

MacKenzie, Lisa

From: info
Sent: Thursday, 28 August 2014 1:17 p.m.
To: correspondence, official
Subject: FW: Official Information Act request - How was Kristy McDonald QC engaged to work on the Scott Watson case?

Hello

Could you assist please.

Many Thanks

Raewyn Williams
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-----Original Message-----

From: Joshua Grainger [mailto:fyi-request-1970-56376c89@requests.fyi.org.nz]
Sent: Thursday, 28 August 2014 12:26 p.m.
To: Reception, CF
Subject: Official Information Act request - How was Kristy McDonald QC engaged to work on the Scott Watson case?

Dear Ministry of Justice,

I would like to request under the Official Information Act some information about how Kristy McDonald QC was engaged for the purposes of giving advice on the Scott Watson application for the preparative of mercy.

It was mentioned in a reply to another OIA request that I saw that the Ministry of Justice does not hold any notes made by Kristy McDonald QC in her investigations into the Scott Watson case. However, under s2(5) of the OIA any information held by a contractor engaged by a Ministry in their capacity as a contractor is said to be held by the Ministry itself. I would have thought because of this under the OIA any information that Kristy McDonald QC held in relation to her work on the Scott Watson case would be deemed to be held by the Ministry of Justice, as I presumed that they would have contracted with her. Due to this I would like to request:

* How was Kristy McDonald QC engaged to review the Scott Watson case, if not as a contractor?

All I want is the information about the legal structure of the relationship between Kristy McDonald QC and the Ministry of Justice, not any specific details as to her recruitment.

I am interested in this as I am a law student, and one of my areas of interest is the application of the Official Information Act.