



JCOIA-239

John Luke

By email: fyi-request-28922-2cef944b@requests.fyi.org.nz

Dear John Luke

REQUEST UNDER THE OFFICIAL INFORMATION ACT 1982

Thank you for your email dated 26 October 2024, seeking the following information under the Official Information Act 1982 (OIA):

May I kindly ask what is the appointment or call for nomination process for Crown Solicitor? How many applicants you have received, how many shortlisted and interviewed. What background check you have conduct before appointment and may I kindly request to view the appointment letter sent to the appointee if there is one and I am happy for you to remove any personal information. Also, can you please provide the name of all your current Crown Solicitor and their term of appointment.

The decision to appoint a Crown Solicitor is made by the Governor-General on the recommendation of the Attorney-General.

Any information relating to the appointment of the Crown Solicitor in Whanganui held by me is in my capacity as Attorney-General. The Ombudsman has previously held that information related to the Attorney-General's role as Law Officer is not "official information" within the meaning of the OIA.¹ Your request is therefore formally refused on the basis the OIA does not apply to the information sought.

However, and without prejudice to the above, I have decided it is in the public interest to provide you with the below information.

Crown Solicitor appointments

Crown Solicitor appointments are managed by the Crown Law Office and generally involve the following stages.

¹ See, for example, Case Note W44280 of the Office of the Ombudsman.

- a) *The application stage:* By way of advertisement,² the Solicitor-General invites expressions of interest from suitably qualified law practitioners who are interested in applying for appointment as Crown Solicitor in the particular district (e.g. Whanganui). Those who express interest are provided with relevant information packs for consideration before submitting formal applications. During this stage, those interested in applying are encouraged to seek clarification and ask questions about the appointment process and criteria, as required.
- b) *The short-listing stage:* The number of applicants to be shortlisted is not pre-determined but is instead decided by reference to the number and quality of applications received. Applicants are advised if their proposal is to progress to the next stage.
- c) *The evaluation stage:* The evaluation stage involves interviewing the applicant(s); meeting with partners proposing to support the warrant holder; obtaining feedback from members of the judiciary, representatives of the New Zealand Police and other stakeholders; and an assessment of application documents and applicant interviews by an evaluation panel (chaired by the Deputy Solicitor-General (Criminal)) considering the evaluation criteria.
- d) *The formal appointment stage:* Along with a full report on the appointment process, Crown Law provides me with a recommendation for appointment. The successful applicant is appointed on my recommendation, as Attorney-General, and by warrant of the Governor-General. The formal appointment process involves completion of appointment documentation. The successful applicant is notified once that process is complete.

Current Crown Solicitors

The below table sets out the details of all current Crown Solicitors, along with the date of their appointments. This information is publicly available on [Crown Law's website](#).


Warrant	Crown Solicitor	Firm	Appointment date
Auckland	Alysha McClintock	Meredith Connell	20/02/2023
Christchurch	Barnaby Hawes	Raymond Donnelly & Co	08/05/2023
Dunedin	Robin Bates	RPB Law	04/03/2002
Gisborne	Riki Donnelly	Rāwhiti Legal	01/07/2024
Hamilton	Jacinda Hamilton	Hamilton Legal	01/11/2019

² For the recent appointment process relating to the Whanganui Crown Solicitor, advertisements were placed with Law Talk and the New Zealand Herald.

Invercargill	Mary-Jane Thomas	PR Law	03/11/2005
Manukau	Natalie Walker	Kayes Fletcher Walker	11/05/2015
Napier	Steve Manning	Elvidge & Partners	01/06/2013
New Plymouth	Cherie Clarke	C&M Legal	01/07/2010
Palmerston North	Ben Vanderkolk	BVA The Practice	24/06/1987
Rotorua	Amanda Gordon	Gordon Pilditch	18/09/2023
Tasman	Mark O'Donoghue	O'Donoghue Webber	11/10/2010
Tauranga	Anna Pollett	Pollett Legal Ltd	01/08/2017
Timaru	Andrew McRae	Gresson Dorman & Co	01/02/2013
Wellington	Grant Burston	Luke Cunningham Clere	11/02/2008
Whanganui	Cherie Clarke	C&M Legal	01/11/2024
Whangārei	Bernadette O'Connor	Marsden Woods Inskip & Smith	23/02/2024

In accordance with s 19 of the Official Information Act 1982, I advise you have a right, by way of complaint under s 28(3) of that Act, to seek an investigation and review of this decision by the Ombudsman. Relevant information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely



Hon Judith Collins KC
Attorney-General