

Cluster Overview

Cluster Approach

The government established two clusters in the lead up to Budget 2022 as part of the work programme to modernise New Zealand's public finance system. The objectives of the cluster pilots include: ongoing collaboration around agreed priorities through joined up working to achieve better spending and outcomes; managing within the Budget 2022 multi-year spending package; and improved performance reporting. The Justice Cluster has implemented a cross-agency approach focused on all three of the above objectives based on a shared set of goals and priorities for the whole criminal justice sector.

The cluster pilots are valuable because they inform further and future changes to the public finance system. They also support inter-agency collaboration, help Ministers collectively direct spending and make trade-offs across related areas, support medium-term planning, and put a greater focus on value for money.

Cluster Governance

The Justice Cluster is made up of the New Zealand Police, Ministry of Justice, Ara Poutama Aotearoa - Department of Corrections, Crown Law Office, and Serious Fraud Office. The Justice Cluster pilot builds on existing collaboration under the leadership of the Justice Sector Leadership Board.

The Board comprises the Chief Executives of all five Justice Cluster agencies, and Oranga Tamariki. Established in 2011, the Board aims to increase collaboration on system-wide issues and govern significant cross-agency work programmes. The Board is supported by two Justice Sector Executive Committees focused on Strategic Investment and Operations. Membership of the Committees includes Deputy Chief Executives from across the Sector agencies.

Cluster Delegations

Cluster Ministers have been delegated authority, agreed by Cabinet, to approve fiscally neutral changes for the retention and use of departmental underspends up to a prescribed limit; reprioritisation of departmental operating funding; and to shift the timing of operating baseline and general contingency funding.

To reduce complexity in managing funds, the delegations above are not restricted to funding within the Cluster's Budget 2022 packages (eg, the additional underspends delegation applies to all Cluster departmental operating underspends up to a prescribed limit, including existing baseline funding). The exception is that funding not drawn down from initiative-specific tagged contingencies established outside the Cluster must be returned to the Centre.

Financial decisions made by Cabinet Ministers are subject to approval from the Minister of Finance that the Cluster Ministers have acted within their delegations and are consistent with Cluster priorities agreed by Cabinet or address cost pressures.

Estimates Volumes

The Justice Sector volume of the Estimates groups the cluster Votes together immediately after this Cluster Overview, followed by a non-cluster Vote (Vote Parliamentary Counsel). Vote and appropriation structures have not changed, and accountabilities for appropriations and delivery still sit with the relevant appropriation Ministers and agencies.

Cluster Priorities and Significant Initiatives

Cluster Ministers have identified four key priority areas over the Cluster period:

- **Better outcomes for victims.** The experience and needs of people who have been harmed have traditionally been overlooked by the justice system. Research confirms that victims often (but not always) come from the same complex backgrounds as offenders and can be in personal crisis at the time they interact with the system. The response to this challenge must recognise the experience and needs of victims throughout the entire system pathway.
- **Addressing issues with remand.** Notwithstanding the decline over the past year, the number of people being remanded in custody and the average time they spend on remand has been on an upward trend, such that remanded prisoners account for more than 37% of the total prison population, even more so for women. Getting people started on a pathway to wellbeing early is important and the sector recognises that there are many opportunities early in people's contact with the justice system, which can help divert people away from prison or improve the chances of a shorter time there.
- **Improved access to justice.** There are many reasons why justice can be hard to achieve, or where the pursuit of justice can cause further harm. Barriers can arise from the means or resources available to a person in the system (including access to lawyers through legal aid) and can also be issues within the system itself (eg, backlog of court proceedings). Some immediate challenges that delay or reduce access to justice for people currently, and in doing so can cause further harm, arise from court delays or inefficient and risky paper-based or manual court proceedings.
- **Better enabled organisations and workforce.** To deliver the outcomes desired in a future state criminal justice system, a focus will be to better enable agencies' frontline workforce to improve frontline capability. This will support achieving better safety and wellbeing for staff, including readiness, support and training.

How the Cluster will Deliver on Government and Cluster Priorities

The Justice Cluster's Priorities are aligned with the Government's wellbeing approach to ensure that investment decisions are driven by New Zealanders' overall wellbeing and what we can do to enhance that further. A Justice Cluster strategic framework, including some outcomes of a future state criminal justice system, will continue to develop over the Cluster pilot. The draft strategic framework, inclusive of the Budget priorities, has strong alignment to Government wellbeing objectives as articulated through the Living Standards Framework and He Ara Waiora.

The significant initiatives detailed below support initiatives already underway across the Cluster to deliver improved outcomes over the medium to long term against the four Cluster priorities.

Budget priority	Significant initiative/s funded	Draft strategic outcome	Living Standards Framework alignment	He Ara Waiora alignment
Better outcomes for victims	Victims of Crime: Improving Outcomes	<p>The system reduces harm and victimisation through early, effective and tailored responses</p> <p>The system respects rangatiratanga of iwi Māori, enables partnership based on Te Tiriti o Waitangi, and supports the unique strengths that exist in community networks</p> <p>Everyone in the justice system, whether victims or offenders, experience supported, timely and effective responses</p> <p>Formal justice system processes are whānau-centred, solutions focused, inclusive and empowering no matter what your means or abilities</p> <p>The over-representation of Māori in the criminal justice system reduces (including victims)</p> <p>Harm is prevented as re-offending, reconvictions, reimprisonments and revictimisation reduce</p>	<p>Safety</p> <p>Social connections</p> <p>Subjective wellbeing</p> <p>Cultural identity</p> <p>Health</p>	<p>Ira Tangata</p> <p>Kotahitanga</p> <p>Tikanga</p> <p>Whanaungatanga</p> <p>Tiakitanga</p>
Addressing issues with remand	Criminal process improvement programme	<p>Everyone in the justice system, whether victims or offenders, experience supported, timely and effective responses</p> <p>Custodial remand is a last resort, and accommodation needs are not a reason that people go to prison</p> <p>Therapeutic and rehabilitative specialist support is available wherever it is needed in a person's pathway to wellbeing</p>	<p>Cultural identity</p> <p>Health</p> <p>Housing</p> <p>Jobs and earnings</p> <p>Social connections</p> <p>Knowledge and skills</p> <p>Subjective wellbeing</p>	<p>Ira Tangata</p> <p>Whanaungatanga</p> <p>Wairua</p> <p>Manaakitanga</p>
Improved access to justice	<p>Strengthening legal aid</p> <p>Te Ao Mārama</p> <p>Te Au Reka (Caseflow Management)</p>	<p>The system respects rangatiratanga of iwi Māori, enables partnership based on Te Tiriti, and supports the unique strengths that exist in community networks</p> <p>Everyone in the justice system, whether victims or offenders, experience supported, timely and effective responses</p> <p>Formal justice system processes are whānau-centred, solutions focused, inclusive and empowering no matter what your means or abilities</p>	<p>Cultural identity</p> <p>Social connections</p> <p>Health</p>	<p>Kotahitanga</p> <p>Tikanga</p> <p>Ira Tangata</p> <p>Whanaungatanga</p>
Better enabled organisations and workforce	<p>Improving the safety of frontline police</p> <p>Strengthening Corrections' frontline safety and improvement programme</p> <p>Arms Safety and Control</p>	As an enabling capability, this priority underpins all outcomes	All of the above alignment	All of the above alignment

How the Cluster will Monitor and Report on Performance

Reporting is being developed for the Justice Cluster to facilitate the multi-year budget approach, provide a sector view of cluster performance and outcomes, and to understand how the pilot is working. Lead agencies will report on the significant initiatives they are delivering to support Cluster priorities in their 2022/23 annual reports in line with the table below.

Cluster priority	Significant initiatives funded	Lead agency
Better outcomes for victims	Victims of Crime: Improving Outcomes	Ministry of Justice
Addressing issues with remand	Criminal Process Improvement Programme	Ministry of Justice
Improved access to justice	Strengthening Legal Aid	Ministry of Justice
	Te Ao Mārama	Ministry of Justice
	Te Au Reka	Ministry of Justice
Better enabled organisations and workforce	Improving the Safety of Frontline Police	Police
	Strengthening Corrections' Frontline Safety and Improvement Programme	Ara Poutama Aotearoa - Department of Corrections
	Arms Safety & Control	Police

The Cluster is giving consideration to how it communicates with the public on Cluster priorities and significant initiatives. This is likely to use information from the annual Cluster Report-back due to Ministers in December 2023 and 2024 to ensure consistency and sustainability beyond the Cluster pilot.