

4 March 2015

Liam Stoneley
fyi-request-245811728e53@requests.fyi.org.nz

Dear Mr Stoneley

Official Information Act request: Judges' clerks

Thank you for your email of 1 February 2015 requesting, under the Official Information Act 1982, information regarding judges' clerks. This response was due to you by 2 March 2015. We apologise for the lateness and any inconvenience this has caused. Your questions have been answered below.

1. *How many judges' clerks has the Ministry employed in the last 10 years?*

Since January 2005 the Ministry of Justice has employed 204 people as judges' clerks.

2. *How many clerks resigned before they had completed their 2 year term?*

Of the 204 people employed, 17 (or 8.3%) resigned before the end of the 2 year term.

3. *A breakdown of the number of clerks, per 2 year cycle from each law school, for the past 10 years.*

The Ministry does not collect this level of detail through its centralised information systems. To find the information you have requested, we would need to manually search the individual personnel files for each of the 204 clerks employed over that 10-year period.

- In the case of employees who left the Ministry more than 7 years ago, that information will no longer exist as the files will have been disposed of in accordance with our records management policy. This part of your request is therefore refused under section 18(e) on the grounds that the documents containing the information requested do not exist.
- In the case of the other clerks employed during the relevant period, searching the files (many of which will now be archived) would require significant research and collation. Accordingly, this part of your request is refused under section 18(f) on the grounds that it cannot be made available without substantial collation and research.

We may be able to provide the information you have requested in respect of a smaller cohort of clerks and suggest you considering refining the scope of this part of your request.

4. *How many clerks have had their employment terminated?*

According to our records, no Judges' clerk has had their employment terminated.

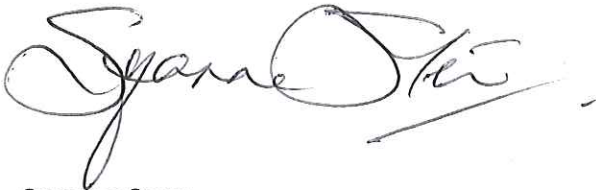
5. *How many current or former judges, at any level, were once judges' clerks?*

The Ministry does not hold information on the past employment of judges as the judiciary are not employed by the Ministry . This part of your request is refused under s18(g)(i) of the Act as the information requested is not held by the Ministry. Moreover, judicial information is not subject to the Act as per section 2(6)(a) and section 2(6)(b).

You have the right under s28(3) of the Act to complain to the Ombudsman about this response.

I trust this satisfies your request.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Suzanne Stew', with a long horizontal flourish extending to the right.

Suzanne Stew
Deputy Secretary, Corporate