

3 April 2023

J. A. Harris  
fyi-request-22010-00caa31f@requests.fyi.org.nz

Our ref: OIA 103076

Tēnā koe J. A. Harris

### **Official Information Act request: 78B applications and decision making**

Thank you for your email of 6 March 2023 in which you requested under the Official Information Act 1982 (the Act):

*Please provide information on the number of Section 78B applications (application received since 1 Jan 2018 to date. In particular, please include the following data points so analysis can be undertaken and conclusions drawn:*

- reason for 78b application*
- result of 78b application*
- indicate whether (and the number of multiple 78Bs) made for the same matter prosecuting or enforcing authority to as much detail as possible (e.g. a particular Police region or function) number of 78b applications which proceeded to collection number of 78b applications which proceeded to defended hearing and outcome of (eg number guilty/not guilty after defended hearing) number of 78b applications which proceeded to defended hearing but were withdrawn by the prosecuting authority number of 78b applications which proceeded to defended hearing but were tossed out by the court*

*Please provide data on the time or person-hours and costs incurred/required/used to process these 78B applications.*

*Please provide information on any and all internal processes, policies, guidelines, or other documents followed or referred to by MOJ staff or Court staff (including registrars, judges, clerks etc) in considering a 78B application.*

*Please provide information on any general advice or feedback given by MOJ or Courts to prosecuting authorities around 78B applications.*

*Please provide information on any efforts or initiatives undertaken within MOJ or Courts, or in partnership with prosecuting agencies, to reduce or manage the number of 78b applications or improve the agencies processes in order to avoid 78B applications.*

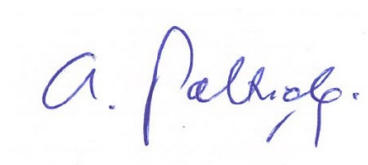
On 14 March 2023 the Ministry contacted you to clarify your request. In line with s15A(1)(a) of the Act, your clarified request becomes a new request for the purposes of the Act and therefore resets the due date.

A response to your request is being prepared. However, due to the volume of information that your request covers, a response cannot reasonably be made within the original time

limit. Accordingly, I am extending the time limit for response to this request under section 15A of the Act and will respond to you by 25 May 2023.

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

Nāku noa, nā

A handwritten signature in blue ink, reading "A. Paltridge". The signature is written in a cursive style with a large initial 'A'.

Antony Paltridge  
**Team Leader, Ministerial Relations, and Services**