

# *Vote Justice*

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APPROPRIATION MINISTER(S): Minister of Justice (M42), Minister for the Prevention of Family and Sexual Violence (M104)

DEPARTMENT ADMINISTERING THE VOTE: Ministry of Justice (A23)

OTHER APPROPRIATION ADMINISTRATOR(S): Executive Board for the Elimination of Family Violence and Sexual Violence (A600)

RESPONSIBLE MINISTER FOR MINISTRY OF JUSTICE: Minister of Justice

RESPONSIBLE MINISTER FOR EXECUTIVE BOARD FOR THE ELIMINATION OF FAMILY VIOLENCE AND SEXUAL VIOLENCE: Minister for the Prevention of Family and Sexual Violence

# Details of Appropriations and Capital Injections

## Annual Appropriations and Forecast Permanent Appropriations

	2022/23		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Titles and Scopes of Appropriations by Appropriation Type			
<b>Departmental Output Expenses</b>			
<b>Administration of Legal Services (M42) (A23)</b> This appropriation is limited to the administration of community, legal and related services; and the management and collection of related debt.	33,440	(1,538)	31,902
<b>Elimination of Family Violence and Sexual Violence (M104) (A600)</b> This appropriation is limited to leading a whole-of-government approach to prevent, address and eliminate family violence and sexual violence, as well as related services and support to Ministers.	20,768	(253)	20,515
<b>Justice and Emergency Agencies Property and Shared Services (M42) (A23)</b> This appropriation is limited to the provision of property and shared services to other agencies in Christchurch.	35,000	4,469	39,469
<b>Justice Policy Advice (M42) (A23)</b> This appropriation is limited to the provision of advice and ministerial support to Ministers on government policy matter relating to law and the justice sector.	37,899	5,431	43,330
<b>Public Defence Service (M42) (A23)</b> This appropriation is limited to the provision of legal services by the Public Defence Service.	42,249	2,916	45,165
<b>Sector Leadership and Support (M42) (A23)</b> This appropriation is limited to advice and services focused on the Ministry's leadership role in the justice sector. This covers enhancing the Ministry's coordination with other sector and Government agencies, advice and information about judicial and statutory appointments and monitoring specific crown entities.	11,444	568	12,012
<b>Total Departmental Output Expenses</b>	180,800	11,593	192,393
<b>Departmental Capital Expenditure</b>			
<b>Ministry of Justice - Capital Expenditure PLA (M42) (A23)</b> This appropriation is limited to the purchase or development of assets by and for the use of the Ministry of Justice, as authorised by section 24(1) of the Public Finance Act 1989.	90,230	16,172	106,402
<b>Total Departmental Capital Expenditure</b>	90,230	16,172	106,402
<b>Non-Departmental Output Expenses</b>			
<b>Electoral Services (M42) (A23)</b> This appropriation is limited to funding services relating to the administration of parliamentary elections and referenda; services relating to the maintenance of electoral rolls, including all activities required to register electors and produce electoral rolls as required by law; servicing the work of the Representation Commission; and the provision of advice, reports and public education on electoral matters.	82,905	(62,179)	20,726
<b>Inspector-General of Intelligence and Security (M42) (A23)</b> This appropriation is limited to the administrative costs associated with the work of the Inspector General of Intelligence and Security.	1,389	-	1,389
<b>Legal Aid (M42) (A23)</b> This appropriation is limited to the payments of legal aid to approved providers.	281,846	10,981	292,827

	2022/23		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
<b>Titles and Scopes of Appropriations by Appropriation Type</b>			
<b>Provision of Protective Fiduciary Services (M42) (A23)</b> This appropriation is limited to the purchase of fiduciary services provided by the Public Trust as specified by statute where charges to the recipient, if any, will not meet the costs of the service.	3,617	350	3,967
<b>Services from the Criminal Cases Review Commission (M42) (A23)</b> This appropriation is limited to the independent review of suspected miscarriages of justice and any secondary functions outlined in statute.	3,987	-	3,987
<b>Services from the Human Rights Commission (M42) (A23)</b> This appropriation is limited to advocating and promoting respect for, and an understanding and appreciation of, human rights in New Zealand.	15,329	-	15,329
<b>Services from the Independent Police Conduct Authority (M42) (A23)</b> This appropriation is limited to investigating incidents and investigating and resolving complaints against the Police, and to upholding the rights of persons in Police detention.	9,492	-	9,492
<b>Services from the Law Commission (M42) (A23)</b> This appropriation is limited to advice on the review, reform and development of all aspects of the law in New Zealand.	3,993	-	3,993
<b>Services from the Privacy Commissioner (M42) (A23)</b> This appropriation is limited to privacy issues relating to the collection and disclosure of personal information and the privacy of individuals.	7,392	-	7,392
<b>Tangata whenua-led initiatives (M42) (A23)</b> This appropriation is limited to funding tangata whenua-led whānau and community wellbeing initiatives.	-	450	450
<b>Total Non-Departmental Output Expenses</b>	409,950	(50,398)	359,552
<b>Non-Departmental Other Expenses</b>			
<b>Compensation for Wrongly Convicted Individuals (M42) (A23)</b> This appropriation is limited to compensation or ex gratia payments for persons wrongly convicted and imprisoned.	-	109	109
<b>Impairment of Crown Assets (M42) (A23)</b> This appropriation is limited to the impairment or write downs of Crown assets, managed by the Ministry of Justice, in accordance with Generally Accepted Accounting Practice.	13,512	-	13,512
<b>Remuneration for the Inspector-General and the Deputy Inspector-General of Intelligence and Security PLA (M42) (A23)</b> This appropriation is limited to the remuneration and allowances of the Inspector-General and the Deputy Inspector-General as authorised by the Intelligence and Security Act 2017, Schedule 3, clause 9(1).	644	20	664
<b>Transfer to Other Governments of Relevant Seized Assets (M42) (A23)</b> This appropriation is limited to the transfer to other governments of relevant assets seized under the Criminal Proceeds (Recovery) Act 2009.	-	38,712	38,712
<b>Total Non-Departmental Other Expenses</b>	14,156	38,841	52,997

Titles and Scopes of Appropriations by Appropriation Type	2022/23		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
<b>Multi-Category Expenses and Capital Expenditure</b>			
<b>Community Justice Support and Assistance MCA (M42) (A23)</b> The single overarching purpose of this appropriation is to support community-based justice services.	64,257	<b>688</b>	64,945
<b>Non-Departmental Output Expenses</b>			
<i>Community Harm Reduction</i> This category is limited to services to prevent or reduce crime and services that reduce harm and victimisation as a result of crime.	28,772	(1,839)	26,933
<i>Community Legal Assistance</i> This category is limited to community-based legal advice, assistance and representation services.	16,597	-	16,597
<i>Community Resolution</i> This category is limited to mediation, restorative practices and resolution services.	8,135	-	8,135
<b>Non-Departmental Other Expenses</b>			
<i>Victim Entitlements</i> This category is limited to entitlements, including counselling and financial assistance, for victims of crime.	10,753	2,527	13,280
<b>Total Multi-Category Expenses and Capital Expenditure</b>	64,257	688	64,945
<b>Total Annual Appropriations and Forecast Permanent Appropriations</b>	759,393	16,896	776,289

## Multi-Year Appropriations

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
<b>Non-Departmental Output Expenses</b>		
<b>General Election and Electoral Services (M42) (A23)</b> This appropriation is limited to administering parliamentary elections and referenda; maintaining electoral rolls; servicing the work of the Representation Commission and providing advice, reports and public education on electoral matters.	Original Appropriation	179,243
	Adjustments to 2021/22	-
	Adjustments for 2022/23	-
	Adjusted Appropriation	179,243
Commences: 01 October 2022	Actual to 2021/22 Year End	-
Expires: 30 June 2024	Estimated Actual for 2022/23	63,224
	Estimate for 2023/24	116,019
	Estimated Appropriation Remaining	-

## Total Annual Appropriations and Forecast Permanent Appropriations and Multi-Year Appropriations

	2022/23		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Total Annual Appropriations and Forecast Permanent Appropriations	759,393	16,896	776,289
Total Forecast MYA Non-Departmental Output Expenses	-	63,224	63,224
<b>Total Annual Appropriations and Forecast Permanent Appropriations and Multi-Year Appropriations</b>	<b>759,393</b>	<b>80,120</b>	<b>839,513</b>

## Capital Injection Authorisations

	2022/23		
	Estimates Budget \$000	Supplementary Estimates Budget \$000	Total Budget \$000
Executive Board for the Elimination of Family Violence and Sexual Violence - Capital Injection (M104) (A600)	-	-	-
Ministry of Justice - Capital Injection (M42) (A23)	13,061	1,145	14,206

# Supporting Information

## Part 1 - Vote as a Whole

### 1.2 - Trends in the Vote

#### Summary of Financial Activity

	2022/23				
	Estimates \$000	Supplementary Estimates			Total \$000
		Departmental Transactions \$000	Non- Departmental Transactions \$000	Total Transactions \$000	
<b>Appropriations</b>					
Output Expenses	590,750	11,593	12,826	24,419	615,169
Benefits or Related Expenses	-	N/A	-	-	-
Borrowing Expenses	-	-	-	-	-
Other Expenses	14,156	-	38,841	38,841	52,997
Capital Expenditure	90,230	16,172	-	16,172	106,402
Intelligence and Security Department Expenses and Capital Expenditure	-	-	N/A	-	-
Multi-Category Expenses and Capital Expenditure (MCA)					
<i>Output Expenses</i>	53,504	-	(1,839)	(1,839)	51,665
<i>Other Expenses</i>	10,753	-	2,527	2,527	13,280
<i>Capital Expenditure</i>	-	N/A	-	-	-
<b>Total Appropriations</b>	<b>759,393</b>	<b>27,765</b>	<b>52,355</b>	<b>80,120</b>	<b>839,513</b>
<b>Crown Revenue and Capital Receipts</b>					
Tax Revenue	-	N/A	-	-	-
Non-Tax Revenue	28,034	N/A	36,009	36,009	64,043
Capital Receipts	-	N/A	-	-	-
<b>Total Crown Revenue and Capital Receipts</b>	<b>28,034</b>	<b>N/A</b>	<b>36,009</b>	<b>36,009</b>	<b>64,043</b>

## 1.4 - Reconciliation of Changes in Appropriation Structure

From 1 October 2022 the following changes to the appropriation structure have been made within the Vote Justice:

- establishing the new General Election and Electoral Services multi-year appropriation in Vote Justice administered by the Ministry of Justice from 1 October 2022.
- from 1 October 2022, transfer the funding to the new non-departmental output expense, General Election and Electoral Services multi-year appropriation from the non-departmental output expense, Electoral Services appropriation.

Estimates	2022/23 (Estimates) \$000	Supplementary Estimates (Changes during the year)	Amount Moved \$000	New Structure	2022/23 (Restated) \$000
<b>Non-Departmental Output Expenses</b>					
Electoral Services	82,905	Transfer to General Election and Electoral Services (MYA Expense)	(62,179)		20,726
		Transfer from Electoral Services	62,179	General Election and Electoral Services (MYA Expense)	62,179
Total Changes in Appropriations	82,905		-		82,905

Explanations of the reasons for changing the appropriation structure are noted in the details of each appropriation in Parts 2-4.

## Part 2 - Details of Departmental Appropriations

### 2.1 - Departmental Output Expenses

#### Administration of Legal Services (M42) (A23)

##### *Scope of Appropriation*

This appropriation is limited to the administration of community, legal and related services; and the management and collection of related debt.

##### *Expenses and Revenue*

	2022/23		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	33,440	(1,538)	31,902
Revenue from the Crown	33,323	(1,538)	31,785
Revenue from Others	117	-	117

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

This appropriation decreased by \$1.538 million to \$31.902 million for 2022/23 due to a fiscally neutral adjustment of \$3.680 million to reflect the allocation of Ministry overheads in 2022/23.

The decrease was partially offset by:

- an increase of \$1.794 million to ensure core justice services are maintained by improving remuneration for Ministry of Justice employees
- an expense transfer of \$250,000 from 2021/22 to 2022/23 to reflect the Sexual Violence Legislation Act 2021 implementation activities, and
- a fiscally neutral adjustment of \$98,000 for the consolidation of all rostering functions to legal aid administration.

#### Elimination of Family Violence and Sexual Violence (M104) (A600)

##### *Scope of Appropriation*

This appropriation is limited to leading a whole-of-government approach to prevent, address and eliminate family violence and sexual violence, as well as related services and support to Ministers.

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

This appropriation decreased by \$253,000 to \$20.515 million for 2022/23 due to an expense transfer of \$600,000 from 2022/23 to 2023/24 to reflect the engagement costs with communities that would enable the collective implementation and monitoring of Te Aorerekura (the national strategy to eliminate family violence and sexual violence) and its related action plan.

This was partially offset by an increase of \$347,000 to ensure core justice services are maintained by improving remuneration for employees.



## Justice and Emergency Agencies Property and Shared Services (M42) (A23)

### Scope of Appropriation

This appropriation is limited to the provision of property and shared services to other agencies in Christchurch.

### Expenses and Revenue

	2022/23		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	35,000	4,469	39,469
Revenue from the Crown	22,097	4,450	26,547
Revenue from Others	12,903	19	12,922

### Reasons for Change in Appropriation

This appropriation increased by \$4.469 million to \$39.469 million for 2022/23 due to:

- a fiscally neutral adjustment of \$2.211 million to reflect the increased depreciation costs as a result of the revaluations of the Christchurch Justice and Emergency Service Precinct
- additional funding of \$2.203 million for capital charge as a result of the revaluation of the Christchurch Justice and Emergency Service Precinct as at 30 June 2022
- an increase of \$36,000 to ensure core justice services are maintained by improving remuneration for Ministry of Justice employees, and
- a fiscally neutral adjustment of \$19,000 to reflect the agency contribution for dedicated use of a new meeting room in the Christchurch Justice and Emergency Services Precinct.

## Justice Policy Advice (M42) (A23)

### Scope of Appropriation

This appropriation is limited to the provision of advice and ministerial support to Ministers on government policy matter relating to law and the justice sector.

### Expenses and Revenue

	2022/23		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	37,899	5,431	43,330
Revenue from the Crown	37,711	5,135	42,846
Revenue from Others	188	296	484

### *Reasons for Change in Appropriation*

This appropriation increased by \$5.431 million to \$43.330 million for 2022/23 due to:

- a fiscally neutral adjustment of \$2.705 million to reflect the allocation of Ministry overheads in 2022/23
- an increase of \$1.289 million to ensure core justice services are maintained by improving remuneration for Ministry of Justice employees
- an expense transfer of \$1.200 million from 2021/22 to 2022/23 for the public engagement and work on the advancing electoral law review
- an expense transfer of \$400,000 from 2021/22 to 2022/23 for the public engagement on the national action plan on racism
- an expense transfer of \$241,000 from 2021/22 to 2022/23 for the Ministry to response the work of the Abuse in Care Royal Commission of Inquiry
- a fiscally neutral adjustment of \$200,000 to reflect the agency contribution to the justice legal needs survey project, and
- a fiscally neutral adjustment of \$96,000 to reflect the agency contribution to the Tokelau law and justice sector reform project.

The increase was partially offset by an expense transfer of \$700,000 from 2022/23 to 2023/24 to reflect the timing of hearings of Te Rau o te Tika: justice system kaupapa inquiry.

### **Public Defence Service (M42) (A23)**

#### *Scope of Appropriation*

This appropriation is limited to the provision of legal services by the Public Defence Service.

#### *Expenses and Revenue*

	2022/23		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	42,249	2,916	45,165
Revenue from the Crown	42,135	2,916	45,051
Revenue from Others	114	-	114

### *How Performance will be Assessed and End of Year Reporting Requirements*

Assessment of Performance	2022/23		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
Number of hours per annum Public Defence Service provides duty lawyer supervision and duty lawyer service in courts where the Public Defence Service operates (see Note 1)	16,000-17,000 hours	3,000 hours	19,000-20,000 hours
Average cost of PAL 1 cases (see Notes 2 and 3)	<=\$1,200.00	\$200.00	<=\$1,400.00
Number of new cases accepted during the year (see Note 4)	15,000-16,000	(3,000)	12,000-13,000

Note 1 - The standard has increased for 2022/23 by 3,000 hours to align to the actual hours that have been completed over the last two financial years.

Note 2 - PAL 1 cases are the less severe charges usually heard by a judge alone. PAL is the Provider/Lawyer Approval Level of a case. Cost accounted for using criminal legal aid fixed fee rates.

Note 3 - The standard has increased for 2022/23 by \$200 to align with the recent changes to hourly rates paid to legal aid lawyers. Any further changes to recruitment, retention, the legal aid fixed fee framework, provider hourly rates, court delays, changes in judicial behaviour or charge input will impact this measure.

Note 4 - The standard has decreased for 2022/23 by 3,000 cases to align to the actual number of new cases accepted over each of the past two financial years. These case numbers have been affected by COVID-19 impacts and recruitment and staff retention challenges.

### *Reasons for Change in Appropriation*

This appropriation increased by \$2.916 million to \$45.165 million for 2022/23 due to:

- an increase of \$2.514 million to ensure core justice services are maintained by improving remuneration for Ministry of Justice employees, and
- an expense transfer of \$500,000 from 2021/22 to 2022/23 to reflect the Sexual Violence Legislation Act 2021 implementation activities.

This was partially offset by a fiscally neutral adjustment of \$98,000 for the consolidation of all rostering functions to legal aid administration.

## Sector Leadership and Support (M42) (A23)

### *Scope of Appropriation*

This appropriation is limited to advice and services focused on the Ministry's leadership role in the justice sector. This covers enhancing the Ministry's coordination with other sector and Government agencies, advice and information about judicial and statutory appointments and monitoring specific crown entities.

### *Expenses and Revenue*

	2022/23		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	11,444	568	12,012
Revenue from the Crown	10,936	368	11,304
Revenue from Others	508	200	708

### *Reasons for Change in Appropriation*

This appropriation increased by \$568,000 to \$12.012 million for 2022/23 due to:

- an increase of \$368,000 to ensure core justice services are maintained by improving remuneration for Ministry of Justice employees
- a fiscally neutral adjustment of \$200,000 to reflect the agency contribution to the Tāmaki Makaurau justice sector strategy, and
- a fiscally neutral adjustment of \$150,000 to reflect the co-government support for the mana ōrite partnership between Ināia Tonu Nei and the Justice Sector Leadership Board to improve justice sector outcomes for Māori.

This was partially offset by a fiscally neutral adjustment of \$150,000 to reflect the allocation of Ministry overheads in 2022/23.

## 2.3 - Departmental Capital Expenditure and Capital Injections

### Ministry of Justice - Capital Expenditure PLA (M42) (A23)

#### *Scope of Appropriation*

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

#### *Capital Expenditure*

	2022/23		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Forests/Agricultural	-	-	-
Land	3,300	21,700	25,000
Property, Plant and Equipment	59,930	(2,070)	57,860
Intangibles	27,000	(3,458)	23,542
Other	-	-	-
<b>Total Appropriation</b>	<b>90,230</b>	<b>16,172</b>	<b>106,402</b>

#### *Reasons for Change in Appropriation*

This appropriation increased by \$16.172 million to \$106.402 million for 2022/23 due to a revision of the capital programme.

#### *Capital Injections and Movements in Departmental Net Assets*

##### Ministry of Justice

Details of Net Asset Schedule	2022/23 Main Estimates Projections \$000	2022/23 Supplementary Estimates Projections \$000	Explanation of Projected Movements in 2022/23
Opening Balance	1,472,550	1,529,818	Supplementary Estimates opening balance reflects the audited results as at 30 June 2022.
Capital Injections	13,061	14,206	An additional \$1.145 million for capital works to accommodate additional judges to address COVID-19 related backlogs.
Capital Withdrawals	-	-	
Surplus to be Retained (Deficit Incurred)	(52)	(328)	Projected net (deficit)/surplus for memorandum accounts for the year.
Other Movements	-	-	
<b>Closing Balance</b>	<b>1,485,559</b>	<b>1,543,696</b>	

## Part 3 - Details of Non-Departmental Appropriations

### 3.1 - Non-Departmental Output Expenses

#### Electoral Services (M42) (A23)

##### *Scope of Appropriation*

This appropriation is limited to funding services relating to the administration of parliamentary elections and referenda; services relating to the maintenance of electoral rolls, including all activities required to register electors and produce electoral rolls as required by law; servicing the work of the Representation Commission; and the provision of advice, reports and public education on electoral matters.

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

This appropriation decreased by \$62.179 million to \$20.726 million for 2022/23 due to a fiscally neutral adjustment to reflect the establishment of the new General Election and Electoral Services multi-year appropriation.

#### General Election and Electoral Services (M42) (A23)

##### *Scope of Appropriation and Expenses*

Type, Title, Scope and Period of Appropriations	Appropriations, Adjustments and Use	\$000
<b>General Election and Electoral Services (M42) (A23)</b> This appropriation is limited to administering parliamentary elections and referenda; maintaining electoral rolls; servicing the work of the Representation Commission and providing advice, reports and public education on electoral matters.	Original Appropriation	179,243
	Adjustments to 2021/22	-
	Adjustments for 2022/23	-
	Adjusted Appropriation	179,243
Commences: 01 October 2022	Actual to 2021/22 Year End	-
Expires: 30 June 2024	Estimated Actual for 2022/23	63,224
	Estimate for 2023/24	116,019
	Estimated Appropriation Remaining	-

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

This appropriation is intended to achieve the efficient running of New Zealand's elections and referenda.

### *How Performance will be Assessed and End of Year Reporting Requirements*

Assessment of Performance	2022/23		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
<b>Facilitate participation in Parliamentary Elections</b>			
Number of people enrolled (average for the period) (see Note 1)	New measure	New measure	3.638 million
Number of 18-24 year-olds enrolled (average for the period) (see Note 1)	New measure	New measure	341,000
Percentage of enrolment transactions that are conducted digitally (see Note 1)	New measure	New measure	>40%
Percentage of advisory opinions issued within 5 working days (see Note 1)	New measure	New measure	>95%
<b>People have trust and confidence in our electoral system</b>			
Key General Election preparation milestones for the period achieved (see Note 1)	New measure	New measure	Achieved
Adherence to the Commission's quality assurance practices around the integrity of the roll (see Note 1)	New measure	New measure	100%

Note 1 - This is a new appropriation for 2022/23 following an appropriation structure change with funding transferred from the Electoral Services appropriation. All performance indicators have been carried over from the Electoral Services appropriation.

#### *Service Providers*

Services will be delivered by the Electoral Commission.

#### *Reasons for Change in Appropriation*

The increase in this newly established appropriation for 2022/23 is due to:

- a fiscally neutral adjustment of \$178.198 million from Electoral Services appropriation to establish the new multi-year appropriation, and
- an increase of \$1.045 million for the Hamilton West by-election.

## Legal Aid (M42) (A23)

### *Scope of Appropriation*

This appropriation is limited to the payments of legal aid to approved providers.

### *Components of the Appropriation*

	2022/23		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Legal Aid - criminal cases	154,573	7,768	162,341
Legal Aid - family cases	78,279	3,760	82,039
Legal Aid - Waitangi cases	22,555	402	22,957
Duty solicitors and police detention legal assistance	18,245	(1,498)	16,747
Legal Aid - civil cases	8,194	549	8,743
<b>Total</b>	<b>281,846</b>	<b>10,981</b>	<b>292,827</b>

### *Reasons for Change in Appropriation*

This appropriation increased by \$10.981 million to \$292.827 million for 2022/23 due to an expense transfer from 2021/22 to 2022/23 to progress the legal aid cases impacted by COVID-19.

## Provision of Protective Fiduciary Services (M42) (A23)

### *Scope of Appropriation*

This appropriation is limited to the purchase of fiduciary services provided by the Public Trust as specified by statute where charges to the recipient, if any, will not meet the costs of the service.

### *How Performance will be Assessed and End of Year Reporting Requirements*

	2022/23		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
Assessment of Performance			
Hours to manage and advise individuals under the Protection of Personal Property Rights Act (see Note 1)	7,500	3,500	11,000

Note 1 - The standard has increased for 2022/23 by 3,500 to align with the actual hours that have been completed.

### *Reasons for Change in Appropriation*

This appropriation increased by \$350,000 to \$3.967 million for 2022/23 to reflect an expense transfer from 2021/22 to 2022/23 for services that were impacted by COVID-19 and to be delivered in 2022/23.



## Services from the Criminal Cases Review Commission (M42) (A23)

### *Scope of Appropriation*

This appropriation is limited to the independent review of suspected miscarriages of justice and any secondary functions outlined in statute.

### *How Performance will be Assessed and End of Year Reporting Requirements*

Assessment of Performance	2022/23		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
Commissioners receive recommendation report on applications within two months of receipt (see Note 1)	90%	Measure replaced	Measure replaced
Commissioners receive a triage report within six months of an application being received (for those applications received after 31 December 2022) (see Note 1)	New measure	40%	40%

Note 1 - The performance indicator 'Commissioners receive recommendation report on applications within two months of receipt' was replaced with 'Commissioners receive a triage report within six months of an application being received (for those applications received after 31 December 2022)'. This is because Te Kāhui Tātari Ture | Criminal Cases Review Commission have updated their case procedures and have moved to a triage process which allows cases to be identified earlier in the process. This means applications which do not meet the section 17 criteria can be filtered out earlier. The triage process involves collating material from third parties, which takes longer but provides more useful information to help identify less meritorious cases. The Criminal Cases Review Commission estimates 40% of cases may fall into this category.

## Services from the Independent Police Conduct Authority (M42) (A23)

### *Scope of Appropriation*

This appropriation is limited to investigating incidents and investigating and resolving complaints against the Police, and to upholding the rights of persons in Police detention.

### *How Performance will be Assessed and End of Year Reporting Requirements*

Assessment of Performance	2022/23		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
<b>Monitor places of police detention</b>			
Reviews of police audits of District Custodial Management files, being conducted bi-monthly according to a programme agreed with police are completed within 60 days (see Note 1)	100%	Measure replaced	Measure replaced
Complete inspection visits to all overnight police custodial facilities and selected holding cells in four police districts per annum (see Note 2)	New measure	New measure	100%
Produce an inspection report within 60 days of completing the last site visit in a district (see Note 2)	New measure	New measure	100%

Assessment of Performance	2022/23		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
Engage with police and other relevant agencies regarding recommendations the Independent Police Conduct Authority make as a National Preventive Mechanism within 30 days of reporting (see Note 2)	New measure	New measure	100%
Conduct announced and unannounced follow up visits to monitor implementation of the Independent Police Conduct Authority recommendations (see Note 2)	New measure	New measure	100%

Note 1 - The performance indicator 'Reviews of police audits of District Custodial Management files, being conducted bi-monthly according to a programme agreed with police are completed within 60 days' was replaced for 2022/23 with four new measures. The practice through which Audit of District Custodial management files has changed, and the current performance indicator no longer accurately measures the activities that are being undertaken.

Note 2 - These new performance indicators for 2022/23 were selected as they represent the immediate areas of focus for this work.

## Services from the Law Commission (M42) (A23)

### *Scope of Appropriation*

This appropriation is limited to advice on the review, reform and development of all aspects of the law in New Zealand.

### *How Performance will be Assessed and End of Year Reporting Requirements*

Assessment of Performance	2022/23		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
The number of consultation or other papers, reports or advice (see Note 1)	3	Measure replaced	Measure replaced
The number of terms of reference, consultation papers and final reports and other advice (see Note 1)	New measure	New measure	5

Note 1 - The performance indicator 'The number of consultation or other papers, reports or advice' was replaced for 2022/23 with '*The number of terms of reference, consultation papers and final reports and other advice*' to ensure the performance indicator reflects the actual work that is estimated to be completed by the Law Commission.

## Tangata whenua-led initiatives (M42) (A23)

### *Scope of Appropriation*

This appropriation is limited to funding tangata whenua-led whānau and community wellbeing initiatives.

### *Expenses*

	2022/23		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	450	450

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

This appropriation is intended to provide funding that contributes to tangata whenua-led initiatives that support whānau and community wellbeing to improve justice outcomes.

### *How Performance will be Assessed and End of Year Reporting Requirements*

An exemption was granted, as the appropriation is one from which resources will be provided to a person or an entity other than a department, a functional chief executive, an Office of Parliament, or a Crown entity, under s15D(2)(b)(iii) of the Public Finance Act 1989, as the amount of this annual appropriation for a non-departmental output expense is less than \$5 million.

### *Reasons for Change in Appropriation*

The increase in this newly established appropriation for 2022/23 is due to an increase of \$450,000 for the Te Puna Hāpori initiative providing additional justice services from the new Whanganui Court and Police facilities.

## 3.4 - Non-Departmental Other Expenses

### Compensation for Wrongly Convicted Individuals (M42) (A23)

#### *Scope of Appropriation*

This appropriation is limited to compensation or ex gratia payments for persons wrongly convicted and imprisoned.

#### *Expenses*

	2022/23		Total \$000
	Estimates \$000	Supplementary Estimates \$000	
Total Appropriation	-	109	109

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

This appropriation is intended to achieve efficient payment of compensation or ex-gratia payments to persons wrongly convicted and imprisoned.

#### *How Performance will be Assessed and End of Year Reporting Requirements*

An exemption was granted, as the appropriation is one from which resources will be provided to a person or an entity other than a department, a functional chief executive, an Office of Parliament, or a Crown entity, under s15D(2)(b)(iii) of the Public Finance Act 1989, as the amount of this annual appropriation for a non-departmental output expense is less than \$5 million.

#### *Reasons for Change in Appropriation*

The increase in this appropriation for 2022/23 is due to an increase of \$109,000 for the compensation for wrongly convicted individuals.

### Remuneration for the Inspector-General and the Deputy Inspector-General of Intelligence and Security PLA (M42) (A23)

#### *Scope of Appropriation*

This appropriation is limited to the remuneration and allowances of the Inspector-General and the Deputy Inspector-General as authorised by the Intelligence and Security Act 2017, Schedule 3, clause 9(1).

#### *Reasons for Change in Appropriation*

This appropriation increased by \$20,000 to \$664,000 for 2022/23 in accordance with the determination issued by the Remuneration Authority effective from 1 July 2022.

## Transfer to Other Governments of Relevant Seized Assets (M42) (A23)

### *Scope of Appropriation*

This appropriation is limited to the transfer to other governments of relevant assets seized under the Criminal Proceeds (Recovery) Act 2009.

### *Expenses*

	2022/23		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	-	38,712	38,712

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

This appropriation is intended to achieve the efficient and effective transfer of relevant assets seized under the Criminal Proceeds (Recovery) Act 2009 to other governments.

### *How Performance will be Assessed and End of Year Reporting Requirements*

An exemption was granted, as the appropriation is one from which resources will be provided to a person or an entity other than a department, a functional chief executive, an Office of Parliament, or a Crown entity, under s15D(2)(b)(ii) of the Public Finance Act 1989 as end-of-year performance information for the appropriation or category is not likely to be informative in the light of the nature of the transaction or causal event giving rise to the expenses or capital expenditure.

### *Reasons for Change in Appropriation*

The increase in this appropriation for 2022/23 of \$38.712 million is to reflect the transfer of relevant assets seized under the Criminal Proceeds (Recovery) Act 2009 to other governments.

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

## 4 - Multi-Category Expenses and Capital Expenditure

### Community Justice Support and Assistance (M42) (A23)

#### *Overarching Purpose Statement*

The single overarching purpose of this appropriation is to support community-based justice services.

#### *Scope of Appropriation*

##### **Non-Departmental Output Expenses**

###### *Community Harm Reduction*

This category is limited to services to prevent or reduce crime and services that reduce harm and victimisation as a result of crime.

###### *Community Legal Assistance*

This category is limited to community-based legal advice, assistance and representation services.

###### *Community Resolution*

This category is limited to mediation, restorative practices and resolution services.

##### **Non-Departmental Other Expenses**

###### *Victim Entitlements*

This category is limited to entitlements, including counselling and financial assistance, for victims of crime.

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

	2022/23		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
<b>Total Appropriation</b>	<b>64,257</b>	<b>688</b>	<b>64,945</b>
<b>Non-Departmental Output Expenses</b>			
Community Harm Reduction	28,772	(1,839)	26,933
Community Legal Assistance	16,597	-	16,597
Community Resolution	8,135	-	8,135
<b>Non-Departmental Other Expenses</b>			
Victim Entitlements	10,753	2,527	13,280

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

Assessment of Performance	2022/23		
	Estimates Standard	Supplementary Estimates Standard	Total Standard
<b>Non-Departmental Output Expenses</b>			
<b>Community Resolution</b>			
This category is intended to achieve the provision of support and services for separating families.			
Hours to manage and advise on small estates and trusts (see Note 1)	1,000	Measure removed	Measure removed
Hours to manage and advise individuals under the Protection of Personal Property Rights Act (see Note 1)	11,000	Measure removed	Measure removed

Note 1 - These performance indicators have been removed for 2022/23 due to reporting on these areas being covered by performance indicators for the Provision of Protective Fiduciary Services appropriation.

*Reasons for Change in Appropriation*

This appropriation increased by \$688,000 to \$64.945 million for 2022/23 due to:

- a net increase of \$1.817 million for victim assistance scheme grants, with an increase of \$1.456 million for victims of the masjidain attack and \$361,000 for victims of the of the Whakaari/White Island eruption
- an expense transfer of \$500,000 from 2021/22 to 2022/23 for the carry forward of underspent funding from the offender levy, and
- a net increase of \$298,000 to reflect an expense transfer of \$548,000 from 2021/22 to 2022/23 for Whakaoranga te Mana Tangata to support Māori offenders, victims and their whānau, offset by a fiscally neutral adjustment of \$250,000 for the post implementation activities that will be provided under the Ministry of Justice departmental activities.

The decrease was partially offset by:

- a fiscally neutral adjustment of \$1.777 million to transfer funding for services providers for victims and perpetrators of family violence that are paid through other appropriations in Vote Courts and Vote Corrections, and
- a fiscally neutral transfer of \$150,000 to reflect the co-government support for the mana ōrite partnership between Ināia Tonu Nei and the Justice Sector Leadership Board to improve justice sector outcomes for Māori.