



19 June 2024

Grace Haden

By email: fyi-request-26161-0e027111@requests.fyi.org.nz

Dear Ms Haden

Official information request dated 6 June 2024
Our Ref: OIA353/1

1. I refer to your request under the Official Information Act 1982 (OIA) dated 6 June 2024. You made this request following our response to your earlier request dated 15 May 2024. That response enclosed a 2018 letter to Crown Solicitors from the then Deputy Solicitor-General (Criminal) which “for the avoidance of doubt” granted dispensation to Crown Solicitors to act for the SPCA. Your new request asks:

By way of OIA could you please advise if the dispensation was reviewed after the supreme court decision [*S (SC 58/2019) v Vector Limited* [2020] NZSC 97] was delivered .

if not why not and now that you are aware of it will there be a review

2. As we have previously advised you, we are aware of the Supreme Court decision to which you refer, having appeared on behalf of the Attorney-General at the hearing. Crown Law did not review the 2018 dispensation letter following the Supreme Court’s decision.
3. We have also previously advised you that the extent to which Crown Law considers, and the position Crown Law takes on, any particular case is legally privileged. Without prejudice to that position, however, I confirm the reason no review was taken was because the Supreme Court’s decision had no bearing on the subject matter of the 2018 dispensation letter.

Proactive release

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

5. You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.
6. If you wish to discuss this decision with us, please feel free to contact oa@crownlaw.govt.nz.

Yours faithfully

Crown Law

A handwritten signature in black ink, appearing to read 'Jo Mildenhall', written over a light grey dotted background.

Jo Mildenhall
Crown Counsel