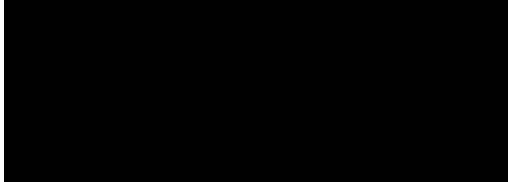




18 November 2024



**Official information request: Solicitor-General's Prosecution Guidelines**

**Our Ref:**

1. This is in response to your official information request submitted on Friday 25 October 2024 seeking information about the revised Solicitor-General's Prosecution Guidelines "the guidelines").
2. You asked the following:

What was the driver for the new Prosecution Guidelines? What problem or problems needed solving?
3. The Solicitor-General issues the guidelines as part of her role as Law Officer under s 185 of the Criminal Procedure Act 2011. The Ombudsman has previously stated that information related to Solicitor-General's role as Law Officer is not "official information" within the meaning of the Official Information Act 1982 (OIA).<sup>1</sup> For this reason, your request is formally refused on the basis that the OIA does not apply to the information sought.
4. However, and without prejudice to the above, we have decided it is in the public interest to provide you with the information below.
5. The Solicitor-General is currently reviewing the guidelines and introduction for clarity and consistency. The press release announcing this is available on the front page of our website at [www.crownlaw.govt.nz](http://www.crownlaw.govt.nz).

**Amendments to guidelines**

6. The review of prosecution guidelines was commenced in 2021 as part of Crown Law's ordinary process to ensure the guidelines reflect current law and practice. Since the guidelines were first introduced in 1992 there were substantial legal and technological changes, as well as a better understanding of the impacts on the people involved in the prosecution process, both victims and suspects or defendants. This means that many parts of the guidelines required updating and adjustments.

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<sup>1</sup> See, for example, Case Note W44280 of the Office of the Ombudsman.

**Proactive release**

7. Please note that we may publish this response (with your personal details redacted), and any related documents, on Crown Law's website if we decide proactive release of this information is or may be in the public interest. If you have any concerns about this, please let us know within 10 working days of the date of this letter.
8. You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Naku noa, nā  
**Crown Law**