

From: [Hewett, Damian](#)
To: [Wallace, Sally](#)
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data
Date: Wednesday, 31 August 2022 7:11:00 am
Attachments: [image001.jpg](#)
[image002.png](#)

Hey Sally,

No I don't we have yet

On looking at the request again, I'll chase as them. It appears the requestor wants a lot of info

Cheers

Damian

From: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Sent: Wednesday, 31 August 2022 6:26 am
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian

Do we have a analytic and insights person attached to this OIA yet? It would be good to chat with them, I missed the meeting we have with courtstats yesterday
 Cheers Sally

Ngā mihi

Sally



Sally Wallace (sba/har)
 Kaitohutohu - Advisor
 Operations Support | Courts & Tribunals
 Regional Service Delivery
 Operations and Service Delivery Group
 P +64 4 4955935 | EXT 64935
sally.wallace@justice.govt.nz
 Justice Centre | 19 Aitken Street | DX Box
 SX 10088
 Wellington | New Zealand
www.justice.govt.nz

From: OIA@justice.govt.nz <OIA@justice.govt.nz>
Sent: Monday, 29 August 2022 5:15 pm
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>; dccorrespondence@justice.govt.nz; courtstats@justice.govt.nz
Cc: DIAMedia@justice.govt.nz; QCE@justice.govt.nz; COOOffice@justice.govt.nz; Morison, Jan <Jan.Morison@justice.govt.nz>
Subject: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian

I am allocating this fyi org nz OIA to you. This is perhaps the 5th request from I Brown in the past week.

Please get in touch with DC Correspondence for a SME to assist with this correspondence.

Process

The OIA scoping plan and information sheet templates are in the shared file. The scoping plan is to assist you in planning out processes and timeframes for this OIA. Please ensure you fill out all of the relevant information in the information sheet and get this peer reviewed. Your SME will be able to help with both of these documents.

Please save the final version to the Allocation folder for this OIA on the shared drive. You may wish to consider whether an early scoping meeting may be useful.

This is a fyi org nz request, so you will need to ensure the Media team are consulted and sent the response.

Please talk to the SME and the signing manager about whether this OIA response can be proactively released.

Remember to update JAX, file everything in the folder in the shared drive, and update your personal workflow tool in the shared drive.

Many thanks

Ngā mihi,

Jan



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 Strategy, Governance and Finance
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www.justice.govt.nz

-----Original Message-----

From: I Brown <fyi-request-20367-037bffd@requests.fyi.org.nz>
Sent: Saturday, 27 August 2022 10:00 pm
To: OIA@justice.govt.nz
Subject: Official Information request - s364 CPA Costs Orders

Dear Ministry of Justice,

Please provide the following information:

Since the commencement date of the Criminal Procedure Act 2011:

- 1 How many costs orders have been made under s364 of the CPA 2011 in total?
- 2 How many costs orders have been made under s364 of the CPA 2011 each year since the commencement of the legislation?
- 3 How many of those costs orders, both in total and each year, have been against, respectively:
 - a Defendants;
 - b Defence counsel;
 - c Prosecutors?
- 4 Of any costs orders made against prosecutors, how many have been made against, respectively:
 - a Crown counsel individually;
 - b Crown Solicitors or their offices generally;
 - c Police Prosecution Service staff, whether counsel or sworn;
 - d Officers in Charge of a case;
 - e The New Zealand Police in general
 - f Departmental prosecutors;

From: [courtstats](#)
To: [courtstats](#); [Hewett, Damian](#)
Cc: [Wallace, Sally](#)
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data
Date: Wednesday, 31 August 2022 8:10:30 am
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.png](#)

Kia Ora Damian,

This has been logged as SEC-5240 within our Criminal Portfolio, an analyst will be in touch to discuss further.

Ngā mihi,
Briar



Briar Lindsay

Analyst | Analytics and Insights - Courts and Tribunals
Sector Insights | Strategy, Governance & Finance (SGF) Group
Justice Centre | Level 5 | 19 Aitken Street | SX10088 | Wellington

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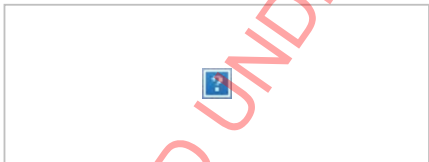
From: courtstats <xxxxxxxxx@xxxxxxxx.xxx.xx>
Sent: Wednesday, 31 August 2022 8:06 am
To: Hewett, Damian <xxxxxx.xxxxxx@xxxxxxxx.xxx.xx>; courtstats <courtstats@justice.govt.nz>
Cc: Wallace, Sally <xxxxxx.xxxxxx@xxxxxxxx.xxx.xx>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian,

Yes I am about to log it this morning! **Out of scope**

Will let you know the SEC number when logged

Ngā mihi,
Briar



Briar Lindsay

Analyst | Analytics and Insights - Courts and Tribunals
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From: Hewett, Damian <xxxxxx.xxxxxx@xxxxxxxx.xxx.xx ->
Sent: Wednesday, 31 August 2022 7:17 am
To: courtstats <xxxxxxxxx@xxxxxxxx.xxx.xx>
Cc: Wallace, Sally <xxxxxx.xxxxxx@xxxxxxxx.xxx.xx>
Subject: FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

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Morning Court stats,

Just checking to see if this request was on your radar?

If it is would we be able to have a scoping meeting Thursday/Friday this week.

Ngā mihi

Damian



Damian Hewett (he/him)
Kaitohutohu - Advisor | Ministerial Relations and Services
Strategy, Governance and Finance
Ministry of Justice | Tāhū o te Ture
Level 6 Justice Centre | Aitken Street
DX Box SX 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

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 - d. Officers in Charge of a case;
 - e. The New Zealand Police in general
 - f. Departmental prosecutors;
 - g. Any other person or organisation involved in bringing a prosecution.
5. How many costs orders specifically related to a failure to provide disclosure, whether relating to failure to provide disclosure in a timely fashion or for non-disclosure of an item or items?
6. What is the largest, the smallest, the mean, and the average costs award made under s364 CPA 2011, both in total and each year.

From: [Hewett, Damian](#)
To: [Wallace, Sally](#)
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data
Date: Monday, 12 September 2022 8:22:00 am
Attachments: [image003.jpg](#)
[image004.png](#)
[image005.png](#)
[image006.jpg](#)
[image007.jpg](#)
[image001.png](#)

Hi Sally,

I won't bug you too much Annie and Kevin helped me last week, which was great

Just Brown was have to deal with but that is easy

Ngā mihi

Damian



Damian Hewett (he/him)
 Kaitohutohu –(Acting) Senior Advisor
 Ministerial Relations and Services
 Strategy Governance and Finance
 Ministry of Justice | Tāhū o te Ture
 Level 6 Justice Centre | Aitken Street
 DX Box SX 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

From: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Sent: Monday, 12 September 2022 8:21 am
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Thanks Damian I m back and functioning!!! My goal this morning is to get on top of all my MRS work so feel free to send me any reminders or hurry ups also!!!

Ngā mihi

Sally



Sally Wallace (she/her)
 Kaitohutohu - Advisor
 Operations Support | Courts & Tribunals
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 Operations and Service Delivery Group
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sally.wallace@justice.govt.nz
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From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Monday, 12 September 2022 8:03 am
To: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Sally,

Hope you had a nice weekend?

You are my SME for this OIA. Not sure if you are across this yet but Courtstats have advised that they don't hold this info, so we will decline

I will tidy up my draft and send it through soon for Jo to review and Jacquelyn to sign-out

Ngā mihi

Damian



Damian Hewett (he/him)
 Kaitohutohu –(Acting) Senior Advisor
 Ministerial Relations and Services
 Strategy Governance and Finance
 Ministry of Justice | Tāhū o te Ture
 Level 6 Justice Centre | Aitken Street
 DX Box SX 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

From: courtstats <courtstats@justice.govt.nz>
Sent: Wednesday, 7 September 2022 10:49 pm
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Cc: courtstats <courtstats@justice.govt.nz>
Subject: SEC-5240 E: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora, Damian

Out of scope

I have looked into the request below. We have different types of costs in our monetary datamart which I thought we might be able to use to answer this. Unfortunately, the breakdowns don't give me any of the detail required.

To answer this OIA would require specialist knowledge, complex coding and the creation of new information so I think we need to decline it on that basis. We don't have any existing reporting or code to answer it.

I am out of the office until Monday but if you have any queries about this request, please email courtstats

Steph

Stephanie Simpson
 Principal Advisor Analytics & Insights Courts and Tribunals



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www.justice.govt.nz | Visit the Justice [DataLab](#)

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Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Briar,

No dramas (I know you guys are busy)

Sally was chasing me and I couldn't remember if we talked about this yesterday

Thanks D

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Kia ora Damian,

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 Will let you know the SEC number when logged

Ngā mihi,
 Briar



Briar Lindsay
 Analyst | Analytics and Insights - Courts and Tribunals
 Sector Insights | Strategy, Governance & Finance (SGF) Group
 Justice Centre | Level 5 | 19 Aikman Street | SX1 0088 | Wellington
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From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Wednesday, 31 August 2022 7:17 am
To: courtstats <courtstats@justice.govt.nz>
Cc: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

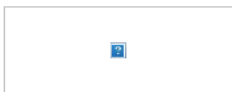
Morning Court stats,

Just checking to see if this request was on your radar?

If it is would we be able to have a scoping meeting Thursday/Friday this week

Ngā mihi

Damian



Damian Hewett (he/him)
 Kaitohutohu - Advisor | Ministerial Relations and Services
 Strategy Governance and Finance
 Ministry of Justice | Tāhū o te Ture
 Level 6 Justice Centre | Aikman Street
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Damian.Hewett@justice.govt.nz | justice.govt.nz

-----Original Message-----

From: I Brown <fyi-request-20367-037bfbfd@requests.fyi.org.nz>
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 - d. Officers in Charge of a case;

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From: [Hewett, Damian](#)
To: [Wallace, Sally](#)
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data
Date: Tuesday, 13 September 2022 1:23:00 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.png](#)
[image005.png](#)
[image006.jpg](#)
[image007.jpg](#)
[image010.png](#)

Hi Sally

I can send it to Jo, thanks

Ngā mihi

Damian



Damian Hewett (he/him)
 Kaitohutohu –(Acting) Senior Advisor
 Ministerial Relations and Services
 Strategy Governance and Finance
 Ministry of Justice | Tāhū o te Ture
 Level 6 Justice Centre | Aitken Street
 DX Box SX 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

From: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Sent: Tuesday, 13 September 2022 1:10 pm
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Damian

This looks great Damian, can I just check do you send to Jo now or me? I think its you but let me know if I have got that wrong!

Ngā mihi
Sally



Sally Wallace (she/her)
 Kaitohutohu - Advisor
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xxxxx.xxxxxxx@xxxxxxx.govt.nz
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 SX 10088
 Wellington | New Zealand
www.justice.govt.nz

From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:53 am
To: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Sally,

This sounds better

From: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:39 am
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

That is very useful to know, thank you Do we need to allude more in the letter why we are refusing under 18 (g)(i) or stating we don t hold that info is enough??

Ngā mihi
Sally



Sally Wallace (she/her)
 Kaitohutohu - Advisor
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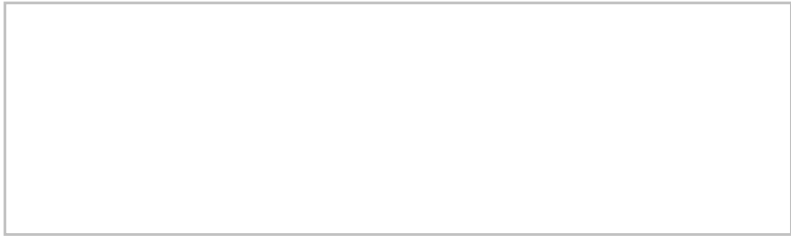
From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:30 am
To: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Thanks Sally,

That s funny I had the same conversation with my TL !

This is the rational (which was good for my understanding too)

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Since we don't want to go down that rabbit hole we decline under 18(g)(i)

D

From: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:24 am
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian, the letter looks good. I am curious though to understand if the refusal should be s18(f) the information requested cannot be made available without substantial collation or research? I reached that conclusion with what A&I stated in their email. Would be good to get your thoughts and understanding on (f) as a refusal option?

Cheers
Sal

Ngā mihi
Sally



Sally Wallace (she/her)
Kaitohutohu - Advisor
Operations Support | Courts & Tribunals
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SX 10088
Wellington | New Zealand
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From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Tuesday, 13 September 2022 8:24 am
To: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Sally

For your review before sending to Jo W

Court stats have advised that MOJ can't provide this information (last email)

So we are going to refuse under 18(g)(i)

Reference:	OIA 98729
Requester:	I Brown (FYI submitter)
Subject:	Criminal Procedure Act 2011 data
Action required:	Peer Review
Due date back to me:	15 September 2022 – by COP
Due date to requester:	26 September 2022
Drafter:	Damian Hewett
MRS peer reviewer:	Antony Paltridge
SME peer reviewer:	
SME Manager approver:	
Documents attached:	<ul style="list-style-type: none"> Request Info sheet Draft

Ngā mihi

Damian



Damian Hewett (he/him)
Kaitohutohu –(Acting) Senior Advisor
Ministerial Relations and Services
Strategy Governance and Finance
Ministry of Justice | Tāhū o te Ture
Level 6 Justice Centre | Aitken Street
DX Box SX 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

From: peerreview <peerreview@justice.govt.nz>
Sent: Monday, 12 September 2022 3:30 pm
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Cc: peerreview <peerreview@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Damien

As discussed, I think we need to say that there is no requirement under the Act for agencies to create new information, and that the Ministry does not hold the information in this form, and then refuse under 18(g) 18(e) is very emphatic – it doesn't exist or is lost – whereas in this case we know in a wider sense the information exists, it's just that we would have to write a programme to be able to answer it

Cheers

Antony

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From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Monday, 12 September 2022 3:04 pm
To: peerreview <peerreview@justice.govt.nz>
Subject: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Guys,

For PR, please

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MRS peer reviewer:	
SME peer reviewer:	
SME Manager approver:	
Documents attached:	<ul style="list-style-type: none">• Request• Info sheet• Draft

Thanks

Ngā mihi

Damian



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Kaitiaki – (Acting) Senior Advisor
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Steph



Stephanie Simpson
Principal Advisor - Analytics & Insights Courts and Tribunals
Sector Insights - Strategy Governance & Finance Group
DDI +64 4 466 2485 Ext. 46185
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Ngā mihi,
Briar

Briar Lindsay
Analyst | Analytics and Insights - Courts and Tribunals
Sector Insights | Strategy, Governance & Finance (SGF) Group



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Ngā mihi

Damian



Damian Hewett [he/him]
Kaitohutohu - Advisor | Ministerial Relations and Services
Strategy Governance and Finance
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- 5 How many costs orders specifically related to a failure to provide disclosure, whether relating to failure to provide disclosure in a timely fashion or for non-disclosure of an item or items?
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- 7 How many individual judges have made costs orders, in total (it is not necessary to provide the names of those judges)

Yours faithfully,

I Brown

This is an Official Information request made via the FYI website

Please use this email address for all replies to this request:
fyi-request-20367-037bffb@requests.fyi.org.nz

Is OIA@justice.govt.nz the wrong address for Official Information requests to Ministry of Justice? If so, please contact us using this form:
https://fyi.org.nz/change_request/new?body=ministry_of_justice

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<https://fyi.org.nz/help/officers>

If you find this service useful as an Official Information officer, please ask your web manager to link to us from your organisation's OIA or LGOIMA page

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From: [Howett, Damian](#)
To: OCE@justice.govt.nz
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data
Date: Tuesday, 13 September 2022 1:56:00 pm
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.png](#)
[image004.jpg](#)
[image005.png](#)
[image006.jpg](#)
[image007.jpg](#)
[image008.png](#)

Thanks Emma,

Will take a look

Ngā mihi

Damian



Damian Hewett (he/him)
 Kaitohutohu –(Acting) Senior Advisor
 Ministerial Relations and Services
 Strategy Governance and Finance
 Ministry of Justice | Tāhū o te Ture
 Level 6 Justice Centre | Aitken Street
 DX Box SX 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

From: OCE@justice.govt.nz <OCE@justice.govt.nz>
Sent: Tuesday, 13 September 2022 1:38 pm
To: [Howett, Damian](#) <Damian.Hewett@justice.govt.nz>
Cc: OCE@justice.govt.nz
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Damian,

Can you please clarify whether we are declining because the information doesn't exist or because it is not held by the Ministry? The info sheet and the letter conflict on this point. The reasoning provided by RSD suggests that both may be the case, however I think that needs to be clearer in both the letter and the info sheet

The letter also needs a good proof read

Thanks,
Emma

From: [Howett, Damian](#) <Damian.Hewett@justice.govt.nz>
Sent: Tuesday, 13 September 2022 1:30 pm
To: OCE@justice.govt.nz
Subject: FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Team,

For your review, please

This is decline response as the Ministry does not hold the information requested

Reference:	OIA 98729
Requester:	I Brown (FYI submitter)
Subject:	Criminal Procedure Act 2011 data
Action required:	Peer Review
Due date back to me:	15 September 2022 – by COP
Due date to requester:	26 September 2022
Drafter:	Damian Hewett
MRS peer reviewer:	Antony Paltridge
SME peer reviewer:	Sally Wallace
SME Manager approver:	
Documents attached:	<ul style="list-style-type: none"> Request Info sheet Draft

Ngā mihi

Damian



Damian Hewett (he/him)
 Kaitohutohu –(Acting) Senior Advisor
 Ministerial Relations and Services
 Strategy Governance and Finance
 Ministry of Justice | Tāhū o te Ture
 Level 6 Justice Centre | Aitken Street
 DX Box SX 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

From: [Wallace, Sally](#) <Sally.Wallace@justice.govt.nz>
Sent: Tuesday, 13 September 2022 1:10 pm
To: [Howett, Damian](#) <Damian.Hewett@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Damian

This looks great Damian, can I just check do you send to Jo now or me? I think its you but let me know if I have got that wrong!

Ngā mihi
Sally

Sally Wallace (she/her)
 Kaitohutohu - Advisor

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Operations Support | Courts & Tribunals
 Regional Service Delivery
 Operations and Service Delivery Group
 P +64 4 4955935 | EXT 64935
sally.wallace@justice.govt.nz
 Justice Centre | 19 Aitken Street | DX Box
 SX 10088
 Wellington | New Zealand
www.justice.govt.nz

From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:53 am
To: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Sally,

This sounds better

From: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:39 am
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

That is very useful to know, thank you. Do we need to allude more in the letter why we are refusing under 18 (g)(i) or stating we don't hold that info is enough??

Ngā mihi
 Sally



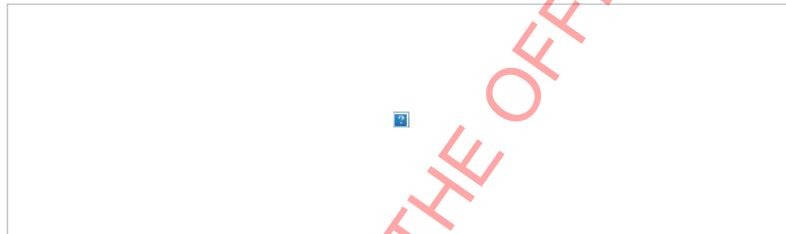
Sally Wallace (she/her)
 Kaitohutohu - Advisor
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sally.wallace@justice.govt.nz
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From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:30 am
To: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Thanks Sally,

That's funny I had the same conversation with my TL!

This is the rational (which was good for my understanding too)



Since we don't want to go down that rabbit hole we decline under 18(g)(i)

D

From: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:24 am
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian, the letter looks good. I am curious though to understand if the refusal should be s18(f) the information requested cannot be made available without substantial collation or research? I reached that conclusion with what A&I stated in their email. Would be good to get your thoughts and understanding on (f) as a refusal option?

Cheers
 Sal

Ngā mihi
 Sally



Sally Wallace (she/her)
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sally.wallace@justice.govt.nz
 Justice Centre | 19 Aitken Street | DX Box
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From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Tuesday, 13 September 2022 8:24 am
To: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Sally

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From: [Williams, Joanna](#)
To: [Hewett, Damian](#)
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data
Date: Fr day, 23 September 2022 9:21:38 am
Attachments: [OIA 98729 Brown -v1.2 - signed by BF.pdf](#)
[image004.png](#)
[image006.jpg](#)
[image009.png](#)
[image010.jpg](#)
[image011.png](#)
[image012.jpg](#)
[image013.jpg](#)

Hi Damian

Signed copy attached for sending

Kind regards
Jo

From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Monday, 19 September 2022 1:29 pm
To: Williams, Joanna <Joanna.Williams@justice.govt.nz>
Subject: FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Jo,

Hope you had a good weekend?

Just realised I wasn't very clear with my dates below

Would it be OK to have this approved and signed during the week. So I can send to the requestor on Friday, please

It is due Monday 26th but it is a one-off holiday

Thanks

Damian

From: Hewett, Damian
Sent: Tuesday, 13 September 2022 2:05 pm
To: Williams, Joanna <Joanna.Williams@justice.govt.nz>
Subject: FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Jo,

For your review/approval before sending to Bruce

NB The 26th is a one-off public holiday. Therefore could this be signed-out on the 23rd

Reference:	OIA 98729
Requester:	I Brown (FYI submitter)
Subject:	Criminal Procedure Act 2011 data
Action required:	Peer Review
Due date back to me:	23 September 2022 – by COP
Due date to requester:	26 September 2022
Drafter:	Damian Hewett
MRS peer reviewer:	Antony Paltridge
SME peer reviewer:	Sally Wallace
SME Manager approver:	
Documents attached:	<ul style="list-style-type: none"> Request Info sheet Draft

Ngā mihi

Damian



Damian Hewett (he/him)
 Kaitohutohu – (Acting) Senior Advisor
 Ministerial Relations and Services
 Strategy, Governance and Finance
 Ministry of Justice | Te Tūhono o te Tūru
 Level 6 Justice Centre | Aitken Street
 DX Box SX 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

From: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Sent: Tuesday, 13 September 2022 1:10 pm
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Damian

This looks great Damian, can I just check do you send to Jo now or me? I think its you but let me know if I have got that wrong!

Ngā mihi

Sally



Sally Wallace (she/her)
 Kaitohutohu - Advisor
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xxxx.xxxxxx@xxxxxx.govt.nz
 Justice Centre | 19 Aitken Street | DX Box
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 Wellington | New Zealand
www.justice.govt.nz

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From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:53 am
To: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hey Sally,

This sounds better

From: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:39 am
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

That is very useful to know, thank you Do we need to allude more in the letter why we are refusing under 18 (g)(i) or stating we don t hold that info is enough??

Ngā mihi
Sally



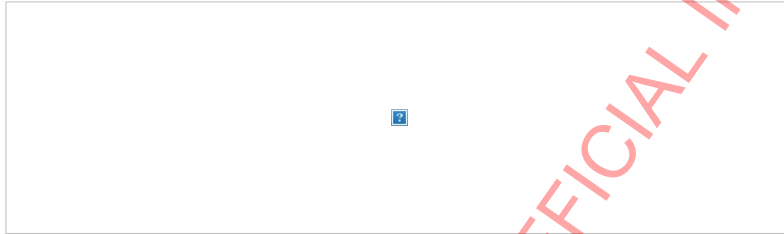
Sally Wallace (she/her)
Kaitohutohu - Advisor
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Regional Service Delivery
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xxxx.xxxxxx@xxxxxx.xx.xx
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www.justice.govt.nz

From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:30 am
To: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Thanks Sally,

That s funny I had the same conversation with my TL !

This is the rational (which was good for my understanding too)



Since we don t want to go down that rabbit hole we decline under 18(g)(i)

D

From: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Sent: Tuesday, 13 September 2022 11:24 am
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian, the letter looks good I am curious though to understand if the refusal should be s18(f) the information requested cannot be made available without substantial collation or research? I reached that conclusion with what A&I stated in their email Would be good to get your thoughts and understanding on (f) as a refusal option?

Cheers
Sal

Ngā mihi
Sally



Sally Wallace (she/her)
Kaitohutohu - Advisor
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From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Tuesday, 13 September 2022 8:24 am
To: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Sally

For your review before sending to Jo W

Court stats have advised that MOJ can t provide this information (last email)

So we are going to refuse under 18(g)(i)

Reference:	OIA 98729
Requester:	I Brown (FYI submitter)
Subject:	Criminal Procedure Act 2011 data

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Action required:	Peer Review
Due date back to me:	15 September 2022 – by COP
Due date to requester:	26 September 2022
Drafter:	Damian Hewett
MRS peer reviewer:	Antony Paltridge
SME peer reviewer:	
SME Manager approver:	
Documents attached:	<ul style="list-style-type: none"> Request Info sheet Draft

Ngā mihi

Damian



Damian Hewett (he/him)
 Kaitohutohu –(Acting) Senior Advisor
 Ministerial Relations and Services
 Strategy Governance and Finance
 Ministry of Justice | Tāhū o te Ture
 Level 6 Justice Centre | Aitken Street
 DX Box SX 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

From: peerreview <peerreview@justice.govt.nz>
Sent: Monday, 12 September 2022 3:30 pm
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Cc: peerreview <peerreview@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Damien

As discussed, I think we need to say that there is no requirement under the Act for agencies to create new information, and that the Ministry does not hold the information in this form, and then refuse under 18(g) 18(e) is very emphatic – it doesn't exist or is lost – whereas in this case we know in a wider sense the information exists, its just that we would have to write a programme to be able to answer it

Cheers

Antony

From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Monday, 12 September 2022 3:04 pm
To: peerreview <peerreview@justice.govt.nz>
Subject: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Guys,

For PR, please

Reference:	OIA 98729
Requester:	I Brown (FYI submitter)
Subject:	Criminal Procedure Act 2011 data
Action required:	Peer Review
Due date back to me:	15 September 2022 – by COP
Due date to requester:	26 September 2022
Drafter:	Damian Hewett
MRS peer reviewer:	
SME peer reviewer:	
SME Manager approver:	
Documents attached:	<ul style="list-style-type: none"> Request Info sheet Draft

Thanks

Ngā mihi

Damian



Damian Hewett (he/him)
 Kaitohutohu –(Acting) Senior Advisor
 Ministerial Relations and Services
 Strategy Governance and Finance
 Ministry of Justice | Tāhū o te Ture
 Level 6 Justice Centre | Aitken Street
 DX Box SX 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

From: courtstats <courtstats@justice.govt.nz>
Sent: Wednesday, 7 September 2022 10:49 pm
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Cc: courtstats <courtstats@justice.govt.nz>
Subject: SEC-5240 E: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora, Damian

Out of scope I have looked into the request below We have different types of costs in our monetary datamart which I thought we might be able to use to answer this Unfortunately, the breakdowns don't give me any of the detail required

To answer this OIA would require specialist knowledge, complex coding and the creation of new information so I think we need to decline it on that basis We don't have any existing reporting or code to answer it

I am out of the office until Monday but if you have any queries about this request, please email courtstats

Steph



Stephanie Simpson
Principal Advisor Analytics & Insights Courts and Tribunals
Sector Insights Strategy Governance & Finance Group
DDI +64 4 466 2485 Ext. 46185
www.justice.govt.nz | Visit the Justice [DataLab](#)

Mon Tues Wed Thur Fri

Using evidence and insights to deliver better services and outcomes

From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Wednesday, 31 August 2022 8:21 am
To: courtstats <courtstats@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Briar,

No dramas (I know you guys are busy)

Sally was chasing me and I couldn't remember if we talked about this yesterday

Thanks D

From: courtstats <courtstats@justice.govt.nz>
Sent: Wednesday, 31 August 2022 8:06 am
To: Hewett, Damian <Damian.Hewett@justice.govt.nz>; courtstats <courtstats@justice.govt.nz>
Cc: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Kia ora Damian,

Yes I am about to log it this morning! **Out of scope**
Will let you know the SEC number when logged

Ngā mihi,
Briar



Briar Lindsay
Analyst | Analytics and Insights - Courts and Tribunals
Sector Insights | Strategy, Governance & Finance (SGF) Group
Justice Centre | Level 5 | 19 Aitken Street | SX10088 | Wellington
Using data insights to deliver better action
Mon Tues Wed Thur Fri

From: Hewett, Damian <Damian.Hewett@justice.govt.nz>
Sent: Wednesday, 31 August 2022 7:17 am
To: courtstats <courtstats@justice.govt.nz>
Cc: Wallace, Sally <Sally.Wallace@justice.govt.nz>
Subject: FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Morning Court stats,

Just checking to see if this request was on your radar?

If it is would we be able to have a scoping meeting Thursday/Friday this week

Ngā mihi

Damian



Damian Hewett (he/him)
kaitohutohu - Advisor | Ministerial Relations and Services
Strategy Governance and Finance
Ministry of Justice | Tāhū o te Ture
Level 6 Justice Centre | Aitken Street
DX Box 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

-----Original Message-----

From: I Brown <fyi-request-20367-037bffd@requests.fyi.org.nz>
Sent: Saturday, 27 August 2022 10:00 pm
To: OIA@justice.govt.nz
Subject: Official Information request - s364 CPA Costs Orders

Dear Ministry of Justice,

Please provide the following information:

Since the commencement date of the Criminal Procedure Act 2011:

- 1 How many costs orders have been made under s364 of the CPA 2011 in total?
- 2 How many costs orders have been made under s364 of the CPA 2011 each year since the commencement of the legislation?
- 3 How many of those costs orders, both in total and each year, have been against, respectively:
 - a Defendants;
 - b Defence counsel;
 - c Prosecutors?
- 4 Of any costs orders made against prosecutors, how many have been made against, respectively:
 - a Crown counsel individually;
 - b Crown Solicitors or their offices generally;
 - c Police Prosecution Service staff, whether counsel or sworn;

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- d Officers in Charge of a case;
- e The New Zealand Police in general
- f Departmental prosecutors;
- g Any other person or organisation involved in bringing a prosecution
- 5 How many costs orders specifically related to a failure to provide disclosure, whether relating to failure to provide disclosure in a timely fashion or for non-disclosure of an item or items?
- 6 What is the largest, the smallest, the mean, and the average costs award made under s364 CPA 2011, both in total and each year
- 7 How many individual judges have made costs orders, in total (it is not necessary to provide the names of those judges)

Yours faithfully,

I Brown

This is an Official Information request made via the FYI website

Please use this email address for all replies to this request:
fyi-request-20367-037bffb@requests.fyi.org.nz

Is OIA@justice.govt.nz the wrong address for Official Information requests to Ministry of Justice? If so, please contact us using this form:
https://fyi.org.nz/change_request/new?body=ministry_of_justice

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
<https://fyi.org.nz/help/officers>

If you find this service useful as an Official Information officer, please ask your web manager to link to us from your organisation's OIA or LGOIMA page

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From: [May, Annie](#)
To: [Hewett, Damian; @xx](#)
Subject: RE: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data
Date: Friday, 23 September 2022 9:39:26 am
Attachments: [image001.png](#)

Kia Damian

All done....

Ngā mihi

annie

From: Hewett, Damian <xxxxxx.xxxxxx@xxxxxx.xx>
Sent: Friday, 23 September 2022 9:33 am
To: xxxxxxxx@xxxxxx.xx
Subject: FW: OIA - 98729 - Brown - due 26/09/2022 Criminal Procedure Act 2011 data

Hi Guys,

Could you please send to the requestor.

MOJ doesn't hold the information, so it's a decline.

Ngā mihi

Damian



Damian Hewett (he/him)
Kaitohutohu –(Acting) Senior Advisor
Ministerial Relations and Services
Strategy, Governance and Finance
Ministry of Justice | Tāhū o te Ture
Level 6 Justice Centre | Aitken Street
DX Box SX 10088 | Wellington
Damian.Hewett@justice.govt.nz | justice.govt.nz

-----Original Message-----
From: I Brown <xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxx.xx>
Sent: Saturday, 27 August 2022 10:00 pm
To: xxx@xxxxxx.xx
Subject: Official Information request - s364 CPA Costs Orders

Dear Ministry of Justice,

Please provide the following information:

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982