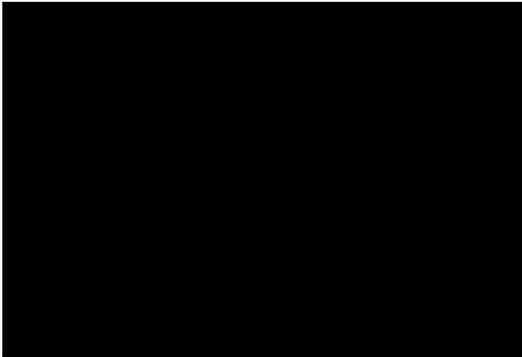




7 February 2025



Official information request for costs related to new prosecution guidelines

Our Ref: OIA353/1

1. I refer to your official information request dated 18 December 2024 for “costs associated with the development and consultation for the new prosecution guidelines recently reissued by the Solicitor-General.”
2. The Solicitor-General issues the guidelines as part of her role as Law Officer under s 185 of the Criminal Procedure Act 2011. The Ombudsman has previously stated that information related to Solicitor-General’s role as Law Officer is not “official information” within the meaning of the Official Information Act 1982 (OIA).¹ For this reason, your request is formally refused on the basis that the OIA does not apply to the information sought.
3. However, and without prejudice to the above, we have decided it is in the public interest to provide you with the information below.

Costs incurred in reviewing the Solicitor-General’s Prosecution Guidelines

4. We did not engage any consultants in the course of our review. The majority of the work was done by Crown Law employees, who are salaried workers and do not present invoices for their work. The principal cost incurred was in the contracting of a project manager for the duration of the review. There were also some costs involved in publishing on the Crown Law website, hosting various wānanga and hui (venue hire, IT costs, travel and catering), and in obtaining specialist advice from the Crown Solicitor at Auckland. The total cost incurred over the period of the review (2021-2024) was \$765,040.07.

¹ See, for example, Case Note W44280 of the Office of the Ombudsman.

5. You asked specifically about:
 - 5.1 Costs incurred for consultation with Ināia Tonu Nei. No one from Ināia Tonu Nei was paid by Crown Law for their time spent on this project.
 - 5.2 Costs incurred for media training for the Solicitor-General. No such costs were incurred.

Proactive release

6. 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.
7. 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.
8. If you wish to discuss this decision with us, please feel free to contact me.

Yours faithfully
Crown Law