




## EXECUTIVE COUNCIL CHAMBERS

3 April 2024



Ref: OIA-2023/24-0640

Tēnā koe 

### **Official Information Act request: Review of Scott Watson case**

Thank you for your Official Information Act (the Act) request received on 7 March 2024. You requested:

*“The above Official Information Request is in relation to all information your organisation holds in relation to The commissioned review by Sir Graham Pankhurst of the Scott Watson Case.*

*Background:*

*Former Minister of Justice, Andrew Little ( 26th October 2017 – 6th November 2020 ) appointed Sir Graham Pankhurst ( Retired High Court Judge ) to review the Scott Watson case ( convicted double murderer ).*

*I believe this occurred sometime in 2018, My understanding is the report was completed sometime in 2020 and sent back to the Minister of justice’s office. The report was then on sent to the Governor General’s office and then forwarded to the Court of Appeal.*

*The information I am wanting is all the information the Governor General received and on sent in relation to this review. Including any recommendations by the Governor General, and what Government Agency's the information / recommendations were sent to.*

*If you’re office does not hold this information, could you please advise where I could obtain this information.”*

The Governor-General is not subject to the Act, and related information held by the Department of the Prime Minister and Cabinet as agent for the Governor-General is not considered official information (see section 2(f) of the Act). For that reason, the Department of the Prime Minister and Cabinet is not required to respond to your request.

However, the following may be of interest:

- Mr Watson’s application was made to the then Governor-General, Rt Hon Dame Patsy Reddy in November 2017.
- In exercising the prerogative of mercy (and making a decision under section 406 of the Crimes Act 1961, which was the relevant provision in force at the time), the Governor-General acts on the advice of the Minister of Justice. The Governor-

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CABINET OFFICE, PARLIAMENT BUILDINGS, WELLINGTON 6011, NEW ZEALAND

Telephone: +64 (4) 830 5010. Email: [CabinetOffice@dpmc.govt.nz](mailto:CabinetOffice@dpmc.govt.nz)

[www.dpmc.govt.nz](http://www.dpmc.govt.nz)

General sought the advice of the Minister of Justice on Mr Watson's application, and the Minister of Justice appointed a Queen's Counsel to advise him on the application.

- A copy of the Governor-General's reference of Mr Watson's case to the Court of Appeal (made under section 406(1)(a) of the Crimes Act 1961) is publicly available, see: [Reference to the Court of Appeal of the Question of the Convictions of Scott Watson for Murder - 2020-ps3636 - New Zealand Gazette](#).

A hard copy of this response will be sent to your home address.

This response will be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Nāku noa, nā



Rachel Hayward  
**Clerk of the Executive Council**