

# *Vote Attorney-General*

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APPROPRIATION MINISTER(S): Attorney-General (M5)

DEPARTMENT ADMINISTERING THE VOTE: Crown Law Office (A2)

RESPONSIBLE MINISTER FOR CROWN LAW OFFICE: Attorney-General

## *Overview of the Vote*

The Attorney-General is responsible for appropriations in Vote Attorney-General for the 2023/24 financial year covering the following:

- a total of over \$131 million on providing for the discharge of the Law Officers' constitutional, criminal law, and system leadership responsibilities including legal advice and representation services, and
- a total of over \$6 million for capital expenditure by the Crown Law Office that mainly relates to the renewal and replacement of assets in support of its service delivery.

Details of these appropriations are set out in Parts 2-4.

# Details of Appropriations and Capital Injections

## Annual Appropriations and Forecast Permanent Appropriations

Titles and Scopes of Appropriations by Appropriation Type	2022/23		2023/24
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
<b>Departmental Capital Expenditure</b>			
<b>Crown Law Office - Capital Expenditure PLA (M5) (A2)</b> This appropriation is limited to the purchase or development of assets by and for the use of the Crown Law Office, as authorised by section 24(1) of the Public Finance Act 1989.	1,673	1,673	6,490
<b>Total Departmental Capital Expenditure</b>	1,673	1,673	6,490
<b>Multi-Category Expenses and Capital Expenditure</b>			
<b>Law Officer Functions MCA (M5) (A2)</b> The single overarching purpose of this appropriation is to provide for the discharge of the Law Officers' constitutional, criminal law, and system leadership responsibilities including legal advice and representation.	125,620	121,620	<b>131,502</b>
<i>Departmental Output Expenses</i>			
<i>Conduct of Criminal Appeals from Crown Prosecutions</i> This category is limited to conducting appeals arising from Crown prosecutions.	8,407	8,407	10,345
<i>Law Officer Constitutional and Criminal Law Duties</i> This category is limited to providing assistance to the Principal Law Officers in the exercise of their functions, and providing advice on constitutional, criminal law, mutual assistance and extradition matters.	7,822	7,822	9,994
<i>Public Prosecution Services</i> This category is limited to the provision and supervision of a national Crown prosecution service and oversight of public prosecutions.	79,710	79,710	79,526
<i>Strategic and Operational Legal Advice and Representation</i> This category is limited to leading and developing the collective strength of government lawyers and providing legal advice and representation to State Sector entities.	29,681	25,681	31,637
<b>Total Multi-Category Expenses and Capital Expenditure</b>	125,620	121,620	131,502
<b>Total Annual Appropriations and Forecast Permanent Appropriations</b>	127,293	123,293	137,992

## Capital Injection Authorisations

	2022/23		2023/24
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Crown Law Office - Capital Injection (M5) (A2)	-	-	6,500

# Supporting Information

## Part 1 - Vote as a Whole

### 1.1 - New Policy Initiatives

Policy Initiative	Appropriation	2022/23 Final Budgeted \$000	2023/24 Budget \$000	2024/25 Estimated \$000	2025/26 Estimated \$000	2026/27 Estimated \$000
Public Sector Pay Adjustment - Crown Law Office Remuneration Cost Pressure	<b>Law Officer Functions MCA</b>					
	Conduct of Criminal Appeals from Crown Prosecutions	165	393	528	528	528
	Law Officer Constitutional and Criminal Law Duties	193	459	616	616	616
	Public Prosecution Services	109	261	352	352	352
	Strategic and Operational Legal Advice and Representation	83	197	264	264	264
	Departmental Output Expense					
<b>Total initiatives</b>		<b>550</b>	<b>1,310</b>	<b>1,760</b>	<b>1,760</b>	<b>1,760</b>

## 1.2 - Trends in the Vote

### Summary of Financial Activity

	2018/19	2019/20	2020/21	2021/22	2022/23		2023/24			2024/25	2025/26	2026/27
	Actual \$000	Actual \$000	Actual \$000	Actual \$000	Final Budgeted \$000	Estimated Actual \$000	Departmental Transactions Budget \$000	Non- Departmental Transactions Budget \$000	Total Budget \$000	Estimated \$000	Estimated \$000	Estimated \$000
<b>Appropriations</b>												
Output Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Benefits or Related Expenses	-	-	-	-	-	-	N/A	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Capital Expenditure	692	676	110	404	1,673	1,673	6,490	-	6,490	560	460	460
Intelligence and Security Department Expenses and Capital Expenditure	-	-	-	-	-	-	-	N/A	-	-	-	-
Multi-Category Expenses and Capital Expenditure (MCA)												
<i>Output Expenses</i>	68,070	72,642	79,211	81,748	125,620	121,620	131,502	-	131,502	134,599	133,637	133,146
<i>Other Expenses</i>	-	-	-	-	-	-	-	-	-	-	-	-
<i>Capital Expenditure</i>	-	-	-	-	-	-	N/A	-	-	-	-	-
<b>Total Appropriations</b>	68,762	73,318	79,321	82,152	127,293	123,293	137,992	-	137,992	135,159	134,097	133,606
<b>Crown Revenue and Capital Receipts</b>												
Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Non-Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Capital Receipts	-	-	-	-	-	-	N/A	-	-	-	-	-
<b>Total Crown Revenue and Capital Receipts</b>	-	-	-	-	-	-	N/A	-	-	-	-	-

Note - where restructuring of the vote has occurred then, to the extent practicable, prior years information has been restated as if the restructuring had occurred before the beginning of the period covered. In this instance Total Appropriations for the Budgeted and Estimated Actual year may not equal Total Annual Appropriations and Forecast Permanent Appropriations and Multi-Year Appropriations in the Details of Appropriations and Capital Injections.

## Adjustments to the Summary of Financial Activity Table Due to Vote Restructuring

There have been no restructuring adjustments to prior year information in the Summary of Financial Activity table.

### 1.3 - Analysis of Significant Trends

The increases in the multi-category appropriation for 2022/23 and subsequent years are mainly due to funding increases to meet the Government's response to increased demand in Crown prosecution services.

In addition to this, Crown Law has increased its funding to meet cost pressures in:

- strengthening Crown Law's system stewardship role
- delivering justice system outcomes
- the cyber security and resilience programme
- the information system strategic plan implementation
- justice sector resourcing, such as addressing the COVID-19 impacts, and
- remuneration.

The increase in the capital expenditure in 2023/24 mainly reflects forecast expenditure for the Wellington office accommodation project.

## Part 2 - Details of Departmental Appropriations

### 2.3 - Departmental Capital Expenditure and Capital Injections

#### Crown Law Office - Capital Expenditure PLA (M5) (A2)

##### *Scope of Appropriation*

This appropriation is limited to the purchase or development of assets by and for the use of the Crown Law Office, as authorised by section 24(1) of the Public Finance Act 1989.

##### *Capital Expenditure*

	2022/23		2023/24
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Forests/Agricultural	-	-	-
Land	-	-	-
Property, Plant and Equipment	1,423	1,423	6,440
Intangibles	250	250	50
Other	-	-	-
<b>Total Appropriation</b>	<b>1,673</b>	<b>1,673</b>	<b>6,490</b>

##### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve the renewal and replacement of life-expired assets in support of the delivery of the Crown Law Office's services.

##### *End of Year Performance Reporting*

Performance information for this appropriation will be reported by the Crown Law Office in the Annual Report.

##### *Reasons for Change in Appropriation*

The increase in this appropriation for 2023/24 is mainly due to the Wellington office accommodation project that is now scheduled to be completed in 2023/24.

*Capital Injections and Movements in Departmental Net Assets***Crown Law Office**

Details of Net Asset Schedule	2022/23 Estimated Actual \$000	2023/24 Projected \$000	Explanation of Projected Movements in 2023/24
Opening Balance	4,246	2,046	
Capital Injections	-	6,500	Capital funding for the Wellington office accommodation project.
Capital Withdrawals	-	-	
Surplus to be Retained (Deficit Incurred)	(2,200)	-	Forecast reduction in the memorandum account balance for 2022/23.
Other Movements	-	-	
<b>Closing Balance</b>	<b>2,046</b>	<b>8,546</b>	



# Part 4 - Details of Multi-Category Expenses and Capital Expenditure

## 4 - Multi-Category Expenses and Capital Expenditure

### Law Officer Functions (M5) (A2)

#### *Overarching Purpose Statement*

The single overarching purpose of this appropriation is to provide for the discharge of the Law Officers' constitutional, criminal law, and system leadership responsibilities including legal advice and representation.

#### *Scope of Appropriation*

**Departmental Output Expenses**

*Conduct of Criminal Appeals from Crown Prosecutions*  
This category is limited to conducting appeals arising from Crown prosecutions.

*Law Officer Constitutional and Criminal Law Duties*  
This category is limited to providing assistance to the Principal Law Officers in the exercise of their functions, and providing advice on constitutional, criminal law, mutual assistance and extradition matters.

*Public Prosecution Services*  
This category is limited to the provision and supervision of a national Crown prosecution service and oversight of public prosecutions.

*Strategic and Operational Legal Advice and Representation*  
This category is limited to leading and developing the collective strength of government lawyers and providing legal advice and representation to State Sector entities.

#### *Expenses, Revenue and Capital Expenditure*

	2022/23		2023/24
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
<b>Total Appropriation</b>	<b>125,620</b>	<b>121,620</b>	<b>131,502</b>
<b>Departmental Output Expenses</b>			
Conduct of Criminal Appeals from Crown Prosecutions	8,407	8,407	10,345
Law Officer Constitutional and Criminal Law Duties	7,822	7,822	9,994
Public Prosecution Services	79,710	79,710	79,526
Strategic and Operational Legal Advice and Representation	29,681	25,681	31,637

	2022/23		2023/24
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
<b>Funding for Departmental Output Expenses</b>			
<b>Revenue from the Crown</b>	<b>97,330</b>	<b>97,330</b>	<b>101,712</b>
Conduct of Criminal Appeals from Crown Prosecutions	8,357	8,357	10,295
Law Officer Constitutional and Criminal Law Duties	7,752	7,752	9,924
Public Prosecution Services	79,690	79,690	79,506
Strategic and Operational Legal Advice and Representation	1,531	1,531	1,987
<b>Revenue from Others</b>	<b>28,290</b>	<b>22,090</b>	<b>29,790</b>
Conduct of Criminal Appeals from Crown Prosecutions	50	50	50
Law Officer Constitutional and Criminal Law Duties	70	70	70
Public Prosecution Services	20	20	20
Strategic and Operational Legal Advice and Representation	28,150	21,950	29,650

### *What is Intended to be Achieved with this Appropriation*

This appropriation is intended to achieve improvement in the management of Crown legal risk and improved criminal justice, maintain strong legal institutions, and strengthen the influence of the rule of law.

### *How Performance will be Assessed for this Appropriation*

	2022/23		2023/24
	Final Budgeted Standard	Estimated Actual	Budget Standard
Assessment of Performance			
<b>Quality</b>			
The Attorney-General is satisfied with the services provided by Crown Law	Yes	Yes	Yes

Performance of this appropriation will be assessed in more detail against the service delivery measures for each individual category within the appropriation.

### *What is Intended to be Achieved with each Category and How Performance will be Assessed*

	2022/23		2023/24
	Final Budgeted Standard	Estimated Actual	Budget Standard
Assessment of Performance			
<b>Departmental Output Expenses</b>			
<b>Conduct of Criminal Appeals from Crown Prosecutions</b>			
This category is intended to achieve safer communities, reduced impact of crime and related justice sector outcomes.			
<b>Quantity</b>			
<b>New matters</b>			
Crown appeals	15 - 30	17	15 - 30
Accused appeals (see Note 3)	600 - 650	665	625 - 675

	2022/23		2023/24
	Final Budgeted Standard	Estimated Actual	Budget Standard
Assessment of Performance			
<i>Quality</i>			
<i>Effectiveness</i>			
Percentage of Crown appeals concluded in favour of the Crown	60%	60%	60%
<b>Law Officer Constitutional and Criminal Law Duties</b>			
This category is intended to achieve increased trust in the justice system through the performance of the Principal Law Officers' constitutional and other duties.			
<i>Quantity</i>			
<i>New Matters</i>			
Applications processed on behalf of the Attorney-General (see Note 3)	35 - 55	30	30 - 50
Advice on behalf of the Attorney-General	120 - 160	140	120 - 160
Litigation on behalf of the Law Officers (Attorney-General and/or Solicitor-General)	10 - 25	15	10 - 25
Criminal advice (see Note 3)	5 - 15	3	5 - 10
Judicial reviews	5 - 10	2	5 - 10
Mutual assistance and extraditions	100 - 120	110	100 - 120
Criminal cases (other types)	25 - 40	27	25 - 40
Requests for prosecution appeals and judicial reviews	70 - 110	62	70 - 110
<i>Timeliness</i>			
Ministerial correspondence on time	100%	100%	100%
Responses to Parliamentary questions on time	100%	100%	100%
Official Information Act 1982 and Privacy Act 1993 responses on time	100%	100%	100%
<b>Public Prosecution Services</b>			
This category is intended to achieve safer communities, reduced impact of crime and related justice sector outcomes.			
<i>Quantity</i>			
New Crown prosecutions including appeals to the High Court from non-Crown prosecutions (see Note 3)	5,200 - 6,200	6,824	6,000 - 8,000
Crown prosecutions, including appeals to the High Court from non-Crown prosecutions, disposed of (see Note 3)	5,500 - 6,500	5,583	5,000 - 7,000
Hours of service provided (see Note 3)	250,000 - 260,000	279,914	250,000 - 300,000
Number of quality assurance reviews (full network is reviewed on rotation every three years)	6	6	6
<i>Quality</i>			
Reviews, quality assessed as exceeding or meeting expected standards	6	6	6
Improvement recommendations implemented within timeframes set greater than (see Note 1)	90%	-	-

	2022/23		2023/24
	Final Budgeted Standard	Estimated Actual	Budget Standard
Assessment of Performance			
<b>Strategic and Operational Legal Advice and Representation</b>			
This category is intended to achieve improved management of Crown legal risk and better policy decisions informed by legal implications, and enable the Crown to improve the value generated from the collective resources of the Government Legal Network.			
<b>Quantity</b>			
<b>New Matters</b>			
Advice (see Note 3)	380 - 425	300	300 - 400
Litigation	250 - 300	230	250 - 300
Judicial review	80 - 100	74	80 - 100
Claims before Waitangi Tribunal	50 - 70	60	50 - 70
Number of continuous professional development compatible hours delivered annually to the Government Legal Network	60 - 70	60 - 70	60 - 70
Number of reports submitted to the Attorney-General under the Government Legal Network Risk Reporting System	2	2	2
<b>Quality</b>			
Responses to the client survey that consider the advice and services received overall are good to excellent	90%	90%	90%
Responses to the client survey that consider the responsiveness, relevancy, accuracy, and clarity of advice are good to excellent	90%	90%	90%
Written opinions and advice that are peer reviewed	80%	80%	80%
Chief Legal Advisors consider Government Legal Network team engagement and communications are good to excellent	90%	90%	90%
Lawyers registered on Government Legal Network Online consider Government Legal Network activities and opportunities for participation are good to excellent (see Note 2)	85%	-	-
Departmental lawyers consider Government Legal Network activities and opportunities for participation are good to excellent (see Note 2)	-	-	85%
The Attorney-General is satisfied with the Government Legal Network Legal Risk Reporting System	Yes	Yes	Yes
<b>Timeliness</b>			
Responses to the client survey that consider timeliness in responding to requests are good to excellent	85%	85%	85%
Written opinions/advice (final or draft) completed by the due date	85%	77%	85%
Litigation Management Plans completed by the due date	80%	76%	80%
<b>Value for Money</b>			
Percentage of responses to the client survey that consider the service received represents value for money is good or excellent	95%	95%	95%

Note 1 - The performance measure has been removed as the Crown Solicitor network is reviewed over a three-year cycle and in recent reviews this has resulted in no significant issues being identified. Where necessary, warrants are provided with minor suggestions on how to strengthen areas of practice that are then considered as part of their next review.

Note 2 - The performance measure has been removed and replaced as not all people surveyed will have access to GLN Online for a multitude of reasons, but they will be departmental lawyers on our mailing list.

Note 3 - The budget standards for these quantity measures have been updated based on the historical trend analysis and with factors such as policy changes and recent events considered that may affect the matter numbers or hours of service provided.

### *End of Year Performance Reporting*

Performance information for this appropriation will be reported by the Crown Law Office in the Annual Report.

### *Current and Past Policy Initiatives*

Policy Initiative	Year of First Impact	2022/23 Final Budgeted \$000	2023/24 Budget \$000	2024/25 Estimated \$000	2025/26 Estimated \$000	2026/27 Estimated \$000
<b>Conduct of Criminal Appeals from Crown Prosecutions</b>						
Public Sector Pay Adjustment - Crown Law Office Remuneration Cost Pressure	2022/23	165	393	528	528	528
Information System Strategic Plan Implementation - Ongoing Investment	2022/23	188	264	264	226	226
Cyber Security and Resilience Programme - Continued Improvement	2022/23	241	243	244	244	244
Crown Prosecution Services - Funding Sustainability	2022/23	1,971	1,971	1,971	1,971	1,971
Remuneration Pressures	2022/23	282	574	873	1,173	1,173
Increased Accommodation Requirements	2022/23	169	640	640	640	640
System Stewardship Role	2021/22	1,130	2,062	3,097	3,097	3,097
Justice Sector Resourcing to Address COVID-19 Related Backlogs	2020/21	63	-	-	-	-
Funding for Responding to Remuneration Pressures	2019/20	328	328	328	328	328
Enabling a Sustainable Crown Law to Meet Core Operating Cost Pressures	2019/20	542	542	542	542	542
<b>Law Officer Constitutional and Criminal Law Duties</b>						
Public Sector Pay Adjustment - Crown Law Office Remuneration Cost Pressure	2022/23	193	459	616	616	616
Information System Strategic Plan Implementation - Ongoing Investment	2022/23	204	284	284	244	244
Cyber Security and Resilience Programme - Continued Improvement	2022/23	261	262	264	264	264
Remuneration Pressures	2022/23	305	618	942	1,265	1,265
Increased Accommodation Requirements	2022/23	184	691	691	691	691
System Stewardship Role	2021/22	1,219	2,224	3,342	3,342	3,342
Funding for Responding to Remuneration Pressures	2019/20	317	317	317	317	317
Enabling a Sustainable Crown Law to Meet Core Operating Cost Pressures	2019/20	783	783	783	783	783

Policy Initiative	Year of First Impact	2022/23 Final Budgeted \$000	2023/24 Budget \$000	2024/25 Estimated \$000	2025/26 Estimated \$000	2026/27 Estimated \$000
<b>Public Prosecution Services</b>						
Justice Sector Resourcing - addressing the Impacts of the Delta COVID-19 Restrictions	2023/24	-	1,004	1,004	-	-
Public Sector Pay Adjustment - Crown Law Office Remuneration Cost Pressure	2022/23	109	261	352	352	352
Information System Strategic Plan Implementation - Ongoing Investment	2022/23	72	101	101	87	87
Cyber Security and Resilience Programme - Continued Improvement	2022/23	93	93	94	94	94
Crown Prosecution Services - Funding Sustainability	2022/23	24,544	24,544	24,544	24,544	24,544
Remuneration Pressures	2022/23	109	221	336	451	451
Increased Accommodation Requirements	2022/23	65	246	246	246	246
System Stewardship Role	2021/22	435	794	1,192	1,192	1,192
Improving the Justice Response to Sexual Violence Victims	2021/22	9,482	7,900	6,999	5,854	5,363
Crown Prosecution Services - Sustainable Funding	2020/21	4,140	4,140	4,140	4,140	4,140
Justice Sector Resourcing to Address COVID-19 Related Backlogs	2020/21	439	-	-	-	-
Ensuring the Sustainability of the District Court by Appointing Additional District Court Judges	2019/20	1,004	1,004	1,004	1,004	1,004
Funding for Responding to Remuneration Pressures	2019/20	104	104	104	104	104
Enabling a Sustainable Crown Law to Meet Core Operating Cost Pressures	2019/20	172	172	172	172	172
<b>Strategic and Operational Legal Advice and Representation</b>						
Public Sector Pay Adjustment - Crown Law Office Remuneration Cost Pressure	2022/23	83	197	264	264	264
Information System Strategic Plan Implementation - Ongoing Investment	2022/23	36	51	51	43	43
Cyber Security and Resilience Programme - Continued Improvement	2022/23	46	47	47	47	47
Remuneration Pressures	2022/23	54	110	167	225	225
Increased Accommodation Requirements	2022/23	32	123	123	123	123
System Stewardship Role	2021/22	216	395	593	593	593
Funding for Responding to Remuneration Pressures	2019/20	51	51	51	51	51
Enabling a Sustainable Crown Law to Meet Core Operating Cost Pressures	2019/20	128	128	128	128	128

### *Reasons for Change in Appropriation*

The increase in this appropriation for 2023/24 is mainly due to:

- a \$2.475 million increase in the amount appropriated for strengthening Crown Law's system stewardship role
- a \$1.533 million increase in the amount appropriated for addressing remuneration pressures including the Public Sector Pay Adjustment (PSPA)
- a \$1.500 million increase in the amount appropriated for the revenue department part of the MCA - strategic and operational legal advice and representation that is funded on a cost recovery basis
- a \$1.250 million increase in the amount appropriated for the Wellington accommodation project
- a \$502,000 increase in the amount appropriated for the justice sector resourcing to address COVID-19 related backlogs
- a \$200,000 increase in the amount appropriated for implementing the information system strategic plan.

This is offset by a \$1.582 million decrease in the amount appropriated for improving the justice response to sexual violence victims.

### *Memorandum Account*

	2022/23		2023/24
	Budgeted \$000	Estimated Actual \$000	Budget \$000
<b>Legal Advice and Representation</b>			
Opening Balance at 1 July	2,260	2,074	(126)
Revenue	25,750	21,800	26,000
Expenses	(28,010)	(24,000)	(26,000)
Transfers and Adjustments	-	-	-
<b>Closing Balance at 30 June</b>	-	(126)	(126)
<b>Processing of King's Counsel Applications</b>			
Opening Balance at 1 July	108	108	88
Revenue	40	40	16
Expenses	(40)	(60)	(30)
Transfers and Adjustments	-	-	-
<b>Closing Balance at 30 June</b>	108	88	74