



15 September 2023

Attention: Josef Strauss

By email only: fyi-request-24119-273c0680@requests.fyi.org.nz

Dear Mr Strauss

Official information request
Our Ref: OIA353/1

1. I refer to your official information request dated 12 September 2023 for:
 - ... a breakdown of costs awards in cases defended by Crown Law in 2021 and 2022.
 - In particular, the number of cases in each period where costs were awarded in favour of Crown Law; and
 - the number of cases in each period where costs were awarded against Crown Law;
 - If possible, the total \$ amount of costs for both the above requests;
 - If possible, the budget Crown Law has to defend claims in court; and the budget to pay for costs orders against it.
2. We seek clarification of your request to enable us to respond.
3. Your request refers initially to “cases defended by Crown Law”. This could be interpreted in a broad sense to refer to Crown Law’s usual role of providing representation in the courts for the government. In these circumstances, where costs awards are made, they are usually awarded for or against the relevant ministry of department named as a party to the claim.
4. However, your request then narrows to specify information about “cases in each period where costs were awarded *in favour of Crown Law*” and “cases in each period where costs were awarded *against Crown Law*” and the budget Crown Law has to manage any such costs. This suggests that you are only seeking numerical and financial information on any costs awarded against or in favour of Crown Law, in any cases where Crown Law has been named as a party.
5. It appears likely therefore that your original request will need to be clarified or amended to enable us to respond.

6. Please note, any clarification or amendment of a request is considered to be a new request for the purpose of calculating the maximum statutory timeframe for response—see section 15(1AA) of the Official Information Act.

Yours faithfully

Crown Law



Debra Harris
Crown Counsel