

The Treasury

Budget 2021 Information Release

August 2021

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Where this is the case, the relevant sections of the Act that would apply have been identified.

Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Key to sections of the Act under which information has been withheld:

- [1] 6(a) - to avoid prejudice to the security or defence of New Zealand or the international relations of the government
- [23] 9(2)(a) - to protect the privacy of natural persons, including deceased people
- [25] 9(2)(b)(ii) - to protect the commercial position of the person who supplied the information or who is the subject of the information
- [26] 9(2)(ba)(i) - to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied
- [33] 9(2)(f)(iv) - to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials
- [34] 9(2)(g)(i) - to maintain the effective conduct of public affairs through the free and frank expression of opinions
- [35] 9(2)(g)(ii) - to maintain the effective conduct of public affairs through protecting ministers, members of government organisations, officers and employees from improper pressure or harassment
- [36] 9(2)(h) - to maintain legal professional privilege
- [37] 9(2)(i) - to enable the Crown to carry out commercial activities without disadvantage or prejudice
- [38] 9(2)(j) - to enable the Crown to negotiate without disadvantage or prejudice
- [39] 9(2)(k) - to prevent the disclosure of official information for improper gain or improper advantage
- [40] Not in scope
- [42] 18(d) - information is already publicly available or will be publicly available soon.

Where information has been withheld, a numbered reference to the applicable section of the Act has been made, as listed above. For example, a [23] appearing where information has been withheld in a release document refers to section 9(2)(a).

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Hon Grant Robertson

MP for Wellington Central
Deputy Prime Minister
Minister of Finance
Minister for Infrastructure
Minister for Sport and Recreation
Minister for Racing



21 December 2020

Hon Kris Faafoi
Minister of Justice
Parliament Buildings

Dear Kris

Thank you for your recent engagement on Budget 2021. As you will be aware, we have set a very high bar for the initiatives that will be invited for submission, limited to only the most critical cost pressures and urgent manifesto commitments.

I have considered the cost pressures and manifesto commitments that you outlined in your letter, and am inviting you to submit the following initiatives in your Justice portfolio:

Addressing the depreciation impacts on property revaluations

Funding for depreciation resulting from revaluations of the Ministry of Justice's property.

Mental Health Act amendment

Funding for changes to the Mental Health Act, to eliminate compulsory treatment orders, which will increase the number of independent reviews required to be undertaken by the Family Court.

Tenancy Tribunal cost pressure

Funding to support legislative change and an anticipated increase in services and capacity required as a result of the Residential Tenancies Amendment Act. I expect this initiative to be focused on critical cost pressure elements for Budget 2021.

National scheduling team

Continuing the pilot team previously funded from the Effective Justice Fund, which is expected to result in scheduling efficiencies in the courts. I am looking for this initiative to clearly demonstrate how further investment will help address critical cost pressures in the courts.

[33]

Election Access Fund Act 2020

Funding for the Ministry of Justice and the Electoral Commission to establish and administer the fund created by new legislation to remove or reduce barriers to standing as a candidate in general elections or by-elections.

Continuity of the interpreter and communications assistance services in the courts

Funding to increase the rates of interpreter and communication services, to retain quality services supporting participants through the court process. The submission should explain how this initiative would reduce delays in the court system.

Meeting the financial entitlements for victims of serious crime

Funding to cover the Victim Assistance Scheme for victims who qualify for assistance under current eligibility settings.

Continued Legal Aid funding

Funding to cover current eligibility for legal aid under the Legal Services Act.

Māori Land Court Special Aid Fund cost pressure

The initiative would support participants in the Māori Land Court by providing access to specialist services.

[33]

Whakaorangia te mana Tangata

The initiative would fund a community justice response through partnership with iwi/Māori to address the disproportionate impact that the criminal justice system has on our Māori and Pacific peoples' whānau. The submission should clearly detail the proposal and how outcomes are expected to be achieved.

Implementing phase two of the Family Justice reforms

Funding for improving the wellbeing of children exposed to Family Court disputes by reducing process delays [33] The submission should provide information on the Family Justice reforms, its current status and timing options.

Many of these initiatives were also listed by the Minister for Courts in his letter and will need to be submitted under a lead Minister, with consultation across the Courts and Justice portfolios.

Please note that while I have invited these initiatives to be submitted, this does not guarantee that they will receive funding. The Treasury will assess the value for money and relative priority of all initiatives, and this advice will help to inform the shape of the final Budget 2021 package to be decided by Budget Ministers. Therefore, I expect that all initiatives will be supported by a robust case for funding and a strong evidence base, as well as scaling and reprioritisation options.

The cost pressures and manifesto commitments that I have not invited you to submit on may be addressed through future Budgets or other levers such as reprioritisation of baseline funding. As per the expectations that I have previously outlined around fiscal management, I will not support any out-of-cycle funding requests for these initiatives unless there is a compelling case for urgency.

I wish to emphasise that the other information that you have provided will help to lay the groundwork for future Budgets, and provides an important insight into the challenges and opportunities facing our Government this term. I will discuss options for funding these initiatives through Budgets 2022 or 2023 at a later stage.

Yours sincerely



Hon Grant Robertson
Minister of Finance