



26 April 2022

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[REDACTED]  
[REDACTED]  
[REDACTED]  
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By email: [REDACTED]

Tēnā koe [REDACTED]

**Official Information Act Request**  
**Our Ref: OIA353/1**

1. I refer to your email of 31 March 2022 in which you request under the Official Information Act 1982 (OIA):
  - 1.1 the details of the funding provided to the individual Crown Solicitors (and their firms) for the period from 2018 until the present financial year; and
  - 1.2 details of how the funding to be allocated is calculated.
2. The following table sets out the amount of funding for each Crown Solicitor for work done in their capacity as Crown Solicitors for the 2018/19, 2019/20, 2020/21 and 2021/22 financial years. The 2021/22 amounts cover the period of July 2021 to March 2022 year to date (YTD).

Warrant Crown Solicitor Firm	Year	Total (excl. GST)
Auckland Brian Dickey Meredith Connell	2018/19	\$7,518,958.20
	2019/20	\$7,540,684.84
	2020/21	\$7,848,120.21
	2021/22 (YTD)	\$5,317,195.68
Christchurch Mark Zarifeh Raymond Donnelly	2018/19	\$3,626,101.78
	2019/20	\$3,474,865.29
	2020/21	\$4,526,214.86
	2021/22 (YTD)	\$3,071,712.05

<b>Warrant Crown Solicitor Firm</b>	<b>Year</b>	<b>Total (excl. GST)</b>
Dunedin Robin Bates RPB Law	2018/19	\$988,254.42
	2019/20	\$1,352,415.31
	2020/21	\$1,117,036.15
	2021/22 (YTD)	\$861,682.58
Gisborne Steve Manning Elvidge & Partners	2018/19	\$694,432.47
	2019/20	\$663,532.07
	2020/21	\$816,436.76
	2021/22 (YTD)	\$586,066.09
Hamilton Jacinda Hamilton Hamilton Legal	2018/19	\$3,007,590.04
	2019/20	\$2,753,781.72
	2020/21	\$3,335,454.53
	2021/22 (YTD)	\$2,389,221.77
Invercargill Mary-Jane Thomas Preston Russell Law	2018/19	\$955,487.34
	2019/20	\$1,018,963.62
	2020/21	\$1,083,224.50
	2021/22 (YTD)	\$696,113.16
Manukau Natalie Walker Kayes Fletcher Walker	2018/19	\$5,923,066.65
	2019/20	\$5,424,048.49
	2020/21	\$6,938,229.67
	2021/22 (YTD)	\$4,001,998.96
Napier Steve Manning Elvidge & Partners	2018/19	\$1,305,541.51
	2019/20	\$1,771,329.06
	2020/21	\$1,671,321.09
	2021/22 (YTD)	\$1,204,714.09
New Plymouth Cherie Clarke C&M Legal	2018/19	\$1,035,702.51
	2019/20	\$1,230,926.74
	2020/21	\$1,267,050.57
	2021/22 (YTD)	\$845,399.70
Palmerston North Ben Vanderkolk BVA The Practice	2018/19	\$1,464,102.68
	2019/20	\$1,261,900.48
	2020/21	\$1,442,640.10
	2021/22 (YTD)	\$921,473.16
Rotorua Amanda Gordon Gordon Pilditch	2018/19	\$1,736,256.10
	2019/20	\$1,566,004.72
	2020/21	\$1,896,055.84
	2021/22 (YTD)	\$1,231,141.07
Tasman Mark O'Donoghue	2018/19	\$1,153,905.58
	2019/20	\$1,372,196.09

Warrant Crown Solicitor Firm	Year	Total (excl. GST)
O'Donoghue Webber	2020/21	\$1,415,163.28
	2021/22 (YTD)	\$1,079,714.88
Tauranga Anna Pollett Pollett Legal Ltd	2018/19	\$1,651,431.41
	2019/20	\$1,749,697.94
	2020/21	\$2,430,902.29
	2021/22 (YTD)	\$1,705,331.27
Timaru Andrew McRae Gresson Dorman & Co	2018/19	\$785,738.40
	2019/20	\$735,369.36
	2020/21	\$560,067.76
	2021/22 (YTD)	\$635,214.37
Wellington Grant Burston Luke Cunningham Clere	2018/19	\$2,793,408.06
	2019/20	\$2,800,023.45
	2020/21	\$3,337,095.77
	2021/22 (YTD)	\$2,407,528.01
Whanganui Michele Wilkinson-Smith Wilkinson-Smith Lawyers	2018/19	\$1,168,378.51
	2019/20	\$1,274,949.13
	2020/21	\$1,223,105.21
	2021/22 (YTD)	\$875,974.66
Whangarei Michael Smith Marsden Woods Inskip Smith	2018/19	\$1,942,640.37
	2019/20	\$2,628,507.95
	2020/21	\$2,314,472.31
	2021/22 (YTD)	\$1,786,334.14

3. Crown Solicitors are remunerated based on a bulk-funding model. Each year a set pool of funds is distributed by Crown Law proportionately between the Crown Solicitors based on the volume of cases each has undertaken and the “case mix”, or types of matters the work related to. The quantum of the bulk fund is set by an appropriation, and does not get adjusted on an annual basis based on case volumes. Crown Solicitors are therefore not funded for Crown prosecution work on a per case basis, or on the basis of hours worked.
4. Under the model, in exchange for the warrant’s share of the bulk fund, Crown Solicitors are required to deliver *all* Crown prosecution services within the geographical region of their warrant over the course of the year. This includes most High Court appeals, and other work associated with Crown prosecutions.<sup>1</sup> Crown Solicitor firms are also required to provide all supporting infrastructure including necessary technology, premises, and employing both support staff and Crown Prosecutors at appropriate levels of classification, to deliver the full range of Crown Solicitor work to a high standard.

<sup>1</sup> See Appendix One, paragraph 2 of *Crown Solicitors: Terms of Office* for detail of the work required under the Bulk Funding model.

5. Crown Solicitors may also be instructed by other government agencies to conduct non-Crown prosecutions, on a fee-paying basis in accordance with the [Crown Solicitors: Terms of Office](#). This however only represents a small proportion of Crown Solicitor work. Crown Law does not hold information about the amounts paid to Crown Solicitors by other government agencies. When a government department seeks to brief out a prosecution, they must use the local Crown Solicitor, whereas Crown entities are encouraged to use the local Crown Solicitor. The hourly rates which Crown Solicitors can charge a government department for this work are set out in Appendix Two of the Terms of Office. There are presumptive caps on the number of hours that can be charged for certain steps in a prosecution.
6. You have the right, by way of complaint to the Ombudsman under section 28(3) of the OIA, to seek an investigation and review of our decision on your request for information.

#### **Proactive release**

7. 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.

Nāku noa, nā  
**Crown Law**



Manager, Public Prosecutions Unit