

10 April 2026

**Official information request for correspondence regarding the Judicial Appointments Protocol
Our Ref: OIA-2526172**

We refer to your official information request dated 1 April 2026 for:

- *Correspondence between Crown Law, with Minister Goldsmith, and/or his Office, regarding the Judicial Appointments Protocol from July 2025 to November 2025*
- *Correspondence between Crown Law, with Minister Collins, and/or her Office, regarding the Judicial Appointments Protocol from July 2025 to November 2025*
- *Correspondence between Crown Law, with the Ministry of Justice regarding the Judicial Appointments Protocol from July 2025 to November 2025*
- *Correspondence between Crown Law, with the Judicial Appointments Unit regarding the Judicial Appointments Protocol from July 2025 to November 2025*
- *Correspondence between Crown Law, with the Chief High Court judges regarding the Judicial Appointments Protocol from July 2025 to November 2025*
- *Correspondence between Crown Law, with the Supreme Court judges regarding the Judicial Appointments Protocol from July 2025 to November 2025*

The information you requested relates to the Attorney General’s constitutional role as senior law officer of the Crown. The Attorney General, in this capacity, is not subject to the Official Information Act 1982 (the Act).¹ The work that the Crown Law Office does to assist the Attorney General with their law officer role is also not subject to the Act.²

We hold information that is within the scope of your request, but which is not official information under the Act as it relates to the performance of law officer functions. Nonetheless, we considered whether releasing this information would be in the public interest and decided that withholding it is necessary under s 9(2)(f)(i) of the Act. This is to maintain the constitutional conventions which protect the confidentiality of communications by or with the Sovereign or their representative.

¹ Sir Brian Elwood *Request for legal advice provided to the Attorney-General by Ministry of Justice—Attorney-General not subject to Act* (January 2019, Case No W41067). This can be accessed by visiting: <https://www.ombudsman.parliament.nz/resources/request-legal-advice-provided-attorney-general>.

² See *Berryman v Solicitor-General* [2005] NZAR 512 (HC) at [44], and Sir Brian Elwood *Request to Crown Law Office for legal advice given to Minister* (January 2019, Case No W44062). This can be accessed by visiting: <https://www.ombudsman.parliament.nz/resources/request-crown-law-office-legal-advice-given-minister>.

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.

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.

If you wish to discuss this decision with us, please feel free to contact OIA@crownlaw.govt.nz.

Nāku noa, nā

Crown Law