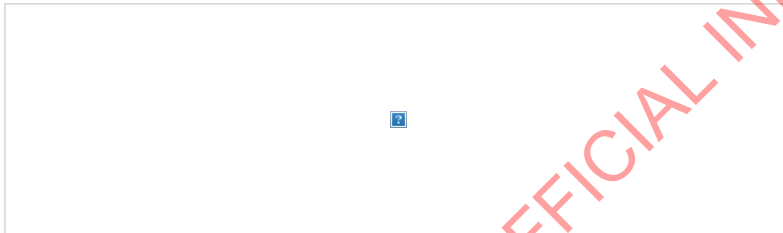
---

**From:** Hewett, Damian <Damian.Hewett@justice.govt.nz>  
**Sent:** Tuesday, 13 September 2022 11:30 am  
**To:** Wallace, Sally <Sally.Wallace@justice.govt.nz>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Thanks Sally,

That s funny I had the same conversation with my TL !

This is the rational (which was good for my understanding too)



Since we don t want to go down that rabbit hole we decline under 18(g)(i)

D

---

**From:** Wallace, Sally <Sally.Wallace@justice.govt.nz>  
**Sent:** Tuesday, 13 September 2022 11:24 am  
**To:** Hewett, Damian <Damian.Hewett@justice.govt.nz>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian, the letter looks good I am curious though to understand if the refusal should be s18(f) the information requested cannot be made available without substantial collation or research? I reached that conclusion with what A&I stated in their email Would be good to get your thoughts and understanding on (f) as a refusal option?

Cheers  
Sal

Ngā mihi  
Sally



**Sally Wallace (she/her)**  
Kaitohutohu - Advisor  
Operations Support | Courts & Tribunals  
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Operations and Service Delivery Group  
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Justice Centre | 19 Aitken Street | DX Box  
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Wellington | New Zealand  
[www.justice.govt.nz](http://www.justice.govt.nz)

---

**From:** Hewett, Damian <Damian.Hewett@justice.govt.nz>  
**Sent:** Tuesday, 13 September 2022 8:24 am  
**To:** Wallace, Sally <Sally.Wallace@justice.govt.nz>  
**Subject:** FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Sally

For your review before sending to Jo W

Court stats have advised that MOJ can t provide this information (last email)

So we are going to refuse under 18(g)(i)

<b>Reference:</b>	OIA 98729
<b>Requester:</b>	I Brown (FYI submitter)
<b>Subject:</b>	Criminal Procedure Act 2011 data

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

<b>Action required:</b>	<b>Peer Review</b>
<b>Due date back to me:</b>	<b>15 September 2022 – by COP</b>
<b>Due date to requester:</b>	26 September 2022
<b>Drafter:</b>	Damian Hewett
<b>MRS peer reviewer:</b>	Antony Paltridge
<b>SME peer reviewer:</b>	
<b>SME Manager approver:</b>	
<b>Documents attached:</b>	<ul style="list-style-type: none"> <li>Request</li> <li>Info sheet</li> <li>Draft</li> </ul>

Ngā mihi

Damian



**Damian Hewett (he/him)**  
 Kaitohutohu –(Acting) Senior Advisor  
 Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Ture  
 Level 6 Justice Centre | Aitken Street  
 DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** peerreview <[peerreview@justice.govt.nz](mailto:peerreview@justice.govt.nz)>  
**Sent:** Monday, 12 September 2022 3:30 pm  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Cc:** peerreview <[peerreview@justice.govt.nz](mailto:peerreview@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Damien

As discussed, I think we need to say that there is no requirement under the Act for agencies to create new information, and that the Ministry does not hold the information in this form, and then refuse under 18(g) 18(e) is very emphatic – it doesn't exist or is lost – whereas in this case we know in a wider sense the information exists, its just that we would have to write a programme to be able to answer it

Cheers

Antony

**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Monday, 12 September 2022 3:04 pm  
**To:** peerreview <[peerreview@justice.govt.nz](mailto:peerreview@justice.govt.nz)>  
**Subject:** OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Guys,

For PR, please

<b>Reference:</b>	OIA 98729
<b>Requester:</b>	<b>I Brown (FYI submitter)</b>
<b>Subject:</b>	Criminal Procedure Act 2011 data
<b>Action required:</b>	<b>Peer Review</b>
<b>Due date back to me:</b>	<b>15 September 2022 – by COP</b>
<b>Due date to requester:</b>	26 September 2022
<b>Drafter:</b>	Damian Hewett
<b>MRS peer reviewer:</b>	
<b>SME peer reviewer:</b>	
<b>SME Manager approver:</b>	
<b>Documents attached:</b>	<ul style="list-style-type: none"> <li>Request</li> <li>Info sheet</li> <li>Draft</li> </ul>

Thanks

Ngā mihi

Damian



**Damian Hewett (he/him)**  
 Kaitohutohu –(Acting) Senior Advisor  
 Ministerial Relations and Services  
 Strategy Governance and Finance  
 Ministry of Justice | Tāhū o te Ture  
 Level 6 Justice Centre | Aitken Street  
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[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Sent:** Wednesday, 7 September 2022 10:49 pm  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Cc:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Subject:** SEC-5240 E: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora, Damian

**Out of scope** I have looked into the request below We have different types of costs in our monetary datamart which I thought we might be able to use to answer this Unfortunately, the breakdowns don't give me any of the detail required

To answer this OIA would require specialist knowledge, complex coding and the creation of new information so I think we need to decline it on that basis We don't have any existing reporting or code to answer it

I am out of the office until Monday but if you have any queries about this request, please email courtstats

Steph



**Stephanie Simpson**  
Principal Advisor Analytics & Insights Courts and Tribunals  
Sector Insights Strategy Governance & Finance Group  
DDI +64 4 466 2485 Ext. 46185  
[www.justice.govt.nz](http://www.justice.govt.nz) | Visit the Justice [DataLab](#)

Mon Tues Wed Thur Fri

*Using evidence and insights to deliver better services and outcomes*

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**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Wednesday, 31 August 2022 8:21 am  
**To:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Briar,

No dramas (I know you guys are busy)

Sally was chasing me and I couldn't remember if we talked about this yesterday

Thanks D

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**From:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Sent:** Wednesday, 31 August 2022 8:06 am  
**To:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>; courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Cc:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian,

Yes I am about to log it this morning! **Out of scope**  
Will let you know the SEC number when logged

Ngā mihi,  
Briar



**Briar Lindsay**  
Analyst | Analytics and Insights - Courts and Tribunals  
Sector Insights | Strategy, Governance & Finance (SGF) Group  
Justice Centre | Level 5 | 19 Aitken Street | SX10088 | Wellington  
*Using data insights to deliver better action*  
Mon Tues Wed Thur Fri

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**From:** Hewett, Damian <[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz)>  
**Sent:** Wednesday, 31 August 2022 7:17 am  
**To:** courtstats <[courtstats@justice.govt.nz](mailto:courtstats@justice.govt.nz)>  
**Cc:** Wallace, Sally <[Sally.Wallace@justice.govt.nz](mailto:Sally.Wallace@justice.govt.nz)>  
**Subject:** FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Morning Court stats,

Just checking to see if this request was on your radar?

If it is would we be able to have a scoping meeting Thursday/Friday this week

Ngā mihi

Damian



**Damian Hewett** [he/him]  
kaitohutohu - Advisor | Ministerial Relations and Services  
Strategy Governance and Finance  
Ministry of Justice | Tāhū o te Ture  
Level 6 Justice Centre | Aitken Street  
DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

-----Original Message-----

**From:** I Brown <[fyi-request-20367-037bffd@requests.fyi.org.nz](mailto:fyi-request-20367-037bffd@requests.fyi.org.nz)>  
**Sent:** Saturday, 27 August 2022 10:00 pm  
**To:** [OIA@justice.govt.nz](mailto:OIA@justice.govt.nz)  
**Subject:** Official Information request - s364 CPA Costs Orders

Dear Ministry of Justice,

Please provide the following information:

Since the commencement date of the Criminal Procedure Act 2011:

- 1 How many costs orders have been made under s364 of the CPA 2011 in total?
- 2 How many costs orders have been made under s364 of the CPA 2011 each year since the commencement of the legislation?
- 3 How many of those costs orders, both in total and each year, have been against, respectively:
  - a Defendants;
  - b Defence counsel;
  - c Prosecutors?
- 4 Of any costs orders made against prosecutors, how many have been made against, respectively:
  - a Crown counsel individually;
  - b Crown Solicitors or their offices generally;
  - c Police Prosecution Service staff, whether counsel or sworn;

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- d Officers in Charge of a case;
- e The New Zealand Police in general
- f Departmental prosecutors;
- g Any other person or organisation involved in bringing a prosecution
- 5 How many costs orders specifically related to a failure to provide disclosure, whether relating to failure to provide disclosure in a timely fashion or for non-disclosure of an item or items?
- 6 What is the largest, the smallest, the mean, and the average costs award made under s364 CPA 2011, both in total and each year
- 7 How many individual judges have made costs orders, in total (it is not necessary to provide the names of those judges)

Yours faithfully,

I Brown

-----  
This is an Official Information request made via the FYI website

Please use this email address for all replies to this request:  
[fyi-request-20367-037bffb@requests.fyi.org.nz](mailto:fyi-request-20367-037bffb@requests.fyi.org.nz)

Is [OIA@justice.govt.nz](mailto:OIA@justice.govt.nz) the wrong address for Official Information requests to Ministry of Justice? If so, please contact us using this form:  
[https://fyi.org.nz/change\\_request/new?body=ministry\\_of\\_justice](https://fyi.org.nz/change_request/new?body=ministry_of_justice)

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:  
<https://fyi.org.nz/help/officers>

If you find this service useful as an Official Information officer, please ask your web manager to link to us from your organisation's OIA or LGOIMA page

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**From:** [May, Annie](#)  
**To:** [Hewett, Damian](#); @xx  
**Subject:** RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data  
**Date:** Friday, 23 September 2022 9:39:26 am  
**Attachments:** [image001.png](#)

Kia Damian

All done....

Ngā mihi

annie

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**From:** Hewett, Damian <xxxxxx.xxxxxx@xxxxxxx.xxx.xx>  
**Sent:** Friday, 23 September 2022 9:33 am  
**To:** xxxxxxxx@xxxxxxx.xxx.xx  
**Subject:** FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Guys,

Could you please send to the requestor.

MOJ doesn't hold the information, so it's a decline.

Ngā mihi

Damian



**Damian Hewett (he/him)**  
Kaitohutohu –(Acting) Senior Advisor  
Ministerial Relations and Services  
Strategy, Governance and Finance  
Ministry of Justice | Tāhū o te Ture  
Level 6 Justice Centre | Aitken Street  
DX Box SX 10088 | Wellington  
[Damian.Hewett@justice.govt.nz](mailto:Damian.Hewett@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

-----Original Message-----

**From:** I Brown <[xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxx.xxx.xxx.xx](mailto:xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxx.xxx.xxx.xx)>  
**Sent:** Saturday, 27 August 2022 10:00 pm  
**To:** [xxx@xxxxxxx.xxx.xx](mailto:xxx@xxxxxxx.xxx.xx)  
**Subject:** Official Information request - s364 CPA Costs Orders

Dear Ministry of Justice,

Please provide the following information:

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