

9 November 2012

Alex Harris

By email to: fyi-request-602-dccb308f@requests.fyi.org.nz

Dear Madam or Sir

Request for advice concerning the Public Safety (Public Protection Orders) Bill
Our Ref: OIA353/1

Thank you for your email of 11 October 2012, in which you request the following information under the Official Information 1982:

* Did Crown Law provide advice to the Attorney General on the Public Safety (Public Protection Orders) Bill? If so, on what dates was the advice provided?

* A copy of any advice provided

The Attorney-General falls outside the scope of the Official Information Act, as does for that reason any advice provided by this Office to the Attorney-General for the discharge of his duties.¹ Any such advice would in any case be subject to legal privilege and there is no sufficient public interest to warrant disclosure notwithstanding that privilege, particularly given that the Attorney-General has already chosen to publish a legal opinion concerning the Bill to which you refer. I therefore decline your request. Should you wish to raise your request with the Ombudsmen, you may seek to do so by way of complaint under s 28(3) of the Act.

Yours faithfully



Ben Keith
Crown Counsel

¹ *Berryman v Solicitor-General* [2005] NZAR 512, 521.